APPLICATION NO: 14/0404/FUL

DATE OF APPLICATION: 24 March 2014

SITE LOCATION
St. Margaret’s School, Merry Hill Road, Bushey, WD23 1DT

DEVELOPMENT
Demolition of existing temporary classrooms & oil tank & erection of new lobby, classrooms, stairwells & canopy area. Provision of new car parking area, soft & hard landscaping & lighting to new school along with a new vehicular entrance & car parking to existing car parking & associated highway works for the whole development

AGENT  APPLICANT
DLA Town Planning Ltd  Dr K Young
5 The Gavel Centre Porters Wood  Merry Hill Road
St Albans  Bushey
Herts  Herts
AL3 6PQ  WD23 1DT
United Kingdom  United Kingdom

WARD: Bushey Park  GREEN BELT: Yes

CONSERVATION AREA: No  LISTED BUILDING : Adjacent to Grade II

TREE PRES. ORDER:
No

1.0 Summary of Recommendation

1.1 Grant Permission subject to a s106 legal agreement.

1.2 Should the Section 106 legal agreement not be completed by 14th November 2014 it is recommended that the Managers of Planning and Building Control be given delegated powers, if considered appropriate, to refuse the planning application for the reason set out below:

Suitable provision for public open space, public leisure facilities, playing fields, greenways, cemeteries, museum and cultural facilities and section 106 monitoring has not been secured. Further, monies towards primary education, secondary education, childcare, youth facilities, libraries and sustainable transport have also not been secured. The application therefore fails to
adequately address the environmental works, infrastructure and community facility requirements arising as a consequence of the proposed form of development contrary to the requirements of policies R2, L5 and M2 of the Hertsmere Local Plan adopted 2003, Policy CS21 of the Core Strategy (2013), together with the Planning Obligations SPD Part A and Part B (2010) and the NPPF (2012).

Application site/Surrounding area

2.1 St Margaret’s School is an independent girls’ school which provides primary and secondary education from reception to year 13. The senior school also offers boarding accommodation. The school is located to the west of Bushey town centre and is located within the Metropolitan Green Belt. The site is split between the primary and the secondary schools, and comprises numerous building, some of which are locally and statutory listed.

2.2 The school was purpose built to educate orphans in 1895, therefore the proposed works would be improving the existing buildings on the site. The total site comprises approximately 23.8 hectares and is located within open Green Belt land. The site is located at the top of Merry Hill on a plateau and overlooks the Bushey Golf and Country Club to the north west. The site is bordered to the east with Victoria Road, which comprises semi-detached and terraced houses and to the south and west by rural Green Belt and large detached dwellings.

2.3 The application itself comprises works to the lower school building which is located to the south east of the main Grade II listed Waterhouse building. The new parking area is proposed to the south west of the lower school and the new parking area to the sports hall is located to the north west of the existing sports hall on the southern side of Merry Hill Road.

3.0 Proposal

3.1 The school has a masterplan for a significant refurbishment and redevelopment programme over the next 10 years which would allow it to maintain and improve its current standard of teaching and care. In addition, it is noted that the existing buildings are in decline and without the necessary works proposed the schools future could be in doubt.

3.2 Currently, the existing building stock at the school is in need of significant repair and maintenance and some buildings on the site are coming to the end of their useful life. Other buildings need adapting to suit existing and future needs. In addition to this, the school is currently split between two sites. The infant and preparatory schools are currently located on the southern side of Merry Hill Road, with the lower and secondary school located to the north. The split has logistical issues on a daily basis due to unnecessary pupil and staff movements, including the crossing of the road.

3.3 The school has therefore prepared a masterplan for the comprehensive redevelopment and upgrade of the schools facilities. Under phase 1, a number of works are proposed, some of which have already been approved due to the
schools need to start the enabling works for the relocation of the prep and lower school onto the northern school site. This application seeks permission for the development of main phase 1 development and includes the following works:

- The relocation of the infant and prep school on the southern side of Merry Hill Road into the existing lower school building located on the northern side of Merry Hill Road;
- Demolition of existing extensions to the lower school building;
- The erection of a timber framed veranda to the front of the lower school building to provide an outside covered play area;
- The erection of a two storey side extension to lower school building;
- The erection of single, two and three storey rear extensions to lower school building;
- New fence enclosure to rear to create new playground area to lower school building.

3.4 In addition to the works to the lower school building, to accommodate the relocation of the infant and prep school more general works to improve car parking, access, congestion at peak school run periods, pedestrian and highway safety and circulation works are proposed. These works include:

- The creation of a new car park and coach drop off area on existing tennis courts, a new one way system is also proposed;
- The creation of a new vehicular exit and pedestrian entrance and exit;
- The demolition of an outbuilding adjoining the existing sports centre on the southern side of Merry Hill Road;
- The relocation and reconfiguration of the parking area serving the sports centre;
- The closure of the existing access and relocation of access to serve the sports hall and new parking area;
- The creation of a new public footpath along the south side of Merry Hill Road;
- The provision of a new pedestrian route to connect the existing sports route with main school site;
- The provision of a new pedestrian crossing;
- Alterations to the boundary treatment (railings) to both the southern and northern sites.
- The implementation of 2 sports courts approved under application TP/97/1058.

3.5 To enable these works to take place the land including some of the buildings, which are to be vacated as part of the relocation of the infant and prep school into the lower school building, are to be redeveloped to create 26 residential dwellings. This application ref: 14/0430/FUL is also to be considered at this committee.

3.6 The application has been brought to committee due to its important linkage with the residential development proposed on the southern portion of the school site (14/0430/FUL) also on the agenda for determination.
Key Characteristics

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Area</td>
<td>7.3ha</td>
</tr>
<tr>
<td>Density</td>
<td>N/A</td>
</tr>
<tr>
<td>Mix</td>
<td>N/A</td>
</tr>
<tr>
<td>Dimensions</td>
<td>Approximate dimensions</td>
</tr>
<tr>
<td></td>
<td>Lobby = 10.5m x 7.2m x 4m</td>
</tr>
<tr>
<td></td>
<td>Two storey side extension = 9m x 9m x 8.4m</td>
</tr>
<tr>
<td></td>
<td>Two storey rear extension = 5.3m x 2.4m x 7.2m</td>
</tr>
<tr>
<td></td>
<td>Three storey stairwell/lift extension = 3.8m x 5.8m x 9.3m</td>
</tr>
<tr>
<td></td>
<td>Front canopies = 12.2m x 2.5m</td>
</tr>
<tr>
<td></td>
<td>New parking/drop off area = 74m x 36m</td>
</tr>
<tr>
<td></td>
<td>Sports centre parking area = 10m x 7m</td>
</tr>
</tbody>
</table>

Numbers of Car Parking Spaces

167 spaces

Any other relevant statistical information as appropriate

4.0 Relevant Planning History:

<table>
<thead>
<tr>
<th>Reference number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>13/2144/LBC</td>
<td>Internal alterations and repairs to the Grade 2 Listed Waterhouse Building (Application for Listed Building Consent).</td>
</tr>
<tr>
<td></td>
<td>GC</td>
</tr>
<tr>
<td></td>
<td>4 December 2013</td>
</tr>
<tr>
<td>14/0023/LBC</td>
<td>Internal alterations to existing Geography block &amp; re-instatement of 2 No windows to North elevation (Application for Listed Building Consent)</td>
</tr>
<tr>
<td></td>
<td>GC</td>
</tr>
<tr>
<td></td>
<td>13 March 2014</td>
</tr>
<tr>
<td>14/0041/FUL</td>
<td>Single storey side extension to existing Geography Block.</td>
</tr>
<tr>
<td></td>
<td>GP</td>
</tr>
<tr>
<td></td>
<td>14 March 2014</td>
</tr>
<tr>
<td>14/0042/LBC</td>
<td>Single storey side extension to existing Geography Block. (Application for Listed Building Consent)</td>
</tr>
<tr>
<td></td>
<td>GC</td>
</tr>
<tr>
<td></td>
<td>13 March 2014</td>
</tr>
<tr>
<td>Reference</td>
<td>Description</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------</td>
</tr>
<tr>
<td>14/0342/LBC</td>
<td>Reinstate the timber door and panels on the teaching wall of the two end classrooms with sound insulating metal stud partition or lining on strengthened floor joists / suitable structural support. (Application for Listed Building Consent)</td>
</tr>
<tr>
<td>14/0405/LBC</td>
<td>Demolition of existing temporary classrooms &amp; oil tank &amp; erection of new lobby, classrooms, stairwells &amp; canopy area. Provision of new car parking area, soft &amp; hard landscaping &amp; lighting to new school along with a new vehicular entrance &amp; car parking to existing car parking &amp; associated highway works for the whole development. (Application for Listed Buildings Consent)</td>
</tr>
<tr>
<td>14/0492/FUL</td>
<td>Extension of existing sports courts to create a total of 3 full size tennis courts or netball courts to include resurfacing works and refencing.</td>
</tr>
<tr>
<td>14/0560/FUL</td>
<td>External : New timber sash windows in existing openings; removal of existing extractor vents; new panelled doors in modified openings; erection of timber canopy with a metal clad roof; removal of bin stores and steps; removal of concrete path and extractor vent; bricking up of an</td>
</tr>
</tbody>
</table>
existing door opening; alteration of two window openings; extraction and extract duct fixed to the inner wall of the courtyard.
Internal: removal of modern walls and partitions in office; removal of a wall and door in store; removal of walls in the wash up area; removal of a post in kitchen; partial opening up of walls to the servery area; provision a new servery area, entrance lobby and WC.

