

Report of the Head of Planning & Enforcement Services

Address ST JOHNS SCHOOL POTTER STREET HILL NORTHWOOD

Development: Retention of additional classroom and assembly area with library for pre-prep school, together with first aid room and staff toilet, without complying with condition 4 of planning permission ref: 10795/APP/2001/1600 dated 21/11/2001 (which limited pupil numbers at the school to 350 and staff to no more than 40 FTE) to allow for the retention of the current staff numbers (65 full-time equivalent staff)

LBH Ref Nos: 10795/APP/2011/2627

Drawing Nos: 201
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Planning, Design and Access Statement, October 2011
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Date Plans Received: 26/10/2011 **Date(s) of Amendment(s):**

Date Application Valid: 26/10/2011

1. SUMMARY

Members may recall that an earlier application (10795/APP/2009/1560) to retain a single storey extension to the school which is sited within the Green Belt without complying with condition 4 of the original permission dated 21st November 2001 (10795/APP/2001/1600) which limited pupil and staff numbers at the school to 350 and 40 full time equivalent (FTE) respectively so as to allow current numbers of 405 pupils and 65 FTE staff to be retained was refused at the North Planning Committee on 29th April 2010. A subsequent appeal was dismissed. The School has however made a legal challenge to the Inspector's decision which is still pending.

Before the appeal was due to be heard, a further application was submitted with up-dated information (10795/APP/2011/91). This application was due to be considered at a special North Planning Committee meeting on the 9th March 2011, but the School withdrew the application before the committee could consider it.

A breach of condition notice was subsequently served on the 20th September 2011. This was also the subject of judicial review but this has now been quashed.

This application seeks to retain the single storey extension to the school whilst allowing the School to retain the existing 65 FTE compliment of staff only at the School. The School states that plans are in hand to reduce existing pupil numbers.

This application is therefore substantially different from the previous application. Furthermore, Counsel opinion has been obtained and they advise that the determination of this application will not affect the continuing legal effect of the BCN.

The Inspector dismissed the previous appeal due to traffic queuing on Potter Street Hill, which is prejudicial to highway and pedestrian safety and the free flow of traffic.

It is considered that adequate evidence has been submitted by the School to demonstrate that existing staff levels do not materially contribute to these traffic queues which only occur during peak parent pick up and drop off times. It is also noted that there is significant support from the wider community that St John's should be allowed to retain existing staff numbers.

The application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 NONSC Non Standard Condition

The total number of pupils at the school shall not exceed 350 and the total number of staff shall not exceed 65 full-time equivalent.

REASON

To prevent the generation of additional traffic that could give rise to problems of safety and congestion on the surrounding roads, in compliance with Policy AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 NONSC Non Standard Condition

The temporary car park/playground adjoining and accessed from Potter Street Hill shall not be used for staff parking.

REASON

In order to comply with the terms of this application in order to ensure that highway and pedestrian safety is not prejudiced, in compliance with policy AM17(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2009).

3 MCD1 Ancillary Uses

The floorspace hereby permitted shall be used only for purposes ancillary to the school and shall not be used by the general public.

REASON

To prevent the generation of additional traffic giving rise to problems of safety and congestion in Potter Street Hill, in accordance with policy AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Non Standard Condition

Within 1 month of the date of this permission, details of covered and secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved provision shall have been implemented on site within 3 months from the date of this permission and thereafter permanently retained.

REASON

To ensure that appropriate cycle parking facilities are provided, in accordance with policy AM9 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2009).

5 NONSC Non Standard Condition

Within 1 month of the date of this permission, details of the opening and closing times of the shared use playground/parents car park shall be submitted to and agreed in writing by the Local Planning Authority. The temporary car park shall thereafter be made available for car parking by parents in accordance with the approved details.

REASON

To ensure that the temporary car parking is available for appropriate periods during the peak morning drop-off and afternoon pick-up periods to safeguard highway and pedestrian safety, in accordance with policy AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 **Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

PPS1	Delivering Sustainable Development
PPG2	Green Belts
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
EC2	Nature conservation considerations and ecological assessments
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
R10	Proposals for new meeting halls and buildings for education, social, community and health services
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 7.16	(2011) Green Belt

3. CONSIDERATIONS

3.1 Site and Locality

St John's School is located on the western side of Potter Street Hill, near the top of the hill, close to the borough boundaries with the London Borough of Harrow and Three Rivers District Council. It is on a predominantly steeply sloping site between Potter Street Hill and Wieland Road to the west on the adjoining Gatehill Estate, with views over the lower ground to the south looking across a wide area of London.

The school comprises an original house dating from the 1920s, with purpose built school buildings constructed since 1970 sited towards the north of the site on an approximate 1.05 hectare area of relatively flat ground on which all the existing school buildings are sited. The main vehicular access to the school is also taken at this point from Potter Street Hill, with the main access road crossing the site, which links to Wieland Road through an arched entrance building. School buildings front the access road to the north and south, with a hard-surfaced playground/car-park immediately to the north of the main entrance on Potter Street Hill. The extension, the subject of this application is sited behind the buildings which front the northern side of the access road and the western side of the playground/temporary car park.

The extension is well screened from nearby residential properties to the west and Potter Street Hill is densely lined with trees which obscure views of the school from the east. To the north of the site there is one house with a view over the school complex.

Potter Street Hill is blocked to vehicular traffic at its northern end, adjacent to the northern boundary of the school. From its junction with Hillside Road/Potter Street to the south, the road has a footpath along most of its length on the eastern side, with the exception of a 150m long central section.

The school forms part of the Green Belt as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007). Part of the school grounds to the south also form part of a Nature Conservation Site of Borough Grade II or Local Importance.

3.2 Proposed Scheme

This application seeks to retain a single storey building for use as an additional classroom and assembly area with library for the pre-prep school, together with a first aid room and staff toilet, while allowing 65 full time equivalent staff numbers to be retained at the school, to enable existing staff numbers to be retained.

The building is sited to the rear of the school buildings which front the northern side of the access road and also return to front the playground/temporary car park to the east. The building is single storey and comprises an L-shaped main block, with a maximum width of 10.0m and depth of 18.25m and a maximum roof ridge height of 4.3m and 2.7m eaves height. This building projects by approximately 4.6m further north than the adjoining school building. A 6.6m square, 2.7m high flat roofed link extension provides internal access to the building from the adjoining school buildings abutting the playground/car park to the east. The covered play area is sited to the front of the link extension, within the courtyard formed by the surrounding buildings.

A planning, design and access statement has been prepared in support of the application. This describes the site and the surrounding area. It highlights that the total school site extends to 12.44ha of which 14% is the main developed area, playing fields account for 55% and woodland and nature conservation 31%. It goes on to describe access and

parking arrangements at the School, namely that the main access is from Potter Street Hill and an 'in' and an 'out' arrangement provides access to an area of car parking adjoining Potter Street Hill which has demarcated bays for 53 vehicles which is also used as a playground outside drop-off and pick-up times. It goes on to say that the access leads to the main staff parking area between the main buildings of which there are a total of 50 demarcated spaces with other small areas of parking used by staff that can accommodate a further 17 vehicles. There is also dedicated cycle and motorcycle parking areas and a turning and waiting space for coaches near the entrance.

The statement then describes the planning history on site. It highlights the Statement of Common Ground that was agreed between the School and the Council prior to the opening of the Inquiry when the Council agreed that there was sufficient parking on site for 65 FTE staff. The statement goes on to provide a breakdown of staff at the school and advises it has a complement of 35 teaching staff (34.4 fte), 10 teaching assistants (9.0 fte), 28 non-teaching staff (20.9 fte) to give a total of 73 staff (64.3 fte). It further advises that total staff numbers have been in the order of 60-65fte for approximately 10 years and that when the condition was imposed, it had approximately 60fte total staff and 40fte teaching staff, including teaching classroom assistants. The School therefore consider that the term 'staff' therefore did not include support and administration staff.

