

**3/14/0817/FP – Demolition and removal of existing Alliot House, Medical Centre, and other hard landscaping on the site, and the construction of 2no. boarding houses and 1no. day house; a mix of red brick and timber clad buildings, with pitched roof forms, new open green space and associated landscape, and replanting to the North Boundary of the site at Bishop's Stortford College, 10 Maze Green Road, Bishop's Stortford, CM23 2PJ for Bishop's Stortford College**

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**Date of Receipt:** 15.05.2014                      **Type:** Full – Major

**Parish:**                      **BISHOP'S STORTFORD**

**Ward:**                      **BISHOP'S STORTFORD – SILVERLEYS**

**RECOMMENDATION:**

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

1. Three Year Time Limit (1T12)
2. Approved plans (2E10)
3. Levels (2E05)
4. Materials of construction (2E11)
5. The proposed window openings in the north facing elevation of the boys boarding accommodation as shown in drawing number 1444-DRG-PL-221-P1 to be obscure glazed, shall be fitted with obscured glass and fixed shut, and shall be permanently retained in that condition.

Reason: To safeguard the privacy of occupiers of the adjoining property, in accordance with policies ENV1 and ENV5 of the East Herts Local Plan Second Review April 2007.

6. Lighting details (2E27)
7. Materials arising from demolition (2E32)
8. Sustainable drainage – Surface Water Management (2E42)
9. Wheel Washing Facilities (3V25)
10. Construction Traffic Route (3V26)
11. Tree/hedge Retention Protection (4P05)

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12. Landscape Design Proposals (4P12)
13. Landscape Works Implementation (4P13)
14. Details of Earthworks/ Mounding (4P16)
15. Prior to the first occupation of the approved development hereby approved, the new access and zebra crossing arrangement in Maze Green Road shall be completed in accordance with the approved plans and detailed specification of the works which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed access and roadworks within the highway are constructed to an adequate standard.

16. Prior to the commencement of the development hereby approved, reclamation of the site shall be carried out in accordance with document reference Site Investigation Report – Bishop’s Stortford College (Report reference number C13167 March 2014), unless otherwise agreed in writing by the Local Planning Authority. On completion of the reclamation works, a validation report confirming the works have been completed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that adequate protection of human health, the environment and water courses is maintained in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007.

17. Construction hours of working – plant and machinery (6N07)
18. Prior to the commencement of the development hereby approved, details of the acoustically attenuated ventilation and proposed fenestration details and specifications for all buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those details and the approved ventilation and fenestration shall therefore be retained as approved.

Reason: In order to ensure an adequate level of amenity for adjacent residents in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

#### Directives:

1. Clearance of Vegetation (35CV)

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The applicant is advised that nesting birds are protected under the Wildlife and Countryside Act 1981 and care should be taken in vegetation clearance works between 1st March and 30th September.

#### 2. Protected Species (36PS)

The applicant is advised that should bats / reptiles / great crested newts be found during development, works must stop immediately and professional ecological advice sought on how to proceed. A license may be required from Natural England who can be contacted on 01206 796666.

### 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 2012 (as amended). The balance of the considerations having regard to those policies and the amendments made is that permission should be granted.

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#### **1.0 Background**

1.1 The application site is shown on the attached Ordnance Survey extract. The site lies to the north of Maze Green Road. It is bound to the north by a watercourse that runs from east to west which, together with a row of trees, forms the boundary with a housing estate known as Pye Gardens (particularly numbers 6, 7 and 8). The site is bound to the south by the rear of numbers 6 - 10 Maze Green Road, the College's dining hall and Benson House (all of which are buildings owned by the applicant).

1.2 The site is located within the Bishop's Stortford Conservation Area, and within an Area of Archaeological Significance. The application site itself may be considered somewhat 'hidden' and, as such, makes little contribution to the Conservation Area. However, the surrounding land levels are on a natural gradient which is clearly evident along Bells Hill, Hadham Road and the elevated position of Bishop's Stortford College. Longer views of the rear and roofscape of the properties that address Hadham Road and Bells Hill are prominent and are considered to make a positive contribution to the immediate character and appearance of

the area. This is further enhanced by key landmarks such as the spire of St Michaels Church and the imposing red brick of St Margaret's which provides relief from the mass and scale of the large ancillary College buildings located along the eastern boundary, including the modern theatre building, the art building and flat roof classrooms; all of which are of various architectural merit but compliment their immediate and wider setting providing a varied and interesting vista.

