

Committee Report
Planning Committee on 2 November, 2010

Item No. 1/03
Case No. 10/2026

RECEIVED: 27 August, 2010

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Fryent Primary School, Church Lane, London, NW9 8JD

PROPOSAL: Erection of an all-weather games area with 3m high perimeter fence and 4 floodlighting columns

APPLICANT: Mrs Paula Scott

CONTACT: Watts Group PLC

PLAN NO'S:
Refer to condition 2

RECOMMENDATION

Grant planning permission

EXISTING

The application site comprises Fryent Primary School located on Church Lane. The school is not situated within a conservation area nor is it a listed building.

The school site is surrounded on all sides, predominantly by residential dwellings, with access to the school off Church Lane between Nos. 325 and 329 Church Lane.

PROPOSAL

Erection of all-weather games area within the school grounds with 3m high perimeter fencing and four no. 8m high floodlight columns, one on each corner of the pitch.

HISTORY

Recent Planning History

08/2651: Full Planning Permission sought for installation of 3 air conditioning units to the west elevation of children's centre - Granted, 28/10/2008.

07/2964: Full Planning Permission sought for demolition of derelict existing building and erection of new single storey building (Sure Start Children's Centre), adjacent to the gardens of 315 - 319 Church Lane, with installation of CCTV cameras, gates, hardstanding and associated landscaping - Granted, 13/12/2007.

07/0646: Full Planning Permission sought for erection of an external enclosure within courtyard to house lift shaft to school main building - Granted, 27/04/2007.

03/0916: Full Planning Permission sought for replacement of existing crittal steel windows with new crittal steel windows to match existing school - Granted, 20/05/2003.

POLICY CONSIDERATIONS

National Policy Guidance

PPG17 "Planning for Open Space, Sports & Recreation"

Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight.

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

Brent UDP 2004

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP), which was formally adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

BE8: Lighting & Light Pollution
BE9: Architectural Quality
OS8: Protection of Sports Grounds

CONSULTATION

Consultation Period: 22/09/2010 - 13/10/2010

Neighbouring Properties

82 neighbours consulted - three letters of objection received on the following grounds:

- The proposal will generate unacceptable levels of noise further to that experienced during school hours.
- Loss of privacy to surrounding neighbouring properties.
- Development will lead to security worries for the houses that back onto the playing fields.
- Floodlights will lead to neighbouring properties experiencing light pollution within the rear garden
- The floodlights will lead to the playing fields being used out of school hours for outside users
- Increased traffic

External Consultation

Sports England - No objections raised.

REMARKS

Introduction

This application seeks planning permission for a tarmac surface all-weather games area within the school grounds. It will measure 14m x 28m with 3m high perimeter fencing and four no. 8m high floodlight columns, one on each corner of the pitch.

The proposed all-weather games area is to be sited on the northern end of the school playing field. It will be surrounded on three sides by the existing school buildings. Beyond the school buildings the playing field is surrounded by residential gardens, including properties on Holly Grove, Maple Grove, Sycamore Grove and Church Lane. The nearest residential property on Holly Grove is over 20m from the MUGA.

Principle of Development

Loss of a playing field

Article 16(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 defines a playing field as land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement. The site falls within the definition of a playing field as it is currently in use as a playing field and encompasses at least one playing pitch of 0.2 ha or more.

Sport England's policy on playing fields, which is also reinforced in policy OS8 of Brent's UDP 2004, opposes the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or lands last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the following five specific exceptions applies:

- e1)** a carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport.
- e2)** the proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use
- e3)** the proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site
- e4)** the playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development.
- e5)** the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field.

Sport England determines that the proposal meets exception e3 of that policy, on the basis that it is the submitted documentation indicates that the development will take place on land that cannot readily be used as a playing field owing to physical constraint.

In summary, the loss of part of the playing field proposed as part of the proposal is considered acceptable in principle for the reason as outlined above, and is in accordance with PPG17 and Policy OS8 of Brent's UDP 2004.

Use of the all-weather games area

The description on the application form describes the proposal as Multi Use Games Area (MUGA). Sport England have advised that whilst not a sufficient reason to object, the development proposal cannot actually be described as a 'MUGA' as such a facility, by definition, requires that three or more sports can be played within the court. The dimensions of 14m x 28m for this MUGA proposal are too small to meet the requirements of any sport apart from those stipulated by the Lawn Tennis Association for school tennis. The school has been informed of this constraint and has advised that the purpose of the proposal is to be used as a multi-weather playground/pitch for the school children to use during inclement weather. This requirement has been made, as during the winter

months of the year, especially during heavy periods of rainfall, large areas of the playing field is unavailable for use. The proposal will allow a greater area for the children to play various sport activities during the winter months. Given that the proposal is of an appropriate size to enable flexible use of the games area to meet the school needs, the principle can be supported.

