

Report of the Head of Planning, Sport and Green Spaces

Address BISHOP RAMSEY C OF E SCHOOL HUME WAY RUISLIP

Development: Installation of 6 floodlight columns (12m high) located evenly around the external perimeter of the Multi Use Games Area.

LBH Ref Nos: 19731/APP/2015/47

Drawing Nos: 3113 Bishop Ramsey Floodlights Design and Access S
Abacus- Column Details
Abacus- base-hinged column data
Abacus- bishop ramsey floodlights plan
Abacus- floodlight datasheet
PD01 LOCATION PLAN
PD02 BLOCK PLAN
PD03 LIGHTING SCHEME

Date Plans Received: 07/01/2015 **Date(s) of Amendment(s):**

Date Application Valid: 07/01/2015

1. SUMMARY

This application seeks full planning permission for the installation of six, 12m high floodlight columns located around the perimeter of an existing multi-use games area (MUGA) within the grounds of Bishop Ramsey C of E School and to extend the hours and days of use of the MUGA.

Insufficient detail has been provided regarding the acoustic and light spillage impact of the development and how it would impact on traffic flow and parking within the locality. As such it is considered that the proposal may adversely affect the character of the area, the residential amenity of existing residential properties adjacent to the site and have an unacceptable impact on highway safety. In addition without further evidence regarding the ecological impact of the floodlights it is possible that the proposal may have an unacceptable impact on the ecology of the locality.

It is therefore considered that the application fails to comply with Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies AM7, BE19, EC3, OE1 and OE3 of the of the Hillingdon Local Plan: (November 2012) and London Plan (2011) Policy 3.19.

The proposal is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

Insufficient details and information has been provided regarding the level of traffic and parking demands likely to be generated by the proposal. It has not therefore been demonstrated that the use of the proposed facilities would not adversely impact on highway and pedestrian safety. With respect to parking demand the Local Planning

Authority is concerned regarding overspill parking affecting adjacent residential areas. As such the proposal is contrary to policies AM7 and AM14 of the Hillingdon Local Plan: (November 2012).

2 NON2 Non Standard reason for refusal

Insufficient information has been provided to demonstrate how the flood lighting and extension of opening hours for the multi-use games area would impact on the amenity of neighbouring residential properties in terms of noise and light pollution. As such the proposal is deemed contrary to Policies BE19, OE1 and OE3 of the Hillingdon Local Plan: (November 2012) and policy 3.19 of the London Plan (2011).

3 NON2 Non Standard reason for refusal

Insufficient information has been provided to demonstrate how the flood lighting and light spill would impact on the ecology of the local area, which includes the High Grove Site of Importance for Nature Conservation (SINC) Grade 2. As such the proposal is deemed contrary to Policy EC3 of the Hillingdon Local Plan: (November 2012), Policies 3.19 and 7.19 of the London Plan (2011) and Paragraph 109 of the National Planning Policy Framework.

4 NON2 Non Standard reason for refusal

The introduction of floodlights and extended hours of use to facilitate outdoor sports, with associated light and noise pollution, is considered likely to have a detrimental impact on the character of the locality. In particular it is considered that there would be an urbanising effect of the adjoining parkland and residential neighbourhood. The proposal is therefore deemed contrary to Policies BE13 and BE19 of the Hillingdon Local Plan: (November 2012) and Policy 7.4 of the London Plan (2011).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE19	New development must improve or complement the character of the area. Potential effects of development on sites of nature conservation

EC3	importance
LPP 3.19	(2011) Sports 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

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

Bishop Ramsey Church of England School occupies an approximately 3.6 hectare irregularly shaped plot located at the eastern end of Warrender Way in Ruislip. The site accommodates several school buildings of up to three-storeys in height, playing fields, hard and soft landscaping, a Multi-Use Games Area (MUGA), car parking and associated facilities.

The site is bounded to the north by Highgrove Pool; to the east by Warrender Park; to the south by a narrow strip of public open space, beyond which are residential properties; and to the east by a narrow footpath, beyond which are residential properties.

The main vehicular access to the site is via Hume Way, through the Highgrove Swimming Pool Car Park. Pedestrian access and service vehicle access is available via Warrender Way.

This application specifically relates to the site of the MUGA, which is located immediately to the south of the main school buildings.

