

7. 19/1258/FUL – Installation of a single storey timber outbuilding to be used as additional classroom space at CHRIST CHURCH SCHOOL, RICKMANSWORTH ROAD, CHORLEYWOOD, HERTFORDSHIRE, WD3 5SG

Parish: Chorleywood

Ward: Chorleywood North & Sarratt

Expiry of Statutory Period: 04.09.2019

Case Officer: Tom Norris

Recommendation: That Planning Permission be Granted.

Reason for consideration by the Committee: A Local Councillor is in the catchment area of neighbour consultation letters.

1 Relevant Planning and Enforcement History

- 1.1 18/1679/FUL - Replacement rooflights - 10.10.2018 – Permitted
- 1.2 13/2313/FUL - Replacement windows, external doors, rooflights, fascias and soffits - 28.02.2014 – Permitted
- 1.3 13/0847/FUL - Infill of existing courtyard and new main entrance with glazed porch - 25.06.2013 – Permitted
- 1.4 03/0743/FUL - Erection of a detached store building
- 1.5 02/00303/FUL - Covered way to side
- 1.6 99/1689/CAC - Demolition of part and alterations to wall and gates
- 1.7 98/0508 - Single storey extension
- 1.8 97/0400 - Extension to nursery block and relocation of playground
- 1.9 8/140/93 - Single storey classroom and covered link
- 1.10 8/70/93 - New classroom extension
- 1.11 8/39/90 - Retention of mobile classroom
- 1.12 8/224/89 - Construction of car park with timber bollards
- 1.13 8/355/86 - Mobile classroom
- 1.14 8/545/81 - Erection of storage building, Christ Church vicarage
- 1.15 8/102/81 – Garage
- 1.16 8/567/80 - Temporary classroom unit
- 1.17 8/684/76 - Alterations to window to form door
- 1.18 8/204/76 - Covered play area Juniors
- 1.19 8/203/76 - Covered play area Infants

2 Description of Application Site

- 2.1 The application site consists of school buildings and land located approx. 60m to the south of Rickmansworth Road. The site is located within the Chorleywood Common Conservation Area and the Metropolitan Green Belt. To the north of the site is a church building, Christ Church which is Grade II* Listed; to the north east is a residential dwelling, Heath House,

which is sited approx. 50m away from the boundary of the application site; further away, to the east, are residential dwellings within The Court which are sited approx. 80m away from the application site; to the south is the residential dwelling, The Vicarage, which is sited approx. 20m away from the building of the application site; and to the west of the application site is a gravel and tarmac parking area followed by a Cricket Ground and woodland which from part of Chorleywood Common.

- 2.2 The school buildings within the application site consist of a two storey Victorian building, ecclesiastical in character with pitched roof forms, sited in the north western side of the application site and a more contemporary single storey building with flat roofs of varying height, sited further to the south east.
- 2.3 Abutting the south west facing elevation of the buildings is a hardstanding parking/playground area with paved footpaths leading around the buildings and providing access. The most southern side of the site is an area of grass containing several trees.

3 Description of Proposed Development

- 3.1 The application seeks full planning permission for the installation of a single-storey timber outbuilding to be used as additional classroom space associated with the school.
- 3.2 The proposed building would be sited to the south-west of the school building on an existing grassed area which also contains a number of trees. The building would contain a main classroom area, a store, kitchen area and a DDA standard WC.
- 3.3 The proposed building would have principal depth of 6.6m and a principal width of 10.7m. The building would have a flat roof with a principal height of 3.1m. The building would be finished in wooden cladding to its flank elevations. There would be full height glazing inserted in the front northern facing elevation and western elevation. There would be three high level windows inserted in the eastern flank elevation.
- 3.4 Adjoining the front elevation of the building there would be an access ramp and steps that would protrude a further 3.1m in depth from the principal front elevation.

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid: [No response received]

4.1.2 Conservation Officer: [No objection]

"This application is for the installation of a single storey timber outbuilding to be used as additional classroom space.

Christ Church School is located within the Chorleywood Common Conservation Area. The grade II listed Christ Church is adjacent to the school (list entry number: 1348233).*

I have no objection to the proposals, which will not be harmful to the setting of the listed church or the character of the Conservation Area. The proposed design of the new classroom is ancillary to the host buildings and should not detract from the appearance of the church and school, whilst its size and mass will not dominate the wider setting of the listed building."