The Statement then goes on to advise that it has had 40-45fte teaching staff for the last ten years and currently has a pupil/teaching staff ratio of 1:9 which the School believes to be both the minimum and an acceptable ratio for a preparatory school with this age range. A similar ratio is found at St. Martins (Northwood) and Northwood Preparatory Schools. The statement goes on to advise that it would not be possible to run a school, 40fte total staff and that with a reduction to 350 pupils, at a ratio of 1:9, the School would still require 39fte teaching staff, together with support staff.

The statement goes on to advise that even if the School were able to reduce pupil numbers to 350 as of September 2012, the School, applying the 1:9 ratio would still require 39 teaching staff, ie a maximum reduction of around 6fte. However, in practice, this would not be achievable due to wide range of subjects taught at preparatory schools and use of subject specialist teachers. Only class sizes would reduce. At paragraph 4.10, the Statement advises that even with reduced pupil numbers, the need to maintain and clean the buildings and grounds, provide food, administration and other support would not significantly reduce.

The Assessment then goes on to deal with traffic issues and the impact upon the Green Belt. The assessment then goes on to consider the educational and financial implications of reducing staff numbers.

3.3 Relevant Planning History

Comment on Relevant Planning History

The original application (10795/APP/2001/1600) for the erection of additional classroom and assembly area with library for pre-prep school, together with first aid room and staff toilet was granted on 21st November 2001. Condition 4 of this application states:

The total number of pupils at the school shall not exceed 350 and the total number of staff shall not exceed 40 full time equivalent.

Reason:

To prevent the generation of additional traffic giving rise to problems of safety and congestion in Potter Street Hill.

10795/APP/2009/1560 - Retention of single storey building, without complying with condition 4 which limited pupil and staff numbers to 350 and 40 FTE respectively to enable the school to retain current pupil and staff numbers of 405 pupils and 65 FTE staff - Refused on 13th May 2010 and a subsequent appeal dismissed on 31st May 2011, although this decision is currently subject to judicial review.

10795/APP/2011/91 - Retention of single storey building, without complying with condition 4 which limited pupil and staff numbers to 350 and 40 FTE respectively to enable the school to retain current pupil and staff numbers of 405 pupils and 65 FTE staff - Withdrawn 3rd March 2011.

Other relevant building history at the school:

10795/AJ/91/714 - Erection of a two storey classroom block (including staff facilities) and associated car parking - Approved 29/11/91.

10795/AN/94/972 - Details of scheme of landscaping in compliance with condition 5 of planning permission ref. 10795/AN/94/872 dated 29/11/91 - Approved 23/06/94.

10795/AR/97/436 - Erection of a part two storey, part single storey detached building to provide assembly hall, four new classrooms, music practice rooms and toilets - Approved 10/06/98.

10795/APP/2009/199 - Erection of a two storey extension to existing junior school block to provide new teaching spaces and associated staff, toilet and cloakroom facilities, and erection of a single storey to dining hall/kitchen facilities to provide new storage and catering staff welfare facilities - Refused 06/04/09.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

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|--------|---|
| PT1.1 | To maintain the Green Belt for uses which preserve or enhance the open nature of the area. |
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.31 | To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps. |

Part 2 Policies:

- | | |
|------|--|
| PPS1 | Delivering Sustainable Development |
| PPG2 | Green Belts |
| OL1 | Green Belt - acceptable open land uses and restrictions on new development |
| OL4 | Green Belt - replacement or extension of buildings |

EC2	Nature conservation considerations and ecological assessments
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
R10	Proposals for new meeting halls and buildings for education, social, community and health services
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 7.16	(2011) Green Belt

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th November 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

128 neighbouring properties consulted, the application has been advertised as not being in accordance with the provisions of the development plan and two notices have been displayed on site. Individual responses have been received from 326 neighbours and interested persons, of which 8 object and 318 support the proposal. A total of 34 petitions have also been submitted, which includes an on line petition and 4 'petitions' which only have 19 signatures. These all support the proposal. The 'paper' petitions have a total of 1,013 signatories which increases to 1,089 with the 4 'petitions' with 19 signatures. The total figure rises to 3,009 with the on line petition.

The first petition in support has 104 signatories. Although no reason given on the petition, the covering letter states:

'The 104 undersigned are residents of the London Borough of Hillingdon, living close to the St John's School, Northwood site on the Gatehill Farm Estate. We support the School's planning application 10795/APP/2011/2627.

This application is a reasonable move to confirm the School's staffing numbers with regard to the total full-time equivalent (FTE) staff. We note the following:

* That this application is an open and transparent move to clarify total staff numbers, rather than

limiting such recognition to teachers only.

* This application is not an attempt to increase the overall staff body above its current number.

* This application is not an attempt to alter the footprint of the School's existing buildings and that the School is on record as having no such intention.

* The School has contacted local residents to explain its reasons for making this planning application.

* The original condition laid out by LB Hillingdon in 2001 did not distinguish between teaching staff and total staff. The School has provided evidence that the original condition was intended to refer only to teaching staff, not all staff.

* Teaching and non-teaching staff numbers remain in line with those provided by the school in 2001.

* Not all teachers drive to the School and those that do arrive and depart at different times to the pupils. Staff do not, therefore, contribute to traffic congestion in the surrounding area.

* St John's is simply seeking to provide staff numbers in line with comparable local schools, as evidenced in their application.

We therefore petition the members of the North Planning Committee to give consent to this application.'

A further set of 17 petitions have a total of 520 signatories. If 2 'petitions', both with 19 signatories are included, this increases to 558. The petitions all state:

'The undersigned are either residents of the Borough of Hillingdon, or parents of pupils being educated at St John's School, Northwood. We support the School's planning application 10795/APP/2011/2627.

This application is a reasonable move to confirm the School's staffing numbers with regard to the total full-time equivalent (fte) staff. We note the following:

* That this application is an open and transparent move to clarify total staff numbers, rather than limiting such recognition to teachers only.

* This application is not an attempt to increase the overall staff body above its current number.

* This application is not an attempt to alter the footprint of the School's existing buildings and that the School is on record as having no such intention.

* The School has contacted local residents to explain its reasons for making this planning application.

* The original condition laid out by LB Hillingdon in 2001 did not distinguish between teaching staff and total staff. The School has provided evidence that the original condition was intended to refer only to teaching staff, not all staff.

* Teaching and non-teaching staff numbers remain in line with those provided by the school in 2001.

* Not all teachers drive to the School and those that do arrive and depart at different times to the pupils. Staff do not, therefore, contribute to traffic congestion in the surrounding area.

* St John's is simply seeking to provide staff numbers in line with comparable local schools, as evidenced in their application.

We therefore petition the members of the North Planning Committee to give consent to this application.'

A further set of 6 petitions have been received with 3 x 20, 22, 29 and 47 signatories. Another 'petition' has 19 signatories. These all state:

'We, the staff at St John's School, Northwood, are under threat of losing teaching and non-teaching staff. A Council decision will be made in the next few days in which a number of us may lose our

jobs.

The main issue is that the Council feel that staff numbers have added to the traffic congestion on Potter Street Hill, which has caused a few local residents to complain.

We disagree with this because of the following points:

- * Most of the staff at the school do not use Potter Street Hill and therefore do not add to the congestion at all.
- * The vast majority of full-time teaching staff arrive well before the parents, and leave long after the end of the school day.
- * Parking is provided for all staff on the school premises, away from any parental traffic zones.
- * Some staff actually live on the school premises or are close enough to walk.
- * Teaching and non-teaching staff numbers have remained in line with those provided by the school in 2001.
- * St John's is simply seeking to maintain the current staff numbers in line with comparable local schools.

Without the current staff numbers, our school cannot continue to thrive and provide the boys with the opportunities to grow and develop into responsible members of the community. In the words of the latest ISI Report (Independent Schools Inspectorate Report): Boys.....in discussion with Inspectors.....were overwhelmingly supportive of their school.'

