

Report of the Head of Planning & Enforcement Services

Address SACRED HEART RC PRIMARY SCHOOL HERLWYN AVENUE RUISLIP

Development: Formation of a multi-use games area (MUGA) to the southern boundary of the site to provide all weather play area for pupils of the school.

LBH Ref Nos: 386/APP/2012/750

Drawing Nos: 4710-01
Planning Statement (Ref: AE/JB/4710)
4710-02
4710-10 Rev. B
4710-11 Rev. A

Date Plans Received: 29/03/2012

Date(s) of Amendment(s):

Date Application Valid: 30/03/2012

1. SUMMARY

The application seeks full planning permission for the installation of a Multi Use Games Area (MUGA) on the grassed area to the south west of the site.

The proposed MUGA fencing would comprise 3m polyester powder coated steel weld mesh ball court fencing, in a dark green colour to match the existing. The proposed fencing would be set back from the existing fencing line leaving the boundary treatment of the site unaltered.

The proposed scheme is considered to be of an acceptable design which would be compatible within the local context. Accordingly, the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM4 Accordance with Approved Plans

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

4710-01
4710-02
4710-10 Rev B
4710-11A

and shall thereafter be retained/maintained for as long as the development remains in

existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

3 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

4 COM29 No floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policies BE13 and OE1 of the Hillingdon Unitary Development Plan; and to protect the ecological value of the area in accordance with Policy EC3.

5 COM6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 COM8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 COM9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)
 - 2.e Hard Surfacing Materials

- 2.f External Lighting
- 2.g Other structures (such as play equipment and furniture)

4. Details of Landscape Maintenance

- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the 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.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R4	Proposals that would involve the loss of recreational open space
OL1	Green Belt - acceptable open land uses and restrictions on new development

3 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

5 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

3. CONSIDERATIONS

3.1 Site and Locality

The site occupies 0.9ha with a further 0.24ha of land for school use. It is located directly to the north of dwellings in Herlwyn Avenue. The north and west boundaries are formed by rugby fields whilst the east boundary, also in Herlwyn Avenue, is between dwellings and adjacent to allotment gardens.

The site falls gently from north to south with fences and hedges and some trees to the boundaries. Much of the site is devoted to buildings and hard play areas. There are two shared vehicular and pedestrian entrances, the principal entrance to the east and a secondary entrance to the southwest. The school is not listed nor is it located within a Conservation Area, however the rugby fields to the north and west boundaries are defined as Green Belt within the Unitary Development Plan.

The school's main entrance and staff car park is accessed from Herlwyn Avenue at the north east of the site. A secondary vehicular access for fire exit egress is also provided onto Herlwyn Avenue to the south west of the site.

The school is bounded by powder coated palisade fencing with timber close boarded acoustic fencing to the rear of the houses to Herlwyn Avenue. The foundation stage play area is separated from the main school areas with varying height galvanised metal railings, some set above brick retaining walls.

3.2 Proposed Scheme

The proposal is for the installation of a Multi Use Games Area (MUGA) on the grassed area to the south west of the site.

The proposed MUGA fencing would comprise 3m polyester powder coated steel weld mesh ball court fencing, in a dark green colour to match the existing. The proposed fencing would be set back from the existing fencing line leaving the boundary treatment of the site unaltered.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant planning history.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R4	Proposals that would involve the loss of recreational open space
OL1	Green Belt - acceptable open land uses and restrictions on new development

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A site notice was posted at the site on the 29th April 2012. A total of 11 neighbouring properties were consulted. No replies have been received.

Internal Consultees

TREES & LANDSCAPING

The site is occupied by a primary school and the school grounds which support it. The area which is the subject of the application is at the south-west corner of the site adjacent to the rear entrance to the school, off Herlwyn Avenue.

This part of the site is designated Green Belt and is currently mown grass with three specimen trees which are set in a few metres from the southern boundary. There are three larger specimen trees immediately outside the southern boundary fence.

None of the trees are protected by Tree Preservation Order or Conservation Area designation. However, they all contribute to the visual character of the area and its environmental quality.

The proposal is to install a multi-use games area (MUGA) which will be sited on an east-west axis close to the southern boundary of the site. This will provide an all weather play area for pupils at the school.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

i) DHP drawing No. 4710/10 Rev A and the Planning Statement confirm that, in order to accommodate the MUGA, it will be necessary to remove three trees from the playing field site. T1 and T2 are Weeping Willows and T6, a Cherry tree (close to the driveway), will be removed. No tree survey has been submitted but the Cherry is considered to be a poor specimen and the Weeping Willows are not a constraint on development. Replacement planting with at least three trees should be secured by condition.

ii) The offsite trees will be retained and will continue to provide some tree screening along the boundary. T5, an Oak, is close to the south-east corner of the proposed pitch and a method statement/site monitoring will be required from an arboricultural expert to ensure that the construction method is acceptable.

iii) Alternatively, the proposed pitch should be moved northwards by a metre (+). This would move the pitch further away from the root protection area of the Oak. It would also improve the relationship of the pitch to the boundary fence in the south-east corner facilitating access for grass cutting/maintenance. The narrow strip of grass between the existing play area and the gated access to the pitch could be removed.

iv) Three replacement trees (Birch) have been proposed. Details of the size and specification should be reviewed and can be agreed by condition.

v) Replacement planting along the southern boundary should also be provided.

