

## **Item No. 13**

<b>APPLICATION NUMBER</b>	<b>CB/17/03294/FULL</b>
<b>LOCATION</b>	<b>Henlow Middle School, Church Road, Henlow, SG16 6AN</b>
<b>PROPOSAL</b>	<b>Removal of existing two classroom modular unit. Construction of free standing four-court sports hall with changing facilities and attached two-storey six classroom block. Construction of additional car parking.</b>
<b>PARISH</b>	<b>Henlow</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Nicola Stevens</b>
<b>DATE REGISTERED</b>	<b>06 July 2017</b>
<b>EXPIRY DATE</b>	<b>05 October 2017</b>
<b>APPLICANT</b>	<b>Henlow Church of England Academy</b>
<b>AGENT</b>	<b>PCMS Design</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	The proposal to increase capacity for school places and enhanced sports facilities at the school are a significant benefit to the local area. Having regard to its size, design and The development would not have
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

### **Summary of Recommendation:**

The proposal to increase capacity for school places and enhanced sports facilities at the site are a significant benefit to the local area. Having regard to the size, design and siting of the development it would not have an unacceptable impact on character of the area, on the setting of nearby heritage assets, or on the amenities of any nearby dwelling. Subject to the imposition of conditions the proposal would not have an unacceptable impact on highway safety. Overall the proposal is in accordance with the Core Strategy and National Planning Policy Framework.

### **Site Location:**

The application site is located at Henlow Academy Church Road Henlow. The surrounding area is a mixture of residential and open land.

The site lies within the settlement envelope of Henlow. The playing fields to the south are identified in the Adopted Core Strategy as important open space and an area within it as protected recreational space. The site has a Tree Preservation Order on it. It also lies adjacent to Henlow Grange a Grade II\* listed building. Footpaths directly adjoin the site to the side (east) (FP7) and to the south (FP9).

## **The Application:**

The application seeks full planning permission for removal of existing two classroom modular unit. Construction of free standing four-court sports hall with changing facilities and attached two-storey six classroom block. Construction of additional car parking.

CBC Education team has identified a shortfall in school places for Years 4-8 within Henlow and the surrounding area. Following a detailed assessment of current and future capacity amongst the schools in the area, the Education Team has identified Henlow Academy as providing the best option for expansion of school places, in terms of space available and opportunities for extension. Therefore the present application is designed to address this shortfall.

## **RELEVANT POLICIES:**

### **National Policies**

National Planning Policy Framework (March 2012)

Section 1 - Delivering Sustainable Development

Section 4 - Promoting sustainable transport

Section 7 - Requiring Good Design

Section 8 - Promoting healthy communities

Section 12 - Conserving and enhancing the historic environment

### **Core Strategy and Development Management Policies Adopted November 2009**

CS3 Healthy and Sustainable Communities

CS4 Linking Communities – Accessibility and transport

CS14 High Quality Development

CS15 Heritage

DM2 Sustainable construction of new buildings

DM3 High Quality Development

DM4 Development Within and Beyond Settlement Envelopes

DM5a Important open space

DM13 Heritage

### **Emerging Development Strategy for Central Bedfordshire 2014**

The Council is currently consulting on its Regulation 18 Draft Local Plan for a period of eight weeks until 5pm Tuesday 29th August. The Draft Local Plan sets out how Central Bedfordshire will develop over the period to 2035. It identifies a range of homes and jobs to be provided, outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. Taken together the Draft Local Plan will ensure that the growth we need is delivered in the right place, is of the right character and quality, and is delivered with the supporting roads, schools and services such as health, as well as retail, leisure and community facilities. Although the Plan itself is still at a relatively early stage of preparation and therefore the weight which can be attributed to individual policies is limited, it would be prudent to have regard to the Council's emerging strategy, and in particular the direction of travel of the Local Plan.

## Supplementary Planning Guidance

Central Bedfordshire Design Guide Adopted 18 March 2014

### Planning History

None relevant

### Representations: (Parish & Neighbours)

Henlow Parish Council	No comments received
Neighbours Site notice 28.7.17 Press notice 28.7.17	<p>Two objections have been received from residents of Groveside, concern is raised in respect of the following matters:-</p> <ul style="list-style-type: none"><li>• Increased traffic movements and congestion during morning and afternoon peak hours along Groveside and Church Road;</li><li>• Harmful highway and pedestrian safety impact associated with increased traffic and vehicles manouvering;</li><li>• Inadequate space for emergency vehicle access;</li><li>• Road improvements are required prior to expansion of the school.</li></ul>