14/0561/LBC

External: New timber sash windows in existing openings; removal of existing extractor vents; new panelled doors in modified openings; erection of timber canopy with a metal clad roof; removal of bin stores and steps; removal of concrete path and extractor vent; bricking up of an existing door opening; alteration of two window openings; extraction and extract duct fixed to the inner wall of the courtyard.
Internal: removal of modern walls and partitions in office; removal of a wall and door in store; removal of walls in the wash up area; removal of a post in kitchen; partial opening up of walls to the servery
<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Author</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>TP/88/0042</td>
<td>REPLACEMENT OF COVERED WAY LINKING SENIOR SCHOOL TO THE ASSEMBLELY HALL.</td>
<td>AP</td>
<td>3 March 1988</td>
</tr>
<tr>
<td>TP/88/1288</td>
<td>CLASSROOM EXTENSION TO GEOGRAPHY BLOCK.</td>
<td>AP</td>
<td>1 December 1988</td>
</tr>
<tr>
<td>TP/06/1215</td>
<td>New railings and vehicular exit from sports centre to Merryhill Road, as a variation to planning consent reference TP/01/0670.</td>
<td>GP</td>
<td>5 December 2006</td>
</tr>
<tr>
<td>TP/06/0174</td>
<td>New railings and vehicular exit from sports centre to Merryhill Road, as a variation to planning consent ref: 01/0670</td>
<td>WD</td>
<td>10 April 2006</td>
</tr>
<tr>
<td>TP/03/0143</td>
<td>Installation of boundary railings and security gates.</td>
<td>R</td>
<td>8 April 2003</td>
</tr>
<tr>
<td>TP/01/0670</td>
<td>Installation of boundary railings and security gates. (Amended drawing received 29/05/02).</td>
<td>GP</td>
<td>10 June 2002</td>
</tr>
<tr>
<td>TP/99/0971</td>
<td>Variation of condition 4 of planning permission TP/97/1058 seeking a reduction in number of proposed car parking spaces from 70 to 37.</td>
<td>GP</td>
<td>30 November 1999</td>
</tr>
<tr>
<td>Reference</td>
<td>Description</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>TP/99/0720</td>
<td>Erection of electricity sub-station to serve new sports hall (Amended plans received 21/10/99).</td>
<td>8 November 1999</td>
<td></td>
</tr>
<tr>
<td>TP/97/1058</td>
<td>Proposed two storey sports centre on site of existing sports field, two all weather pitches, new access, pupil setting down and picking up zone and associated car park on site of redundant Merry</td>
<td>1 July 1998</td>
<td></td>
</tr>
<tr>
<td>TP/97/0463</td>
<td>Erection of 25m high telecommunications tower containing 3 no. Cross Polar Antennae, 3 no. 0.6m link transmission dishes plus six ground mounted equipment cabinets and security fenced compound</td>
<td>28 August 1997</td>
<td></td>
</tr>
<tr>
<td>TP/97/0462</td>
<td>Erection of 25m high telecommunications tower containing 3 no. Cross Polar Antennae, 3 no. 0.6m link transmission dishes, plus six ground mounted equipment cabinets and security fenced comp</td>
<td>28 August 1997</td>
<td></td>
</tr>
<tr>
<td>TP/96/0688</td>
<td>Erection of 25 metre high telecommunications tower containing three no. 1.8 metre high antennae and three no. 0.3m microwave dishes plus associated ground cabins and a 7m x 7m fenced compound</td>
<td>24 March 1997</td>
<td></td>
</tr>
<tr>
<td>TP/96/0687</td>
<td>Erection of 25 metre high</td>
<td>24 March 1997</td>
<td></td>
</tr>
<tr>
<td>Reference</td>
<td>Description</td>
<td>Approval by</td>
<td>Date</td>
</tr>
<tr>
<td>-----------------</td>
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<td>-------------</td>
<td>------------</td>
</tr>
<tr>
<td>TP/96/0310</td>
<td>Insertion of intermediate floor and internal alterations to create new 2 storey library within existing building (Application for Listed Building Consent)</td>
<td>GC</td>
<td>26 July 1996</td>
</tr>
<tr>
<td>TP/96/0039</td>
<td>Removal of part height partitions in Gibson dormitory in senior school and construction of full height partition forming new common room and ancillary area (Listed Building Consent)</td>
<td>GC</td>
<td>4 March 1996</td>
</tr>
<tr>
<td>TP/96/0280</td>
<td>Installation of two fire doors to external elevations and internal alterations to provide alternative means of escape (Listed Building Application)</td>
<td>GC</td>
<td>26 July 1996</td>
</tr>
<tr>
<td>TP/96/0279</td>
<td>Installation of two new fire exit doors to external elevations</td>
<td>GP</td>
<td>26 July 1996</td>
</tr>
<tr>
<td>TP/95/0432</td>
<td>Removal of part-height timber partitions (Listed Building Consent)</td>
<td>GC</td>
<td>4 August 1995</td>
</tr>
<tr>
<td>TP/95/0181</td>
<td>Erection of two external fire escape staircases</td>
<td>GP</td>
<td>15 June 1995</td>
</tr>
<tr>
<td>TP/94/0043</td>
<td>Refurbishment of shower blocks and room nos.112/114/214 (Listed Building Consent Application)</td>
<td>GC</td>
<td>22 March 1994</td>
</tr>
<tr>
<td>Application ID</td>
<td>Project Description</td>
<td>Approval Authority</td>
<td>Date of Approval</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>TP/94/0502</td>
<td>Proposed parapet wall to screen new air heating unit serving chapel (Listed Building Application)</td>
<td>GC</td>
<td>23 August 1994</td>
</tr>
<tr>
<td>TP/92/0310</td>
<td>New entrance porch to laundry block, alterations to north east elevation and demolition of external chimney stack. (Listed Building application)</td>
<td>GC</td>
<td>23 June 1992</td>
</tr>
<tr>
<td>TP/92/0309</td>
<td>New entrance porch to laundry block, alterations to north east elevation and demolition of external chimney stack.</td>
<td>GP</td>
<td>23 June 1992</td>
</tr>
<tr>
<td>TP/91/0342</td>
<td>Internal alterations and refurbishment of dormitories (Listed Building application)</td>
<td>GC</td>
<td>24 May 1991</td>
</tr>
<tr>
<td>TP/91/0341</td>
<td>Internal alterations only to provide ensuite bathroom at first floor and second floor (Listed Building application)</td>
<td>GC</td>
<td>24 May 1991</td>
</tr>
<tr>
<td>TP/91/0190</td>
<td>New sports pavillion</td>
<td>GP</td>
<td>30 April 1991</td>
</tr>
<tr>
<td>TP/92/0311</td>
<td>Removal of internal cubicles to Beckwith dormitory (Listed Building application).</td>
<td>GC</td>
<td>23 June 1992</td>
</tr>
<tr>
<td>TP/89/1200</td>
<td>Sixth form centre amended scheme incorporating fire escapes and chimney. Withdrawn 28/11/89.</td>
<td>WD</td>
<td>28 November 1989</td>
</tr>
<tr>
<td>TP/89/0363</td>
<td>Refurbishment of two dormitories (Simpson and Barrington) (Listed Building Application)</td>
<td>GC</td>
<td>22 May 1989</td>
</tr>
</tbody>
</table>
5.0 Notifications

<table>
<thead>
<tr>
<th>In Support</th>
<th>Against</th>
<th>Comments</th>
<th>Neighbours Notified</th>
<th>Contributors Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>2</td>
<td>0</td>
<td>111</td>
<td>2</td>
</tr>
</tbody>
</table>

**Notices**

Neighbours notified – 2 letters received raising the following concerns:

- The existing road of Merry Hill Road is in a poor condition and should be repaired;
- Control over the size and times that the lorries can enter and leave should be controlled;
- Are the sewers and drains able to cope with any new development;
- The proposed new canopy to the front elevation would undermine the quality of the building.

