



The Planning Inspectorate

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PLANNING DEPARTMENT DACORUM BOROUGH COUNCIL					
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DoP	T.C.P.M.	D.P.	D.C.	B.C.	Admin.
Received 12 MAR 1993				Date 11 MAR 1993	
Comments					

Ack. Out. Reference
File 1/APP/A1910/A/92/216848/P5

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR J ADKINS
APPLICATION NO: 4/0409/92

1. I have been appointed by the Secretary of State for the Environment to determine this appeal. The appeal is against the decision of the Dacorum Borough Council to refuse planning permission for extensions to the existing school building at Egerton Rothesay School, Durrants Lane, Berkhamstead. I have considered the written representations made by you and by the council. I inspected the site on 23 February 1993.

2. It seems to me that the issue to be determined in this case is the impact that the proposed development, including that of the parking area, might have on the wider views across the Bulbourne Valley and the nearer views. The question of adequate ancillary facilities has been raised and I shall also consider that aspect.

3. The existing school dates from the early 1970s, designed and constructed by the County Council, for use by 420 pupils. Use as a Church School ceased and the school was acquired by the present Egerton Rothesay School in 1988. It was built in a form which found favour at that time, square blocks with flat roofs, horizontal timber effect board cladding panels, painted silver. Subjectively it is a design which I do not find attractive or pleasing.

4. I am told that the extensions would add some 2,170 sq m of floorspace to the existing area of 2,650 sq m. There are, at present, some 370 pupils on site and the additional space would allow for an increase to some 600 pupils. The ground floor area is to be increased by some infill between projecting blocks but the main addition is to be achieved by constructing a new pitched roof and building one and two storey additions within the created space, adding to the existing two and one storey blocks.

5. During my tour of the existing school I was impressed by the atmosphere, with all space appearing to be efficiently used, indeed every available corner seemed to be in use. My study of the floor plans suggests that a sensible solution has been found to providing additional and useable teaching and ancillary space.

6. The Council criticise the design and external treatment of the proposals. They suggest that the effect of the added roof would be to increase the bulk of the building and the roof, but that is self evident. They suggest that the roof structure appears to be very contrived although they appear to accept that that is a direct result of the nature and changes in level of the existing structure. The lack of architectural integrity, with the combination of modernist and traditional forms and the inappropriate use of various minor features, are challenged. It may well be that different views can be held with some justifications but I find nothing offensive or unexceptional. Bearing in mind the general advice against seeking to impose other tastes I find nothing here to resist the proposal.

7. The Council consider that the resultant development would create an unacceptable visual intrusion into this designated Landscape Conservation Area. As I understand it the sensitive locations are on Shootersway, at the top of Durrants Lane, and in an area at the western end of Bridgewater Road on the opposite side of the Valley. From the first point I did not see anything significant from the carriageway although from the footway on Durrants Lane, which is above the level of the carriageway, I could see the top of the flat roofed blocks. Having regard to the various buildings in the vicinity to which I have been referred, including those that I was shown from the road, I do not consider that a change from the flat roof form to a pitched roof form, even with the proposed increase in height, would amount to an unacceptable visual intrusion.

8. From the far side of the valley I could discern the bulk of the school buildings, noting that for much of the day this would effectively be in silhouette. Again, at that distance, I cannot regard the change from the existing to the proposed form and bulk as being unacceptable. I do not doubt that an enlarged car parking area, the extent of which appears to be accepted, would be noticed, but this, possibly regrettably, is a normal feature. With some careful tree planting I believe that any impact could be reduced to an acceptable level.

9. I understand that any objection in respect of inadequate setting down and picking up area has been overcome by drawing No 9003/PA1. On this basis I do not see any harm or other reason related to the principal issue that I identified which would justify dismissing this appeal. I now consider the matter of ancillary facilities.

10. The Council have referred to the Education (School Premises) Regulations 1981 even though they do not apply to private schools. However, they regard them as reasonable standards against which to assess the criterion IV of Policy 64, which requires that ancillary facilities (including playing fields and grounds) are available to meet the needs of students. The standard for 600 pupils, which will be the size of the extended school, is 3 hectares. As pupils from the existing Charles Street

site would also be using these grounds an additional 1 hectare would be required. There is space within the school site for 4 hectares of playing fields but the Council's concern is the long term security of this land.

11. The School only owns a small part of the land and the remainder is owned by the County Council who do allow the School full use of that land. The County Council, however, have made proposals for the development of at least part of the land for an elderly persons' home. The freehold area owned by the School is not considered adequate to meet the relevant needs and there are no adequate alternative playing fields available to overcome this potential shortfall. There is pressure on existing formal leisure space in Berkhamstead and there is not sufficient space to accommodate these extra needs.

