

Report of the Head of Planning & Enforcement Services

Address ST JOHNS SCHOOL POTTER STREET HILL NORTHWOOD

Development: Retention of additional classroom and assembly area with library for pre-preparatory 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.)

LBH Ref Nos: 10795/APP/2011/91

Drawing Nos: 200
201
202
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Transport Statement
Planning, Design and Access Statement
E-mail from agent received 10th February 2011

Date Plans Received: 17/01/2011 **Date(s) of Amendment(s):**

Date Application Valid: 17/01/2011

1. SUMMARY

This application is a re-submission of an earlier application (10795/APP/2009/1560) to retain a single storey extension to the school which is sited within the Green Belt without complying with condition 4 of the original permission (10795/APP/2001/1600) which limited pupil and staff numbers at the school to 350 and 40 full time equivalent (FTE) respectively so as to allow current numbers of 405 pupils and 65 FTE staff to be retained. When the extension was built, the school was already in breach of this condition and it would appear that the school have had similar pupil and staff numbers at the current levels for the last five years.

The application was originally described as a variation of the condition and presented to the North Planning Committee meeting on 22nd December 2009, but following Legal Officer advice, given the school's non-compliance with this condition from the outset, the original permission could not be relied upon to authorise the building works and the extension has to be considered anew, albeit the building has been on site for over 4 years and is thus, immune from any enforcement action. The application was therefore deferred in order to allow the description to be amended, re-consultations with neighbours to take place and amendments on the addendum sheet and full policy references to be included in the officer's report. The application was re-presented to the North Planning Committee meeting on the 29th April 2010, but refused against officer recommendation on the grounds of the impact of increased pupil and staff numbers at the school on highway safety and the visual amenity of the Green Belt. An appeal against the refusal has been lodged but in the meantime, this application has been submitted which provides up-dated information and new analysis of the development.

It should also be noted that changes in school in-takes have changed in the past 12

months, such that there is no longer capacity in surrounding schools to absorb potentially 55 pupils. This is an important material consideration which weighs in favour of approving the application.

Although the Council's Highway Officer previously did not object to the proposal on highway safety grounds, a main criticism made by neighbours of the transport assessment undertaken was that survey data was only collected on a single day which may not have been representative. The new assessment is based on additional survey information including traffic counts at the school on a number of occasions and at different times of the school year. The assessment is now more robust and effectively demonstrates that the prevailing conditions on the surrounding highway with increased pupil and staff numbers at the school have not prejudiced highway safety. Furthermore, the school is actively seeking means to reduce the numbers of pupils arriving at the site by car and the School's Travel Plan demonstrates that there has been a 7.7% reduction in the number of pupils arriving by car and further improvements are being considered. On this basis, the Highway Engineer does not object to the development on highway safety grounds.

An analysis has also been carried out on the impact of additional pupil and staff numbers at the school has had on the Green Belt. It is considered that it has adequately demonstrated that the increase in numbers has not been detrimental to the visual amenity and openness of the Green Belt.

The application is recommended accordingly.

2. RECOMMENDATION

That the application be approved, subject to the following:

That authority be given to the Head of Planning, Trading Standards and Environmental Protection, to determine the application under delegated powers, subject to the following:

1. That the Council enter into a legal agreement with the applicants under Section 106/Unilateral Undertaking of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:

(i) that the number of pupils enrolled with the school for attendance at the school site for educational purposes shall not at any time exceed 405 in aggregate (excluding pupils enrolled for attendance in the future and former pupils);

(ii) that the number of members of staff engaged to provide services to the school at the school site shall not at any time exceed the equivalent of 65 full-time members of staff; and

(iii) that not later than one calendar month after the beginning of each academic year the school will notify the Council in writing of the number of pupils as described in (i) and the number of members of staff engaged for that academic year as described in (ii).

2. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.

3. If the S106 Agreement has not been finalised within 6 months, the application to be referred back to the Planning Committee for determination.

4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

5. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers.

6. That if the application is approved, the following conditions and informatives be attached:

1 NONSC Non Standard Condition

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

REASON

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

2 NONSC Non Standard Condition

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

REASON

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

3 NONSC Non Standard Condition

Within 1 month of the date of this permission, details of covered and secure parking for at least 30 cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved provision shall be implemented on site within 2 months from the date of the approval of details permission and thereafter permanently retained.

REASON

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

4 NONSC Non Standard Condition

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

REASON

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

INFORMATIVES

1 152 **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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

PPS1	Delivering Sustainable Development
PPG2	Green Belts
LPP 3D.9	London Plan Policy 3D.9 - Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R10	Proposals for new meeting halls and buildings for education, social, community and health services
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 3A.24	London Plan Policy 3A.24 - Education Facilities
EC2	Nature conservation considerations and ecological assessments
OE1	Protection of the character and amenities of surrounding properties and the local area
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

3. **CONSIDERATIONS**

3.1 **Site and Locality**

St John's School is located on the western side of Potter Street Hill, on a 12.4 hectare site near the top of Pinner Hill, close to the borough boundaries with the London Borough of Harrow and Three Rivers District Council. It forms a predominantly steeply sloping site between Potter Street Hill and Wieland Road to the west, with views over lower ground to

the south, looking across a wide area of London.

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

Potter Street Hill at this point forms the borough boundary with the London Borough of Harrow and on the eastern side of the road are large detached properties on substantial plots which form part of the Pinner Hill Estate. Similar properties adjoin the site to the west, which form part of the Gatehill Estate.

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

Potter Street Hill is blocked to vehicular traffic at its northern end, adjacent to the northern boundary of the school. From its junction with Hillside Road/Potter Street to the south, the road has a footpath along most of its length on the eastern side, with the exception of a 150m long central section. Vehicular access to properties on the Potter Hill Estate can also be gained from Hillside Road, via Pinner Hill and South View and Park View Roads.

The whole of the school site, with the exception of that part of the access road nearest to Wieland Road, forms part of the Green Belt as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007). Part of the school grounds to the south also form part of a Nature Conservation Site of Borough Grade II or Local Importance. The adjoining Gatehill Estate is also identified as an Area of Special Local Character.

3.2 Proposed Scheme

This application is to retain a single storey building at the school, which was erected without being in compliance with condition 4 which limited pupil and staff numbers to 350 and 40 FTE respectively to enable the school to retain current pupil and staff numbers of 405 pupils and 65 FTE staff. This is a re-submission of an earlier application (10795/APP/2009/1560) which was refused at the North Planning committee meeting on the 29th April 2010 against officer recommendation.

The application has been revised and now includes amended plans showing the extension as built on site and revised and up-dated Planning, Design and Access and Transport Statements. These are described below:

Planning, Design and Access Statement

This describes the background to the application. It states that the school have been operating in ignorance of the limitation since the building was constructed and the aim of this application is to allow the school to retain the current numbers of 405 pupils and 65

full time equivalent staff. It highlights the fact that as the building has been completed for more than 4 years, it is immune from enforcement action. The application follows an earlier application that was refused by the Council, contrary to officer recommendation and an appeal has now been lodged. In the meantime, this application seeks to address the issues raised in the earlier refused application. It then summarises the changes made in this application.

The history of the school site is then briefly discussed. It then goes on to advise that during 2009, a new inspection regime was introduced for independent schools, more closely following that used by OFSTED in the state sector. St John's was one of the first schools in the country to be inspected by the Independent Schools Inspectorate (ISI) in January and February 2010 and received an excellent report which found the school to be fully compliant with no regulatory failings. Importantly, the inspection did not highlight or report any requirements for improvements to either the buildings, classroom sizes or the general teaching environment and the inspection team were satisfied that sufficient facilities exist at the school to accommodate the educational needs of 405 pupils from 3 to 13 years of age.

Extra-curricular activities and the community contribution made by the school are discussed, including the school's strong links with Sunshine House School in Northwood which provides education, rehabilitation and residential respite care, raising funds and arranging visits and the school has also sought to work with the borough to allow the use of its facilities with other schools, although some planning conditions on some facilities restrict such use. The school remain keen to promote dual use of their facilities at no cost to themselves. The report goes on to advise that over recent years, 5% of the gross fee income has been designated for bursary requests from parents of existing and prospective pupils. In the academic year 2009/2010, the school provided approximately £120,000 in bursaries and currently there are seven means tested bursaries for parents who would otherwise not be able to send their children to the school.

The school site and the surrounding area are then described and the statement notes that there is considerable boundary planting, particularly along the edges of Potter Street Hill, Hillside Road and Wieland Road. The woodland areas within the school are informally managed by the school and used for environmental education purposes. School buildings are then described, together with access and parking arrangements.

Planning history is then discussed, and then the report focuses upon pupil and staff numbers. It advises that the school caters for pupils aged 3 to 13 and a table of total pupil numbers shows that the limitation of 350 pupils has been consistently exceeded since 2000 and the school therefore already breached the original condition limiting pupil and staff numbers at the time it was imposed. There has been a marginal increase in numbers since 2000, but for the last five years, pupil numbers have been within 10 of the 405 now sought, with only one year, 2008 exceeding this at 406. The report advises that the school has reviewed how this situation came about and puts this down to the physical separation of functions between St John's and Merchant Taylor's Schools, but this separation of function has now been addressed, with all administration now taking place at St John's itself. A Bursar for the School was appointed in September 2008 to be responsible for site management on a day to day basis including buildings, services and general administration of non-teaching areas. In addition, in the most recent academic year, the Chairman of Governors put in place a Governance structure for the School that ensures each member of the governing body has responsibility for a particular function of the school and this has proved very helpful and this and other areas of governance of the school were considered to be 'outstanding' by the ISI in January 2010.

