

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2021/0250/VAR
Location: Stanborough School Lemsford Lane Welwyn Garden City AL8 6YR
Proposal: Variation of condition 3 (approved drawings) on planning permission 6/2019/2587/VAR
Officer: Mr Raymond Lee

Recommendation: Granted

6/2021/0250/VAR

Context	
Site and Application description	<p>The application site refers to an area of grass seen within the Stanborough School complex. The school site itself is located on the southern side of Lemsford Lane, with the area subject of this planning application located to the north-western corner of the school site on the boundary with Stanborough Park.</p> <p>The application seeks to vary condition 3, which related to the approved drawings of planning permission 6/2019/2587/VAR for the erection of a single storey building with a roof of differing sloping heights to accommodate a new drama and music facility for the school and following demolition of an existing building. This permission has since been implemented and the development is now under construction.</p> <p>The alterations proposed currently proposed include:</p> <ul style="list-style-type: none"> • External fenestration changes proposed to main building to include new double door with ramped access and new door in place of a infilled window serving the toilets • Omission of new retaining wall and hardstanding and the formation of new grass embankment • Upper area to be reinstated in tarmac to increase hard recreation area • Minor amendments around new Music Block
Constraints (as defined within WHDP 2005)	<p>CA - Conservation Area: WGC1; - Distance: 18.27</p> <p>AAS - Area of Archaeological Significance Area of Archaeological Significance : AAS11 - Distance: 0</p> <p>GB - Greenbelt - Distance: 0.51</p> <p>ROW - FOOTPATH (WELWYN GARDEN CITY 004A) - Distance: 5.36</p> <p>UOL - Urban Open Land (Proposal map 2) - Distance: 0</p> <p>Wards - Handside - Distance: 0</p> <p>FM00 - Flood Zone Surface Water 1000mm (74434) - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) -</p>

	Distance: 0 HEN - No known habitats present (high priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0		
Relevant planning history	Application Number: 6/2017/2972/FULL Decision: Granted Decision Date: 22 February 2018 Proposal: Erection of a single storey music/drama block and subsequent demolition of existing music and drama accommodation Application Number: 6/2018/3254/COND Decision: Granted Decision Date: 14 February 2019 Proposal: Submission of details pursuant to condition 3 (Archaeological Written Scheme of Investigation) on planning permission 6/2017/2972/FULL Application Number: 6/2019/2587/VAR Decision: Granted Decision Date: 23 December 2019 Proposal: Variation of condition 4 (approved drawings) on planning permission 6/2017/2972/FULL Application Number: 6/2020/0666/COND Decision: Granted Decision Date: 05 May 2020 Proposal: Submission of details pursuant to condition 3 (submission of archaeological written scheme of investigation) on planning permission 6/2017/2972/FULL		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0
Publicity	Site Notice Display Date: 23 February 2021 Site Notice Expiry Date: 16 March 2021 Press Advert Display Date: 17 February 2021 Press Advert Expiry Date: 10 March 2021 Neighbour notification letters.		
Summary of neighbour responses	None received.		
Consultees and responses	HCC- Historic Environment Advisor – No response. HCC - Hertfordshire Transport Programmes & Strategy – No response. HCC - Rights of Way (South) – No response.		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others : CLT8 , OS1, OS2 , R29, D8			

Draft Local Plan Proposed Submission 2016
 SP9 Place Making and High Quality Design
 SADM13 Sustainability Requirements
 SADM2 Highway Network and Safety
 SADM15 Heritage

Main Issues

Impact on design and appearance

An assessment of the previous planning permission was carried out under reference: 6/2017/2972/FULL and 6/2019/2587/VAR. This application should be referred to for a full assessment of that case. Whilst drawings of the whole site are included with this application, given that planning permission 6/2019/2587/VAR remains extant, it would be unreasonable to make an assessment of other parts of the proposal that do not apply in this regard.

This proposal seeks permission to vary permission 6/2019/2587/VAR to include a revised area of the demolished old Music and Drama block. The alterations involve the omission of the previously approved hardstanding and the 2.2m tall retaining wall to make way for a grass embankment that would be formed using retained soil material on site. The adjacent area to the south which was approved to be a grassed is now proposed to be reinstated in tarmac to increase the hard recreation area for the school. According to the submitted plans, the levels would not be significantly altered as a result of the works. Whilst the current proposal seeks a greater amount of hardstanding at the site, there would be generous amounts of soft landscaping and grass pitches remaining at the school site.

