

## Report of the Head of Planning, Transportation and Regeneration

**Address** ST JOHNS SCHOOL POTTER STREET HILL NORTHWOOD

**Development:** Demolition of the existing sports hall and construction of a replacement sports hall to provide indoor PE and sports facilities.

**LBH Ref Nos:** 10795/APP/2018/149

**Drawing Nos:** Arbtech TPP 02 (Tree Protection Plan)  
Landscape and Visual Assessment, prepared by Jon Etchells Consulting dated November 2017  
23213A/02 (Existing Site Plan)  
23213A / 01 (Location Plan)  
23213A/03 (Impact of Development on Playing Fields'  
Arboricultural Method Statement, prepared by Arbtech dated 12/12/17  
23213A/06 (Proposed Context Plan)  
23213A/07 (Proposed Roof Plan)  
23213A/08 (Proposed Elevations 1 of 2)  
23213A/09 (Proposed Elevations 2 of 2)  
23213A/10 (Proposed Sections A-A & B-B)  
JEC/449/01/A (Landscape Proposals)  
JEC/449/02 (Proposed Retaining Structure)  
Topographical Site Survey  
Planning Statement, prepared by Vincent & Gorbing dated January 2018  
Design & Access Statement, dated November 2017  
Ecological Assessment, prepared by Ecology Solutions Ltd, dated December 2017  
Arbtech AIA 02 (Arboricultural Impact Assessment)  
23213A/04 (Proposed Site Plan)  
23213A/05 Rev.P1 (Proposed Ground & First Floor Plans)  
Flood Risk & SuDS Assessment v.2, prepared by Price & Myers dated March 2018  
Hillingdon LLFA Technical Assessment Proforma  
Energy Strategy Report, prepared by Price & Myers dated May 2018  
Clarification Statement, prepared by Vincent & Gorbing

<b>Date Plans Received:</b>	11/01/2018	<b>Date(s) of Amendment(s):</b>	11/01/2018
<b>Date Application Valid:</b>	11/01/2018		10/07/2018
			14/06/2018

### 1. SUMMARY

This application seeks full planning permission for the demolition and replacement of the existing sports hall at St John's School in Northwood. A new three-court sports hall with changing room facilities for approximately 80 pupils (to allow for four classes of 20 to be accommodated - two finishing lessons and two starting), storage space, administrative space, plant room and ancillary facilities, would replace the existing single court sports hall.

St John's School is an independent day school for boys aged 3 - 13. The supporting documentation confirms that it offers a full range of academic subjects and curriculum and also runs an extensive programme of extra-curricular activities, achieving well in art,

drama, music, sport and design. The submitted Planning Statement advises that the School has a high standard of outdoor sporting facilities, including four rugby pitches, all weather sports facilities, mini golf course, golf practice nets and three cricket pitches. The general sporting facilities have been improved over a number of years to ensure that all age groups from three to thirteen can enjoy a variety of both sports related and non-sports activities. However, the School's current gymnasium is not large enough to meet curricular and extra-curricular demands and is no longer considered to meet modern educational and sporting standards. In light of this, and to meet the school's current modern sporting requirements, the following is now proposed:

- A Three-Court Sports Hall based upon the dimensional criteria extrapolated from the Sport England publication, Affordable Sports Hall;
- Changing and shower facilities to cater for 80 male pupils, aged between 3 and 13;
- Adequate sanitary accommodation;
- Associated ancillary accommodation including storage.

Notably, the applicant has confirmed that no increase in pupil or staff numbers is proposed and, indeed, the Planning Statement acknowledges that both pupil and staff numbers at the school are capped (to 350 and 65 full time equivalent respectively) by historic consents.

This application has been submitted following pre-application consultation with the Local Planning Authority and comments made at that time have been taken on board by the applicant.

The proposal fully complies with the aims of current local, London Plan and NPPF planning policies aimed at enhancing educational development and sports provision. Whilst it would result in some small loss of playing field, it is considered that the provision of alternative high quality sporting facilities through the expansion of the existing sports hall would be of sufficient benefit to sport so as to outweigh this loss, such that the proposals would not be contrary to policies which seek to preserve existing playing fields and sports facilities. Sport England have, notably, raised no objections in this respect.

Notwithstanding the above, the development does however represent inappropriate development within the Green Belt and it would inevitably have some impact on openness and visual amenity. The applicant has however demonstrated a case of very special circumstances considered sufficient to justify an exception to current policy such that it is not considered that refusal could be justified on these grounds.

Furthermore, notwithstanding strong objections to the scheme from local residents, it is not considered that the proposal would have any significant detrimental impact on the amenities of the occupiers of neighbouring residential properties or result in such an unacceptable increase in traffic to/from the site that refusal could be justified.

It should be noted that the scheme is referable to the Greater London Authority (GLA) due to its size and location in the green belt. Additional supporting information has been provided throughout the course of the application, which is considered to appropriately address matters which have been raised in the GLA's Stage One comments. The applicant has particularly sought to address the GLA's comments regarding green belt impact and officers level comments have now been received from the GLA suggesting the scheme could be considered acceptable (subject to final Stage 2 referral and review by the Mayor).

The proposal is considered to comply with relevant Local Plan, London Plan and national planning policies and guidance and, accordingly, approval is recommended.

## **2. RECOMMENDATION**

That delegated powers be given to the Head of Planning, Transportation and Regeneration to grant planning permission, subject to the following:

A. That the application be referred to the Mayor under Article 3 of the Town and Country Planning (Mayor of London) Order 2000.

B. That subject to the Mayor of London not directing the Council under Article 5 of the Town and Country Planning (Mayor of London) Order 2000 to refuse the application or that he wishes to act as the determining authority, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers.

C. That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:

1. **Construction Training:** Either a contribution equal to the formula (£2,500 for every £1m build) or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development with the preference being for an in-kind scheme to be delivered. A contribution towards co-ordinating costs may also be required.

2. **Reinstatement of hardstanding to allotment garden:** Prior to occupation a scheme shall be submitted to and agreed in writing by the local planning authority, detailing how 109m<sup>2</sup> of hardstanding shall be removed and replaced with allotment gardens for educational purposes, as set out in paragraph 33 of the Clarification Statement, prepared by Vincent and Gorbing and dated 05/06/18. This shall include details of landscaping and a schedule for implementation.

3. **Project Management & Monitoring:** A contribution equal to 5% of the total cash contributions secured to enable the management and monitoring of the resulting agreement.

D. That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed.

E. That the officers be authorised to negotiate the terms of the proposed agreement.

F. That, if the S106 agreement has not been finalised within six months, under the discretion of the Head of Planning, Transportation and Regeneration, the application is refused under delegated powers on the basis that the applicant has refused to address planning obligation requirements.

G. That if the application is approved, the following conditions be attached:

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

23213A/01  
23213A/03  
23213A/04  
23213A/05 Rev.P1  
23213A/06  
23213A/07  
23213A/08  
23213A/09  
23213A/10  
JEC/449/01/A  
JEC/449/02  
Arbtech AIA 02  
Arbtech TPP 02

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 Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

**3 COM5 General compliance with supporting documentation**

The development hereby permitted shall be completed in accordance with the following specified supporting plans and/or documents:

Arboricultural Method Statement, prepared by Arbtech dated 12/12/17  
Design & Access Statement, dated November 2017  
Ecological Assessment, prepared by Ecology Solutions Ltd, dated December 2017  
Flood Risk & SuDS Assessment v.2, prepared by Price & Myers dated March 2018  
Hillingdon LLFA Technical Assessment Proforma  
Energy Strategy Report, prepared by Price & Myers dated May 2018

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

**REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

**4 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 Local Plan: Part Two Saved UDP Policies (November 2012).

**5 COM7 Materials (Submission)**

No development shall proceed beyond the steel/timber/concrete superstructure (including roof structure) of any building proposed until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 7.13 of the London Plan (2016).

**6 COM8 Tree Protection**

No site clearance or construction work shall take place until tree protective fencing has been installed in compliance with those details shown on drawing no. Arbtech TPP 02.

Thereafter, the development shall be implemented in accordance with drawing nos. Arbtech TPP 02, Arbtech AIA 02 and the approved Arbtech Arboricultural Method Statement dated 12/12/17. 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 Local Plan: Part Two Saved UDP Policies (November 2012).

**7 COM9 Landscaping (car parking & refuse/cycle storage)**

The hereby approved landscape scheme shall be carried out in full accordance with details shown on drawing no. JEC/449/01/A.

**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 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

## **8 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 Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

## **9 COM15 Sustainable Water Management**

Prior to commencement of development, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all SuDs features including the method employed to delay and control the surface water discharged from the site; and
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime, including appropriate details of Inspection regimes and appropriate performance specification; and
- iii. provide the CCTV survey to demonstrate the private system that this development connects into is in appropriate condition and size to receive a connection and provide demonstration that remedial work recommended has been undertaken prior to completion.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

### **REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policies 5.12 and 5.15.

## **10 COM26 Ecology**

Within three months of commencement of development on site, an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning

Authority. The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping and the fabric of the buildings. The development shall be implemented and retained/maintained in accordance with the approved details.

**REASON**

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 of the Hillingdon Local Plan: Part One Strategic Policies and Policy 7.28 of the London Plan (2016).

**11 COM31 Secured by Design**

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

**12 NONSC PV details**

Prior to installation, full details (including specifications) of the photovoltaic (PV) panels as required by the Energy Strategy Report (Price & Myers, May 2018, v.1) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the type of PVs, the specifications, and the fixing mechanism and angles to the roof. Elevations and roof plans clearly showing the inclusion of the PVs shall also be included. The development must proceed in accordance with the approved details.

**REASON**

To secure the CO2 reductions set out in the Energy Strategy Report in compliance with London Plan (2016) Policy 5.2.

**13 NONSC Green roof**

Prior to completion of superstructure works, full details of the green roof to be installed, including specification, shall be submitted to, and approved in writing by, the Local Planning Authority. The green roof shall be implemented and retained/maintained in perpetuity in accordance with the approved details.

**REASON**

To assist in reducing surface water run-off, enhancing the biodiversity of the site, aiding energy efficiency, and enhancing the visual appearance of the building in compliance with London Plan (2016) Policy 5.11.

**14 NONSC Construction Logistics Plan**

Prior to the commencement of development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall consider the cumulative impacts of construction traffic and provide details of likely construction trips generated, and mitigation proposed. Details should include;

i) site access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers

of construction vehicles accessing the site during peak hours), including details of a site access off Potter Street Hill and how all construction traffic will only use side access,

- ii) booking systems,
- iii) construction phasing,
- iv) vehicular routes,
- v) scope for load consolidation in order to reduce the number of road trips generated,
- vi) measures to improve safety to vulnerable road users,
- vii) measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

The CLP would also need to take account of construction of other developments in the area.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To reduce the impacts of construction on the surrounding highway network and to safeguard the amenity of surrounding areas in accordance with Policies OE1 and AM2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 6.14 of the London Plan (2016).

#### **15 NONSC Community Use Agreement**

Prior to occupation of the development a community use agreement, prepared in consultation with Sport England, shall be submitted to and approved in writing by the Local planning Authority, and a copy of the completed approved agreement shall be provided to the Local planning Authority. The agreement shall apply to the Sports Hall and ancillary facilities hereby permitted and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

#### REASON

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy, including London Plan (2016) policy 3.19.

#### **16 NONSC Community**

The hereby approved sports hall shall be used for educational and sports uses only.

#### REASON

To ensure the facility is not used for alternative activities which could generate unacceptable levels of noise and traffic, in accordance with Policies OE3 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **17 NONSC Car parking**

Prior to occupation of the development a car parking management strategy, which details how parking for community use of the facilities will be managed and catered for on site, shall be submitted to and agreed in writing by the Local Planning Authority.

#### REASON

To ensure the community use of the facility does not result in an unacceptable impact on the local highway network through an unacceptable increase in demand for on-street



parking, in compliance with policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**18 COM30 Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

**REASON**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**19 NONSC Refuse**

Prior to occupation details of covered and secure refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Any new facilities proposed shall be implemented, retained and maintained, in accordance with the approved details, in perpetuity.

**REASON**

To ensure appropriate refuse provision is provided in accordance with London Plan (2016) policy 5.17.

**20 DIS2 Access to Buildings for People with Disabilities**

Prior to commencement of superstructure, details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be

provided prior to the occupation of the development and shall be permanently retained thereafter.

#### REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy/ies AM13/R16 [refer to the relevant policy/ies] of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (2016) Policies 3.1, 3.8 and 7.2

#### INFORMATIVES

##### **1            152            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            153            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) 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R3	Indoor sports, leisure and entertainment facilities
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R10	Proposals for new meeting halls and buildings for education, social, community and health services

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.
LPP 3.18	(2016) Education Facilities
LPP 3.19	(2016) Sports Facilities
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies
LPP 6.1	(2016) Strategic Approach
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 3	NPPF-3 2018 - Plan Making
NPPF- 4	NPPF-4 2018 - Decision-making
NPPF- 8	NPPF-8 2018 - Promoting healthy and safe communities
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

### 3 159 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 (2016). 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.

