

DEVELOPMENT MANAGEMENT COMMITTEE – 3 FEBRUARY 2016

Application Number	3/15/2197/FUL
Proposal	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.
Location	Bishops Stortford College, Maze Green Road, Bishops Stortford, CM23 2PJ
Applicant	Bishop's Stortford College
Parish	Bishop's Stortford
Ward	Bishop's Stortford – Silverleys

Date of Registration of Application	2 November 2015
Target Determination Date	1 February 2016
Reason for Committee Report	Major application
Case Officer	Stephen Emery

RECOMMENDATION:

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

1.0 Summary

- 1.1 The application seeks permission for the demolition and removal of the existing Alliot House, Medical Centre, and other hard landscaping on the site, and the construction of two buildings, which include two boarding houses and one day house, and associated landscaping including alterations to the access. The site lies within the built up area of Bishop's Stortford wherein there is no objection in principle to development.
- 1.2 This application follows application ref: 3/14/0817/FP, which was refused by the Development Management Committee in November 2014 due to the scale, height and siting of the proposed buildings resulting in a harmful overbearing impact to adjacent residential properties; loss of outlook and loss of privacy.
- 1.3 Amendments have now been made to the size, scale, siting and design of the proposed development to address the concerns previously

raised. It is considered that the proposed development adequately addresses the previous reason for refusal and the development results in an acceptable relationship with nearby residential properties. The size, scale, siting and design of the buildings are appropriate for their setting and will not harm the architectural and historical significance of this part of the Bishop's Stortford Conservation Area. No concerns are raised in respect of the development on the matters of parking, access and drainage.

2.0 Site Description

- 2.1 The application site is shown on the attached Ordnance Survey extract. The site lies to the north of Maze Green Road. It is bounded 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 bounded 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).
- 2.2 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.

3.0 Background to Proposal

- 3.1 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.

- 3.2 This application forms part of a larger masterplan 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 aim of this application is to meet the following needs of the College:
- A new classroom accommodation to serve the Senior School;
 - A new girls' senior boarding house to address the discrepancy in boarding places between girls and boys, a legacy of the College's history as a boys' school and reduce occupancy levels in existing houses;
 - A requirement to resolve problems with the oldest senior boys boarding and day house on the campus – School House, which is situated in a 150 year old building that cannot meet current standards; and
 - New office space for teaching and administrative staff, currently housed in temporary buildings and overcrowded substandard offices.
- 3.3 A detailed description of the above needs can be read in the Planning Statement submitted in support of the application. It is noted that this development is not to facilitate an increase in student numbers, but to improve accommodation and facilities within the College.
- 3.4 The scheme proposed follows application ref: 3/14/0817/FP, which was refused by Members in November 2014 for the following reason:
- The proposed development, by reason of its scale, height and siting in close proximity to neighbouring residential properties, would not relate well to the massing and height of those adjacent buildings and would result in a harmful, overbearing impact; loss of outlook and loss of privacy. The proposal would thereby be contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.
- 3.5 The current application therefore aims to overcome this reason for refusal, and the following amendments to the scheme have been made.
- 3.6 The key changes to the boys boarding accommodation are summarised as follows:
- Removal of a storey to the boy's house resulting in the building now being a maximum of 3 storeys. The remaining storeys are set down into the ground, working with the topography;
 - Adjustment to the massing of the building to position the two storey element of the building adjacent to Pye Gardens;

- Reduction in maximum height of the building at the northern end of 7.3 metres, and at the southern end a reduction of 1.8 metres;
- Removal and minimisation of number of windows in the northern end of the building;
- Articulation and breaking up of the built form, in particular in relation to the northern part of the building;
- Timber cladding proposed along the northern elevation facing Pye Gardens with the aim of softening the building and to offer integration into the tree screen;
- Reconfiguration of the layout so that the boys boarding rooms are situated at the south eastern corner of the building
- The entirety of the northern element of the building comprises the day house, so is not in use out of hours
- The south western corner of the building is to comprise entirely staff accommodation, to present a 'residential' (rather than institutional) relationship with the closest non-college owned property to the south of the proposal site, number 12 Maze Green Road;