A further group of 4 petitions have been submitted with 64, 48, 20 and 30 signatories. Another 'petition' had 19 signatories. They all state:

'We support the School's planning application 10795/APP/2011/2627.

This application is a reasonable move to confirm the School's staffing numbers with regard to the total full-time equivalent (fte) staff. We note the following:

- * That this application is an open and transparent move to clarify total staff numbers, rather than limiting such recognition to teachers only.
- * This application is not an attempt to increase the overall staff body above its current number.
- * This application is not an attempt to alter the footprint of the School's existing buildings and that the School is on record as having no such intention.
- * The School has contacted local residents to explain its reasons for making this planning application.
- * The original condition laid out by LB Hillingdon in 2001 did not distinguish between teaching staff and total staff. The School has provided evidence that the original condition was intended to refer only to teaching staff, not all staff.
- * Teaching and non-teaching staff numbers remain in line with those provided by the school in 2001.
- * Not all teachers drive to the School and those that do arrive and depart at different times to the pupils. Staff do not, therefore, contribute to traffic congestion in the surrounding area.
- * St John's is simply seeking to provide staff numbers in line with comparable local schools, as evidenced in their application.

We therefore petition the members of the North Planning Committee to give consent to this application.'

Another petition was signed by 69 pupils at the School. This states:

'The undersigned are pupils of St John's School and as such are educated in the Borough of

Hillingdon. We support the School's planning application 10795/APP/2011/2627.

This application is a reasonable move to confirm the School's staffing numbers with regard to the total full-time equivalent (fte) staff. We note the following:

- * That this application is a move to clarify total staff numbers.
- * This application is not an attempt to increase the overall staff numbers.
- * The original planning condition laid out by London Borough of Hillingdon in 2001 did not distinguish between teaching and non-teaching staff.
- * It is our understanding that the original planning condition laid out in 2001 intended to limit teaching staff numbers and did not include non-teaching support staff.

We therefore petition the members of the North Planning Committee to give consent to this application.'

The on line petition has 1,920 signatories. This states:

'We, the staff at St John's School, Northwood, are under threat of losing teaching and non-teaching staff. A Council decision will be made in the next few days in which a number of us may lose our jobs.

The main issue is that the Council feel that staff numbers have added to the traffic congestion on Potter Street Hill, which has caused a few local residents to complain.

We disagree with this because of the following points:

- * Most of the staff at the school do not use Potter Street Hill and therefore do not add to the congestion at all.
- * The vast majority of full-time teaching staff arrive well before the parents, and leave long after the end of the school day.
- * Parking is provided for all staff on the school premises, away from any parental traffic zones.
- * Some staff actually live on the school premises or are close enough to walk.
- * Teaching and non-teaching staff numbers have remained in line with those provided by the school in 2001.
- * St John's is simply seeking to maintain the current staff numbers in line with comparable local schools.

Without the current staff numbers, our school cannot continue to thrive and provide the boys with the opportunities to grow and develop into responsible members of the community. In the words of the latest ISI Report (Independent Schools Inspectorate Report): Boys.....in discussion with Inspectors.....were overwhelmingly supportive of their school.'

Individual Responses

Objection comments:

- (i) The description of the development is wrong - it states the original application was dated 21/11/2011 which should read 21/11/2001,
- (ii) This application is vexatious and frivolous, the subject matter has already been considered by the Council and ultimately rejected by the Planning Inspectorate,
- (iii) Application contravenes the Breach of Condition notice that has been served,
- (iv) Potter Street Hill is narrow, steep and winding which is totally unsuited to the level of traffic that the school generates which includes multiple trips by school coaches on a daily basis. Traffic is chaotic and dangerous and results in around 40 cars queuing on a daily basis which blocks the

road. This results in conflict with residents and pedestrians, with drivers being rude and threatening with the hooting horns trying to get parked vehicles and pedestrians off the road when parked cars and the lack pavement space gives them no alternative. The intervention of the Headmaster and the school caretaker has had no/little impact. There has been a number of accidents recently, and on one occasion, an emergency vehicle could not gain access unimpeded. Staff are contributing to traffic congestion and this is having a material impact on highway and pedestrian safety which was upheld by the Planning Inspectorate. (photographs showing traffic have been submitted),

(v) School is placing traffic cones on the highway in an attempt to manage the very significant traffic congestion which is not their remit or responsibility and further narrows the road (photograph supplied),

(vi) Refute school's claim that there is adequate parking on site. The parking fails to meet the Council's adopted standards in terms of marking of spaces, bay sizes, manoeuvring space and disabled spaces, suggesting site/use is overcrowded and resulting in many staff and visitors having to park for long periods on Potter Street Hill,

(vii) School does not meet standards for cycle parking spaces. There should be at least 100 at the School. Both the School and LPA can not continue to ignore this requirement,

(viii) Staff are more likely to drive to school so incidence of roads usage and parking problems likely to be higher,

(ix) The increase in full time equivalent staff is very significant, 40 to 65 equals an increase of 63%. However, real increase is more as many staff are part time. In recent Financial Audit accounts, school had a total of 81 staff, hence new staffing level is plus 81%,

(x) Staff also add to congestion. There are over 80 staff currently at the School and a reduction in staff numbers to 40FTE would almost halve journeys by staff and thus reduce traffic congestion and improve vehicular and pedestrian safety,

(xi) In paragraph 4.4, School claims a pupil:teaching staff ratio of 9:1 is regarded as a minimum and acceptable ratio but by whom? They only provide comparables with 2 other independent schools and jump to conclusion that can not operate at higher ratios. By contrast, the Education Review Trust in a recent court case based on much larger sample size showed that the average ratio in private schools was 11.2 and in state schools it was 21.3 (compared to an OECD average of 23.7). The ratio is 26.2:1 in state maintained primary schools and 20.9:1 in secondary schools. Even if we were to accept a 'minimum' desirable ratio of 11.2 (which we do not), this would mean a necessary staff compliment of 31.25 FTE teachers. This compares with current teaching staff at School of 43.4 FTE teachers. A reduction of 12.15 teaching staff is easily possible to reach average ratios in the independent sector and as an average, there must be many independent schools operating with much higher ratios. For instance, independent schools in Bury had ratio of almost 20:1 in 2006, Gateshead has 14.3:1 and Portsmouth 14:1,

(xii) With 350 pupils and 40 FTE staff, staff ratio is 9:1. Most independent schools operate comfortably on 9:1. This application would be for ratio of 5:1, nearly double that of comparable independent schools so the school's argument that they can not operate with fewer teachers is false,

(xiii) Clear from reading the original files that the condition limiting numbers was so fundamental that without it, permission would not of been granted,

(xiv) Permission effectively limits total numbers at the school to 390 people. Whether the numbers comprise pupils or staff is not a planning matter - the total number of people on site is the relevant planning point. If for operational reasons, the school considers that it cannot operate with less than 65 staff, then it can still comply with the condition by reducing by a corresponding amount the number of pupils,

(xv) Refute school's contention in paragraph 1.3 of the Planning, Design and Access Statement that "neither the Council nor the Planning Inspector at the planning appeal raised specific objections to the retention of the staff numbers". Both did and ultimately rejected the school's application which specifically included an application to retain staff numbers,

(xvi) Object to the schools contention at paragraph 1.4 regarding meaning of staff. Staff can only have one meaning, ie all people working at the school. Any other interpretation is meaningless. Whether staff are teachers or other staff is not a material planning consideration but an operational

issue for the school. Headmaster at the time of original permission referred to 32 full time and 13 part time staff which includes non-teaching staff,

(xvii) Staff numbers submitted by the School are not reliable, repeating the false and misleading statements made by the school in earlier applications. Numbers currently submitted with the application do not tally with other independent sources. For example, the Charities Commission report 60 staff. On the other hand, statutory accounts filed by the School declare 81 staff for 2009 and 80 for 2010. In the schedule provided by the School in 6.10, there are 73 staff,