The report goes on to advise that on a typical day, a school club operates from 7:30 and the nursery and pre-preparatory schools are open from 8:20 with the rest of the school starting at 8:25. Finishing times are staggered, with the nursery finishing at 14:50, and the pre-preparatory school finishing between 15:00 and 15:10. The junior school finishes at 15:50 with the Middle and Upper Schools finishing at 16:00. After schools activities are completed by 17:30 in the autumn/winter terms and by 18:15 in the summer term. There is also an after school club which closes at 18:00. The report then goes on to advise that the school has operated with 65 full time equivalent (fte) staff for the last five years. This breaks down as 35 teaching staff (34.4 fte), 10 teaching assistants (9.0 fte) and 29 non-teaching staff (20.9 fte), giving a total of 74 or 64.3 fte staff.

The report then goes on to consider the school travel plan and parking management. It advises that the final version of the Travel Plan was issued in May 2009 and based on a number of questionnaires of both staff and parents. Since the adoption of the plan, a number of initiatives have been pursued by the school, namely:

- * A car sharing scheme has been implemented,
- * A fleet of 25 bicycles has been purchased to be used for proficiency training and by those not using their own bicycles,
- * A secure cycle storage facility has been provided,
- * The Travel Plan is fully communicated within the school by inclusion on the school's web site, notice boards and direct communication with parents. Parents also receive regular news and term letters detailing the travel requirements sought from them in attending the school,
- * A pedestrian route has been created within the school grounds linking Potter Street Hill (at a point approximately 100m from its junction with Hillside Road) to the main school buildings, which includes light sensitive bollard lighting.

The statement goes on to advise that these initiatives represent the first stage of the implementation of the Travel Plan. Future initiatives include a proposal for a potential drop-off area close to the bottom of the new pathway next to an existing gated access. This would be subject to the grant of planning permission and would reduce the number of cars travelling up and down Potter Street Hill. In addition, the possibility of a pedestrian crossing at the bottom of Potter Street Hill/ Hillside Road has been discussed with the Council, as has a pavement along the full length of Potter Street Hill. Both would need to be subject to feasibility studies. Since the beginning of the school term in September 2010, additional traffic measures have been introduced within the playground car park, the main area for student drop-off which are more fully described in the Transport Statement and have improved the flow of traffic on Potter Street Hill and reduced the tendency of parents to park outside the school. Since the last refusal, the school has also reconfirmed that parents should not use the Gateshill Estate access. A Travel Plan Review has recently been published, detailing how many of the Travel Plan objectives have been progressed and where further action is required. Importantly, a further mode of transport survey has been undertaken which demonstrates an overall reduction in car use of 7.7% since the creation of the Travel Plan in 2009, with a 3% increase in car sharing, 2% increase in walking and 3% of pupils now 'park and stride', using the new footpath.

The report then turns to highway and pedestrian safety issues, the first reason for refusal of the earlier application. The report considers that the measures taken by the school, together with the further studies undertaken demonstrate that this issue has been adequately addressed. That said, the report points out that any proper consideration of the application needs to take full account of the benefits of providing educational places in the locality and the adverse impact that a refusal of permission would have on the school

and its displaced pupils. These are discussed later in the statement.

The statement then goes on to consider transport issues. It advises that the Transport Statement submitted with the earlier application was criticised by some third parties as the surveys of existing traffic were not considered to be representative, being taken on a single day (Tuesday 19th May 2009). Now additional surveys on three consecutive days on two separate occasions, one in the summer term and one in the autumn have been carried out, in addition to an Automatic Traffic Counter which was placed on Potter Street Hill some 150m south of the school's entrance for 7 consecutive days at the same time as the first survey period and again from 27 August to 6 September 2010 to record traffic movements and speeds during non-term time for comparison purposes. During the second survey period, traffic counts were also taken at the junction of Potter Street Hill with Hillside Road.

The assessment shows that on average, the number of vehicles dropping off or picking up pupils is 616 per day. On the basis of 405 pupils, that equates to 1.31 pupils per vehicle or with 91% of pupils travelling by car, 1.2 pupils. The survey shows that there is very little traffic from the Wieland Road access, with a maximum of 11 vehicles in one morning peak hour (08:00 to 09:00). There is queuing on Potter Street Hill to access the school's car park, but this dissipates very quickly, with no more than 20 vehicles in a queue occurring on average between 6 mins 42 secs and 11 mins 33 secs per day during term time. Moreover, this queuing does not cause any particular inconvenience to other road users, particularly as there are alternative routes through the adjoining residential estate, using Hillside Road, Pinner Hill Road, South View Road and Park View Road. In terms of parking, the school has a well-managed car park with approximately 53 spaces. Demand in the car park only exceeded the amount of spaces on three occasions, twice in the afternoon and once in the morning. The maximum accumulation of 59 vehicles occurred on Tuesday 28th September for a duration of just under five minutes. The average length of stay during the morning period is 9 mins 37 secs and 16 mins 13 secs in the afternoon, reflecting that parents tend to arrive in good time to pick up their children at the end of the school day, whereas they have some flexibility in the morning and can drive off once their child is safely in school. Average vehicle speed along Potter Street Hill during term time was 27.4 and 28.1 mph in the AM and PM peak respectively, comparing with 30.1 and 30.0 during non-term time. Additional vehicles during term time therefore do not have any appreciable impact on vehicle speeds which appear to be influenced by speed limit and characteristics of the road.

The statement advises that the new surveys are broadly consistent with the one day survey and they confirm that at no time is there significant congestion or interruption of the free flow of traffic, with the queuing that does occur being quickly dissipated and this is being addressed to some extent by the school's management regime.

The statement goes on to advise that as regards safety issues, records held by Transport for London go back to 1998 while Hertfordshire County Council only hold records for the last five years. During the last 12 years, only one accident has been recorded on Potter Street Hill on Tuesday 10th December 2002 at 08:20 which only involved slight injury. Over the last five years, there have been no injuries, and the accident rate on Potter Street Hill is below the national average for this type of road demonstrating that the road network around the school operates safely.

Drop-off/pick-ups on Potter Street Hill during a typical school day total up to 83 with a maximum of 18 vehicles parked on the street at any one time. During a typical school day, there are up to 197 pedestrians (including parents/carers) walking along and across

Potters Street Hill. It is reasonable to assume that this level of activity has been similar over the last five years due to similar pupil numbers at the school, so it is clear that current pupil numbers at the school do not prejudice conditions of general highway and pedestrian safety. Furthermore, on-street parking does not cause any particular issues for adjoining residential properties on Potter Street Hill, all of whom have extensive off-street parking within their large curtilages.

A tracking exercise has been undertaken and this demonstrates that a fire tender (the largest emergency vehicle) could still travel along Potter Street Hill with queuing traffic so that emergency vehicle access would not be compromised.

As regards staff, there are 50 marked spaces, 5 of which are allocated for visitors. There are also areas which are regularly used for staff parking which provide a further 18 spaces and all the parking spaces have been shown on a plan. The statement goes on to advise that a survey undertaken for the previous application on 16th November 2009 revealed a total of 51 staff vehicles parked on site. In total, 74 staff are employed at the school of which 59 are full time. As the total includes 25 part time staff, the number of staff present at the school at any one time is generally less than 74. According to the survey undertaken as part of the Travel Plan (2009), 81% of staff drive to school. Thus, there should be a total parking requirement of 58 spaces on the basis of all staff being present at the school at the same time as compared to the 63 spaces being available for staff parking. Therefore, staff have no need to park on adjoining roads and staff parking has no impact upon the adjoining highway network.

A reduction in pupil numbers at the school to 350 would reduce peak parking demand which was recorded at 66 vehicles and this would reduce to 57 vehicles. Queuing would also reduce from the observed maximum 20 vehicles to 17, and the average duration of queues on a typical day from 11 mins 33 secs to 9 mins 59 secs in the morning and from 6 mins 42 secs to 5 mins 48 secs in the afternoon peak.

A reduction in pupil numbers would therefore result in a very small reduction in the length and duration of queuing along Potter Street Hill and theoretically reduce the probability of highway safety issues but as currently, the probability of highway safety issues is extremely low, the reduction would not result in any measurable improvement for road safety. As such, the above analysis confirms that the retention of pupil and staff numbers is fully compliant with Policies AM7 and AM14 of the UDP.

The statement then goes on to consider Green Belt issues associated with the increase in pupil and staff numbers, the analysis of which is presented at Section 7.05 of this report. This section of the statement does briefly consider the building itself and stresses that as it was constructed well over 4 years ago, it is immune from enforcement action and will therefore remain, whatever the outcome of this application. Indeed, the report advises that this was reflected in the previous refusal reason which refers to the intensification of the use, and not the building itself. The statement goes on to advise that if the issue of the retention of the building was at stake, the fact that the building is immune from enforcement action represents very special circumstances to justify its retention. This section of the report then goes on to advise that the majority of development allowed at the school was consistent with Green Belt policy at the time and was not considered to represent 'inappropriate development' as it was only the changes made to the 1995 version of PPG2 that removed development at 'institutions standing in extensive grounds' as being appropriate within the Green Belt.