The entire school site, including the application site, falls within the developed area as designated in the Hillingdon Local Plan: (November 2012). The wider area includes the High Grove Site of Importance for Nature Conservation (SINC) Grade 2 to the north and east of the school.

3.2 Proposed Scheme

This application seeks permission for the installation of six, 12m high floodlight columns located around the perimeter of an existing multi-use games area (MUGA) within the grounds of Bishop Ramsey C of E School. The MUGA is 37m wide and 65m long, and is enclosed with 3m high metal fencing. The surface is marked out for 4 tennis courts, three netball courts and a 5-a-side football pitch. It is proposed that the six floodlight columns will stand just outside of the existing fence line.

The floodlight proposed is Abacus's Challenger 1 system and the supporting information submitted with the application states that:

'The floodlighting will provide a maintained illuminance level of 410 lux over the whole pitch and a uniformity of 0.7 Emin/eav.'

It should be noted that in addition to the construction of the floodlighting this proposal seeks to extend the hours of use of the MUGA as controlled by planning condition No. 3 of the original planning consent (ref. 19731/APP/2008/2153). The proposed hours of use are 0830 to 2100 Monday to Friday, 0900 to 1800 Saturdays, 0900 to 1600 Sundays and to remain closed on Bank Holidays (the application form groups Sundays and Bank Holidays together but the applicant has confirmed by email on the 06/02/15 that no opening is proposed on Bank Holidays).

3.3 Relevant Planning History

19731/APP/2006/2811 Bishop Ramsey Church Of England School Hume Way, Ruislip
AMALGAMATION OF UPPER AND LOWER SCHOOL SITES TO CREATE ONE SCHOOL CAMPUS. REDEVELOPMENT OF UPPER SCHOOL SITE INCLUDING DEMOLITION AND REFURBISHMENT OF EXISTING BUILDINGS, ERECTION OF NEW SCHOOL BUILDINGS, NEW PARKING AREAS, ACCESS PROVISION INCLUDING A DROP OFF POINT IN HUME WAY AND PLAYGROUND/SPORTS FACILITIES.

Decision: 18-05-2007 Approved

19731/APP/2008/2153 Bishop Ramsey Church Of England School Warrender Way Ruislip
NEW MULTI USE GAMES AREA & ASSOCIATED WORKS

Decision: 26-11-2008 Approved

19731/APP/2009/1032 Former Bishop Ramsey School Eastcote Road, Ruislip
Installation of metal gates to front entrance (Application for a Certificate of Lawfulness for a proposed use or development).

Decision: 08-07-2009 Refused

19731/APP/2009/1663 Former Bishop Ramsey School Eastcote Road Ruislip
Installation of electric vehicular / pedestrian gates to front entrance.

Decision: 25-09-2009 Approved

19731/APP/2013/1285 Bishop Ramsey Church Of England School Warrender Way Ruislip
Single storey detached outbuilding to rear for use as storage

Decision: 22-07-2013 Approved

19731/APP/2013/1476 Bishop Ramsey C Of E School Hume Way Ruislip
Single storey extension and alterations/refurbishment to existing sports hall changing and shower facilities.

Decision: 02-08-2013 Approved

19731/APP/2015/286 Bishop Ramsey C Of E School Warrender Way Ruislip

Single storey extension to north side and single storey extension to west side of existing sports hall

Decision:

19731/TRE/2013/147 Bishop Ramsey C Of E School Hume Way Ruislip

To carry out tree surgery, including a crown reduction by 20% to Oak (T8); a crown reduction by 25% to Oaks (T5 & T9); and the cutting back of branches to provide up to 3m clearance between the tree and the school building to Oak (T4) on TPO 382

Decision: 26-11-2013 Approved

Comment on Relevant Planning History

The application site has an extensive planning history related to the use of the site as a school, the most recent of which are attached.

Application ref. 19731/APP/2006/2811 relates to the approval of the amalgamation of the two previous schools and included condition no.11 which relates to floodlights:

Condition 11: 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. The submitted details will be assessed with regard to security, and impacts on both residential amenity and ecology. 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 policy BE13 of the Hillingdon Unitary Development Plan and in the interests of ecology.

There is also a second application within the site's history that relates directly to the current proposals, which is the original consent for the multi-use games area (ref. 19731/APP/2008/2153). This consent included a number of conditions, most notably condition nos. 2, 3 and 4:

Condition 2: The development hereby approved shall not be brought into use until a community use scheme for the development has been submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall include details of pricing policy, hours of use, access and parking arrangements by non-school users, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of the development.