**4 170 LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**5 11 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.

**6 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 - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

**7 111 The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

**8 112 Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

**9 115 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](http://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.

**10            119                    Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.  
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

**11            124                    Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

**12            134                    Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act

1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

### 13

The Council's Access Officer has provided the following advice:

- a) The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.
- b) Fixtures, fittings and furnishings, particularly hard materials should be selected to ensure that sound is not adversely reflected. The design of all learning areas should be considerate to the needs of people who are hard of hearing or deaf. Reference should be made to BS 8300:2009+A1:2010, Section 9.1.2, and, BS 223 in selecting an appropriate acoustic absorbency for each surface.
- c) Care should be taken to ensure that the internal decoration achieves a Light Reflectance Value (LRV) difference of at least 30 points between floor and walls, ceiling and walls, Including appropriate decor to ensure that doors and door furniture can be easily located by people with reduced vision.
- d) Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.
- e) Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.
- f) Flashing beacons/strobe lights linked to the fire alarm should be carefully selected and installed to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

### 14

Thames Water have advised as follows:

Where it is proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk).

Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

## 15

With regard to condition 4, the GLA have advised that in terms of the materials proposed it should be demonstrated how the scheme will meet the requirements of London Plan Policy 7.13 relating to fire safety solutions and best practice in fire safety in both design and management.

## 16

With regard to condition 15, please note that guidance on preparing Community Use Agreements is available from Sport England: <http://www.sportengland.org/planningapplications>.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

St John's School occupies an expansive site in the far north of the borough, extending to approximately 12.4 hectares. It comprises a main area of school buildings and car parking set within a landscaped setting, all weather pitches, playing fields and sizeable areas of woodland and unmanaged scrubland. The school occupies a steeply sloping Hillside and levels change significantly across the site.

The school falls within a predominantly residential area, largely characterised by sizeable detached properties with large gardens. Its primary access is via Potter Street Hill. A secondary access is available via Wieland Road, which is a private road.

Almost the entire site falls within the Green Belt and much of the woodland is designated as a Nature Conservation Site. The gatehouse building (off Wieland Road) is locally listed. A number of drainage ditches also traverse the site. Land adjoining to the west falls within an Area of Special Local Character and the school bounds Three Rivers District Council to the north and the London Borough of Harrow to the east.

### 3.2 Proposed Scheme

It is proposed to demolish the school's existing single court sports hall and replace this with a new three court sports hall with changing room facilities for approximately 80 pupils (to allow for four classes of 20 to be accommodated - two finishing lessons and two starting), storage space, administrative space, plant room and ancillary facilities.

It is understood that the dimensions, including the height, of the sports hall have been dictated by Sport England guidelines. Overall the building would have an approximate footprint of 955m<sup>2</sup> and it would provide approximately 1,127m<sup>2</sup> of floorspace and have a maximum height of 7.5m. This represents increases of 608m<sup>2</sup>, 780m<sup>2</sup> and 1.5m respectively.

There would be no increase in pupil numbers as a result of the proposals (it is acknowledged that the school's pupil numbers are limited to 350 and its staff numbers limited to 65 full-time equivalent by planning conditions attached to historic consents). Furthermore, no changes to existing site access or car parking layouts are proposed.

### 3.3 Relevant Planning History

10795/AB/86/1125            St Johns School Potter Street Hill Northwood  
Alterations to elevation (P)

**Decision:** 14-07-1986    Approved

10795/AD/88/0074            St Johns School Potter Street Hill Northwood  
Demolition of existing single-storey building and erection of a 2-storey teaching block

**Decision:** 08-07-1988    Approved

10795/AF/90/1653            St Johns School Potter Street Hill Northwood  
Retention of single storey store building

**Decision:** 06-03-1991    Refused                    **Appeal:** 15-11-1991    Allowed

10795/AH/90/1188            St Johns School Potter Street Hill Northwood  
Erection of a single-storey rear extension

**Decision:** 01-02-1991    Approved

10795/AM/94/0837            St Johns School Potter Street Hill Northwood  
Erection of a detached store and hardstanding (involving demolition of two existing buildings)

**Decision:** 24-08-1994    Approved

10795/AN/94/0872            St Johns School Potter Street Hill Northwood  
Details of scheme of landscaping in compliance with condition 5 of planning permission ref. 10795AJ/91/714 dated 29.11.91; Erection of a two storey classroom block



**Decision:** 23-06-1994    Approved

10795/APP/2001/1600    St Johns School Potter Street Hill Northwood

ERECTION OF ADDITIONAL CLASSROOM AND ASSEMBLY AREA WITH LIBRARY FOR PR  
PREP SCHOOL, TOGETHER WITH FIRST AID ROOM AND STAFF TOILET

**Decision:** 21-11-2001    Approved

10795/APP/2002/823    St Johns School Potter Street Hill Northwood

DETAILS OF MATERIALS IN COMPLIANCE WITH CONDITION 2 OF PLANNING PERMISSIC  
REF. 10795/APP/2001/1600 DATED 21/11/2001; ERECTION OF ADDITIONAL CLASSROOM  
AND ASSEMBLY AREA WITH LIBRARY

**Decision:** 07-06-2002    Approved

10795/APP/2003/1440    St Johns School Potter Street Hill Northwood

GROUNDWORKS TO FORM TWO RUGBY PITCHES (WITH RETAINING WALL), AN ALL-  
WEATHER HOCKEY PITCH (WITH 3 METRE PERIMETER FENCE, RETAINING WALL, PLAN  
AND EQUIPMENT STORAGE BUILDINGS AND COVERED VIEWING AREA)

**Decision:** 05-08-2004    Approved

10795/APP/2005/1992    St Johns School Potter Street Hill Northwood

GROUNDWORKS TO FORM AN ALL-WEATHER HOCKEY PITCH AND TWO RUGBY PITCHI  
AND ANCILLARY WORKS

**Decision:** 06-10-2005    Approved

10795/APP/2006/432    St Johns School Potter Street Hill Northwood

VARIATION OF CONDITION 2 (TO ALLOW ALTERATION TO THE FINISHED LEVELS OF TH  
ARTIFICIAL TURF PITCH) OF PLANNING PERMISSION REF.10795/APP/2005/1992 DATED  
12/10/2005: GROUNDWORKS TO FORM AN ALL-WEATHER HOCKEY PITCH AND TWO  
RUGBY PITCHES AND ANCILLARY WORKS (RETROSPECTIVE APPLICATION).

**Decision:** 31-05-2006    Refused

10795/APP/2006/458    St Johns School Potter Street Hill Northwood

ERECTION OF A TIMBER BUILDING FOR GROUND EQUIPMENT STORAGE.

**Decision:** 05-07-2006    Approved

10795/APP/2006/667    St Johns School Potter Street Hill Northwood

DETAILS OF LANDSCAPING, LANDSCAPE MAINTENANCE, LAND DRAINAGE WATER AND SURFACE WATER CONTROL MEASURES, SITE SURVEY TO ASSESS CONTAMINATION AND REMEDIATION MEASURES AND A PROGRAMME OF ARCHEOLOGICAL WORKS IN COMPLIANCE WITH CONDITIONS 9, 11, 12, 13, 14 AND 24 OF PLANNING PERMISSION REF. 10795/APP/2005/1992 DATED 12/10/2005 'GROUNDWORKS TO FORM AN ALL-WEATHER HOCKEY PITCH, TWO RUGBY PITCHES AND ANCILLARY WORKS'

**Decision:** 31-05-2006 DIS

10795/APP/2007/176 St Johns School Potter Street Hill Northwood

VARIATION OF CONDITION 20 (HOURS OF OPERATION) OF PLANNING PERMISSION REF.10795/APP/2005/1992 DATED 12/10/2005: GROUNDWORKS TO FORM AN ALL-WEATHER HOCKEY PITCH AND TWO RUGBY PITCHES AND ANCILLARY WORKS - APPROVED.

VARIATION OF CONDITION 22 (USE BY EXTERNAL BODIES) OF PLANNING PERMISSION REF.10795/APP/2005/1992 DATED 12/10/2005: GROUNDWORKS TO FORM AN ALL-WEATHER HOCKEY PITCH AND TWO RUGBY PITCHES AND ANCILLARY WORKS - REFUSED.

**Decision:** 16-03-2007 SD

**Appeal:** 19-11-2007 Allowed

10795/APP/2009/1560 St Johns School Potter Street Hill Northwood

Retention of additional classroom and assembly area with library for pre-prep school, together with first aid room and staff toilet, without complying with condition 4 of planning permission ref. 10795/APP/2001/1600 dated 21/11/2001 (which limits pupil numbers at the school to 350 and staff to no more than 40) to allow the retention of the current numbers of 405 pupils and 65 full-time equivalent staff (Retrospective Application).

**Decision:** 13-05-2010 Refused

**Appeal:** 31-05-2011 Dismissed

10795/APP/2009/199 St Johns School Potter Street Hill Northwood

ERECTION OF A TWO STOREY EXTENSION TO EXISTING JUNIOR SCHOOL BLOCK TO PROVIDE NEW TEACHING SPACES AND ASSOCIATED STAFF, TOILET AND CLOAKROOM FACILITIES, AND ERECTION OF A SINGLE STOREY TO DINING HALL / KITCHEN FACILITIES TO PROVIDE NEW STORAGE AND CATERING STAFF WELFARE FACILITIES (RESUBMISSION).

**Decision:** 06-04-2009 Refused

10795/APP/2009/513 St Johns School Potter Street Hill Northwood

EXTENSION & RECONFIGURATION OF EXISTING TIMBER FENCE ENCLOSED COMPOUND TO ACCOMMODATE EXISTING SHED, NEW WATER STORAGE TANK & BOOSTER PUMP & RECYCLABLE WASTE STORE.

**Decision:** 21-07-2009 Approved

10795/APP/2011/2627 St Johns School Potter Street Hill Northwood

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

**Decision:** 21-02-2012 Approved

10795/APP/2012/647 St Johns School Potter Street Hill Northwood

Approval of details reserved by conditions 4 and 5 of planning permission Ref: 10795/APP/2011/2627 dated 23/02/2012 (Retention of additional classroom and assembly area with library for pre-prep school, together with first aid room and staff toilet, without complying with condition 4 of planning permission ref: 10795/APP/2001/1600 dated 21/11/2001 (which limited pupil numbers at the school to 350 and staff to no more than 40 FTE) to allow for the retention of the current staff numbers (65 full-time equivalent staff))

**Decision:** 09-05-2012 Approved

10795/AR/97/0436 St Johns School Potter Street Hill Northwood

Erection of part two storey, part single storey detached building to provide assembly hall, four new classrooms, music practice rooms and toilets

**Decision:** 10-06-1998 Approved

10795/AW/98/2328 St Johns School Potter Street Hill Northwood

Details of landscaping scheme in compliance with condition 4 of planning permission ref.10795AR/97/ 436 dated 10/06/98; Erection of a part two storey, part single storey detached building to provide assembly hall, four new classrooms, music practice rooms and toilets

**Decision:** 07-07-1999 Approved

10795/K/77/1272 St Johns School Potter Street Hill Northwood

Extension/Alterations to Educational premises (P) of 200 sq.m.

**Decision:** 28-04-1978 ALT

10795/M/78/1864 St Johns School Potter Street Hill Northwood

Educational development - 460 sq.m. (Full)(P)

**Decision:** 09-02-1979 Approved

10795/Q/83/1249 St Johns School Potter Street Hill Northwood

Retention of permission 10795/77/1272 (P)

**Decision:** 22-12-1983 ALT

10795/S/85/0746 St Johns School Potter Street Hill Northwood  
Extension/Alterations to Educational premises (P) of 324 sq.m.

**Decision:** 10-10-1985 Approved

10795/T/85/0747 St Johns School Potter Street Hill Northwood  
Educational development - 346 sq.m. (Full)(P)

**Decision:** 10-10-1985 Approved

10795/Y/85/1839 St Johns School Potter Street Hill Northwood  
Details in compliance with 10795/85/0747 (P)

**Decision:** 11-12-1985 Approved

10795/Z/86/0707 St Johns School Potter Street Hill Northwood  
Details in compliance with 10795/85/0747 (P)

**Decision:** 02-06-1986 Approved

#### **Comment on Relevant Planning History**

The site has an extensive planning history. Throughout the assessment of this application, aspects of this have been queried by the GLA (who wished to know when planning permission was originally granted for the existing sports hall) and raised by residents (who have referred to past refusals and appeals in their comments). Accordingly, for completeness, a summary of all planning applications received since the late 1970s is summarised above. Whilst not necessarily of direct relevance to the current proposals in all instances, those applications specifically raised by consultees, including residents, are discussed in more detail below.