The statement then assesses other planning considerations. It cites PPS1 and the

balance to be struck between environmental impact and social benefits and that any potentially negative impacts of development on the environment needs to be considered against the positive effects of development in terms of economic benefits and social well being. The UDP recognises the need to provide for educational development, highlighting potential increases in pupil numbers, and Policy R10 states that proposals for new educational buildings will be acceptable, subject to other policies in the plan.

Maintaining current pupil numbers will allow existing buildings at the school to be used in a manner which allows the optimum number of pupils to be taught. Any reduction will require pupils to be taught elsewhere, either in the state system or other independent schools which are likely to be a greater distance from the immediate locality, causing greater journey lengths in addition to disruption to pupils. There are clear educational benefits of maintaining the school at its present size.

The school has no current plans to extend current or construct new buildings. In any event, if planning applications were made, these would need to be dealt with on their merits. As set out in the ISI report, no deficiencies were identified with the existing teaching accommodation. Accordingly, this application would not give rise to possible future applications that might be perceived as threatening the Green Belt.

Losing fifty five fee paying pupils, or 13.5% per annum of circa £500k of gross income would erode the school's ability to maintain its existing structure. Many overheads would remain at their current levels. Any reduction in gross income would impact upon the school's ability to provide bursary funding at the level that has been applied for a number of years. Currently, 5% of gross fee income per annum is available to assist pupils from less affluent backgrounds and therefore the school would not fulfil its public benefit obligations as required by the Charities Act 2006.

The report goes on to advise of the practical difficulties of reducing pupil numbers and advises that this could not happen immediately. The only practical way would be to not replace those pupils whose parents relocate elsewhere and those that leave in the middle of their time at St Johns which would be very few. Annual intake could be gradually reduced but class sizes would become too small with a detrimental impact upon teaching and learning. Enough pupils in each class are required for them to be able to share experiences and participate in group activities. The fifty five pupils would have to be educated elsewhere and currently all local competitor preparatory schools are full and would not have spaces available. It could also be problematic for the local authority to accommodate the extra pupils. The only other option would be to relocate certain years away from the site but this is not seen as a viable option, given land and other restraints in the area and would almost certainly increase travel distances as siblings would need to be dropped off at different locations.

The school also advises that it would be impossible to run the school with 25 less full-time equivalent staff. Teachers at St. John's are either specialists or general subject teachers who teach all the main academic subjects through to Year 4. With fewer numbers in each class, it would still be necessary to offer the same range of subjects and have the same number of teachers. Similarly with non-teaching staff, the same number of buildings and grounds would need to be maintained and with a small secretarial and administrative section, less pupils would not reduce the need for administrative staff. Reduced pupil numbers would also impact upon the quality of facilities and resources, and result in no further capital investment, resulting in St John's becoming less attractive to parents of potential students.

Transport Statement

The main findings of the Transport Statement are fully discussed within the Planning, Design and Access Statement.

It does advise that since the beginning of the school term in September 2010, additional traffic management measures have been introduced within the playground car park. In the morning, up until 8:25, an area of car parking spaces closest to the school buildings is cordoned off as a dedicated drop-off zone for about 4 to 5 vehicles. Parents with children who do not need to be accompanied to the classroom (generally those in Year 3 and above), can quickly drop off their children without the need to park. The cordon is removed at about 8:25 (at which time Year 3 and above pupils should be in their classrooms) with the car parking spaces becoming available again until 9:00.

3.3 Relevant Planning History

Comment on Relevant Planning History

An earlier application (10795/APP/2009/1560) for the retention of the additional classroom and assembly area building with library for pre-prep school, together with first aid room and staff toilet without complying with condition 4 of 10795/APP/2001/1600 was deferred from the North Planning Committee meeting on the 22nd December 2009 before being refused at the North Planning committee meeting on the 29th April 2010 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.

An appeal has been lodged.

The original application (10795/APP/2001/1600) for the erection of the building was granted on 21st November 2001. Condition 4 of this application states:

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

Reason:

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

Other relevant building history at the school:

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

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

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

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

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.1 To maintain the Green Belt for uses which preserve or enhance the open nature of the area.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps.

Part 2 Policies:

- PPS1 Delivering Sustainable Development
- PPG2 Green Belts
- LPP 3D.9 London Plan Policy 3D.9 - Green Belt
- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL4 Green Belt - replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- R10 Proposals for new meeting halls and buildings for education, social, community and health services
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies,

	September 2007)
LPP 3A.24	London Plan Policy 3A.24 - Education Facilities
EC2	Nature conservation considerations and ecological assessments
OE1	Protection of the character and amenities of surrounding properties and the local area
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **9th February 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

125 neighbouring properties have been consulted, two notices have been displayed on site at the vehicular entrances to the school and the application has been advertised in a local paper. Two petitions in support of the application have been received, one signed by 21 pupils at the school who reside within Hillingdon, the other by 102 local residents. 11 individual responses of objection (5 additional responses from same consultees) and 1 in support have been received.

The first petition signed by 21 pupils of the school states:

'Here is a petition signed by boys attending St. John's School who would like to support our school's planning application reference 10795/APP/2001/91. We enjoy walking to school every day through the Gatehill Estate as we live so close by.

We like our school very much and would be sad if so many of our teachers had to leave. The school would be very different without them. The dinner ladies, cleaners and maintenance men also work very hard and provide a service for the whole school everyday. We do not know how it could be done if there were fewer of them.

It would be a shame if not as many boys were unable to attend St John's and missed out on such a good education.

Please would you approve the application.'

The second petition with 102 signatories states:

'We, the local residents, are in support of the planning application submitted by St. John's School, Northwood (reference 10795/APP/2011/91).'

The covering letter attached to this petition states:

'I am writing on behalf of the residents of the Gatehill Estate Northwood to submit the attached petition in support of the above application.

The attached petition is self-explanatory but I wish to draw your attention to the following points:

* 7 out of the 8 households that comprise Shefton Rise, a road with properties that back onto the school and its rear entrance, support this application;

* Over 85% of households that are currently occupied on Weiland Road, a road with properties that line the approach to the rear entrance of the school and some that back onto the school's playing fields, support this application;

* A substantial number of households on Gatehill Road also support this application.

I understand that I, or in my absence, one of my fellow petitioners shall be allowed to make a verbal representation of our support at the planning meeting that is to be held to discuss this application.

I should be grateful if you would confirm that we shall be allowed to attend and speak; and the time and date when this planning meeting is to be held.'

The objection responses make the following points:

GENERAL

(1) Council should wait for the outcome of the pending appeal on the previously refused application before determining this application, otherwise appeal process will be prejudiced;

(2) There has been no material changes in planning terms to justify a change in the decision reached and therefore the application should be rejected outright;

(3) As the building was constructed without compliance with the relevant condition, the planning permission granted in 2001 is null and void, the actual permitted numbers at the school are 340 students and 40 FTE staff as per condition 10 of the previous planning permission (10795/AR/97/436) granted in 1997;

(4) The school has a record of ignoring any rules and regulations and quite clearly, any conditions which the LPA imposes. Their reason for not complying with original condition is that they did not know about it which is ignorance. It is rather believed that the school, a well resourced and sophisticated applicant, was fully aware of condition but choose to ignore it and did as they pleased. At best, these actions are careless and possibly negligent and at worse deliberate. School does not organise its affairs in a diligent manner and ignores its neighbours. Application should not even be considered as school cannot be trusted;

(5) Process is not fair as school can employ experts to blind everyone with statistics. Previous attempt to do this did not convince LPA now want another go;

(6) Many residents affected will not have seen this application. Not aware of letters being sent to all residents of either the whole of Potter Street Hill or the Pinner Hill Estate;

(7) In past few weeks, residents of the Pinner Hill Estate have been invited to the school for drinks and food, clearly an attempt for the school to ingratiate themselves for what is to come;

(8) Understand that many residents on the Gatehill Estate side of the school are in favour of the application but this unlikely to be the case if entrances to school were reversed;

(9) Pinner Hill Estate is a conservation area within the Green Belt;

(10) Several parents of children at the school live on the Pinner Hill Estate and have declined to comment, presumably due to fear of reaction by the school;

(11) Impact of further building on a site already over-developed is unthinkable and school has admitted that their premises are cramped, potentially dangerous and inadequate. A complete embargo should be placed on any further applications of any sort,

(12) If school wants more space, it should move to more appropriate area;

(13) Even in summer holidays, there is no respite as school holds camps, when screaming children are heard from 09:00 to 17:00 daily when camps finish. This goes on for 6 weeks;

(14) Continually having to write letters and organise petitions wastes precious leisure time;

(15) When try to complain to the school, they are not interested;

(16) Contrary to two of the five guiding principles which form basis of UDP - maintain and improve the environment and to reduce travel demand;

(17) Meeting to be held on the 22/02/11 should be re-scheduled.