4.1.3 Landscape Officer: [No objection]

"I have no objections to the removals, and the protection is fine."

4.1.4 Hertfordshire County Highways: [No objection]

"Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following condition:

1. Construction Management

The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan/Statement and the approved details are to be implemented throughout the construction programme.

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

COMMENTS / ANALYSIS:

The proposal comprises of the erection of a single storey outbuilding to be used as a classroom at Christ Church School, Rickmansworth Road, Chorleywood. Rickmansworth Road is designated as classified a main distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense.

The school has an existing vehicular access from Rickmansworth Road, which is to remain unchanged. Following consideration of the size of the proposals and that there is not a proposed increase in number of the pupils using the school, the submitted details are considered to be acceptable and sufficient by HCC as Highway Authority.

CONSTRUCTION MANAGEMENT:

The applicant would need to submit a construction management statement as detailed in the included condition to ensure that any inconvenience to users of the school and the adjacent highway is minimised. Particular consideration should be given to the timing of any vehicle movements, which should avoid school start and finishing times.

CONCLUSION

HCC as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the nearest highway and has no specific objections or further comments on highway grounds, subject to the inclusion of the above condition."

4.1.5 Chorleywood Parish Council: [Concerns]

"The Committee had Concerns with this application on the following ground:-

** The property is located in the Conservation area.*

** The development will be a prominent view from Chorleywood Common."*

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 10

4.2.2 Responses received: 1 (Support)

4.2.3 Summary of responses

- The proposal meets the needs of the school and is situated sympathetically on site.

4.2.4 Site Notice posted 06.08.2019, expired 28.08.2019

4.2.5 Press notice published 19.07.2019, expired 09.08.2019

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In February 2019 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably outweigh the benefits.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM3, DM6, DM9, DM13 and Appendices 2 and 5.

6.3 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7 Planning Analysis

7.1 Impact on the Metropolitan Green Belt

7.1.1 The application site is within the Metropolitan Green Belt. The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence.

7.1.2 The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is regarded as inappropriate development in the Green Belt, however exceptions to this include 'provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it' and 'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces'.

7.1.3 The purposes of including land within the Green Belt as set out in the National Planning Policy Framework are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.1.4 The Framework further advises that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

7.1.5 Paragraph 145 of the NPPF also outlines that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:

- buildings for agriculture and forestry;
- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages;
- limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would; not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

7.1.6 The NPPF states that development that does not accord with the accepted development as laid out above is inappropriate and is therefore, by definition, harmful to the openness of

the Green Belt. Policy CP11 of the Core Strategy and Policy DM2 of the DMP LDD reflect the guidance in the NPPF.

- 7.1.7 The proposed development would include the construction of a detached classroom building which would not fall within any of the exceptions above and, as such, would constitute inappropriate development and would, by definition, be harmful to the openness of the Green Belt. Inappropriate development should only be approved where very special circumstances have been demonstrated sufficient to outweigh the harm to the Green Belt.
- 7.1.8 The proposed development would introduce a building of substantial scale on this currently undeveloped part of the site. The proposed building would be sited away from the existing main school building and other buildings within the site and would be sited on an open side of the site to the south west. The proposed building is therefore considered to result in the spread of urbanising development across the site which would conflict with the purposes set out in the NPPF and as such would be considered harmful to the openness of this part of the site and the Green Belt.
- 7.1.9 A statement of Very Special Circumstances was submitted during the course of the application which sets out the need for the proposed new classroom building.
- 7.1.10 The statement outlines that Christ Church School is a single-from-entry primary school with 240 pupils aged 3 to 11 and is currently said to be over-subscribed with some classes containing over 30 pupils given the popularity of the school within the local area. It is submitted that the school lacks space for additional activities which are not carried out in a normal classroom such as sport, drama, music, cooking, technology and art. The school buildings contain 8 classrooms, a hall, a dining room, a staffroom and admin/office space and it is states that to organise, run and provide additional activities the school currently move classes and children around to make effective use of the limited space. It is therefore submitted that the building is intended to alleviate congestion and cramped conditions for existing school related activities and it is not to create space for an additional intake of pupils. It is considered that the proposed use of the building relating to the school are sufficient in demonstrating the need for the proposed classroom building. The additional out of school hour uses of the proposed building are noted however it is considered that these limited additional weight in terms of demonstrating Very Special Circumstances.
- 7.1.11 The statement goes onto discuss that the siting of the proposed building has been designed to minimise impact on the Green Belt and the Listed Building and that the design and materials of the building are sympathetic to their surroundings. Whilst it is considered that the building could potentially be sited elsewhere in the site to reduce harm to the Green Belt, an acceptable balance is considered to have been struck in order to minimise the impact upon Heritage Assets. On balance, and given the Very Special Circumstances demonstrated, the proposed siting of the building is considered acceptable.
- 7.1.12 The proposed development would result in an inappropriate form of development given the harm identified above. It is however considered that Very Special Circumstances have been demonstrated in this instance. The statement accompanying the planning application identifies the need for additional classroom space to directly serve the existing intake of pupils at the school and the proposed classroom is not designed to facilitate an increased intake. It is therefore considered that the circumstances justify the need for the proposed building and outweigh the identified harm to the Green Belt. It is therefore considered that the proposal would be in accordance with Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