Planning permission (ref: 10795/T/85/747) was granted for the "erection of gymnasium and changing facilities (existing greenhouse and storage shed to be demolished)" on 10/10/85. Records indicate this was the original planning permission relating to the existing sports hall.

Residents have referred to past refusals and appeal decisions (although no specific application numbers or appeal references have been provided), with the suggestion that these set a precedent for the refusal of this application. Residents also refer to a cap on pupil and staff numbers. These applications are discussed below.

Planning permission (ref: 10795/APP/2001/1600) for the erection of additional classroom and assembly area with library for pre-prep school, together with first aid room and staff toilet, was approved on 05/12/01. Condition 4 of that consent stated:

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

Reason: To prevent the generation of additional traffic giving rise to problems of safety and

congestion in Potter Street Hill."

Planning permission (ref: 10795/APP/2007/176) was refused for the variation of condition 20 (hours of operation) of planning permission ref:10795/APP/2005/1992 dated 12/10/2005, relating to the provision of an all weather pitch, for the following reason:

"The applicant has failed to demonstrate that the proposal would not adversely impact local residential amenity or highway conditions (including overspill parking). As such, the proposal fails to comply with policies OE1, AM2, AM7 and AM14 of the Hillingdon Unitary Development Plan."

A subsequent appeal was allowed, with the Inspector concluding that there would be no detrimental impact on the green belt; additional traffic generation would be outside peak times and the school playground could be used for parking such that the proposal would not lead to significant traffic problems; and the proposal would not lead to unacceptable noise and disturbance. In allowing the appeal, the Inspector did however apply the following conditions:

1. "New Condition 20: The West field and its sports pitches shall only be used between the following hours:  
08:00 and 19:00 hours Monday to Friday inclusive, and  
08:00 and 17:00 hours on Saturdays.  
The sports pitches shall not be used on Sundays and Bank Holidays.

2. "New Condition 22: The sports pitches on the West field shall only be used for school related activities and any other leisure activities by children of compulsory school age."

Planning permission (ref: 10795/APP/2009/199) for the erection of a two-storey extension to the existing junior school block to provide new teaching spaces and associated staff, toilet and cloakroom facilities, and erection of a single-storey extension to the dining hall/kitchen facilities, to provide new storage and catering staff welfare facilities, was refused on 06/04/09 for the following reasons:

1. The proposal by reason of siting within the Green Belt represents inappropriate development and the applicant is not considered to have demonstrated very special circumstances such as to override the policy presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to Policy OL1 of the Hillingdon UDP Saved Policies (September 2007, Policy 3D.9 of the mayor's London Plan and PPG2 (Green Belts).

2. The proposal by reason of its size, siting and design would have a detrimental impact on the openness and the visual amenities of the Green Belt. The proposal is therefore contrary to Policies OL1, OL4 and BE19 of the Hillingdon UDP Saved Policies (September 2007) and PPG2 (Green Belts).

3. Notwithstanding the reference made by the applicants in their supporting statement, the applicants have not demonstrated that the current and proposed level of traffic will not prejudice vehicle and pedestrian safety and movement in and around Potter Street Hill. As such the proposal fails to accord with Policy AM7 of the Hillingdon UDP Saved Policies (September 2007).

4. Insufficient parking is proposed to service the development which will result in overspill

parking on surrounding residential streets to the detriment of highway and pedestrian safety. As such the proposal fails to accord with Policies AM7 and AM14 of the Hillingdon UDP Saved Policies (September 2007).

Planning permission (ref: 10795/APP/2009/1560), for the "retention of additional classroom and assembly area with library for pre-prep school, together with first aid room and staff toilet, without complying with condition 4 of planning permission ref. 10795/APP/2001/1600 dated 21/11/2001 (which limits pupil numbers at the school to 350 and staff to no more than 40) to allow the retention of the current numbers of 405 pupils and 65 full-time equivalent staff (Retrospective Application)" was refused on 13/05/10 for the following reasons:

1. The proposal by reason of the increase in capacity of pupils and staff would result in increase in parking demand and traffic to the detriment of highway and pedestrian safety and contrary to Policy AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.

2. The proposed development would result in an intensification of use to the detriment of the visual amenities of the Green Belt contrary to Policy OL4 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and National Planning Policy as set out in Planning Policy Guidance Note 2 - Green Belts.

The application was subsequently dismissed at appeal on 31/05/11. Whilst the Inspector concluded that the impact of that development on the openness of the green belt was acceptable, the appeal was dismissed due to concerns regarding the impact of an increased number of pupils on the local highway network.

Subsequent enforcement action resulted in the school falling into compliance in terms of pupil and staff numbers.

Planning application (ref: 10795/APP/2011/2627) sought the retention of an additional classroom and assembly area with library for pre-prep school, together with first aid room and staff toilet, without complying with condition 4 of planning permission ref: 10795/APP/2001/1600 dated 21/11/2001 (which limited pupil numbers at the school to 350 and staff to no more than 40 FTE) to allow for the retention of the current staff numbers (65 full-time equivalent staff). This was approved on 23/02/12. Condition 1 of that consent states:

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

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

#### **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 2016)  
National Planning Policy Framework (2018)  
Hillingdon Supplementary Planning Document: Accessible Hillingdon

## 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.CI1 (2012) Community Infrastructure Provision
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- 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:

- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- OL5 Development proposals adjacent to the Green Belt
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- R3 Indoor sports, leisure and entertainment facilities
- R4 Proposals that would involve the loss of recreational open space
- R5 Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
- R10 Proposals for new meeting halls and buildings for education, social, community and health services
- 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.
LPP 3.18	(2016) Education Facilities
LPP 3.19	(2016) Sports Facilities
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies
LPP 6.1	(2016) Strategic Approach
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 3	NPPF-3 2018 - Plan Making
NPPF- 4	NPPF-4 2018 - Decision-making
NPPF- 8	NPPF-8 2018 - Promoting healthy and safe communities
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010



## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **28th February 2018**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

Consultation letters were sent to 11 neighbouring owner/occupiers, the Northwood Hills Residents' Association and the Gatehill Residents' Association. Site and press notices were also posted.

Five letters of objection were received. The following concerns were raised:

- i) Inappropriate development in the Green Belt.
- ii) The building's footprint will be 3 x the existing and its volume will be 5 x the existing.
- iii) No amount of landscaping/screening/camouflaging or design can mitigate or minimise the impact on openness.
- iv) Visual impact on the surrounding area, including Potter Street Hill.
- v) Substantial weight must be given to the harm to the Green Belt.
- vi) The applicant's argument regarding the benefits of physical education is flawed. Evidence suggests the benefits are perceived rather than proven.
- vii) There is no statutory requirement for the school to meet any minimum requirements for PE and thus VSC do not exist.
- viii) The Independent Schools Inspectorate Report (2016) did not find any shortcomings with regards to sports and physical education.
- ix) The school is already well served by extensive sports facilities.
- x) Lack of need.
- xi) Very special circumstances (VSC) do not exist.
- xii) Wednesbury reasonableness principles, Boland Principle and Bolitho principles as well as the normal code of conduct expected of council officers would apply.
- xiii) The desirability of the development does not constitute a VSC.
- xiv) Pupil numbers are capped at 350.
- xv) 80% of pupils are from outside Hillingdon.
- xvi) Pupils undertake physical activity in their own time, outside school.
- xvii) The school's previous history and breach of conditions are relevant factors.
- xviii) Past developments at the school have already eroded the Green Belt.
- xix) The school erased large numbers of trees and woodland prior to previous failed attempts to gain planning permission.
- xx) Increase in traffic and damage to the environment.
- xxi) The school is downplaying the development and exaggerating their needs.
- xxii) The school has other motives (eg, maximising development for subsequent sale of land for property development).
- xxiii) There is no justification for having 80 showers - this is so they can hire out facilities, which will increase noise and disturbance to local residents.
- xxiv) A previous application to increase the size of buildings was rejected at appeal.
- xxv) Impact on landscape.
- xxvi) Potter Street Hill is narrow, steep, has several bends and parked cars associated with the school compromise passing space. It is unsuitable for HGVs associated with construction.
- xxvii) To permit construction vehicles to use Potter Street Hill would be contrary to the objectives of past planning conditions, the Inspectorate and the local MP. Safety should be of paramount importance.
- xxviii) The school previously operated with 450 pupils without issue. Now it only has 350. Therefore the sports hall cannot be justified.

It should be noted that two residents have provided sketches to demonstrate the increase in size of the building. It is considered that the provided CGIs, which form a part of the Committee presentation and which provide verified views as part of a Landscape and Visual Impact Assessment, sufficiently show the visual impacts on the building from key viewpoints.

#### GATEHILL RESIDENTS' ASSOCIATION

The Gatehill Residents' Association initially raised objections to the scheme, and submitted a 29 signature petition in support of its objection, primarily due to concerns regarding traffic and its associated problems, on the Gatehill Estate. Nevertheless, following liaison between the applicant and the Residents' Association, this was withdrawn with the following comments having been received:

"Representatives from the Gatehill Residents' Association and St John's School have met to discuss our concerns over traffic and we are pleased with the assurances which the School has given to the Estate. These assurances are set out in the attached letter from the School's Bursar and the response from our own Chairman.

You will note that the School would have no objection to the imposition of a Planning Condition restricting all construction traffic to an access from Potter Street Hill, which proposal will be incorporated in their 'Construction Logistics Plan', which we understand they will submit once Planning Permission has been obtained. We have no objection to this order of events on the basis that the Planning Condition referred to is part of that Consent.

With regard to the 'Community Use Agreement' we ask that a similar but permanent Planning Condition is imposed on the future use of the Sports Hall by non-St John's School organisations banning them from using the Wieland Road access as part of the Grant of Planning Consent.

Our reason for seeking these Conditions is that the roads of the Gatehill Estate are narrow and not designed to support heavy traffic (neither as to weight or volume), also the immediate access is via a gated single-track road within the School premises. Additionally, the Residents' Association does not permit parking on any of its Private Roads.

For the above reasons the Gatehill Residents' Association has agreed to withdraw our objection and supporting petition against this application submitted on 28th February this year. We do however respectfully reserve the right to make further representations should the Planning Application be changed in any way that would materially affect our interests."

#### NORTHWOOD HILLS RESIDENTS' ASSOCIATION

No comments received.

#### 2ND CONSULTATION

Following receipt of minor amendments to the scheme (including installation of an external platform lift, an amended Flood Risk Assessment, an amended Energy Statement and a 'Clarification Statement'), and notwithstanding the very minor nature of the changes made, given the high level of interest in the scheme shown by some residents, a 14 day reconsultation was nevertheless carried out, expiring 31/07/18. Four letters of objection (two from the same resident) have been received, from those same residents who have already raised their concerns. The majority of comments made reiterate the above mentioned objections. However, additional comments are as follows:

- a) Previous comments still stand.
- b) There are material omissions and errors in the information provided by the applicant and these

are reflected in the information supplied by the LPA to the GLA.

- c) The LPA must follow due process.
- d) Decisions must be consistent with past judgements.
- e) The need and investigation of alternate solutions must be thoroughly and objectively considered.
- f) The applicant has a history of exaggerating need to suit its arguments.
- g) The applicant must explore use of alternate facilities within educational institutions, commercial schemes, community centres, church halls, health and other institutions.
- h) The Council must assess the need for sports and recreation facilities at the local and subregional levels and secure sites for a range of sports facilities in accordance with the NPPF (paras.73-74).
- i) Is there a strategic plan or a gap analysis for PE?
- j) The Education (Independent School Standards) Regulations 2014 strongly imply that at least some PE should take place outdoors. This standard is met if suitable outdoor space is provided.
- k) This will have a permanent impact on openness - the mitigation measures suggested by the LPA (and GLA) are insufficient.
- l) The concept of a local impact on intrinsic openness is misconceived in principle.
- m) The proposal does not meet the NPPF tests for green belt development.
- n) This will set a precedent, which will lead to the long term erosion of the Green Belt.
- o) It has been agreed that access will not take place via Gateshill estate due to the unsuitability of many of its roads for the required vehicles. Potter Street Hill is equally or more unsuitable and raised serious health and safety questions.
- p) This is a 'nice to have' not a necessity, especially given the option to use its parent school's facilities.
- q) Pupil numbers are restricted and so the development is unwarranted.
- r) Better time management, mixed with better use of current facilities e.g. existing all-weather sports areas - which by definition can be used in ALL weathers, removes any argument the school may have for there being a need.
- s) This is a very significant expansion on the original modest greenhouse and storage shed which were located here prior to 1986.
- t) Any extension of use to the wider community would intensify the use, contrary to Green Belt Policy.
- u) The Applicant has a history of breaching planning conditions and unlawfulness, which is a material planning consideration.
- v) The compensatory measure of converting 109sq m of hard surface to an allotment garden is not only wrong in principle but also wholly inadequate.
- w) Increased risk of flooding.

