

**HERTFORDSHIRE COUNTY COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE  
THURSDAY, 29 JUNE AT 10.00AM**

**WELWYN HATFIELD DISTRICT COUNCIL**

Agenda Item  
No.

**2**

**APPLICATION FOR PROPOSED REPLACEMENT OF EXISTING MOBILE NURSERY UNIT WITH NEW PERMANENT NURSERY BUILDING AND COVERED PLAY CANOPY AT SPRINGMEAD PRIMARY SCHOOL, HILLY FIELDS, WELWYN GARDEN CITY, HERTFORDSHIRE, AL7 2HB**

*Report of the Chief Executive and Director of Environment*

Author: Ria Griffiths, Planning & Systems Support Officer Tel: 01992 556266

Local Member: Barbara Gibson

## **1. Purpose of Report**

1.1 To consider application 6/0462-17 (CC0176) for the replacement of the existing mobile classroom unit with new permanent nursery building and covered play canopy at Springmead Primary School, Hilly Fields, Welwyn Garden City, Hertfordshire AL7 2HB, following an objection raised by Welwyn Hatfield District Council.

## **2. Summary**

2.1 The application seeks planning permission to replace an existing mobile nursery unit with a permanent nursery building and covered play canopy at Springmead Primary School, Hilly Fields, Welwyn Garden City, Hertfordshire AL7 2HB

2.2 The principal issues to be taken into account in determining this application are the need for the proposal and the impact of the proposal on the surrounding area, particularly as the site is in within the designated area of Urban Open Land.

## **3. Conclusion**

3.1 The report concludes that it is recommended permission should be granted subject to the conditions set out in this report.

## **4. The Site and Local Area**

4.1 The Springmead Primary School site covers an area of approximately 2.63 hectares and is located to the east of Welwyn Garden City, within the Panshanger residential area. Residential properties run along the western and eastern boundaries of the site with Hilly Fields bordering the western edge. A foot/cycleway runs through private land along the northern boundary and

Panshanger Aerodrome is located to the north-east of the site.

- 4.2 The main school buildings, situated to the western side of the site, are single storey in height with flat roofs and were constructed circa 1972. Since the school was first built there have been several small extensions added to the site, including a two bay temporary modular building that was installed on the site in 2012, to the rear of the main school building, on the edge of the playing fields.
- 4.3 Access to the site, both vehicular and pedestrian, is from Hilly Fields on the west side of the site. The access forms a clockwise circulatory route around central parking areas comprising of 36 formal parking spaces with space for an additional 1 or 2 vehicles to the rear of the main reception building.
- 4.4 The nursery has capacity for 30 pupils to attend a morning session and 30 pupils to attend in the afternoon. The existing nursery building, to be replaced, is located to the north-west of the site, adjacent to Hilly Fields. Its location was chosen due to it being within close proximity to the main pedestrian gate, therefore allowing for easy drop-off and collection of children from the morning and afternoon sessions.

## **5. The Proposal**

- 5.1 The application seeks to replace the existing temporary nursery unit with a slightly larger permanent nursery building in the same location. The proposed new building will be single storey in height and comprise of a nursery classroom, children's toilets, disabled toilet, store, service cupboard and entrance lobby. The building is 13.27m x 9.20m and will have a gross area of 122.08m<sup>2</sup>, with the classroom amounting to 78m<sup>2</sup> of this space. The covered play canopy measures 11.77m x 3.50m.
- 5.2 The proposed building will have brick clad walls on a steel frame, with a grey flat felt roof covering and white powder coated aluminium window and door frames. The play canopy, to be situated on the rear elevation of the new building, will be constructed from a white powder coated aluminium support frame and Multiwall polycarbonate (non-fragile) roof glazing and end infill panel.
- 5.3 The main entrance door to the new building will be via a new 1200mm wide footpath, not exceeding 1:20 gradient. The width of the door will be 1000mm with a level threshold to allow clear access for wheelchair users. The internal door into the classroom will be 926mm in width also providing open wheelchair access. Vehicular access and parking will be unaffected. The proposal does not result in an increase in staff or pupil numbers and therefore will not create additional vehicular trips or parking requirements.
- 5.4 Surface water drainage will be via a new soakaway with foul drainage making use of the existing system.
- 5.5 The proposal requires the removal of two Sycamore trees.
- 5.6 There will be no other changes to the site as a result of this application and the number of pupils will not increase either.