(xviii) Refute school's claim at 1.5 that it cannot operate with 40 FTE staff in total even if pupil numbers reduce to 350. School operated adequately in the past with fewer staff so to argue now that this can not be done is disingenuous. No evidence has been submitted to support school's claim that "the educational and economical damage arising from forcing the school to reduce staff could make the school incapable of operation altogether. Quality of education influenced by many factors and not just teacher:pupil ratio,

(xix) Staff reductions could include non-teaching staff which would have negligible effect on quality of teaching at the School. In 6.10, the School has given a breakdown of 35 teachers, which if all were to be retained would give a teacher:pupil ratio of 1:10 following the reduction in pupils to 350. School states that there are 21 FTE non-teaching staff comprising 28 individuals with 10 teaching assistants, 2 administrative staff, 7 cleaners, 8 catering staff, 2 maintenance, 4 grounds, 2 IT and 2 DT & art staff. Teaching assistants are not qualified teachers so a reduction of 25 FTE could easily be achieved from these categories of staff by for example outsourcing the cleaning and made out of hours, not serving or reducing choice of hot meals etc.,

(xx) Research suggests that average fees in independent schools rose by more than 40% since 2003 and that class sizes in some schools must increase to keep fees under control and secure the future of the school, fuelling need for lower pupil/teaching ratios. Otherwise, higher costs would mean some schools are pricing themselves out of the market,

(xxi) State sector harmed by loss of experienced teachers to the private sector. Private schools also increasingly take on newly qualified teachers, thus reducing supply available to state sector (private sector took nearly 8% of newly qualified teachers in 2006). Independent sector employs approximately 13% of teachers but teaches only 7% of children. Retaining higher teacher numbers at a 5:1 ratio is against the public interest. There is a shortage of good teachers, particularly in certain subjects where private schools can use premium pay to attract staff. Teacher reduction here would benefit the wider community,

(xxii) Teachers are trained at the taxpayer's expense so that smaller teacher numbers would reduce the state subsidy as the private sector does not train or give experience to teachers themselves. This would reduce the state subsidy already going to this enormously wealthy private school,

(xxiii) School have previously insisted they could not afford to run with fewer pupils. The reduction in pupil numbers without a corresponding reduction in staff numbers could threaten financial viability of the School and result in pressure for School to maintain pupil numbers,

(xxiv) School has an appalling record of breaching planning conditions. There is legal precedent to suggest that school should not benefit from these breaches,

(xxv) The school seeking to remove the condition now is clearly incorrect. The application should be rejected on legal grounds,

(xxvi) It would appear from school records that increase in pupil numbers did not lead to rise in staff numbers and they never had any intention of complying with the condition,

(xxvii) To date, have not received notification of the application and various notices give different dates for receipt of responses,

(xxviii) Refute assertions made by School in Paragraph 4.9 that a reduction in pupils would not reduce the number of classes and lessons to be taught. School could consider moving nursery to Merchant Taylors site as was their original plan in 2002 and/or limit pupils to 11 yrs old with 12 and 13 year old boys being educated elsewhere (again, possibly Merchant Taylors) which could reduce teacher numbers,

(xxix) Charities Commission is challenging the charitable status of all independent schools. In reality, this is a profit making organisation that seeks to maximise profits at the expense of planning

principles and guidelines,

(xxx) What section has this application been made,

(xxxi) Errors in application regarding the description of the site. The site itself is Grade II Importance and the adjoining Potter Street Hill golf estate is a conservation area,

(xxxii) Applicant has previously admitted there are 17 informal car parking spaces which presumably means they do not have permission, which are inappropriate within the Green Belt and contrary to policies and objectives of the UDP which seek to reduce and manage additional demand for movement and RPG3 which sets maximum levels of car parking. On a previous application, Highway Engineer clearly questions whether the overspill parking has planning consent and this has not been confirmed,

(xxxiii) Overspill parking at both peak and non-peak times suggesting that this may be due to some staff parking on Potter Street Hill, resulting in pedestrian and highway safety issues,

(xxxiv) Education is an important consideration and whilst there are some benefits enjoyed by a few pupils from the independent sector, these are in the main limited to a mainly privileged upper middle class and rich families. Data from School's own travel plan shows the vast majority of pupils who attend St John's come from outside Hillingdon and the vast majority travel by car as there is no public transport to this site,

(xxxv) From a simple mathematical perspective, 40 staff out of 390 (350 pupils plus 40 staff) represents 10% of the journeys attributable to staff which contradicts the School's unfounded assertion at Paragraph 6.15 that staff account for only 6.6% of traffic movements. If instead there were 65 staff, the percentage of car journeys attributable to staff would be 65 out of 415 (350 pupils plus 65 staff) or 15.7%. This is a significant increase so the impact of staff numbers on Green Belt and traffic generation is large and significant and reduction in 25 FTE staff numbers would have a significant and beneficial reduction of at least 200 car journeys to this site each week,

(xxxvi) Do not agree with School's view expressed at 6.23 that the parking does not amount to inappropriate development. Despite building being immune from enforcement, the application still has to be considered afresh as a whole, (including the building) and the fact that the building is now immune from enforcement should not weigh in favour of the applicant,

(xxxvii) This is inappropriate development in terms of PPG2 and no very special circumstances exist to justify the development. Schools no longer enjoy any preferential treatment in PPG2 terms. School is too big for the site and represents overdevelopment in the Green Belt. Additional informal car parking spaces are one example. A proper interpretation of the guidelines in PPG2 and leading case law shows that any development that has an impact on adjoining neighbourhoods is a material planning matter,

(xxxviii) Council's policy is not to rely on privately run facilities to secure the educational facilities required in the locality. In any event, there are surplus spaces in the state schools which have additional capacity of over 8%,

(xxxix) Education Review Group state that independent schools have changed and become ever less charitable with each passing decade. Many independent schools originally established to educate poor boys and girls prior to the creation of the state education system,

(xxxx) Applicants claims about bursaries is questioned as these should be to meet a charitable need. Of the 7 bursaries given, no details are given and whilst School claim 5% of gross fee income is set aside for bursaries, in most cases, class sizes could be increased by 1 or 2 pupils for minimal cash cost,

(xxxxi) School has drifted from its charitable mission. Building of golf course is a case in point. Main reason for improving facilities is to compete for pupils from affluent families,

(xxxxii) Education seen as an essential tool in tackling inequality and enabling social mobility, but structures and dynamics of educational systems can inhibit and prevent social mobility. Independent schools create cycle of advantage, reinforcing inequalities across generations, thus impeding social mobility. Any institutional structure that encourages the separation of committed, able or socially/ economically advantaged pupils from their peer group causes a risk of harm to the majority of children who remain at other schools. The UK's fragmented education system has been described as 'educational apartheid.'

(xxxxiii) Private sector targets pupils with particular aptitude, whether academic, in music or sports,

thwarting the development of school specialisms and centres of excellence in the state sector. This has a positive effect on the school's reputation through league tables and other mechanisms, allowing them to 'compete' more successfully for fee-paying pupils,

(xxxxiv) There is a shortage of good teachers and therefore the majority of the staff would easily find alternative employment,

(xxxxv) The 2010 audited accounts for the School shows total employee costs of approx. £2.6m for 80 staff (57 full time and 23 part-time). A reduction of 55 pupils will income of circa £600,000 per annum and a reduction of 25 FTE staff will reduce costs of a similar magnitude

(xxxxvi) School, threatening potential closure if it is to reduce staff numbers is a fallacy - the School, even with lower pupil numbers is a very profitable business and will continue to thrive once it grasps that it has to comply with the law and reduce both pupil and staff numbers,

(xxxxvii) This is greed and School is never going to be satisfied,

(xxxxviii) Traffic congestion on Potter Street Hill is putting off potential buyers,