#### GREATER LONDON AUTHORITY (GLA) (Summary comments only)

London Plan and draft London Plan policies on education, Green Belt and playing fields, sports facilities and community use, urban and inclusive design, climate change and transport are relevant to this planning application. The application does not fully comply with the London Plan and draft London Plan; the following matters should be addressed:

- Principle of development: The application results in partial loss of Green Belt and playing fields, and harms the openness of the Green Belt. Therefore, it is inappropriate development. Whilst the applicant has set out very special circumstances, which include educational facilities need, community use benefits, lack of alternative sites, size and scale dictated by Sport England standards, minimising impacts of the proposed building, and use of previously developed land; these do not clearly outweigh the loss and harm caused to the Green Belt and the playing fields. The proposal is not supported in principle and does not fully comply with the London Plan and draft London Plan policies, and the NPPF. The applicant must reinstate a significant and compensatory reduction in hard standing to mitigate the harm caused to Green Belt and playing fields in terms of footprint, which equates to an area of 608 square metres.

- Sports facilities and community use: The proposed community use to the sports hall is welcomed. A detailed community use agreement for affordable and accessible usage of the sports and school facilities must be secured by way of a S106 planning agreement.

- Urban and inclusive design: The Council must secure key details of materials to be used to ensure the best possible build quality is delivered in the context of the Green Belt setting. The applicant must reinstate significant amount of hardstanding to green open space, to compensate for the proposed incursion. The approach to inclusive design is supported and must be secured by condition.

- Climate change: The carbon dioxide savings fall significantly below the target set out within Policy 5.2 of the London Plan and Policy SI2 of the draft London Plan. The applicant must consider the scope for additional measures aimed at achieving further carbon reductions. In addition, all other outstanding technical issues must be addressed. A drainage strategy that accords with policies of the London Plan and draft London Plan must be secured by condition.

- Transport: Submission of a construction logistics plan that accords with the London Plan and draft London Plan must be secured through an appropriate planning condition.

Officer Comment: The applicant has submitted a 'Clarification Statement' which seeks to address the GLA's concerns regarding the principle of the development. This will be discussed in further detail in part 7.01 of this report. However, it should be noted that at officer level the GLA have since advised as follows:

"Further to the updated information and clarification statement that the applicant has provided (including the proposal to convert an existing 109 sq.m. area of hard standing to new school allotment space), we took the scheme to the Deputy Mayor for Planning for an updated steer.

In summary, the Deputy Mayor confirmed that the proposed 109 sq.m. contribution of allotment space on previously developed land could be treated as mitigation for encroachment into Green Belt. In this regard, and based on the plans provided, the Deputy Mayor noted that this mitigation would result in a 30% reduction in the proposed net loss of undeveloped Green Belt. Accordingly, the Deputy Mayor noted that, with this mitigation in place, the net encroachment into undeveloped Green Belt amounts to 252 sq.m. / 26% of the proposed overall footprint of the proposed building.

Noting also the green roof, and that the number of courts within the sports hall had been previously reduced to 3 (from Sport England's original request for 4), the Deputy Mayor expressed the view that, subject to delivery of the allotment space being robustly secured as part of any planning permission, an acceptable position had been reached on openness impact and planning benefits. Accordingly, noting also the educational need case, and on the basis that a robust community use agreement would be secured as part of any planning permission, GLA officers are now minded to recommend that there would be very special circumstances to outweigh the proposed harm to Green Belt in this case."

#### SPORT ENGLAND

##### Sport England -Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England's policy on planning applications affecting playing fields 'A

Sporting Future for the Playing Fields of England' (see link below):  
[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.

#### The Proposal and Impact on Playing Field

The proposed Sports Hall would encroach onto the northern playing field.

#### Assessment against Sport England Policy

This application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the above site. It therefore needs to be considered against exception E5 of the above policy, which states:

- E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception E5.

Although the London Borough of Hillingdon does not appear to have up-to-date Built Facility and Playing Pitch Strategies, the Facilities Planning Model indicates a deficit of Sports Halls in the borough. It is unclear, however, if there is a deficit within the area surrounding the site. The submitted documentation indicates that the proposed Sports Hall would be located an unusable part of the playing field due the slope in the land and that the cricket pitch and the boundary to the north east would be shifted to mitigate some of the loss. Furthermore, during the pre-application stage the ECB confirmed that the affected cricket pitch is undersized for both senior and junior cricket, although the area could be still be used for matches and practice. Furthermore they indicated that local cricket clubs use the school but it appears this use is not focused on the cricket pitch in question. Given that the proposed Sports Hall, despite being three court, could be used for indoor softball cricket and other sports (albeit not as many as more a flexible four court sports hall) and that there is a deficit of Sports Halls in Hillingdon, there is considered a benefit to sport if community use of the proposed facility is secured through a Community Use Agreement (Sport England can forward a template on request).

In terms of design, Sport England advises that the proposed facility is designed and constructed in accordance with Sport England's Design Guidance which can be found at <https://www.sportengland.org/facilities-planning/design-and-cost-guidance/sports-halls/> . In this respect please ensure that doors and hinges are fitted flush with the proposed Sports Hall walls and do not protrude into the area of play.

#### Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet exception E5 of the above policy. The absence of an objection is subject to the following condition(s) being attached to the decision notice should the local planning authority be minded to approve the application:

01) The development shall not be occupied until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning

Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to Sports Hall and ancillary facilities hereby permitted and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy .

Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/>

If you wish to amend the wording of the recommended condition, or use another mechanism in lieu of the condition, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

#### METROPOLITAN POLICE

The applicant has been in contact with the police and is following advice provided. No objections raised subject to a condition requiring the scheme to achieve Secure By Design (SBD) accreditation.

#### HEALTH & SAFETY EXECUTIVE (HSE)

The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

#### THAMES WATER

Waste Comments Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

'A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may

result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

Water Comments - With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### LONDON BOROUGH OF HARROW

No comments received.

#### THREE RIVERS DISTRICT COUNCIL

No comments received.

#### **Internal Consultees**

##### FLOOD & WATER MANAGEMENT OFFICER

The proposal includes restricting run off from the site to 2.9ls for the 1 in 1 year and 3.47ls for the 1 in 100 year plus 40% allowance for climate change. However a CCTV survey has not been provided to confirm the destination of the discharge or whether it is an appropriate standard to receive further discharge. It should be noted that the area to the south of the site has experienced significant flooding as a result of run off from the school site.

It is noted that permeable paving and a small green roof will be provided and it is accepted that ponds are unfeasible within the space of the development.

The proposals will require further CCTV to understand that they are appropriate and that the receiving drainage system is in appropriate condition. The CCTV should be submitted along with confirmation that any remediation has been undertaken and so an appropriate condition is required.

All developments in this area contribute to manage the risk from surface water, and reduce the run off from their site. The following conditions are therefore requested:

1. Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all SuDs features including the method employed to delay and control the surface water discharged from the site.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. This shall include appropriate details of Inspection regimes and appropriate performance specification.
- iii provide the CCTV survey to demonstrate the private system that this development connects into is in appropriate condition and size to receive a connection and provide demonstration that remedial work recommended has been undertaken prior to completion.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### ACCESS OFFICER

In assessing this application, reference has been made to the March 2016 London Plan and policy

## 7.2 (an Inclusive Environment).

The sports facility is situated within the site confines of the St John's School campus. It would appear that no new car parking facilities are proposed, but the existing accessible parking bays are said to be located close to the main entrance of the proposed new facility.

1. Concern is raised about the stepped approach to the main entrance. Notwithstanding the topographical constraints, a the second accessible door proposed should be avoided. Disabled people must be able to access the building equitably via the main entrance, and importantly, without the need for special arrangements are becoming separated from their peers. Accordingly, the design should be amended to eliminate the need for the second accessible entrance.

2. To accord with the prescribed standards set out in BS 8300-1:2018, the proposed 1st floor accessible toilet should be increased in size to provide finished internal dimensions of 1700 mm wide by 2200 mm deep.

3. To ensure the school can successfully deliver their Inclusive Education obligations, it is paramount that a Changing Places cubicle is incorporated into the design. To this end, it would be acceptable to combine cubicles D1 and D2 to provide a larger, fully accessible toilet/changing facility to support the needs of people with complex personal care requirements, or for those who need to lie down to change their clothing.

4. An emergency evacuation plan/fire strategy that is specific to the evacuation of persons unable to escape by stairs should be submitted and reviewed prior to any grant of planning permission. Provisions could include: a) a stay-put policy within a large fire compartment; b) provisions to allow the lift to be used during a fire emergency (e.g. uninterrupted power supply attached to the lift); c) contingency plans to permit the manual evacuation of disabled people should other methods fail.

Officer comment: a condition is attached requiring clarification and amended plans. The Access Officer has confirmed no objection are raised on this basis.

The following informatives should be attached to any grant of planning permission.

### Recommended Informatives

a) The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

b) Fixtures, fittings and furnishings, particularly hard materials should be selected to ensure that sound is not adversely reflected. The design of all learning areas should be considerate to the needs of people who are hard of hearing or deaf. Reference should be made to BS 8300:2009+A1:2010, Section 9.1.2, and, BS 223 in selecting an appropriate acoustic absorbency for each surface.

c) Care should be taken to ensure that the internal decoration achieves a Light Reflectance Value (LRV) difference of at least 30 points between floor and walls, ceiling and walls, Including appropriate decor to ensure that doors and door furniture can be easily located by people with reduced vision.

d) Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.



e) Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.

f) Flashing beacons/strobe lights linked to the fire alarm should be carefully selected and installed to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

#### URBAN DESIGN AND CONSERVATION OFFICER

Pre-application advice regarding the design of the building has been taken on board and no objections are raised.

#### HIGHWAY ENGINEER (SUMMARY)

##### Proposal:

At present the school has an existing sports hall/gymnasium which is considered unfit for purpose on the basis of meeting current curricular needs such as accommodating all PE classes which cannot be contained within the existing building. A larger reconfigured new hall is therefore proposed.

There is no increase in pupilage proposed as a result of the proposal which adheres to planning conditions linked with historic consents which limit pupil and staff numbers to 350 and 65 respectively.

The new sports hall would also provide for extra-curricular activities such as gymnastics, basketball, cricket and possibly fencing. Drama, musical, 'speech day', parents association uses are also cited as probable uses.

In addition to the expanded use of the proposal, the sports hall is suggested to serve as an available community use for, in particular, local primary schools. It is noted that the school already provides opportunities for select schools that utilise their sports facilities for various events.

##### Transport Assessment:

The submission only briefly touches on community use aspects within the planning statement (page 16). It is suggested by the applicant that the level and type of community use together with its management be conditioned within a planning consent and referred to as a 'Community Use Agreement'. This is partially acceptable as this would be a requirement within a consent in any event. However it is considered reasonable that an anticipated and more detailed account of the likely future patronage be provided at this pre-determination stage with estimated patronage figures/ a schedule of events and site management proposals that may be appropriate in order to minimise impacts on the local road network and residential community. The management of community uses can then be secured by appropriate planning condition.

##### Construction Logistics Plan (CLP)

A full and detailed CLP will be a requirement given the constraints and sensitivities of the local road network, primarily Wieland Road and Potter Street Hill together with the remaining residential catchment, in order to minimize/avoid potential detriment to the public realm. It will need to be secured under a suitable planning condition. In advance of this, compliance to the avoidance of peak school drop-off and pick-up periods has already been acknowledged within the planning statement which is welcomed.

##### Summary

In Transport/Highway terms, the proposal is broadly acceptable in principle subject to an appropriate response to the recommendations made within this appraisal with particular reference to the provision of an expanded narrative on the extent and impacts of the proposed community uses.

Officer comment: Community use of the facility is a Sport England and GLA requirement. Whilst the LPA acknowledges that such use would comply with planning policy, it is also aware that such use will be contentious with residents. Furthermore, Sport England would need to be consulted on any final agreement. The applicant is aware of the likely conflict between Sport England's requirements, which seek to maximise community sports use, and residents' desire that no such use takes place. It must also be noted that, in accordance with Sport England requirements, such an agreement needs to address more than just the management of the facility. Accordingly, it will need to be carefully considered and negotiations between the applicant, Sport England and the LPA could be lengthy. In light of this, and consistent with the approach historically taken at the Council's own schools, it is considered appropriate that final details of the Community Use Agreement are sought by way of condition rather than at this stage.