**Site Notice (Generic)**

Expiry Date: 22\textsuperscript{nd} May 2014

Watford Observer 2nd May 2014
Expiry Date: 23rd May 2014

6.0 Consultations

<table>
<thead>
<tr>
<th>Department</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Services</td>
<td>Raise no objections – request the standard drainage condition to be imposed.</td>
</tr>
<tr>
<td>Environmental Health &amp; Licensing</td>
<td>Raise no objections – request a land contamination (human health) condition to be imposed.</td>
</tr>
<tr>
<td>Conservation Officer</td>
<td>Raises no objections - some suggestions have been made regarding the rhythm and colour of the proposed glazed screens to part of the extensions and the boundary to the playground. Ideally, these need to be more coherent and of warmer colours to provide a stronger relationship between those elements and the existing building.</td>
</tr>
<tr>
<td>Highways HCC</td>
<td>Raise no objections - requests the imposition of conditions relating to the completion of the works before first occupation and the provision of a construction management plan.</td>
</tr>
<tr>
<td>Architectural Liaison Officer (Police)</td>
<td>Raise no objections -the school take the security of their pupils very seriously and it is</td>
</tr>
</tbody>
</table>
apparent this is one of the concerns of the planning application and bearing that in mind I am not sure I can add value to the process. I have spoken to DLA Town Planning Ltd and we have agreed that if anything comes up which would benefit from our designing out crime skills then we will be approached.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPRE</td>
<td>Raise no objections – however, the quantum of the enabling development should be kept to the absolute minimum required to maintain the Green Belt.</td>
</tr>
<tr>
<td>Sport England</td>
<td>Raise no objections</td>
</tr>
<tr>
<td>English Heritage</td>
<td>Raise no objections</td>
</tr>
<tr>
<td>Environment Agency</td>
<td>Raise no objections – The development should not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment has been approved. This can be imposed by condition.</td>
</tr>
<tr>
<td>Hertfordshire Fire &amp; Rescue Service</td>
<td>No Response received.</td>
</tr>
<tr>
<td>EDF Energy Networks</td>
<td>No Response received.</td>
</tr>
<tr>
<td>National Grid Company Plc</td>
<td>No Response received.</td>
</tr>
<tr>
<td>Thames Water Development Planning</td>
<td>No Response received.</td>
</tr>
<tr>
<td>Affinity Water</td>
<td>No Response received.</td>
</tr>
<tr>
<td>The Hertfordshire Environmental Records Centre</td>
<td>No Response received.</td>
</tr>
<tr>
<td>Natural England Consultation Service</td>
<td>No Response received.</td>
</tr>
<tr>
<td>Tree Officer</td>
<td>No Response received.</td>
</tr>
</tbody>
</table>

7.0 Policy Designation

- Setting of Grade II Listed Building
- Metropolitan Green Belt
- Major Developed Site

8.0 Relevant Planning Policies

- National Planning Policy Guidelines NPPF 2012
- Planning Practice Guidelines PPG 2014
- Hertsmere Local Plan Policies C1 Green Belt
Hertsmere Local Plan Policies

C4 Development Criteria in the Green Belt

C18 Major Developed Sites in the Green Belt

S5 Extensions to Existing Schools or Colleges

L6 Sports Facilities

D3 Control of Development Drainage

D19 Lighting Installations and Light Pollution

D20 Supplementary Guidance

D21 Design and Setting of Development

M2 Development and Movement

M5 Pedestrian Needs

M12 Highway Standards

D20 Supplementary Guidance

E2 Nature Conservation

E3 Species protection

E7 Trees and Hedgerow, Protection and retention

E8 Trees, Hedgerows and Development

E16 Listed Buildings - Development Affecting Setting of a Listed Building

Core Strategy CS12 Enhancement of Natural Environment

Core Strategy CS13 Green Belt

Core Strategy CS16 Environmental Impact of development

Core Strategy CS19 Community Facilities

Core Strategy CS22 Securing a high quality and accessible environment

Biodiversity and Trees SPD

Parking Standards SPD

Part D of the Planning and Design Guide

Accessibility and parking 2010

2013
9.0 Key Issues

- Pre application
- Principle
  - Policy requirement
  - Extension to school
  - Sports provision
  - Green Belt/Major Developed Site
  - Special/very special circumstances
  - Conclusions
- S106, viability and enabling works
- Impact on visual amenity/Green Belt openness
  - Policy requirement
  - Spatial layout and setting
  - Architectural approach and built form
  - Conclusion
- Impact on setting of Listed building
- Highway, car parking and pedestrian connectivity
  - Impact of development on existing highway
  - Highway/pedestrian improvements
  - Car parking provision
- Landscaping, Trees and Ecology
  - Landscaping and lighting
  - Boundary treatment
  - Trees
  - Ecology and wildlife
- Flood Risk
- Equality and Diversity statement

10.0 Comments

Pre-application

10.1 St Margarets has entered into substantial pre-application negotiations with the Council regarding the proposed works to the school and the need for the enabling residential development on the southern school site, which is to fund these works. The school has developed a comprehensive 10 year masterplan for upgrade, renovation and redevelopment of the school which would give the school long term sustainability by improving the overall standards and practical day to day running of the school whilst maintaining the Grade II Listed Waterhouse building.

10.2 The pre-application discussions taken place have largely covered the residential works to the southern site (ref 14/0430/FUL) which is also on the committee agenda for determination, given the enabling link. In relation to the school works the following discussions have taken place:
• Phasing and approach for the proposed works to both the north and south site and the need to apply for each element individually but conjointly with each other;
• The overall floorspace and hardstanding of the proposed extension works within the Green Belt location;
• The separate requirements for planning permission and listed building consent;
• The need for certain enabling works to phase 1 to take place prior to the submission of the main application;
• The overall design and location of the proposed works in conjunction with the Conservation and Design Officer.

10.3 In addition to the above, substantial negotiations including Member involvement have taken place regarding proposed highway improvements to the site and the wider area of Merry Hill Road including the provision of a new exit onto Merry Hill Road, new footpaths and the widening of Merry Hill Road to the north east, the provision of improved crossing points and the general provision for better highway safety signage around along the road. These works, in general terms seek to improve congestion and resolve pedestrian and highway conflict.

10.4 Officers consider that the pre-application discussions have resulted in the positive evolvement of the scheme and have allowed for greater beneficial highway works to be included as part of the overall development.

Principle

Policy requirement

10.5 Policies C1 and C4 of the Hertsmere Local Plan 2003 and CS13 of the Core Strategy 2013 seek to control development within the Green Belt. In addition, Policy S5 of the Local Plan 2003 and CS19 of the Core Strategy 2013 provide advice relating the extensions of schools. The NPPF 2012 also provides overarching guidelines relating to Green Belt development and extensions to schools.

Extension to school

10.6 Policy S5 of the Hertsmere Local Plan 2003 and Policy CS19 of the Core Strategy 2013 advise that extensions to schools are acceptable in principle. This is subject to them not significantly impacting on the visual amenity of the area, the residential amenity of neighbouring properties and that it would not result in an undue adverse impact on the safety and operation of the local highway network. In addition the extension must not conflict with Green Belt policies.

10.7 In relation to the physical extensions to the existing lower school building, the proposals include the erection of a timber framed canopy, a two storey side extension and a single, two and three storey rear extension. The extensions are required as part of the relocation of the preparatory and infant school on
to the southern school site and would not result in a direct increase to the number of pupils or staff at the school. Whilst it will be discussed in more detail within this report, it is considered that the proposed extensions would relate well to the existing building and would not detrimentally impact the visual amenity of the wider area, the listed building or the residential amenities of the neighbouring properties. As such, it is considered that the the proposal would comply with the above policies and the principle of extensions to the school building is acceptable.

**Sports provision**

10.8 Policy L6 of the Hertsmere Local Plan 2003 and Policy CS19 of the Core Strategy 2013 seek to ensure that development proposals do not result in the loss of existing sports facilities.

10.9 The proposed development seeks to use the area of 3 existing tennis courts for the new car park and drop off area on the northern school site. Under planning application 14/0492/FUL permission was granted for an additional sports court to be located adjacent to two existing courts to off set the loss. This new combined court has been designed to Sport England’s standards and can be used for tennis and netball, but also, due to the size of the new combined court, during the winter or when the playing fields are wet or waterlogged the court can be used for football etc and thereby improving the sports facilities.

10.10 In addition to this court, 2 courts which were approved under application TP/97/1058 for the development of the sports centre, were never implemented. It is now proposed to implement these sports courts adjacent to the sports centre to provide additional school and community facilities. Following consultation with Sport England, no objection has been raised over the proposed loss of the courts as tennis courts do not carry the same designation as playing fields or sports pitches. In addition, the replacement courts will improve the existing situation. Therefore, the replacement courts on the site are an advantage to the overall development and provide these are implemented before first occupation of the new extensions. The proposal would comply with the above policies.

**Green Belt/Major Developed Site**

10.11 The application site is located within the Metropolitan Green Belt where there is a presumption against inappropriate development, as advised by section 9 of the NPPF 2012. Inappropriate development is, by definition, harmful to the Green Belt, unless a case of very special circumstances can be demonstrated which would outweigh this harm. Paragraph 89 of the NPPF 2012 however, advises that the limited infilling or the partial or complete redevelopment of previously developed sites in not inappropriate provided it would not have a greater impact on the openness of Green Belt.

10.12 The application proposes a number of different works including extensions to the school, new hardstanding/parking areas, new internal and external
pedestrian footpaths and off site highway works. The table below demonstrates the comparison between the demolished and proposed footprint, volume hardstanding areas.

<table>
<thead>
<tr>
<th></th>
<th>Demolished/removed</th>
<th>Proposed</th>
<th>%Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Footprint</td>
<td>297m²</td>
<td>310m²</td>
<td>+4.3%</td>
</tr>
<tr>
<td>Volume</td>
<td>1179m³</td>
<td>2241m³</td>
<td>+90%</td>
</tr>
<tr>
<td>Hardstanding</td>
<td>4549m²</td>
<td>6327m²</td>
<td>+39%</td>
</tr>
</tbody>
</table>

10.13 To satisfy the tests of paragraph 89 of the NPPF 2012 it must be demonstrated that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development on the site. This greater impact must be assessed both quantitatively and qualitatively. It is noted as part of the proposal that buildings and hardstanding areas are proposed to be demolished and removed. The overall increase in footprint and hardstanding, as shown in the table is considered to be of an acceptable increase as to not quantitatively impact on Green Belt openness (generally an increase up to 50% would satisfy this test).