(i) School's stated hours of opening are 07:30 to 18:00 hours, Mondays to Fridays and occasional use on Saturdays, till 13:00, but school gates open well before 07:00 for large food lorry to deliver at around 06:45, parents start arriving well before 07:30 to drop off children, cars still arrive well past 18:00 and school is used on Sundays from 09:00 to 13:00 hours, teachers known to work till 23:00, school clubs finish after 21:00. This unlawful activity is causing additional noise and general disturbance to residents,

(I) Higher pupil and staff numbers has led to generation of other activities such as plays, concerts, sports matches, holiday camps etc. which has led to additional traffic, disruption and detriment to the residential amenities of residents on Potter Street Hill. Cars also park at such times on Gatehill Estate,

(ii) An unlawful building has been erected by the School, which is again evidence of the intensification of the use due to pressure from higher staff numbers,

(iii) School has lost its S288 action in the High Court. This has confirmed at highest level of legal authority that staff numbers means all staff employed at the school and not just teachers as the School argued and upheld Planning Appeal Inspectorates conclusions that traffic and safety considerations were very relevant and Council was right to strike the balance in favour of public interest, thus High Court has supported the view of the need for total reduction in numbers for safety reasons - strongly urge refusal of this application,

(liii) School has sent round a circular urging parents to write in and guiding them on what to say. The letter is misleading as the facts are incorrect and response should be discounted,

(liv) Signage has been erected at rear entrance,

Supporting comments

(i) School is a business and does not employ staff unnecessarily and needs current staff levels for high quality education and pastoral care, together with grounds and building maintenance, catering, administration and other vital services. The need for non-teaching staff is often independent of pupil numbers. Even reducing to 350 pupils, School could not operate successfully with 40% less fte staff which would reduce the high standards of educational achievement and could put the School's very existence in jeopardy which is foolish and irresponsible.

(ii) If school did have to lose ground and maintenance staff, no doubt some residents would object when school became tired and unkempt,

(iii) FTE is not a useful measure as could have alot more staff working less hours in the day which could dramatically increase traffic,

(iv) Proposed staff to pupil ratio with 40 fte teaching staff and 350 pupils would be 1:9, commensurate with ratios found at other local schools with similar pupil numbers. Harlyn Primary School for instance, is a Hillingdon school and has 62 staff for 369 pupils,

(v) Planning application not seeking to increase staff above their present figure, just continue current levels which have been similar since 2001 when the original condition imposed,

(vi) There appears to have been confusion over meaning of staff as inconceivable that Council would have allowed building to go ahead in 2001 whilst attaching this condition and then not taking

remedial action to reduce staff numbers by 40% to ensure compliance. Not surprising the view was taken that the 40 fte only applied to staff numbers. This could be seen as estopping the Council from enforcing,

(vii) School could not have operated with a 40 fte staff compliment back then. Why seek change now when school operated before and some 8 years after the 2001 permission with similar staff numbers with no problems/complaints.

(viii) Current footprint or format of the School will not be changed,

(ix) Many of staff, possibly as much as 50%, do not use Potter Street Hill entrance. Also, vast majority of staff arrive and depart the school at different times of the day than the pupils, with teachers contractually obliged to be at the school when pupils are. Some staff walk/cycle to school, others car share and 5 live on site. There is also sufficient parking within the school grounds. School staff therefore do not contribute to congestion or park on Potter Street Hill and reducing staff numbers will not alleviate queues (photographs supplied),

(x) School staggers pupil drop off and pick up times, with older boys starting earlier and leaving later to ease congestion and ensure car park is fully utilised by parents. There are also many well attended extra curricular activities,

(xi) Reduction in 25 staff would not be significant in terms of alleviating traffic congestion,

(xii) St John's is an excellent school and has been an asset to the Northwood community for more than 50 years which it has and continues to support in many ways from excellent education, turning out capable and well behaved boys, employment in the local area and charitable works, such as raising funds (some £136,900 over last 9 years), working links to local elderly care home and special needs school and helping out at community events. Vital to School, community and reputation of area that application is passed,

(xiii) Reduction of pupil and staff numbers at the school will greatly increase pressure on local state and/or independent schools, including their special needs provision, which are often very pressurised at present. Traffic congestion will also increase at these sites, thereby not solving problem, just shifting it elsewhere. The Council has gone on record to state that there is a shortage of primary school places in the Borough. Alternative staff and pupil places need to be provided by the Council, including those for the more vulnerable for all those displaced,

(xiv) St John's is arguably the best Preparatory school in the county, possibly the country and received an outstanding Ofsted report last year. It is heavily oversubscribed' indicating support it enjoys in the wider community. The high pupil:staff ratio and commitment of all the staff are the drivers of this success,

(xv) St John's is completely independent and requires no support from the Council,

(xvi) In times of economic difficulty with 2 million out of work, it is incredulous that cutting 25 jobs is even being considered, together with the unnecessarily anxiety that this causes. To put any member of staff out of work because of this issue would be a travesty of justice. Older and more experienced staff will find it harder to find new jobs when cheaper to employ younger teachers. This is not a good use of planning powers which will reflect badly on Hillingdon - both locally and nationally,

(xvii) Reduction in staff/pupil numbers is excessive when alternative solutions could tackle the limited congestion, such as car pooling. Some parents are willing to set up car pools, whereby one parent picks up 3 or 4 boys each day, thereby reducing amount of traffic,

(xviii) The School may not have handled the overall situation very well, but consequences of refusing application need to be considered very carefully and hopefully common sense will prevail at the next meeting,

(xix) Reduction of pupil and staff numbers could be extremely disruptive for all concerned, including reduction in academic performance at school which has taken years to build up and a detrimental impact on pupil's education, both those retained and displaced which is paramount. Human rights of staff and pupils need to be considered. Pupil numbers should only be reduced if schooling of existing pupils is not affected and adjustments happen on reasonable time frame,

(xx) This is a planning debacle wasting much time and resources which is shocking when there is only a small but vocal number of ill-informed and irresponsible local residents who oppose the school's application as compared to the vast majority who fully support the school,

(xxi) Traffic in recent months has been made significantly worse by cars/vans/skips parked/positioned outside houses on Potter Street Hill, despite these properties having ample parking on their large empty drives, which disrupts the normal two-way traffic flow. It would appear that much of this could be deliberate and orchestrated to exacerbate the problem, as cars do not park on the road so frequently during school holidays, some residents have been seen moving their cars onto the road just before peak times and instruct visiting trades people to park on road. The few people complaining are contributing to problems and then photographing the results for own personal ends,

(xxii) Unlike most schools, there are no parking restrictions outside school which would prevent parking on the road near the school entrance,

(xxiii) Unless residents decide to park outside their houses, there is only congestion coming up the hill to get into the School, leaving the side of the road adjoining the houses clear so residents are not obstructed,

(xxiv) Very many examples where buildings in breach of planning conditions and/or without consent, in particular the extensive use of sheds as living accommodation where breaches cause far greater harm for those living in these areas. Have rarely seen such heavy handed enforcement action as that being taken here,

(xxv) Reduction of pupil numbers which the School has undertaken to do will be sufficient to reduce traffic on Potter Street Hill,

(xxvi) Council is prejudiced against fee paying schools. If Council secretly trying to close the school, should be honest and say so,

(xxvii) School has well maintained grounds due to ground staff that enhance the character of the area and amenity of adjoining properties. St John's has not tried to overcrowd its grounds and has plenty of fields, woodland, ponds and has just planted 400 trees so cares about its environment, surrounding community and benefits the area,

(xxviii) School, as of last year, has won awards for their work undertaken through the School Travel Plan putting various strategies into place to improve traffic flow and will continue to work with residents to alleviate traffic problems. It has also set up an eco-council with pupils to reduce use of the car and encourage alternative means of getting to School,

(xxix) Schools, like all successful enterprises, will grow and population growth increases the need for schools places and staff numbers. The school probably existed before the majority of the residents arrived so that residents should have been aware that a school operated in the area which was likely to expand when they bought their properties. Houses adjoining schools are often discounted to reflect any inconvenience from school traffic,

(xxx) If every objection/complaint against a school or hospital in Hillingdon taken so seriously would set dangerous precedent and most schools and hospitals would have ceased to exist,

(xxxi) Properties on Potter Street Hill are large and residents here should not be given special treatment. If they do not like the current situation they can easily afford to move,

(xxxii) Vast majority of parents at the school struggle to pay the school fees and can only manage this by sacrificing bigger homes, holidays etc.