REASON

To ensure that the proposed development maximises use of the existing school playing

field in accordance with Policy R4 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

Condition 3: Unless otherwise agreed in writing with the Local Planning Authority, the multi use games area hereby approved shall only be used between the hours of 0900 and 1800 Mondays to Saturdays and at no time on Sundays and Public Holidays.

REASON

To ensure that the amenity of the occupiers of nearby residential properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

Condition 4: Except as provided for in the community use agreement approved pursuant to condition 2 of this planning permission, the multi use games area hereby approved shall be used solely by pupils and staff of the school and visiting teams thereto and shall not be hired out for use by any other persons or organisations.

REASON

To ensure that the proposed development does not result in additional vehicular traffic to the site during school hours in the interests of highway safety and residential amenity and to accord with Policies BE19 and AM7 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

There is no recorded evidence that condition No. 2 has been discharged and therefore condition Nos. 3 and 4 remain applicable.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
Policy Statement - Planning for Schools Development (DCLG, 15/08/11)
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Noise

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7 Consideration of traffic generated by proposed developments.
AM14 New development and car parking standards.
BE19 New development must improve or complement the character of the area.

EC3	Potential effects of development on sites of nature conservation importance
LPP 3.19	(2011) Sports 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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 98 local owner/occupiers, the Eastcote Residents' Association, the Ruislip Residents' Association and site notices were posted. 106 letters of objection and a 176 signature petition have been received which raise the following concerns:

- i) Noise pollution
- ii) Ecological/Environmental impact
- iii) Detrimental impact on residential amenity
- iv) Parking/Traffic/Access
- v) Light pollution
- vi) Commercial/Community use
- vii) Inadequate infrastructure
- viii) Encroachment on Warrender Park
- ix) Detrimental impact on character/heritage of Warrender Park
- x) Potential for alternative future uses
- xi) Sufficient alternative facilities in the area
- xii) Visual impact
- xii) Insufficient consultation by school
- xiii) Loss of privacy
- xiv) Anti-social behavior
- xv) Will set a precedent for other schools
- xvi) Regrading area to urban
- xviii) Insufficient detail of lighting impact
- xviii) Insufficient detail of proposed end users
- xiv) School and its facilities are not available to all
- xx) Impact on property values
- xxi) Increased litter
- xxii) Potentially contrary to land covenants

Case Officer's Comments:

Concerns relating to the impact of the proposal on the character of the area, residential amenity, noise and light pollution, ecology, parking, community use and privacy are considered within the body of the report. Concerns regarding land covenants, school consultation, litter, possible future uses and impact on property value are not material planning considerations.

Ruislip Residents Association:

Whilst the Ruislip Residents Association supports the provision of sports facilities in the area there are several areas of concern with this proposal echoed by a significant number of local residents

who will be affected should approval be given. We would list our concerns as follows:

1. There does not appear to have been any consultation with the local community prior to the submission of this application and given the nature of the proposal this is clearly unacceptable.
2. When the existing MUGA facility was granted planning approval we understand that it was agreed that flood lighting would not be provided unless full details were approved by the Council.
3. The lighting layout plan does not show the surrounding area, consequently it is difficult to assess what the impact of the lighting would be, particularly on nearby homes and the adjacent Warrender Park and Highgrove Nature Conservation Area.
4. Floodlighting and the associated light pollution has an adverse effect on the night time skyline. The dark areas provided by the Park and Nature Conservation Area currently provide a welcome break in the urban environment.
5. There is not to our knowledge any ecological report commissioned without this it is impossible to know the true impact on local habitat. The site is adjacent to a tree lined footpath and the previously mentioned Warrender Park and Highgrove Nature Conservation Area, all of which harbour various species of wildlife, birds and bats.
6. Extended hours would indicate use by external organisations, Experience elsewhere has shown this can result in anti-social behaviour and noise disturbance to local residents. Increased use of the school would result in more vehicles wanting to park in the immediate area adding to already existing congestion.

It is important that a precedent not be set for this type of application and we strongly support our members in objecting to it.

Case Officer's Comments:

The issues raised are considered within the body of the report and a number are reflected in the report's conclusions.