12. The appellant takes the view that the regulations are not relevant since they do not apply to private schools. Indeed there is no statutory requirement that playing fields should be provided and there are such schools which have no, or few, playing fields. There has been no objection from the County Council to this proposal and there are current negotiations for the purchase of the remainder of the school site, land which has been shown as being in education use since the school was built. If that land were to become unavailable there are other facilities that could be used. These would include Butts Meadow, Berkhamstead Cricket Club and the grounds of other grant maintained schools. Neither Berkhamstead Boys School nor Berkhamstead Girls School have sufficient playing fields and have to use facilities remote from their schools.

13. Having regard to the present situation and to negotiations which are in hand, and to the requirements for and needs of a private school, I am not persuaded that there are any material grounds for dismissing this appeal on the basis of available playing fields or other facilities. In general I believe that it is of greater benefit to allow this extension to proceed, to meet a demand for education facilities which can be seen.

14. I have considered all other matters raised in the representations but I find nothing that I have not already referred to above or which would lead me to alter the conclusions leading to my decision. The Council have suggested certain conditions which, in general, I accept although I have made certain alterations.

15. For the above reasons, and in the exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for extensions to the existing school building at Egerton Rothesay School, Durrants Lane, Berkhamstead, in accordance with the application (number 4/0409/92) dated 2 April 1992 and the plans submitted therewith, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this letter;

2. No development shall take place until a scheme of landscaping for those areas which would be affected by the development proposals and in particular the proposed extended car parking area and setting down and picking up area shall have been submitted to and approved by the Local Planning Authority: that scheme shall include indications of all existing trees and hedgerows within the relevant areas, and details of any to be retained, together with measures for their protection in the course of development;

3. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, or are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

4. No work shall be started until details of all materials to be used externally have been submitted to and approved by the Local Planning Authority and the work shall be carried out in accordance with those approved details;

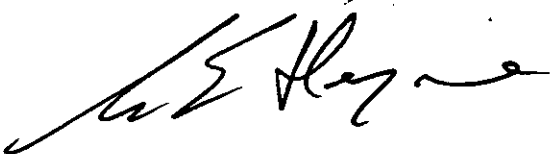
5. Before the extensions hereby permitted shall be occupied the setting down and picking up area and the car parking area shall be completed in accordance with the approved details.

16. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if approval, consent or agreement is refused or granted conditionally or if the authority fail to give notice of their consent within the prescribed period.

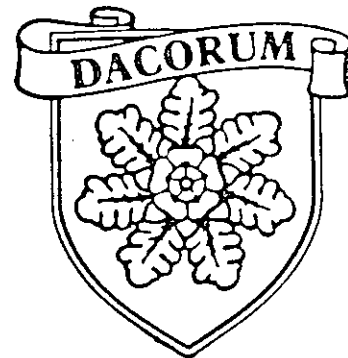
17. The developer's attention is drawn to the enclosed note relating to the requirements of The Buildings (Disabled People) Regulations 1987.

18. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

I am Sir
Your obedient Servant



N E HEIJNE CBE BSc ARICS
Inspector



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0409/92

Mr J Adkins
Egerton Rothesay School
Durrants Lane Berkhamsted
Herts

CGB Partnership
Heatherways Friithsden Copse
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HP4 2RQ

DEVELOPMENT ADDRESS AND DESCRIPTION
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Egerton Rothesay School, Durrants Lane Berkhamsted,

THREE STOREY FIRST & SECOND FLOOR EXTENSIONS ALTERATIONS AND EXTENSION TO CAR PARK

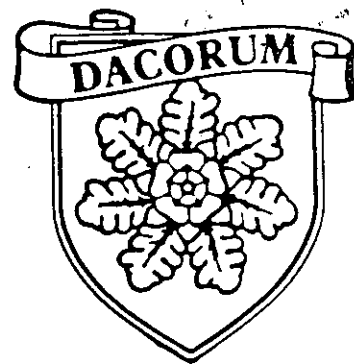
Your application for *full planning permission* dated 02.04.1992 and received on 06.04.1992 has been *REFUSED*, for the reasons set out on the attached sheet(s).



Director of Planning

Date of Decision: 25.06.1992

(ENC Reasons and Notes)



REASONS FOR REFUSAL
OF APPLICATION: 4/0409/92

Date of Decision: 25.06.1992

1. The site is visually prominent, with clear views across open agricultural land and the Bulbourne Valley. In the opinion of the local planning authority the proposed development due to its height, mass and design, would be an insensitive form of development which would have an adverse impact on the character, appearance and high visual quality of this designated landscape conservation area.
2. The permanent provision of adequate ancillary facilities (including playing fields and grounds) to meet the needs of students at the school can not be safeguarded due to the majority of land not being within the control of the applicant. Without the assured provision of these facilities the site would have an inadequate provision of playing fields. This is likely to give rise to pressure to change the use of other agricultural land in the vicinity, contrary to the policies of the Dacorum Borough Local Plan.
3. There is inadequate provision within the site for picking up/setting down of students within the school grounds.
4. The regimented parking layout and prominent location of the parking areas with clear views across open agricultural land would have an unacceptable urbanising effect in this sensitive location.