

Report of the Head of Planning, Sport and Green Spaces

Address BRUNEL UNIVERSITY KINGSTON LANE HILLINGDON

Development: Variation of condition 7 (to extend opening hours until 22:00 Monday to Saturday) of planning permission ref: 532/APP/2001/1858 dated 15/10/2002: Provision of replacement sports pitches (including new synthetic playing surfaces), erection of floodlighting, boundary fences and storage building, together with associated parking and access improvements (Site 3). (S73 application).

LBH Ref Nos: 532/APP/2014/4036

Drawing Nos: Covering Letter 13-11-14
Lighting Details - Site 3 Northern Envelope
Lighting Details - Site 3 Southern Envelope
Location Plan - Drawing BUSPPV-OW-00-LOC-004B
Site Plan - Drawing BUSPPV-OW-00-SIT-003B
Unnumbered location plan received 20/8/01
SKS3A001 received 7/9/2001
(9-)LP002 Rev. B received 1/1/2001
(9-)LP006 received 1/1/2001
J2701 received 6/11/01
(9-)LP004 Rev. A received 13/11/01
(9-)LP001 Rev. G received 17/12/01
(9-)LP007 Rev. C received 17/12/01
Planning Statement dated August 2001
Transportation Assessment dated 9/10/2010
Fencing Details received 13/11/2001
Fencing/tree Protection Method Statement received 13/11/2001
Ecological Survey received 21/11/2001
lighting report received 30/11/2001
Letter dated 16/11/2001

Date Plans Received: 13/11/2014 **Date(s) of Amendment(s):**

Date Application Valid: 13/11/2014

1. **SUMMARY**

The application seeks to vary condition 7 (hours of operation) of planning permission ref: 532/APP/2001/1858, to extend the opening hours of the sports pitches until 22:00 Monday to Saturday.

It is considered that the proposal will preserve the open character of the Green Belt. There is no evidence to suggest the variation will result in an unacceptable degree of noise or light pollution to neighbours. Nature conservation/ecology and highway safety will not be adversely affected by the proposed extension of hours of use.

As such the application is recommended for approval,

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 NONSC Hours of Use

The facilities hereby approved apart from the cemetery pitches shall not be used except between 07:30 hours and 22:00 hours Mondays to Saturday, 08:00 hours and 18:00 hours Sundays and at no time on Public or Bank Holidays.

For a period of 18 months from the date of this permission, the Cemetery pitches hereby approved shall not be used except between 07:30 hours and 22:00 hours Mondays to Saturdays, 08:00 hours and 18:00 hours Sundays and at no time on Public or Bank Holidays.

Thereafter, the cemetery pitches hereby approved shall not be used except between 07:30 hours and 21:00 hours Mondays to Saturdays, 08:00 hours and 18:00 hours Sundays and at no time on Public or Bank Holidays.

REASON

To protect the residential amenities of adjoining residents in accordance with Policy OE1 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012).

2 NONSC Drainage

Development shall not begin until drainage works, including construction site drainage systems and surface water source control measures have been carried out in accordance with details to be submitted to and approved by the Local Planning Authority.

REASON

To avoid surface water-run off from the site and to protect the ecology of the Grove Nature Reserve, in accordance with Policies OE8 and EC3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

3 NONSC Ecology

A watching brief for nesting birds, and European Protected Species shall be maintained during the clearance operations by an on-site ecologist approved by the Local Planning Authority. The removal of any large vegetation shall only take place once they have been checked for bat roosts.

REASON

In order to protect the ecology of the site and adjoining Grove Nature Reserve, in the interests of nature conservation and in order to comply with Policy EC3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the the Conservation (Natural Habitats etc) Regulations 1994.

4 NONSC Bat Survey

A bat survey should be undertaken prior to implementation of works on the site to ascertain the presence of any protected species, estimate the size of the population present (if any) and assess the distribution of the species and their habitats across and adjacent to the application site. Where protected species are found to be present, an assessment shall be made of the likely impacts the development would have on the species concerned. This should be accompanied by a set of any additional mitigation measures necessary to comply with relevant legislation.