TRAFFIC

(1) Potter Street Hill is not built for the amount of traffic which now uses it. Application makes light of existing situation as every day, the traffic queue on one side of the road is quite often down to Potters Heights Close and can involve queuing for up to 30 minutes everyday to be able to access adjoining houses or make sure we are off the road before the school finishes. Often have to negotiate cars in the middle of the road and drivers often get abusive when asked to reverse. It is not always possible to warn visitors and contractors that they may have to take a detour to avoid the school run;

(2) Increase in students and staff has led to an increase in the amount of traffic. The total increase in numbers is at least 80 (55 students and 25 FTE staff) and more likely to be in the order of 90 plus due to large number of part-time staff, the additional number of car journeys will range from 180 journeys per day (assuming 100% car use) to 136 journeys (assuming 80%) which is a significant increase in traffic on this narrow quiet country lane where a large section of its length has no footpath and two cars can barely pass side by side. This is contrary to Council's transport policies;

(3) Residential drives are being used as a passing point, even by coaches causing damage to driveways;

(4) Staff continue to use Gatehill Estate access to the school and have no right to regularly use this entrance which school had agreed to control and limit. During adverse snow conditions, there was a noticeable increase in number of parents using this route. There is no formal agreement for the school to use this route and continued use by staff and pupils amounts to trespass. Too many vehicles using entrance to the school in Wieland Road, but this could be deliberate to reduce peak time traffic at main school entrance;

(5) The small school originally sited in Pinner has grown immeasurably over the past years, with residential environment changed out of all recognition mainly due to increased volume of school traffic;

(6) Potter Street Hill has no pavement on the school side and only an intermittent pavement on the Harrow side. Walking on road is dangerous, especially with dogs. Small safety incidents do not get reported as accidents so safety records better than they actually are. There are known cases of accidents;

(7) Additional traffic creates pollution and noise. School should teach pupils and parents about this;

(8) School mentions a path they have constructed within their grounds but this is no good without a car park at the bottom where children could be dropped;

(9) The methodology used by the Travel Plan to claim an 8% reduction in car use over the last year is questionable and too early to assess the impact of the travel plan and whether it is sustainable. The travel plan itself acknowledges it will have little impact due to a host of factors, including the hilly and isolated location of the school, long distance travel of many parents with other destinations to go to etc;

(10) Baseline level has to relate to traffic levels at the time of the original application in 2001. Since these levels are not available it is impossible to measure the actual impact of increased staff and pupil numbers on traffic, congestion, noise, pollution and parking;

(11) Potter Street Hill residents from their own experiences feel that there has been no discernible difference as regards traffic and congestion as a result of the measures implemented within the travel plan;

(12) There are apparently 50 marked parking bays but not sure if bay sizes meet current criteria. Bays in front of the main school house seem to be both narrow and short, with cars needing to overhang the pavement, which is clearly dangerous. Not aware of any parking bays for disabled people. There are 11 children with learning and physical disabilities and application form in Jan. 2009 does indeed confirm that there were no spaces for disabled users at this time;

(13) Current guidelines on car parking require screening. The 53 drop-off spaces do not meet this criteria;

(14) School is an independent private school with fees averaging £10,000 per annum and therefore serves the affluent. Based on analysis of the Post Code Map, only some 20% of pupils are from

Hillingdon;

(15) School claims that there is no increase in traffic but this defies the above logic. Travel plan admits that their sustainable transport measures will reduce total number of car journeys by 12 at the most;

(16) School's Travel Plan (2009 - 2012) concedes that 'most parents suggested that traffic congestion around the school was the major problem. Inconsiderate driving and parking was also seen as problematic, as was speeding vehicles in the surrounding streets. Other problems included dangerous road crossings'. Travel Plan also admits that impractical to travel to school except by car as access is poorly maintained and has no footpath for a large part of it, lack of a footpath makes walking dangerous with most parents not allowing children to walk to school, 66% of parents said no change would make them change their travel method and the majority of parents refuse to allow children to cycle to school;

(17) Overspill parking has led to pedestrian and highway safety issues on Potter Street Hill. This is contrary to policies AM7 and AM14 of the UDP;

(18) Increase in amount of car traffic contrary to Paragraph 2.10 of PPG2 and paragraph 14.32 of the Council's transport strategy which seeks a reduction in car use by making other modes of transport more attractive than the car. It is also contrary to AM1 and AM2 of the UDP;

(19) Report suggests the use of other routes despite the fact that these are private roads only for those residents living on the Pinner Hill Golf estate;

(20) Traffic survey admits a significant parking problem on Potter Street Hill with a considerable problem in the afternoon when the average length of stay is 16 mins 13 secs. Bearing in mind the staggered operating times, residents suffer significant disruption for long periods of time throughout the day;

(21) Hypothetical tracking exercise for emergency vehicles does not match reality as at least on one occasion, an ambulance could not get to the site of the accident just outside the school. Whilst a vehicle might eventually be able to progress, time is critical.

GREEN BELT ISSUES

(1) The proposed development represents inappropriate development within the Green Belt and very special circumstances do not exist to justify it. The fact that the building may be immune from enforcement action does not weigh in its favour, on the contrary, legal precedent suggests that any unlawfulness will be prejudicial to the applicant and it appears the school is in breach of a number of conditions as a result of increased pupil and staff numbers at the school, namely pupil and staff number condition, removal of trees and shrubs and possibly extending the hours of use on the hockey and rugby playing pitches;

(2) School has a long and continuous history of expansion within this Green Belt site, amounting to over 2,640sqm of built-up space, a footprint which is almost 700% of the original building. The combined effect of all the additions over the years has been a significant overdevelopment of the site;

(3) The applicants further analysis of the Green Belt impacts does not alter the fact the increase in pupil and staff numbers led to further development which led to the unlawful destruction of a large number of trees, shrubs and greenery, which resulted in harm to the Green Belt and flooding of neighbouring cellars;

(4) Applicants by their own admissions and verified by their own agent have stated that premises were cramped and potentially dangerous and hence there was a need for further expansion. Further intensification of use is evidenced by the increase in number of parking spaces, contrary to the Council's car parking policy to restrict spaces and encourage sustainable transport;

(5) The school's reference to the independent inspection report does not make clear if this is with 405 pupils at the school. The report specifically states that it is with respect to education and not the adequacy or physical characteristics of the buildings. The school inspectors are also not qualified to comment on planning matters and any interpretation to that extent is misleading;

(6) Although applicant claims that informal parking along the western access to the school is not within the Green Belt, intensification of use in areas which adjoin the Green Belt is a material

consideration;

(7) School provides education to non-compulsory age groups (2-5 year olds). There were a total of 125 pre-prep and 20 nursery students in 2009. The Independent School report in 2010 actually stated there were 22 boys in the nursery, which is more than the limit of 20 admitted by the school;

(8) Staff numbers at the school are a moving target. The school claim that it has operated with 65 FTE staff (the present level) for the last five years whereas the accounts for 2009 show that there were a total of 81 staff in 2009 (78 in 2008) with 55 FTE and 26 part-time. It is important to consider the total number of staff as each one leaves an environmental footprint which is relevant to the planning case. The school states it would be impossible to run the school with 45 FTE staff but the condition limits staff numbers to 40, not 45;

(9) School has also converted large parts of the Green Belt to artificial all weather turf with spot lights. Their modus operandus is clearly illustrated as initially permission was sought for normal school operating hours and then on appeal, extended for a temporary 1 year period from 16/03/07. Activities are still continuing beyond the normal school operating hours of the school;

(10) Application form in Jan. 2009 stated there were 51 car parking spaces, now they state that they have 68 spaces. This increase is more evidence of the intensification of the use in the Green Belt and the creeping, insidious utilisation of Green Belt land that has turned a magnificent mansion house into a grossly overdeveloped carbuncle and a blight on this green belt land;

(11) Higher pupil numbers have led to pressure for further development as evidenced from the planning history, with the school claiming that extensions to the school are needed to satisfy relevant space standards;

(12) Other extra curricular activities at the school include a kind of summer camp for about 6 weeks when residents are subjected to a lot of noise;

(13) School has advanced various reasons for allowing the development, with significant weight and focus on the impact of traffic, but none of these individually or cumulatively amount to 'very special circumstances' as defined by legal precedents. School has not acknowledged or addressed further sources of harm arising from this development, which are evident with the benefit of hindsight. Even the balancing process does not justify this development;

(14) Policy guidelines and legal precedents question the societal value that can be attached to the provision of education to a very small population of Hillingdon can in principle be treated as sufficiently important to outweigh the public value represented by the protection of the Green Belt. PPG limits itself to indicate that the balance of factors must be such as to 'clearly' outweigh Green Belt considerations;

(15) Mere fact development might be desirable from certain points of view (eg education, employment etc) is not sufficient in itself to amount to very special circumstance. Very special circumstances must be so special that the strong presumption against inappropriate development can exceptionally be set aside in those particular circumstances;

(16) Revision of PPG2 makes it clear that development by institutions is now subject to the full controls of PPG2;

(17) Other judgements concerning proposals to expand within the Green Belt have ruled that factors which are applicable to all or most schools as such cannot be construed as very special circumstances. Whatever weight is put on the value of 'education', the factors have to be very special factors in character;

(18) Development does not meet criteria under paragraphs 3.4 and 3.5 of PPG2;

(19) Even if physical impact on the site of the construction of the new building is not that great (by virtue of the fact that the building is immune from enforcement), it is the combination of the building and intensive use of the site that is critical. It is considered that the combination of factors fails to (a) preserve the openness of the Green Belt (required by para. 1.5 of PPG2 and (b) to prevent an encroachment on the countryside with overspill parking (as prohibited by para. 1.5 of PPG2);

(20) School has recited a number of other factors in support of their application but these factors are in the context of retaining existing numbers at the school rather than factors in support of the development. None of these comprise very special circumstances. Considering all the facts and taking into account the planning merits, planning and all other considerations, very special considerations do not exist to justify development in Green Belt land;

(21) Letter of the case officer in 2001 is significant as places emphasis on the importance of limiting numbers and had the School advised the LPA that numbers were to increase, the tone of the letter suggests that the development would be deemed to be inappropriate. Case law is cited to suggest that failure to comply with the planning permission renders operations carried out in reliance on the permission unlawful;

(22) Increase in student and staff numbers has led to a significant increase in traffic and unlawful felling of trees which are contrary to Policy OL4 of the UDP;

(23) Removal of trees results in school not being well screened from the west and has led to rising damp and flooding of adjoining residential properties;

(24) The existing use has changed in character by intensification. The LPA are asked to consider whether this intensification amounts to a material change of use or by virtue of its additional impact on the site itself or its surroundings and specific case law is cited. In any event, the off-site effects are serious and detrimental to the environment and increased traffic and parking on Potter Street Hill has changed the residential character of the area;

(25) Refusal of further development in Green Belt lands would direct the LPA, if appropriate to provide for education facilities, if deemed necessary, in brownfield sites. The imperative for education does not detract from the aims of PPG2,

(26) St John's school site has strongest population of Devil's bit in London and a food plant of Marsh fritillary, a protected species. Removal of trees could have impacted upon these species.