7.2 Impact on the Character & Appearance of the Conservation Area and Heritage Assets

- 7.2.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design

and states that in seeking a high standard of design, the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

- 7.2.2 The application site is located within the Chorleywood Common Conservation Area. In relation to development proposals in Conservation Areas Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the area. Furthermore it states that development should not harm important views into, out or within the Conservation Area.
- 7.2.3 Christ Church School is located within the Chorleywood Common Conservation Area. The grade II* listed Christ Church is adjacent to the school. The Council's Conservation Officer was consulted on the proposals and confirmed that they raise no objection. It is considered that, given the location and siting of the proposed building, it would not be harmful to the setting of the listed church or the character of the Conservation Area. The proposed design of the new classroom is ancillary to the host buildings and should not detract from the appearance of the church and school, whilst its size and mass will not dominate the wider setting of the listed building."
- 7.2.4 It is therefore considered that the proposed building would not result in demonstrable harm to the character or appearance of the building, streetscene or Conservation Area. The proposal is considered to be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM3 of the Development Management Policies LDD and the Chorleywood Common Conservation Area Appraisal (2010).

7.3 Impact on amenity of neighbours

- 7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.
- 7.3.2 Given the scale and position of the proposed building and the location of the nearest adjoining neighbours, it is not considered that harm would arise in terms of a loss of light, an overbearing impact or overlooking to any neighbour.
- 7.3.3 In summary, the proposed development would not result in any adverse impact on the residential amenity of any neighbours and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.

7.4 Highways & Parking

- 7.4.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.
- 7.4.2 Hertfordshire County Highways were consulted on the proposal and confirmed that they raise no objection to the proposal on highway grounds. HCH however have recommended the inclusion of a condition for a Construction Management Plan given the site circumstances which will be attached to any permission.

7.5 Trees & Landscape

- 7.5.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards. An Arboriculture Impact Assessment (AIA) and Tree Protection Plan were submitted with the application. The Council's Landscape Officer confirmed that the supporting information was sufficient for the application to be determined and conditioned to be in accordance with

the submitted details. The Landscape Officer also raised no objection to the removal of some trees identified within the AIA.

7.6 Biodiversity

7.6.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application.

8 **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: GM01234 REV V6 - PAGE 2, GM01234 REV V6 - PAGE 3, GM01234 REV V6 - PAGE 4, GM01234 REV V6 - PAGE 5, GM01234 REV V6 - PAGE 6, 1-38-4567/P2 V3 (Tree Protection Plan)

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Conservation Area and to preserve the openness of the Metropolitan Green Belt in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3, DM6 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

C3 The building hereby approved shall not be constructed other than in the materials as have been approved in writing by the Local Planning Authority as indicated on the approved plans and application form and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

C4 The protective measures detailed on drawing 1-38-4567/P2 V3 shall be erected and maintained on site throughout the entire course of the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: To prevent damage to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C5 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan/Statement and the approved details are to be implemented throughout the construction programme.

Reason: This condition is a pre-commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800

Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.