## 6. Policy Considerations

### The National Planning Policy Framework (NPPF), 2012:

Section 7 – Requiring good design

Section 8 - Promoting healthy communities, specifically,

Paragraph 72 The Government attaches great importance to ensuring that a sufficient choice of school places is to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education.

### Welwyn Hatfield District Plan 2005:

Policy SD1 Sustainable Development

Policy R1 Maximising the Use of Previously Developed Land

Policy R17 Trees, Woodland and Hedgerows

Policy D1 Quality of Design

Policy D8 Landscaping

Policy D9 Access and Design for People with Disabilities

Policy D11 Design Statements

Policy OS1 Urban Open Land

Policy CLT8 New and Extended Education Facilities

Policy CLT10 Nurseries and Childcare Facilities

## 7. Relevant Planning History

6/1031-12 Double modular classroom unit and 2 additional parking spaces

6/0359-07 Application for footpath/cycleway

6/0814-01 Multi-use all weather sports court

6/0063-97 Extensions

6/0976-96 4-bay mobile for nursery

6/0384-96 Double mobile classroom unit

6/0140-94 Single mobile classroom unit

6/0697-93 Extension and other alterations

## 8. Consultations & Representations

Welwyn Hatfield District Council; objects to the proposal on the grounds that the new permanent nursery building will be sited on Urban Open Land and therefore conflicts with Policy OS1, Welwyn Hatfield District Plan 2005. Welwyn Hatfield District Council feels that the information provided in relation to this policy is insufficient and does not overcome their concerns.

Hertfordshire County Council as Highway Authority; does not object to the application as there are no highway issues related to the proposal.

Hertfordshire County Council Landscape Officer; does not object to the proposal, however suggests that for every tree that is removed, two new trees are planted. They also suggest that a lighting strategy be submitted prior to any development.

Lead Local Flood Authority; does not object to the proposal conditional on no development taking place until a Surface Water Draining Scheme has been submitted and approved in writing by the Local Planning Authority.

Hertfordshire Ecology; does not object to the proposal conditional that the removal of trees should be avoided during the bird breeding season and that four new replacement trees should be planted in place of the two that are to be removed.

Neighbours/Publicity; Publicity for the application was as follows:

2 site notices were erected on the main vehicular and pedestrian accesses on 16 March 2017.

A total of 189 properties were consulted and 2 responses have been received. The main concern raised in these representations was with regards to parking and traffic flow issues during drop-off and pick-up times, together with pedestrian safety.

## **9. Planning Issues**

9.1 The principal planning issues to be taken into account when determining this application are:

- The need for the proposal
- The location of the proposal / Landscaping
- The design of the proposal
- Traffic and highways impacts
- Flood Risk

9.2 The need for the proposal;

There is an ongoing need for nursery accommodation across Hertfordshire. This application seeks to provide a permanent nursery building to continue to fulfil this need. The current mobile nursery unit at the school has occupied the same site for more than 20 years and the building is now in poor condition. The new proposed permanent building will replace the mobile unit, providing a better quality education environment. Springmead School is in an area of Welwyn Hatfield where the provision of free early education places is only just sufficient to meet the community's need. Without the nursery building, there would not be enough free early education places for families in this area. In determining this application, it should also be taken into account that from September 2017 the new 30 hours free childcare is to be introduced wielding further pressure on availability of nursery places. The NPPF, Section 8, Paragraph 72 says that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It is therefore considered that the proposal is compliant with this policy and local Policy CLT10 (Nurseries and Childcare Facilities), in its delivery of nursery school places within the local area.