FINANCIAL AND OTHER CONSIDERATIONS

(1) Applicant extols the quality and breadth of education provided by the school and that it is beneficial to the community. All educational establishments do this to varying degrees. Furthermore, a reduction in student numbers will not extinguish the benefits claimed by the applicant;

(2) school numbers are swelled by non-compulsory age groups (2 - 5 year old);

(3) Vast majority of the school roll comes from outside the borough and from significant distances away. With high fees, school effectively does not cater for the vast majority of Hillingdon residents;

(4) No material planning benefit of retaining existing pupil and staff numbers;

(5) There is no statutory obligation to provide for pre-school education. There are nearly 145 pupils who are pre-school and nursery ages;

(6) LPA's policy is not to rely on privately run facilities to secure the educational facilities required in the locality;

(7) According to report on education in Hillingdon, there is significant spare capacity (12.5%) in the existing primary school sector, 7.24% surplus of infant admission places and this includes future capacity over 10 years. There are also no significant future housing developments in the locality (2008 - 2009 data). Official population estimates and birth statistics, together with Council records and approved and anticipated housing shows that by 2020, there will be a small drop in average child yields for the north of the borough. There is no demonstrable unmet need for education places within the area and there are readily available alternatives. According to Council's Childcare Sufficiency Assessment 2008, there is sufficient childcare coverage for all age groups from 0 - 5 years in Northwood ward which has the highest level of childcare places with 766 places available with an estimated 249-263 places likely to be needed over the next 3 years. There is an excess of capacity for nursery places. Furthermore, a survey of parents shows that only 19% of parents prefer to get childcare in nurseries, the majority prefer relative/family;

(8) Case law suggests what comprises material considerations and the weight, if any, that should be given to other factors such as education. For example, need to encourage renewable energy is manifest in numerous documents, but despite societal benefit, there are large numbers of cases where planning permission has been denied for wind farm developments due to other harm;

(9) It is estimated that by breaching the condition, school has benefited by about £5m;

(10) School has revenues of over £4 million in 2009 and although it states that £250,000 is available for bursaries, only £61,334 was awarded in 2008 and £63,994 in 2009 and therefore represent a tiny proportion of the actual fees collected. Do not have any data on how many

Hillingdon children benefited from this and presume some of the bursaries were granted to children of teaching staff;

(11) Audited accounts show school is a very profitable and financially strong institution, and has very substantial funding in its own right and can also rely on associated Merchant Taylors School. Compliance with the condition would therefore be 'de minimus' and have no material impact on the ability of the school to continue with its operations;

(12) Impact upon the public purse with compliance with the condition is likely to be less than that implied by the applicant. The school could focus on the children of non compulsory educational age (to the extent lawfully possible) and the majority of pupils come from outside Hillingdon so impact on Hillingdon would be minimal. Arguably, transfer of pupils would be beneficial to receiving schools with the spreading of excellence;

(13) Latest Ofsted report states that schools have been affected by difficulties in recruitment and retention of staff. Any staff made redundant would be able to easily find alternative positions and associated school could absorb some of the staff;

(14) Impact on local businesses would be insignificant as a large element of the expenditure on building maintenance and infrastructure will largely be fixed. Same is true of cleaning services. Due to other factors such as national sourcing, any impact on the local economy would be 'de minimus';

(15) There will be an impact upon pupils and parents, but this could be minimised by restricting the reduction to the numbers of new entrants, so that the reduction was phased;

(16) Decision to allow increase in pupil and staff numbers would set a precedent for allowing similar applications on other commercial operations in the Green Belt which is a material consideration. There is established case law refusing removal of conditions in the Green Belt due to undesirable precedent;

(17) Limiting numbers will improve amenity and quality of educational experience, a buffer for the school to satisfy future requirements eg. those of BB99 and protect nature and character of Green Belt site;

(18) Proposal, if allowed, would set precedent for the submission of other similar applications in the Green Belt which would be difficult to resist.

Northwood Hills Residents' Association:

We have inspected the steps taken in recent months to improve the school's traffic plan with particular reference to vehicle flow and parking by parents and guardians dropping children at the school in the morning. Having completed our enquiries I am pleased to confirm that Northwood Hills Residents Association is happy to support the schools application which reflects the current position of 405 pupils and 65 full time equivalent staff.

Northwood Residents' Association: No response received

Gatehill (Northwood) Residents' Association: No response received

Ickenham Residents' Association: No response received

Pinner Hill Residents' Association:

There is a concern, particularly from residents of Potter Street Hill and Park View Road that expansion of the school will result in further delays to traffic in the immediate vicinity at start and finish times of the school day. Residents have indicated that this is bad enough already without a further expansion.

London Borough of Harrow: Only an acknowledgement has been received.

Three Rivers District Council: Only an acknowledgement has been received.

Internal Consultees

Highway Engineer:

St John's School is located to the west of Potter Street Hill, Northwood and to the east of Wieland Road. Potter Street Hill is a no through road and Wieland Road is a cul-de-sac. The site currently has permission for a maximum of 350 pupils. Consequently the highway comments are based on the impact of an additional 55 pupils and 25 members of staff.

A Transport Statement (TS) has been submitted in support of this application, which suggests that the school currently has 405 pupils and 65 full time equivalent members of staff and has been operating with approximately the current numbers of pupils and staff since 2003.

The main access for parents and visitors is off Potter Street Hill with an in and out arrangement for the car park, which has a total of 53 marked spaces. The southern access is used as an IN and the northern access as an OUT of the car park. This segregated arrangement helps in the movement of vehicles at drop off and pick up times. During peak pickup/drop times, given the short duration of stay required by parents/carers, additional drivers are able to make use of some unmarked areas and also manoeuvre around the car park.

As per the Transport Statement there are a total of 50 marked out staff car parking spaces spread around the site, with 5 allocated for visitors. In addition to the marked spaces, there are areas which are regularly used for staff parking which provide space for a further 18 vehicles. A survey carried out on the morning of 16 November 2009 revealed that a total of 51 staff cars were located on site. Staff survey carried out in January 2009 for the Travel Plan which has been agreed with the Council revealed that a total of 81% of staff drive to school, 9% walk to school and the remaining 10% either being passengers or use other modes. Thus there should be a total parking requirement of 58 spaces on the basis all employees are present at the school at the same time.

Surveys of travel patterns associated with the school have been undertaken over a period of six days during two separate terms. The survey equipment was faulty on Thursday 30th September, however the sample size of the other survey readings provides adequate confidence level in the survey results. In relation to the queue lengths south of the Potter Street Hill access the survey demonstrates that queue lengths vary substantially across the survey peaks, ranging from a maximum of 0 to 20 vehicles. Similarly the number of vehicles parked on Potter Street Hill also varies considerably ranging from 0 to 18. The traffic movements are concentrated between two periods; 0800 to 0900 and 1430 to 1600.

During the morning period queues were recorded generally between 0820 and 0835, with maximum queue lengths across each of the survey days ranging from 7 to 20 vehicles. The maximum queue length of 20 vehicles occurred on Tuesday 29th June for a period of less than one minute.

During the afternoon period queues were recorded generally between 1450 to 1505 and 1550 to 1600, with maximum queue lengths across each of the survey days ranging from 0 to 13 vehicles.

In comparison with the morning period, queues in the afternoon period are generally shorter, which is largely due to the staggered finishing times of the school compared to the concentrated start times in the morning. In addition, the surveys show that queues in September were generally lower than in June, particularly in the morning period, which could be explained by the introduction of improved car park management, particularly the drop-off arrangement.

The survey and observations contained in the submitted TS assert that there are no severe congestion problems as a result of the current levels of activity at the school. The Council's

Highway Engineers have carried out site visits during peak morning and afternoon drop-off and pick up timings, and our observations confirm that the majority of the car parking associated with the School takes place within the site, however some overspill parking and queuing were observed in Potter Street Hill, but these are not considered to cause highway safety issues and/or access issues to other nearby properties.

From the surveys carried out in support of the TS for the previous application, both in the morning and afternoon periods, no cars were observed stopping and waiting to drop off or pick up either pupils or staff in Wieland Road. The new surveys demonstrate low car movements associated with the Wieland Road access. The Council's Highway Engineers' site visits also did not observe any related car parking/traffic problems at the Wieland Road access.