(xxxiii) As local residents living close to the school, do not have any issues with traffic or other activities at the school and this fine establishment has a very positive impact on the area,

(xxxiv) London is crowded and there are traffic problems almost everywhere associated with the school run. Compared with other schools in the area, such as Northwood School, Pinner Wood School, Hillside Primary School, Newnham Infant & Junior Schools, Northwood College, St Helens and St Martin's, St John's is a small school which benefits from a parents car park, the traffic is much less than surrounding schools and generally flows relatively freely and has a very minimal impact on Potter Street Hill. Safety record of St John's is also exemplary, unlike other schools where there have been serious accidents and fatalities. Residents on Potter Street Hill are being petty and are overreacting,

(xxxv) As Potter Street Hill is a cul-de-sac, traffic does not affect the wider traffic flow in the area,

(xxxvi) Lack of a continuous footpath on Potter Street Hill is more dangerous than the amount of traffic using it,

(xxxvii) Council's planning officers supported previous application,

(xxxviii) Improving the quality of education is a primary policy of both central and local governments. Current social make-up needs to be strengthened and reduction of numbers at the school goes against the Coalition Government's vision of the 'Big Society',

(xxxix) Condition restricting pupil and staff numbers should never have been applied in the first instance. Other schools do not have such restrictions, even those that cause more traffic congestion such as Haydon School. Council should not be discriminatory,

(xxxx) Drop off and collection at the school is a smooth process since the practical measures taken by the school,

(xxxxi) Reducing staff numbers may increase sub-contracting at the site which may increase traffic,

(xxxxii) The Council's failure to act on the breach of the 2001 permission for such a considerable length of time is a strong argument in favour of the school on the current application,

(xxxxiii) During school holidays, ie 15 weeks a year, no traffic on Potter Street Hill,

(xxxxiv) If ceased to be a school, site would be re-developed and this could generate more traffic,

(xxxxv) Queues on Potter Street Hill at Peak times often due to a number of contributory factors, including resident's delivery vans, resident's parking on road and refuse collections,

(xxxxvi) Many people move to area because of St John's School and this a big selling point for local properties,

(xxxxvii) Parents and School ensure that disturbance to residents is kept to a minimum

(xxxxviii) A few local residents have an axe to grind with headmaster and bursar,

(ii) St Johns has been very accommodating so that I can teach and also care for my disabled sons. If made redundant would not be able to find alternative employer prepared to offer same working conditions and concessions so likely that would not be able to afford the mortgage on my house which has been specially adapted to meet the needs of disabled son,

(i) School is already taking steps to reduce pupil numbers

(ii) At the recent planning appeal, the Inspector agreed, as did the Council, that there is sufficient parking within the site for the current numbers of staff,

(iii) Potter Street Hill used to be a through road leading to Watford but is now a cul de sac, so the daily volume of traffic has in any case been greatly reduced,

(iiii) As a teacher that lives on site, could loss my accommodation, not just my job,

(iv) Over the years, have had nothing but praise for Hillingdon Council, but now its judgement has to be seriously questioned,

(v) Urge the Council to reconsider the BCN served on the School,

(vi) Council and Government should be investing in better road infrastructure to support institutions like St John's and not seek to curtail their investment,

(vii) The objections of a few residents to short-lived traffic queues on Potter Street Hill does not come close to providing adequate justification to loss 25 jobs,

(viii) As a member of the Pinner Hill Residents' Association, I do not agree with the Association supporting the few residents on Potter Street Hill who object to this application,

(ix) Many compromises could be reached, such as moving nursery back off site - 80 less cars up and down Potter Street Hill, 20 less children and at least 3 less staff, increasing size of existing School car park or converting one of sports grounds at the lower end of Potter Street Hill into a drop-off car park so that older boys can walk up a safe path, reducing traffic on Potter Street Hill,

(x) Council Plan states it wants 'a borough of learning and culture'

(xi) Bad enough that 40 potential pupils will be denied the opportunity of attending this school. Any reduction in staff numbers and resultant loss of pupils would have a massive impact on local businesses,

(xii) Council should ensure footpath the whole length of Potter Street Hill is provided, install zebra crossing, provide bus routes, no parking zones and roads are gritted so people can walk safely before considering this draconian measure of making 25 people redundant

(xiii) All residential building over last 10 years would have placed additional pressure on local schools. How can the Council be so liberal with the granting of permission for new housing which adds to congestion on the one hand, whilst seeking to enforce the BCN which is clearly against the interests of the wider community,

(xiv) Decision could affect 1,000 voters directly for the claimed benefit of only a few,

- (I xv) Most working people will have left before the morning congestion and return after the evening congestion,
- (I xvi) Living within 150 yards of the School and using Potter Street Hill at all times of the day, there is no traffic queuing on the approach to the School other when residents have deliberately parked a car or positioned a skip,
- (I xvii) Tried to access original 2001 planning file but only available by post so would not receive it until too late,
- (I xviii) Why has Council wasted good money taking this to court when on three icy mornings, my road is ungritted?
- (I xix) Huge percentage of boys from St John's go on to many great schools high in the top 100 schools in England,
- (I xx) As regards Grammar Schools, Government has plans to prevent local authorities retaining control over their expansion and will allow them to expand and take on extra pupils after ministers abandoned plans to let hostile local parents object as the number of places in a school are best determined by the schools themselves,
- (I xxi) Concerned about changes to speaking rights at committee,
- (I xxii) Not all responses have been logged at the Council,
- (I xxiii) Education is dynamic and constantly changing and staffing levels need to be flexible,
- (I xxiv) As Headmaster of Orley Farm School, I can advise that staffing levels sought are not excessive,
- (I xxv) Pinner Hill Residents' Association Code of Conduct clearly states that residents should not leave their cars or skips on the road,
- (I xxvi) St John's School, through the Merchant Taylor's Educational Trust provides indirect support to the Harefield Academy through substantial financial contributions and guidance,
- (I xxvii) Staff have been harassed by objectors to the School's application.

Ward Councillor: Requests that the application is presented to committee.

Northwood Residents' Association: No response

Northwood Hills Residents' Association: No response

Northwood (Gatehill) Residents' Association: No response

Pinner Hill Residents' Association:

The Pinner Hill Residents' Association (PHRA) represents the interests and views of residents of the Pinner Hill Estate. Some residents in both Park View Road and Potter Street Hill have expressed concerns that any expansion of the school could result in increased traffic to and from the school resulting in further congestion in the area. PHRA asks the London Borough of Hillingdon to take these concerns into account in determining the application.

Harrow Council:

Raises no objection to the development.

Three Rivers District Council:

The proposal would not have any adverse impacts upon residents within Three Rivers District Council and therefore no objection is raised.

Internal Consultees

HIGHWAY ENGINEER:

A previous application proposing retention of 405 pupils and 65 full-time equivalent staff was refused by the Council and the appeal was dismissed. Paragraph 9 of the Inspector's decision notice dated 31/5/11 states 'It is common ground between the Council and the appellant that there is sufficient parking on site for the number of staff presently employed,..... Having regard to the evidence before me, I agree with this conclusion'.

On the current application, the applicant's parking area drawing shows 50 designated and 17 informal car parking spaces for staff. During my site visit carried out on the previous application, staff parking provision was noted to be in the order of 52 marked and 10+ informal car parking spaces. Notwithstanding some differences between parking numbers mentioned above, it is considered that there is sufficient parking on site for the number of staff presently employed, which the Inspector also agreed with.