#### TREES/LANDSCAPE OFFICER

This site is occupied by a preparatory school at the north end of Potter Street Hill. The existing sports hall is situated at the west end of the complex of buildings set back from the rear boundaries of gardens in Woodgate Crescent. The site slopes steeply to the south with the school facilities linked via a series of slopes and terraces. There are a number of trees and areas of woodland within and adjacent to the site, which contribute to the character of the area and provide visual screening. There are no TPO's or Conservation Area designations affecting the site. The school and its grounds lie within designated Green Belt.

This application follows a number of pre-application submissions and site visits. The application is supported by supporting plans and documents including: an Arboricultural Method Statement by Arbtech, a Landscape and Visual Assessment and a landscape proposals plan by Jon Etchells Consulting.

The tree report has assessed three groups of trees, two hedgerows, woodland and 8 individual trees. A summary of tree work is provided in Table 8. This concludes that three apple trees will be removed (one 'U' grade, two 'C's) and some 'B' grade woodland trees will be crown lifted to facilitate the development. The report details the tree protection measures and working method statement intended to safeguard the retained trees.

The landscape and visual assessment, together with verified views concludes that visual effects would be 'at a very low level' (5.10) and that there will be neutral landscape or visual effects over time (5.13).

The scheme has been designed to minimise the loss of useful playing field space. In this case, the level area of cricket field to the north-east of the proposed sports hall has been retained. The application is supported by a suite of supporting drawings and information. Soft landscape enhancement is indicated on Jon Etchells dwg. No. JEC/449/01/A 'Landscape proposals', with new specimen trees planted to the south of the building and around the north / north-east elevation. The scheme reflects the outcome of pre-application discussions regarding landscape issues.

Recommendation: No objection subject to adherence to the submitted plans.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Whilst the site accommodates a well established educational facility, it also falls within the Green Belt as designated in the Hillingdon Local Plan. The proposals also affect a small area of playing field. It has no other specific designations. Accordingly, the key issues pertaining to the principle of development relate to the continued educational use of the site, the impact of the development on the Green Belt and impact on the playing fields.

New educational facilities:

Policy R10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to encourage the provision of enhanced educational facilities across the borough, stating:

"The Local Planning Authority will regard proposals for new meeting halls, buildings for education, social, community and health services, including libraries, nursery, primary and secondary school buildings, as acceptable in principle subject to other policies of this plan."

Policy R11 actively seeks to resist the loss of buildings in educational use.

These objectives are reiterated in the London Plan Policy 3.18 which states:

"Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes. Those which address the current projected shortage of primary school places will be particularly encouraged."

Whilst at national level the DCLG Policy Statement on Planning for Schools Development and the NPPF focus predominantly on provision of state funded education, the Local Planning Authority acknowledges that there may also be a demand for private provision and that there is also a need to ensure that private facilities meet modern teaching standards. Paragraph 94 of the NPPF (2018) confirms that great importance should be attached to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and that great weight should be given to the need to create, expand or alter schools. Whilst not creating additional places, the proposal would nevertheless enhance existing facilities, enabling the school to remain competitive within its market.

The proposal is considered to fully comply with the above mentioned strong local, regional and national policy support for new, enhanced and expanded educational facilities.

New sports facilities:

Local Plan: Part 1 policy EM5 generally seeks to support new and enhanced sporting facilities, stating:

"The Council will:

- Safeguard, enhance and extend the network of sport and leisure spaces that meet local community needs and facilitate active lifestyles by providing active sport and leisure spaces within walking distance of home.
- Ensure that the overall borough-wide target, identified in the Open Space Strategy, of active sport and leisure facilities with unrestricted access is maintained. There will be a presumption against any net loss of active sport and leisure facilities in the borough.
- Ensure that future development includes features that designs activity into areas, providing opportunities for improved cycle ways, formal and/or informal local sports facilities, to encourage participation in a more active lifestyle.
- Adopt a flexible approach to the provision of facilities that recognises changing demographics in the population and trends in sports participation.
- Ensure that sufficient children's play space is provided to support proposals for new residential development, in accordance with national and local guidance.
- Promote Hillingdon's sport and leisure facilities to achieve more integrated public

accessibility and active lifestyles.

- Identify where appropriate new opportunities for sport and leisure and measures to deliver them. Major development may be required to make contributions in order to minimise the impacts and pressures on the existing resource."

Local Plan: Part 2 policy R3 seeks to support proposals for formal recreation facilities, including "accessible local sports halls." Local Plan: Part 2 policy R5 goes on to safeguard against loss of sporting (and other) facilities, advising:

"The Local Planning Authority will not grant planning permission for proposals which involve the loss of land or buildings used (or where the last authorised use was for) a sports stadium, outdoor or indoor sports and leisure facilities, public or community meeting halls, or religious, cultural and entertainment activities, unless adequate, accessible, alternative facilities are available."

The London Plan similarly seeks to protect and enhance sporting facilities. Policy 3.19 states:

"Development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted. Temporary facilities may provide the means of mitigating any loss as part of proposals for permanent re-provision.

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

Where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt and protecting open space (Chapter 7) as well as the borough's own assessment of needs and opportunities for both sports facilities and for green multifunctional open space."

Policy S5 of the draft London Plan, which although not yet adopted, is given weight by the Mayor of London, similarly seeks to encourage enhanced sports provision.

The NPPF, paragraph 91(c) seeks to support healthy lifestyles through the provision of safe and accessible sports and other facilities. Paragraph 96 reaffirms that "access to a network of high quality open spaces and opportunities for sports and physical activity is important for the health and well-being of communities." Paragraph 97 seeks to safeguard against the loss of existing facilities.

The proposed development seeks a larger indoor sports facility, which would significantly enhance existing sports provision at the school, particularly during periods of inclement weather. Accordingly, it is considered to fully comply with the above mentioned policies which seek to encourage provision for sport.

Loss of playing field:

The proposed development would encroach onto a small area of existing, albeit uneven, playing field.

Policies R4 and R5 of the Local Plan: Part 2 seek to resist their loss "unless adequate,

accessible, alternative facilities are available."

Part B of London Plan policy 3.19 states:

"Development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted."

Sport England's Playing Field Policy - A Sporting Future for the Playing Fields of England, confirms that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or part of a playing field, unless one of five exceptions applies. Exception E5, quoted below, is considered to be most relevant to this application:

"E5 The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport so as to outweigh the detriment caused by the loss of the playing field or playing fields."

Paragraph 97 of the NPPF (2018) reiterates the objectives set out in Sport England's Policy Statement. It confirms that sports and recreational buildings and land, including playing fields, should not be built on unless (amongst other criteria)

"b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or  
c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."

The existing playing field to be lost is steeply sloped and, as such, is not suitable to accommodate sports pitches. It is, therefore, arguably of limited value in terms of usable space for sport. The benefits of provision of an enhanced indoor facility in this location are therefore considered to outweigh the small loss of playing field which would occur. Notably, the applicant has confirmed that this would not affect their ability to use the school's upper playing field for junior cricket, as is the current situation. Although the existing cricket pitch is undersized, there would be no requirement to further reduce its size as a result of the proposals.

Sport England are a statutory consultee on this application and the Local Planning Authority must take heed of their comments. Should it choose to approve planning permission where Sport England have raised an objection, or to ignore or amend conditions requested by Sport England without their permission, referral to the Secretary of State is necessary.

In this instance, Sport England have raised no objections to the planning application, generally concurring with the above view and confirming that, subject to a condition requiring the applicant to enter into a Community Use Agreement, Exception E5 of their policy document (as outlined above) would apply.

The GLA have also notably raised no objections in this regard, also acknowledging that that NPPF paragraph 97 (c) would apply in this instance.

In light of the above, no objection is raised to the small encroachment onto playing field in this instance and the development is considered to comply with the above mentioned policies.

Green Belt:

Notwithstanding the above, the development nevertheless represents inappropriate development within the Green Belt.

Policy EM2 of the Local Plan: Part 1 confirms that any proposals for development within the Green Belt will be assessed against national and London Plan policies, including the very special circumstances test, although it is noted that at paragraph 8.27, the Local Plan: Part 1, states that "in very exceptional circumstances the Council will consider the release of Greenfield sites for schools."

Policy OL1 of the Local Plan: Part 2, confirms that only predominantly open land uses will be considered acceptable within the Green Belt and that planning permission for other uses will not be granted.

London Plan policy 7.16 confirms that the "strongest protection" should be given to London's Green Belt, in accordance with national guidance, and emphasises that inappropriate development should be refused, except in very special circumstances.

The NPPF (2018) paragraph 87 makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It states that:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Whilst Local Plan: Part 2 policy OL4 and the NPPF (2018) both allow for some limited infilling of already developed green belt sites, and the applicant argues that as the proposal comprises the replacement of a building within a developed area of the school some weight should be given to these policies, given the significant increase in the size of the proposed building over the existing, it is nevertheless considered that the development would represent inappropriate development in the green belt and that therefore, a case of very special circumstances must be demonstrated. The applicant has acknowledged this and the submitted Planning Statement seeks to set out the justification for the development. This centres around four key arguments, which are discussed in turn below:

- The need for and benefits of the accommodation

The applicant argues that "the proposal for a replacement sports hall at St John's reflects the increasing importance of physical fitness in education which itself is part of wider concerns in society regarding health and well-being and, in particular, increasing obesity amongst the population in general."

Various Government guidelines, reports and figures are quoted to support this view that daily exercise enables pupils to be more receptive to learning in the classroom and that the school is fulfilling its responsibilities to deliver sports activities to the highest standard possible in compliance with Government guidelines.

The existing single badminton court size gymnasium, which was constructed in 1986, is considered to be too small to meet the school's current curricular needs due to its size, limited headroom, limited changing room and office space, and average class sizes of 18-20.

The new sports hall would allow for a greater range of sports to be played, allow for improved extra-curricular activities and provide a space for alternative activities such as drama performances, music recitals, pre and after school clubs, community use and events such as speech days and parents association events.

Local Plan: Part 1, paragraph 8.70 notably states:

"Developing the sporting and the health benefits of an active lifestyle is a priority for the Council. Sport and leisure is a high profile service area to ensure that Hillingdon is a more active, healthy, successful sporting borough."

As mentioned above, NPPF (2018) paragraph 96 states: "Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities."

The development fully complies with current planning policy and legislation in this regard and demonstrates there is sufficient need for the development.

Officers have visited the site and have viewed the sports hall both internally and externally. In the view of officers the existing facility appears dated, with restricted space for team games, particularly for more than one class of older children. The small size of the existing hall and the very limited storage space available was apparent. Accordingly, the need is accepted in this instance.

Concern has been raised by residents that the Council has not undertaken a needs assessment of sport and recreation facilities.

Although, at this time, the Council does not have a strategic break down of sporting need across the borough, it is notable that its Open Space Strategy (2011-2026) does identify pockets of open space deficiency within the Northwood Hills area. This indicates that not all residents have good access to open space and its benefits, including those relating to physical activity. Access to good quality indoor and outdoor sports facilities can assist in mitigating against this shortfall. Sport England's comments with regard to the need are also relevant and do indicate that there is an identified demand for such facilities within this area:

"Although the London Borough of Hillingdon does not appear to have up-to-date Built Facility and Playing Pitch Strategies, the Facilities Planning Model indicates a deficit of Sports Halls in the borough. It is unclear, however, if there is a deficit within the area surrounding the site."

The nearest alternative sports halls are at Northwood and Hillside schools, for which there is high demand. Accordingly, this strongly suggests that there is demand for such a facility within this part of the borough.

Officers are nevertheless satisfied that sufficient evidence has been provided by the applicant to demonstrate the need for the proposals such that it is not considered that refusal could be justified on these grounds.

Notably, the GLA concur with the Council's view in this regard, commenting as follows in their detailed feedback:

"The applicant contends that its current facility (a single 1986 gymnasium building) is too small to meet all of the School's current curricular needs including the increasing importance of physical fitness in education, and that the existing facility does not meet modern standards. It has also confirmed that its proposals have been designed to allow additional non-sporting uses such as live drama performances and musical recitals. The school's need for new indoor sports facilities is accepted by GLA officers and the multi-use nature of the new facility is welcomed."

- Options appraisal of alternative solutions

The applicant has considered alternative options for the siting of the sports hall, including locating the building to the south of the developed area, within the car park or within the playground. However, these options would displace other facilities which would need to be reprovided for elsewhere on the school site and would be more intrusive in terms of their impacts on the green belt.

Officers agree that to locate the building outside of the developed area of the school site would be unacceptable. Furthermore, the loss of existing car parking could not be supported and the loss of playground would likely create operational difficulties for the school. It is likely these facilities would need to be reprovided for elsewhere within the school site which would, in turn, lead to further encroachment outside the existing developed area. Whilst the proposed development would require some encroachment onto the playing field, having visited the site, officers are satisfied that the proposed location presents the least worst option available.

