

DEVELOPMENT MANAGEMENT COMMITTEE – 27 APRIL 2016

Application Number	a) 3/16/0061/FUL b) 3/16/0062/LBC
Proposal	Demolition of a two storey Armoury building and a single storey element of a 6 th Form Building. Refurbishment of the existing single storey, pitched roof former Grub Shop building. Provision of hard and soft landscaping and a new pedestrian way. Provision of external lighting. Erection of a new Humanities Centre.
Location	Haileybury And Imperial Service College, College Road, Hertford Heath. SG13 7NU
Applicant	Mr Paul Watkinson
Parish	Hertford Heath
Ward	Hertford Heath

Date of Registration of Applications	28 January 2016
Target Determination Date	a) 28 April 2016 b) 8 March 2016
Reason for Committee Report	Major planning application
Case Officer	Lisa Page

RECOMMENDATION

- a) That planning permission be **GRANTED** in respect of application 3/16/0061/FUL subject to the conditions set out at the end of this report.
- b) That listed building consent be **GRANTED** in respect of application 3/16/0062/LBC subject to the conditions set out at the end of this report

1.0 Summary

- 1.1 The applications seek planning permission and listed building consent for the demolition of the curtilage listed Armoury and Sixth Form Centre and the erection of a new Humanities Building, with the retention and refurbishment of the 'Grub Shop' as a multi-purpose hall.
- 1.2 The site lies within the Metropolitan Green Belt, and only partly within the Major Developed Site designation in the Local Plan. The proposed replacement building would be materially larger than the existing, and the re-development of the site would have a greater impact on the openness of the Green Belt than the existing. Having regard to policy GBC1 of the Local Plan, and Paragraph 89 of the NPPF, the proposal would therefore amount to inappropriate development and should not

be approved unless there are other material considerations that clearly outweigh the harm caused by inappropriateness, and any other harm, such as to provide the necessary 'very special circumstances' for permitting the development.

- 1.3 In terms of 'other harm', this is considered to be limited in this case. The removal of the curtilage listed buildings would result in minimal loss of heritage significance overall and the detailed layout and design of the proposal is appropriate. Officers are also satisfied that the development would not result in any significant harm to the character and appearance of the site and its surroundings, and its impact would be acceptable in terms of highways, landscaping, ecological and neighbour amenity issues.
- 1.4 The proposal, which forms part of a wider development strategy for the development and improvement of the school, would provide significant educational benefits such as additional classrooms and the re-arrangement and improvement of other accommodation. Taking all the material issues into account, and in particular with significant weight given to the wider educational benefits that the erection of the building creates, supported by Paragraph 72 of the NPPF, it is considered that weight can be assigned to the positive impacts of the development such that the harm by inappropriateness, and any other harm, is clearly outweighed by other considerations and very special circumstances are demonstrated.

2.0 Site Description

- 2.1 Haileybury is a private school which dates back to the early 19th Century. It is situated on the outskirts of Hertford Heath, some 2 miles to the south-east of Hertford.
- 2.2 The proposed development is located in the centre of the school grounds, currently occupied by the Armoury building and separate Sixth Form Centre. These buildings are adjacent to the open school playing pitches to the north. To the east (beyond the Grub Shop) is the former swimming pool site, now used for parking, beyond which are a group of buildings which largely house the support functions for the school (laundry, groundsman's facilities). To the south, separated by a roadway is the Grade II Listed Bradby Hall and the Aykbourne Theatre. To the west and beyond the cricket pavilion are the original main school buildings. A large number of the buildings on the site are Grade II* or Grade II Listed.