Eastcote Conservation Panel:

"I recently attended the local meeting at BR School with the Headmaster Andrew Wilcox regarding the above proposal. I have to say Mr Wilcox was wholly unprepared to answer many of the questions put by local residents looking for more detail on this very important indeed sensitive issue.

However, my letter to you is about my deep concern with regards to the erection of the above columns at the school and the consequence of renting of the MUGA pitch 7 days a week until 10pm, 364 days a year!

I have a young family and not looking forward to the noise the letting of the pitch will produce; this coupled with the parking in our road and Warrender road, particularly when people are leaving the facility late at night and the noise this will create in a residential area.

The School should be asked to submit a full ecological study before this application is determined.

In addition we are supporters of safeguarding Warrender Park and its wildlife. There is a fantastic array of protected species, newts, badgers and bats all of which are nocturnal. Flood lights until 10pm is not conducive to their way of life.

I cannot understand why this is being proposed in a residential area? The school appears, by results to be thriving and the students as part of the curriculum take part in sports regularly.

I have to ask that this application be refused"

Eastcote Conservation Panel also made the following comments:

I have received further information and would ask that Bishop Ramsey is requested to supply more information before this application is determined.

1. The school employs 175 full & part time staff, and has 1250 pupils. The current parking spaces number 60 cars 80 cycles 2 minibus. A total of 142 parking spaces, which is already inadequate for the volume of people using the school. The overspill congests the car park for Highgrove Leisure Centre and surrounding roads. The school is used on a Saturday for a Moslem School, which has a high number of attendees and there is high traffic congestion on Eastcote Road on Saturdays as well as the normal week day chaos.

2. The school web site advertises the following rooms for hire.

- Classrooms, capacity 30-35 each
- Restaurant capacity 200 seated
- Main Hall capacity 197-350
- Dance Studio capacity 30
- Drama Studio capacity 50-100
- MUGA 4 tennis courts and 3 Netball Courts with use of school changing facilities
- Sports Hall 3 Badminton courts, 2 cricket runs with use of school changing facilities
- Field large Football pitch with use of school changing facilities.

Within the application there is no indication of how many lettings there are, or how extra lettings of a floodlit MUGA will impact on traffic congestion in the area or parking.

3. Planning application 19731/APP/2008/2153 for the MUGA, condition 2 states that the pitch shall not be brought into community use until a scheme for the development including pricing etc is approved by the LPA. I have not been able to find this scheme or approval, does it exist? This approval was for 4 tennis courts and 3 netball pitches, a 5 a side football pitch was not part of the original application. Is this application for a change of use as well as flood lighting. If so it should be reflected in the application description.

4. Hours of use were restricted [policy OE3] to ensure the amenity of nearby residential occupiers is not adversely affected. This restriction should remain.

5. Planning application 19731/APP/2006/2811 (amalgamation of the schools) condition no. 11:
'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. The submitted details will be assessed with regard to security, and impacts on both residential amenity and ecology. 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 policy BE13 of the Hillingdon Unitary Development Plan and in the interests of ecology.'

This condition has not been followed in the current application. It is lacking an ecology report, security measures, details of impact on residential amenity. The density of the proposed lighting 400 lux is excessive for the proposed use. The information submitted does not contain details of how this will affect nearby residential dwellings, most of these dwellings have not been mentioned within the documentation e.g. College Drive, The Uplands, Warrender Way. As well as lighting the noise will also be detrimental to a very wide area.

This is a poorly presented and un-neighbourly application we ask that the application be refused.

Case Officer's Comments:

With regards to points 1 & 2 the Council's Highways Officer has provided comments on the proposal and raised concerns regarding the level of detail provided. With regards to point 3, the application is not for a change of use of the MUGA, but for floodlights and an extension to opening

hours. Community use is normally ancillary within schools and usually encouraged. It is worth noting that Condition 2 of application ref. 19731/APP/2008/2153 was intended to encourage and support the principle of community use, rather than purely to protect residential amenity. Point nos. 4 and 5 relate directly to conditions which the applicant is attempting to address with the current application, and the issues raised are considered within this report.

Councillor Michel Markham has made the following comments (which are also on behalf of Councillors Susan O'Brien and Douglas Mills):

"We have now concluded an examination of this application and the similarities in 2006 when Bishop Ramsey was amalgamated on its current site.

