

**5b 3/10/1295/FN – Renewal of planning permission granted under ref. 3/05/1062/FP for the erection of new gymnasium at Richard Hale School, Hale Road, Hertford**

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**Date of Receipt:** 16.12.2010

**Type:** Full - Major

**Parish:** HERTFORD

**Ward:** HERTFORD - CASTLE

**RECOMMENDATION:**

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

1. Three year time limit (1T12)
2. Approved plans (2E10) Insert:- 002, 003
3. Levels (2E05)
4. Samples of materials (2E12)
5. Detailed plans, at an appropriate scale, of the proposed pedestrian access bridge and ramp cycle storage facilities, any external plant, flues or extracts, and of brickwork details to columns and plinths, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. Thereafter the development shall be implemented in accordance with the approved details.

**Reason:** The plans submitted are insufficient for consideration of the details mentioned.

6. Prior to the commencement of development hereby permitted, the vehicle access width onto Pegs Lane shall be 4.1m with kerb radii of 6m, and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Any gates shall be set back a minimum of 5m from the edge of carriageway. A pram crossing shall be provided at the tangent point to each radius.

**Reason:** So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled persons, in accordance with Appendix 1 (C) of the East Herts Local Plan.

7. Provision and retention of parking spaces (3V23)

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8. Tree retention and protection (4P05)
9. Hedge retention and protection (4P06)
10. Landscape design proposals (4P12) (b, e, f, g, h, i, j, k, l)
11. Landscape works implementation (4P13)

### Directives:

1. Other Legislation (01OL)
2. You are advised that if during construction or excavation, any contaminated material is revealed then the movement of such materials should be in consultation with the regularity authority.

### Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan 2008, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, LRC2, TR7, TR13, ENV1, ENV2, ENV11, BH6, IMP1 and PPS1 and PPS5. The balance of the considerations having regard to those policies is that permission should be granted.

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### **1.0 Background:**

- 1.1 The application site is shown on the attached OS extract and comprises part of the existing campus at Richard Hale School, adjoining Pegs Lane and opposite County Hall.
- 1.2 The Richard Hale School site is a substantial boy's secondary school site approximately 6 hectares in area, sited on ground which rises from Hale Road to the north towards Highfield Road to the south.
- 1.3 The school buildings are primarily sited in the middle of the site, with playgrounds and tennis courts on the lower ground to the front and the sports field on the higher ground to the rear. There is a relatively steep bank at the rear of the existing buildings, where the levels change more abruptly to the higher ground of the playing fields.

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- 1.4 It is proposed to construct the sports hall across this bank on the site, such that from the north, where it relates to existing school buildings it will be two storeys in height, and from the south, where it relates to the playing fields, it will be single storey in height.
- 1.5 The building is proposed as a dual use facility, for the school during the day (6.00AM to 6.00PM) and the community during the evening (6.00PM-9.00PM) and weekends (9.00AM to 9.00PM). The lower level access to the north will link the building to the school and its existing sports hall, whilst the higher level access to the south (via pedestrian bridge) will be to the playing fields, and the additional dedicated parking for public use (26 spaces).
- 1.6 The public parking area will be accessed from the existing playing field access at the top of Pegs Lane. All the existing school parking facilities (80+ spaces) will also be available during evening and weekend use by the community.

### **2.0 Site History:**

- 2.1 Permission was granted for this scheme on 20<sup>th</sup> July 2005 under reference 3/05/1295/FP subject to a five year time limit. The renewal application was submitted within the 5 year time limit although additional information was subsequently sought in respect of contaminated land.

### **3.0 Consultation Responses:**

- 3.1 The Environment Agency do not object subject to a directive being imposed that if during construction or excavation, any contaminated materials are revealed then the movement of such materials should be in consultation with the regularity authority to ensure that the integrity of the aquatic environment is assured.
- 3.2 County Highways have confirmed that they do not wish to restrict the grant of permission and comment that, given that the application is a renewal of a previous approval without change, they have no further comments.
- 3.3 The County Development Unit comment that the County Council seeks to promote the sustainable management of waste in the county and encourages districts to have regard to the potential for minimising waste generated by development and recommend that planning conditions are imposed to any approval.

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3.4 The Conservation Officer recommends consent and comments that ‘the details of this application, including siting, alignment, massing, scale, design and materials, have not changed since the original consent was granted. In addition a statement of significance has now been submitted to comply with the new policies, including PPS5. I therefore see no reason to not renew the consent.’