### Consultations/Publicity responses

Sport England	<p>Sport England raises <b><u>no objection</u></b> to this application as a statutory consultee which is considered to meet exception E5 of our adopted Playing Fields Policy and paragraph 74 of the NPPF, subject to a planning condition being imposed relating to a community use agreement as set out in this response. The principle of the application is <u>supported</u> as a non-statutory consultee. An informative is requested to be added in relation to sports facility design.</p>
Historic England	No comments to make
Ramblers Association	No comments received
Pollution team	No comments to make
Leisure Officer	<p>Leisure supports this development.</p> <p>Both Sport England and Leisure have been previously consulted on this scheme and Leisure has no objection as long as Sport England agrees that the hall design is devised in accordance with their recommendations.</p> <p>Also previously agreed and outlined in the proposal is the provision of a community use agreement and this will need to be established as a requirement of the development.</p>
Education Officer	<p>The construction of the additional classrooms and sports facilities at Henlow Middle School will enable the school to accommodate additional children from September</p>

Highway Officer

2017. There is a clear need for the expansion to meet demand for places and the statutory duty of the authority to provide school places. The proposal to expand the school was approved by Executive at its meeting on 20 June 2017.

The existing is a 600 pupil capacity school with pupils starting at 08.45 and finishing at 15:45, with afterschool classes finishing at 17:00hrs. The equivalent number of full time staff is 59, with 42 vehicle parking spaces, 12 cycle spaces and 1 disabled parking space on site. There are also 4 buses that currently enter the site, 3 arrive at 08.35 and leave at 15:40, and 1 arrives at 8:40 and leaves at 15:45. The current hall on site measures 130m<sup>2</sup> and the current gym measures 200m<sup>2</sup>.

The site is accessed from a narrow 30mph road, which has traffic calming speed humps at the junction with the High Street. By vehicle this is the only means of access to the school, with the public highway ending at the school, where the road splits and a private access runs parallel to the school. At close proximity to the junction with High Street, is Park Lane, both the High Street and Park Lane are the vehicular means of access to Church Road. There is an informal arrangement with the school and Boyd campsite activity centre, and with Henlow Pavilion that the cars parks can be used as a dropping off point, both of which are close to the school. Groveside is the vehicular means of access to Henlow Pavilion, this is a road with heavy on street parking as many of the properties do not have on site parking provision.

The proposal is to extend the pupil numbers over the course of 3 years by 120, including an additional 6 to 8 staff. Two classes will be removed and a 6 classroom block including a 4 court sports hall and additional parking provision is proposed. This equates to a total of 720 pupils, 67 full time staff equivalent, an additional 13 vehicle parking spaces, 8 cycle parking spaces, 1 disabled space, 1 additional bus and a 690m<sup>2</sup> sports hall (the total sports hall area is 982m<sup>2</sup>).

As the site has an existing use, and the proposal is additional to this, I can not take into account the existing use when calculating the requirements for the site, any assessment calculation can only be on the proposal. Therefore the increase to what exists is 120 pupils, 7 staff, 4 classes, 360m<sup>2</sup> sports hall, 1 bus, 13 vehicles parking spaces, 8 cycle parking spaces and 1 disabled bay.

**Note:** the sports hall is being promoted to be open for use to the community after peak times from 18:00hrs to 22:00hrs weekdays.

A transport statement has been submitted as part of the proposal and this shows the RFC value for the junctions during peak school times, with the increase of traffic, will be an acceptable level so as not to cause an issue.

Using the Councils current parking guidance for schools, 3 staff parking spaces are required, 1 visitor space and 6 parental spaces; 10 spaces in total. The proposal has 14.

The current statement also provides a survey of means of travelling to/from the school, which equates to an increase of 12 additional vehicle trips by teachers (6 each way), (although most teachers will be at the school prior to the peak vehicle times), and 108 (54 each way) additional vehicular trips by parents bringing their children to school, and the same for picking their children up.

Note: this will not be all together as it will be dispersed over the peak time, and in the afternoon some children will stay for after school clubs, and these figures are based on one pupil per car where there could be more than 1 pupil passenger which would reduce the trip generation. This is also over the course of 3 years. With a robust travel plan and careful management of it, which can be dealt with by a condition, the increase in traffic over a 3 year period is acceptable.

The proposal has also included a travel plan which could be more robust to promote car share and other sustainable means of travelling to school. A park and stride option has been put forward, although it appears this is existing. This promotes the dropping off of children at the Boyd Centre or Henlow Pavilion and the children walking a short distance into the school. It is more likely the Boyd Centre will be used as it is the closest route for vehicles, then the school and Henlow Pavilion which requires a drive to the far end of Groveside to use this car park.

Henlow Pavilion has marked parking bays and it can be seen on site that pupils who are dropped off here walk along adjacent to the bowling green (south side of the road) and cross Groveside using the drop crossing for no. 63 and proceed on the footway to the school gates. A footway should be provided for this route.

The car park of the Boyd Centre is surfaced in loose material with no formal parking bays. To enhance the use of this car park, it should be managed during drop off times so that vehicles can pull in, drop off children, and pull out again as soon as they are able without causing congestion. The children should be dropped off where

they are not in conflict with manoeuvring vehicles in the car park. This can be part of the travel plan. It is noted that there is not any footway refuge or pedestrian drop crossing from the Boyd Centre to the footway into the school. This can be rectified with a condition.