3.0 Background to Proposal

- 3.1 In recent years, the school has been increasing student numbers together with accommodation and facilities necessary to support this growth which is seen as critical to the ongoing financial and educational success of the school. The school has identified that there are a number of problem areas that need to be addressed in order to continue to provide a high standard learning environment for the pupils such as conflicts with neighbouring uses, inconvenience due to activities being located in the wrong places and inadequate accommodation for the activities.
- 3.2 To address these matters, the school has prepared a masterplan for the development and improvement of the site in the future and this proposal forms part of that wider plan. The applicant's agent has stressed therefore that the proposal is part of a wider co-ordinated approach to development on the site rather than an ad hoc proposal.
- 3.3 The current proposal seeks permission for the demolition of the Armoury and the Sixth Form Centre on the site and the erection of a new Humanities Centre. The new building would contain 14 classrooms, 2 staff rooms, 2 kitchenettes, WC facilities and 2 breakout spaces. It would be two storey in height and would be located parallel with the Bradby building sitting tight to the existing roadway. It is also proposed to refurbish the existing 'Grub Shop' to provide a multi-use hall, WC facilities and storage space for various activities.
- 3.4 The site chosen for the Humanities Centre is derived from a strategic assessment of the school's needs and has been subject to extensive pre-application discussions with the Planning Authority and Historic England.

4.0 Key Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) and the adopted East Herts Local Plan 2007:

Key Issue	NPPF	Local Plan policy
The principle of development in the Green Belt and land designated as open space provision	Paragraph 72, 74, 89	SD2, GBC1, LRC1
Acceptability of the layout, scale and design and impact on character and appearance of the area and setting of	Paragraph 14, 131-134	ENV1

listed building		
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Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Emerging District Plan

- 5.1 In relation to the key issues identified above, the policies contained in the emerging District Plan do not differ significantly from those contained in the adopted Local Plan and the NPPF as identified above. Specifically, the policy wording relating to Major Developed Sites within the District Plan remains very similar to that within Adopted Local Plan.

6.0 Summary of Consultee Responses

- 6.1 Hertfordshire County Highways comment that they do not wish to restrict the grant of planning permission subject to conditions for wheel washing and that the existing right of way shall remain undisturbed unless legally stopped up or diverted.
- 6.2 The Council's Landscape Officer recommends consent and comments that the proposal is non-contentious in landscape terms with no unacceptable impact to significant trees.
- 6.3 The Council's Environmental Health Team does not wish to restrict the grant of permission, advising directives in relation to noise and contaminated land.
- 6.4 The Lead Local Flood Authority (LLFA) raise no objections to the proposal and comment that there is sufficient information to demonstrate that there is a feasible drainage scheme for the site.
- 6.5 Hertfordshire Ecology has commented that the Bat Survey demonstrates that there was no evidence of bats, and as such bats should not be a constraint to development.
- 6.6 The Conservation and Urban Design Team recommends that planning permission should be granted. They comment that the armoury and sixth form block lack merit and can be demolished, but the pavilion or 'Grub shop' is an attractive asset which should be retained. The replacement building, whilst it will be a large building, will provide a good foil to the adjacent buildings and create a much better 'place' than the current arrangements. It successfully balances the need to defer to Bradby Hall (listed Grade II) and other nearby listed and historic buildings while asserting its own presence to the degree necessary to

create the new place. This will significantly enhance the site and the setting of Bradby Hall and the pavilion. In architectural terms the proposal has its own character and avoids paying overdue homage to its neighbours. It enjoys strong rhythms, while the 'butterfly' roof and 'stacks' eases its relationship with the sky and roofscapes beyond. With the judicious choice of good quality materials (the brick will be particularly important) this will be of good design suitable for this location.

- 6.7 Historic England comment that the proposal would, to a modest degree, erode the significance of the place, but that such harm might be thought justified and balanced by benefits which would include the contribution that the scheme would make to the on-going maintenance of the College and its buildings.
- 6.8 Sport England do not wish to raise an objection as the proposal affects only land incapable of forming, or forming part of, a playing pitch and does not result in the loss of, or inability to make use of any playing pitch, or reduction in size of the playing field or the loss of a sporting/ancillary facility on the site.
- 6.9 The Ancient Monuments Society comment that the development would cause harm to the setting of Bradby Hall and would adversely affect the special character of the wider site.
- 6.10 No comments have been received from the Countryside Access Officer, East Herts Footpath Society, The Ramblers Association or Fields in Trust.

