

DEVELOPMENT MANAGEMENT COMMITTEE REPORT – 11 Oct 2017

Application Number	3/17/1601/FUL
Proposal	Construction of a new science block
Location	Hockerill Anglo European College, Dunmow Road, Bishops Stortford, CM23 5HX
Applicant	Hockerill Anglo-European College
Parish	Bishop's Stortford
Ward	Bishop's Stortford – All Saints

Date of Registration of Application	11 July 2017
Target Determination Date	10 October 2017
Reason for Committee Report	Major planning application
Case Officer	Hazel Izod

RECOMMENDATION

That either:

(A) delegated authority be granted to the Head of Planning and Building Control to further explore the surface water drainage issues associated with the development and, subject to their satisfactory resolution, to **GRANT** planning permission subject to the conditions set out at the end of this report;

Or, if the issues relating to surface water drainage have been satisfactorily resolved as at the date of the committee meeting,

(B) planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary

1.1 This application proposes a new science block on land that is currently undeveloped within the main campus of the college. A new boundary wall adjacent to Foxley Drive is also proposed. The site lies within the built-up area of Bishop's Stortford and within the Conservation Area.

1.2 The building is proposed as a two storey contemporary structure and is proposed to be constructed in two phases. The main issues relate to impact on the character of the area and heritage assets, landscaping, drainage, and neighbour amenity.

2.0 Site Description

- 2.1 The site forms part of an established residential college site which comprises a range of buildings and associated parking and open space. The main Hockerill College building is Grade II listed, and the site lies in the Bishop's Stortford Conservation Area.
- 2.2 The application site is located to the northwest of the college site and is bounded by Foxley Drive to the north, Thames House to the south, landscaped gardens to the east, and an existing temporary science block to the west. There are a number of existing ancillary buildings on the site that are to be demolished, but the majority of the application site forms part of the rear garden of Thames House.

3.0 Background to Proposal

- 3.1 The application proposes a new science block to replace an existing temporary science teaching block approved in 2007. Science teaching facilities are currently divided between Durham House, and the two science labs in the temporary building to the west of the application site. The application proposes approximately 1,200 square metres of science teaching space.
- 3.2 The building is proposed in two phases. The first phase comprises the eastern part of the building with six new science teaching spaces. The second phase consists of a smaller western section of the building with two additional teaching spaces. If approved, this permission would allow the implementation of both of these phases of construction.
- 3.3 Some existing ancillary buildings are proposed to be demolished, including a greenhouse with adjacent allotment area, two timber sheds, and part of a wall to the rear of Thames House. Emergency access is proposed to be created from an existing access to Stansted Road, by means of a reinforced grid surfacing.
- 3.4 The notation 'contractors' compound' appears on the plans, but with no further information as to what this may comprise. Permitted development rights do allow temporary facilities of this nature during construction programmes. In any event, the location is contained within the school site and therefore any issues it results in are likely to relate to the effective and safe operation of the school.

- 3.5 At the north side of the site, adjacent to Foxley Drive, an existing Heras temporary type fence and some chain link fencing is proposed to be replaced by a brick boundary wall 1.8m in height.

4.0 Key Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts Local Plan 2007, the pre-submission East Herts District Plan 2016, and the post referendum Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part Thorley 2016-2032 (NP):

Key Issue	NPPF	Local Plan	Pre-submission District Plan	Neighbourhood Plan
Provision on improved educational facilities	Para 11 – 16, section 8	SD1	INT1, CFLR10, CC1, CC2	
Design, layout, and scale	Section 7, 8	ENV1, ENV3, ENV4	DES3, DES4	HDP2, HDP3, EP6
Heritage Assets	Section 12	BH6	HA1, HA4, HA7	
Trees and Landscaping	Section 7, 10	ENV2, ENV11	DES2	
Transport and parking provision	Section 4	TR1, TR2, TR4, TR7, TR13	TRA1, TRA3	TP3, TP4, TP7
Surface water drainage	Section 10	ENV18, ENV21	WAT1, WSAT5, WAT3	HDP3
Residential Amenity	Section 7	ENV1, ENV24	DES3, DES4	HDP2, HDP3, EP6

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

5.0 Emerging District Plan

- 5.1 The District Plan has been submitted to the Secretary of State for examination. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing

development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that the Plan has yet to be examined.