The current parking guidance for sports facilities (the sports hall) which will be open for public use, is 1 parking space per 5m<sup>2</sup>, therefore the additional 360m<sup>2</sup> will require an additional 75 parking spaces to the parking provision which is existing. This equates to a shortfall of 61 parking spaces for the community use sports hall. I am unsure of how successful the use of the sports hall will be to warrant an additional 61 parking spaces? Maybe this is something that could be monitored? Can a condition be included for this? Some additional informal bod paved spaces, (15 to 20) could be provide adjacent to the emergency vehicle grasscrete route, and these could also be used as overflow spaces during parent evenings and the like.

The proposed parking and turning layout is incorrect. It requires any vehicle entering the parking area, and not finding a space to reverse into the 'roundabout', this is similar for the buses that drop off the children which will either have to reverse into the 'roundabout' to turn and leave the site in forward gear, or reverse from the 'roundabout' into the parking spaces. This is not acceptable especially with vulnerable children in the vicinity of manoeuvring vehicles. The proposed parking layout should be flipped so that a turning area/ 'roundabout' is at the far end of the parking provision. This can be dealt with by a condition.

It is noted that the OSC requests that school zones are 20mph. There is traffic calming at the junction with the High Street that will slow vehicles down when entering Church Road. The school is located on a no through road, which is both narrow and has in places on street parking, and in peak times, with school traffic the speed limit of 20mph (and probably below this) will be self regulating. Therefore I do not believe there is any reason to reduce the speed limit of Church Road.

There is also some concern regarding on street parking and safety of residents at Groveside. The increase in traffic generation will be minimal, and there are no reported accidents to date along this stretch of road. It is probable that because of the on street parking issues and narrowness of the road, vehicles using Groveside, which is public highway, will do so at a slower speed than 30mph and will be more cautious and aware of their

surroundings than they would on an 'open' road with vehicles parked on dwelling frontages.

The school is existing, and the residents will be aware of the 'vehicular uniqueness' at peak school times, of living in the close proximity to a school. There is no TRO that can be included as part of the proposal that would not have an adverse affect on the residential parking provision of Groveside.

Therefore the proposal is assessed as acceptable.  
Please include the following in any permission issued:

1. Prior to the development being brought into use details of an additional 14 parking spaces, parking provision for 5 buses and a turning head/informal roundabout and 20 informal overflow parking spaces and access thereto shall be submitted to and approved in writing by the local planning authority and the parking spaces and turning area shall be constructed in accordance with the approved details before the development is occupied. Reason To provide on site adequate parking provision for the avoidance of obstruction to the highway, and adequate on site turning provision in the interest of safety

2. Prior to the development being brought into use a 1.5m wide footway shall be provided on the south side of Groveside and adjacent to the bowling green, from the Henlow Pavilion car park, to a drop kerb crossing point opposite no. 63 Groveside and joining with the existing footway. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.  
Reason In the interests of road safety and pedestrian movement.

3. Prior to the development being brought into use details of a 2.0m wide footway/pedestrian refuge and dropped kerb pedestrian crossing on the east side of the west access of the Boyd Centre, and a pedestrian drop crossing and footway opposite to join with the existing footway, shall be submitted to and approved in writing by the local planning authority, and the footway and drop crossing shall be constructed in accordance with the approved plans prior to the development being occupied. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.  
Reason In the interests of road safety and pedestrian movement.

4. Before the development is brought into all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.  
Reason To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

5. Prior to development a construction traffic management plan including the following, shall be submitted to and approved by the local planning authority

- ☐ Construction worker parking and delivery loading and unloading area
- ☐ Site storage area
- ☐ Turning area within the site
- ☐ Times of deliveries
- ☐ How the public highway is to be maintained free of any mud, debris or extraneous materials from the demolition/construction period
- ☐ Any temporary highway traffic management (vehicular and pedestrian) the construction management plan shall be implemented during the demolition/construction period in accordance with the approved details

Reason To ensure the safe operation of the surrounding road network in the interests of road safety

#### **NOTES TO APPLICANT**

☐ The applicant is advised that in order to comply with Condition 2\*\* and 3\*\* of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ  
To fully discharge condition 2\*\* and 3\*\* the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before the development is brought into use

☐ The applicant is advised that the requirements of the



New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049

□ The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved

□ Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site

□ The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

Comments and advice in this memo are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy.

Travel Plan Officer  
Conservation Officer  
Rights of Way Officer  
Tree Officer

No objection suggest condition and note

No objection

No comments received

Trees on site are protected by Preservation Order but should be at a distance that will prevent damage by construction works. Additional car parking will be relatively close to protected trees and as such to prevent accidental damage to rooting systems by plant or material storage we would require the trees in proximity to be fenced off using tree protection fencing at a distance and detail shown in BS5837 2012 Trees in relation to Design, Demolition and Construction. Recommendations.