With regard to the potential to use or share existing facilities within the area, as an alternative to building a new facility, the nearest schools are Hillside Primary and Junior School, Northwood College, Frithwood Primary School and St Helens School. Northwood School has recently undergone expansion and development is currently underway at Hillside. These expansions are to cater for the increasing demand for pupil places within the north of the borough. Officers are aware that neither school has capacity to lease its sporting facilities to alternative users during the school day, when demand from St John's would be greatest. Although Frithwood School has not been expanded officers are aware that it is a very popular school and similarly is very unlikely to have capacity for alternative users to use its facilities during the school day. St Helens is an independent school and does not form part of the same trust as St Johns. It is also an all girls school. Accordingly, it is highly unlikely it would be willing to allow use of its facilities by St Johns during the school day. Although closer than Merchant Taylor's School, the travel distance/time to any of these schools is likely to be disruptive to lessons and is far from ideal. Officers are not aware of any locally located community facilities (other than those made available outside school hours on school sites) which would be suitable.

Officers are satisfied that there are no alternative better options available and the GLA notably again concur with this view, stating:

"The applicant has looked at alternative locations within the site and satisfactorily demonstrated that none are suitable or would cause more harm to the Green Belt than the existing site it has chosen. This is accepted."

- Justification for the size of the building

Throughout pre-application discussions (which have been ongoing since 2015) officers



have consistently advised the applicant of the need to minimise the size of the sports hall. The applicant has, as much as possible, taken on board this advice. However, it has been necessary to design the building to modern sporting standards and strict Sport England guidelines relating to all aspects of its internal design and layout (ie, height, dimensions, specification of changing rooms, etc). It is also noted that throughout pre-application discussions Sport England have voiced a preference for a larger four court facility, as evidenced in their comments on this application:

"Given that the proposed Sports Hall, despite being three court, could be used for indoor softball cricket and other sports (albeit not as many as more a flexible four court sports hall) and that there is a deficit of Sports Halls in Hillingdon, there is considered a benefit to sport if community use of the proposed facility is secured through a Community Use Agreement."

In light of the need to balance the school's operational needs with Sport England requirements and the site's green belt location, the proposed sports hall size is considered to offer a reasonable compromise.

With regard to the changing room, this would cater for 80 pupils and officers have questioned the need for this capacity with the applicant at pre-application stage. It is understood that these changing rooms would serve the entire school site, which includes playing fields and all weather pitches. It is quite feasible that more than one class could be undertaking a PE lesson at any one time. The school have advised that typical class sizes are approximately 20 pupils and, accordingly, the changing room has been designed to cater for 80 pupils (two classes changing ready for their lesson and two classes changing post their lesson). Whilst it is difficult to comment on how essential this is, it is acknowledged that this allows the school to maximise the time pupils spend actually playing PE, rather than waiting for changing room availability. It is acknowledged that this approach has been supported by Sport England and that no objections have been raised by the GLA in this regard. On balance, this is considered to be acceptable and it is not considered that refusal could be justified on these grounds alone.

- How the design process has sought to minimise the impact on the Green Belt in practice.

The proposed building would be larger than the existing in terms of footprint, floorspace and height and thus it would inevitably have a greater visual impact than the existing. As mentioned above, the size, height and dimensions of the proposed building are largely dictated by Sport England guidelines and officers are satisfied that every effort has been made to keep the size of the development to a minimum, whilst delivering an operationally viable facility for the school.

It is considered that the development's north/south orientation would assist in reducing its visual impact when viewed from more open aspects to the south and, particularly, the north. A curvilinear roof form is proposed, which it is considered would be less jarring against the skyline and would assist in softening the visual impact of the building over an alternative pitched or flat roof. Amendments have also been made to the overall building design throughout the course of pre-application discussions, and follow advice from the Council's Urban Design Officer, to provide a simpler and more integrated built form than originally proposed. A varied materials palette, which includes the use of metal, brick and timber cladding also assists in softening the visual impact of the building against the landscape.

It must also be acknowledged that, notwithstanding the building's increased size, and despite some limited encroachment onto the playing field to the north, it would nevertheless be located within the developed area of the site and would be seen in context with existing school buildings and associated hardstanding, especially when viewed from the south and east.

The most prominent views, in green belt terms, exist from the playing field to the north. Here, whilst the building would be clearly visible, due to the significant change in levels across the site, it would be partly sunk into the landscape, which assists in reducing the perception of bulk and mass. A high quality landscaping scheme would further assist in softening the visual impact of the building in this view. Again, it would also be seen in context with the existing developed area of the school site.

Very limited views of the building exist from outside the school site. It would be visible in long distance views from a small section of the footpath to the north of the playing field, but would be largely screened in most views from here by existing landscaping (new planting would also assist in supplementing this screen). Mature landscaped boundaries along both sides of Potter Street Hill are such that views from the road itself or from the residential properties opposite, would be extremely limited at all times of year.

Officers are satisfied that every effort has been made to reduce and mitigate against the building's visual impact, such that, in considering this along with all of the above mentioned principles, including the strong policy support for new and enhanced educational facilities, it is not considered that refusal could be justified on these grounds.

#### GLA comments

In their detailed comments the GLA acknowledge the strong policy support for new and enhanced educational facilities and they list and accept each of the very special circumstances put forward by the applicant in turn but, notwithstanding this, they conclude that in order to overcome the harm to the green belt "the applicant must provide a significant and compensatory reduction in hard standing to mitigate the harm caused to Green Belt in terms of footprint, which equates to an area of 608 square metres."

Whilst this seems a somewhat contradictory and simplistic approach in light of the GLA's apparent acceptance of the very special circumstances put forward, the general objective of ensuring that encroachment onto the green belt is limited is fully supported as are the provision of further landscape improvements, which could enhance the visual amenities of the school site.

Following this, the applicant prepared a detailed written response to the GLA's comments. The applicant reiterates the need and benefits of the proposal, which will allow the school to expand the physical education curriculum on offer, bring health benefits to existing and future pupils, and allow for an extended offer of extra-curricular activities and community use.

The applicant also reiterates that the building has been designed to Sport England standards, and strives to strike a balance between what the school require operationally (a three court sports hall) and Sport England's desire for a larger facility. The lack of alternative options available for the siting of the building and the support from Sport England towards the scheme are also re-emphasised.

With specific regard to the GLA's request for compensatory removal of hardstanding, the applicant contends that, in reality the incursion of the development outside the developed area of the school site is much less than suggested. This was evident from visiting the site and, indeed, taking into consideration existing hardstanding and fence lines surrounding the sports hall, the encroachment into the undeveloped area of the school site is significantly less than that suggested by the GLA (the applicant suggests it's more realistically 361m<sup>2</sup>).

As a compensatory measure, as requested by the GLA, the school have offered to convert an existing area of hardstanding, which is located adjacent to an existing equipment store next to the upper playing field, to allotment gardens for educational use. This would, in effect, off-set 109m<sup>2</sup>, such that the area lost to open green belt would arguably only equate to approximately 252m<sup>2</sup>.

GLA officers have considered this matter in liaison with the Deputy Mayor and have advised that the proposed measures are considered likely to overcome the Mayor's initial concerns. The conversion of the hardstanding to allotment garden would be secured by way of S106 agreement.

### Community Use

Local Plan: Part 1 policy CI1 seeks to ensure that community and social infrastructure is provided in the borough to cater for the needs of the existing community and future populations. Amongst other criteria, it seeks to support "extensions to existing schools and the development of new schools and youth facilities." It also seeks to "encourage the development of multi-purpose facilities that can provide a range of services and facilities to the community" and it goes on to require "development to contribute towards the provision of community facilities to meet the needs of new communities and mitigate impacts on existing communities."

London Plan policies 3.18 and 3.19 similarly expect community use of education and sports facilities to be maximised. NPPF (2018) paragraph 92 echoes this support for community facilities, including sports venues. Paragraph 121 confirms that more effective use should be made of sites that provide community services such as schools.

Sport England and the GLA both explicitly require that, if planning permission is granted, the facility is made available for community use. Sport England have provided specific condition wording in this regard which must be attached to any consent granted.

The applicant has confirmed their willingness to make the facility available for community use, particularly for local primary schools, who already make use of St Johns' facilities for events such as an annual rugby festival, cricket tournaments and cross country events. The school are however very aware that community use of their facilities is an extremely contentious matter with local residents who, it is understood, have historically been strongly opposed to any development which could add to traffic and parking along Potter Street Hill. In light of this the applicant acknowledges the need for very careful management of any such use and an appropriate balance to be struck between maximising the local benefit whilst safeguarding residential amenity.

Whilst such a use is policy compliant and supported in this regard, officers concur that very careful consideration must be given to how this is delivered to ensure the harm to neighbouring residents does not outweigh the benefit to the wider community. The GLA suggest that community use is secured by way of S106 agreement. However, consistent

with Sport England's advice and with the approach taken to many other schools in the borough it is considered that this can be effectively secured by way of appropriately worded conditions.

## Conclusion

The proposed development fully complies with current planning policies which strongly support the provision of new and enhanced facilities for education, sport and community use. The proposal does nevertheless represent inappropriate development in the green belt and it has, as such, been necessary for the applicant to demonstrate a case of very special circumstances in order to justify an exception to green belt policy.

Whilst the very strong local opposition to the scheme, predominantly on green belt grounds, is acknowledged and officers do not dispute the fact that the proposed building would be larger and more visible than the existing, officers are nevertheless satisfied that the benefits of the scheme outweigh the harm and the very special circumstances put forward are accepted.

Taking all relevant matters into consideration, the very strong policy support for new and enhanced educational facilities, the policy support for sporting facilities, the policy support for community infrastructure and the very special circumstances put forward by the applicant and considered to amount to sufficient justification to allow an exception to green belt policy in this instance and, accordingly, no objections are raised to the principle of the development subject to the scheme meeting other site specific criteria as discussed throughout the remainder of this report.

### **7.02 Density of the proposed development**

The application relates to new educational development. Residential density is therefore not relevant to the consideration of this application.

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

Not applicable. There are no Conservation Areas, Listed Buildings or Areas of Special Local Character within the vicinity and the site does not fall within a designated Archaeological Priority Area.

### **7.04 Airport safeguarding**

Not applicable. There is no requirement to consult the aerodrome safeguarding authorities on this application.

### **7.05 Impact on the green belt**

As mentioned in part 7.01 of this report, current planning policy seeks to prevent unacceptable development in, and preserve the openness of, the green belt.

The principle of allowing the proposed development in the green belt has been discussed at length in part 7.01 of this report and is accepted.

In terms of the visual impact of the development on the openness of the green belt, this is considered to be relatively limited. Whilst larger in terms of size and footprint than the existing, the proposed building nevertheless sits within the developed area of the site and would be seen in context with existing school buildings and associated development.

The applicant has sought to minimise its encroachment onto the more open undeveloped parts of the school site as much as possible and it is notable that the development would not affect the usability of the top playing field.

The most prominent views of the scheme would be from the private school playing field to the north. However, the significant change in levels across the school site, the use of a curvilinear roof to the sports hall and green roof to the single-storey roof element, proposed landscaping and use of sympathetic materials all assist in softening and reducing the visual impact on the building such that, whilst it would be visible, its impact on the openness of the green belt would not be so significant that it is considered refusal could be justified. Indeed the applicant has fully taken on board pre-application advice provided by officers relating to both the design of the building and the external landscape.

From outside the school site, views of the building would be very limited, the main viewpoint being through the boundary fence from the footpath to the north. Notwithstanding this, views from the footpath, which for the most part is bounded by vegetation is limited to a small section and even there, trees within the school site provide some screening. New landscaping proposed as part of this development would further soften any long distance views of the building available from here such that, it is not considered that the proposal would have any significant detrimental impact on the visual amenities or openness of the green belt when viewed from here.

The school's boundary with Potter Street Hill is characterised by mature tree planting and vegetation. Although broken up by access ways, this is also a key characteristic of the eastern side of Potter Street Hill. Given this screening, views of the building from Potter Street Hill and the residential properties beyond would be extremely limited.

Overall, given the location of the application site at the western end of the developed part of the existing school site, the retention of the substantial part of the existing paying field to the north, and the limited public views available into the site, it is not considered that the proposed development would have any significant adverse impact on the visual amenities of the openness of the green belt in this location.

#### **7.07 Impact on the character & appearance of the area**

Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of an area is not compromised by new development.

As mentioned elsewhere in this report, the applicant's justification for the size, scale and height of the building proposed is accepted. Taking into account the constraints of the school site and lack of availability of alternative developed areas which could accommodate the proposals it is also accepted that the proposed siting of the building ensures that the visual impact on the building is minimised.