As we expected, a planning condition at that time was applied to stop floodlighting and noise being excessive from the new sport, (MUGA) arrangements. The principle reasons for this were to uphold residential amenity and to avoid ecological damage.

Our view of the current application is that nothing has changed to devalue these reasons and that such new arrangements would cause excessive disturbance, especially through noise and for longer periods.

We are therefore writing to the planning committee to ask that the recommendation is a for refusal and that the existing condition should remain in force."

Councillor Nick Denys has requested Committee determination.

A joint letter of objection has been received from Nick Hurd MP and Sir John Randall MP, which makes the following comments:

"We are writing with reference to Planning Application 19731/APP/2015/47 (Bishop Ramsey School).

Both of us have received representations from neighbours of Bishop Ramsey School. There is clearly a great deal of local concern about this proposal. They focus on:-

- 1) Noise pollution
- 2) Light pollution
- 3) The impact of additional lettings on traffic congestion and parking. Residents are very clear that there is already a significant problem in Warrender Way and Highgrove Way, and they believe that the proposals will only compound them.

It is pointed out that the Council were robust in imposing restrictions to protect residents in the previous application 1973/APP/2008/21153. They do not see what has changed in order to allow the Local Planning Authority to take a different view. There is also a concern that any approval might create a precedent for an application for floodlighting on the main pitch.

We recognise that Bishop Ramsey is an important community asset and we want to see it continue flourishing as a successful school. We understand their reasons for making this application, not least the need to explore new sources of revenue at a time of budget pressure. However we share the concerns of our constituents that this development will impose unacceptable cost on their quality of life, and so we object to the current application and ask that the concerns of residents are given proper consideration in the planning process."

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

I have considered this application for installation of 6no. 12m high floodlight at the above school. The application also includes changes in hours of opening for the MUGA from current 09-00 to 18-00 Monday to Saturday and at no times on Sundays to 08:30 to 21:00 Monday to Friday and 09:00 to 16:00 Sundays with no change to Saturday times.

I have a number of concerns regarding this proposal, in particular:

1. I have concerns about an extension of opening hours on weekdays by 3 hours in the evening and allowing the facilities to open for the first time on Sundays when sport activities may be carried out given the proximity of these facilities to residential properties. There is potential for noise disturbance to nearby residents and in particular residents in College Drive without adequate mitigation measures. The potential noise impact has not been assessed to support the application. This is a quiet residential area of Ruislip, the existing background noise in the area according to Defra noise mapping England is up to 55dB(A) Lden. Although there is no direct comparison between Lden and LAeq, this gives an idea of the noise levels in the area. Any activities that will be carried out in the evening period is likely to be noticeable as the ambient levels will drop by up to 5dB. In view of this, it is recommended an acoustic report is undertaken to demonstrate there will not be any adverse effects from the development on neighbouring sensitive premises.

2. There is potential for light spill on to residential premises from the 6no. 12m high floodlights. The Abacus technical light assessment is insufficient as it does not show what the levels will be at residential windows when the floodlights are in use. An assessment should include lux contour plots showing levels at windows when the premises are in use.

HIGHWAY ENGINEER

No details / information has been provided regarding the level of traffic and parking demands likely to be generated by the proposed use of these sports facilities. Given that the adjacent roads are already subject to high on-street parking demands, there is limited capacity to accommodate any significant increase. It has not therefore been demonstrated that the use of the proposed facilities would not adversely impact on highway safety and performance in conformity with policies AM1, AM7 and AM14.

SUSTAINABILITY OFFICER

The information on light spill needs to include impacts on ecology. There are two tree belts to the east and west of the site that are likely to provide an important ecology corridor connecting the wider area which includes the High Grove Site of Importance for Nature Conservation (SINC) Grade 2 to the north and east of the school.

The lack of information on light spill and lack of commentary on ecological impacts makes it difficult to fully determine the impacts of the scheme.

The applicant should be advised to submit this information prior to any approval to ensure the design and location of the lights is sufficiently protective of the ecology value in the area.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy R10 of the Council's Local Plan: Part 2, seeks to encourage the provision of

enhanced educational buildings across the borough. London Plan policy 3.18 also seeks to support development proposals which enhance education and skills provision including new schools and the expansion of existing facilities. Paragraph 72 of the National Planning Policy Framework (NPPF) confirms that great weight should be given to the need to create, expand or alter schools.