3.7 The changes to the girls boarding accommodation are summarised as follows:

- Removal of all second storey windows to reduce actual and perceived overlooking. Reorganisation of the internal layout, whereby quiet study rooms are to be relocated to the northern elevation of the second storey which will be lit by roof lights;
- All windows to the pupil spaces on the northern elevation are proposed to be non-opening; ventilated by 'louvres', which will be acoustically attenuated to prevent noise break out;
- The building has been extended by 4 m further east than the refused scheme;
- The number of windows on the northern elevation have been reduced;
- The articulation and breaking up of the built form;
- Timber cladding proposed along the northern elevation facing Pye Gardens with the aim of softening the building and to offer integration into the tree screen;

3.8 It is also proposed to augment the existing tree screen with mature evergreen trees of up to 7-8 metres, rather than 2-4 metres previously specified and to site an evergreen hedge in the area between the buildings to further protect views out of this area towards Pye Gardens. In addition, the community amenity areas are proposed to be landscaped to discourage noisy sports based play.

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
Design and Amenity	Section 7	ENV1
Landscaping	Section 7	ENV2, ENV1 1
Impact upon Conservation Area	Section 12	BH6

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

4.3 The relevant policies of the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards – 2014 – 2031 are also material to the determination of this planning application, including policies HDP2, HDP3 and HDP9.

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. Given its stage in preparation, little weight can currently be accorded to the emerging Plan.

6.0 **Summary of Consultee Responses**

6.1 The Crime Prevention Design Officer at Hertfordshire Constabulary raises no objections to this proposal, however, makes advisory comments with regard to both internal and external door openings.

6.2 The Historic Environment Advisor, HCC has commented that in this instance it is unlikely that this development will have an impact upon significant archaeological deposits, structures or features.

6.3 Historic England has commented that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

- 6.4 The Council's Conservation Officer has commented that the site sits within the Bishop's Stortford Conservation Area. The Conservation Area Character Appraisal is mute on the buildings proposed to be demolished, from which it can be concluded that they make a neutral contribution to the character and appearance of the Conservation Area. As such, there is no objection to their demolition. The replacement buildings have been redesigned to better accord with the reasons for a previous refusal with negotiations by others at an advanced stage. We see no reason to object to further substantial buildings which will accord with the institutional nature of the site and are content, therefore, for this application to be determined by Development Management on the basis of national and local policies and guidance.
- 6.5 Hertfordshire Ecology has commented that the application site and College site as a whole, has plenty of mixed trees and shrubs, both of native and exotic species. They have some records of birds for the whole campus site; and although they have records of bats in this part of Bishop's Stortford, the nearest records to the college are about 400m to the north and east.
- 6.6 They note that a Bat Report, dated October 2015, by Applied Ecology Ltd has been submitted with this application. Key points from the report are as follows:
- A previous building inspection was undertaken in 2014 by AEL which recorded evidence of bats at the site (a dropping on an exterior wall of Alliot House). There were potential roost features on each of the three buildings proposed for demolition and these were assessed as having low / moderate potential for roosting bats;
 - Follow-up activity surveys were undertaken in June and July 2014 to determine the use of the buildings by bats. No roosts were found. Foraging / commuting activity was recorded across the site for three species of bat and roosts were thought to be nearby;
 - An updated building inspection survey was completed in October 2015 and found no evidence of roosting bats;
 - The previous evidence (dropping) was considered to be from a foraging / prospecting non-roosting bat;
 - As bats are known to be in the area, and are known to change their roost locations, a precautionary approach to the works is recommended.
- 6.7 Hertfordshire Ecology therefore make the following comments and recommendations:

- The development will not impact any sites, habitats or species of any significant value and they have no reason to request any further protected species / ecological surveys in connection with this application;
- They have no comments to make on the Arboricultural report or Landscape plans, which are both comprehensive;
- To avoid harm to protected species Hertfordshire Ecology advises Directives are added to any permission granted relating to protected species; birds; external lighting scheme; soft landscaping and biodiversity enhancements.

6.8 Environmental Health does not object to the grant of permission subject to a condition restricting the construction hours of working for plant and machinery.