6.0 Summary of Consultee Responses

- 6.1 HCC Highway Authority does not wish to restrict the grant of permission subject to conditions.
- 6.2 Lead Local Flood Authority objects on the grounds that further detail on how the surface water arising from the development will be managed is required. A surface water drainage assessment has therefore been requested to demonstrate that the development will not increase flood risk elsewhere, and gives priority to sustainable drainage methods. The LLFA has advised that this is required pre-determination.
- 6.3 EHDC Engineering Advisor does not consider the methods currently proposed within the drainage survey meet NPPF standards as they may inadvertently increase flood risk, and are not sustainable.
- 6.4 EHDC Conservation and Heritage Advisor recommends permission be granted and comments that substantial positive revisions have been made since pre-application engagement. The building has been moved further west to reduce its overlap with the important open space identified in the Conservation Area Appraisal, and has removed the overlooking issues with the buildings within the site previously identified. The demolition of the greenhouse is acceptable, and the new boundary wall is welcomed. The contemporary architecture and materials are considered to be of a high quality for the Conservation Area, and it will not harm the character and appearance of the area.
- 6.5 Thames House is considered to be curtilage listed, but the proposed building would not dominate any of the most important views. There would be a limited harmful impact on the setting of Thames House, however, the proposals are considered to benefit the character and appearance of the Conservation Area because of the introduction of a memorable new building and high quality boundary treatment to the north. These would represent an enhancement when compared to the existing.
- 6.6 EHDC Landscape Advisor recommends consent and comments that there will be no unacceptable adverse arboricultural impact, but the

details of new trees need to be agreed. Detailed landscape proposals should be designed and agreed prior to construction.

6.7 EHDC Environmental Health Advisor has no comments to make.

6.8 Highways England raises no objection.

7.0 **Bishop’s Stortford Town Council Representations**

7.1 No objection.

8.0 **Summary of Other Representations**

8.1 3 letters of representation have been received; two offering support, one referring to the need for new high quality education space. The letter of objection raises the following points:

- Harm to the setting of Thames House, a Grade II listed building due to its proximity and visual incongruity;
- Loss of trees would harm visual amenity;
- The walled garden and former pond should be retained and enhanced for visual and educational purposes.

9.0 **Planning History**

9.1 There is an extensive planning history across the college site, but the following application is of relevance to this proposal:-

Ref	Proposal	Decision	Date
3/07/1270/FP	Installation of double demountable science lab	Approved	13.09.2007

10.0 **Consideration of Relevant Issues**

Principle of Development

10.1 The site lies within the built-up area of Bishop’s Stortford wherein new developments are acceptable in principle.

10.2 National and local policies in both the current Local Plan and emerging District Plan, and the Neighbourhood Plan, all support the provision of infrastructure. Enhanced educational facilities are part of this and the development of new and suitably specified buildings for educational purposes must be given significant positive weight in decision making.

Design, Layout and Scale

- 10.3 Adopted policy ENV1 and emerging policy DES3 require all new development proposals to be of a high standard of design and layout and to reflect local distinctiveness, whilst adopted policy BH6 requires new developments in Conservation Areas to be sympathetic and of such quality as to be highly likely to enhance the character and appearance of the area. Section 7 of the NPPF also requires good design as key to sustainable development, and seeks new developments to create attractive places and respond to local character while not preventing or discouraging appropriate innovation. NP policies HDP2, HDP6 and EP6 all refer to the need to ensure high quality designs.
- 10.4 The building is proposed as a two storey structure of contemporary design with extensive glazing, part flat roof and part pitched roofs, modern chimney stacks and covered walkways. The two phases of the building will be attached at roof level with linked walkways. Overall the scale and design of the proposal is considered to be acceptable. The building will not appear unduly prominent, and will sit comfortably in relation to the historic buildings on site.
- 10.5 The building is proposed to be formed of light buff bricks with pitched roof elements in grey standing seam zinc. The flat roof elements are proposed to be finished with a green sedum roof which will assist in environmental, drainage, and biodiversity terms. The existing temporary building is to be removed in Phase 2 of the development; however given that this benefits from a permanent planning permission and results in no harm to the character of the area or setting of heritage assets Officers do not consider it reasonable to require removal of this building by condition.
- 10.6 A new 1.8 metre high boundary wall is proposed along the north boundary of the site, fixed to an existing historic wall that measures up to approximately 3.5 metres high adjacent to Foxley Cottage. The new wall will be set back approximately 3 metres from the edge of Foxley Drive where planting will remain to soften its appearance. The wall will replace an existing Heras fence and improve the general character and appearance of the area, whilst improving security for the college. The wall is proposed to be formed of bricks to match the existing wall, and this would be secured by condition. The wall will have no impact on residential amenity.
- 10.7 Overall in design and appearance terms the proposals are considered to result in a positive improvement in the visual appearance of the site