10.14 The proposed development would however, result in a 90% increase in volume, which is due mainly to the provision of the 3 storey central stairwell. It is considered that a 90% increase in volume would have a greater quantitative impact on the openness of the Green Belt. The proposed development would therefore be inappropriate development within the Green Belt, for which a case of very special circumstances would need to be demonstrated.

10.15 On qualitative grounds, this element is discussed in more detail with the architectural approach and built form section of this report. However, it is considered that the proposed extensions to the building would be well related to the original building and generally screened from any public viewpoints. The infill extensions would allow for the greater use of currently unused areas between existing extensions without resulting in greater sprawl into the Green Belt. Their location, at the rear of the site would also reduce their overall visual impact. It is not therefore considered that from a qualitative point of view, the proposed development would impact on Green Belt openness.

10.16 Officers do note that the school site is designated as a Major Developed Site within the Green Belt. Policy C18 of the Hertsmere Local Plan 2003 seeks to control such development advising that limited infill maybe appropriate provided it has no greater impact on the purposes of including land in the Green Belt. The majority of the proposed extension works do fall within the envelope for appropriate infilling. However, from a quantitative view point, it can be argued that a 90% increase in volume would have greater impact on the openness of the Green Belt than the existing development. In addition, the most of the new hardstanding areas would fall outside of this area, again increasing the overall quantity of development. Therefore, on this basis Officers do consider that there is a need to demonstrate a case of very special
circumstances for the development for the hardstanding and increase in volume, however limited the impact maybe.

**Special/very special circumstances**

10.17 Submitted with the application are a number of special circumstance to demonstrate a case of very special circumstance. These are detailed in the table below:

<table>
<thead>
<tr>
<th></th>
<th>Education and pastoral benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The phase 1 works to the school represent the necessary and acute need to maintain a viable and vibrant school. Consolidating the existing school into a single location would provide benefits for teaching, pastoral care, pupil transition between key stages along with a sharing of accommodation, staff knowledge, management and site security. Overall, the consolidation would allow for a more efficient use of resources and allow for the continuation of the school on the site.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Heritage benefits</th>
</tr>
</thead>
</table>
| 2 | The investment into the fabric of the site will allow for the long term conservation of the heritage assets including a number of restoration improvements to the Waterhouse building. These improvements include:  
   • Restoration of original panel doors;  
   • Removal of modern partitions, suspended ceilings and modern external fire escape;  
   • Reinstatement of original windows, rooflights, cast iron radiators;  
   • Restoration of original damaged brickwork, rainwater goods and internal plaster. |

<table>
<thead>
<tr>
<th></th>
<th>Environmental, landscape and tree planting benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>The school site included over 20 hectares of land within the Green Belt. The proposed development would enhance this by providing significant additional tree planting of native species (96 trees in total) and enhancing existing landscape buffers. Views of the Waterhouse building from the lower school building will also be created.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Highway improvements</th>
</tr>
</thead>
</table>
| 4 | The proposed development will include highway and footpath improvements to Merry Hill Road, these works will include:  
   • improved traffic circulation;  
   • coach parking facilities, pick up and drop off points within the school grounds;  
   • increased provision of pedestrian footpaths on the south side of Merry Hill Road;  
   • provision of new pedestrian zebra crossing;  
   • A new exit from the new car park/coach park onto Merry Hill Road. |
5 Community benefits

The long term continuation and preservation of the school will maintain the existing community benefits, these include;

- Employment generation – the school employs 150-200 staff, of which 80% come from the local area;
- Bursaries offered to 10% of the pupils;
- Hosting of Bushey and Watford festivals and charity events;
- Rehearsal and performance venue for the Bushey Symphony Orchestra;
- Employment of an archivist which links Bushey Museum to the school and its pupils;
- Use of school pool by local fire brigade
- Use of site by local Brownie and Guide groups.

6 Sports centre

The sports centre currently provides public access to 1200 people, the majority of whom are from the local area. In addition, the school transports children from two local state schools to use the sports centre free of charge. The existing and proposed sports pitches will also be available for public use and will make a contribution to sports provision in the area.

7 Major developed site within the Green Belt

The school site is designated as a major developed site within the Green Belt. The envelope for appropriate infilling however, is tightly drawn around the existing buildings, therefore to focus development entirely within these on the site would cause harm to the heritage asset. Small encroachments outside of the infilling envelope are therefore necessary to preserve the setting of the listed building.

Conclusion

10.18 Officers have reviewed and assessed the number of special circumstances put forward by the applicants. Whilst it is considered that some of the circumstances have more weight than others, Officers agree that the proposed works would allow for the preservation and restoration of an existing heritage asset. The proposed works would also allow for the longevity of a school use on this site and the consolidation of the school onto a single site would allow for a more efficient use of time and resources to both staff and pupils. Furthermore, the existing school provides a number of community benefits through the use of its facilities or the hosting of local events/festivals which would, following the works, be at least continued if not increased.

10.19 Finally, the proposed works have allowed for substantial negotiations to take place over works to the existing highway. These improvement works will improve congestion and pedestrian connectively and safety and also remove coaches and cars off the existing road during drop off and pick up times. Therefore, collectively those special circumstances put forward are considered to amount to a case of very special circumstances that would
outweigh the in principle harm caused to the Green Belt. The proposed development would therefore comply with the NPPF 2012, Policy CS13 of the Core Strategy 2013 and Policies C1 and C18 of the Hertsmere Local Plan 2003.

S106, viability and enabling works

Policy

10.20 Paragraphs 173-177 of the NPPF 2012 provides the national framework on the planning merits that are considered when assessing the issue of the viability of a development. A key principle is to ensure that a proportionate evidence base approach is applied to the assessment and such undertaking requires careful attention to viability and deliverability of development.

10.21 In addition, The PPG (Planning Practice Guidelines) adds guidance to the national framework noting to Planning Officers the requirement to understand the impact of planning obligations on the proposal when assessing its planning merits. Paragraph 016 advises that where the deliverability of the development maybe compromised by the scale of the planning obligations or other costs, a viability assessment may be necessary. Whilst it is clear the onus is on the applicant to prove that the planning obligation would cause the development to be unviable, it is also clear that flexibility should be applied by Planning Officers if the evidence demonstrates this.

Enabling works

10.22 In general, enabling development is an established planning tool used to secure the implementation of a proposal for the long term future and conservation of existing establishments including education facilities. Typically, enabling development seeks to subsidise the cost of these works and new residential development is not an uncommon approach taken to provide these funds. The essence of enabling development is that a scheme that would otherwise be unacceptable in planning terms, is necessary to generate the funds needed to secure the future of an existing establishment, subject those needs being fully demonstrated. There are existing appeal decisions, similar to the proposed development which support this view.

10.23 Firstly, an enabling development of 75 housing development in the Green Belt in St Albans was allowed on appeal as it was clearly demonstrated that the funds of this development be secured for the benefits to a secondary school including new sports pitched, classrooms, a sports hall and an overall reduction in parkin congestion. The Inspector acceptable that the scheme would provide these much needed improvements and permitted the housing development to enable these works. In addition, a further similar appeal decision was allowed for the outline permission of 51 dwellings in the Green Belt in Billericay, Essex. This was the enabling development for improvements to The Billericay School. In addition, the Inspector considered that the cost of implementing Phase 1 of the works to the school would be equivalent to the residential value of the land.
10.24 Therefore, whilst in general terms the enabler argument is established as a legitimate planning tool, the concept has also been robustly tested at appeal and has found to be an acceptable mechanism for funding the long term future of educational facilities.

10.25 In this instance, whilst not included as part of this specific application, the application for 26 new residential units ref: 14/0430/FUL, also on the agenda for determination, is the enabling works to fund the extensions, maintenance and repair works to the school, to ensure its long term future. Therefore, as determined in the appeals sited above, the acceptability of the residential development as an enabling development the value of this development must be equivalent to the cost of delivering the redevelopment of the school and the associated highway works. The tables below detail the works proposed by the school and their costing’s for implementing each element of the works:

<table>
<thead>
<tr>
<th>Building</th>
<th>Phase 1 Works</th>
<th>Application ref. (where applicable)</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lower School Building</td>
<td>- Demolition of pre-fab additions</td>
<td>14/0404/FUL</td>
<td>£3,485,000</td>
</tr>
<tr>
<td></td>
<td>- Two storey extensions</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Full refurbishment of existing areas</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New hard play area</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Refurbish existing tarmac car parking area</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New fire escape stair</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Outdoor learning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grant Block</td>
<td>- Division of 1 no. classrooms to create 2 teaching spaces</td>
<td>None required</td>
<td>£90,000</td>
</tr>
<tr>
<td></td>
<td>- Creation of teaching space on mezzanine floor</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Refurbishment of speech and drama teaching space</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geography Block</td>
<td>- Refurbishment of classrooms</td>
<td>14/0041/FUL 14/0023/LBC 14/0042/LBC</td>
<td>£453,000</td>
</tr>
<tr>
<td></td>
<td>- Reconfiguration of entrance area to creation additional</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>WC’s and locker area</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Extension to provide offices and additional changing</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>area for ys 7 &amp; 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waterhouse Building</td>
<td>- Refurbishment of drama suite and careers office to create</td>
<td>13/2144/LBC 14/0342/LBC 14/0405/LBC</td>
<td>£902,000</td>
</tr>
<tr>
<td></td>
<td>teaching spaces/offices</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Refurbishment of ICT lab to become drama</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project</td>
<td>Description</td>
<td>Cost</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>Medical Centre</td>
<td>- Internal partitions removed to create more efficient changing space</td>
<td>£112,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New furniture (benches and lockers)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Heating controls addressed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technology Building</td>
<td>- Reprogrammed to become music department</td>
<td>£500,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New partitions</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Acoustic insulations/surfaces added</td>
<td></td>
<td></td>
</tr>
<tr>
<td>External works</td>
<td>- Create new coach and car drop off area on existing tennis courts</td>
<td>£890,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New car park to sports hall, resurface drive</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Refresh of 2 tennis courts</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Extend existing 2 courts to 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Refresh existing tennis court used for parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New MUGA adjacent to sports hall</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Improve existing grass pitches</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Install/upgrade access control/security systems</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New pedestrian path to sports hall (north site)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- New pedestrian path to sports hall (south site)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Casson Centre