Turning to the vehicular movements associated with staff numbers, the applicant has submitted information on arrival and departure times of staff, which shows that most of these movements occur outside the school's peak pickup and drop off times.

In light of the above considerations, the proposal to retain the current numbers of 65 full-time equivalent staff is not considered to merit refusal on highways ground.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

In considering the previous appeal to retain existing pupil and staff numbers, the Inspector in the decision letter dated 31 May 2011 considered whether the development represented inappropriate development in terms of PPG2: Green Belts. At paragraph 5, the letter states:

'Most of the appeal site lies within the Metropolitan Green Belt. PPG2 expresses a general presumption against inappropriate development in the Green Belt. The Council and the appellant are agreed that, whatever conclusion is reached in this decision, the building would remain and I have no reason to take a different view. Thus there would be no new development in terms of the building. The effects on the Green Belt of the activities and intensification of use arising from the increase in staff and pupil numbers, as a result of non-compliance with Condition 4, are de minimus in the context of the use of the site. Therefore the continuance of the development in its current form does not constitute inappropriate development.'

Similarly, this application to only retain staff numbers does not represent inappropriate development and no objections are raised to the principle of the development.

7.02 Density of the proposed development

Not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

In considering the previous appeal to retain existing pupil and staff numbers, the Inspector stated that the building would remain, so its impact upon its surroundings would be neutral so that in itself, the building would have no further effect on the openness of the Green Belt or the character and appearance of the area.

Turning to numbers, the Inspector witnessed that the current pupil and staff levels result in

traffic queues of up to 20 vehicles and longer developing along Potter Street Hill at school start and finishing times. However, the Inspector also noted that these queues are transitory and only occur in term time so as to have a minimal impact on the openness and visual amenity of the Green Belt. At paragraph 8, the Inspector concludes: 'the continuance of the development in its current form would result in no appreciable harm to the openness of the Green Belt or the character and appearance of the area and there be no conflict with the objectives of Policy OL4 of the London Borough of Hillingdon Unitary Development Plan (UDP).'

The traffic queues associated with staff movements only would similarly have had no appreciable harm upon the Green Belt.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The single storey building is well screened by surrounding buildings to the south and east and has been recessed into the sloping ground level to the north and west. It harmonises with the scale and design of surrounding school buildings.

The Inspector on the previous appeal did not object to the building itself. As such, the building complies with policies BE13 and BE15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

The impact of the extension upon the residential amenities of surrounding properties was originally considered at the Ruislip/Northwood Committee meeting on the 20th November 2001 and re-considered at the more recent North Planning Committee meetings and also by the Inspector.

The only impact of concern is the impact that increased pupil and staff numbers have had on Potter Street Hill. The impact of existing staff numbers on this is considered at Section 7.10.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

This application has been supported by the submission of a Planning, Design and Access Statement. At paragraph 6.4, this refers to a car parking survey carried out on the morning of 16th November 2009 as part of the previous planning application which revealed 51 staff vehicles parked on site. A further survey carried out on 4th October 2011 at 9:30, 11.15 and 14:00 revealed the presence of 56, 59 and 57 cars respectively on site, including visitors. It goes on at paragraph 6.6 to state that these figures are consistent with a recent travel survey undertaken as part of the School Travel Plan which recorded 81% of staff driving to school. Taking a total staff complement of 73 gives a total parking requirement of 59 spaces which is consistent with the recent survey given that not all staff are on site at the same time.

The Council's Highway Engineer does not object to these findings and has also inspected the site as part of the consideration of previous applications and does not raise any objection to the overall level and arrangement of parking on site. Furthermore, in considering the previous appeal, the Inspector stated at paragraph 9:

'It is common ground between the Council and the appellant that there is sufficient parking on site for the number of staff presently employed, and that the sole area of contention

between them is the impact of the non compliance with condition 4 on the traffic and parking on Potter Street Hill. Having had regard to the evidence before me, I agree with this conclusion.'

The Inspector then went on to consider the impact of traffic queues on Potter Street Hill. At paragraph 12, the Inspector states:

'The queues of traffic on Potter Street Hill mean that the road is effectively reduced to single file for part of its length in peak periods. At times the queues extend to the part in the road where it is particularly narrow and there is no footpath. At this point there is insufficient space for 2 cars and a pedestrian to pass safely, unless drivers are particularly thoughtful. The tailbacks also introduce the potential for vehicle conflict and the possibility of vehicles mounting the footpath, or being so close to the footpath that wing mirrors could impact with pedestrians. These are potential hazards for car drivers and passengers, cyclists and pedestrians.'

The Inspector concluded her assessment of the impact of pupil and staff numbers on highway and pedestrian safety and the free flow of traffic at paragraph 18 by stating:

'Therefore, although the queues are infrequent, and the number of local residents affected is limited, the consequential harm would be of such magnitude that the scheme must be considered detrimental to highway and pedestrian safety and the free flow of traffic. Thus the development conflicts with the provisions of the development plan, in particular UDP Policy AM7 which aims to safeguard highway and pedestrian safety and the capacity for free flow of traffic.'

Since the Inspector's decision in May 2011, there have been no changes at the School to suggest that the on-site parking is no longer available. The fundamental issue that needs to be assessed, therefore, is the contribution that the staff make to the formation of traffic queues which restrict the free flow of traffic on Potter Street Hill.

The submitted statement advises at paragraph 6.14 that taking a purely numerical perspective, based upon the recent travel plan survey, staff contribute a total of 118 vehicle movements a day (81% of 73 staff arriving and departing). Automatic traffic counters have been used and estimate that the School generates approximately 1,800 traffic movements a day. If all staff traffic movements are assumed to use Potter Street Hill, staff account for only 6.6% of total traffic movements (118/1800). A reduction of 25 staff or 34% would in turn represent a pro-rata reduction in traffic by 40 two-way movements or approximately 2.2% reduction (40/1800) on total volumes on Potter Street Hill which would have a negligible impact.

However, perhaps of more importance are the timings of staff movements and the implications for the queuing on Potter Street Hill. The Statement advises at paragraphs 6.11 and 6.12 that as set out in the transport evidence presented to the public inquiry, based upon surveys on six separate days, the peak periods when queuing occurs is from 08:20 to 08:40 in the morning and around two peaks in the afternoon, at 15:30 and 15:50 hours, reflecting the staggered departure time of the pupils.

At paragraph 6.10, the statement provides a breakdown of staff arrival and departure times. This advises that 4 teachers are on site, with the remaining 31 arriving between 07:30 and 08:10 and these usually depart between 16:30 and 18:00. The 10 teaching assistants arrive between 07:45-08:10 and leave between 15:30 and 17:00. The Bursar and two administrative staff normally arrive before 08:30 and leave between 16:00 and

17:00. The 7 cleaning staff tend to have staggered arrival times throughout the day, although 3 normally arrive at 15:30 with 6 of the 7 staff departing at 18:00. Three of the eight catering staff arrive on the hour between 07:00 and 09:00, with 3 more arriving at 09:30 and the last two at 11:00. These all tend to depart at 14:30 and 15:00. Of the two maintenance staff, one resides on site the other arrives at 06:00 and departs at 14:30. Of the four ground staff, 3 arrive at 08:00, the remaining one at 09:00 and all leave at 17:00 or 18:00. This leaves four Information Technology and Design and Technology/Art staff, who arrive between 07:30 and 08:30 and depart between 16:00 and 17:00.

The statement concludes that from this analysis, it can be seen that very few staff vehicle movements take place at the same time as when traffic queues typically form on Potter Street Hill. Reducing staff numbers would therefore have little discernible impact on the traffic queues.

Furthermore, the statement also advises that a number of staff do not use Potter Street Hill and a number of the school staff advise that this figure could be as much as 50%. A number of the teachers also make the point that they are contractually obliged to be present at the school before pupils arrive and after they depart.