### 9.3 The location of the proposal / Landscaping

The proposed location of the new permanent nursery building is considered the most suitable as this is the site of the existing temporary nursery unit, to be replaced, which has already occupied this site for over 20 years. This location is still deemed the most appropriate due to its close proximity to the main pedestrian gate and the use of this site does not result in the loss or reduction of playing field. The site of the new building is designated as Urban Open Land (see appendix 1) in both the Welwyn Hatfield Local Plan 2005 and the emerging Local Plan (pre-submission draft 2017). Policy OS1 Urban Open Land states that the planning permission for development in these areas would not be granted unless it would:

- (i) assist in the maintenance or reinforcement of their function as essential open areas;
- (ii) be of a scale which did not compromise the value of the Urban Open Land or use of open space as defined in terms of its criteria; and;
- (iii) not result in the loss or reduction in size of any playing pitches, if the open land is used for formal recreation purposes, subject to the considerations set out in Policy OS2.

The Urban Open Land (UOL) designation covers the majority of the site including a part of the main school building. Areas not designated as UOL are the playground; the car park; and, the circulation loop used for access and parental drop off. These non UOL areas are considered unsuitable for the permanent nursery building as locating the building on the car park or playground would compromise the activities of the primary school and require these facilities to be moved onto land designated as UOL, and locating the nursery on the playground would result in the reduction or loss of hard play area, which would likely raise objection from Sport England. It would also result in the building being closer to residential properties.

It is therefore considered that there are no alternative sites for the building and the proposed location of the nursery building on the edge of the UOL designation is considered not to compromise the value of the UOL as a whole, as the remainder of the site will continue to function as a visual break within the urban area. Also, the proposed location does not result in the loss of any playing pitches.

Furthermore, contrary to Policy OS1, Policy R1 (Maximising the Use of Previously Developed Land), of the Welwyn Hatfield District Plan 2005 “requires development to take place on land which has been previously used or developed”. The existing mobile classroom has occupied this site for over 20 years and so the re-use of this site for the permanent nursery building is deemed to be in accordance with this policy. Therefore on balance it is considered that the minor impact on the UOL is outweighed by the provision of educational facilities.

The proposal does result in the loss of two sycamore trees as identified in the Arboricultural Impact Assessment, dated February 2017. These trees are too

close to the existing building and are causing damage. The removal of these trees will be off-set by the planting of four new trees and this can be secured by condition in order to comply with Policy R17 (Trees, Woodland and Hedgerows) and Policy D8 (Landscaping) of the Welwyn Hatfield District Plan 2005.

#### 9.4 The design of the proposal

The proposed building is in keeping with the character of the existing school building and would be clad in brickwork to match that of the existing school. The replacement building has a very similar footprint to the existing mobile nursery building, is single storey and would remain acquiescent to the main school building and is therefore considered to comply with both local and national policy regarding good design.

The building has been fully designed to comply with Part M (Access and Use of Buildings) of the Building Regulations and has clear access for wheelchair users, thus being in accordance with local Policy D9 (Access and Design for People with Disabilities).

The new building will fully comply with the Approved Document L2A; Conservation of Fuel and Power (New Buildings other than dwellings). It will be partially built off-site helping to minimise disruption to the school and therefore represents sustainability and is therefore compliant with local Policy SD1 (Sustainable Development).

#### 9.5 Traffic and highways impacts

Concerns have been raised by local residents regarding traffic issues, however vehicular access and parking will remain unchanged by this proposal and will not result in the increase of any staff or pupils to the nursery school; therefore it will not result in any additional vehicular trips or parking requirements.

#### 9.6 Flood Risk

The application site is located in Flood Zone 1 (low risk flooding) where the land has less than a 1 in 1000 annual probability of flooding. It is considered that the proposal would not give rise to any significant flooding and that surface water can be properly managed with a Sustainable Urban Drainage System (SuDs), which is to be considered further with details being submitted and approved by planning condition.