Suds Officer  
Emergency Response  
Planning Officer

No comments received

Information supplied on formal guidance and requirements. Suggest where possible consideration be given to access for hydrants

## Determining Issues

The main considerations of the application are;

1. Principle of development
2. Visual impact and setting of adjacent listed building
3. Residential amenity
4. Highways
5. Other issues

## Considerations

### 1. Principle of development

- 1.1 The site falls within the Henlow Settlement Envelope where Policy DM4 of the Core Strategy states that 'within settlement envelopes, the Council will support schemes for community, education, health, sports and recreation uses or mixed community and other uses where a need for such facilities is identified through the Infrastructure Audit or up to date evidence'.
- 1.2 Part of the site is protected as an open space under policy CS3 which states that 'The Council will ensure that appropriate infrastructure is provided for existing and growing communities by safeguarding existing and community, education, open space, recreation sports play and health facilities' and 'supporting in principle, the upgrading of community, education, open space recreation, sports, play and health facilities'.
- 1.3 The site is also an important open space. Policy DM5 of the Core Strategy states that the Council will protect designated important open space within settlement envelopes by refusing planning permission where proposals would result in the loss of important open space and this would have an unacceptable adverse impact on its value either in visual or functional terms. Redevelopment or partial redevelopment of an important open space will only be considered favourably:
  - where proposals would result in enhanced provision in functional terms (both the facility itself and its location,
  - where there are exceptional circumstances resulting in overall community benefit;
  - where there would be no adverse effect on the visual quality of the settlement.
- 1.4 Para 74 of the NPPF states that 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
  - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss'.
- 1.5 The Academy currently has capacity for 600 pupils and this will temporarily increase to 720 over the next two years. The Academy has, at the request of

the Council, been selected to take additional pupils for a time frame of some 5 years from September 2017 to July 2022. This is to address a shortfall in pupil capacity in the wider area. As such a new classroom block is proposed. Without increasing pupil capacity now, the Local Authority area will have a significant shortfall in school places over the age ranges in Years 5-8 over the coming 2-5 years.

- 1.6 In addition the Academy has recognised the need to provide adequate sporting facilities for pupils, and in particular for the increase in pupil numbers. An additional benefit is the opportunity to offer this additional sport and recreational provision to the local community. Furthermore the Academy has some classroom provision which is inadequate or too small and the existing hall is significantly too small (internal height at 6m does not comply with Sport England recommendations). The Sport Statement also states that the hall will be required to function as a dining room because of the temporary increase in pupil numbers.
- 1.7 This application relates to the provision of a new indoor sports facility on the existing playing field at Henlow School. The proposed location of the new development is on the edge of the school playing field, adjacent to an existing Multi Use Games Area (MUGA). However, the new indoor sports hall will compensate for any loss of outdoor recreational space by allowing a wide range of indoor sports to be played. The 6 classroom block is required urgently to cater for the increase in pupil numbers which will take place in the academic year 2017-2018 onwards, and also to compensate for the removal of one of the modular classroom units which provides inadequate accommodation. The Education Officer is in support of the application.
- 1.8 Sport England has confirmed support for the proposal having made the following comments:
- 1.9 *· School Benefits: A new four (badminton) court sports hall would be provided. This would provide a modern indoor sports facility for meeting the school's curricular and extra-curricular PE and sport needs. At present, the school uses its school hall for indoor sport which was not designed for this purpose. The school hall space is not large enough for many of the indoor sports and can only accommodate one class at any one time. The hall is also used for range of other activities which compete for its use and this will be aggravated when it also has to be used as a dining room to accommodate the temporary increase in pupil numbers that are proposed. The proposed sports hall would address the capacity and quality deficiencies of the school hall and provide a modern sports hall that would accord with Sport England's design guidance in many respects. In particular, it would meet Sport England's recommended dimensions for a 4 court hall and would be suitable for meeting the school's requirements for a wide range of indoor sports. The new changing facilities would offer modern facilities that would help encourage participation in sport and physical activity by students and could also be used for supporting the outdoor sports facilities;*
- 1.10 *· Community Benefits: While the sports hall has been proposed mainly for meeting the school's needs, it would offer benefits to the community as it*

would made available for community use outside of school hours and in many respects its design and layout is suitable for community use. The school's hall is already used heavily by the community for a range of sports and activities despite the constraints imposed by its size and quality. The new facility would allow the school to improve facilities for existing community users and extend access to new community users due to the wider range of activities that the sports hall could support plus its increased capacity. Central Bedfordshire Council's Leisure Facilities Strategy (2013) assessed community sports facility needs in the area and while it did not identify a need for additional sports halls in this area, policy N13 supported improved public access to existing school sports halls in the eastern part of Central Bedfordshire which includes Henlow. The development of a new school sports hall that would be made available for community would be considered as responding positively to an identified local need for increased community access to school sports hall provision and would help address unmet demand in the Henlow area and reduce the need for residents of this area to travel to the nearest existing comparable facilities in Shefford or Stotfold. The proposed internal clearance height (6.7m) of the sports hall would restrict the competition level for several sports and would not be ideal for meeting the needs of some sports such as badminton but would be acceptable for casual use and lower level club training. It is proposed that the sports hall would be available until 10.00 p.m. in the evenings and during weekends which would cover the peak periods of community use. The additional car parking sited adjoining the sports hall would help facilitate community use.