From the south and east the building would be seen in context with the existing developed area of the school site. No views of the upper playing field to the north of the application site are currently available from either the south or east as this is obscured by existing buildings, including the existing sports hall. Woodland exists to the west. Accordingly, despite its larger size, it is not considered that it would have any significant detrimental impact when viewed from within the developed area of the school site.

The existing sports hall is characterised by a brick built building typical of its era. Whilst in keeping with other buildings across the school site, it is of a somewhat almost domestic design and appearance. The proposed replacement building, will be of a modern design, articulated by the use of different materials, including brickwork, timber and metal cladding. It is more institutional in its design than the existing sports hall and other buildings within the

school site, and creates a bookend and focal point to the 'avenue' which creates access from the east, and pedestrian footpath to the south. The use of a curvilinear roof form and grey metal cladding at upper levels softens its visual impact against the skyline when viewed from the north. Introduction of soft landscape enhancements would further assist in softening the visual impact of the building.

Overall, the building is considered to be of an acceptable design, which would complement the visual amenities of the school site. The development is considered to comply with the above mentioned policies and it is not considered that it would have such significant detrimental impact on the character or appearance of the school site or the visual amenities of the surrounding area that refusal could be justified.

#### **7.08 Impact on neighbours**

Local Plan: Part 2 policies BE19, BE20, BE21 and BE24, in addition to the Council's Supplementary Planning Document on Residential Layouts, seek to safeguard residential amenity.

The Council's Supplementary Planning Document (SPD) on Residential Layouts states that in order to protect the daylight and sunlight available to adjoining properties, and to protect against potential over domination, a minimum distance of 15m should be maintained between adjoining two or more storey buildings. Furthermore, a minimum distance of 21m should be retained between facing habitable room windows in order to ensure there is no unacceptable overlooking.

The nearest residential properties to the application site are located approximately 40m away to the south west in Woodgate Crescent. Given this distance, combined with screening provided by existing buildings and vegetation, it is not considered that the proposed replacement sports hall would have any significant adverse impact, over and above that of the existing building, on the residential amenity of the nearest occupants in terms of loss of outlook, overlooking or overshadowing.

To the east, the nearest residential properties are located well in excess of 100m away, on the opposite side of Potter Street Hill and beyond the existing main developed area of the school site. From those properties the building would be seen in context with the existing school site. Furthermore, screening provided by existing buildings within the school site and mature tree screening along both sides of Potter Street Hill is such that any views of the building would be extremely limited. Accordingly, it is not considered that the proposal would have any detrimental impact, in terms of loss of outlook, overshadowing or loss of privacy, to occupants of Potter Street Hill properties.

To the north west, beyond the school playing fields, is a large residential property within Three Rivers District Council. Due to the elevation and orientation of that property in relation to the proposed sports hall building, it is likely long distance views of the proposed development would exist from upper-storey windows. Nevertheless, that property is located approximately 100m away. Given this distance, combined with proposed landscaping which would assist in softening the visual impact of the proposed development, it is not considered that it would result in any significant harm to the residential amenity of the occupants of that property by way of loss of outlook, overshadowing or overlooking.

The proposed development is considered to fully comply with the above mentioned planning policies and guidance.

#### **7.09 Living conditions for future occupiers**

This consideration relates to the quality of residential accommodation and is not applicable

to this type of development.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Local Plan: Part 2 policies AM2 and AM7 seek to safeguard highway and pedestrian safety and ensure that developments do not have an adverse impact on the surrounding highway network. Policies AM14 and AM15 seek to ensure appropriate levels of car parking are provided.

No increase in staff or pupil numbers is proposed as part of the this application. Furthermore, no alterations are proposed to existing parking layouts and access arrangements. The applicant has, accordingly, not submitted a Transport Assessment or Transport Statement in support of the application. This follows advice provided at pre-application stage, in liaison with the relevant Highway Engineer at that time.

Notwithstanding the above, in accordance with Sport England and GLA requirements, community use is required. Without such use, it is likely that both those bodies would object to the planning application. The school advise that some community use already occurs, but any increase in this would, inevitably, result in some additional traffic accessing the site outside normal school hours.

Whilst it is not anticipated that the increase in community use over and above the existing would be so significant so as to result in unacceptable traffic levels, particularly given that access would be required outside peak traffic times, both the community use of the facility and the management of associated traffic and parking would need to be carefully considered. Conditions to this effect would therefore be attached should planning permission be granted. As community use would occur outside peak school times, use of the school's facilities to provide parking, would be expected.

The Gatehill Residents' Association and residents in Potter Street Hill have raised significant concern regarding construction access. The former, withdrew an originally submitted objection and petition against the scheme, following a commitment from the school that the Gatehill Estate would not be used for this purpose. The expectation is that the Local Planning Authority condition any approval which might be granted to stipulate this

It is acknowledged that the Gatehill Estate Roads are residential in nature and not ideally suited to large construction vehicles. It is also noted that many of the roads within the estate are in private ownership and so, although the school has an access off Wieland Road, use of the estate roads may not be feasible for reasons outside the Council's or the applicant's control. Furthermore, it is noted that access into the school grounds via Wieland Road would not only require access via an existing archway, unsuitable for HGVs, but would also require access past existing school buildings and through an operational part of the school site which, logistically, is unlikely to be feasible to the school for pupil health and safety reasons.

Potter Street Hill is an adopted highway, the western side falling within the London Borough of Hillingdon and the eastern side falling within the London Borough of Harrow. It serves as the main access to the school, but it is a narrow road with unrestricted parking and passing can be difficult, especially for larger vehicles. It is a dead-end road with no turning circles and on-street parking, particularly towards its northern end, is common place. It was unclear from site visits as to whether those using the road for parking during the day were school staff, local residents (all of who appear to have off-street parking available to them) or walkers wishing to access footpaths and Oxhey Woods to the north and within adjoining boroughs, but unwilling to drive around (which for some would be a significantly longer

route). In light of the above, residents have also expressed strong concern over the use of Potter Street Hill for construction access. This route is however most likely to be that used as it would enable vehicles to access the site via the school's northern access from Potter Street Hill and the school's northern playing field, avoiding the alternative route via Wieland Road, where the arched entrance and operational school site would cause more difficulty.

Notwithstanding the concerns raised by residents, it would not be appropriate for the Local Planning Authority to prescribe access routes unless for reasons of health and safety. Nor would it be appropriate or reasonable for the Council to refuse planning permission due to poor construction access. Indeed, construction takes place across the borough and across the country all the time on sites with more restricted access than this one. A condition requiring submission of a Construction Logistics Plan would however be applied should planning permission be granted. As part of this, the applicant would need to demonstrate to the Local Planning Authority how construction will be managed safely and appropriately to minimise congestion and inconvenience to local residents. Details such as site access arrangements (vehicular and pedestrian), parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours), construction phasing, vehicular routes, scope for load consolidation in order to reduce the number of road trips generated, measures to improve safety to vulnerable road users and measures to prevent mud and dirt tracking onto footways and adjoining roads would be requested as part of this condition. If the applicant is unable to demonstrate safe access by HGVs, then they will need to consider alternative methods of gaining construction access and transporting goods to the site, such as use of smaller vehicles, although it must be noted that this could significantly increase vehicle trips to/from the site.

In conclusion, notwithstanding the concerns raised by residents regarding traffic from either community use of the site or from construction vehicles, subject to imposition of appropriate conditions, it is not considered that the development would result in such a significant increase in long-term vehicular trips to/from the site or raise issues of such significant highway or pedestrian safety that refusal could be justified.

#### **7.11 Urban design, access and security**

##### **- Urban Design**

This issue has been addressed in parts 7.05 and 7.07 of the report. Taking into consideration the site constraints and the justification for the proposed development provided by the applicant, the size, scale, height and design of the proposed building is considered to be visually acceptable in this instance.

##### **- Security**

Should planning permission be granted a condition requiring the development to adhere to Secure by Design principles would be attached, as per the advice from the Metropolitan Police.

#### **7.12 Disabled access**

The submitted Design and Access Statement confirms that the development will full comply with DDA, BS8300 and Sport England requirements relating to accessibility. It confirms that level access will be provided to all parts of the building, appropriate door and corridor widths will be provided and that suitable accessible WCs will be installed.

Following comments from the Council's Access Officer amended plans have been received which show an external platform lift will be provided at the main entrance to address level changes. The size of the first floor accessible WC has also been amended to meet 2018 requirements.



With regards to provision of a Changing Places space the applicant has advised that Sport England guidance does not require this for a sports hall of this size and this has been accepted by the Access Officer.

The applicant has also advised that an emergency evacuation plan will be put in place.

The Access Officer has confirmed that the concerns raised have been sufficiently overcome, and therefore the proposals are considered to comply with London Plan (2016) policy 7.2.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this type of development.

#### **7.14 Trees, landscaping and Ecology**

The NPPF states that development proposals should seek to respect and retain, where possible, existing landforms and natural features of development sites, including trees of amenity value, hedges and other landscape features. It states that development should make suitable provision for high quality hard and soft landscape treatments around buildings. Landscape proposals will need to ensure that new development is integrated and positively contributes to or enhances the streetscene. In addition, proposals should seek to create, conserve or enhance biodiversity and improve access to nature by sustaining and, where possible, improving the quality and extent of natural habitat enhancing biodiversity in green spaces and among developments. Local Plan: Part 2 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.

The site slopes steeply to the south with the school facilities linked via a series of slopes and terraces. There are a number of trees and areas of woodland within and adjacent to the site, which contribute to the character of the area and provide visual screening, but there are no Tree Preservation Orders or Conservation Area designations affecting the site.

The submitted documentation confirms that three low value apple trees would be removed and that some 'B' grade woodland trees would be crown lifted to facilitate the development. The Council's Trees/Landscape Officer has confirmed that no objection is raised in this regard and noted that replacement tree planting would be provided. Details of tree protection measures and a working method statement has been provided to demonstrate how retained trees will be protected throughout construction works.

The landscape scheme shows that a retaining wall would be provided to limit the impact of the development on the playing field and new specimen trees would be planted to the south and around the north / north-east elevation of the building to assist in softening its visual impact. A green roof would also be provided on the single-storey element of the building. Furthermore, 30m of native species hedge planting, maintained at a height of approximately 2m, would be provided along the northern playing field boundary, parallel with the existing chainlink boundary fence, in order to add additional screening and further enhance the visual amenities of the school site.

The Trees/Landscape Officer has reviewed the submitted Landscape Visual Impact Assessment and the verified views provided and is satisfied that pre-application advice has been satisfactorily taken on board and that the proposals would not have an unacceptable visual impact on the landscape or wider green belt.

Detailed plans have been provided and the Council's Trees/Landscaping Officer has thus

confirmed that no objections are raised subject to conditions to ensure the development is carried out in accordance with these submitted plans.

In terms of ecology, an Ecological Assessment has been provided in support of the application. This confirms that the site was surveyed based around extended Phase 1 survey methodology, as recommended by Natural England and that specific surveys were additionally undertaken within the site in respect of bats and Badgers. It concludes that the development proposals will have no harm to protected species but recommends that ecological enhancements are made where possible. These would be secured by way of condition should planning permission be granted.

#### **7.15 Sustainable waste management**

No details of refuse provision have been provided. However, the development would replace an existing building which forms part of a larger developed site and, therefore, it is considered likely that existing facilities would continue to be used.

Notably, the school ultimately has discretion over which waste management methods are used on site. Nevertheless, details of refuse storage would be required by way of condition to ensure that existing facilities have sufficient capacity and that these are expanded or new facilities provided if needed.

#### **7.16 Renewable energy / Sustainability**

Policy 5.2 of the London Plan requires development proposals to make the fullest contribution possible to reducing carbon emissions. Major development schemes must be accompanied by an energy assessment to demonstrate how a reduction in carbon dioxide emissions, compliant with Building Regulations, will be achieved where feasible.

In accordance with this policy the applicant has submitted an Energy Strategy Report to demonstrate how the London Plan objectives will be met. In addition to energy efficient building measures such as ensuring the building will be well insulated, use of high efficiency boilers, energy efficient lighting, etc, photovoltaic panels would be provided to provide a portion of the site's energy needs through the use of a renewable energy.

Following concerns raised by the GLA that insufficient energy savings would be made, an amended Energy Strategy Report has been provided. This confirms that a 35% reduction in carbon dioxide emissions above Part L of the Building Regulations 2013 would be achieved in compliance with London Plan requirements.

#### **7.17 Flooding or Drainage Issues**

London Plan policy 5.13 states that development proposals should use sustainable urban drainage systems (SuDs) unless there are good reasons for not doing so and that developments should aim to achieve green-field run-off rates. Policy 5.15 goes on to confirm that developments should also minimise the use of mains water by incorporating water saving measures and equipment.