## **10. Summary**

In conclusion, although this proposal will result in the loss of a small area of designated Urban Open Land, there is a need for nursery school places in the area and the nursery school at Springmead School plays an essential role in meeting this need. Paragraph 72 of the NPPF recognises the great importance

placed by Government in ensuring that a sufficient choice of school places is available and that in making decisions, local planning authorities should give great weight to the need to create, expand or alter schools. Overall having taken the balance of all the issues and policy into account, it is recommended that planning permission should be granted subject to conditions as follows.

## **11. Conditions**

1. Time Limit
2. Approved Plans and Documents
3. Construction Traffic Management Plan
4. Hours of Work
5. Tree Protection
6. Landscaping
7. Surface Water Drainage System
8. External Lighting

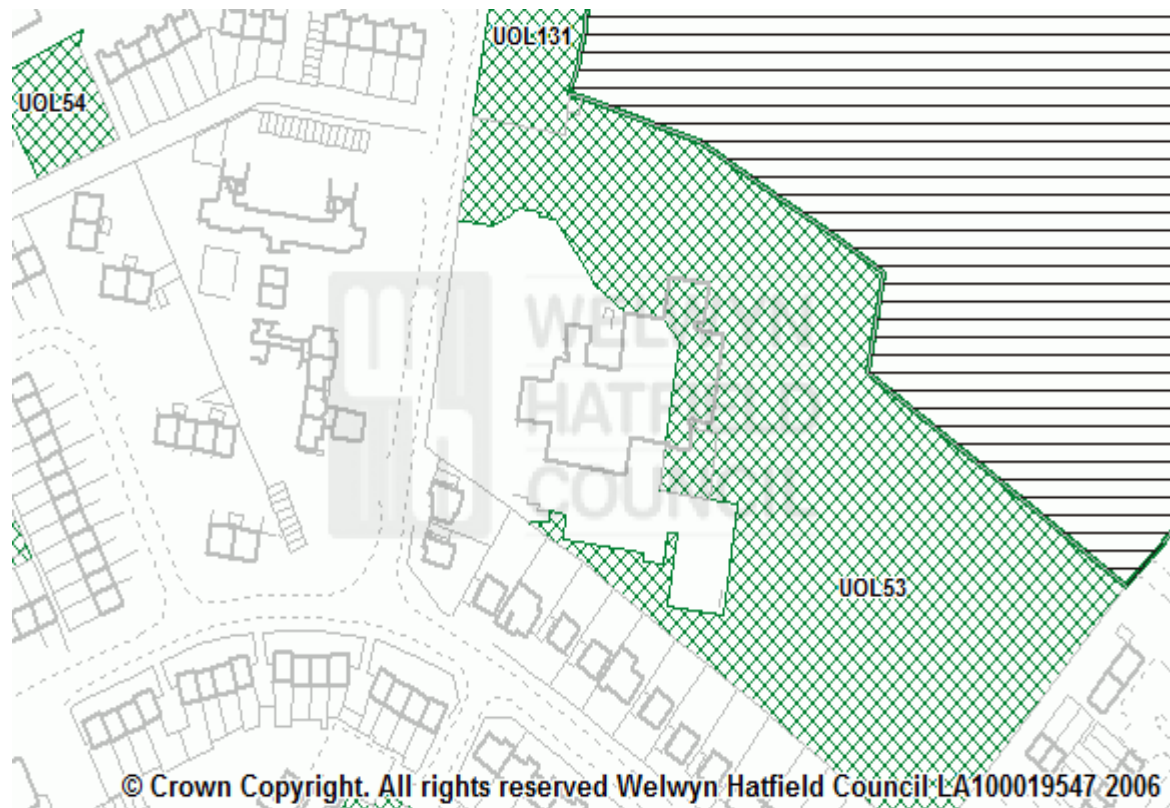
### **Background information used by the author in compiling this report**