- 1.3 The proposal is to demolish and remove the existing Alliot House, Medical Centre and other hard landscaping on the site. It is then proposed to erect two boarding houses and one day house, together with associated open green space and landscaping.
- 1.4 As stated in the submitted design and access statement, this application forms part of a larger master-plan to re-develop Bishop's Stortford College by reconfiguring the current inefficient and unsuitable accommodation arrangements, and to provide new modern boarding and teaching facilities. The aims of the College are to:
- Provide modern and consolidated boarding day house facilities on site, allowing for the release of valuable facilities on site;
  - Provide improved classroom and administrative facilities by refurbishing the existing school house;
  - Improve the current parking provision across the campus, and better define the sites use and security;
  - Address the traffic issues on the campus, and remove regular vehicular access to the 'residential' part of the College;
  - Develop the College campus alongside the Bishop's Stortford Conservation Area Plan, and to enhance the campus context;
  - Ensure that the College can continue to function during the site wide development;
  - Develop the site in time to celebrate the College's 150<sup>th</sup> anniversary in 2018.
- 1.5 It is noted that this development is not to facilitate an increase in student numbers, but to improve accommodation and facilities within the College.
- 1.6 The scheme proposed by this application has been amended during the course of the application. As a result of discussions with Officer's through the consultation process, concerns were raised with regard to the size, scale and siting of the proposed buildings in relation to the enjoyment of the neighbouring dwellings in Pye Gardens. An extension of time was granted to give the applicant the opportunity to address

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these concerns, and for a further consultation process to be undertaken with the neighbours and statutory consultants on the amended plans.

### **2.0 Site History**

2.1 The relevant planning history for the site is as follows:-

3/02/1328/FP – Alterations and extension to existing sanatorium to provide changing and shower facilities - Alliot House – (Approved)

### **3.0 Consultation Responses**

- 3.1 County Highways does not wish to restrict the grant of permission subject to conditions requesting completion of an access and zebra crossing arrangement in Maze Green Road; wheel washing facilities; details of construction vehicle movements and construction access arrangements; hard surfacing materials, including water run off arrangements. County Highways commented that the scheme does not result in an increase in pupil or staff numbers and is therefore unlikely to generate additional traffic movements or parking. They comment that it is proposed to relocate the existing zebra crossing on Maze Green Road, and they state that the applicant will need to enter into a s.278 agreement with the Highway Authority. They also comment that all demolition/ construction traffic should be routed to the site from the west via the A120 and A1250, and that HGV movements should be restricted during school pick up and drop off times.
- 3.2 County Highways have confirmed that they have no further comments to make on the amended plans.
- 3.3 The Environment Agency has commented that as the site is under a hectare and located within a flood zone 1, it falls within the Environment Agency's Standing Advice, which ensures the management of surface water run-off and ensures that drainage from the development does not increase flood risk either on-site or elsewhere. Sustainable surface water management should be achieved as part of the development. The Environment Agency has also confirmed that they have no further comments on the amended scheme.
- 3.4 The Council's Engineers have commented on the scheme as originally submitted that the site is situated within flood zone 1 and away from zone 2 and 3. There are no historic flood incidents recorded for the site, although further upstream the SFRA records show 2 historic flood incidents to the exteriors of residences for Maze Green Road, one for 1993 and one for 2012 caused by flooding from a watercourse. The

site is shown as within surface water (SW) inundation zones across the majority of the site. It should also be noted that during recent flood events, the land adjacent to the existing watercourse was reported to have been subject to considerable overland flows probably originating from the ponds to the west of the site. Photographs of the flooding have been made available to the Council showing the extent of the flooding including depths.

