

**5a 3/12/2019/FP – First floor extension to provide a 'sensory room' at Amwell View School, St Margaretsbury, Stanstead Abbots, SG12 8EH for Mrs J Liversage**

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**Date of Receipt:** 29.11.2012

**Type:** Full – Major

**Parish:** ST MARGARET

**Ward:** GREAT AMWELL

**RECOMMENDATION:**

That planning permission be **GRANTED** subject to the following conditions:

1. Time limit (1T121)
2. Approved plans (2E103) (648-2-ELE-02; 648-2-ELE-03; 648-2-PLN-06; 648-2-PLN-07; 648-2-PLN-08; 648-2-PLN-09; 648-2-SEC-02)
3. Materials of construction (2E114)

**Directive:**

1. Other legislation (01OL1)

**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 (Hertfordshire County Structure 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 and in particular policies GBC1, ENV1, ENV2, ENV11 and BH1) and the National Planning Policy Framework. The balance of the considerations having regard to those policies is that permission should be granted.

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**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It is a school specialising in the education of children with learning and physical difficulties which lies on the western edge of Stanstead Abbots, within the Metropolitan Green Belt. St Margaretsbury House, a Grade II listed building, and its associated outbuildings, as well as the recent Lakes Court development, lies to the immediate south of the school site. To

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the west are the St Margaretsbury playing fields together with a single storey clubhouse.

- 1.2 The north eastern corner of the School site is well wooded. These trees, and others throughout the site are protected by a group TPO and views of the buildings from the B181 are limited.
- 1.3 The School was originally designed as a predominantly flat roofed collection of buildings but has expanded in recent times to accommodate increased numbers and is now, in parts, two storeys.
- 1.4 The current application seeks permission for the addition of a first-floor extension to the otherwise single-storey buildings sited centrally within the site. It would be approximately 40 metres from the northern boundary, 25 metres from the west boundary; 60m from the eastern boundary and approximately 32 metres from the south boundary.
- 1.5 The proposed extension would house an enlarged sensory room for the purposes of assessing the visual functioning of pupils with visual and hearing impairments. It would, at its highest point, be the tallest building on the site, exceeding the height of the neighbouring two storey buildings by approximately 630mm and 1500mm (upper and lower roofs) although generally it would be approximately the same height as the swimming pool building in the northwest corner of the site.

## **2.0 Site History:**

- 2.1 The site has been in operation as a school since 1963, and many planning applications have been received in that time. The majority of applications are considered to be of no particular relevance to the proposal under consideration. However, the following applications are considered to have some relevance:
  - 3/95/0490/CC – First-floor extension to provide staff accommodation – Approved July 1995.
  - 3/00/0355/CC – Single and two-storey extensions – Approved by County Council July 2000.
  - 3/07/1212/CC – Two-storey extension (revised plan from 3/00/0355/CC) – Approved by County Council July 2007.

## **3.0 Consultation Responses:**

- 3.1 The Council's Landscape Officer has stated that the existing oak tree nearest to the proposed development will need to be removed as set

out in the Arboricultural Report. This is based on a risk assessment for the tree and its suitability for the location. The development is otherwise non-contentious in landscape terms.

**4.0 Parish Council Representations:**

4.1 At the time of writing this report, Stanstead St Margarets Parish Council has not commented on the application. Any representations received prior to committee will be reported to Members at the meeting.

**5.0 Other Representations:**

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 Objections have been received from the occupants of one property which lies to the south of the site. The grounds of objection can be summarised as follows:

- A loss of privacy from south-facing glazing.
- The extension would be a prominent feature of the site when viewed from the south.
- Loss of a mature tree, to the detriment of the character of the area.
- The choice of materials would exacerbate the existing mismatch of materials used in the buildings on site.

**6.0 Policy:**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

- GBC1 Green Belt
- ENV1 Design and Environmental Quality
- ENV2 Landscaping
- ENV11 Protection of Existing Hedgerows and Trees
- BH1 Archaeology and New Development

6.2 In addition, Government guidance provided in the National Planning Policy Framework (NPPF) is relevant to the consideration of this application. In particular, paragraph 72 states that local authorities should "give great weight to the need to create, expand or alter schools".

**7.0 Considerations:**

- 7.1 The determining issues in this case relate to the principle of the development in the Green Belt; its impact on the openness, character and appearance of the area and neighbour amenity.

Principle of Development

- 7.2 The site lies within the Metropolitan Green Belt. Policy GBC1 of the Local Plan indicates that new development within the Green Belt, other than for that listed in clauses (a) to (i), is inappropriate. Extensions to schools and other educational premises are not included in those clauses and therefore, the development is considered to be inappropriate in the Green Belt.
- 7.3 Both local planning policies and those within the NPPF state that permission should not be given for inappropriate development in the Green Belt unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness and any other harm.
- 7.4 Other harm, in this case could potentially arise from the impact of the proposed extension on the openness, character and appearance of the area; the loss of a mature oak tree on the site; and any impact on neighbouring properties. These matters are therefore considered below:

Green Belt openness

- 7.5 The extension would be a significant addition to the skyline of the site, and would, in Officers opinion, have an impact on the openness of the Green Belt. However, it would be set away from the northern boundary of the site and views from this point are subject to substantial screening by mature trees along the north boundary of the site. The site also has a number of other two-storey buildings, and the proposed building would be viewed in the context of these surrounding structures.
- 7.6 The impact of the development on openness and on the character and appearance of the area from public viewpoints is therefore considered to be limited.