Consultee responses

NPPF 2012

Welwyn Hatfield District Plan 2005

**Appendix 1 – Map showing designated area of Urban Open Land (UOL53)**



*Welwyn Hatfield Local Plan, adopted 2005*



## Appendix 2 – Welwyn Hatfield Council Objection in full



Colin Haigh  
Head of Planning

Ms Z Cook  
Postal Point CHN216  
Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
SG13 8DN

Reply To: address as below  
Direct Tel: 01707 357392  
Email: r.collard@welhat.gov.uk  
Our Reference: 6/2017/0462/COUNTY  
Your Ref: SLUP/CC01766/\*\*\*\*-17

3 April 2017

Dear Mrs Cook,

**Application for proposed replacement of existing mobile nursery unit with new permanent nursery building and covered play canopy at Springmead JMI School, Hilly Fields, Welwyn Garden City**

I write in connection with the above consultation request for the above site.

### Relevant Policies

Welwyn Hatfield District Plan 2005  
GBSP2: Towns and Specified Settlements  
SD1: Sustainable Development  
R3: Energy Efficiency  
R11: Biodiversity and Development  
D1: Quality of Design  
D2: Character and Context  
D8: Landscaping  
D5: Design for movement  
D9: Access and Design for people with disabilities  
CLT8: New and Extended Educational Facilities  
M14: Parking standards for new developments  
OS1: Urban Open Land

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005  
Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

Firstly the site in which the mobile nursery unit is located is on Urban Open Land in accordance with the District Plan 2005, therefore policy OS1 applies to the application. Very limited information has been submitted to justify the permanent loss of the urban open land and it is considered that all points within this policy should be addressed.

Welwyn Hatfield Borough Council, The Campus, Welwyn Garden City, Herts AL8 6AE  
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Policy CLT8 of the District Plan 2005 provides a list of criteria under which any extensions to education facilities should be considered. The considerations are as follows:

- i. They are situated close to centres of population and passenger transport services;
- ii. They provide opportunities for shared journeys, for example by school bus;
- iii. They provide facilities for the secure storage of bicycles for students and staff
- iv. The proposal complies with the Council's current car parking standards and there would be no adverse impact on the highway network including highway safety;
- v. Provision is made for the safety of students whilst being dropped off or picked up
- vi. There would be no harmful impact on the amenity of nearby residential properties and other uses; and
- vii. There would be no significant impact on the character of the area.

The following will consider the proposal against the four criteria listed above:

*(i) They are situated close to centres of population and passenger transport services*  
The proposal is sited in the east of Welwyn Garden City within the residential area of Panshanger. The existing building accommodates a pre-school and has a capacity for 60 pupils. The proposed replacement of an existing mobile nursery unit with a new permanent nursery building and covered play canopy would not result in an increase in the number of staff or pupils that attend the school. Public transport can be found close to the school site.

*(ii) They provide opportunities for shared journeys, for example by school bus*  
No details have been provided in relation to this, however as there is an existing nursery unit at the site this is unlikely to alter the existing arrangements as it would not increase the number of pupils or staff and therefore, would have no effect on journeys to the school, modes of transport or parking. No changes are proposed to the existing car park or access arrangements.

*(iii) They provide facilities for the secure storage of bicycles for students and staff*  
No details relating to cycle storage have been included on the plans, however it would be necessary to ensure that cycle storage facilities exist and no further spaces are required as a result of the proposal. In accordance with the Council's Supplementary Planning Guidance: Parking Standards 2004, 1 space is required per 10 full time members of staff and 1 space per 15 students.

*(iv) The proposal complies with the Council's current car parking standards and there would be no adverse impact on the highway network including highway safety;*  
There are currently 36 parking spaces on the site. Policy M14 of the Welwyn Hatfield District Plan requires parking provision for new development to accord with the standards in the Council's Supplementary Planning Guidance (SPG) on Parking

Standards 2004 which identifies a maximum requirement of 1 space per full-time member of staff plus 1 space per 100 pupils. No additional staff or pupils are proposed and consequently no additional parking spaces would be required. No additional parking spaces are proposed and it is therefore considered that the proposal would comply with Policy M14 and the Supplementary Planning Guidance, Parking Standards, January 2008. Pedestrian and vehicular access to the site would remain unaltered. This does not cause concern.

