

DELEGATED REPORT

APPLICATION NUMBER	S6/2004/1371/CD
LOCATION	Land at Hazelgrove School, Hatfield
PROPOSAL	Outline application for children's home and related works (General Development Procedure Order 1995 Article 10 Consultation)

THE SITE

Hazelgrove School is located in the southern part of Hatfield, approximately 1.5km to the southwest of the town centre. The whole school site is 1.61 hectares in extent and is wholly owned by the County Council.

The application site comprises land to the north-eastern end of the school site is 0.20 hectares in area. The majority of this is presently a hard surfaced play area.

THE PROPOSAL

The application seeks Welwyn Hatfield District Council's view on an outline proposal to erect a new Children's Home on part of the Hazelgrove School site. A supporting planning statement accompanies the outline application. This document provides background information and includes the County Council's rationale for providing a proposed Children's Home in this location.

The County Council has a statutory duty to provide accommodation for 'Looked After Children'. Although the majority of children are accommodated in foster care, which is the preferred method, the County Council still has residential homes providing 55 permanent and 11 respite places. The applicants indicate that there is currently a shortage of residential places for secondary school aged children and in response to this problem a bid to the Department of Health for Private Finance (PFI) funding for nine new residential homes was made to replace the existing facilities at Lemsford Lane, Welwyn Garden City and Wilbury Road, Letchworth to enable the residential capacity in the County to be increased by 28 places. This application is as a result of this successful bid

This application relates to one of thirteen sites that have been short-listed following a selection process by the County Council following a detailed site evaluation process. Although only 9 sites are eventually required the County Council have submitted 13 planning applications as they consider that some sites may have to be discarded for various reasons.

A model site layout has been developed by the County Council for each of these possible development sites which is based on a minimum site requirement of 0.165 hectares to accommodate the children's home, required car parking and garden space. The outline planning application has reserved all matters apart from site access, however, an 'illustrative drawing' has been submitted as part of the application to show a possible site layout including the footprint of the building and car parking. The supporting planning statement has indicated that the building is intended to be two storey with a gross footprint of up to 300 sq m with a total gross

floor space of up to 500 sq m, and it is envisaged that it will be a 'building of residential character' and of brick construction with pitched tiled roof. The design, materials, siting and landscaping of the proposed development will, however, be dealt with at the reserved matters stage and the purpose of this report is to consider the principle of development of this type of building on this site as part of the consultation process by Hertfordshire County Council

The statement indicates that proposed residential development on the balance of the Hazelgrove School site will be the subject of a separate planning application to this Council.

PLANNING HISTORY

None relevant

SUMMARY OF RELEVANT DEVELOPMENT PLAN POLICIES

Hertfordshire Structure Plan Review 1991- 2011:

Policy 1 – Sustainable Development

Policy 25 – Car Parking

Policy 46 – Open Space in Towns

Hertfordshire Structure Plan Alterations 2001- 2016 (Deposit Draft Feb 2003):

Policy 1 – Sustainable Development

New Policy – Making Development Sustainable

New Policy – Design and Quality of Development

Policy 11 – Accommodation For People With Physical Disabilities and Other Special Needs.

Policy 13 – Education and Training

New Policy Accessibility For People with Disabilities and Mobility Problems

Policy 25 – Parking

Policy 41 – Woodland, Tree and Hedge Cover

Policy 46 – Open Space in Settlements

Welwyn Hatfield Local Plan Alterations no 1 1998:

HC6 – Special Housing Needs

HC12 – Care in the Community

HC15 – Recreational Open Space

HC20 – Redundant Community Facilities

BEV2 – Other Open and Undeveloped Land

BEV3 – Urban Trees and Hedgerows

BEV 4 - Hatfield

Gen Criteria 1 - Design and Siting of Buildings

Gen Criteria 2 - Landscaping

Gen Criteria 3 - Impact on the amenities of residential properties

Gen Criteria 4 – Servicing, Access and Car Parking

ADD Criteria 1 – Access to Building Entrances

Welwyn Hatfield Review Local Plan Deposit Draft, June 2002:

D1 – Quality of Design

D2 – Character and Context

Supplementary Design Guidance

Supplementary Planning Guidance

R1 – Maximising the Use of Previously Developed Land

R14 – Trees, Woodland and Hedgerows
R17 – Noise and Vibration Pollution
M19 – Parking Standards for New Development
OS2 – Playing Pitch Provision
CLT1 – Protection of Existing Leisure Facilities
CLT 9 – Use of Redundant Education Facilities
CLT 13 – Loss of Community Facilities
CLT17- Care in the Community
Supplementary Design Guidance
Supplementary Planning Guidance - Revised Parking Standards - Adopted January 2004.

REPRESENTATIONS

None - the County Council has carried out all the necessary notification.
No third party representations have been received.

DISCUSSION

The main issues for consideration are the acceptability of the loss of this redundant educational facility, the potential loss of community and leisure facilities, the acceptability of the proposed use as a children's home, the physical impact of proposed building, and other issues including highways requirements.

Use of redundant educational facilities

Although the illustrative layout shows that the site of the proposed children's home would itself to be on land that is presently hard-surfaced play area, the access road is to be constructed in a location necessitating the removal of a significant part of the existing school buildings. Therefore it is relevant here to assess the application against the criteria in Policy CLT9.

Policy CLT9 states that the Council will grant planning permission for the redevelopment or re-use of redundant educational establishments that are surplus to educational requirements, for community, leisure or recreation purposes. Where the buildings are unsuitable for re-use or there is no local need for community or leisure facilities, other suitable alternative uses such as housing will be considered. Before an alternative use is considered acceptable, the Local Education Authority will be required to demonstrate that the loss of the education facility will not lead to future deficiencies in education facilities.

It should be noted however that the Inspector's report on the District Plan Review Deposit Draft 2002 considered that the clause in Policy CLT9 requiring the Local Education Authority to demonstrate that the loss of the educational facility would not lead to future deficiencies, as unreasonable. It is likely therefore that final version of this policy in the adopted plan will delete this element of the policy. The Inspector considered that otherwise Policy CLT9 is consistent to Structure Plan Policy 13 and is not unreasonably restrictive.

No information has been provided to demonstrate that the County Council has examined options for using this part of the redundant school site for community, leisure or recreation purposes. As Policy CLT9 states, only when it has been shown that the buildings are unsuitable for re-use, or there is no local need for community

or leisure facilities, should other suitable alternative uses such as housing be considered. The proposed use as a children's home is not considered a community use serving a local need. The County Council is to be advised that as it stands, the proposal is unacceptable and that re-use of the school site, or part of the site, without first examining acceptable alternative uses is contrary to Policy CLT9.

Loss of Community and Leisure Facilities

Policy CLT 1 (Protection of Existing Leisure Facilities) and Policy CLT 13 (Loss of Community Facilities) of the District Plan Review supports the loss of these types of facility subject to it being shown that they are no longer needed. School buildings are often used for leisure/community uses out of school hours. However, no information has been provided as to whether the existing school buildings, sports field and areas of hard surfacing have been, or are currently, used for community or leisure purposes nor information stating that there is no longer a need for such community facilities. Without being provided with this evidence it is not possible to assess whether or not the proposal is accords with Policy CLT13 and the County Council is to be advised the same.

Acceptability of the proposed use as a children's home

The use of the proposed building as a Children's Home is assessed against Policy CLT17 (Care in the Community) of the District Plan Review. This policy supports the establishment of such development in existing residential areas subject to certain criteria that can be summarised as follows:

- i) The scale of the proposal would not be detrimental to the character of the area and amenity of the adjoining occupiers is not harmed;
- ii) Parking and vehicular access is acceptable;
- iii) Essential facilities are accessible and existing facilities are not overloaded.