REASON

In order to protect the ecology of the site and adjacent nature reserve in the interests of

nature conservation and in order to comply with Policy EC3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the Conservation (Natural Habitats etc) Regulations 1994.

5 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, 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. 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:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. 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 to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012).

6 TL5 Landscaping Scheme - (full apps where details are reserved)

A landscaping scheme shall be submitted to the Local Planning Authority within 2 months of the date of this permission.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012).

7 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in 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 in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local

Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012).

8 NONSC Landscape Retention

Trees, hedges and shrubs shown to be retained on the original approved scheme (532/APP/2001/1858) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority (LPA).

Any trees, hedges and shrubs being severely damaged during construction, seriously diseased or dying shall be replaced by one of a size and species to be agreed in writing with the LPA.

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 LPA. New planting should comply with EIS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) Recommendations for Tree Work and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Such work or planting shall be completed within 8 months of the commencement of the development or such period as agreed in writing by the LPA.

REASON

To safeguard the amenities of the area in accordance with Policy BE38 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012).

9 NONSC Traffic Arrangements

The roads, sight lines at road junctions and parking areas (including where appropriate the marking out of parking spaces) shown on the approved plans shall be constructed prior to the commencement of the use of the synthetic hockey pitch and multi games area, thereafter permanently retained and used for no other purpose.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

10 NONSC No Additional Floodlighting

No floodlighting or other form of external lighting (including security 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, intensity of illumination and shielding to eliminate vertical and horizontal light spillage. 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 protect the visual amenity of the Green Belt, the residential amenities of surrounding residents and the ecology of The Grove Nature Reserve.

11 NONSC Floodlighting Use

The floodlights hereby approved shall only be used for those specific facilities in use at any time. The floodlights installed herein shall be fitted with a timer unit to ensure compliance with these times.

REASON

To protect the visual amenity of the Green Belt, the residential amenities of surrounding residents and the ecology of The Grove Nature Reserve, in compliance with Policies OL2, OE1 and EC3 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012).

12 NONSC Hedge Retention

The retained hedgerow along the site boundary shall be maintained at a minimum height of 2,4 metres. Any gaps which occur shall be filled with replacement planting of similar size and species or other boundary screening as agreed by the Local Planning Authority.

REASON

To protect the visual amenity of the Green Belt, the residential amenities in surrounding residents and the ecology of The Grove Nature Reserve, in compliance with Policies OL2, OE1 and EC3 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012).

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.
AM7	Consideration of traffic generated by proposed developments.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves Replaced by PT1.EM7 (2012)
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
OL1	Green Belt - acceptable open land uses and restrictions on new development

OL2	Green Belt -landscaping improvements
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
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
PR22	Brunel University
LPP 7.16	(2011) Green Belt
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.2	(2011) An inclusive environment
NPPF	National Planning Policy Framework

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The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission, the Local Planning Authority will not require these details to be re-submitted as part of this new planning permission, where those details would remain the same.

3. CONSIDERATIONS

3.1 Site and Locality

Site 3 of Brunel University's Uxbridge Campus is the subject of the current application. It is situated to the east of Kingston lane and north of Pield Heath Road, being 8 hectares in extent. The site adjoins a mortuary and cemetery to the north. To the south there are houses on Grove Lane, with gardens backing onto the site. To the east, there are several cottages, which are set back from the edge of the site, Robinwood Close, a residential cul-de-sac and Grove Nature reserve. There is also an existing floodlit tennis court immediately adjacent to the eastern boundary of the site. To the west, the site adjoins Kinston Lane, which is fronted by the University's main campus (site 2), several residential properties, a church and a nursing home. The site is enclosed on all sides by hedgerow and in broad terms largely comprises intensively managed playing fields, dominated by meadow grass, while to the south are located various buildings and infrastructure. These include hard surfaces to the car park area, 6 tennis courts, a storage building and a 2-storey pavilion. Rugby pitches at the southern end of the playing fields are floodlit. However there is no floodlighting to the football pitch and centrally located synthetic wicket cricket pitch. The main entrance to the site is located at the southwest corner, with vehicular access from Kingston Lane.