7.0 Parish Council Representations

- 7.1 Hertford Heath Parish Council has made no comments in respect of the proposals.

8.0 Summary of Other Representations

- 8.1 The application was advertised by means of a press notice and site notice. No letters of representation have been received.

9.0 Planning History

- 9.1 There is extensive planning history for development at the site, including new build and extensions to educational buildings and accommodation, and expansion of sports facilities. None are directly relevant to the application.

9.2 More recently, under Ipa 3/15/2417/FUL, planning permission was granted for the erection of a new single storey Armoury. This was sited with other similar military buildings grouped to the north-east of the site.

10.0 Consideration of Relevant Issues

Principle of development

- 10.1 The site lies within the Green Belt. The main built up part of the school is designated within the Local Plan as a 'Major Developed Area' (MDA) (Policy GBC4), wherein infill development is not inappropriate subject to set criteria. In this case, however, the building lies partly outside of the MDA and, in any event, the designation of the MDA preceded the publication of the NPPF which does not contain any reference to such designations. Officers therefore consider that the application should be considered against the requirements of policy GBC1 of the Local Plan and the Green Belt policies contained in sections 8 and 9 of the NPPF.
- 10.2 Under Local Plan Policy GBC1, there is no provision for the erection of new or replacement educational buildings and the proposal would constitute inappropriate development. Within the NPPF, at Paragraph 89 (bullet point 4), it states that the replacement of a building need not be inappropriate, providing that the new building is in the same use and not materially larger than the one it replaces.
- 10.3 The existing buildings are used as an Armoury store (linked with the school) and as a separate Sixth Form Centre. These are both considered to be educational uses and the replacement building is for new educational facilities. In terms of paragraph 89 of the NPPF, therefore, Officers are satisfied that the new building would remain in the same use as the existing. In terms of its size, however, it is considered that the new building would be materially larger than that to be replaced and therefore the proposal would also constitute inappropriate development when assessed against the policies of the NPPF.
- 10.4 The existing buildings have a floor area of around 250 square metres, whereas the replacement building has a floor area of around 780 square metres. In terms of height differences, the sixth form centre has an average height of 5 metres, whereas the Armoury has a ridge height of 9 metres. The replacement building would have a height of 9 metres, with the 4 roof turret features at a height of 12 metres. Overall then it is clear that the replacement building would be materially larger, in size and scale, than the ones it replaces.

- 10.5 Even if an assessment was made under bullet point 6 of Paragraph 89 of the NPPF, wherein appropriate development can include 'limited in-filling or the partial or complete redevelopment of previously development land...which would not have a greater impact on the openness of the Green Belt...', the proposal would, by virtue of its increase size, scale, bulk and siting, have a greater impact on openness than the existing development. The proposal does not therefore comply with Paragraph 89 of the NPPF.
- 10.6 Officers have concluded, therefore, that assessed against either the Local Plan or the NPPF the proposal constitutes inappropriate development in the Green Belt. As such, it is necessary to consider whether it would result in any other harm, and then whether there are any other considerations to which such weight can be assigned that they would 'clearly outweigh' the harm caused by inappropriateness, and any other harm, such that very special circumstances exist to justify the grant of planning permission.

Other harm

Impact on openness

- 10.7 The main attribute of the Green Belt is its openness, this being defined as the absence of buildings. The fact that this replacement building is larger in footprint and height than the one it replaces and is of a siting that extends beyond the existing built form, inevitably results in some impact to openness. Some harm is therefore attributed to this and this weighs against the proposal.