*(v) Provision is made for the safety of students whilst being dropped off or picked up;*  
The existing arrangements would remain in situ.

*(vi) There would be no harmful impact on the amenity of nearby residential properties and other uses;*

The application site is surrounded by residential properties. The classroom would be located in broadly the same location as the existing mobile nursery unit, sited forward of the main school building and on the opposite side of the road to properties located on Hillyfields. Consequently a permanent building would not impact on the amount of sunlight and daylight they receive. In addition it would have no greater impact on the privacy currently enjoyed by the adjoining occupiers than the buildings currently on the site. The proposal would not increase the number of pupils attending the school. Consequently it is considered that the noise levels on the site would remain the same and would, therefore, not be to an extent that would harm the amenity of adjoining occupiers.

*(vii) There would be no significant impact on the character of the area*

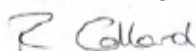
This application is for the replacement of an existing mobile nursery unit with a new permanent nursery building and covered play canopy. The existing building is not incongruous and although would be clearly visible within the public realm it is on a piece of land previously occupied by a mobile classroom and would be single storey in character with a flat roof.

Conclusion:

The proposal is therefore considered to be acceptable when assessed against Policy CLT8 of the Welwyn Hatfield District Plan 2005. However no information has been provided in relation to Policy OS1. Without this information Welwyn Hatfield Borough Council would object to the proposal.

I also request that all consultation responses received from Welwyn Hatfield residents are taken into consideration when assessing the above planning application.

Yours sincerely,



Ms R Collard  
Development Management Officer

## Appendix 3 – Hertfordshire Property Supplementary Note in Response to Welwyn Hatfield Objection

SPRINGMEAD PRIMARY SCHOOL, HILLY FIELDS, WELWYN GARDEN CITY,  
HERTFORDSHIRE, AL7 2HB

CONSTRUCTION OF NEW PERMANENT NURSERY BUILDING

SUPPLEMENTARY STATEMENT

### Background/Context

1. A full planning application has been submitted to Hertfordshire County Council for a permanent brick clad nursery building to replace an existing dilapidated mobile nursery at Springmead Primary School, Welwyn Garden City. The replacement building is needed in order to provide a better quality educational environment.
2. This statement provides information specifically regarding the site's Urban Open Land (UOL) designation. This note is supplementary to the Planning, Design and Access Statement and email between the applicant and the case officer dated 11 April 2017.
3. The site of the proposed new replacement building is designated as UOL in both the adopted Local Plan 2005 and the emerging Local Plan (pre-submission draft 2017).
4. The two plans below show the designation of UOL53. The current mobile (to be replaced) is not shown on the adopted local plan but is visible on the base map of the emerging local plan policies map:



5. The Local Plan is clear there is a presumption against development within areas designated as UOL. Local Plan paragraph 10.4 (a-g) identifies the key environmental, recreational, ecological, landscape and other amenity functions of UOL. Policy OS1 Urban Open Land states that planning permission for development within these areas will not be granted unless it would:
  - (i) assist in the maintenance or reinforcement of their function as essential open areas;
  - (ii) be of a scale which did not compromise the value of the Urban Open Land or use of open space as defined in terms of its criteria; and
  - (iii) not result in the loss or reduction in size of any playing pitches, if the open land is used for formal recreation purposes, subject to the considerations set out in Policy OS2.

### **Main Response**

6. The proposal is for a replacement nursery building on a very similar footprint to the existing mobile nursery classroom. The existing mobile nursery has been on the site with temporary permission(s) for over 20 years.