The application relates to site 3 of Brunel University, this being the area of the campus on the eastern side of Kingston Lane and accommodating an athletics track, synthetic football pitch, synthetic hockey pitch, tennis courts and a pavilion. Floodlighting is also provided to the athletics track and synthetic pitches, although the tennis courts do not benefit from floodlighting.

The closest residential properties are located in Robinwood Grove, Grove Lane and on Kingston Road. The application site is within the Green Belt as designated with the Saved Policies UDP, and subject to the site specific policy for Brunel University.

3.2 Proposed Scheme

The original approved scheme concerned the provision at Site 3 of Brunel University of replacement sports pitches including new synthetic playing surfaces, the erection of floodlighting, boundary fences and storage building, together with associated parking and access improvements. Condition 7 limited the hours of operation. The applicant seeks to extend the opening hours until 22:00 Monday to Saturday.

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The applicant submits that allowing such use generates significant benefits to the Borough, both in terms of allowing the University to be successful and also in terms of improving levels of sports take up. For these reasons, the University is applying via this application for a permanent change to the opening hours.

3.3 Relevant Planning History

532/APP/2001/1858 Brunel University, Site 3 Kingston Lane Hillingdon
PROVISION OF REPLACEMENT SPORTS PITCHES (INCLUDING NEW SYNTHETIC PLAYING SURFACES), ERECTION OF FLOODLIGHTING, BOUNDARY FENCES AND STORAGE BUILDING, TOGETHER WITH ASSOCIATED PARKING AND ACCESS IMPROVEMENTS (SITE 3)

Decision: 15-10-2002 Approved

532/APP/2002/2446 Brunel University, Site 3 Kingston Lane Hillingdon
DETAILS OF EXTERNAL LIGHTING IN COMPLIANCE WITH CONDITION 10 OF PLANNING PERMISSION REF.532/APP/2001/ 1858 DATED 15/10/2002; SPORTS FACILITIES, SITE 3

Decision: 15-11-2002 Approved

532/APP/2004/2252 Brunel University, Site 3 Kingston Lane Hillingdon
VARIATION OF CONDITION 7 (TO ALLOW AN EXTENSION OF USE MONDAY TO FRIDAY FROM BETWEEN 07.30 HOURS TO 21.00 HOURS TO BETWEEN 07.30 HOURS TO 22.00 HOURS) OF PLANNING PERMISSION REF.532/APP/2001/ 1858 DATED 15/10/2002
'PROVISION OF REPLACEMENT SPORTS PITCHES'

Decision: 02-12-2004 Refused

532/APP/2010/2614 Brunel University, Site 3 Kingston Lane Hillingdon
Variation of condition 7 (to extend opening hours until 22:00 Monday to Saturday for an 18 month period commencing 04/01/2011) of planning permission ref: 532/APP/2001/1858 dated 15/10/2002: Provision of replacement sports pitches (including new synthetic playing surfaces), erection of floodlighting, boundary fences and storage building, together with associated parking and access improvements (Site 3).

Decision: 25-07-2012 Approved

532/APP/2012/670 Sites 1 And 2, Uxbridge Campus, Brunel University Kingston Lane Hillingdon
Application for Extension of Time to Implement Outline Application for Brunel University Master

Plan proposals comprising erection of 48,064 sq.m of new academic floorspace, 69,840 sq.m of new student residential accommodation, ancillary floorspace and infrastructure, provision of 645 additional parking spaces, improved access from Kingston lane, new access from Cowley road, highway improvements to Cleveland road, improved pedestrian and cycle routes, landscaping and environmental improvements (involving demolition of 18,600 sq.m of existing floorspace).

Decision:

Comment on Relevant Planning History

In 2002, planning permission was granted for the pitches at Site 3 (ref 532/APP/2001/1858). The application was approved on 15/10/02 and conditions relating to external lighting were imposed and hours of use were imposed.