- Textiles absorbed within existing teaching areas and provision for better storage.
- Repairs to gutters/fascias
- Addition of rooflights and light touch refresh to improve daylighting and aesthetics

<table>
<thead>
<tr>
<th>New pedestrian crossing</th>
<th>None required</th>
<th>£40,000</th>
</tr>
</thead>
</table>

| General Landscaping     | £193,000     |

1.3% increase in works costs due to elapsed time from publication of figures to contract signing.

| Total                   | £6,757,000   |

10.26 In addition to the works costs, the following other costs have also been identified:

<table>
<thead>
<tr>
<th>Professional fees</th>
<th>£1,290,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equipment and commission</td>
<td>£557,000</td>
</tr>
<tr>
<td>VAT @ 20%</td>
<td>£1,720,000</td>
</tr>
<tr>
<td>Total</td>
<td>£2,397,000</td>
</tr>
</tbody>
</table>

10.27 Whilst discussed in more detail within the committee report for the proposed associated residential development ref: 14/0430/FUL, accompanied with this residential application was a detailed viability report. The prime reason for the submission of this viability report was to ensure that the proposed development would be capable of achieving the funds required to carry out the works to the school. In addition, the report was also necessary to assess the level of obligations, including any affordable housing, that could be provided as part of the development whilst still achieving the required level of funds for the school and a reasonable profit for the developer.

10.28 The commercial sensitivity of the financial appraisal does not make it possible to show the full breakdown of the figures submitted with the viability report.

10.29 It is worth noting that the other matters such as planning obligations and the provision of affordable are also covered within the viability report. However, due to these matters not directly relating to the works to the school, they have not been covered within this report. They will however, be fully assessed within the associated 14/0430/FUL residential development application.

10.30 As with any submitted viability report, it is necessary to have its contents fully reviewed by a different Chartered Surveyor to ensure an independent examination of the findings put forward. In summary, this independent review concludes that the proposed works to the school realistically would cost within the region of £10.5m. It is also concluded that in agreeing to pay this land
price to the school, Cala Homes would generate a deficit and further reduction
in the residential development would give rise to a greater deficit which could
prejudice the delivery of the scheme. The content of the submitted viability
report was accepted.

10.31 In line with current Council procedure, the associated application for the
residential development was taken to the Affordable Housing Forum, a group
made up with representatives from the Councils Housing and Legal
Departments and Senior Management. During and subsequent to this
meeting it was considered that additional scrutiny of the submitted viability
report be taken to ensure its robustness. Therefore a further independent
assessment of the viability report was requested.

10.32 Following this 2\textsuperscript{nd} independent review whilst, owing to the time that has
elapsed from the initial submission of the applicants viability report, slight
changes in market prices and the appointment of contracts for specific work,
there has been a marginal change in the figures. The further independent
review concludes however, that the residual land value still remains below the
benchmark value needed by the school to carry out their works.

\textit{Enabling and viability conclusions}

10.33 Overall, it is considered that the enabling argument an established and
legitimate planning tool. The concept has been robustly tested at appeal and
has found to be an acceptable mechanism for funding the long term future of
educational facilities. In this instance, it is considered that the costs of the
proposed works to the school will be funded by the proposed residential
development under application reference 14/0430/FUL. The costs of these
school works would be equivalent, if not greater than the value of the land
following the residential development. Therefore, it has been clearly
demonstrated that the residential development would provide the funds for the
much needed preservation and restoration of an existing heritage asset. The
proposed works would also allow for the longevity of a school use on this site
and the consolidation of the school onto a single site would allow for a more
efficient use of time and resources to both staff and pupils.

\textbf{s106}

10.34 Whilst no direct monitory obligations for the proposed works to the school are
required as part of a s106, there are a number of clauses that will need to be
contained within the legal document to ensure the implementation and
deliverability of the proposed development. These clauses will include:

- Ensuring the delivery and completion of the phase 1 school works before
  commencement of the residential development, this will also include
  linkages to the school and build programme;
- Ensuring the delivery of the on and off site highway works including
  linkages with the s278 agreement;
- Review mechanisms for both the school works and residential
development in the form of an open book approach to ensure:
The land receipt does not exceed the costs of phase 1 (should this happen, a mechanism to either ring fence this money for future development of the school or surplus to be used towards an affordable housing provision)

- Claw back of 50% of any increase in the Gross Development Value towards s106 or affordable housing.

**Impact on visual amenity and Green Belt openness**

**Policy requirement**

10.35 Policies S5 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Core Strategy 2013 seek to ensure that any new development does not adversely impact on the visual amenity of the area. In addition Policy C4 of the Local Plan 2003 and Policy CS13 of the Core Strategy 2013 seek to protect the openness of the Green Belt. The NPPF 2012 also provides overarching guidance on design.

**Spatial layout and setting**

10.36 The existing lower school comprises an original ‘T’ shaped building which has been subsequently extended, the general ‘T’ shape however, has still be retained. The lower school building itself, is located to the south east of the main Waterhouse building within the far south eastern corner of the site. In general, the existing buildings on the whole of the site form a general ‘L’ shape comprising the main Waterhouse building with the other buildings, including the lower school forming a linear corridor of buildings branching from the main Waterhouse building.

10.37 The proposed extensions to the lower school building would be clustered around the existing footprint of the building, infilling the existing ‘T’ shaped building. The proposed infilling of these areas allow for the sprawl of the building to be contained to the benefit of the visual amenity of the area and the openness of the Green Belt. Overall, no objections are raised over the spatial layout or setting of the proposed extensions.

**Architectural approach and built form**

10.38 The existing buildings on the site comprises a mix of single, two and three storey buildings the majority of which have parapet roof detailing and pitched slate roofs. Some of the more later extensions to the building have pitched, mansard or flat roofs. The main/original building on the site is a ‘T’ shape with the higher 3 storey element in the centre and projecting to the rear, the height then drops to 2 storey either side. Later extensions have also been added to the building, some of which are temporary and are due to be demolished as part of the proposals. These later additions are single and two storey in height.

10.39 The main building along with the majority of the extensions are built of a brown/yellow multi-brick with orange/red quoining. The fenestration
comprises large multi-paned timber windows which have soldier course detailing with stone work inserted in to it. Overall the building comprises substantial architectural detailing and stone work all being of a high quality.

10.40 The application proposes a number of new extensions to the existing school building including a single storey entrance/lobby area, a two storey side extension to the west elevation, a 3 storey stair and lift tower and first floor and two storey infill extensions to provide new classrooms and lobby areas. These extensions are mainly to be located to the rear of existing main front elevation of the school building, therefore, the prominent front elevation of the existing building, which faces Merry Hill Road would remain largely unaffected by the development. The demolition of the newer temporary classrooms added to the west elevation would in fact improve the overall visual appearance of the front elevation of the building and reinstate its original proportions/built form.

10.41 The small alteration to the main elevation would be the provision of a timber framed canopy to each side wing of the building. This canopy is a statutory requirement by OFSTED to provide reception aged pupils with a covered outdoor play area and has been designed in consultation with the Conservation and Design Officer. Initially, the school had concerns with the overall height canopy had it have followed the existing stone lintels above the existing windows. The lower mullion of these windows was therefore considered to the most suitable location to attach the canopy. Overall, it is considered that the design and the detail to the proposed gantries would compliment the appearance of the existing building to maintain its visual amenity.

10.42 In addition to the canopy, it is proposed to remove, alter and insert fenestration to the lower school building to accommodate the internal alterations and provision of new classrooms. All new fenestration would relate to existing fenestration on the relevant elevation and it is not considered to demonstrably alter the visual appearance of the building.

10.43 With regards to the extensions themselves, the two storey extension to the west elevation would be the only extension visible from Merry Hill Road, albeit very limited. This extension therefore has been designed to match the existing building with the use of masonry banding, parapet detailing and a shallow pitched roof. It’s overall height would be lower than the main building and the materials would be brick, which can be conditioned to match the existing building.

10.44 Attached to this new two storey element would be the new lobby/entrance building. This building would be single storey in height with a glazed frontage. It would also have a flat roof with rooflights inserted into it. This element would be located at the rear of the main building and not visible from the public realm. The overall design approach would result in a modern entrance to the existing building which is considered to relate well as an extension and reduce the austere appearance of the existing building for its future occupants.
Lastly the rear of the building has a ragged appearance due to existing later extensions and the provision of more modern fire escapes. The proposed infill extensions would square off the rear elevation with the largest of these modern additions being a 3 storey lift/stairwell tower. This is required at such a height to provide access with sufficient head room to all floors. This element would still be lower than the main frontage building, and therefore views of such would not be visible from the public realm. With regard to the materials for this element, it is proposed to introduce modern/contemporary additions comprising glazed and solid screens within a structural frame. These screens would either be clear glazed or of solid colour construction which have been designed as such to allow glimpses of the outline of the original building though them.