Incursion onto sports pitch

- 10.8 Policy LRC1 states that proposals which result in the loss of public or private, indoor or outdoor, sports, recreation and open space facilities, or school playing fields, will be refused unless: a) suitable alternative facilities are provided on site or in the locality, which are at least equivalent in terms of quantity, quality and accessibility or b) it can be demonstrated that the facility is no longer needed.
- 10.9 The proposed building would extend 8 metres north into the LRC1 land and 20.5 metres west into the designated land so that, overall, just over half the building would lie within the sport and recreational land. However, having considered the use of the land affected by the development, it is clear that it is a peripheral area to the cricket field. Indeed Sport England do not object to the loss of the land and note that

the area is not capable of forming a playing pitch or part of one, and does not result in the loss of, or inability to make use of any playing pitch. It is also important to note that the school retain a substantial amount of land for outdoor sports facilities, including extensive playing fields, an AstroTurf hockey pitch and 12 tennis courts. No harm arises from this modest incursion into the LRC1 and therefore this issue is assigned neutral weight in the balance of considerations.

Impact on character and appearance of the area and setting of nearby buildings

- 10.10 The proposal requires the demolition of 2 buildings that are considered to be curtilage listed. These buildings have some architectural quality and historic interest and their removal would, to some extent, erode the architectural and aesthetic interest of the site as a whole. However, in view of the very modest interest of the buildings within an exceptionally important group of listed buildings, the harm to the College's significance would be limited. Their removal can be justified subject to an appropriate and well designed replacement development.
- 10.11 The replacement building, whilst larger than the existing buildings, has been designed with more spacing to the frontage to allow a separate footway to increase safety for pedestrian movements. The siting, parallel to Bradby Hall, together with the double-pile plan of the building, would create a more attractive elevation to the site and a better 'place' than the current arrangements. It successfully balances the need to defer to the Grade II listed Bradby Hall, and other nearby listed and historic buildings, while asserting its own presence to the degree necessary to create a new sense of place.
- 10.12 In architectural terms, the design is thoughtful and well considered. It would be contemporary while, in its use of brick and ventilation towers, echoing elements of the surrounding historic buildings. The strong rhythms, 'butterfly' roof and 'stacks' would ease its relationship with the sky and roofscapes beyond. Overall, the proposal has a comfortable relationship with nearby buildings and will significantly enhance the site and the setting of Bradby Hall and the pavilion.
- 10.13 Other elements of the proposal are the refurbishment and alterations to the 'Grub shop', which is an attractive asset and should be retained. The proposed works would enhance the building and the setting of it within the site, and allow for it to function as a multi-use hall. Externally, the wider introduced footways and the canopy between the building and retained 'Grub Shop' would enable safer movements of pupils, with practical and attractive outdoor space.

- 10.14 The proposals are not therefore considered to result in any significant harm to the character and appearance of the area and this issue is assigned neutral weight in the balance of considerations.

Landscaping

- 10.15 The proposal would result in the loss of a tree to the west of the proposed building and another is to be replanted closer to the cricket pavilion. None of the trees are protected although they are of some amenity value. Four new trees will be planted to the north of the new building, which will enhance the established edge of playing field landscape treatment. There are no wider landscape implications and no harm is attributed to this element of the proposal.

Highways matters

- 10.16 The proposed building would utilise the existing access points and would not result in any change to traffic movements to and from the school. There would be no adverse impact on highway safety or capacity in the area, and no harm is attributed to this element of the proposal.

Neighbour amenity impact

- 10.17 There are no neighbours nearby that would be affected by the proposal. Adjacent buildings are in teaching and similar uses; however the distances between the proposed building to these are such that there would be no unacceptable impact to the amenity to users of adjoining buildings. No additional harm is attributed to this element of the proposal.

Ecology

- 10.18 In respect of protected species, only bats could be a potential issue. A bat survey has been carried out and no evidence of bats has been found, and the proposal is therefore in accordance with policy ENV16 of the Local Plan. This would be a neutral impact in the balance of considerations.
- 10.19 In summary then, and having considered these other material planning considerations, the only 'other harm' identified, in addition to the harm caused by inappropriateness, is in respect of some loss of openness. It is necessary then to consider whether the positive aspects of the proposal are such that they 'clearly outweigh' this harm such that they

constitute the very special circumstances necessary to grant permission.