Trees

- 7.7 The development would involve the removal of a substantial oak tree from the site. However, a recent risk assessment has highlighted that the mature oak, located in a small quadrangle with large branches

overhanging roofs is a potential serious threat to children and staff at the school. The applicant's arborist has therefore recommended removal of this tree (irrespective of the outcome of this planning application). The Council's Landscape officer does not disagree with this view and accordingly does not recommend refusal of the application. Given the large number of protected trees around the site, it is not considered necessary to require replacement planting in this case.

- 7.8 Although the tree is of significant amenity value, and is likely to have a long life remaining, the risk assessment is also a material planning consideration of significant weight in this case. Officers therefore assign some weight to this additional harm but, in view of the risk assessment and the extent of other mature landscaping across the site, it is not considered to be significant.

#### Neighbour Amenity

- 7.9 The proposed extension would be clearly visible from Lakes Court to the immediate south of the school site. Screening along the south boundary of the site is limited, and would not materially obscure views of the building, particularly from the upper floors of the houses and flats.
- 7.10 The building would be finished in render to the north and east elevations, and the eastern half of the south elevation. Green-tinted coloured glass would be used on the west elevation, and western half of the south elevation. These materials would be in contrast to the predominantly brick-built buildings elsewhere on the site, although some alternative materials have been used on the taller buildings. As a result, the proposed building would appear distinctive in its surroundings.
- 7.11 However, the building would be approximately 32 metres from the southern boundary, and approximately 70 metres from the nearest property that directly faces the site (St. Margaretsbury House). Its appearance would not, in Officers view, be so unusual in the context of the other two-storey buildings on the site that would render it unduly prominent or intrusive such as to warrant a refusal of permission.
- 7.12 The extension would be located roughly centrally on the site, and to the north of two existing two-storey buildings. The presence of these buildings would provide significant screening of the extension. Although it would be visible from the south of the site, Officers consider that the increased mass of the building would not be so harmful to outlook from the residential properties that it would warrant a refusal of planning permission, nor that the development would result in any significant

harm.

- 7.13 With the exception of a window to the lift, there would be no south-facing windows to the building. The sensory room would have no windows, to allow users complete control over the environment within. Given the distance to the nearest properties and this limited scope for overlooking offered by the single window, any impact on neighbour privacy is considered by officers to be acceptable. Officers do not therefore assign any harm to the proposal in this respect.

#### Other Matters

- 7.14 The neighbour has raised concerns about the possible disturbance arising from building work in the event that permission is granted. Building operations will of course often result in some noise and disturbance, but this is for a temporary period only and, given the distance from the nearest properties, Officers do not consider that this is a matter which can be given significant weight in this case. Other controls exist under Environmental Health legislation to regulate any works which result in a statutory nuisance or that is carried out at anti-social times.
- 7.15 Access to the site from the B181 to the north is via a private driveway, and any issues arising from the use of this access would be a civil matter for the applicant and residents of Lakes Court and St Margaretsbury House to resolve.
- 7.16 The neighbour has requested that a condition be placed on the approval requiring the reinforcement of landscaping along the shared boundary to provide screening of the building. However, Officers do not consider that it would be reasonable to require this, given the relatively limited impact that the development would cause to neighbour amenity.
- 7.17 The site lies within an Area of Archaeological significance. As the proposal is for a first-floor extension only, with no excavations proposed, it is not considered necessary to impose any conditions relating to archaeological investigations.
- 7.18 In summary therefore, the proposal would result in harm to the Green Belt by inappropriateness and, in addition, some limited harm is also identified in terms of openness and the loss of the oak tree as set out above. It is therefore necessary, in accordance with local and national Green Belt policy, to consider whether there are any very special circumstances in this case which would clearly outweigh this identified harm.

Very Special circumstances

- 7.19 Amwell View School is a specialist school and sports college catering for pupils with from the age of 2 to 19 years. It is one of only two schools in the District that provides education for those with special needs and/or disabilities and has been granted an 'Outstanding' rating by Ofsted in its 2007 and 2010 reviews.
- 7.20 The school provides a specific service to a limited range of pupils. Many of the pupils have a sensory impairment and the curriculum is designed and delivered by using practical experiences. The school currently has a small sensory room which is used every day. It is a resource used to assess the visual functioning of visually impaired pupils as well as for those who are hearing impaired. However, it does not have sufficient or space nor does it provide an appropriate environment to enable the use of the latest innovative technology resources.
- 7.21 The size of the proposed sensory room is very important due to the size of wheelchairs and the children will be able to access the new learning environment in small groups, as well as on an individual basis, if the proposed room size is achieved.
- 7.22 The Head Teacher has submitted a supporting statement with the application in which she states that "A state of the art Sensory Room...will be a significant, responsible and positive action to achieve the expectation for the future of improving educational opportunities for significantly disabled children who have little opportunity to express their views and join their friends in activities. The Sensory Room will reduce isolation and enable engagement in learning at a greater level than ever achieved in the past."
- 7.23 Officers are satisfied that the benefits of the scheme, set out above, are material planning considerations of significant weight. Given the limited harm identified by the proposal, and the very limited potential for further infill extensions at ground-floor level, Officers consider that these benefits clearly outweigh the harm in this case.

**8.0 Conclusion:**

- 8.1 Officers acknowledge that the proposal represents inappropriate development within the Green Belt. In addition, there is some limited harm identified in terms of openness and the loss of the mature oak tree.
- 8.2 However, Officers consider that the proposal would not result in

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significant harm to neighbour amenity and also give weight to the attractiveness of the design, which adds interest to the building and its roofline, but which is set back well within the buildings' footprint.

- 8.3 Given the limited extent of the harm identified in this case, Officers are satisfied that the 'very special circumstances' put forward by the applicant are sufficient to clearly outweigh the harm and to justify the grant of planning permission as a departure from Green Belt policy.
- 8.4 It is therefore recommended that planning permission be granted for the proposed extension, subject to the conditions specified at the head of this report.