The Conservation and Design Officer comments has raised concerns over the colour and arrangement of these panels and that more warmer colours arranged more uniformly would relate better to the existing building and the use of the site. Such matters can be agreed as a condition to the permission. Therefore, a suitable condition requesting the final colours and layout of the proposed panels is recommended.

Finally, not related to the extensions is the provision of a new boundary to the rear of the site to contain the new playground area. This boundary would comprise similar panelling to those proposed on the modern infill extensions. Whilst the need of the fence is accepted and the area contained for playspace is not considered excessive the same concerns have been raised by the Conservation Officer regarding the colour and random application of panels within this boundary. Therefore a similar condition to that proposed for the infill extensions is recommended to ensure that the final colours and arrangement of these panels have a positive relationship with the existing buildings.

Conclusion

Overall, it is considered that the proposed extensions to the building would be well related to the original building and generally screened from any public view points. The infill extensions would allow for the greater use of currently unused areas between existing extensions without resulting in greater sprawl into the Green Belt. Their location at the rear of the site would also reduce their overall visual impact. The use of more modern materials and coloured panels would help to reflect the new use of building, being for the younger/pre school aged children.

Therefore, subject to conditions relating to the matching materials of the proposed brickwork and the finalisation of the colour and arrangement of the proposed panels, it is not considered that the proposed development would result in a detrimental impact on the visual amenity of the area or the openness of the Green Belt to comply with the NPPF 2012, Policy CS13 and CS22 of the Core Strategy 2013, Policies S5, D21 and C4 of the Hertsmere Local Plan 2003 and Part D of the Planning and Design Guide 2013.
Impact on setting of Listed Building

10.49 Policy E16 of the Hertsmere Local Plan 2003 and CS14 of the Core Strategy 2013 seek to preserve the setting of Listed Buildings. Within the school grounds is the Grade II Listed Waterhouse building, this building was built in 1895 as a purpose built educational facility for orphaned children and retains a large proportion of its original features. Any development within the curtilage of a Listed Building has the potential to affect its historic fabric and therefore it must be sensitively designed and located to reduce this impact.

10.50 Firstly, as part of the development, it is proposed to demolish two single storey temporary wooden clad buildings and a dis-used oil tank including its brick built enclosure. These buildings, especially the later temporary additions do not add to the architectural interest of the building and were purpose built to provide addition classroom accommodation to meet the needs of the school at the time. The oil tank enclosure, being brick built does not have such an adverse impact, however, it is small and located at the rear of the buildings, therefore its loss would not be detrimental to the visual appearance of the building.

10.51 Following consultation with the Conservation and Design Officer, the lower school building, subject to the expansion is located over 150m from the listed Waterhouse building. Between these two buildings are a number of other school buildings and therefore the two buildings are not read in context with each other. It is considered that the proposed demolition of temporary/smaller additions to the lower school building would restore the building’s original and symmetrical appearance. The new extensions, as previously discussed, are also considered to relate well to the existing school building and reflect the use of it, making it less austere for the younger children occupying it.

10.52 Overall, it is considered that the proposed demolition of the temporary classrooms and the dis-used oil tank would restore the buildings original proportions and the extensions have been sensitively designed as not detrimentally impact on the historic fabric of the Listed Waterhouse building. In addition, the distance of 150m between the two buildings and the number of buildings between them would ensure that its architectural and historical fabric would be maintained. The proposed development would therefore comply with Policy E16 of the Hertsmere Local Plan 2003, CS14 of the Core Strategy 2013 and the NPPF 2012.

Highways, car parking and pedestrian connectivity

10.53 The application seeks numerous alterations and improvements to the existing highway, new pedestrian links, new drop off areas and new car parking areas. These provisions have been proposed through numerous negotiations between the applicants, Hertfordshire Highways, Planning Officers and Members to improve the existing situation on Merry Hill Road to the benefit of highway and pedestrian safety.
Impact of development on existing highway

10.54 This section deals solely on the impact of the development of the highway from the proposed extensions to the existing school buildings. The impact on the highway following the proposed enabling residential development will be separately assessed under that relevant planning application ref 14/0430/FUL, also on this agenda for determination.

10.55 Submitted as part of the application for the enabling residential development located on the southern part of the school site is a Transport Statement. This statement details that the trips currently generated by the Preparatory School on the southern site would be diverted to the main school site but the number of trips created in Merry Hill Road would remain unaltered. Hertfordshire Highways have not contested this matter and have raised no objections over the proposed development on highway grounds. Officers are therefore satisfied that the proposed relocation of the school wholly to the northern school site would not increase traffic movements or detrimentally impact the free flow of traffic in the area.

Highway/pedestrian improvements

10.56 In summary, the proposed highway, pedestrian and parking proposals are as follows:

- Existing main entrance retained for all traffic (except coaches and large vehicles);
- Secondary entrance retained for the use of coached and large vehicles only;
- Proposed new exit for all vehicles;
- Closure of existing access to sports centre;
- Proposed new relocated access to sports centre;
- Proposed new pedestrian links between sports centre and within school site including a new pedestrian crossing;
- Proposed extension of pedestrian footway east along Merry Hill Road;
- Proposed new car park and coach drop off area;
- Removal of existing pedestrian crossing;
- New signage and road markings to direct traffic;
- Widening of a section of Merry Hill Road approximately 930m to the north east of the site (adjacent to Egerton Park).

10.57 It is considered that the proposed highway and pedestrian works would be a welcomed improvement to the existing situation. The proposed works would improve pedestrian connectivity to the southern side of Merry Hill Road and the existing sports centre and would, along with the proposed new pedestrian crossing, improve pedestrian journeys between the school and the sports centre. The proposed new access arrangements to the school would provide a dedicated access for coaches and large vehicles only, which directly links to the proposed coach drop off point which will help ease congestion during the school run.
10.58 The existing access will be retained for cars, which again leads around the site to the new car park area and drop off/pick up point. A new vehicular exits is then proposed to allow for a single exit point from the school for all traffic. Due to this new exit, the access to the sports hall is to be relocated east which would allow for an improved arrangement and additional parking spaces.

10.59 Lastly, although not related to the development proposed under this application, the highway works would also include the proposed widening of Merry Hill Road approximately 930m north east of the school. The submitted Transport Statement advises that to manage and mitigate the potential impact on the highway during the construction phase of the enabling residential development of 26 dwellings the widening of this section is advised. This will in addition have a knock on effect of improving traffic flow at this pinch point.

10.60 These works are to implemented prior to the commencement of the residential development and will be addressed within the s278 agreement currently being prepared by the applicant in conjunction with Hertfordshire County Council. Following consultation with Hertfordshire Highways, it is agreed that these works will improve vehicle safety. Therefore, to ensure that these proposed works are implemented as proposed, it is essential that the s278 agreement is bound within the s106 agreement being prepared by Hertsmere Borough Council.

10.61 Overall it is considered that the proposed highway and pedestrian improvement would result in a benefit to both vehicle and pedestrian safety on Merry Hill Road, they would also result in wider, much needed lasting improvements to the road to the benefit of all road users. The proposed development would therefore comply with Policies M2, M5 and M12 of the Hertsmere Local Plan 2003, Policy CS25 of the Core Strategy 2013 and the NPPF 2012.

**Car parking provision**

10.62 The existing school site has a number of formal and informal car parking areas comprising in total, 167 spaces. Currently this level of parking complies with the Parking Standards SPD 2008, as amended and is broken down into the following requirements:

<table>
<thead>
<tr>
<th>SPD requirements</th>
<th>Provision (spaces)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space per FTE staff</td>
<td>118</td>
</tr>
<tr>
<td>1 space per 8 students over 17 years of age</td>
<td>15</td>
</tr>
<tr>
<td>1 space per 20 students ages 17 or less</td>
<td>27</td>
</tr>
<tr>
<td>1 visitor space per 100 pupils</td>
<td>7</td>
</tr>
</tbody>
</table>

10.63 There are more formal parking areas to the front of the Waterhouse building, adjacent to the sports courts to the north of the site and the area to the west of the lower school building. However, a large amount of indiscriminate
parking occurs around school buildings, on the internal roads and on an existing tennis court. In addition to this, coach parking and drop off currently occurs on the southern school site within the sports centre parking area.

10.64 The proposed works include the provision of a new 57 space formal car park with a coach drop off area adjacent. The new car park would allow for parking to take place in a more formal arrangement on the site, this would bring the a large portion of indiscriminate parking into a single area adjacent to Merry Hill Road to aid safety and security. The total number of spaces on the site would still equate to 167 to comply with the Parking Standards SPD 2008, as amended. In addition to the new parking area, the proposals also include a designated area for parent and coach drop off. This area is to be adjacent to the new car park and would remove the necessity of students crossing Merry Hill Road. A single point of access and exit has also been proposed to improve overall safety, congestion and help avoid indiscriminate parking.