Benefits of the proposal and planning balance

- 10.20 The main positive consideration in this case relates to the wider educational benefits that the new building would bring in order to support the existing school. The NPPF, at Paragraph 72, states that Local Planning Authorities should take a positive and collaborative approach to ensuring the provision of school places to meet the needs of new and existing communities. It also states that “great weight” should be given “to the need to create, expand or alter schools”.
- 10.21 The limitations of the site in terms of being constrained within the Green Belt; building layouts with the majority of the buildings being listed, and poor pedestrian movements are all noted. The College masterplan, which has been subject to extensive pre-application discussions with the Authority, has been drafted to address all the current issues at the site and to enable a co-ordinated strategy for the redevelopment of the site. This new building fits in with that Masterplan and indeed a new Armoury building has already been granted permission to be located to the north-east, to be grouped with other similar military buildings. Significant weight is assigned to the expansion and strengthening of the educational facilities of the school, in accordance with the NPPF.
- 10.22 The layout of the building has been designed specifically in terms of providing appropriate internal accommodation for teaching, and so the amenity for future users would be enhanced, with well laid out teaching space with natural light and ventilation. The proposal also results in an overall improvement to pedestrian safety for pupils by removing the existing shared road surface and introducing footways and with a reconfiguration of building entrance points. In view of the quality of the building and the amenity it provides for its users, Officers consider this to carry significant positive weight in the balance of considerations.
- 10.23 Overall, it is considered that these positive aspects of the scheme are of sufficient weight that they would clearly outweigh the harm caused by the proposal in terms of inappropriateness and the loss of openness identified.

11.0 Conclusion

- 11.1 The replacement building would be materially larger than the existing, and re-development of the site would have a greater impact on openness than the existing development and therefore the proposal

would amount to inappropriate development when assessed against the policies of either the Local Plan or the NPPF.

- 11.2 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm in the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 11.3 Officers have undertaken this balancing exercise and, in taking all the material issues into account, (and in particular with significant weight given to the wider educational benefits that the erection of the building creates, supported by Paragraph 72 of the NPPF) consider that weight can be assigned to the positive impacts of the development such that the harm in Green Belt terms and any other harm, is clearly outweighed. Very special circumstances are therefore demonstrated in this case.
- 11.4 The removal of the curtilage listed buildings is considered to result in minimal loss of heritage significance overall, and the replacement building in terms of the layout and detailed design is a positive enhancement by its quality and impact on setting, and would not result in any significant harm to the character and appearance of the site and its surroundings. Impacts would also be acceptable in terms of highways, landscaping, ecological and neighbour amenity issues.
- 11.5 Officers therefore recommend that:
- a) Planning permission be **GRANTED** in respect of application 3/16/0061/FUL subject to the following conditions:-

Conditions

1. Three year time limit (1T121)
2. Approved plans (2E103)
3. Materials of construction (2E111)
4. New doors and windows (2E34)
5. Landscape design proposals (4P12) a, b, e, f, i, k, l
6. Landscape works implementation (4P13)

7. Prior to the first use of the development hereby permitted, or alternative phasing to be agreed with the Local Planning Authority, the drainage strategy shall be carried out in accordance with approved plans and the mitigation measures shall be fully implemented.
Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site.

8. Prior to the first use of the building, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 30% for climate change critical storm will infiltrate into the ground. The scheme shall subsequently be implemented in accordance with the approved details.

The scheme shall also include:

1. Infiltration tests in accordance with the guidelines set in BRE Digest 365.
2. Attenuation must be provided to ensure that there is no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. Attenuation to be provided in a free draining swale. The attenuation volume provided by the swale will be calculated in accordance with the results of the infiltration tests.
3. A drawing showing exceedance flow routes from the swale must be provided.

Reason: To prevent the increased risk of flooding, both on and off site and in accordance with Policy ENV21 of the East Herts Local Plan Second Review April 2007.

Informatives

1. Other legislation (010L1)

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in

accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.

b) Listed Building Consent be **GRANTED** in respect of application 3/16/0062/LBC subject to the following conditions:-

1. Listed Building Three year time limit (1T14)

Informatives

1. Other legislation (010L1)

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that listed building consent should be granted.