

8 DCCE2006/2336/F - REMOVAL OF PLANNING CONDITION 3 OF PLANNING PERMISSION DCCE2004/0568/F - REQUIRING NORTH FACING WINDOWS TO BE GLAZED WITH OBSCURED GLASS AND PERMANENTLY FIXED SHUT. HEREFORD SIXTH FORM COLLEGE, FOLLY LANE, HEREFORD, HEREFORDSHIRE, HR1 1LU

For: Hereford Sixth Form College, James Morris Associates, Stocks Tree Cottage, Kings Pyon, Herefordshire, HR4 8PT

Date Received: 20th July, 2006 Ward: Aylestone Grid Ref: 52257, 40708

Expiry Date: 14th September, 2006

Local Members: Councillors D.B. Wilcox and A.L. Williams

1. Site Description and Proposal

- 1.1 This application seeks permission for the removal of condition 3 attached to Planning Permission DCCE2004/0568/F, approved on the 9th December, 2004. This permission was for the erection of a new building for teaching music, and alterations to adjacent structures. Condition 3 attached to this permission states:

'All windows/glazing panels in the north west facing (rear) elevation of the Music Building, any elevation of the curved roof over the existing single storey flat roof, and to the sides of the suspended new corridor shall be glazed with obscured glass and permanently fixed shut.'

The reason for the imposition of this condition was to safeguard the amenities of nearby residential properties. This application seeks the removal of this condition.

- 1.2 The building associated with the previous application has now been completed, although the approved suspended corridor has not been introduced and alterations to the single storey building to the north of the sports annex have not been undertaken. The new building is positioned amongst other college buildings. Clear glass and restricted opening windows have been installed in places across the first floor of the north west facing elevation. Of particular note are the three rooms at first floor level serving two classroom and a staff room/office. A store and male W/C also have openings in this elevation. It is principally on the basis of the classrooms rooms and staff room/office that the removal of the condition is essentially sought. To the north of the site are residential properties in Aylestone Grange.

2. Policies

- 2.1 Hereford Local Plan:

- ENV14 - Design
- H21 - Non-residential uses
- CON13 - Conservation areas – development proposals

2.2 Herefordshire UDP (Revised Deposit Draft):

- S2 - Development requirements
- DR1 - Design
- DR2 - Land use and activity
- T11 - Parking provision
- HBA6 - New development within conservation areas

3. Planning History

- 3.1 CE2001/1687/F - Erection of two temporary classrooms. Approved 30th July, 2001.
- 3.2 CE2001/2153/F - Alterations to existing and construction of a new three storey main classroom block. Approved 6th November, 2001.
- 3.3 CE2002/0110/F - Gravelled area to allow car parking during construction of new developments on college campus - two year temporary permission. Approved 27th February, 2002.
- 3.4 CE2002/1387/F - Temporary permission for pre-fabricated classroom. Approved 1st July, 2002.
- 3.5 DCCE2004/0475/O - Partial redevelopment of college campus to provide new learning village. Approved subject to Section 106 agreement 7th April, 2004.
- 3.6 DCCE2004/0859/F - Retention of gravelled area to allow staff car parking during construction of new developments on college campus. Approved 28th April, 2004.
- 3.7 DCCE2004/0568/F – Construction of new detached building for teaching music plus associated activities, together with curved roof extension over existing single storey building, and new covered corridor link. Approved 9th December, 2004.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 Traffic Manager - No objection.
- 4.3 Conservation Manager - No response received.
- 4.4 Education - No objection.
- 4.5 Head of Environmental Health and Trading Standards: Comments awaited.

5. Representations

- 5.1 Hereford City Parish Council - No objection.
- 5.2 Local Residents – A letter of objection has been received from J & C Hutchinson of Collingwood (number 3), Aylestone Grange. The objections raised and relevant to this application can be summarised as follows:
1. The windows will directly face into two bedrooms and the privacy of the rooms would be reduced;
 2. The toilet windows should remain opaque.
- 5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

- 6.1 The issue in the case of this application is the impact of the removal of Condition 3, originally imposed in the interests of preserving the residential amenities of the locality. Clearly the use of this building for music teaching and associated activities has, associated with it, the potential for noise disturbance and the relatively close proximity of the dwellings in Aylestone Grange is of note. Additionally, parts of the approved proposal, particularly the suspended corridor and alterations to the building found to the north of the sport annex, have overlooking and privacy implications associated with them. The justification for imposing this condition is therefore considered to be sound. In the case of this application, however, it is significant that although the applicant seeks the removal of Condition 3, only three 'used' rooms, a W/C, and a store are actually proposed in the revisions.
- 6.2 At first floor level there are two classrooms and a staff office with north facing openings. It is these rooms that have been fitted with clear glass and restricted opening windows and it is principally on the basis of these three rooms that the removal of the condition is requested. The use of these three rooms as classrooms and staff room/office is not considered to be of concern in relation to residential amenities. These openings are approximately 25 metres from the site boundary and 45 metres from the closest dwelling. These distances are ample to ensure that the implications upon overlooking and associated loss of privacy are acceptable for the dwellings within Aylestone Grange. With respect to noise, it is considered that the use of the classrooms and staff room/office will result only in the level of noise typically associated with a classroom in a school or college and are not significantly closer to neighbouring properties than other classrooms within the compound. The store area is not of concern and the male W/C window openings are not considered to have amenity implications, subject to the retention of obscure glazing.
- 6.3 On the basis of the above it is considered appropriate to vary condition 3 to allow for the retention of the clear glass and restricted opening windows for the rooms in question, on the basis of the retention the three principal rooms for non-practical teaching classroom/office purposes. There is merit in retaining the condition in other respects on the basis of the potential harmful implications of allowing noisier activities.