- 3.5 The initial review of the developer's reports indicate that the development is suitable for above ground type sustainable drainage systems (SuDS) and this "green infrastructure" has been identified within the application by the developer as being integral to the outline design for the site as shown in the FRA. Such above ground / green infrastructure SuDS in the form of green roofs, a rain garden and swales would be valuable assets for the new school buildings and should assist flood risk reduction in the school grounds as well as provide useful additional biodiversity and shared amenity spaces. Ecological benefits would be achieved by the green infrastructure SuDS areas which could help to improve the water quality of the nearby River Stort by reducing and treating pollution generated by the new roads etc.
- 3.6 EHDC engineers could, if required, discuss how SuDS at the site could be adopted by the Council if this was considered by the College to be advantageous. No further comments have been received on the amended scheme.
- 3.7 The Council's Conservation Officer commented on the scheme, as originally submitted, that the historic and architectural character and appearance of the buildings to be removed to accommodate the scheme, are limited and as such would have little impact on the wider Conservation Area. In addition, the tennis court which will be removed to accommodate the new build would have little or no impact on the character and appearance of the Conservation Area.
- 3.8 The surrounding area has the benefit of mature vegetation which includes large trees that provide screening to the adjacent residential dwellings, the immediate and wider area. The character of the immediate area is further enhanced by dedicated green space between the built forms. In assessing the form of the proposal (scale, mass, design, alignment and use of materials) this has been balanced against the existing building subject to demolition and the distinct octagonal dining hall.
- 3.9 While one of the units follows the alignment of the footprint of the existing building, the additional building is orientated at a right angle

and, as a consequence, allows for a natural green courtyard which contributes to the spaces around the buildings. It is noted that the scale of the proposal is four-storey residential with two-storey pavilions. Whilst taller than buildings within the immediate setting; the introduction of two-storey pavilions to the four-storey residential units provides interest within the mass of the built form. In addition the design allows for a dual aspect plan-form which encourages the elevation to be treated in the same manner. In this instance the contemporary treatment of the fenestration provides interest to the elevations while visually assisting with the mass of the building. It is recommended that the material palette considers the surrounding character which includes mature vegetation resulting in natural materials being adopted.

- 3.10 In summary, the Conservation Officer recommends that the proposal would have little or no impact on the immediate setting of Bishop's Stortford College or with wider Conservation Area. No further comments have been received on the amended scheme.
- 3.11 English Heritage has commented on the original and amended scheme that, on the basis of the information provided, they do not consider that it is necessary for this application to be referred to English Heritage under the relevant statutory provisions.
- 3.12 The County Historic Environment Advisor has noted that the 'Archaeological Assessment Statement', contained in the Planning and Design and Access Statement submitted with the application, includes the statement that the 'boarding houses occupy the existing site of the buildings to be demolished, which should mitigate any impact on any archaeologically significant assets'. This does not appear to correspond with the position of the new buildings as shown on the Proposed Site Context Plan. In addition, the removal of contaminated soils from the site of the proposed areas of gardens and soft landscaping (Ground Investigation Report p.44-45, etc.) to a depth of 0.60m (minimum) would also be likely to have an impact on heritage assets of archaeological interest, should they be present.
- 3.13 In this instance, however, having reviewed the archaeological data contained in the Historic Environment Record relating to the site and its vicinity, and also the potential of the site to contain currently unknown archaeological remains, the Historic Environment Advisor considers the proposal is unlikely to have an impact upon heritage assets of archaeological interest and therefore have no further specific comments to make upon it.
- 3.14 The Historic Environment Advisor has confirmed that they have no

further comments to make on the amended plans.

- 3.15 Hertfordshire Ecology has commented that since there was no evidence of bats roosting in the three buildings under consideration, the three tests of the Conservation of Habitats and Species Regulations 2010 do not need to be considered; and a European Protected Species License will not be required for this project. Although there is no evidence of bats in the building, there is a chance that they may be present and if so they will be affected by the demolition proposal. They therefore recommend that a precautionary approach is taken to the planned works, which could be advised by a directive.
- 3.16 With regards to the protection of birds, it is recommended that the removal of any trees and shrubs should be carried out during October to February only; to protect breeding birds, their nests, eggs and young. If this is not possible then a pre-development (same day) search of the area should be made by a suitably experienced ecologist for breeding birds and their nests. If active nests are found, then clearance work must be delayed until the juvenile birds have left the nest and are fully independent. No further comments have been received on the amended scheme.
- 3.17 Natural England has commented that, based upon the information provided, the proposal is unlikely to affect any statutory protected sites or landscapes. Natural England has also confirmed that they have no further comments to make on the amended plans.
- 3.18 The Landscape Officer recommended consent be granted. They comment that the guidelines in the relevant British Standard (BS5837: 2012 –Trees in relation to design, demolition and construction – Recommendations) have been followed, with the preliminary site layout amended, as informed by the Arboricultural Report. There are still a number of category B trees to be removed, such as T25 yew, T26 Norway maple, and T28 hornbeam. However, given their location on the site, it is difficult to see how the design could be further modified in order to allow for their retention and they are not of such high quality/amenity value as to preclude the development proposal.
- 3.19 With regard to the Landscape proposals, the Landscape Officer has noted that the proposed accommodation blocks are to be set within the built form of the Campus and set back with only partial views from the road. The proposal includes indicative landscaping around the buildings to include amenity open space. There is proposed additional/new screen planting to the boundary to reinforce the visual screen and buffer qualities of the existing tree cover. Although there is the loss of