#### ***Site***

7. The site is considered to be the most suitable site for the building. The proposed site is in close proximity to the main pedestrian gate which provides easy drop-off and collection of children from the morning and afternoon sessions. The nursery has been in this location for over 20 years and meets the needs of the nursery without impeding the activities of the primary school.
8. The UOL designation covers the majority of the school site including a proportion of the main school building. The only areas not designated UOL are the playground; the car park; and, the circulation loop used for access and parental drop off. The non-UOL sites are considered unsuitable for the permanent nursery building. Locating the nursery on the site of the current car park or the playground would compromise the activities of the primary school and require these facilities to be displaced onto land designated as UOL. Notwithstanding the need to re-provide the playground in such an event, locating the nursery on the playground is not considered ideal as it would bring built form closer to residential properties
9. Locating the facility on an alternative school site is not considered an option. The facility is to serve the local community and the need for places is in the immediate area. The nearest alternatives schools are Sir Frederic Osborn School (secondary school) and Watchlytes Primary School. Both schools are also subject to UOL designations.

#### ***Scale***

10. It is considered that the modest scale of the development proposed will not compromise the value of UOL53 as a whole and the land will continue to function as a visual and physical break within the built up area. The activity of the facility is consistent with uses on the wider site (education) and the use of the site for the past 20 years (nursery).

#### ***Amenity***

11. The site has never been made available as informal space for either passive or active recreation. There are no plans to make the site available for public use. The previously developed nature of the site (temporary nursery) is such that it should not be considered to be of wildlife significance.

#### ***Playing fields***

12. The proposal will not result in the loss or reduction of any playing field, the schools playing fields are to the south east of the site. As stated above, consideration has been given to alternative non-UOL sites. A nursery on any other location on the school site could result in loss of hard play area or school playing field, which would likely raise objections from Sport England.

#### ***Emerging Local Plan***

13. It is noted that in the emerging Local Plan that land north of the school is to be an area for residential development (SDS1 North East of Welwyn Garden City), which will include new formal and informal open spaces for leisure and recreation (Policy SP

18). There is therefore no justification to prevent development on the site in order to preserve the site for future passive or active recreation.

14. Welwyn Hatfield Borough Council is at an advanced stage in preparing a new Local Plan. The Draft Local Plan Proposed Submission August 2016 (Regulation 19) recognises the role social infrastructure plays in creating successful communities. It is considered that the proposal for a permanent nursery on the site complies with the aspirations of the emerging local plan to meet local social infrastructure needs at a neighbourhood level.

15. In its representations on the Local Plan Consultation Document January 2015 (Regulation 18) HCC Development Services identified that Urban Open Land designation may act as a constraint and obstacle in being able to respond to the need to provide new, or to enhance existing, facilities. HCC requested that Urban Open Land designations on school sites be reviewed as part of the preparation of the Local Plan in line with criteria within paragraph 77 of the NPPF. The County Council is committed to working with Welwyn Hatfield Borough Council to support the emerging local plan and ensure the provision of infrastructure to support existing and new communities.

***Education Need***

16. Springmead School is in an area of Welwyn and Hatfield Borough Council area where the provision of free early education places for parents is only just sufficient to meet the communities need. If the community lost this provision the area would not have enough free early education places for families in this area.

17. The new 30 hours free childcare entitlement being introduced in September 2017 for working parents will increase the pressure exerted on availability of places in this community as the expectation is that demand for these additional places will be high. Consequently the community cannot afford to lose any existing provision and the need for permanent solutions / accommodation are paramount to meet the needs of this community. The application is to meet a permanent and ongoing need for nursery accommodation in the local area, as stated in the Design and Access Statement the previous mobile building has occupied the same site for over 20 years.