The site does not fall within a flood zone or critical drainage area, but areas downstream from the school are known to have experienced surface water flooding in the past. In accordance with London Plan policy a Flood Risk Assessment & Drainage Strategy has been provided. This has been amended following initial concerns raised by the Council's Flood and Water Management Officer and is now considered to be acceptable, subject to the imposition of appropriate conditions. Notably, sustainable drainage measure such as provision of a green roof, attenuation tanks and permeable paving would be incorporated into the scheme.

The concerns raised by a Potter Street Hill resident regarding flooding are noted. However, the submitted details demonstrate the the drainage strategy would be policy compliant and, notably, the Council's Flood and Water Management Officer has raised no objections in this regard. Accordingly, it is not considered that the development would result in any increased risk of flooding.

#### **7.18 Noise or Air Quality Issues**

##### **- Air quality**

The site does not fall within a designated Air Quality Management Area and it is not considered that the proposed development would lead to such an increase in traffic over and above its existing consented use that it would have a significant impact on local air quality.

##### **- Noise**

This is an existing and established school with no current restrictions over its indoor sports use. Despite the potential for intensification of use of the indoor facility, it is not considered that this alone would lead to such an increase in noise and disturbance to neighbouring residential properties that refusal could be justified.

Whilst the Community Use Agreement can only reasonably relate to the redline application site (ie, the site of the proposed sports hall and not the existing external sports facilities) it is however acknowledged that the increased changing room space could serve to allow intensification of external facilities as well. Notwithstanding this however, as discussed in part 3.3 of this report, conditions already exist to restrict use of sports pitches on the western field, to safeguard residential amenity. Therefore it is neither appropriate (as they fall outside the redline application site) or necessary to repeat these conditions.

The Community Use Agreement would seek details as to how out of hours use of the sports hall would be managed and hours of use, measures to control noise and disturbance, etc, would be sought through that mechanism. As already mentioned, a condition would also be attached to ensure traffic and parking demand generated by out of hours use of the facility is managed to minimise its impacts.

In light of the above, it is not considered that refusal could be justified on grounds of noise and disturbance.

#### **7.19 Comments on Public Consultations**

The majority of concerns raised relate to the principle of the development and visual impact of the building on the green belt. These matters have been addressed in the body of the report. Concerns relating to the site's planning history, traffic, construction access and flooding have also been addressed in the body of the report. However, for completeness, specific comments relating to the planning history and principle of development are discussed in more detail below.

Residents have highlighted the need for the Council to take on board relevant planning history and make consistent decisions when considering this application, especially with regard to its view on the acceptability of the scheme in the green belt.

Numerous past applications relating to St John's School have received planning permission. However, it is noted that planning permission was refused for extensions to the school in 2009 (ref: 10795/APP/2009/199) and it is this decision it is therefore assumed residents are referring to. One of the reasons for refusal related to the lack of very special circumstances demonstrated at that time. A subsequent application (ref: 10795/APP/2009/1560) was also refused, but subsequently allowed at appeal. Despite

other concerns, it is notable that the Inspector deemed that development was acceptable on green belt grounds.

Every application must be assessed on its individual merits, based on the information provided by the applicant at that time and against current planning legislation, policy, guidelines and appeal decisions. Therefore, whilst due regard must be had to relevant planning history, and the Council must indeed be consistent in its approach, it would be inappropriate and unreasonable to refuse planning permission based on historic decisions, without giving due consideration to the application before it at the time. This is demonstrated by the mix of historic decisions at this site. Indeed, it is likely the very special circumstances put forward in 2009, which were for developments elsewhere on the school site, differ substantially to those argued by the applicant as part of this current application. It is also notable that key legislation, such as the Government published Policy Statement - Planning for Schools Development (DCLG, 15/08/11) and the NPPF did not exist in 2009.

Residents also refer to the site's enforcement history. It is reiterated that the Council must assess each application on its merits based on the information presented to it at that time. Staff and circumstances change and, regardless of how likely it may or may not seem, it cannot be assumed that just because past breaches have taken place that they will do so again. If planning permission is granted and the school found not to be complying with relevant conditions or legal obligations then normal enforcement action could proceed at that time. Therefore, notwithstanding residents' concerns regarding the site's planning history, this is not considered sufficient reason to warrant refusal in this instance.

With regard to the principle of the development, residents cite studies to argue that there is no proven link between sport and health. Whilst the arguments put forward by residents are acknowledged, applications for planning permission must be considered against current local, regional and national planning legislation, policies and guidance. At this time, notwithstanding those reports and studies, including Department for Education advice quoted by residents, planning policies and guidance do link sporting and health benefits and they actively seek to encourage both enhanced educational facilities and improved sports provision.

Residents also suggest that the school's restricted pupil numbers (which are currently capped at 350 by way of historic planning conditions) are such that there is no requirement for a larger facility and no need for improved indoor facilities in this location.

The existing school hall dates from the 1980s. There is now a much stronger emphasis on sport as reflected by the establishment of Sport England during the mid 1990s, their primary aim being to maximise the sporting potential of sites. The existing hall is no longer fit for purpose and officers are minded to concur with this view.

Residents also question why alternative options outside the school site haven't been explored. It is suggested that Merchant Taylor's School (which forms part of the same school Trust), other local school and local community facilities should be explored as alternative options.

Merchant Taylor's school is located in Moor Park, Hertfordshire, just over 2 miles away (walking distance) or 3.3 miles away (driving). Officers cannot comment of the feasibility of this solution from a timetabling perspective, but applying a common sense approach it is likely it would be impracticable to walk this distance for individual PE lessons due to the time this would take. Accordingly, if this option were to be considered it is likely mini-buses

would be required. This would add to the number of vehicles regularly using Potter Street Hill (something residents have historically been highly opposed too) and does not present a sustainable option. Clearly the travel time would also still take from the time available for lessons themselves. Accordingly, this option would seem to be far from ideal and may be unfeasible altogether.

Several comments received advise officers of the need to follow due process. The scheme has been considered in accordance with statutory requirements and assessed against current planning policies, guidance and legislation.

A comment has been made that the LPA has supplied incorrect information to the GLA. The GLA have been consulted on the application in accordance with statutory requirements as set out in the Town and Country Planning (Mayor of London) Order 2008. The only information supplied to the GLA by officers has been that supplied by the applicant and publicly available on the Council's website. Should Committee determine to approve the application, a Stage II referral to the GLA will take place and additional information (such as consultation responses, any additional/amended plans/documents which have been received, a copy of this report, a draft decision notice, etc) forwarded in accordance with the requirements of the Order.

Concerns are also raised that this application will set a precedent. Every application must be assessed on its individual merits against the relevant planning policies, guidance and legislation in place at that time.

## **7.20 Planning obligations**

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

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered reasonable to request contributions towards the following:

1. Construction Training: Either a contribution equal to the formula (£2,500 for every £1m build) or an in-kind training scheme equal to the financial contribution delivered during the

construction period of the development with the preference being for an in-kind scheme to be delivered. A contribution towards co-ordinating costs may also be required.

2. Reinstatement of hardstanding to allotment garden: Prior to occupation a scheme shall be submitted to and agreed in writing by the local planning authority, detailing how 109m<sup>2</sup> of hardstanding shall be removed and replaced with allotment gardens for educational purposes, as set out in paragraph 33 of the Clarification Statement, prepared by Vincent and Gorbng and dated 05/06/18. This shall include details of hard and soft landscaping and a schedule for implementation.

3. Project Management & Monitoring: A contribution equal to 5% of the total cash contributions secured to enable the management and monitoring of the resulting agreement.

Notably, as the development is for educational use it would not necessitate a contribution towards the Mayoral or Hillingdon Community Infrastructure Levy.

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **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 Probitry 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 proposal is considered to fully comply with current Local Plan, London Plan and national planning policies which seek to encourage the enhancement of existing educational and sports facilities. Furthermore, the applicant has argued a case of very special circumstances considered sufficient to justify the development in the green belt. No objections are therefore raised to the principle of the development.

It is not considered that the proposed development would result in an unacceptable impact on the visual amenities of the school site or on the surrounding area. The proposal would not have any significant detrimental impact on the amenities of the occupiers of neighbouring residential properties and it is not considered that the development would lead to such a significant increase in traffic and parking demand that refusal could be justified on highway grounds.

The proposal is considered to comply with relevant Local Plan and London Plan policies and, accordingly, approval is recommended.

#### **11. Reference Documents**

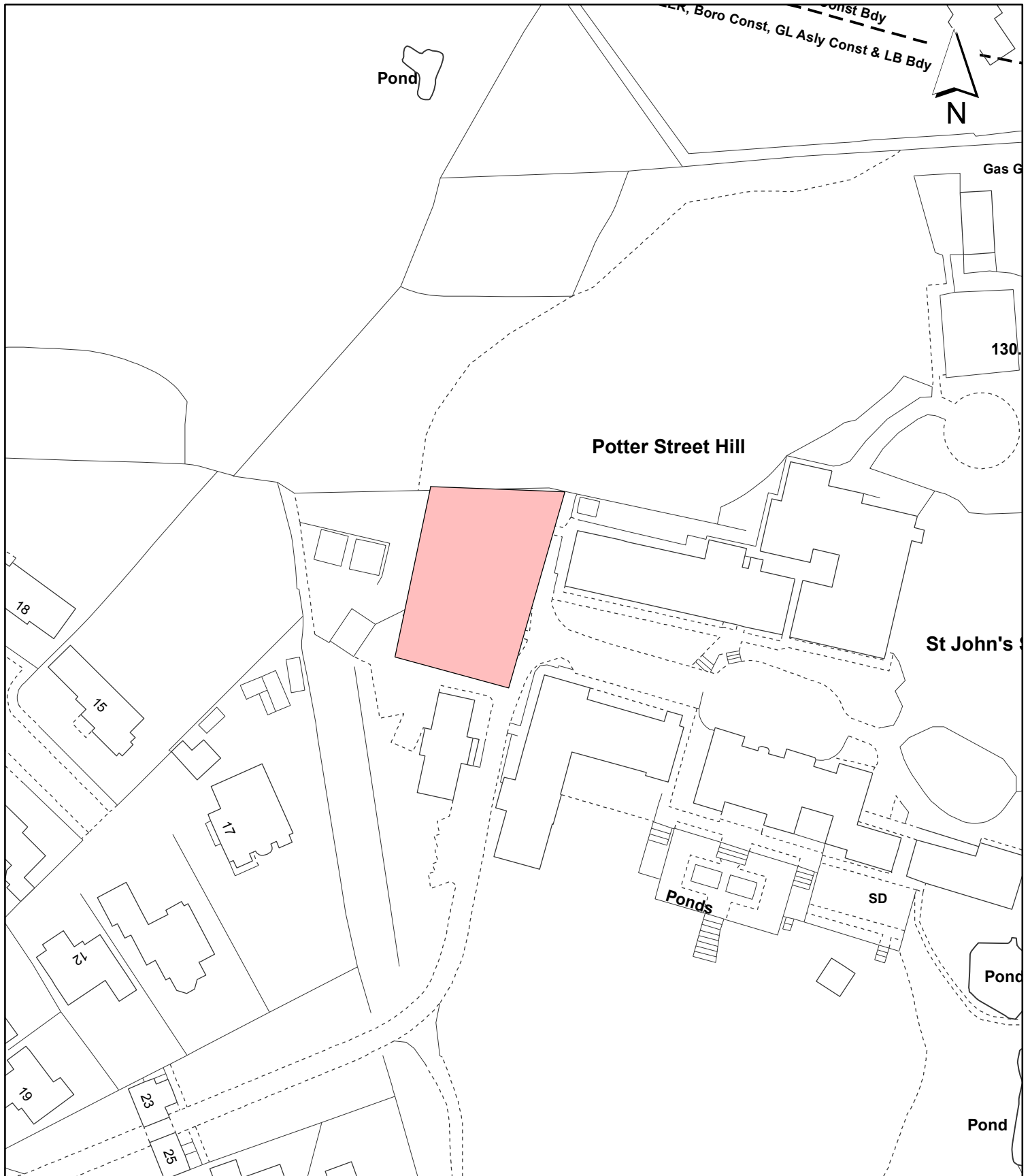
Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
Policy Statement - Planning for Schools Development (DCLG, 15/08/11)  
London Plan (July 2016)  
National Planning Policy Framework (2018)  
Hillingdon Supplementary Planning Document: Accessible Hillingdon  
Hillingdon Supplementary Planning Document: Residential Layouts

Hillingdon Supplementary Planning Guidance - Community Safety by Design

**Contact Officer:** Johanna Hart

**Telephone No:** 01895 250230





**Notes:**

 Site boundary

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Site Address:

**St Johns School  
 Potter Street**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**10795/APP/2018/149**

Scale:  
**1:1,000**

Planning Committee:  
**Major**

Date:  
**September 2018**