Details of external lighting in compliance with condition 10 of planning permission ref: 532/APP/2001/1858 were approved on 15-11-02 (ref: 532/APP/2002/2446)

Variation of condition 7 (to allow an extension of use Monday to Friday from between 07.30 hours to 21.00 hours to between 07.30 hours to 22.00 hours) of planning permission ref.532/APP/2001/ 1858 dated 15/10/2002 'provision of replacement sports pitches refused on 02-12-2004

Planning permission ref:532/APP/2012/607 dated 15/05/2012 granted permission for extended opening hours for specific period within June, July and August in order to facilitate training associated with the Olympics.

In 2012, planning permission was granted (ref 532/APP/2010/2614) to temporarily extend the opening hours until 10pm on Monday to Saturday. This was intended to be a 'trial period', which would last for 18 months. This trial has now finished.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.CI2 (2012) Leisure and Recreation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM5 (2012) Sport and Leisure
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise

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.
AM7	Consideration of traffic generated by proposed developments.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves Replaced by PT1.EM7 (2012)
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
R16	Accessibility for elderly people, people with disabilities, women and children
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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
PR22	Brunel University
LPP 7.16	(2011) Green Belt
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.2	(2011) An inclusive environment
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **23rd December 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

131 Neighbouring Owner Occupiers were consulted on the application including the Robinwood Grove residents association, ClevelandRoad Neighbourhood Watch and Cleveland Road Residents Association.

6 letter of objection have been received from residents of Robinwood Grove raising concerns regarding:

- (i) Light nuisance
- (ii) Noise nuisance after 9pm

Internal Consultees

HIGHWAY ENGINEER
No objection.

ENVIRONMENTAL PROTECTION UNIT

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the development was established with the original approved scheme (ref: 532/APP/2001/1858) to which this application seeks to vary condition 7 of the approved scheme. There has been no substantive change to policy or guidance in respect of the sports pitches since the 2002 approval. There is no objection in principle subject to the variation in hours of operation not raising any amenity issues to neighbours.

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

The application site is located within an area of Green Belt. The use of the site for sports facilities and the associated floodlighting was considered to be an acceptable use within the green belt under planning permission ref: 532/APP/2001/1858 dated 15/10/01. The proposed temporary extended opening hours are not considered to have a detrimental impact on the Green Belt.

7.07 Impact on the character & appearance of the area

The scheme will involve no physical alterations to the sport pitches or the associated in situ floodlighting. The proposed floodlighting to the northern Cemetery football pitch, although not yet implemented, has already been approved in detail. Accordingly it is not considered the scheme will have any material impact on the character and appearance of the area, in accordance with it is considered that the proposal is consistent with Policies BE13 and BE19 of the Hillingdon Local Plan Part 2 Saved UDP Policies (2012) and Policy PT1.BE1 (2012)- Built Environment, Hillingdon Local Plan Part 1.

7.08 Impact on neighbours

Policies OE1 and OE3 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable. The nearest residential properties are located in Robinwood Grove to the east of the site and in Pild Heath Road to the south.

Historically, there were no limitations to the hours of use of the playing fields and sports facilities on site 3. However, in granting planning permission for the refurbishment of the site, in view of the potential effects of floodlighting and noise associated with the more intensive use of the site on residential amenity, a condition limiting the hours of use until 9:00 pm was imposed. This was in order to ensure that the facilities were not in use during unsociable hours, thereby avoiding or minimising potential adverse effects on the local environment.

In addition, the scheme was designed to limit the potential effects of light and noise pollution to surrounding residential development to acceptable levels. A woodland buffer has been created on the eastern boundary and new banks have been formed around the athletics track, which acts as a further barrier to light and sound. A similar landscaped buffer zone has been provided on the southern boundary with the properties at Grove

Lane/Field Heath Road, which are located at least 30 metres from the existing tennis courts, although this has not been fully planted.

Despite these physical and administrative measures, local residents in Robinwood Close have objected to this application on the grounds that the activities generated by the use of the synthetic playing pitches has resulted in an unacceptable degree of disturbance in the evenings. However, the facilities have been in use for the last 18 months until 10 pm and the Council's Environmental Protection Unit (EPU) report that during this period, there have been no complaints with regard to noise problems.