3.5 At the time of writing the report no comments have been received from the Councils Landscape section, the County Council Planning Obligations team or Veolia Water.

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

4.1 Hertford Town Council has no objection to the proposal.

#### **5.0 Other Representations:**

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

5.2 No letters of representation have been received.

#### **6.0 Policy:**

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

SD1	Making Development More Sustainable
SD2	Settlement Hierarchy
LRC2	Joint Provision and Dual Use
TR7	Car Parking – Standards
TR13	Cycling – Facilities Provision (Non-residential)
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
BH6	New Developments in Conservation Areas
IMP1	Planning Conditions and Agreements

6.2 In addition to the above it is considered that Planning Policy Statement 1, (Delivering Sustainable Development), and PPS5 ‘Planning for the Historic Environment’ are considerations in determining this application.

**7.0 Considerations:**

Principle of Development

- 7.1 The site lies in the built-up area of Hertford wherein development is to be concentrated, and as this is an application to renew permission 3/05/1062/FP, the principle of this development has clearly been established. A refusal could only be justified on the grounds of a change of policy or site circumstances since 2005, and officers do not consider this to be the case.
- 7.2 The Council's policy set out in LRC2 supports the provision of additional sporting facilities, and particularly those intended for dual use by schools and the wider community. As set out in the background section, the building is intended to be available for community use during the evenings and weekends and will be a welcome addition to the facilities in Hertford.

Scale, Design and Layout

- 7.3 The development remains identical to that previously approved and is considered to be appropriate in layout, scale, siting and design.
- 7.4 The building is proposed to be 56 metres long, 18 metres wide and 10 metres in height to the ridge (though only 5 metres high when viewed from the south). It is intended to provide a multi purpose hall, sufficient for 4 badminton courts or a basketball court, or cricket nets etc, with a two level facility at the eastern end, providing changing rooms, weights/fitness gym, reception, viewing facilities and a kitchen.
- 7.5 The ground floor of the proposed building would be clad in brickwork, the first floor in timber panels, and the roof in standing seam metal. Externally clad structural columns break up the scale of the building.
- 7.6 Overall the scale, siting and design of the building remains acceptable in relation to the character and appearance of the surrounding area.

Parking and Access

- 7.7 The proposal provides for parking for 26 vehicles served by an existing access from Pegs Lane. This provision remains acceptable in accordance with the Council's adopted parking standards. Moreover the location of the site, in close proximity to the town centre and its public transport facilities, results in ready accessibility to such means of transport. The small additional car park proposed also enables appropriate levels of access to the public, with adequate additional

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facilities elsewhere on the school campus if needed. There are no other highway objections.

- 7.8 Access to the facility by bicycle is encouraged, with the provision of bicycle storage facilities; and accessibility for those with ambulant disabilities is addressed by the provision of an internal lift, and external ramp access between the lower and higher levels.

#### Residential Amenity

- 7.9 Impact on residential amenity was fully assessed under application 3/05/1062/FP and the situation has not changed in this regard. The car park is sufficiently far from residential property, as to prevent any significant disturbance to local residents.

#### Conservation Area / Setting of Listed Buildings

- 7.10 Turning to Conservation Area considerations, the building is well sited insofar as it will be seen as part of a group of existing buildings, rather than as an isolated (and rather large) building in a remote corner of the playing field. The siting also cleverly uses the change in levels on the site, so that the building relates well, both in use and visual amenity terms, to the very different characters of the northern and southern parts of the site.
- 7.11 Since the grant of the previous application, PPS5: Planning for the Historic Environment has been introduced. It is considered that the proposal complies with the policies within this document. The scale, siting and design of the building is acceptable in relation to the character and appearance of the Conservation Area and would not impact adversely upon the setting of Listed Buildings at the site and the nearby Listed County Hall.

#### Conditions / Directives

- 7.12 Similar conditions to 3/05/1062/FP are recommended in order to ensure the development is appropriately mitigated. However, a directive is requested by the Environment Agency reminding the applicants of their responsibilities should contaminated material be revealed during construction and officers consider this to be reasonable.

### **8.0 Conclusion:**

- 8.1 Overall, there have been no significant changes in planning policy to warrant a reconsideration of the development proposed. Officers therefore consider that a renewal of the application would be acceptable

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subject to the three year time limit.

- 8.2 The application is therefore recommended for approval subject to the conditions set out above.