6.9 Affinity Water has commented that the site is located within the groundwater Source Protection Zone (SPZ) of Causeway Pumping Station, and recommends that the construction works and operation of the proposed development should be done in accordance with the relevant British Standards and Best Management Practices.

6.10 The Environment Agency has reviewed the documents and has no comments to make.

6.11 The Council's Engineer has noted that the site is situated within Flood Zone 1 and away from Flood Zone 2 and 3. The site is shown as within surface water inundation zones across the majority of the site. There are no historic flood incidents recorded for the site although further upstream the SFRA records show two historic flood incidents to the exteriors of residences in Maze Green Road, one in 1993 and one in 2012 caused by flooding from a watercourse.

6.12 They have commented that the review of the Smith and Wallwork Flood Risk and Drainage Planning Report ref 000152 dated October 2015 rev B indicates 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 design for the site as shown in the detailed drawings. Such above ground/green infrastructure SuDS in the form of green roofs/rain gardens 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.

- 6.13 County Highways does not wish to restrict the grant of permission subject to conditions controlling the new access and zebra crossing arrangement being constructed in accordance with the approved plans; wheel washing facilities; the prior approval of a plan of construction vehicle movements and construction access arrangements; and details of the surfacing of all on site vehicular areas. They additionally recommend directives informing the applicant that the storage of materials should be within the site and not on the highway; and the applicant should enter into section 278 agreement with the Highway Authority.
- 6.14 The Spatial Planning and Economy Unit (Minerals and Waste Team), HCC have not objected to the proposal, but recommended that consideration is given to their relevant waste policies.
- 6.15 The Environmental Response Planning, HCC has not raised an objection to the granting of planning permission. They comment that the drainage strategy prepared by Smith and Wallwork dated October 2015 and the letter from Smith and Wallwork to the LPA dated 3rd of December 2015 presents an acceptable drainage strategy. The proposed development site can be adequately drained and mitigate any potential existing surface water flood risk. They comment that the applicant has provided sufficient detail to demonstrate that there is a feasible drainage scheme for the site, including sustainable drainage measures such as swales, permeable pavements and rain garden and they recommend a condition ensuring that the development accords with the submitted drainage strategy.
- 6.16 Natural England has no comments to make on the application.
- 6.17 The Council's Landscape Officer has recommended approval for this application subject to conditions relating to tree/hedge retention and protection; landscape design proposals; and details of earthworks/mounding. The Landscape Officer has commented that the guidelines in - 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 - 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.

There are a number of new semi-mature trees proposed to be planted along the northern site boundary which provides sufficient mitigation for this in terms of the overall arboricultural impact.

- 6.18 The Landscape Officer further comments 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 landscaped areas around the buildings to include amenity open space, and additional/new screen planting is proposed to the boundary to reinforce the visual screen and buffer qualities of the existing tree cover.
- 6.19 They comment that 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 which provides additional useable outdoor amenity space.
- 6.20 They comment that there will be a reduced 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 on the site, the proposed building blocks may be 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 together with the proposed additional planting 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.
- 6.21 It is the Landscape Officer's opinion 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, and the magnitude of any visual effects on neighbouring properties i.e. the occupiers of numbers 7 and 8 Pye Gardens is reduced in comparison with the previous application.
- 6.22 They comment 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 at least some 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.

6.23 In summary, the Landscape Officer has no objection to the proposed development on landscape grounds.

7.0 Town Council Representations

7.1 Bishop's Stortford Town Council has raised no objections.

8.0 Summary of Other Representations

8.1 A letter of objection has been received by the occupants of number 12 Maze Green Road, who raise the following concerns:

- The buildings do not respect the character and appearance of this area;
- Overdevelopment of the site;
- Loss of privacy;
- Noise nuisance;
- Light pollution;
- The proposal would not alleviate current traffic congestion on Maze Green Road;
- Increase in pupil numbers.

8.2 The occupants of number 7 Pye Gardens have not raised an objection to the proposal, however they have requested some conditions if the permission were to be granted. The conditions include noise abatement – limiting the duration of construction works, and proposing 6 metre high hoarding around the site; tree/vegetation screening; drainage – concern with regard to the capacity of the watercourse forming the boundary of the site; restriction of use – use to be solely for pupils and not third parties and plant and equipment restriction – future control to number and siting of plant and equipment that could create noise nuisance.