In terms of floodlighting, accompanying the application is a floodlight survey report that has assessed the existing floodlighting. For the report the lighting level from the floodlights was measured around the perimeter of the sports park, and just beyond the perimeter. The results were then reviewed against current legislature, design guidelines, approved codes of practice (ACOP) and other generally accepted principles of good practice. The report concludes the lighting levels (i.e. luminance), measured on site were deemed to be in accordance with codes of practice and general good practice and have had no environmental impact on the surrounding land or a social impact to the local residents. Notably the Environmental Protection Unit raises no objection in terms of light pollution.

The applicants have applied for a full relaxation for all the facilities on the site for use until 10pm. However, in view of the fact that the floodlighting for the Cemetery pitches have not yet been implemented and therefore has not been assessed, it is not considered appropriate to grant a permanent extension of time until 10pm for this element of the site. It is however recommended that a temporary 18 month extension of time be given to the Cemetery pitches. Should any issues relating from noise or light pollution arise, these can be monitored with the temporary permission, to inform any possible future permanent extension of opening hours.

Against this background, it is not considered that the the variation of hours should be refused on light pollution or noise grounds, subject to an additional condition requiring the installation of an automatic light shut off system, to ensure there is no breach of the hours designated for the use of floodlights.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

It is not considered that extended opening hours would result in a detrimental increase in traffic volumes to/from the site. The Highways Officer raises no objection to an extension of opening hours.

7.11 Urban design, access and security

Not applicable to this application restricted to varying a condition on the hours of operation to the sport pitches.

7.12 Disabled access

The application will have no impact on disabled access arrangements to the site.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

TREES AND LANDSCAPE

Extension of the current opening hours will not result in changes to the existing landscape.

ECOLOGY

The application site itself has no nature conservation designation, however the Grove Nature Reserve to the east is a Grade 2 site of Borough importance. An ecological survey was submitted as part of the original application. This concluded that the site is of overall low ecological interest and its more intensive development would not result in a significant loss of nature conservation resources in the local area. It further concluded that as the intensity of light from the floodlights decreases over a short distance from the site, the potential impact from floodlighting on the adjoining Grove Nature Reserve should not be a concern. As such it is not considered that the extension of the current opening hours will impact on the ecology of the area.

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

NOISE

The public consultation raised concerns over possible noise nuisance after 9pm. There has been no history of noise pollution complaints arising from the trial period temporary hours of operation to 10pm, which falls within the daytime period (night-time being deemed to commence at 23:00). The Environmental Protection Unit raises no objection to the extension of the opening hours.

AIR QUALITY

It is not considered that the extension of the current opening hours will impact on the air quality of the area.

7.19 Comments on Public Consultations

six letters of objection were received during the public consultation raising concerns over light and noise nuisance after 9pm. These concerns have been dealt with elsewhere in this report.

7.20 Planning Obligations

The proposal is not considered to necessitate any planning obligations.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The applicant seeks permission to vary condition 7 of planning permission ref:

532/APP/2001/1858, to extend opening hours until 22:00 Monday to Saturday.

The variation of opening hours is not considered to have any negative impact assessed against Green Belt Policies. In terms of adverse amenity impacts to neighbours, the facilities have been in use for the last 18 months until 10 pm and there have been no complaints with regard to noise or light pollution problems during this period. As such it is not considered that there would be an unacceptable degree of disturbance to adjoining residents.