#### 1.11 Impact on Playing Field

In relation to the impact on the playing field, the sports hall, classroom block and car parking would be sited on in the northern part of the playing field that is currently used for training grids in the winter and a long jump pit and shot put throwing area in the summer. These facilities would be lost as a result of the proposals. However, the main winter playing pitches (football and rugby) and summer facilities (cricket and running track) to the south of the playing field would not be affected by the proposals. As set out above, the changing facilities and car parking would improve ancillary facilities for the users of the playing field.

#### 1.12 Community Use Agreement: A condition requiring a community use agreement for the school's sports facilities to be submitted and approved by the local planning authority (in consultation with Sport England) prior to first occupation of the development in order to ensure that community access to the sports hall and other school sports facilities are secured in practice. A community use agreement sets out a school's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings accepted, restrictions on community use etc. The agreement is usually between a school and the relevant local authority (i.e Central Bedfordshire Council). Sport England regularly secures the completion of such agreements through planning conditions on planning permissions for school developments. While it is acknowledged that community access arrangements are already in place for the school's existing sports facilities, such a condition is justified to avoid a scenario where community access (outside of school hours) to the proposed facilities does

*not take place (or is significantly restricted) following the implementation of the proposed development and to ensure that the community use arrangements are safe and well managed. Without suitable community access being secured over a long term period in practice, one of the principal sports development benefits of the proposals would not be realised. Furthermore, securing community access to the facility would help deliver the Council's leisure facilities strategy. A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties.*

1.13

In conclusion Sport England considers that the potential sports development benefits that the proposed sports hall would offer would clearly outweigh the detriment caused by the impact on the playing field. It is therefore considered that the proposal would meet exception E5 of its playing fields policy. As such Sport England has no objection subject to condition being attached to any approval which requires the provision of a community use agreement to ensure the new sports hall is used to serve the local community. This is reiterated by the Leisure Officer who also has no objection.

1.14

With regards to policy DM5a relating to important open space, the new building will provide enhanced provision of teaching space and sport provision at the school, the applicant puts forward that there is an exceptional circumstance as an increase in pupil capacity is required in the area, and the building is immediately adjacent to the existing school two storey elevation. Its wider visual impact will be assessed further below.

1.15

Based on the above, in principal the provision of a new sports hall and additional classrooms together with associated parking would be sound, provided it meets specific issues identified below.

## **2. Visual impact and setting of adjacent listed building**

### **2.1 Siting and Design**

The proposal is for a new four court sports hall and two storey classroom extension. The sports hall is the most noticeable architectural feature in terms of height and scale. A curved roof is proposed to soften the largest element of the building form. Whilst this does not match the existing flat roofed school buildings this was felt to be a better solution visually rather than a flat roof or a low-pitched industrial style roof. Sport England normally require 7.5m internal height but this proposal has been kept at 6.7m due to the sensitive relationship with Henlow Grange together with the location of the changing rooms which are the nearest element to the adjacent listed building and single storey only. The design has been created so that out of hours and weekend community users can gain exclusive access to the sports hall and changing facilities without entering the classroom block.

2.2

With regard to the design and layout of the sports centre Sport England states that the proposal is considered to accord with its design guidance in many respects and there has been significant engagement between the applicant and Sport England at pre-application stage in relation to design and layout considerations in order to ensure that the design is compliant with its guidance as far as possible. Sport England acknowledges the budgetary and heritage constraints which have prevented the design and layout from fully according

with Sport England's guidance (e.g. the restricted internal clearance height proposed in response to protecting the setting of the nearby Henlow Grange) and therefore compromises have had to be made to achieve an acceptable design within the budget available.