9.0 Planning History

Ref	Proposal	Decision	Date
3/02/1328/FP	Alterations and extension to existing sanatorium to	Approval	02/07/02

	provide changing and shower facilities – Alliot House		
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.	Refusal	12/11/14

10.0 Consideration of Relevant Issues

10.1 The application site lies within the built up area of Bishop's Stortford. There is therefore no objection in principle to the proposed development, and, as with the previously refused application, the principle of the demolition of the existing buildings and the construction of the boarding accommodation is acceptable. The main considerations in the determination of this application therefore relate to 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. It is also necessary to consider whether the proposal adequately addresses the reason for refusal of the 2014 application.

Size, scale, siting and design

10.2 The applicant has commented that the massing of the revised scheme has been designed to mediate between the two scales of the surrounding area; the institutional college buildings, typically 2 -3 storeys with detailed facades, and the residential developments at Pye Gardens, large detached houses. To respect the scale and character of surrounding developments, the development proposes that the lower massing of the buildings is located at the boundary closest to Pye Gardens, with the building heights increasing to the south, near the existing College buildings.

- 10.3 It is relevant to note that the 2014 application was not refused due to the impact of the proposed development on the character and appearance of the site and its surroundings, and it is considered that the amendments made to the scheme following the refusal of the previous application have been beneficial in respect of the visual impact of the development and the impact on the character and appearance of the site and its surroundings. It is acknowledged that the site currently forms predominantly open land and the proposal will result in a significant change to the appearance of the site. However, having regard to the enclosed nature of the site and its relationship to surrounding developments, the loss of this open space would not result in harm to the character and appearance of the area. The proposed buildings, both in terms of their scale and design, are considered to reflect the institutional use and character of the site, and their design and siting has responded to the lower scale development in Pye Gardens.
- 10.4 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 in harm to the appearance of the site or its surroundings.
- 10.5 The concern raised by a local resident in respect of the size, scale and design of the proposed development has been noted. However, Officers consider that the proposal is of a high standard of design and layout and would not result in significant harm to the character and appearance of the site or its surroundings. Whilst it is acknowledged that the development would result in the loss of an open area, the size and scale of the proposed buildings respect the institutional use and character of the site and the proposal would not result in significant harm to the character and appearance of the site or on views of the site from the surrounding area. 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. In reaching this conclusion, Officers have also had regard to the comments of the Conservation and Landscape Officers, and their positive recommendations.

Neighbour amenity

- 10.6 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.

- 10.7 The previous application was refused due to the proposed development resulting in a harmful overbearing impact; loss of outlook and loss of privacy to the occupiers of adjacent buildings. In determining this current application, it is therefore necessary to consider whether the amended scheme has overcome the previous reason for refusal.
- 10.8 Turning firstly to the impact on no. 7 Pye Gardens, at its closest point the proposed boys building would be some 21 metres from no. 7, which is similar to the distance previously proposed. However, the scale, mass and design of the building has been amended and the height of the building closest to the boundary with no. 7 has been reduced from approximately 8 metres to approximately 6 metres, which is similar to the eaves height of no. 7. Furthermore, the 4 storey element of the building which was previously approximately 23 metres from no. 7, has been reduced to 3 storeys (a reduction in height of approximately 1.8 metres) and is now set back from no. 7 by approximately 35 metres at its closest point. It is considered that the amendments to the scheme in this respect result in a significant change to the relationship and impact of the proposed building on the amenities of the occupiers of no. 7 Pye Gardens. The proposed two storey element of the building, which is the closest element of the building to the boundary with no. 7, is proposed to have a width of approximately 27.5 metres.
- 10.9 Whilst it is acknowledged that the proposed building will be visible from the rear of no. 7, having regard to the height of this element of the building, the distance from no. 7 (which at its closest is 21 metres), the orientation of the rear of no. 7 away from this elevation, the existing landscaped buffer which is proposed to be enhanced and the proposal to timber clad this elevation of the building, Officers are satisfied that the proposal will not result in a harmful overbearing impact on or harm to the outlook from no. 7 Pye Gardens. Officers are therefore satisfied that the reduction in the scale of the boys building has addressed the concerns expressed in the previous reason for refusal in relation to the impact of the development on no. 7.
- 10.10 The design of the building has been amended such that any north facing windows are now approximately 44 metres from the closest point of no. 7, and having regard to this significant distance and the

intervening landscape buffer, Officers are satisfied that the proposal would not result in any harmful overlooking of no. 7.