RECOMMENDATION:

That subject to no objection being received from the Environmental Health and Trading Standards Manager, planning permission is granted, with an amended description to vary Condition 3 only, subject to the following conditions:

- 1. Within 2 months of the date of this permission full details of all the first floor windows in the north west facing elevation, including the nature of their restricted opening mechanism, shall be submitted to an agreed in writing by the Local Planning Authority. The windows shall then be retained and maintained in accordance with the agreed details and not replaced or altered unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality

- 2. The use of the three principal rooms identified in the approved plan shall be retained for non-practical teaching purposes the specific type of which shall be approved in writing by the local planning authority within 2 months of the date of this permission and/or staff room office use only.

Reason: To safeguard the amenities of the locality

- 3. The permission hereby granted is an amendment to Condition 3 attached to planning permission DCCE2004/0568/F and, otherwise than is expressly altered by this permission, the conditions attached thereto remain.

Reason: For the avoidance of doubt.

Informative:

- 1. N15 (Reasons for Grant of Planning Permission)

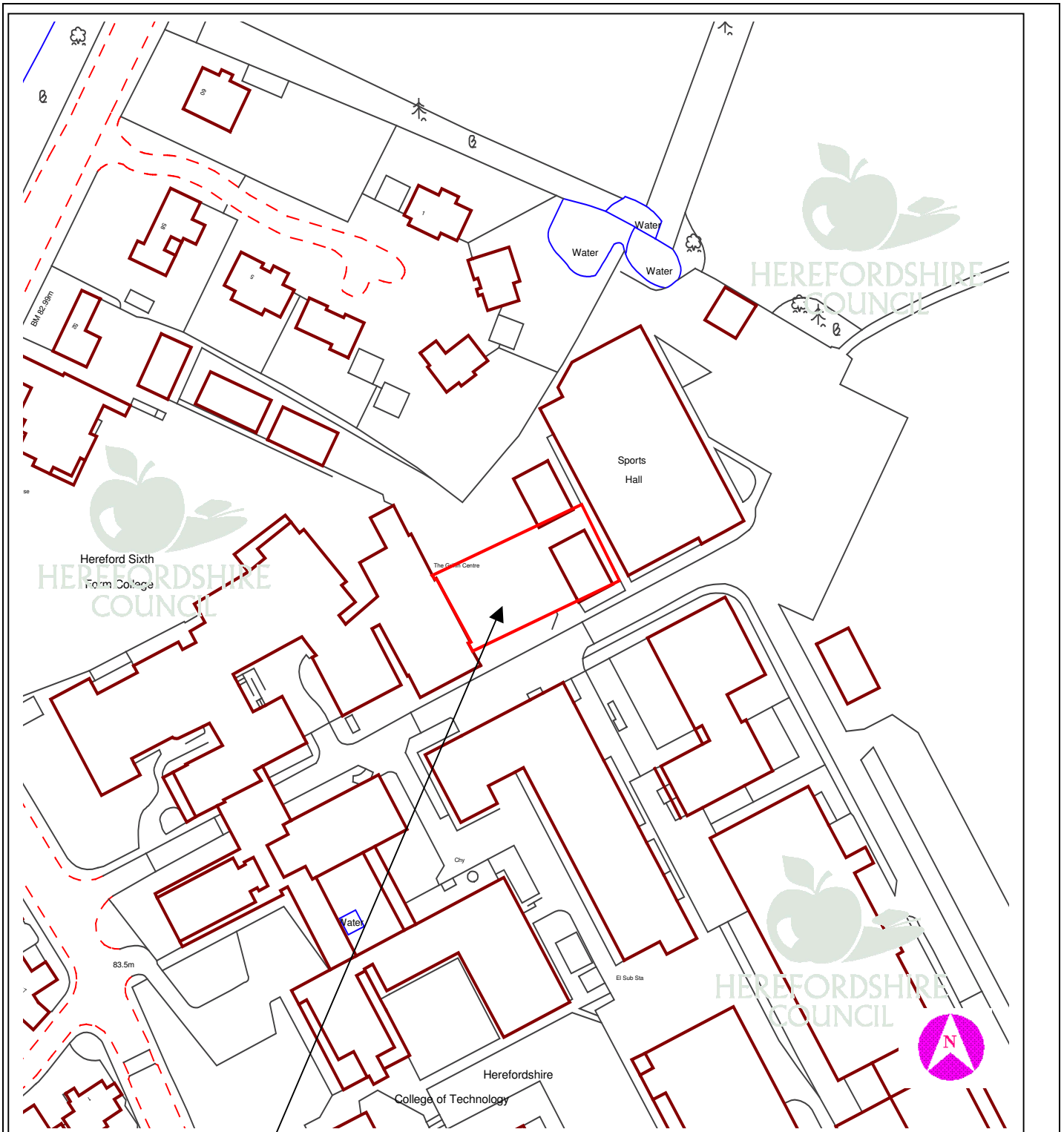
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCCE2006/2336/F

SCALE : 1 : 1250

SITE ADDRESS : Hereford Sixth Form College, Folly Lane, Hereford, Herefordshire, HR1 1LU

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