and area and to sit comfortably with regard to their scale and appearance. The proposals are assigned positive weight in this respect.

Heritage Assets

- 10.8 The relevant policies seek to ensure that the character and appearance of the Conservation Area and of the heritage assets in the area are retained.
- 10.9 The site lies within the Bishop's Stortford Conservation Area and within the curtilage of listed buildings. The site is partly located on land identified in the Bishop's Stortford Conservation Area Appraisal as 'Important open spaces to be protected', along with some 'trees to be protected' (general location). Whilst it is noted that the site will result in the loss of some important open space, the location of the building on the footprint of an existing structure and associated allotment land is such that its impact in this respect is limited.
- 10.10 The Appraisal also identifies Thames House (New Block), and the wall to the north and east of the site as unlisted buildings to be protected from demolition, with the western part of Thames House (Old Block) identified as a curtilage listed building. The main Hockerill College building itself is Grade II listed. The limited harmful impact that the proposals have to the setting of those heritage assets is noted.
- 10.11 Some existing ancillary buildings are proposed to be demolished, including a greenhouse and two timber sheds. The current allotment area is to be removed. Part of a wall to the rear of Thames House is also to be removed, and a former pond filled in. Whilst noting the potential educational value of these structures as outlined by a resident who has commented on the scheme, no objection is raised to their loss as they are of no historic interest, and little architectural merit.
- 10.12 Overall, noting the limited harm to setting of the curtilage listed building, in relation to the Conservation Area, the proposals are considered to result in an enhancement to the character and appearance. In the balance of considerations, some limited harm is assigned in relation to the impact of the proposals.

Trees and Landscaping

- 10.13 The scheme proposes the removal of 4 trees which are protected by Conservation Area designation. One Scots Pine tree (T86) is considered to be of amenity value and has been identified as a B category tree in good condition. The other 3 trees are less significant

and are located along the northern boundary with Foxley Drive. No objection has been raised by the Landscape Officer to the loss of these trees, subject to a condition to secure replacement planting and detailed landscape proposals.

- 10.14 Given the loss of the Scots Pine, and noting the replacement provision secured by condition, the proposals are considered to result in some limited harm in respect of this matter.

Transport and Parking

- 10.15 No new access is proposed in connection with this application. Emergency access to the building is proposed from an existing access to Stansted Road with a reinforced grass access track. This is considered to be acceptable.
- 10.16 In respect of parking, the proposal provides better quality teaching accommodation but is not anticipated to result in an increase in pupil numbers. There is existing parking provision across the site. The Councils parking standards are based on staff and pupil numbers. Given there is no anticipated change in respect to these, it is considered that the lack of new provision will not be harmful.
- 10.17 In other respects, the enhancement of education provision on this site is acceptable in transport terms. It is located in an area where a choice of transport modes is available to both staff and students. With regard to transport and parking matters, it is considered that the proposals have a neutral impact.

Surface Water Drainage

- 10.18 The site lies in Floodzone 1 and is therefore not at risk of fluvial flooding. However, regard is had to surface water drainage for a development of this scale. The Lead Local Flood Authority and the Councils Engineering Advisor have objected to the proposal on the grounds of inadequate drainage assessment.
- 10.19 The applicant is in the process of addressing these concerns through the carrying out of further testing and site investigation work. Discussions have been held with the relevant parties and there is a high likelihood that this issue will be resolved prior to Committee. In that case, Members will be updated at the meeting.
- 10.20 If the matter remains unresolved at the date of the meeting, it is recommended that delegated authority be granted to enable officers to

further explore an appropriate solution in relation to this matter with the applicant. The application will not be determined until the matter is resolved and, if it is not possible to reach a satisfactory resolution the matter will be referred back to a future committee meeting.