Notwithstanding the above, it should be noted that the emphasis of those policies, and in particular the NPPF, is nevertheless on the provision of additional school places. The proposal would not lead to an increase in pupil numbers at the site and, from the information provided, nor is it essential to enable the school to provide a high quality PE curriculum. Accordingly, it is considered that limited weight could be given to this scheme in terms of meeting those policy objectives as might otherwise be the case. In addition policy R10 of the Council's Local Plan: Part 2 relates specifically to buildings and not the construction of external facilities such as floodlighting.

In terms of sports provision, London Plan Policy 3.19 states that "development proposals that increase or enhance the provision of sports and recreation facilities will be supported" and "proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted." It goes on to say:

"Wherever possible, multi-use public facilities for sport and recreational activity should be encouraged. The provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to local community or biodiversity."

Insufficient evidence has been provided to demonstrate that 'there is an identified need for sports facilities to increase sports participation opportunities' in the locality. In addition it is considered that the proposed development would result in an unacceptable impact on the amenities of the occupiers of neighbouring residential units and that the applicant has not demonstrated that the floodlighting would not harm local biodiversity. The proposal is therefore deemed not in accordance with policy 3.19 of the London Plan.

The site does not fall within the Green Belt and has no other specific designations which would preclude development. However, in view of the above, objections are raised to the principle of the development. Given the nature of the proposal it is particularly important that issues relating to noise, lighting, traffic, visual impact and residential amenity are fully addressed.

7.02 Density of the proposed development

Not relevant to the current application.

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

Not relevant to the current application.

7.04 Airport safeguarding

Not relevant to the current application.

7.05 Impact on the green belt

The site is located within a developed area, and as such it is considered that the scheme would not impact on the green belt.

7.07 Impact on the character & appearance of the area

The proposed development relates to the construction of six number 12m high floodlighting columns and alterations to the hours of use of the MUGA. Given that the MUGA is already in-situ and is surrounded by 3m high metal fencing it is considered that the floodlighting

columns alone are likely to have a minimal impact on the character of the immediate locality. However the introduction of the floodlights and the impact which this lighting would have in addition to the extended hours of use of the MUGA into the evening and at weekends it deemed likely to have a significant impact on the adjacent park and residential streets. It is accepted that school already has an impact in setting the character of the area and however outside of school hours the locality is predominantly residential. The floodlights and extended hours of use to facilitate outdoor sports, with associated light and noise pollution, is considered likely to have a detrimental impact on the character of the locality. The proposal is therefore deemed contrary to Policy BE19 of the Hillingdon Local Plan: (November 2012).

7.08 Impact on neighbours

The Council's Environmental Protection Unit (EPU) have been consulted on the proposal and have raised concerns about an extension of opening hours and subsequent potential noise disturbance to nearby residents without adequate mitigation measures. The potential noise impact has not been assessed to support the application. EPU state that this is a quiet residential area of Ruislip and any activities that will be carried out in the evening period are likely to be noticeable. In view of this they recommend an acoustic report should have been submitted with the application which demonstrates that there will be no adverse effects from the development on neighbouring residential properties.

In addition EPU are of the opinion that there is potential for light spill on to residential premises from the 6no. 12m high floodlights. The Abacus technical light assessment is insufficient as it does not show what the levels will be at residential windows when the floodlights are in use. An assessment that included lux contour plots showing levels at windows when the premises are in use should have been submitted in support of the application.

Given that neither supporting documents have been provided, it is considered that the proposal could lead to an unacceptable impact on the residential amenity of the surrounding area in terms of noise and light pollution. The planning approval for the MUGA (ref. 19731/APP/2008/2153) included conditions which controlled the hours of use and limited the use of the MUGA to the school in order to protect residential amenity (subject to the discharge of a condition relating to community use). In addition condition no.11 was attached to the consent for the amalgamation of the two schools to control the use of floodlights in order to protect residential amenity. The applicant has supplied no supporting evidence which indicates that there is a material change in circumstances since these consents were granted.

Taking all of the above into consideration it is deemed that the proposal is contrary to Policies BE19, OE1 and OE3 of the Hillingdon Local Plan: (November 2012) and Policy 3.19 of the London Plan (2011).