- 2.3 In order to help ensure that the detailed elements (such as internal flooring and lighting specifications) of the design of the sports hall are fit for purpose, Sport England request that an informative be added to a decision notice if the application is approved advising that the sports hall should be designed in accordance with Sport England's relevant design guidance notes.
- 2.4 The building will be closely associated with the existing school buildings separated by the modular unit to be retained. The two storey classroom will be 6.1m high with a flat roof. The sports hall will measure 7.3m to the eaves and approx. 9m to the ridge. The applicant states that by way of comparison the existing two storey school buildings nearby have sections which are approx. 6.8m high. To take into account surface water drainage the FFL of the building will be 150mm above ground level. This is 100mm above the FFL of the main school building.
- 2.5 Materials proposed aim to assimilate the new development with the existing school in terms of its wider visual impact on the character and appearance of the area. These are similar matching brickwork to the school, with the massing broken up at first floor level with the use of cladding (with a lightweight metal coating) and brick columns and a zinc roof. Full length glazing is also used as a link between the sports hall and classrooms. An external stairwell is provided for means of escape.
- 2.6 The proposal is for a substantial two storey building with the sports hall exceeding the height of the existing school buildings due to practical requirements of use. As there is a public footpath along the school playing field boundary it will be clearly visible in the public realm. However the building and car park extension are both offset from that boundary along which there exists large mature trees which act as a natural separation between school grounds and Henlow Grange and will help to soften its wider visual impact and the design and detailing is considered appropriate in the context of the main school buildings. As such it is not considered that there would be any significant adverse visual impact on the character and appearance of the area.

#### Trees

- 2.7 There are a number of large trees on the site covered by a Tree Preservation Order. The building will be sited sufficient distance away such that they will be unaffected. The Tree Officer has no objection to the proposal and suggests a condition is attached to protect trees during construction.

#### Setting of listed building

- 2.8 The Local Planning Authority has particular duties when considering applications that affect the setting of listed buildings. These are set out in the Planning (listed Buildings and Conservation Areas) Act 1990. Section 66 states that... 'In considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting...'

- 2.9 The NPPF reinforces the statutory weight given to heritage assets. At para 129 it states that Local Planning Authorities should 'avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Para 132 states that when considering the impact of development...great weight should be given to the asset's conservation. Substantial harm to or loss of designated heritage assets of the highest significance, notably ...grade II\* listed buildings, should be wholly exceptional. At para 134 it states that 'harm may be weighed against the public benefits of a proposal where the proposal will lead to less than substantial harm.

- 2.10 The Academy building is within the vicinity (200m) of Henlow Grange a Grade II\* Listed building now used as a spa as well as the stable block (grade II) and the gates to the historic buildings (grade II). Henlow Grange is a mid 18th century small country house of red brick with chequer work patterning. Historically it would have sat in parkland including a formal avenue of trees to the south west. There has been extensive modern development including the school which has brought the village boundary closer to the Grange and encroached on its historic parkland.

- 2.11 The applicant has submitted a letter from Historic England sought at pre-application stage which has no objection to the proposal. Whilst broadly supportive of the building in principle because Henlow Academy is constructed on the parkland which was originally part of Henlow Grange, it was stated that a building with a low profile not significantly higher than the existing two storey element of the existing school building would be most acceptable. Given its location close to the existing school buildings it is not considered likely to result in harm to the grade II\* listed building. If the Council identify any harm it is suggested this would be less than substantial and that this harm be weighed against the public benefit. As a consultee of the planning application Historic England has no comments to make.

- 2.12 The Conservation Officer confirms that proposed development would not cause significant harm to the setting of the listed buildings and only a small perceived impact would be seen in terms of encroachment within the setting, however, this is considered limited. Less than substantial harm would be outweighed by the public benefit of the proposal which, in this instance include the provision of additional classroom provision and sports hall the latter to also serve the wider community within the limits of an existing settlement. On balance it is considered that the less than substantial harm caused does not amount to justification to refuse the application on harm to the setting of the adjacent listed building.

### **3. Residential amenity**

- 3.1 The site is bounded by residential properties to the west. The sports hall and classroom extension will be well offset from that boundary. It is considered that there will be no adverse impact on surrounding neighbouring amenity in terms of light, privacy or overbearing impact as a result of this application due to the distances and relationships involved.
- 3.2 In terms of noise and disturbance on surrounding residential properties, any additional activity on the site as a result of the sports hall being used for

community use in terms of extended hours and increased use of the vehicular access are considered to be minimal. The proposed opening hours for the hall are between 8am and 10pm daily, given the distances from surrounding residential properties it is not considered necessary to restrict opening hours by condition. The Pollution Officer has not objected to the proposal.

#### **4. Highways**

4.1 The supporting documents state that the CBC Highway Department was consulted at the pre-application stage and requested that four issues be addressed as part of the application:

- A Transport Statement and Travel Plan has been submitted in support of the application.
- ensure that the school can accommodate any potential increase in the number of school buses that may be generated
- requirements for extra waiting restrictions around the school including Groveside should be considered
- longer term provision should be made for any out of hours community use to ensure that traffic and parking are effectively management.

4.2 Vehicular access will remain unaffected. The existing car park has 42 spaces and 1 DDA space, this will be increased by 14 new spaces 1 of which will be DDA to accommodate extra staff and visitors to meet CBC adopted parking guidelines. Four of the visitor spaces (marked 11-14 on drg 453-110B) will double as a bus/coach waiting area (within restricted times). The existing bike shelter will be relocated and a new one provided. A new turning circle will be created and in consideration of emergency vehicles a grass road. The bin store will be re-sited into a location on the edge of the turning cycle so it is accessible for refuse vehicles. The applicant states that it is proposed to improve vehicular and pedestrian access as a result of this proposal, and safe separation of pedestrians and moving vehicles has been carefully considered.