- 10.11 The occupants of no. 7 Pye Gardens have not objected to the proposal; however, they have requested a number of conditions if permission is granted to safeguard their privacy and security. They have commented that the additional tree planting at the boundary would only be effective if the mature trees are planted prior to the commencement of development; the screening infills the current gaps in the vegetation; a maintenance plan ensuring that the trees are replaced if damaged. In response to these comments the applicant has commented that it is unlikely that the new mature trees (i.e. those listed on the Site Context Plan) can be put in place before the demolition of the existing Alliot House building on site and removal of its associated hardstandings. However, the College is willing to be bound by a condition to deliver the trees as listed on the Site Context Plan ahead of the building progressing beyond the foundation level. Officers have no objection to such a requirement and this can be dealt with via a landscape design proposals condition on any grant of permission.
- 10.12 With regard to noise disturbance, the occupant of no. 7 Pye Gardens has requested assurance that the location and number of plant for heating and cooling the buildings remain as proposed and not altered. The occupant of no. 7 has requested hoarding around the site and the limiting of the hours of construction work from 8am to 4pm on weekdays and no work on the weekend. Finally, the occupant of no. 7 also requested a condition ensuring that the use of the buildings is restricted to College term time and is not used for any third party.
- 10.13 In response, the applicant has stated that they are happy for a condition that ensures that the external noise from the plant rooms shall be no greater than the existing ambient noise levels at the site boundary. With regard to the proposed hoarding, the applicant does not consider this to be necessary; however, if considered necessary by Members, is willing to consider a limited length of hoarding that will result in additional screening for the occupants of this dwelling. With regard to control of the hours of construction working, the applicant considers that the proposals put forward by the occupiers of no. 7 are too restrictive but they are content with the standard restrictions. In addition, the applicant also suggests a condition that states that the buildings shall be occupied only by the pupils and staff of Bishops Stortford College.
- 10.14 The Council's Environmental Health team has not objected to the application and has not suggested any condition that would restrict the siting or the noise levels from the heating/cooling systems. Officers are

satisfied that the proposed development as submitted will not cause harm by reason of noise nuisance to the occupants of no. 7 Pye Gardens. Any change to the plant for the heating/cooling systems of the building which results in a change to the external appearance of the building would require planning permission and therefore the Local Planning Authority would retain control over such works. Furthermore, any disturbance caused by the proposed heating/cooling systems can be considered through separate environmental health legislation.

- 10.15 With regard to the proposed hoarding, Officers do not consider that this would be necessary in this case due to the distance between the proposed building and neighbouring dwellings. Again, the Council's Environmental Health team have not required such mitigation measures, and in any event, having regard to the scale of the development, it is considered that the hoardings suggested by the neighbour are unlikely to result in any significant reduction in noise disturbance during construction.
- 10.16 Officers have considered the request from the occupants of no. 7 Pye Gardens for a condition controlling the use of the buildings, and the response from the applicants who have indicated they are content with such a condition. However, Officers are minded that the proposed development results in an acceptable relationship with the occupants of this neighbouring dwelling and therefore such a condition would not be necessary.
- 10.17 Turning now to the impact of the proposed development on the occupants of no. 6 Pye Gardens, concerns were previously raised in respect of the refused application with regard to the proposed girls boarding accommodation building and its relationship to this dwellinghouse. At the time of writing this report, no comments have been received from the occupants of this neighbouring dwelling.
- 10.18 The size, scale, siting and design of the girls accommodation has been amended to address the previous concerns. The applicant considers that although this building will be 4 metres longer than that previously refused, the new fragmented design of this building combined with the lowering of the ridge together with the loss of the windows to the second storey on the northern elevation results in a reduction in massing and overcomes the previous concerns in respect of an overbearing impact.
- 10.19 The proposed building would be sited some 27 metres from the closest point of the dwelling at no. 6 and this distance, together with the reduction in height of the building; the alterations to its massing, and the

existing landscape buffer (which is proposed to be enhanced) are such that the proposal will not have a significant impact on the amenities of the occupiers of no. 6 by reason of overbearing impact or impact on outlook.