tennis courts, the overall proposal results in a net improvement to the landscape quality and function of this area of the school campus as the proposals include the creation of a partially enclosed and self-contained courtyard that provides additional useable outdoor amenity space. The Landscape Officer considers that there will be impact by the proposed development on the landscape quality and character that the campus grounds currently afford to Pye Gardens. Numbers 7 and 8 Pye Gardens have south west facing gardens abutting the site and although the houses do not directly face the development; the proposed building blocks will be clearly visible from bedroom windows, albeit from an oblique angle. The established line of trees and shrub vegetation along the northern boundary to the site and to the south of Pye Gardens does, however, mean that much of the new built form will be obscured from view, at least during the summer months when trees are in leaf – the time of year that gardens are likely to be in most use and when the development is most likely to be unoccupied by students.

- 3.20 A landscape impact assessment of the proposed development upon Numbers 7 and 8 Pye Gardens, in common with any assessment of environmental effects, includes a combination of objective and subjective judgments, and the Landscape Officer therefore considers it important that a structured and consistent approach is used. It is necessary to differentiate between judgments that involve a degree of subjective opinion (as in the assessment of landscape value) from those that are normally more objective and quantifiable (as in the determination of magnitude of change).
- 3.21 It is the opinion of the Landscape Officer that the landscape effects derived from changes in the physical landscape caused by the proposed development upon the landscape character and quality of the campus itself is not unacceptable, although any visual effects as assessed as one of the interrelated effects on neighbouring properties will need to take into account the occupiers of numbers 7 and 8 Pye Gardens.
- 3.22 Finally, the Landscape Officer summarises that the proposed development will inevitably give rise to changes in landscape character and how this is experienced. There will be the positive creation of a landscaped courtyard partially enclosed by new and modern buildings. There will be the loss of tennis courts and a change in view, most noticeable during the winter months, for the occupants of Pye Gardens as seen from bedroom windows. The landscape element that currently makes a particular contribution to the character of the area as experienced from Pye Gardens is the boundary tree/ screen belt along the northern boundary of the site, which importantly is to be kept and

bolstered as part of the proposals. Experiential characteristics such as tranquility or privacy for example are more difficult to quantify. Having regard to the above, the Landscape Officer has no objections to the proposed development on landscape grounds. No further comments have been received on the amended scheme.

- 3.23 Environmental Heath advises that any permission which the Planning Authority may give shall include the following conditions: construction hours of working – plant and machinery; and contaminated land – reclamation of the site to be carried out in accordance with the submitted Site Investigation Report.

#### **4.0 Town Council Representations**

- 4.1 Bishop's Stortford Town Council initially objected to this proposal for the following reasons: Flood risk; Loss of trees; Overcrowding; Over development; Over intensification of the site; and Loss of privacy. However, in considering the amended plans they commented that they had no objection, but raised concerns over light pollution and the mature tree screening and how this will take immediate effect to ensure sufficient screening for both the residents and the neighbours. Bishop's Stortford Town Council recommended semi-mature planting to be used in the tree screen once the building is erected.

#### **5.0 Other Representations**

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification. Re-consultation on the amended plans took place with all those who had already commented on the proposal; neighbours, the Town Council; Members and all statutory and non-statutory consultees.
- 5.2 19 representations were received on the plans as originally submitted which can be summarised as follows:
- Overbearing impact;
  - Does not respect the character of the Conservation Area;
  - Loss of privacy;
  - Noise nuisance;
  - Inappropriate siting;
  - Loss of trees;
  - Site liable to flooding;
  - Poor outlook;
  - Submitted plans are misleading to true extent of boundary;

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- Light pollution;
- Negative impact on ecology;
- Overdevelopment of the site;
- Increase in traffic flows on Maze Green Road;
- Plant room case of noise pollution;

5.3 At the time of writing, 14 letters of representation have been received on the amended scheme. These raise similar concerns to those outlined above.