Also proposed are changes to the fenestration of the main building following the demolition of the old Music and Drama block, to include two new sets of doors that will be accessed from the new tarmac area. This part of the scheme is considered modest and would not significantly alter the character of the school building on the wider site and setting.

As for the amendments around the new Music Block, this would include additional grass areas to the south-east and south west sides of the building. According to the plans, there would also be a very slight realignment of the building itself however the location, appearance, footprint and occupancy remain unchanged from the approved application.

Overall, the proposed alterations are considered to have minimal impact on the visual amenities of the school site and as such the scheme would sufficiently maintain the character and appearance of the application site and its wider setting.

Impact on neighbours

Given the separation distances from the nearest residential neighbours, no adverse impacts have been identified.

Access, car parking and highway considerations

No additional parking provision would be required as part the proposals. The proposed alteration to the surfacing would result in the removal of 5 car parking spaces. It is however important to note that the aforementioned parking spaces did not form part of the original permission (6/2017/2972/FULL) but was later included within the submitted plans of the subsequent S73 application (6/2019/2587/VAR). It was previously identified that the new music block would not result in an increase the number of pupils or staff and no changes were proposed to the existing car park arrangements, therefore no

	extra parking spaces were required for the scheme. Furthermore, the applicant states that additional parking over and above HCC Highways requirements have been provided under the Teaching Block application approved under application ref: 6/2018/1956/FULL and as such, the removal of the parking area is considered to be acceptable in this case.
Landscaping Issues	There is considered to be no adverse landscaping and arboricultural impacts arising from the proposal.
Re-imposition of conditions	<p>A S73 application grants a new standalone permission, sitting alongside the original permission which remains intact and unamended. Either permission may therefore be implemented.</p> <p>It is reasonable therefore that the current planning application should be subject to the same conditions as the previous planning application (6/2019/2587/VAR) whereby conditions were applied, as they remain in accordance with the tests set out in the NPPF.</p> <p>In this case, the applicant has only sought to vary condition 3. It is recommended that suitably worded conditions are attached to ensure compliance with the approved details. Where conditions have been agreed, their wording has been amended accordingly.</p>
Conclusion	
Having regard to all of the above, the variation of condition 3 of planning permission 6/2019/2587/VAR would not have such a significant impact above and beyond the approved scheme that should lead to a different decision being given to that of the original application, subject to the inclusion of the conditions. The proposal is therefore considered acceptable and is not contrary to the aims and objectives of saved policies of the Welwyn Hatfield District Plan 2005, the Emerging Local Plan 2016 and the National Planning Policy Framework 2019	

Conditions:

1. The development shall not be carried out except in accordance with the approved materials as specified in application reference 6/2020/0913/COND

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

2. The development shall not be carried out except in accordance with the approved Construction Management Plan as specified in application reference 6/2020/0913/COND.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

PRIOR TO OCCUPATION

3. The development shall only be carried out in accordance with the Written Scheme of Investigation entitled "Archaeological Project Design" at Stanborough School dated November 2018 and revised 29 January 2019 (Revision A) approved under 6/2018/3254/COND and the archaeological Method Statement approved under 6/2020/0666/COND.

The development shall not be occupied until all archaeological works has been completed in accordance with the Method Statement and the original Written Scheme of Investigation, a satisfactory report has been submitted and provision made for analysis and publication where appropriate.

REASON: To ensure that a historical record is kept of any archaeological finds due to the implementation of the development and to comply with the National Planning Policy Framework 2019 and Policy R29 of the Welwyn Hatfield District Plan 2005.

DRAWING NUMBERS

4. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
0002	D	Proposed Ground Floor and Site Plan	27 January 2021
0030	C	Proposed Landscape Site Plan	27 January 2021
0001	A	Location Plan	30 October 2019
0005		Existing Elevations and Floor Plans	15 October 2019
0012	A	Proposed Roof Plan	15 October 2019
0011	A	Proposed Clerestorey	15 October 2019
0010	B	Proposed Ground Floor Plan	15 October 2019
0020	F	Proposed SW Elevations and Ground Floor Plan	1 February 2021
0015	B	Proposed Elevations	15 October 2019

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
5. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Determined By:

Mr Michael Robinson
26 April 2021