- 10.20 With regard to the impact on the privacy of the occupiers of no. 6 Pye Gardens, Officers are satisfied that the proposal will result in an acceptable impact on the occupiers of that property. This application proposes that the number of windows in the first floor of the north elevation be reduced from 10 to 8 (when compared to the previous application), and all windows on the second floor have been removed (previously 8 windows were proposed at second floor). The eight windows to the first floor are proposed to be of an oriel window design, which would direct any possible views from the windows at an angle away from this neighbouring dwelling. Having regard to the reduction in the number of windows; their design and the distance to the neighbouring property, Officers are satisfied that the relationship between the proposed development and the dwelling at no. 6 Pye Gardens is acceptable.
- 10.21 With regard to relationship of the proposed development to no. 8 Pye Gardens (which is sited to the north-west of the application site), Officers are of the opinion that having regard to the reduction in the scale of the boys accommodation combined with the omission of fenestration to the northern elevation and the proposed additional soft landscaping, the proposal will not cause a significant harm to the occupiers of this dwelling.
- 10.22 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 boys boarding accommodation is proposed to be sited approximately 48 metres from the rear of this dwelling (at its closest point). Whilst it is acknowledged that the proposed development will result in a change to the outlook from of this dwelling, having regard to the distance between the proposed development and the dwellinghouse at no. 12 Maze Green Road, Officers are satisfied that the proposal would not result in an unacceptable impact on the outlook from no. 12 or result in an overbearing impact. Some limited views of the rear of the garden of no. 12 may be possible from the openings serving the staff accommodation proposed at first and second floor in the boys boarding house, but at the closest point these openings would be some 11 metres from the rear boundary of no. 12. Having regard to this distance and that some 48 metres would be retained between the proposed openings and the rear elevation of no. 12, Officers do not consider that the proposal will

result in a significant harmful impact in terms of overlooking that would warrant refusal of the application.

Impact on Conservation Area

- 10.23 As stated previously, the site is located within the Bishop's Stortford Conservation Area. The Council's Conservation Officer recommends that the proposed buildings accord with the institutional nature of the site. Furthermore, they have commented that 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, and section 12 of the National Planning Policy Framework.

Parking and access

- 10.24 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. 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 have been requested by County Highways and these are considered by Officers to be reasonable in accordance with the tests set out in the Planning Practice Guidance.

Drainage

- 10.25 The site is situated within flood zone 1 and away from zone 2 and 3. Furthermore, there are no historic flood incidents recorded for the site. 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.

- 10.26 From the information provided, Officers are satisfied that any 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, as recommended by the Environmental Response Planning Unit, HCC. Neither the Council's Engineers of the Environment Agency have raised any objection to the application.

11.0 Conclusion

- 11.1 The site is located within the settlement of Bishop's Stortford wherein, in principle, there is no objection to this form of development. Officers consider that this proposal is of a high standard of design, and subject to control of materials and landscaping through conditions of approval, accords with the design considerations of the both national and local planning policies.
- 11.2 The revised proposal is considered to overcome the objections that led to the refusal of application ref: 3/14/0817/FP. The amendments to the massing of the boy's boarding house and the omission of fenestration from the northern elevation of the building closest to no. 7 Pye Gardens are considered to overcome the concerns relating to overbearing, loss of privacy and outlook for that property. In addition, the amendments to the girl's boarding house, including the changes to the massing; the omission of second floor windows in the northern elevation and the reduction in the number of openings in the lower storeys of the northern elevation, also overcomes previous concerns expressed in relation to the impact of the development on the occupiers of no. 6 Pye Gardens. Finally, Officers consider that this proposal will not result in any significant harm to the occupants of no. 8 Pye Gardens or no. 12 Maze Green Road. For these reasons this proposal accords with the amenity considerations of both national and local planning policies.
- 11.3 Officers therefore recommend that this proposal has overcome the previous reasons for refusal (ref. 3/14/0817/FP) and therefore

recommend that the application be approved subject to the following conditions.