5.4 The Chantry Community Association commented on the plans as originally submitted and amended that whilst they agree that the College is an important educational institution in the town, they support the concerns raised by local residents including the following:

- Height of the buildings and overlooking;
- Noise and disturbance from use of buildings;
- Amendments made to scheme do not overcome original concerns raised;
- The existing and proposed landscaping is not sufficient to block noise and visual disturbance from proposed development;
- The existing stream is a danger to children and should be securely fenced off.

## **6.0 Policy**

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

SD2	Settlement Hierarchy
TR7	Car Parking – Standards
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV19	Development in Areas Liable to Flood
ENV21	Surface Water Drainage
ENV24	Noise Generating Development
BH6	New Developments in Conservation Areas

6.2 The National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG) are also material considerations in the determination of the application.

## **7.0 Considerations**

### Principle of development

- 7.1 The application site is located within the settlement of Bishop's Stortford wherein there is no objection in principle to the development of additional educational facilities, or the improvement of current facilities. The main considerations in respect of this proposal are therefore the size, scale, siting and design of the proposed buildings; the impact upon neighbour amenity; the impact on the character and appearance of the Conservation Area; and access and parking considerations.

### Size, scale, siting and design

- 7.2 The applicant considers that the massing and elevation treatment aims to sensitively respond to the massing and built form of both the surrounding buildings and topography of the site, and to enhance the historic character of the green open space of the Conservation Area.
- 7.3 Objections have been received from occupants of nearby dwellings that this proposal will result in the over development of the site. Concerns have also been raised that the buildings are substantially larger than the buildings adjoining the site and are not therefore sympathetic in scale or height. It is also considered that the design of the buildings are not sympathetic in terms of their form or materials.
- 7.4 Officers acknowledge the concerns raised with regard to the size, scale, massing and siting of these buildings but for the following reasons, consider that these matters are satisfactory and would meet the needs of the College to provide residential accommodation and incidental study accommodation without significant detriment to the surrounding area or local residents. At present, the site forms an open piece of land with existing buildings of limited height and massing, resulting in an open landscape characterising this part of the College grounds. The proposed accommodation blocks would be set within the built form of the Campus and set back with only partial views from the road. In addition, the layout of the buildings, including the courtyard, would contribute to the character of the surrounding built form. As suggested by the Landscape Officer, it is recommended that the size, scale and siting of these buildings would be acceptable (in terms of their landscape impact) subject to a suitable landscape condition that would enhance the existing soft landscaping, which is an important characteristic in the locality.
- 7.5 With regard to the design of the buildings, Officers consider that the

contemporary appearance will not detract from the character of the surrounding built form. It is considered that, with the careful selection of materials (through a condition of approval), together with the creation of a natural green courtyard to the south, this proposal would not result harm to the appearance of the locality.

- 7.6 Officers recommend that this proposal is of a high standard of design and layout. Whilst the development would result in the loss of an area of open landscaping, due to the topography of the land, the size and scale of the proposed buildings will not impede into the appearance of the locality from public view points. Subject to control of materials and landscaping, it is considered that this proposal accords with the design considerations of policy ENV1 of the Local Plan and that of the National Planning Policy Framework.

Neighbour amenity

- 7.7 Policy ENV1 of the Local Plan states that development proposals will be expected to respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 7.8 Given the size and scale of the proposed buildings, and their close proximity to number 6, 7 and 8 Pye Gardens, together with the impact upon number 12 Maze Green Road, the following section considers the impact of this development on each dwelling individually.

7 Pye Gardens

- 7.9 With regards to the occupants of no. 7 Pye Gardens, the Council has received a letter of objection raising concerns that proposed buildings, by reason of their size and siting would be overbearing, cause loss of light, noise disturbance, and would create an unacceptable loss of privacy.
- 7.10 The applicant considers that the submitted scheme will preserve the outlook from no. 7 Pye Gardens and ensure the proposed building does not appear overbearing. The siting of the buildings provides an additional landscaping strip adjacent to the stream for landscaping to further assimilate the building into the site. With regard to sunlight and daylight issues, the applicant considers that these have been

addressed in the Daylight and Sunlight report, which, by reference to appropriate standards, concluded there would be no unacceptable effect. Finally, the applicant considers that any concern of overlooking has been addressed through the design of the scheme, i.e. the obscure glazing of the windows to the northern flank elevation of the boy's accommodation, and the amendments made by moving the four storey element of the building further away from the boundary.