The personal injury accidents database for a period of 5 years have been analysed in the TS and confirms that there are no related personal injury accidents reported during this period on the surrounding highway network.

Potter Hill Street has no footway in places. A School Travel Plan was prepared and agreed with the Council in 2009 and a review was undertaken in 2010. The plan contains measures to reduce car reliance, promote car sharing, cycling and walking. As part of the travel plan measures, a pedestrian route has been created within the school grounds linking Potter Street Hill (at a location approximately 100m from its junction with Hillside Road) to the main School buildings. This pathway includes light sensitive bollards.

Queue length surveys carried out at the junction of Potter Street Hill/Potter Street/Hillside Road in support of the previous application showed a maximum queue length of 8 vehicles, which dispersed in less than a minute.

Notwithstanding the above, for the additional 55 pupils and 25 members of staff, the impacts of any additional parking demand and additional traffic on the local highway network are considered to be insignificant.

In the light of the above considerations, no objection is raised on the transportation aspect of the proposals subject to suitable conditions being applied to restrict the number of pupils and staff as proposed, restrict any staff parking within the car park fronting Potter Street Hill, drop-off & pick-up parking management plans, and provision of 30 cycle parking spaces.

Environmental Health Officer:

I confirm EPU has not received any noise complaints relating to the operational use of the school other than the use of grass cutting tractors on the playing fields in December 2009 and June 2010.

Education and Children's Services:

The Northwood area has experienced a surge in demand for primary school places since summer 2010 due to an unusual increase in net inward migration. In addition, births in Northwood and Northwood Hills wards have increased in recent years and this will place more demand on local primary schools in future. Most simply, the evidence of increasing demand for school places is apparent in the official births record, illustrated in Table 1 at Appendix B.

The total effect of all local factors is included when making assessments for future school place requirements. The most recent forecast for this part of the borough is illustrated in Table 2 at Appendix B. There are now few remaining places available in the lower year groups at local primary schools and this situation will get worse. To meet growing demand, Hillingdon Council are formulating proposals to expand a local primary school.

Given the evidence of increased demand for local school places, Hillingdon Education & Children's Service does not wish to see any downsizing of local private schools (which may result from refusal of the latest planning application). The effect of fewer places available at local private school could be to further increase demand for local maintained places at this difficult time.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The current application is made pursuant to Section 73a of the Town and Country Planning Act 1990 and seeks planning permission for development consisting of a single storey extension to the school, comprising of an additional classroom and assembly area together with a library, first aid room and staff toilet. This development was carried out before the date of this application and without compliance with condition 4 attached to the original grant of planning permission for the development on 21/11/01 (10795/APP/2001/1600), which restricted pupil and staff numbers.

This application, if approved, will have the effect of granting retrospective planning permission so as to regularise the planning position concerning the development.

As the school was in breach of condition 4 of the original permission from the outset, this permission cannot be relied upon to authorise the development and the original permission has therefore not been implemented. As the building has been on site for more than 4 years, it is immune from enforcement action.

The main issue concerning the principle of this development relates to its Green Belt siting. This issue is addressed at Section 7.05.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The vast majority of the school site, including the area of the development, forms part of the Green Belt. Planning Policy Guidance Note No. 2 - Green Belts (PPG2), first published in January 1995 and amended in March 2001 advises at para. 3.4 that the construction of new buildings within the Green Belt is inappropriate unless it is for the following purposes:

- * Agricultural or forestry purposes,
- * Essential facilities for outdoor recreation, cemeteries and other uses of land which preserve the openness of the Green Belt
- * Limited extensions to existing dwellings,
- * Limited infill in existing villages,
- * Limited infill on major sites identified in adopted local plans

The development does not satisfy the above criteria and is therefore inappropriate development on Green Belt land.

Policy OL1 of the adopted Hillingdon Unitary Development Saved Policies Saved Policies (September 2007) essentially reiterates PPG2, stating that within the Green Belt, the Council will not grant permission for new buildings other than for agriculture, horticulture, forestry, nature conservation, open air recreational facilities, or cemeteries. In this respect,

the development represents a departure from Policy OL1.

PPG2 at para. 3.2 makes clear that inappropriate development is by definition, harmful to the Green Belt and that very special circumstances to justify inappropriate development within the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Furthermore, it is for the applicant to demonstrate why permission should be granted.

To this end, the applicants have submitted a revised Planning, Design and Access Statement that fully considers the impact of the development upon the Green Belt.

The statement notes that the original application for the building was considered and approved by the Ruislip/Northwood Planning Committee on the 20th November 2001. It was previously noted that although the proposal was considered to represent 'inappropriate development' since the latest changes had been made to PPG2, the committee did consider the building to be acceptable in Green Belt terms. The 20th November 2001 committee report refers to a supporting statement, in which the applicants argue that the proposal is for a small single storey extension, located within the curtilage of the existing buildings. The statement advised of the need for the development, explaining that the existing Pre-Preparatory building has limited accommodation and there is a need for a large space where all the smaller boys (3½ to 7 years) can gather and share a small library, particularly in inclement weather when they can not play outside. The building would also provide a specialist classroom to accommodate the youngest age group of 3½ years plus, so that they can play and be attended appropriately and ground floor female staff toilets and a first aid room, to supplement existing first floor facilities in the main school house. The statement went on to advise that it is not intended to employ more than one full time and two part time teachers and student numbers will not increase by more than 10. The Officer's report did advise that in the light of recent appeal decisions, it was unlikely that special circumstances had been demonstrated. However, the report stated that unlike the appeal cases cited, the proposal involves the construction of a building on a site that is not readily visible from publicly accessible land and is only visible from the one private garden outside the application site. While it would increase the coverage of buildings on the site, the building is single storey and located between two existing buildings that form a courtyard. There is also substantial tree planting along the boundary of the site with the open land to the north, which when grown to full height, will substantially screen the new building. The officer's report concluded that the proposal would not materially harm the open nature of the Green Belt and the tree planting would enhance this aspect.

There has been no material change in Green Belt policy or circumstances on site since the previous officer's report on the original application (10795/APP/2001/1600) to suggest that the building itself is no longer appropriate. It has been constructed of matching materials and landscaping around the building is now well established. Furthermore, the applicants advise that the building has been erected and been on site for more than 4 years. As such, the building is immune from enforcement action and the applicants advise that it will remain, irrespective of the outcome of this application, which is an important material consideration.

In addition to the building itself, other harm needs to be considered. As part of the original application, the School stated that it was not intended to employ more than one full time and two part time teachers and student numbers would not increase by more than 10. Clearly, this has proved to be incorrect and the development has to be considered anew with the increased pupil and staff numbers.

To this end, a detailed analysis of the Green Belt issues surrounding this application has been submitted as part of the Design and Access Statement.

The Statement advises that with only 1.7ha or 14% of the 12.4ha site containing buildings and hard surfacing, with the remainder of the site providing playing fields (3.9ha or 31%) and areas of nature conservation and woodland (6.8ha or 55%), the site is predominantly open in character. Considering the purposes of including land within the Green Belt as set out in PPG2, the site helps to prevent the unrestricted sprawl of neighbouring urban development and the undeveloped parts of the site have safeguarded the land from encroachment. The statement goes on to advise that the site also contributes to the positive roles land within the Green Belt can perform, namely that the school provides access to open land for the urban population (albeit on a controlled basis) and opportunities for outdoor sport and recreation. The positive management of the site by the school also ensures that an attractive landscape is maintained which contributes positively to the visual amenity of the area and the site's ecological and nature conservation interest.

The statement advises that as it is accepted that the existing building is immune from enforcement action, as cited in the reasons for refusal of the previous application seeking to retain pupil and staff numbers (10795/APP/2009/1560), the main impact of the development is the intensification of the use of the site. To this end, the statement breaks down the impact of intensification into three categories, namely (i) the physical presence of more people on the site, (ii) the physical presence of more cars on site, and (iii) the increase in traffic generation and the 'appearance' of this traffic within the Green Belt. However, it is noted that the reason for condition 4 limiting pupil and staff numbers on the original application was to safeguard highway and pedestrian safety and not on Green Belt grounds.

The statement takes the three categories in turn and considers whether individually or cumulatively they render the application proposal 'inappropriate development' resulting in harm in principle for which very special circumstances needs to be demonstrated, whether there is any harm in practice and if either of the forgoing do apply, whether very special circumstances do exist. In terms of the mere presence of more children and staff, the statement considers that this by itself, does not constitute 'inappropriate development' under the terms of PPG2. By way of explanation, the statement advises that whilst Green Belt policy discourages development, it also positively encourages the use of the Green Belt by the urban population. Appropriate uses of Green Belt land include 'access to the open countryside' and 'opportunities for outdoor sport and recreation near urban areas'. Given that the proposal does not involve physical works, the statement considers that more pupils and staff at the site would increase the recreational use of the site and would not conflict with the purposes of including the land within the Green Belt in this location. As regards the openness of the Green Belt, the statement advises that the vast majority of schooling takes place inside existing buildings and the increase in pupil and staff numbers are accommodated in these existing buildings. During lessons, there is therefore no discernible impact upon the Green Belt. At breaks between lessons, the majority of pupils are able to use the main playground within the developed part of the school site which is well screened from the wider Green Belt. If pupil numbers were to reduce from 405 to 350, the number using the playground would perhaps reduce in a similar proportion, but this would have to be viewed in the context of the playground only being used during restricted times of the day. Such a reduction would have no discernible beneficial impact upon the openness of the Green Belt since the visual appearance of an additional 50 or so pupils would not be readily apparent. The playing fields of the school are intermittently used for games both within the school day and extra-curricular activities. The use of the playing fields is consistent with the character of the land and Green Belt policy and the

level of use is unlikely to be much altered with 350 pupils as opposed to 405 pupils. For these reasons, this aspect of the increased use of the site does not harm the openness or the purpose of the Green Belt and by definition, does not need a case of very special circumstances to be acceptable.