As the MUGA is already in-situ and the application relates only to hours of use and floodlighting, therefore the impact of the proposal on the privacy of adjacent residential properties is not considered significant. As such the proposal is deemed in accordance with policy BE24 of the Hillingdon Local Plan: (November 2012).

7.09 Living conditions for future occupiers

Not relevant to the current application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Applicant has stated that an informal parking arrangement is proposed where users of the facility could use either the school carpark (which is quieter outside of school hours) or

the adjacent Highgrove Leisure Centre car park which is free after 6pm (Although no formal approach has been made to the Council as landlord). There is no assessment of the volumes of traffic, how such traffic would be directed away from residential streets closer to the MUGA or assessment of the impact on the Council owned Highgrove leisure centre car park. The Council's Highways Officer has reviewed the proposal and raised concerns regarding the level of detail provided. In summary no information has been provided regarding the level of traffic and parking demands likely to be generated by the proposed use of the sports facilities. The concern raised is that given that the adjacent roads are already subject to high on-street parking demands, there is limited capacity to accommodate any significant increase. The applicant has not therefore demonstrated that the use of the proposed facilities would not adversely impact on highway safety and performance. As such the proposal is contrary to policies AM1, AM7 and AM14 of the Hillingdon Local Plan (2012).

7.11 Urban design, access and security

The proposal is not considered to raise any specific urban design, access or security concerns.

7.12 Disabled access

The scheme would provide flood lighting to enable the increased use of an existing multi-use game area facility. Access to the existing school buildings will not be affected by the proposal and as such the scheme is considered to be consistent with Policies R16 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7.13 Provision of affordable & special needs housing

Not relevant to the current application.

7.14 Trees, Landscaping and Ecology

The Council's Sustainability Officer has been consulted on the application and raised concerns regarding its ecological impact. Warrender Park, to the east, is designated as a Nature Reserve and Nature Conservation Site of Borough Grade II or Local Importance.

Insufficient information has been provided with regards to the impact of the proposal on local ecology, in particular with regards to light spill. There are two tree belts to the east and west of the site that are likely to provide an important ecology corridor connecting the wider area which includes the High Grove Site of Importance for Nature Conservation (SINC) Grade 2 to the north and east of the school.

The lack of information on ecological impacts makes it difficult to fully determine the impacts of the scheme. As the applicant has not provided sufficient information to ensure the design and location of the lights is sufficiently protective of the ecology value in the area, the proposal is deemed contrary to policy EC3 of the Hillingdon Local Plan (November 2012).

7.15 Sustainable waste management

No waste management concerns are raised by the proposed development.

7.16 Renewable energy / Sustainability

The Council's Sustainability Officer has reviewed the proposal and raised concerns regarding the ecological impact of the proposal as set out above. No concerns were raised regarding renewable energy or sustainability.

7.17 Flooding or Drainage Issues

The site does not fall within a flood zone and no issues relating to flooding have been identified.

7.18 Noise or Air Quality Issues

No air quality concerns are raised with regards to the development.

7.19 Comments on Public Consultations

The public consultation process resulted in a number of concerns being raised with the proposal. In particular the impact the scheme would have on residential amenity and the character of the area, noise and light pollution as well as ecology, parking and traffic problems. These issues have been considered within the report and it is concluded that insufficient information has been provided to demonstrate that the proposal would have an acceptable impact. Concerns regarding land covenants, school consultation, litter, possible future uses and property values are not material planning considerations.

7.20 Planning Obligations

Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012) states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support art, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

As the proposed development will not create any additional floorspace or dwellings it is considered that no planning obligations would be necessary to mitigate the impact of the development.

7.21 Expediency of enforcement action

No enforcement action is applicable in this instance.

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

Insufficient detail has been provided regarding the acoustic and light spillage impact of the development and how it would impact on traffic flow and parking within the locality. As such it is considered that the proposal may adversely affect the character of the area, the residential amenity of existing residential properties adjacent to the site and have an unacceptable impact on highway safety. In addition without further evidence regarding the ecological impact of the floodlights it is possible that the proposal may have an unacceptable impact on the ecology of the locality.

It is therefore considered that the application fails to comply with Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies AM7, BE19, EC3, OE1 and OE3 of the of the Hillingdon Local Plan: (November 2012) and London Plan (2011) policy 3.19.

The proposal is therefore recommended for refusal.