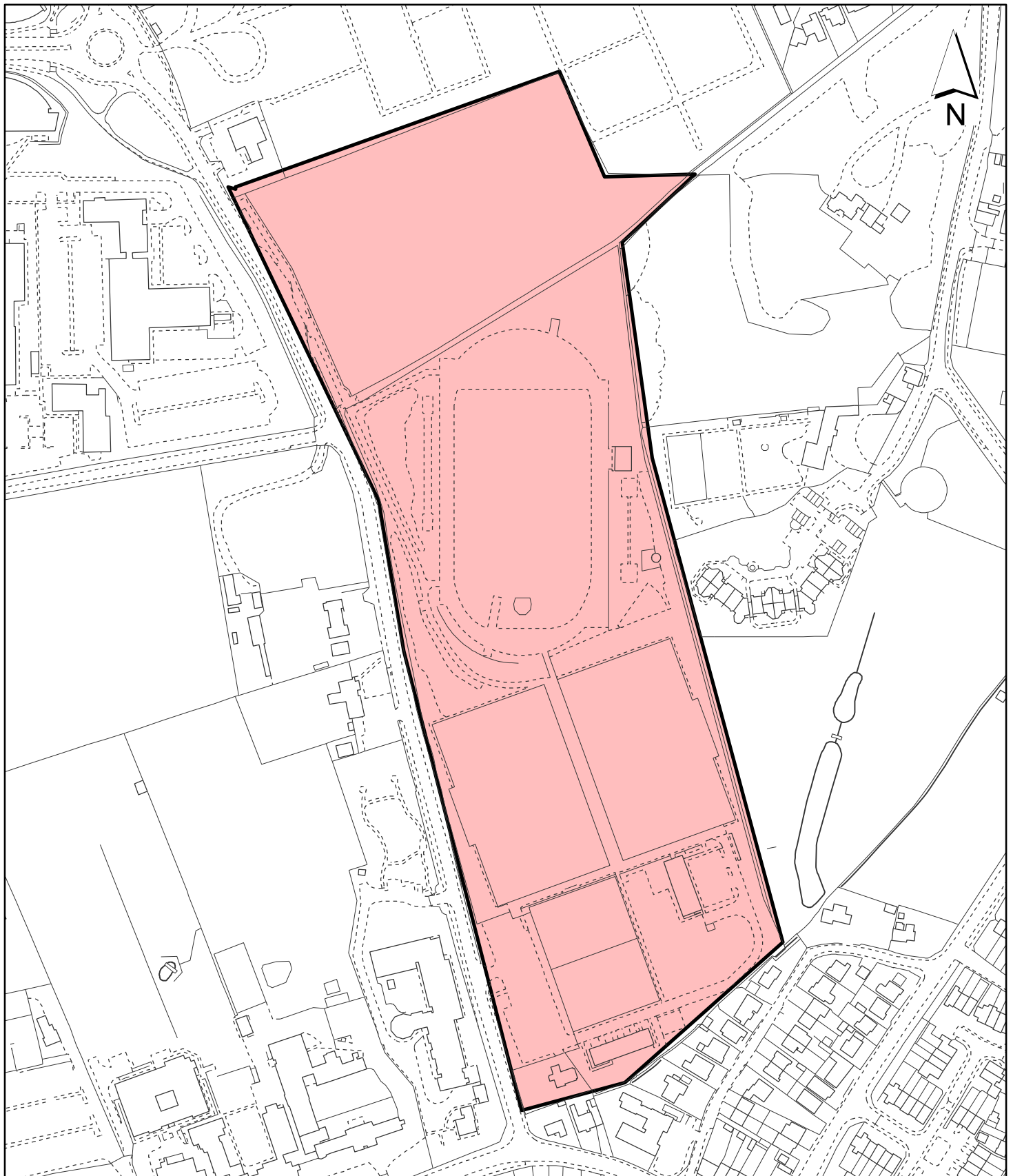
The scheme is considered to comply with Policies OL1 and OE1 of the Hillingdon Local Plan Part 2 Saved UDP Saved Policies (November 2012) and as such is recommended for approval.

11. Reference Documents


- a) The National Planning Policy Framework (March 2012)
- (b) Hillingdon Local Plan Part 1 Strategic Policies.
- (c) Hillingdon Local Plan Part 2 Saved UDP Saved Policies (November 2012)
- (i) Supplementary Planning Document Accessible Hillingdon
- (j) Supplementary Planning Guidance Community Safety by Design
- (k) Supplementary Planning Guidance Air Quality
- (l) Supplementary Planning Guidance Noise
- (m) Supplementary Planning Guidance Planning Obligations
- (n) London Plan (2011)

Contact Officer: Karl Dafe

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Notes

 Site boundary

For identification purposes only.

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Site Address

**Brunel University
Kingston Lane
Hillingdon**

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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

Planning Application Ref:

532/APP/2014/4036

Scale

1:2,750

Planning Committee

Major

Date

February 2015



HILLINGDON
LONDON