No objection, subject to the above considerations and conditions COM8, COM9, and COM10.

OFFICER COMMENT: The plans have been amended and the MUGA has been moved north by 1m. The Trees & Landscape Officer has stated that the scheme is now acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is located within the Metropolitan Green Belt as defined within the UDP Saved Policies. Policy OL1 of the UDP Saved Policies indicates that within the Green Belt the following predominantly open land uses will be acceptable:

- (i) Agriculture, Horticulture, Forestry and Nature Conservation;
- (ii) Open air recreational facilities;
- (iii) Cemeteries.

The National Planning Policy Framework (NPPF) sets out a similar schedule of acceptable development types and also indicates that the limited infilling of previously developed sites may be acceptable where it would not have a greater impact on the openness of the Green Belt.

Policy OL2 and OL4 of the Saved Policies UDP indicate that the replacement or extension of buildings within the Green Belt and other development will only be permissible where the development would not significantly increase the built up appearance of the site or injure the visual amenities of the Green Belt. Further landscape enhancement may be sought where appropriate.

The proposed multi use games area is an open air recreational facility and is in principal acceptable. Furthermore, the MUGA is situated on a existing grassed space within the school grounds. The school has advised that the grassed area is only used in the summer in warm weather. The MUGA will be used all year around. It is considered that in this case the recreational benefits of the proposal outweigh the limited visual impact.

7.02 Density of the proposed development

Not applicable to this application.

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

The site is not located within a conservation area and no part of the school is listed.

7.04 Airport safeguarding

No airport safeguarding issues arise from the proposed development.

7.05 Impact on the green belt

Overall, it is considered that the development proposed is of an appropriate type within the Green Belt and would not have any adverse impacts on the openness or visual amenity of this Green Belt site. Accordingly, the proposal is considered to be in full accordance with policies OL1, OL2, and OL4 of the UDP Saved Policies and the NPPF.

7.07 Impact on the character & appearance of the area

The existing site boundary fencing in the area surrounding the proposed MUGA is powder coated steel palisade fencing, dark green in colour and 1.8m high. The proposed new MUGA fencing would comprise 3m polyester powder coated steel weld mesh ball court fencing, in a dark green colour to match the existing. The proposed fencing would be set back from the existing fencing line leaving the boundary treatment of the site unaltered. As such the MUGA, whilst clearly visible from public vantage points, would not be out of keeping with the character of the area. Accordingly, the proposal would be considered to comply with Policy BE13 of the UDP Saved Policies.

7.08 Impact on neighbours

The nearest residential property is located on the opposite side of the pedestrian access road leading from Herlwyn Avenue, approximately 15m from the proposed MUGA. It is considered that given the access road between the proposed MUGA and the residential property means that the impact on nearby property will be limited, furthermore the existing area is already occasionally used in the summer for outdoor play.

Accordingly, the proposal is not considered to result in any detrimental impacts on the

amenity of residential occupiers and would accord with Policy OE1 of the UDP Saved Policies.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposal does not result in additional pupils and the parking situation is not altered, thus the development will not impact on traffic generation or parking.

7.11 Urban design, access and security

The proposed MUGA will be located to the south west of the school site, adjacent to the secondary entrance into the school. The areas currently comprise a grassed area which is used as playground space, with a number of trees positioned close to the site boundary.

Due to the restricted irregular shape of the grassed area, the MUGA has been sized and positioned in order to make maximum use of the space available whilst maintaining a minimum of 1000mm wide access to all sides of the MUGA for maintenance of the surrounding soft landscaping.

The new MUGA fencing will be around 1.2m higher than the existing boundary fencing along Herlwyn Avenue however it will for the most part be set back from the boundary line therefore minimising the appearance of the increased height from the street scene.

The Proposed fencing will comprise 2.8m high 76mm x 12.5mm x 4mm weld mesh fencing. The fencing is specifically designed to inhibit climbing due to the spacing of its welded wires, whilst still provide high visibility through the fencing minimising the visual impact of its installation.

In this situation as the fencing will be installed behind the existing palisade fencing along the boundary, the visual impact is expected to be minimal. The fencing panels and posts will be powder coated steel, of a colour to match the existing boundary fencing.

The proposal would not raise any specific issues with respect to security.

7.12 Disabled access

No disabled access issues are considered to arise from the proposals.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

There are currently a number of trees located on the south boundary adjacent to the site which provide a degree of screening to the proposed location of the MUGA. It is proposed that 3 No. new trees be planted to replace those removed and to form a natural screen between the MUGA and remaining playground areas.

7.15 Sustainable waste management

This is not applicable to this type development.

7.16 Renewable energy / Sustainability

It is not considered appropriate or necessary to require the incorporation of any additional renewable energy or sustainable measures upon the scheme other than those required to be addressed as part of the requirement of Building Regulations.