- 7.11 Officers acknowledge that the boys boarding building situated in the western part of the site would have the most significant impact upon the amenities of the occupiers of no. 7 Pye Gardens. This neighbouring dwelling would look out onto a four storey flank elevation measuring 14 metres to the ridge and 11 metres to the eaves. In addition to the four storey element, this neighbouring dwelling would also look out on the flank wall of the two storey wing with a ridge height measuring 8 metres. The entire flank elevation of the boy's boarding house would have a length of 27 metres, and would be within 20.5 metres of this neighbouring dwelling for the two storey element, and 23 metres for the four storey element. In addition, and to a lesser extent, the occupants of this dwelling would have an outlook of the flank/corner of the proposed girls boarding accommodation at approximately 32 metres to the southeast of the dwelling.
- 7.12 Officers acknowledge that the outlook from no.7 Pye Garden will alter as a result of the proposed development. Whilst there is currently substantial soft landscaping lining the boundary, the size, scale and siting of the proposed buildings, especially the boys boarding accommodation, would have an impact upon the outlook currently enjoyed from this property. However, the revised siting of the building provides space for an additional strip adjacent to the stream for landscaping. Whilst the presence of the building would still be evident from no. 7 Pye Gardens, Officers are satisfied that the buildings would not result in significant harm to the outlook from this neighbouring dwelling. In addition, the scope for planting will allow the flank elevation to be partially obscured and the outlook from no. 7 softened by the landscaping. Officers are additionally of the view that carefully selected external materials of construction would assist in further reducing the prominence of the buildings in their setting. For these reasons, Officers do not consider that the degree of harm to the outlook from no 7 to be so significant as to warrant refusal of the application.
- 7.13 With regard to loss of light, the occupants of no. 7 Pye Gardens have commented that the size and siting of the proposed boys boarding house would result in a loss of light contrary to the relevant British Standard. The applicant supported the application with a Daylight and

Sunlight Report (in accordance with the BRE Site Layout for Daylight and Sunlight), which concluded that the proposals will have, overall, very minor effects only on the surrounding and closest applicable property at No 7 Pye Gardens. Officers have considered the findings of this report and taken into account the relationship between the buildings and consider that any loss of light caused by the size and siting of these buildings would not be so significant to warrant refusal of the application.

- 7.14 With regard to noise disturbance, the occupant of no. 7 Pye Gardens has raised concerns with regard to the proximity of the proposed plant room in relation to their property. Officers have been unable to locate such a plant room on the submitted plans, however it may be that there will be some plant within the building that may generate some noise. Having regard however to the distance between the buildings and the lack of objection from Environmental Health, Officers do not raise any concerns in this respect.
- 7.15 With regard to loss of privacy, Officers are of the opinion that the amendments made to the originally submitted scheme have overcome the previous concerns in relation to overlooking. It is noted that the limited fenestration to the flank elevation is either proposed to be obscure glazed or high level, which therefore reducing any possible view of this neighbouring property. The glazing of these windows could be controlled through a condition of approval.

#### Number 6 Pye Gardens

- 7.16 With regards to the occupants of no. 6 Pye Gardens, concerns have been raised with regard to the proposed girls boarding accommodation building by reason of overbearing impacts, noise pollution, and loss of privacy.
- 7.17 The applicant considers that the distance between the dwelling and the proposed boarding house; the significant intervening existing and proposed vegetation along the stream, and the orientation of no. 6 which (to the rear) is orientated to the south east and not directly facing the building, means that the relationship between the easternmost boarding house and no. 6 is a comfortable one. Given the distance and the vegetation, together with the assimilation of the boarding house within its landscaping proposals, the applicant does not consider that the dwelling or the garden would be subject to overbearing impacts. In terms of overlooking, the design includes oriel windows to limit the direction of outlook where these windows are used. Given the distance between the boarding house and number 6, the intervening vegetation

and the design of the windows, the Officers do not consider there will be material overlooking of the dwelling or garden.