As regards staff parking, the statement advises that the increase from 40 to 65 FTE staff might represent an increase in 15 more cars on the site. This level of increase cannot in itself be considered to adversely affect the purposes of this part of the Green Belt or impact upon its openness, given that the parking areas already exist to accommodate the existing staff cars and no new areas have been created to accommodate the increased number of staff. Furthermore, the main staff parking area is located within the developed area of the school and the only areas that are not sited between buildings are five approved spaces located to the south of the Junior Block and a total of six or so spaces along the access road from Wieland Road, the only part of the school site which does not form part of the Green Belt. Retention of existing staff numbers therefore causes no harm to the openness of the Green Belt.

As evidenced by the consultation responses, the main concern and impact of the increase in pupil and staff numbers has been upon the surrounding road network. Neighbouring properties point to traffic queuing on Potter Street Hill and the inherent unsuitability of the narrow road to accommodate the traffic, which along part of its length does not have any footpaths. Parents and carers continue to drop-off and pick-up children on surrounding roads and this, together with the queuing is detrimental to highway and pedestrian safety and adversely affects residential amenity.

As regards the impact of traffic generation upon the Green Belt, the applicant's statement advises that Potter Street Hill is an established highway which forms a developed feature within the Green Belt which also provides access to a number of residential properties and a golf club. The road contributes very little to the objectives of the Green Belt and any change in traffic associated with increased pupil numbers cannot be construed as harming the contribution made to Green Belt objectives by the school site. Parking for parents is provided with the dual use playground adjoining Potter Street Hill and is not prominent in any wider views of the Green Belt. The use of the playground for morning drop off and afternoon pick up is transitory, as is any impact upon the Green Belt. The difference between the amount of peak parking demand in relation to the existing number of pupils as opposed to 350, as set out in the Transport Statement, would be 9 cars, reducing from 66 to 57. This peak lasts for a very short period and would have no discernible impact upon the Green Belt. The Statement concludes by stating that the proposed development has had little impact upon the openness or the visual amenities of the Green Belt.

A Transport Statement, which is considered in more detail at Section 7.10, considers the impact of the traffic on the safe and efficient operation of surrounding roads and concludes that existing conditions on the surrounding highway network with existing traffic levels are not unsafe. Furthermore, the queuing on Potter Street Hill dissipates quickly and the properties that front this road do have alternative access routes through the private roads on the Pinner Hill Estate and surrounding properties have large plots with ample off-street car parking. It is therefore considered that although these impacts weigh against the proposal, only limited weight can be given to them.

The applicant also points to the societal benefits of the education provided by the school as evidenced by the inspection carried out in January and February 2010 when the Independent School's Inspectorate gave the school an excellent report. It also advises of the strong links, sharing of facilities and support given to local schools, notably the

Sunshine House School in Northwood which provides education, rehabilitation and respite care and advises of the bursaries it provides to support less affluent parents.

In terms of a possible alternative location for the development, the building provides an extension to the Pre-Preparatory facilities at the school. Therefore there is good reason to site the building adjoining existing Pre-Preparatory accommodation. The only part of the school site that is not within the Green Belt is the access from Wieland Road. However, this strip of land is narrow and closer to surrounding residential properties with the access road running through the middle so that it could not easily accommodate the development. Furthermore, such an alternative siting would be remote from other school buildings and in particular the existing Pre-Preparatory accommodation, away from the building envelope of existing school buildings where historically the school has expanded. The only other option for the school would be to site the Pre-Preparatory School on the only other school site the owners have and that is the Merchant Taylor's School, Sandy Lodge, Northwood within Three Rivers. However, all of this site lies within the Green Belt so that it is considered that there are no other more appropriate sites for the development.

It is also noted that on the latest evidence available from Education Services, there is evidence of increased demand for local school places. They advise that the effect of any downsizing of local private schools could further increase demand for local maintained places at a difficult time when the Government has abolished its 'Building Schools for the Future Programme'.

The statement advises that since the previous application was refused, the School has undertaken a number of initiatives. The first of these is the implementation of the School Travel Plan which has produced a 7.7% reduction in pupils travelling by car, hence reducing any impact associated with the 'intensification' permitted by this application. Other green travel initiatives have sought to reduce the impact upon Potter Street Hill and the site as a whole. The School, following discussions with the Council's Landscape Officer, has also planted an area of replacement landscaping on the western boundary of the site which assists with screening from adjoining residential properties.

Given the detailed assessment above, officers consider that the development, with increased pupil and staff numbers has had little impact upon the openness and visual amenities of the Green Belt. With the exception of parking along the access road from Wieland Road, staff parking mainly occurs around buildings, within the built-up envelope and the majority of this has been shown on previous planning applications. Staff parking is transitory and would not unduly impact upon the Green Belt, given its location and numbers. The main visual impact, given that the building is immune from enforcement action, is the additional traffic on Potter Street Hill. However, the road is an existing feature within the Green Belt which also serves other surrounding development. Other potential harm has as a result of increased pupil and staff numbers has been the impact upon highway safety and the residential amenities of surrounding occupiers. However, a Transport Statement has been submitted and examined by the Council's Highway Engineer and its methodology and conclusions are not disputed which demonstrates that the surrounding road network operates safely. Furthermore, the queuing on Potter Street Hill quickly dissipates and alternative routes are available through the Pinner Hill Estate for residents to access their properties. The Transport Assessment also advises that the reduction in traffic that would arise by reverting back to the pupil and staff numbers stipulated by Condition 4 would only have a minimal impact upon queuing length and drop-off/pick-up activity. It is therefore considered that the development, with its increased pupil and staff numbers has had a minimal impact upon the openness and character of the Green Belt and upon highway safety and the amenity of surrounding residents. Given

the limited impact of the harm, it is considered that the applicant has demonstrated that very special circumstances exist to justify the retention of the development. The development is considered to comply with Policy OL4 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2009) and PPG2: Green Belts and the applicant has demonstrated that the development overcomes the second reason for refusal of the previous application (10795/APP/2009/1560).

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The single storey building is well screened by surrounding buildings to the south and east and has been recessed into the sloping ground level to the north and west. It harmonises with the scale and design of surrounding school buildings. No objections were previously raised as regards the impact of the building on the character and appearance of the surrounding area and none are raised now. As such, the building complies with policies BE13 and BE15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

The previous report stated that the extensions is well screened from nearby residential properties to the west, and Potter Street Hill is densely lined with trees which obscure views of the school from the east. The nearest residential property on Woodgate Crescent to the west is over a 100m from the single storey building which is screened by existing school buildings. To the north, there is only one house with a view over the school complex, in particular the area of the extension. This property, known as Gatehouse is over 80m from the extension and sited on higher ground, with the nearest part of its rear garden boundary over 55m away, separated by the school's cricket pitch. To the east, the nearest residential property is 70m away. The extension, due to the sloping levels, has also been set into the ground on its northern and western edges, with planting provided above, beyond the retaining walls. As previously concluded, the building has no impact upon the amenities of surrounding residential properties.

The additional pupil and staff numbers has not generated any significant additional noise, fumes, smells and general disturbance as would be generated by the school site with the authorised numbers of pupils/staff numbers and the background traffic volumes on surrounding roads to justify a refusal of permission. The Council's Environmental Protection Unit has confirmed that there have not been any recent complaints concerning noise and disturbance generated by pupils at the school. Furthermore, the adjoining properties, certainly on the opposite side of Potter Street Hill are large detached properties on substantial plots that generally have generous off-street car parking provision available. Wider traffic issues have been dealt with at Section 7.10 below. As such, it is considered that the increase in pupil and staff numbers has not resulted in a loss of residential amenity to surrounding properties. The application thus complies with policies BE19 and OE1 of the adopted Unitary Development Plan Saved Policies (September 2007).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

This application has been supported by the submission of revised Planning, Access and Design and Transport Statements. In response to criticisms by third parties on the previous application, when a traffic survey was conducted on only one day (Tuesday 19th May 2009), the revised Transport Assessment bases its assessment on two three day survey periods, Tuesday 28th June to Thursday 1st July 2010 and Tuesday 28th

September to Thursday 30th September 2010 within the summer and autumn terms respectively.

The Transport Assessment advises that there are 50 marked parking spaces within the vicinity of the school buildings, 5 of which are for visitors, and a further 18 unmarked spaces around the buildings which are available for staff parking. A staff surveys taken on the 16th November 2009 identified 51 staff cars parked on site and a staff survey undertaken as part of the January 2009 Travel Plan identified that 81% of staff drove to work. On this basis, 58 spaces would need to be on site to satisfy staff demand for parking if all staff were present at once. The 63 spaces are therefore adequate to satisfy staff demand. The Highway Engineer does not raise any objection with this assessment.