7.17 Flooding or Drainage Issues

The scheme is not considered to raise any flooding or drainage issues to this site. The site is not located within a Flood Zone.

7.18 Noise or Air Quality Issues

Given the small scale and nature of the scheme it is not considered it will have any material impact on noise or air quality issues to the site or locality.

7.19 Comments on Public Consultations

None.

7.20 Planning obligations

The proposal would not necessitate the provision of any planning obligations to mitigate its impacts.

The scheme does not propose an increase in floorspace which would make it liable for any payments under the Mayoral Community Infrastructure Levy.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

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

Not applicable to this application.

10. CONCLUSION

For the reasons provided throughout this report, the application is considered to be

appropriate and acceptable, and to comply with the relevant planning policies and planning guidance for the site. Therefore, the application is recommended for approval.

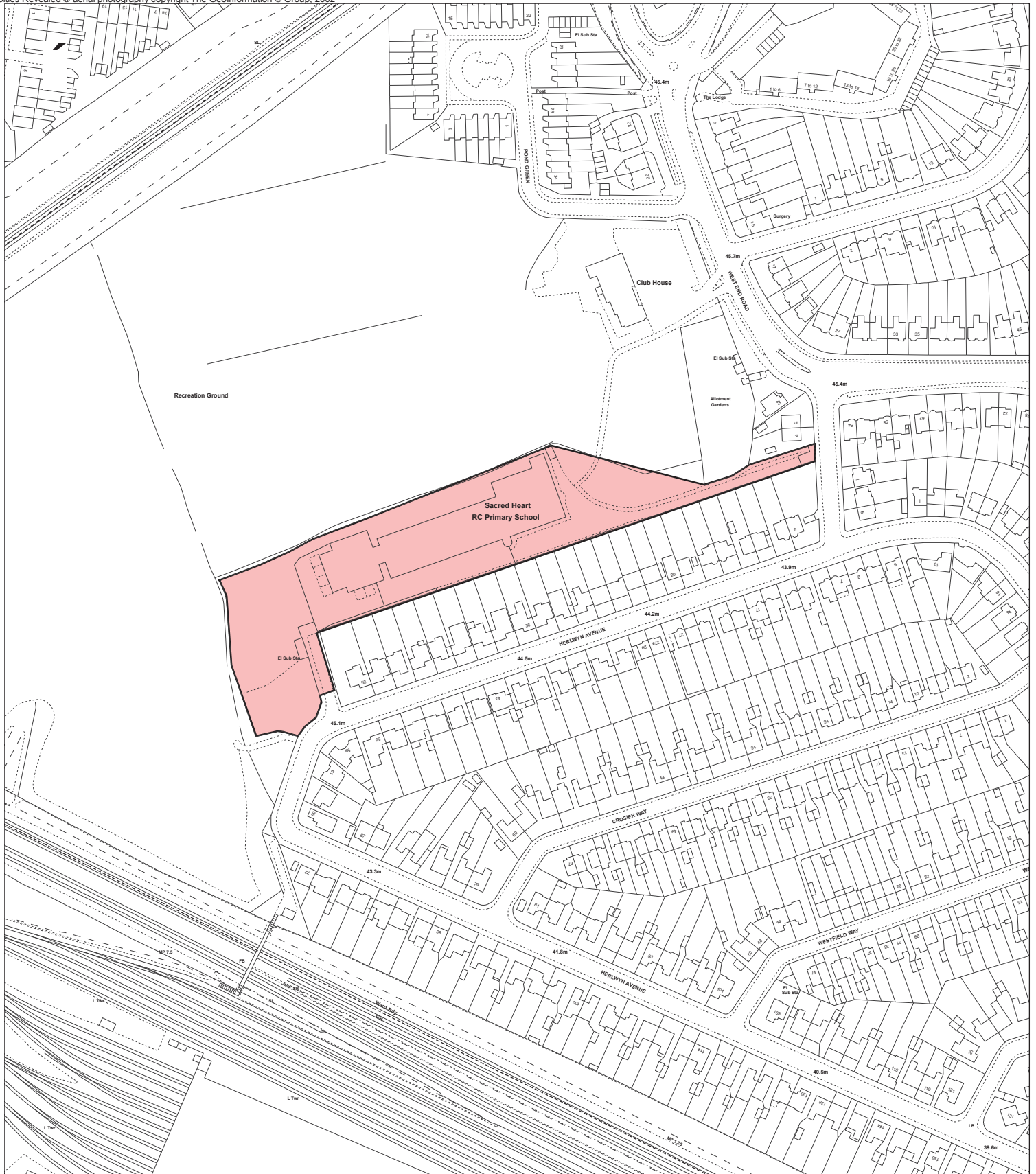
11. Reference Documents

National Planning Policy Framework

Hillingdon Unitary Development Plan Saved Policies (September 2007)

Contact Officer: Matt Kolaszewski

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Notes

 Site Boundary

For identification purposes only.

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Site Address

**Sacred Heart RC Primary School,
Herlwyn Avenue,
Ruislip**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111

Planning Application Ref:

386/APP/2012/750

Scale

1:1,250

Planning Committee

North

Date

July 2012



HILLINGDON
LONDON