- 7.18 At its closest point the proposed girls boarding house would be 15 metres from the boundary with this neighbouring dwelling, and 25 metres from the rear elevation of this dwelling. Whilst the proposed boarding house is angled away from the boundary with this dwelling, Officers acknowledge the concerns raised that the massing of the building, due to its height of 11 metres and length of 38 metres, would result in some impact on the outlook for this dwelling. However, consideration is additionally given to the comments raised by the Landscape Officer that the established line of trees and shrub vegetation along the northern boundary to the site and to the south of Pye Gardens does mean that much of the new built form will be obscured from view, at least during the summer months when trees are in leaf – the time of year that gardens are likely to be in most use and when the development is most likely to be unoccupied by students. Having regard to the distance between the buildings, their orientation, and that the existing landscaping can be enhanced by a suitable landscaping scheme, it is Officers opinion that the degree of harm by reason of overbearing impacts or poor outlook would be limited.
- 7.19 With regard to concerns raised with regard to noise pollution, it is reasonable to consider that the intensification of the use of this piece of land for residential purposes will result in an increase in noise. The applicant has submitted a noise report (compiled by Adrian James Acoustics Limited) which concludes that “noisy activity within the new boarding houses could, in principle, create a new source of noise. The proposed scheme mitigates this by specifying non-openable windows and acoustically attenuated ventilation, and by a layout which locates potentially noisier areas such as common rooms away from the northern elevation of the buildings. In addition to this, the school rules impose limits on noisy activity in the boarding houses. Given the mixed nature of the existing noise environment at the site, the proposed mitigation measures discussed above, the design and layout of the Houses and the College’s management of Boarding Houses the noise consultants consider that the overall noise impact of the proposed boarding houses is likely to be either neutral or beneficial through a reduction in noise levels”. However, in considering the methodology used, Officers consider these conclusions to be somewhat hypothetical. Whilst the design and siting of the proposed buildings would result in a form of acoustic barrier between the site and the neighbouring dwellings at Pye Gardens, Officers are of the opinion that the intensification of the use of the site and the spacing between the proposed buildings would be likely to permit an increase of noise from



the congregation/access area to the south of the buildings. However, it would be possible to mitigate this impact and the Environmental Health Officer has not recommended refusal on the basis of noise nuisance. Given the professional opinion available, therefore, Officers consider that the degree of harm caused by noise nuisance would be limited and would not justify refusal of the application. A condition is recommended in order to control the specification of window openings and the details of the acoustic ventilation proposed.

- 7.20 Angled bay windows have been proposed for the rear (north-facing) elevation, which the applicant considers will overcome any loss of privacy to the occupants of no. 6 Pye Gardens. Officers acknowledge the concerns raised by the occupants of this neighbouring dwelling that, although the windows are angled to focus the main viewing away from this dwelling, it will still allow for a degree of viewing of the rear of this dwelling. However, Officers acknowledge that, by design, the degree of viewing would be limited and combined with the distance separating the buildings and the existing landscaping, the degree of harm in this respect would not be significant.

#### 8 Pye Gardens

- 7.21 With regard to no. 8 Pye Gardens, it is noted that this dwelling has a particularly large garden to the rear. The occupants of this dwelling have objected to the insertion of the angled bay windows to the west-facing elevation of the boys dormitory building since, whilst not overlooking the rear of their dwelling, would overlook their garden area. Officers acknowledge that the use of normal casement windows would overcome this issue for this particular property. However, it would cause greater overlooking elsewhere and given the acute angle of viewing, the degree of harm on no.8 would not be such as to warrant refusal of the application.
- 7.22 With regard to the outlook currently enjoyed from the rear of no. 8 Pye Gardens, it is noted that openness would be impeded by the development of the boys dormitory building to some extent. However, Officers consider that the degree of harm would not be such as to be considered detrimental to the future enjoyment of this property.

#### 12 Maze Green Road

- 7.23 With regard to the occupants of no. 12 Maze Green Road, the occupants have raised concerns with regard to loss of privacy, and noise and light pollution. The proposed boys boarding accommodation is to be sited approximately 10 metres from the rear boundary and

approximately 50 metres from the rear wall of this dwelling. Due to the gradient of the land and the open aspect to the site, the outlook from of this dwelling would be altered by the construction of a building of this massing. However, Officers are of the opinion that this impact would not be to such a degree as to be considered harmful to the enjoyment of no. 12 Maze Green Road.