The Council's Highway Engineer does not raise any objections to this analysis and advises that the proposal to retain the current numbers of 65 full-time equivalent staff is not considered to merit refusal of permission on highways ground. As such, the proposal is considered to comply with policies AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

Urban design is dealt with at Section 7.07 above. Access is dealt with in Section 7.10 above and as an extension to the school, there are no additional security considerations.

7.12 Disabled access

The extension, including the provision of an access ramp was previously considered to provide adequate facilities for people with disabilities. As the building has already been built on site, and the fall back position is that the school could benefit from the original permission by limiting pupil and staff numbers to comply with condition 4, no objections can be raised now to the disabled facilities provided. As such, the scheme complies with policy R16 of the adopted Hillingdon Unitary Development Plan, Saved Policies (September 2007).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Parts of the school grounds to the south of the main area of school buildings are designated as a Nature Conservation Site of Borough Grade II or Local Importance. The school extension has not involved and has not been sited close to this designated land. Furthermore, the additional activity at the school represented by the increase in staff numbers over and above the levels authorised at the November 2001 committee is not likely to have had a demonstrable adverse impact upon the ecology of this area. As such, the development is considered to have complied with policy EC2 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

See Section 7.

7.19 Comments on Public Consultations

The material planning points made by the petitioners have been dealt with in the main report.

As regards the objectors comments, as regards point (i), this was a typing error and has now been corrected. As regards point (ii) and (lii), this application to retain just staff numbers is materially different from the previous application. Point (iii) is noted and legal opinion has been sought on this point. Points (iv), (vi) (viii) (ix) (x) (xxxiii) are considered in the main report. Point (v) regarding the placing of cones on the highway is being dealt with by the Council. Point (vii) regarding cycle spaces is dealt with by condition. As regards points (xi), (xii), (xviii), (xix), (xx) and (xxviii) (xxxiv), (xxxv), (xxxviii)-(xxxviii) these are noted but it is existing staff numbers and the impact they have had on the traffic queues which is of far greater relevance to this application which is considered in the main report. As regards point (xiii), each application has to be treated on its individual merits. In terms of point (xiv), this is noted but wording of original condition did distinguish between pupils and staff. Point (xv) is noted but this application is materially different and needs to be considered on its individual merits. Point (xvi) is noted. As regards point (xvii), the discrepancies cited would not be significant in terms of queue formation and a condition would be attached requiring school to not exceed 65fte staff. Points (xxi) and (xxii) are not directly relevant and material to the consideration of this application. Point (xxiii) is noted but any increase in pupil numbers would require planning permission which would be considered on its merits at that time. As regards point (xxvi) there is still the requirement to treat applications on their merits. As regards consultation (point xxvii), the application has been extensively advertised. Different dates on notices etc. reflect dates when notices displayed/put in paper etc. Points (xxix) and (xxxii) are noted. As regards point (xxx), it is S73(1) of the TCPA 1990. As regards point (xxxii), vast majority of staff car parking has been show on previous applications. AS regards points (xxxvi) and (xxxvii), Green Belt issues were considered by the Inspector who did not consider the proposal represented inappropriate development. As regards points (xxxix) and (l), there are no conditions which control school opening hours, just some that restrict hours of use of some of the playing fields. Points (li) and (liv) are noted directly relevant to this application and are being investigated by the Anti-social Behaviour Team. Point (liii) is noted.

The comments in support of the application are noted.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

There are no other relevant issues raised by this application.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it

unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

The School has been able to demonstrate that the existing staff do not materially contribute to the traffic queues which form on Potter Street Hill, the only concern raised by the previous Inspector.

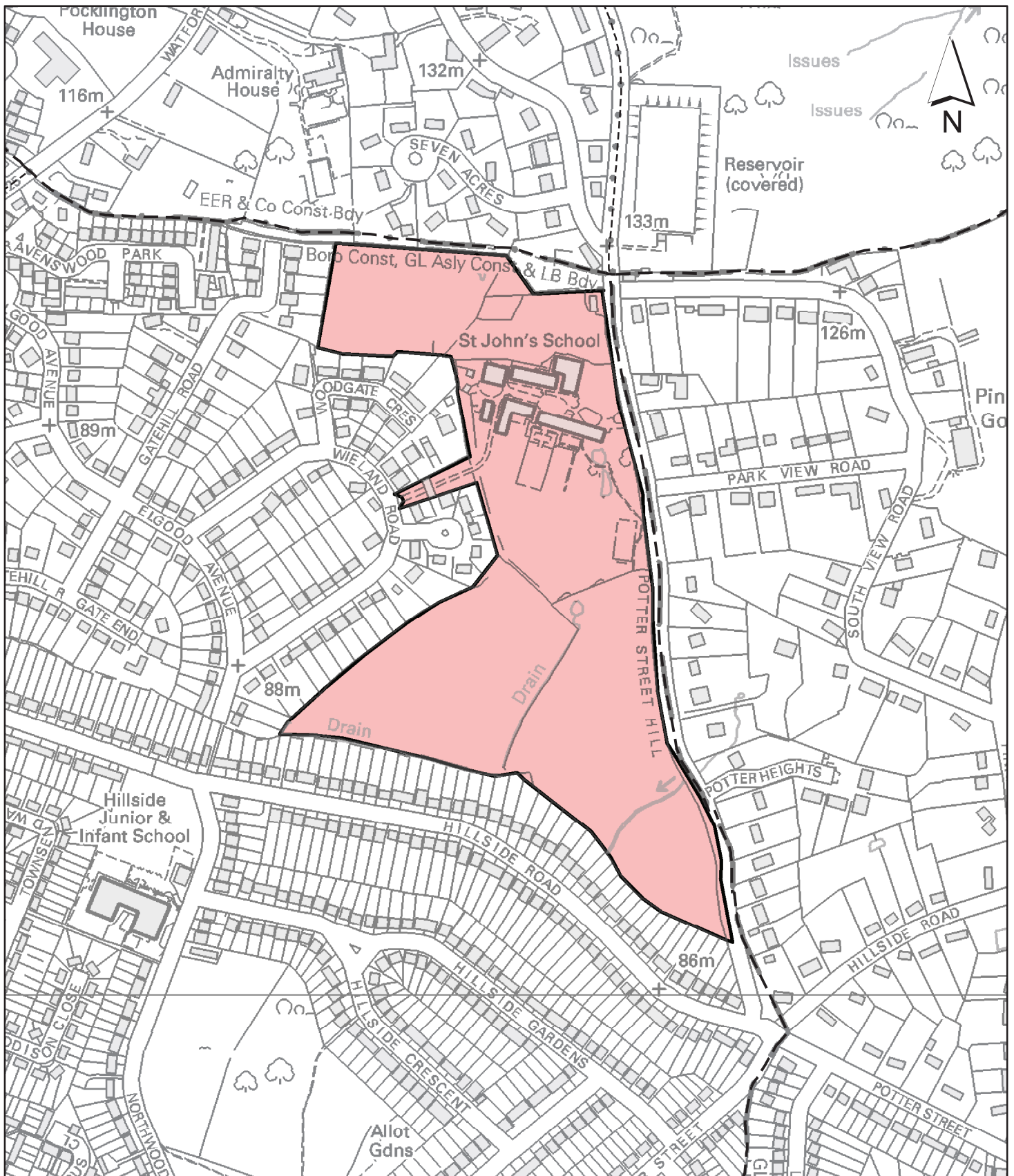
Therefore no objections are raised to retaining the current staff level to 65fte and the application is recommended for approval.



11. Reference Documents

Planning Policy Statement 1 (Sustainable Development)
PPG2 (Green Belts)
The London Plan (July 2011)
Hillingdon Unitary Development Plan Saved Policies (September 2007).
Consultation responses
Planning history

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	<p>Planning Application Ref:</p> <p align="center">10795/APP/2011/2627</p>	<p>Scale</p> <p align="center">1:5,000</p>	
	<p>Planning Committee</p> <p align="center">North</p>	<p>Date</p> <p align="center">February 2012</p>	
		 <p>HILLINGDON LONDON</p>	