4.3 The applicant states that detailed consideration has been given to the various transport impacts of the proposals. A new Travel Plan has been submitted as part of this application which addresses the issues arising from the Monday to Friday term time travel to and from school for pupils and their parents/guardians, with targets and goals to reach in terms of sustainable transports to school. The revised Travel Plan makes reference to the new bike shelter and a new free bus service between Fairfield park & Henlow Academy.

4.4 A Transport Statement has also been submitted. It assesses the accessibility of the site by all modes of travel, considers road safety, provides anticipated trip generation associated with the site, junction capacity and parking requirements. The applicant states that the extended car park and total number of parking spaces available will satisfy CBC standards at the peak of the bulge in pupil numbers/staff. The revised Transport Statement sets out the results of a 'Manual Classified Traffic Count Undertaken at the A6001/Church Road Junction which indicates that the junction does and will continue to operate well within capacity. The Transport Statement concludes that the proposals are likely to result in a small increase in vehicular trips on the highway network over a temporary period and, in accordance with para 32 of the NPPF, the residual cumulative impacts of the development are not severe.



4.5 Concerns have been raised that the Transport Assessment and Travel Plan are inadequate with no consideration of the recommendations from the Council's Overview and Scrutiny Committee (OSC) (outcomes of the scrutiny enquiry of school's parking) on travel improvements when schools are extending, including 20mph zones, completion of safer route to school along Church Road, parking considers only incremental impact and should be rebased on current policy (for all staff). Concerns are raised by residents in Groveside in respect increased traffic movements and associated highway safety and pedestrian safety at school arrival and pick up times. A 60 signature petition was presented to Henlow Parish Council in June 2017.

4.6 At the time of writing this report no comments had been received from Henlow Parish Council.

4.7 The Education Team has confirmed that the initiatives set out by the OSC and reported to the Council's Executive recently make a number of recommendations relating to schools and how they manage parking. The recommendations have to be balanced against the identified need for additional school places in the area. Moreover, many of the issues outlined by OSC are not applicable to the consideration of a planning application and relate to the Highway and Education services of the authority or to parking enforcement. Those relating to planning are:

4.8 Travel plans- including allocation of a designated member of staff to manage collection and drop off of children at the start of and end of the day; promotion of walking buses where practical and; minimising where possible short distance car journeys. The Travel Plan Officer has stated that some further improvements are needed to the Travel Plan including clarification on cycle parking to ensure it meets standards, this can be covered by an appropriately worded condition.

4.9 Planning conditions - to be attached where considered necessary to make the development acceptable. Provision for school buses, access and turning wherever possible - it is part of the planning process to consider school access as part of planning applications. In this particular case the Highway Officer has considered the recommendations from OSC regarding parking issues around schools and raised no objections to this proposal, subject to conditions requiring

- A revised parking layout
- Provision of a 1.5m wide footway in Groveside
- Provision of a 2.0m wide footway/refuge in Church Road
- Surfacing details
- Construction Traffic Management Plan

4.10 In conclusion, given the above and that no objections are raised by the Highway Officer the proposal is viewed as being acceptable in relation to the highway implications of the development.

## **5. Other issues**

- 5.1 The land is owned by the Diocese of St Albans. The applicant has submitted a letter of support from the Vicar of Henlow in support of the application.
- 5.2 The adjacent public footpath would be unaffected. The Footpath Officer has not objected to the proposal.
- 5.3 A Flood Risk Assessment and Surface Water Management document has been submitted in support of the application. This sets out the flood risk management for the development, including design of sustainable surface water drainage. The applicant has stated that this has been taken into account during design of the building, and the method of disposing of surface water is shown on the planning drawings. In summary, the strategy for the site is to provide infiltration drainage (soakaways) and to use a permeable surface for the emergency access route across grassed areas. The school will maintain the surface water on the site. The Drainage Officer has not objected to the proposal.
- 5.4 Based on the information submitted there are no known issues raised in the context of the Human Rights/The Equalities Act) and as such there would be no relevant implications.
- 5.5 There are no further considerations to this application.

## **Recommendation**

That Planning Permission be Approved subject to the following:

## **RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Notwithstanding the details submitted, no development shall take place until details of the existing and final ground and slab levels of the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in**

**accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.**

- 3 The external finishes of the development hereby approved shall be constructed in accordance with the details shown on drg no's. 453.105 Rev B and 453.112 Rev B and described in Q9 'Materials' of the application form. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.

- 4 No occupation shall commence of the development hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall, playing fields, multi-use games area and school hall and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and in accordance with policy CS3 of the Core Strategy and Development Management Policies (2009) and Section 8, NPPF.