10.65 Overall, it is considered that the new parking and drop off area would improve the existing situation at the school whilst retaining the required number of parking spaces. The proposed development would therefore comply with the NPPF 2012, policy CS25 of the Core Strategy 2013, policy M12 of the Hertsmere Local Plan 2003 and the Parking Standards SPD, as amended 2013.

Landscaping, Trees and Ecology

10.66 Policies E7 and E8 of the Hertsmere Local Plan 2003 and Policy CS12 of the Core Strategy 2013 seek to ensure that retained trees are protected during any development and that new planting is a suitable replacement for any removed trees. Policy D3 of the Local Plan 2003 seeks to ensure that development proposals incorporate appropriate flood protection. Policy D19 seeks to minimise light pollution. Finally, Policies E2 and E3 of the Local Plan 2003 and Part B of the Biodiversity, Trees and Landscape SPD 2010 seeks to protect protected species. The NPPF 2012 also provides overarching guidance on these matters.

Landscaping and lighting

10.67 Firstly, with regard to landscaping, the application has been submitted with comprehensive landscaping plans which details the location of the new planting, the species, their size/pot site and their planting distance. With regard to the lower school building, it is proposed to plant a new hornbeam hedge around the existing playing fields with 10 Cherry trees, 5 down either side.

10.68 To the east of the lower school building is the site of the new car park and drop off area. This area along with the new parking area to the sport centre, on the southern part of the site is subject to the majority of the new planting to include 18 flowering Cherry trees, 2 Field Maple trees, 11 Alder trees, 21 Silver Birch Trees, 5 Hornbeam trees, 10 Oak trees and 29 evergreen Scots Pine trees. These trees are to be located around the parking area and along
the frontage to strengthen the vegetation coverage to Merry Hill Road. In addition to tree planting numerous boundary, shrub, groundcover and climbing plants are proposed. These would be of a mixture of pot sizes ranging from 600mm to 3 litres and would be evenly spaced from between 450mm to 1200mm apart.

10.69 With regard to the proposed lighting, within the school site and the new car park/access to the sports centre it is proposed to install 19 single 5m high lighting columns, 9 asymmetric 5m high columns, 4 twin lighted 5m high columns and 9 wall mounted lights. The lighting columns would mainly be sited around the new car park areas and the drop off point, however, a few are also proposed along the new footpaths and the access road to the new car parks. With regard to the wall lights, these would be located to the front of the sports hall and science block.

10.70 Overall, Officers consider that the new soft landscaping is substantial and would be a welcome addition to the existing planting on the site, would provide a dense screen with the boundary of Merry Hill Road to obscure the new parking area from prominent view and would be of visual benefit to the surrounding area. In addition Officers also welcome the the mix of species and pot sizes to provide a strong planting coverage on the site. A condition is recommended however, to ensure the landscaping is implemented and retained as approved.

10.71 With regard to the lighting, it is considered that this would be well sited and evenly spaced where required. They would serve a functional purpose providing light to these darker areas and are not too abundant as to appear cluttered on this Green Belt site.

Boundary treatment

10.72 As part of the development, due to the provision of a new footpath and the closure/creation of vehicular and pedestrians accesses, the existing boundary treatment to the north and south of Merry Hill Road needs to altered. Firstly with regard the northern site it is proposed to install two gates to the new exit and a pedestrian gate adjacent, two brick piers are also proposed. The gates to the access and the brick piers would be 1.8m high and the pedestrian gate would be 1.5m high. Its design and height would be in keeping with the existing boundary treatment fronting Merry Hill Road and the gates would match the other gates serving existing access points.

10.73 With regard to the southern site, due to the provision of the new footpath the existing fencing along this stretch needs to be set back to allow for sufficient space for the new pavement. The existing fencing will be relocated to its new location and old access infilled with a new section, to match existing. In addition, a new pedestrian and vehicular access gate is proposed. Again these would match existing.

10.74 Overall, no objections are raised over the new and relocated boundary treatment to both the northern and southern school sites.
**Trees**

10.75 The site does not contain any trees covered by a Tree Preservation Order. Submitted with the application is a tree survey which recommends the removal of 4 existing trees on the site being a dead Elm tree, two Oaks of poor form and one unknown dead tree. These trees are located adjacent to the new proposed exit to the northern school site and their remove would enable new exit and allow greater space for other nearby trees to mature. As detailed above however, it is proposed to plant 96 new trees between the northern and southern site which would more than compensate for the loss of the 4 trees, which is substantial.

**Ecology and wildlife**

10.76 Local Planning Authorities have a statutory duty to ensure that protected species are protected from the adverse effects of development. The presence of a protected species is a material consideration in a planning decision. It is therefore essential that the presence or otherwise of a protected species and the development impacts are established prior to the granting of planning permission. Furthermore, under policies E2 and E3 of the Hertsmere Local Plan, 2003 development which would have an adverse effect on a local nature reserve, wildlife site or a regionally important geological site as well as badgers or species protected under Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981 would be refused. Policy CS12 of the Core Strategy 2013 generally complements these policies.

10.77 The application has been submitted with a number of reptile and protected species surveys. Firstly, with regard to Great Crested Newts the submitted report concludes that no Newts were found during the survey of any of the ponds or within 250m of such ponds. In addition, Great Crested Newts were unlikely to use the site for foraging or hibernation to the distance from know breeding ponds. Furthermore, no other reptiles were found on the site during the survey. The reports conclude that these species would not therefore be affected by the development.

10.78 With regard to bats, a bat inspection and bat survey has been carried out. During this time 3 species of bat were recorded foraging and commuting around the site, however, there were not recorded occurrences of bats emerging or re-entering any buildings on the site. On this basis a European Protected Species License would not be required and the proposed development would accord with the above policies.

**Flood Risk**

10.79 The applicant has submitted a Flood Risk Assessment (FRA), due to the size of the site being over 1 hectare. The site also falls within flood zone 1 with a less than 1 in 1,000 annual probability of flooding. From the FRA and the Environment Agency maps, the likelihood of flooding over the site is low. Following consultation with the Environment Agency, they have raised no objection to the proposed development and the use of SuDS such as ponds,
ditches, rainwater harvesting, bioretention and the use of pervious hardstanding has been welcomed. A condition has however, been recommended requesting that the detailed surface water drainage scheme, based on the submitted FRA and drainage strategy be submitted. Therefore, subject to this recommended condition the proposed development would comply with the NPPF 2012, Policy CS16 of the Core Strategy 2013 and Policy D3 of the Hertsmere Local Plan 2003.

Equality and Diversity statement

10.80 The Equality Act 2010 came into force in April 2011. Section 149 of the Act introduced the public sector equality duty, which requires public authorities to have ‘due regard’ to the need to eliminate discrimination on the grounds of the relevant protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex and sexual orientation, and to advance equality of opportunity.

Section 149 of the Act provides:

(1) A public authority must, in the exercise of its function, have due regard to the need to
   a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
   b. Advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it;
   c. Foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1)

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it involves having due regard in particular to the need to
   a. Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
   b. Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
   c. Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled person’s disabilities
(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular, to the need to:
   a. Tackle prejudice, and
   b. Promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

(7) The relevant protected characteristics are:
   - Age
   - Disability
   - Gender reassignment
   - Pregnancy and maternity
   - Race
   - Religion or belief
   - Sex
   - Sexual orientation

10.81 In determining this application the Committee is required to have regard to its statutory obligations under the Equality Act 2010. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:

   - eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
   - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
   - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.82 The new public sector equality duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.

10.83 In relation to this specific application the proposed works seek to improve the school and its facilities to the benefit of all staff and pupils. The proposed extensions would include a lift so that access can be provided to all floors of the lower school building, in addition the new car park and drop off area would provide a level access to the school. The equalities impact of the scheme has been duly considered in accordance with the Council’s statutory duties under the Equality Act 2010. It is considered that there will be no adverse impact to the expectations of the Equality Act. It is therefore considered to be of substantial benefit to the needs of the proposed occupants who are part of the protected groups under the Equality Act 2010.
11.0 Conclusion

11.1 The proposed development is inappropriate development within the Green Belt for which a case of the very special circumstances has been demonstrated which outweighs the harm cause by the inappropriateness. In addition, the principle of extensions to the school are considered acceptable and the development would not result in a loss of existing sports courts. The proposed development would not result in a detrimental impact on the visual amenity of the area or the openness of the Green Belt and would maintain the architectural and historical fabric of the Grade II Listed Building. The proposed improvement works to the highway are welcomed and the development would improve the existing parking and access arrangements at the school. Finally, the development would result in significant additional tree planting and would not impact upon protected species, ecology or result in flood risk. The proposed development would therefore comply with the NPPF 2012, Policies CS12, CS13, CS16, CS19, CS22 and CS25 of the Core Strategy 2013, Policies C1, C4, C18, S5, L6, D3, D19, D21, M2, M5, M12, D20, E2, E3, E7, E8 and E16 of the Hertsmere Local Plan 2003, The biodiversity and Trees SPD, 2010, The Parking Standards SPD 2008, as amended and the NPPG 2014.