#### Impact on Conservation Area

- 7.24 As stated previously, the site is located within the Bishop's Stortford Conservation Area. The Conservation Officer recommends that the size, scale, siting and design of the proposal would have little or no impact on the immediate setting of Bishop's Stortford College or on the wider Conservation Area. Officers concur with this opinion. The topography of the site results in the proposed buildings being hidden from the wider landscape, such as Maze Green Road and, given the contemporary design proposed, these buildings would not be harmful to the significance of the Conservation Area. For this reason it is recommended that this proposal accords policy BH6 of the Local Plan.

#### Parking and access

- 7.25 The proposed development would not increase the number of students, but forms part of a master plan to improve existing accommodation. The new boarding facilities will not give rise to an increase in either pupil numbers, pick-up and drop-off numbers, or parking spaces across the College site. The application includes the provision of a new one-way system leading from the existing access off Maze Green Road, curving around Benson House and the Dining Hall outbuilding, and returning to Maze Green Road to the west of the Dining Hall.
- 7.26 Concerns have been received with regard to possible congestion on Maze Green Road and the junction with Hadham Road. However, County Highways have not objected to this proposal and have commented that the scheme does not result in an increase in pupil or staff numbers and is therefore unlikely to generate additional traffic movements or parking. Conditions of approval have been suggested that are considered to be reasonable in accordance with the tests set out in the Planning Practice Guidance.

#### Drainage

- 7.27 The site is situated within flood zone 1 and away from zone 2 and 3. There are no historic flood incidents recorded for the site. The site is shown as within surface water (SW) inundation zones across the

majority of the site, and it has been noted that during recent flood events, the land adjacent to the existing watercourse was reported to have been subject to considerable overland flows probably originating from the ponds to the west of the site.

- 7.28 The application has been supported by a Flood Risk and Drainage Planning Report. The report concludes that flood risk from groundwater and overland flow is considered to be high due to the underlying soil properties and topology of the ground in the vicinity of the adjacent surface water pond. However, the use of the mitigation measures proposed within the report enable this risk to be reduced to low; foul water generated from the new development will connect into a private gravity based drainage system before indirectly discharging into the Thames Water foul water sewer on Maze Green Road; surface water drainage from the new boarding houses will discharge into the watercourse located to the north of the site; discharging surface water peak flow rates from the new development will be significantly lower than that of the existing site, reducing downstream flood risk; sustainable drainage elements such as swales, rain gardens and pervious paving have been incorporated into the drainage design to provide the required degree of storage, alongside improving water quality.
- 7.29 From the information provided, Officers are satisfied that concerns of flood risk through pluvial flooding can be overcome by the installation of a satisfactory SuDS; details of which can be considered through a condition of approval. Neither the Council's Engineers or the Environment Agency have raised any objection to the application.

## **8.0 Conclusion**

- 8.1 Members are reminded that the principle of development on this site is acceptable subject to the design, amenity, highway and other environmental considerations of the Local Plan. In addition, it is noted that the National Planning Policy Framework promotes sustainable development in such locations.
- 8.2 Officers are of the opinion that whilst the proposed buildings are of a larger size and scale than the surrounding built form, the topography of the site and the proposed layout of the buildings allows for a development that will meet the existing and future needs of this educational establishment, whilst not harming the character and appearance of the locality. With regard to the significance of the locality due to its designation as a Conservation Area, it is considered that the proposed development would not be harmful to the historic character

and appearance of the locality as a heritage asset.

- 8.3 Objections have been raised by the occupants of neighbouring dwellings with regard to the harm to their amenity. For the reasons outlined above, Officers are of the opinion that, whilst there will be some impact on the amenities of the occupiers of these dwellings as a result of the size, scale and siting of the proposed development, that impact would not be significantly harmful. The siting and design of the proposed buildings and the enhancement of the existing landscaping, would ensure that the degree of harm would not be such as to warrant a refusal of the application.
- 8.4 Finally, other matters such as highways and drainage are considered to be acceptable in accordance with both national and local policy and guidance. In considering the above, Officers recommend that the proposal amounts to sustainable development in accordance with the policies of the National Planning Policy Framework and the East Herts Local Plan Second Review April 2007. It is therefore recommended that planning permission be granted subject to the conditions set out at the head of this report.