**Specific Policy Response**

18. The site is designated as UOL in the adopted and emerging Local Plan. The site is considered vital to the form, character and quality of the built-up areas of the district in terms of the urban open land criteria. Local Plan paragraph 10.4 (a-g) identifies the key environmental, recreational, ecological, landscape and other amenity functions of UOL. The County Council's response to the key functions of UOL is outlined below:

<b><u>Key function</u></b>	<b><u>Response</u></b>
<b><i>(a) The land is vital to the form and character of the built-up areas; or</i></b>	HCC recognises the importance of UOL in maintaining the form and character of the built-up area and functioning as a visual break. However there is a need for nursery school places in the area and the nursery at Springmead plays an essential role in meeting this need. There are considered to be no alternative sites for the nursery other than at Springmead Primary

	School and the site identified is considered the most suitable.
<i>(b) The land, in whole or part, provides an important visual and physical break within the built up area; or</i>	The location of the nursery is on the edge of the UOL designation and is considered not to compromise the value of the UOL as a whole as the remainder of the site will continue to function as a visual break within the urban area. There is a need for nursery school places in the area and the nursery at Springmead plays an essential role in meeting this need.
<i>C) The land contributes, in whole or part, to any wider green chain or open corridor; or</i>	The location of the nursery is on the edge of the UOL designation and is considered not to compromise the value of the UOL as a whole as the remainder of the site will continue to function as a visual break within the urban area.
<i>(d) The land is important or could in future be important, in whole or part as a local amenity in terms of its landscape qualities, its wildlife or ecological value, or its use as an informal space for passive or active recreation; or</i>	A nursery has been on the site with temporary permission(s) for over 20 years. The location of the nursery is on the edge of the UOL designation and is considered not to compromise the value of the UOL as a whole as the remainder of the site will continue to function as a visual break within the urban area. The site has no wildlife or ecological value. The site has never been made available as informal space for passive or active recreation nor will it in the future due to the site being a primary school.
<i>(e) The land, in whole or part, is of notable wildlife significance; or</i>	The site has no wildlife or ecological value.
<i>(f) The land is already identified by the County Council as Common Land; or</i>	The site is not identified by the County Council as Common Land.
<i>(g) The land is used as a formal space for active recreation.</i>	The site has never been made available as formal space for active recreation nor will it in the future due to the site being a primary school.

19. Policy OS1 goes on to state that planning permission for development within areas of UOL will not be granted unless it met three criteria. The County Council's response the criteria is below:

<u>Criteria</u>	<u>Response</u>
<i>(i) Assist in the maintenance or reinforcement of their function as essential open areas;</i>	Development on the site will result in the loss of a small area of UOL. There is a need for nursery school places in the area and the nursery at Springmead plays an essential role in meeting this need. The site

	has been used as a nursery for over 20 years and there is considered to be no alternative sites for the nursery other than at Springmead Primary School. Paragraph 72 of the NPPF recognises the great importance placed by Government on ensuring that sufficient choice of school places is available to meet the needs of existing and new communities. The NPPF recognises that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education.
<i>(ii) Be of a scale which did not compromise the value of the Urban Open Land or use of the open space as defined in terms of its criteria; and</i>	The location of the nursery is on the edge of the UOL designation and is considered not to compromise the value of the UOL as a whole as the remainder of the site will continue to function as a visual break within the urban area.
<i>(iii) Not result in the loss or reduction in size of any playing pitches, if the open land is used for formal recreation purposes, subject to the consideration set out in Policy OS2.</i>	The development will not result in the loss or reduction in size of any playing pitches. The site has never been made available as formal space for active recreation nor will it in the future due to the site being a primary school.

### Conclusion

20. Although within an area designated as UOL the site is considered the most suitable location for the reasons given above. As stated in the Planning Statement the existing mobile nursery classroom is considered to be a vital part of the running of the school. However, it is no longer in a condition that is suitable or appropriate for the accommodation and education of nursery children and it therefore needs to be replaced.
21. In determining the application we ask that the need to provide local nursery school places is considered against the site's UOL designation. Specifically, Paragraph 72 of the NPPF and with consideration of the emerging Local Plan which seeks to ensure infrastructure is provided to meet local social infrastructure needs at a neighbourhood level.

**Matthew Wilson**  
Principal Planning Officer  
Development Services  
Hertfordshire County Council