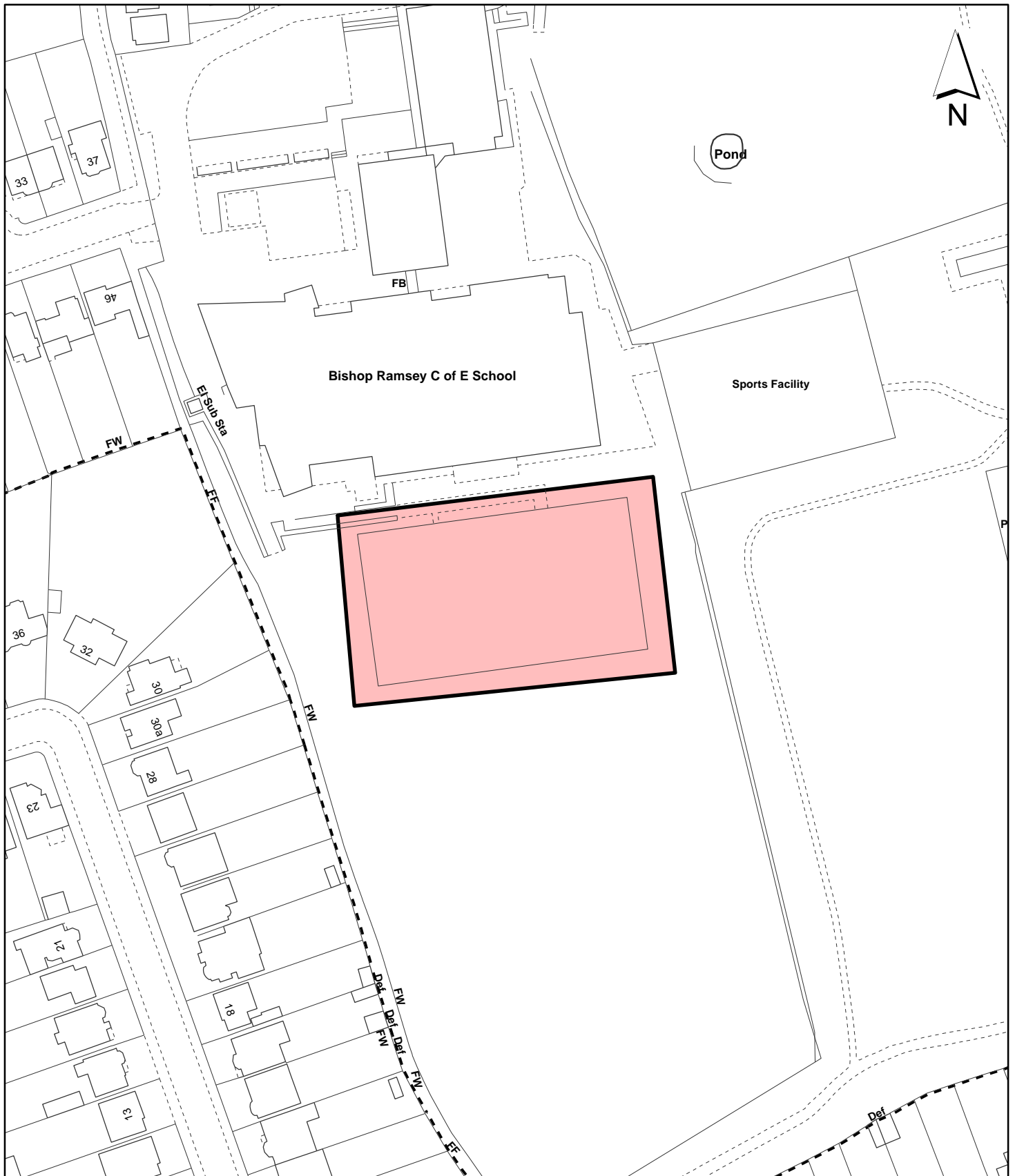
11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
Policy Statement - Planning for Schools Development (DCLG, 15/08/11)
London Plan (July 2011)


Hillingdon Supplementary Planning Document - Noise

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Notes

 Site boundary

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**LONDON BOROUGH
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Planning Application Ref:
19731/APP/2015/47

Scale
1:1,250

Planning Committee
North

Date
March 2015



HILLINGDON
 LONDON