Although the survey equipment recording drop off and pick up movement on Sandy Lane on one of the survey days (30th September) was faulty, the Highway Engineer advises that the sample size of the other survey readings provides adequate confidence in the survey results. These surveys demonstrate that traffic queues do build to access the main Potter Street Hill entrance to the school, both during morning and afternoon peaks, and that these queues vary substantially, so that on one afternoon, there was no queuing, whereas the maximum queue length recorded was 20 vehicles. Similarly, parking by parents/carers on Potter Street Hill dropping off and picking up children also varies considerably, ranging from 0 to 18 vehicles at any one time. However, the queues quickly dissipate. The Council's Highway Engineer advises that the survey and observations of the Transport Assessment assert that there are no severe congestion problems as a result of the current levels of activity at the school. Furthermore, unlike a development proposal, traffic associated with this development is already on site and the Council's Highway Engineers have witnessed this during the peak morning and afternoon drop off and pick up periods and generally confirm the findings of the Transport Assessment that the majority of car parking associated with the school takes place within the site and the limited overspill parking and queuing that does take place does not cause highway safety issues and/or access problems for adjoining residents.

The Highway Officer concludes that the traffic associated with 55 pupils and 25 members of staff in terms of the impacts of any additional parking demand and additional traffic on the local highway network are considered to be insignificant. No highway objection is raised subject to conditions restricting current levels of pupil and staff numbers, restricting any staff parking within the car park fronting Potter Street Hill, drop-off and pick-up management plans and provision of a minimum 30 spaces for cycle storage. As such, the development is considered to comply with policies AM7(ii), AM9 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2009)

7.11 Urban design, access and security

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

7.12 Disabled access

The extension, including the provision of an access ramp was previously considered to provide adequate facilities for people with disabilities. As the building has already been built on site, no objections can be raised now to the disabled facilities provided. As such, the scheme complies with policy R16 of the adopted Hillingdon Unitary Development Plan, Saved Policies (September 2007).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Parts of the school grounds to the south of the main area of school buildings are designated as a Nature Conservation Site of Borough Grade II or Local Importance. The school extension has not involved and has not been sited close to this designated land. Furthermore, the additional activity at the school represented by the increase in pupil and staff numbers over and above the levels authorised at the November 2001 committee is not likely to have had a demonstrable adverse impact upon the ecology of this area. Although it appears that the school had previously removed a number of trees, these were on the western side of the school, away from the extension and designated nature conservation site and as such, formed a separate matter. However, a replacement planting scheme has been introduced. The development is considered to comply with policy EC2 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

The development is for a school extension that has already been built on site, in accordance with the relevant Building Regulations in place at the time. The extension makes appropriate use of natural lighting and is considered to comply with policy 4A.7 of the London Plan (February 2008).

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

See Section 7 above.

7.19 Comments on Public Consultations

The two petitions and the letter in support of the application are noted.

As regards the objections correspondence, under General comments, Points (1), (3), (4), (5), (7), (8), (9), (10), (12), (14), (15) and (16) are noted. Point (2) is noted but the applicants have submitted up-dated and revised information to justify the development. As regards point (6) all properties on Potter Street Hill which either have a frontage onto the road or take their access directly from it have been consulted on the application and the application has been advertised in a local paper and two site notices have been put up on site. As regards point (11) reference has been made to the amount of development on the site in the report and there is a requirement to deal with each application on its individual merits. Point (13) is not relevant to this application. As regards point (17) the meeting has been re-scheduled.

As regards the traffic issues raised, the majority of the relevant issues have been considered in the main report. As regards point (10), the Transport Statement considers the existing situation as the application is retrospective so there is no requirement for a baseline study.

Relevant Green Belt and Financial and other considerations have also been dealt with in the main report.

It is also noted that many of the objections received referred to complex case law and it would not be possible within the confines of a committee report to assess the relevance of the cases raised. However, the Legal Department have examined these and is satisfied that the assessment follows correct procedures.

As regards the comments from the Pinner Hill Estate Residents' Association, this

retrospective application is seeking to regularise the existing situation with similar pupil and staff numbers having been present at the school for at least the last five years. The concerns of the Pinner Hill Residents' Association as regards risk of increased traffic associated with the current application are therefore unfounded.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

The school do advise of the potential difficulties which would be experienced in terms of having to reduce pupil and staff numbers. Potentially, pupils would suffer if they had to re-locate and with reduced income, the school would not be able to subsidise places at the school for the less affluent and capital investment at the school would reduce. School also advise that staff numbers could not be significantly reduced as only class sizes would reduce, not class numbers. Furthermore, pupils would need to re-locate and it would appear that there is no existing spare capacity in the state and private sectors in this vicinity. These are material considerations that need to be weighted against any perceived benefits for the Green Belt and road safety of refusing the application.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

This application effectively demonstrates that the retention of current pupil and staff numbers at the school has had little adverse impact upon the visual amenities and openness of the Green Belt and has not resulted in conditions prejudicial to highway and pedestrian safety.

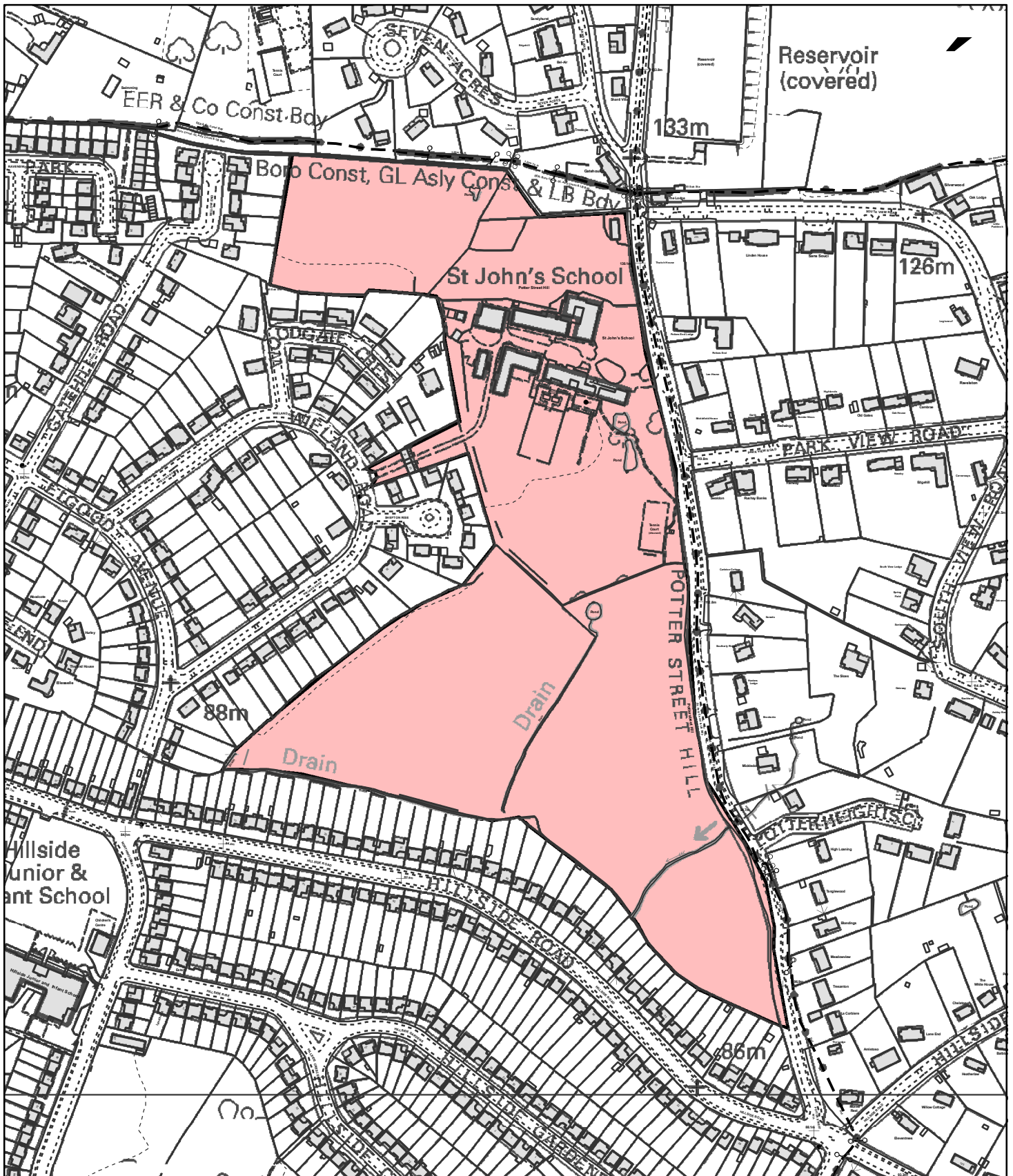
Furthermore, the limited impact of retaining current pupil and staff numbers at the school has to be considered against the potential adverse impacts of refusing the application for the pupils, staff, school and wider community and the difficulties that might be experienced in terms of providing alternative school accommodation.

11. Reference Documents

Planning Policy Statement 1 (Sustainable Development)
PPG2 (Green Belts)
The London Plan (February 2008)
Hillingdon Unitary Development Plan Saved Policies (September 2007).
Consultation responses
Planning history

Contact Officer: Richard Phillips

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Notes

 Site boundary

For identification purposes only.

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Site Address

**St. Johns School,
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Northwood**

**LONDON BOROUGH
OF HILLINGDON**

**Planning, Environment
& Community Services**

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Planning Application Ref:
10795/APP/2011/91

Scale
1:4,000

Planning Committee
North

Date
February 2011



HILLINGDON
LONDON