- 5 Before the building is first brought into use, a Travel Plan shall be prepared and submitted to and approved by the Local Planning Authority. The plan shall contain details of:

- plans for the establishment of a working group involving the School, parents and representatives of the local community
- pupil travel patterns and barriers to sustainable travel
- measures to encourage and promote sustainable travel and transport for journeys to and from school
- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review
- measures to manage the car parking on site

All measures agreed therein shall be undertaken in accordance with the approved Plan. There shall be an annual review of the Travel Plan (for a period of 5 years from the date of approval of the Plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal.

**Reason:**

In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport in accordance with policies CS4 and DM3 of the Core Strategy and Development Management Policies (2009) and Sections 4 and 7, NPPF.

- 6 No equipment, machinery or materials shall be brought on to the site for the purposes of development until substantial protective fencing for the protection of any retained trees (covered by the Tree Preservation Order) has been erected in positions that will prevent damage by construction works. The Tree protection fencing shall be erected at a distance and design shown in BS 5837 of 2012 or as may be subsequently amended. The approved fencing 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.

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.  
(Sections 7 & 11, NPPF)

- 7 The existing modular unit shown omitted on drg no 453.101 Rev A (proposed block plan) shall be demolished and all resultant detritus completely removed from the site prior to the commencement of building works.

Reason: In the interests of the visual amenities of the area and for the avoidance of doubt in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.

- 8 Prior to the development being brought into use details of an additional 14 parking spaces, parking provision for 5 buses and a turning head/informal roundabout and 20 informal overflow parking spaces and access thereto shall be submitted to and approved in writing by the local planning authority and the parking spaces and turning area shall be constructed in accordance with the approved details before the development is occupied.

**Reason**

To provide on site adequate parking provision for the avoidance of obstruction to the highway, and adequate on site turning provision in the interest of safety  
(Policy DM3 of the Core Strategy and Development Management Policies (2009))

- 9 Prior to the development being brought into use a 1.5m wide footway shall be provided on the south side of Groveside and adjacent to the bowling green, from the Henlow Pavilion car park, to a drop kerb crossing point opposite no. 63 Groveside and joining with the existing footway. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason

In the interests of road safety and pedestrian movement.

(Policy DM3 of the Core Strategy and Development Management Policies (2009))

- 10 Prior to the development being brought into use details of a 2.0m wide footway/pedestrian refuge and dropped kerb pedestrian crossing on the east side of the west access of the Boyd Centre, and a pedestrian drop crossing and footway opposite to join with the existing footway, shall be submitted to and approved in writing by the local planning authority, and the footway and drop crossing shall be constructed in accordance with the approved plans prior to the development being occupied. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason

In the interests of road safety and pedestrian movement.

(Policy DM3 of the Core Strategy and Development Management Policies (2009))

- 11 Before the development is brought into all on site vehicular areas shall be surfaced in a stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason

To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

(Policy DM3 of the Core Strategy and Development Management Policies (2009))

- 12 Prior to development a construction traffic management plan including the following, shall be submitted to and approved by the local planning authority
- Construction worker parking and delivery loading and unloading area
  - Site storage area
  - Turning area within the site
  - Times of deliveries
  - How the public highway is to be maintained free of any mud, debris or extraneous materials from the demolition/construction period

- Any temporary highway traffic management (vehicular and pedestrian)

the construction management plan shall be implemented during the demolition/construction period in accordance with the approved details

**Reason**

To ensure the safe operation of the surrounding road network in the interests of road safety.

(Policy DM3 of the Core Strategy and Development Management Policies (2009))

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

453.100 Rev A

453.101 Rev A

453.103 Rev A

453.104 Rev B

453.105 Rev B

453.106 Rev A

453.107 Rev B

453.108 Rev B

453.109 Rev B

453.110 Rev B

453.111 Rev A

453.112 Rev B

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Planning Statement

Design & Access Statement

Sports Assessment

Flood Risk Assessment

Geotechnical Site Assessment Report 17 May 2017

Transport Statement July 2017

Travel Plan June 2017

Reason: To identify the approved plan/s and to avoid doubt.

## **INFORMATIVE NOTES TO APPLICANT**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

2. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
3. You are advised to note the comments of Sport England as follows: *The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the “Sports Hall Design & Layouts” design guidance* note <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/sports-halls/>.
4. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

5. You are advised to note the comments of the Emergency Response Planning Officer as set out in the attached letter.
6. The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Transport Strategy Team, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, and Bedfordshire, SG17 5TQ.

7. **Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
- 8.
- The applicant is advised that in order to comply with Condition 2\*\* and 3\*\* of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ  
To fully discharge condition 2\*\* and 3\*\* the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before the development is brought into use
  - The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049
  - The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved
  - Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site
  - The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".



The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development 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) Order 2015.

**DECISION**

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