12.0 Recommendation

12.1 Grant Permission subject to a s106 legal agreement.

12.2 Should the Section 106 legal agreement not be completed by 14th November 2014 it is recommended that the Managers of Planning and Building Control be given delegated powers, if considered appropriate, to refuse the planning application for the reason set out below:

Suitable provision for public open space, public leisure facilities, playing fields, greenways, cemeteries, museum and cultural facilities and section 106 monitoring has not been secured. Further, monies towards primary education, secondary education, childcare, youth facilities, libraries and sustainable transport have also not been secured. The application therefore fails to adequately address the environmental works, infrastructure and community facility requirements arising as a consequence of the proposed form of development contrary to the requirements of policies R2, L5 and M2 of the Hertsmere Local Plan adopted 2003, Policy CS21 of the Core Strategy (2013), together with the Planning Obligations SPD Part A and Part B (2010) and the NPPF (2012).

Conditions/Reasons

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
02. The brickwork to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies S5, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

03. NO DEVELOPMENT SHALL TAKE PLACE UNTIL the colour and arrangement of the solid panels proposed for the extensions and the boundary to the playground have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies S5, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

04. NO DEVELOPMENT SHALL BE COMMENCED until the following has been undertaken.

a) A contaminated land assessment which shall include a desk-top study and site reconnaissance exercise (Phase 1) to establish whether the site is potentially contaminated and to produce a conceptual model of the site indicating sources of potential contamination and possible pathways to receptors of concern.

b) If findings demonstrate it is necessary, a site investigation strategy shall be produced together with a timetable of works, which should be discussed with the Environmental Health Department. The site investigation (Phase 2) shall consider relevant soil, soil gas, surface and groundwater sampling, in accordance with the quality assured sampling and analysis methodology of the Contaminated Land Reports as well as other appropriate guidance where necessary. This shall include risk assessment based on the Contaminated Land Exposure Assessment Model or where appropriate other guidance providing adequate justification can be provided for such use. The site investigation report shall detail all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy. Any laboratories used for sampling shall be compliant with UKAS/MCERT or an equivalent approved accredited quality control system as appropriate.

c) The remediation work as outlined in the remediation strategy shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

d) Once remedial works have been completed a validation report must be submitted to the planning authority to demonstrate compliance with the approved remedial strategy.
e) If during any works contamination is encountered which has not previously been identified, including new hotspots uncovered by demolition then the additional contamination shall be fully assessed and the remediation scheme amended.

f) All works will be made available for witnessing by an appropriate Council Officer.

Reason: To ensure the development does not give rise to unacceptable levels and types of pollution and to comply with Policy D17 of the Hertsmere Local Plan 2003.

05. The soft and hard landscaping, as detailed on the landscape plans, drawing number 1-01, 1-02 and 1-03. The scheme so approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS22 of the Hertsmere Core Strategy 2013.

06. "Retained tree" means an existing tree that is to be retained in accordance with the approved plans and particulars; and paragraphs 1. and 2. below shall have effect until the expiration of 3 years from the date of the first occupation of the building for its permitted use.

1. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard BS 3998 (Tree Work).

2. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

3. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in 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, without the written consent of the Local Planning Authority.
Reason: To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired. To comply with Policies E7 and E8 of the Hertsmere Local Plan 2003 and Policies CS12 and CS22 of the Hertsmere Core Strategy 2013.

07. The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) prepared by Wareham & Associates Ref: 13-811-FRA1.2 dated Feb 2014, and the Drainage Strategy prepared by Wareham & Associates Ref: 13-811-DS1.1 dated February 2014, has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in runoff and surface water storage on site as outlined in the FRA. NO OCCUPATION OR USE OF THE DEVELOPMENT SHALL TAKE PLACE UNTIL the scheme is subsequently be implemented in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity to comply with Policy D3 of the Hertsmere Local Plan 2003, Policy CS16 of the Core Strategy 2013 and the NPPF 2012.

08. Before first occupation of the approved development, all access and junction arrangements serving the development shall be completed in accordance with the approved plans and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To ensure that the access is constructed to the current Highway Authority's specification as required by the Local Planning Authority and to comply with Policies M2 and M12 of the Hertsmere Local Plan 2003, Policy CS24 of the Core Strategy 2013 and the NPPF 2012.

09. Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

a. Construction vehicle numbers, type, routing;

b. Traffic management requirements;

c. Construction and storage compounds (including areas designated for car parking);

d. Siting and details of wheel washing facilities;

e. Cleaning of site entrances, site tracks and the adjacent public highway;

f. Timing of construction activities to avoid school pick up/drop off times;

g. Provision of sufficient on site parking prior to commencement of construction activities;

h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way to comply with Policies M2 and M12 of the

10. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan 1304/100 rev C - received 11 Apr 2014
1304/LBB/101 - received 7 Apr 2014
1304/LSB/102 - received 7 Apr 2014
1304/LSB/103 - received 7 Apr 2014
1304/LSB/104 - received 7 Apr 2014
1304/LSB/105 - received 7 Apr 2014
1304/LSB/106 - received 7 Apr 2014
1304/LSB/107 - received 7 Apr 2014
1304/LSB/108 - received 7 Apr 2014
1304/LSB/110 rev H - received 7 Apr 2014
1304/LSB/111 rev F - received 7 Apr 2014
1304/LSB/112 rev C - received 7 Apr 2014
1304/LSB/113 rev C - received 7 Apr 2014
1304/LSB/114 rev D - received 7 Apr 2014
1304/LSB/115 rev D - received 7 Apr 2014
1304/LSB/116 - received 7 Apr 2014
1304/LSB/117 - received 7 Apr 2014
1304/113 rev B received 11 Apr 2014
1304/114 - received 7 Apr 2014
1304/115 - received 7 Apr 2014
12304/112 rev D - received 7 Apr 2014
12304/116 rev B - received 7 Apr 2014
Landscape proposal: General Layout 1-01 - received 24 Mar 2014
Landscape proposal - Details 1 1-02 - received 24 Mar 2014
Landscape proposal - Details 2 1-03 - received 24 March 2014
Tree Constraints Plan - received 24 Mar 2014
P115-2264-01 - received 24 Mar 2014
Levels 1 - received 24 Mar 2014
Levels 2 - received 24 Mar 2014
Proposed site plan and off site works drg no 4 - received 23 Apr 2014
Planning report incorporating Design and Access Statement - received 24 Mar 2014
Design and Access Statement - received 24 Mar 2014
10 Year Masterplan for development - received 24 Mar 2014
Heritage Statement - received 24 Mar 2014
Transport Statement - received 24 Mar 2014
Flood risk assessment - received 24 Mar 2014
Drainage Strategy - received 24 Mar 2014
Pre-development tree survey - received 24 Mar 2014
Extended Phase 1 Habitat Survey and Protected Species Assessment - received 24 Mar 2014
Reptile Survey - received 24 Mar 2014
Great Crested Newt Survey - received 24 Mar 2014
Bat Surveys - received 24 Mar 2014
Bat Inspection - received 24 Mar 2014
Reason: For the avoidance of doubt and in the interests of proper planning.

**General Reason(s) for Granting Permission**

The proposed development is inappropriate development within the Green Belt for which a case of the very special circumstances has been demonstrated which outweighs the harm cause by the inappropriateness. In addition, the principle of extensions to the school are considered acceptable and the development would not result in a loss of existing sports courts. The proposed development would not result in a detrimental impact on the visual amenity of the area or the openness of the Green Belt and would maintain the architectural and historical fabric of the Grade II Listed Building. The proposed improvement works to the highway are welcomed and the development would improve the existing parking and access arrangements at the school. Finally, the development would result in significant additional tree planting and would not impact upon protected species, ecology or result in flood risk. The proposed development would therefore comply with the NPPF 2012, Policies CS12, CS13, CS16, CS19, CS22 and CS25 of the Core Strategy 2013, Policies C1, C4, C18, S5, L6, D3, D19, D21, M2, M5, M12, D20, E2, E3, E7, E8 and E16 of the Hertsmere Local Plan 2003, The biodiversity and Trees SPD, 2010, The Parking Standards SPD 2008, as amended and the NPPG 2014.

**13.0 Background Papers**

1. The Planning application (14/0404/FUL) comprising application forms, certificate, drawings and any letters from the applicant in support of the application.
2. Replies from Statutory consultees and correspondence from third parties.
3. Any other individual document specifically referred to in the agenda report.
4. Published policies / guidance

**14.0 Informatives**

1. This decision is also subject to a planning obligation under section 106 of the Town and Country Planning Act 1990 the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

2. Building Regulations

To obtain advice regarding current Building Regulations or to submit an application, applicants should contact the Building Control Section Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, WD6 1WA, telephone 020 8207 2277. For more information regarding Building Regulations visit the Building Control Section of the Councils web site www.hertsmere.gov.uk
- To obtain Building Regulations Approval the applicant should apply to obtain either:
  - Full Plans approval - this will give prior approval to the work or
  - Building Notice approval - this requires 48 hours' notice prior to the commencement of work.
Both of these approvals will require the submission of the requisite fee and 2 copies of drawings and relevant calculations. Having applied for Building Regulations approval, the works applied for will be subject to inspection by Building Control Officers at specific stages to ensure compliance. The applicant has a statutory duty to inform the Council of any of the following stages of work for inspection:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Any work that affects a party wall will require approval from the adjoining owner(s). This aspect of the work is a civil matter and does not come within the remit of the Council. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available from the Council Offices, Borehamwood, Hertfordshire. More information is available on the Council's web site or for further information visit the Department of Communities and Local Government website at www.communities.gov.uk.

3. Planning permission has been granted for this application ref 14/0404/FUL. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Case Officer Details
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