These are considered in turn as follows:

i) The scale of the proposal would not be detrimental to the character of the area and amenity of the adjoining occupiers is not harmed

The application seeks outline planning permission only and the detailed design and external appearance of the building would be considered at the reserved matters stage. The applicants have indicated, however, that the proposed building will be two-storey with a brick finish and with a residential character. It is considered that this design approach would be appropriate to the established character of the existing residential area and the scale of the proposed building would be not be out of keeping with its surrounding environment. The nearest existing dwellings to the application site are No 58 Hazel Grove and No 18 Cloverland, both end of terrace dwellings. The degree of separation between the proposed building and these neighbouring dwellings is considered sufficient to ensure that the amenity of the occupiers of these properties is not unduly affected.

However, there is a potential for noise generation arising out of vehicles utilising the 14 car parking spaces proposed to the northern side of the proposed building that could be detrimental of the occupiers of No 58 Hazel Grove. The County Council is advised that it would be advisable to erect the appropriate boundary treatment along this side of the site (ie wall or close boarded fencing) to act as and an effective

acoustic barrier. This matter could, however, be dealt with at the reserved matters stage.

In summary, it is considered that the proposed development would be visually acceptable, subject to a landscaping scheme that carefully respects existing soft landscaping features on the site and that a scheme incorporates appropriate boundary treatment both for aesthetic and sound-attenuation reasons.

ii) Parking and vehicular access is acceptable

The proposal is for a new access adjacent to the school's existing vehicular access. It would be for the County Council (Hertfordshire Highways) to comment on the acceptability of this access onto Hazel Grove. This is not a classified road. It is considered that the parking provision for staff and visitors is sufficient and complies to the standards in the adopted Parking Standards (Supplementary Planning Guidance) for this type of use and in this location.

ii) Essential facilities are accessible and existing facilities are not overloaded

It is considered that the location of the site close to Bishop's Rise is such that local facilities situated there, such as shops and health centres, can be accessed by public transport by users of the building. The proposal is of such a scale and location that it will not result in a concentration of this type of use in the area it is located.

Other issues

The garden/private amenity area proposed is considered to be acceptable for a building of this type and scale and the applicants have indicated that this will be some 600sqm.

CONCLUSION

The County Council have set out an argument that the development is required to satisfy the statutory duty of the Children, Schools and Families service to provide accommodation for "looked after children". Information has been submitted in the form of an illustrative layout, a drawing showing proposed access arrangements, and a Supporting Planning Statement which explains the approach taken in assessing the suitability of this site and states how it complies with Local and National planning policy for this type of scheme.

It is considered, however, that the District Council has concerns relating to issues that need to be satisfactorily addressed before the determination of this application, namely that alternative community, leisure or recreational uses do not appear to have been considered for this part of the site before this use has been proposed.

RECOMMENDATION

That Welwyn Hatfield District Council objects to this outline planning application on the following grounds:

1. The County Council has failed to demonstrate that the option of using this part of the redundant school site for community, leisure or recreation

purposes has been fully investigated. Policy CLT9 of the Welwyn Hatfield District Plan Review Revised Deposit Version 2002 states that, only when it has been shown that the buildings are unsuitable for re-use, or there is no local need for community or leisure facilities, should other suitable alternative uses such as housing be considered. As it stands, the proposal is unacceptable and contrary to Policy CLT9. The proposed use as a children's home is not considered a community use serving a local need.

2. The County Council has failed to indicate whether the existing school buildings, sports field and areas of hard surfacing on this part of the school site have been in the past, or are presently, used for community or leisure purposes and whether if this is the case there is no longer a need for such facilities. School buildings are often used for leisure/community uses out of school hours. Without such information it is not possible to assess whether proposal accords with Policy CLT13 of the Welwyn Hatfield District Plan Review Revised Deposit Version 2002.
3. There is a potential for noise generation arising out of vehicles utilising the 14 car parking spaces proposed to the northern side of the proposed building that could be detrimental of the occupiers of No 58 Hazel Grove. The County Council is advised that it would be advisable to erect the appropriate boundary treatment along this side of the site (ie wall or close boarded fencing) to act as and an effective acoustic barrier.

DRAWING NUMBERS

Site location plan
Supporting Planning Statement
E1618/4/B (means of access plan)

Signature of report writer.....

Date.....