Conditions:

1. Three Year Time Limit (1T12)
2. Approved plans (2E10)
3. Levels (2E05)
4. Materials of construction (2E11)
5. Lighting details (2E27)
6. Materials arising from demolition (2E32)
7. Wheel Washing Facilities (3V25)
8. Construction Traffic Route (3V26)
9. Tree/hedge Retention Protection (4P05)
10. Landscape Design Proposals (4P12)
11. Landscape Works Implementation (4P13)
12. Details of Earthworks/ Mounding (4P16)
13. Prior to the commencement of development the trees listed 1 to 15 in the key to plan 1632_DWG_PL_100_P1 (Site Context Plan) shall be planted in the positions as outlined on the plan. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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.

14. 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.

15. Construction hours of working – plant and machinery (6N07)
16. The development permitted by this planning permission shall be carried out in accordance with the drainage strategy prepared by Smith and Wallwork dated October 2015, and mitigation measures detailed within the surface water drainage strategy:
 - 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 13.4 l/s during the 1 in 100 year event + climate change event;
 - 2) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 27.3 m³ of total storage volume in permeable pavements, filter trenches and underground attenuation tanks as shown in appendix G of the drainage strategy;
 - 3) Discharge of surface water from the site into the existing ditch.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site. To prevent flooding by ensuring the satisfactory storage of surface water from the site. To ensure that the site will be effectively drained during the lifetime of the development.

Informatives:

1. Other legislation
2. Protected Species – It is an offence to take or disturb the breeding or resting location of protected species (which include: all Bats, Badger, Otter, Hazel dormouse, Water vole, Reptiles (Common lizard, Slow-worm, Grass snake), Great crested newt, wild birds and Roman snail). Precautionary measures should be taken to avoid harm where appropriate. If protected species, or evidence of them, is discovered during the course of any development, works should stop immediately

and advice sought as to how to proceed. This may be obtained from Natural England: 0300 060 3900, or a suitably qualified ecological consultant.

3. To minimise any residual risk of impact to bats, the removal of roof tiles (Wynch Cottage), hanging wall tiles (Medical Centre) and fascia boards and roof ridge tiles (Alliott House) should be completed under the supervision of a bat ecologist prior to complete demolition. If any bats are encountered, they will be transferred by the licenced ecologist to the replacement tree-mounted roost box in accordance with the Bat Workers Manual (Watching brief).
4. Before any works commencing, a bat expert shall brief any site contractors on the legal implications of the presence of bats and the appropriate procedures and control measures to be put in place (Tool kit talk).
5. For birds, the removal of trees and shrubs should be avoided during the breeding season (March to September inclusive). If this is not possible then a search of the area should be made by a suitably experienced Ecologist and if active nests are found, then clearance must be delayed until the last chick has fledged.
6. Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.
7. Soft landscaping - new trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.
8. Biodiversity enhancements should be incorporated into the development proposal. These could be in form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in buildings, and specific nest boxes for swifts, swallows and martins. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.
9. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority,

Hertfordshire County Council. If necessary further details can be obtained from Highways, County Hall, Pegs Lane, Hertford, SG13 8DN (Telephone 0300 123 4047).

10. The applicant is advised that in order to comply with conditions of this permission it will be necessary for the developer of the site to enter an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the associated off-site highway improvements. The applicant is advised to contact Highways, County Hall, Pegs Lane, Hertford, SG13 8DN (Telephone 0300 123 4047) to obtain the requirements on the procedure to enter into the necessary agreement with the highway authority prior to the commencement of development.

KEY DATA**Non-Residential Development**

Use Type	Floorspace (sqm)
Residential institution	3620 (proposed) – 540 (to be demolished) = 3080 64 rooms

Non-residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone	Zone 4
Spaces required	1 space per full-time member of staff; plus 1 space per 100 pupils; plus 1 space per 8 pupils over 17 years old; plus 1 space per 20 pupils under 17 years old
Total required	No changes proposed to pupil or staff numbers
Proposed provision	17

Emerging Parking Standards (endorsed at District Plan Panel 19 March 2015)

No change to parking standards for educational establishments