Residential Amenity

- 10.21 The site lies to the south of Foxley Drive, with the new building located at a distance of approx. 19m from the side curtilage boundary of no. 1, and with a distance of some 45 metres between the new building and the Foxley Cottage building. The new building will be set slightly into the ground and will therefore sit no higher than the land levels on Foxley Drive.
- 10.22 The north side of the new building faces in the direction of these properties and shows the provision of teaching and staff facilities at first floor with windows facing northward. The first phase is the western part of the building, closest to Foxley Cottage. This property however is set deep into its plot with a long frontage. The proposed building is set adjacent to the forward most part of the plot of the property where privacy and amenity are least likely to be expected. It is likely that there will be some potential for overlooking to be had between the new teaching spaces at the Foxley Cottage property, but, as indicated, over a less sensitive part of the curtilage and at some distance from the main residence.
- 10.23 No 1 Foxley Drive is located directly to the north. In this case, Phase two has the potential for the greater impact, again with some views over the rear of the residential curtilage. These will be at a separation that would be considered comfortable if the relationship was between two residential properties, and will be reduced by intervening boundary treatments and planting.
- 10.24 Given the space retained between buildings, it is not considered that there will be any harmful impact in relation to loss of light, or as a result of the building being overbearing. There is considered to be some impact in relation to overlooking, but this is of a minimised and acceptable nature and therefore the harm is limited.

11.0 Conclusion

- 11.1 In principle the development is acceptable and, indeed, positive weight is given to the investment in educational facilities in this sustainable location. The design of the building is acceptable and indeed considered to be innovative in relation to its surroundings and sits

comfortably within them. This also is assigned positive weight. Some limited harm to the setting of curtilage listed buildings is acknowledged but the impact in relation to the Conservation Area is acceptable, which is at least preserved. The limited impact in relation to residential amenity by virtue of the potential for some loss of privacy is noted.

- 11.2 As indicated, at time of writing this report, an issue remains in respect of surface water drainage. The applicant is in the process of addressing this issue. If this matter is acceptably dealt with and no harm arises as a result, then the conclusion of the planning balance in this case is that the benefit to be achieved by virtue of the development of new educational space and the implementation of a building of this design outweigh any harmful impact and permission can be granted.
- 11.3 Members will be updated at the committee in relation to the outstanding matter in relation to surface water drainage and any impact this has in relation to the overall balance of considerations in this case.

Conditions

1. Three year time limit (1T12)
2. Approved plans (2E10)
3. Samples of materials (2E12)
4. Prior to the commencement of any above ground works, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Hard surfacing materials (b) Planting plans (c) Written specifications (including cultivation and other operations associated with plant and grass establishment) (d) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (e) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason

To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

5. Landscape works implementation (4P13)
6. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority, and the development shall thereafter be

carried out in accordance with the approved details. The Plan shall identify details of:

- a. Phasing for the development of the site;
- b. Methods for accessing the site including construction vehicle numbers and routing;
- c. Pedestrian routes within the site during the construction period;
- d. Location and detail of wheel washing facilities; and
- e. Associated parking areas and storage of materials clear of the public highway.

Reason

To minimise the impact of the development on the local highway network.

7. Condition to require confirmation of levels.
8. Condition to require the implementation of the new boundary wall to the north of the site prior to the first use of the building hereby permitted.

Informatives

1. Other legislation (01OL)

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

KEY DATA**Non-Residential Development**

Use Type	Floorspace (sqm)
C2 Residential Institution	1,196

Non-residential Vehicle Parking Provision

Use type	Standard	Spaces required
C2 Residential Institution	1 space per full-time staff plus 1 space per 6 students	No additional staff or students so no need for additional parking
Total required		
Accessibility reduction		
Resulting requirement		
Proposed provision		

Legal Agreement – financial obligations

No financial contributions are required in connection with this application.