Impact upon residential amenity

Flood lighting

The documents submitted as part of the application make reference to the floodlight columns at both 8m and 10m in height. The applicants have since confirmed that the floodlight columns will be 8m in height.

Sport England's Planning bulletin 14 "Intensive use sports facilities revisited" refers to floodlighting. Within this document it is recognised that floodlights which are properly planned and installed by recognised companies are unlikely to result in any adverse impacts on surrounding areas. However, it is necessary to ensure that the floodlighting installation is designed for its intended purpose and for its intended level of competition.

The scheme achieves an average of 250 lux over the playing surface. The level of illuminance falls sharply away from playing surface with an illuminance level of 0 lux on the boundaries with residential properties.

Your officers consider that the floodlighting columns will not adversely impact upon the visual amenities of surrounding residential properties. As the all-weather games area will only be used during school hours (7.30am to 6.00pm), the floodlights will only be required for a limited time throughout the year, only during winter months when daylight is shorter. To ensure that the amenities of surrounding residential properties are protected, your officers recommend that conditions are secured for floodlight baffles/shielding; and restriction on the hours of use.

Noise Impact

The all-weather games area is proposed to be used during school hours. It is considered that the proposed hours of use are reasonable. The all-weather games area is a considerable distance away from surrounding residential properties and is considered to be no worse in terms of noise experienced from the existing playing field and hardsurfaced play ground.

Landscaping

There are five trees to the north of the all-weather games area. These trees are considered to be of high amenity value. Officers recommend that a condition is secured for a tree survey, protection method statement and plan to be submitted to and approved by the Local Planning Authority prior to the installation of the floodlights.

The existing landscaping features along the boundary with neighbouring residential properties will not be affected by this proposal.

Transportation

This application does not propose any alterations to the existing pedestrian or vehicular access. The proposal is to be used by the existing school children. It does not increase the number of children to the school or is not proposed to be used for external bodies or out of school opening hours. It is therefore considered that the proposal is not going to increase traffic to the school.

Response to objections raised

Objections have been raised in relation to the amenities of surrounding residential properties being detrimentally affected by increased noise, traffic and light pollution from the floodlights. These issues have been addressed above. Additional objections have also been raised which are discussed below:

- Loss of privacy to surrounding neighbouring properties.

The existing landscaping along the boundary with residential properties will not be affected by this proposal and the proposed all-weather games area is located over 20m from the nearest residential garden. It is therefore considered that the proposal will not result in a loss of privacy to surrounding neighbouring properties.

- Development will lead to security worries for the houses that back onto the playing fields.

The all-weather games area will be used as an additional sporting facility for the existing school. It will not be used by outside organisations or the general public. It is not considered that the proposal will compromise the security of surrounding residential properties.

Conclusions

In conclusion, the all-weather games area will allow for a wider range of sporting activities within the school site that are currently restricted on the existing playing field throughout the winter months of the year. Given its location away from neighbouring properties and restrictions on the hours of use of the floodlights, it is not considered to have an adverse impact on neighbouring properties as a result of noise or light pollution.

The proposal is in accordance with national policy guidance as set out in PPG17 and policies OS8 and BE8 of Brent's UDP 2004. Approval is accordingly recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004
Central Government Guidance

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

112995/01

112995/02

112995/03

112995/04

Design & Access Statement

Light Spillage Details prepared by LTL Contracts

Memo from Watts

Specification for MUGA and Floodlighting

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) The multi weather games area and floodlights shall only be used between the hours of 0730 hours until 1800 hours on Mondays to Fridays during school term times and at no other times without the consent in writing of the Local Planning Authority.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties.

- (4) The proposed multi weather games area hereby approved shall only be used by pupils of Fryent Primary School, and shall not be used by outside bodies without the prior written approval of the Local Planning Authority.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties.

- (5) The proposed floodlights hereby approved shall be no higher than 8m and painted green to match the perimeter fencing of the multi weather games area, and shall not thereafter be altered unless the prior written approval of the Local Planning Authority has been obtained in writing.

Reason: In the interests of the amenities of the locality.

- (6) Prior to any works commencing on the installation of the floodlights, a full tree survey and protection method statement in accordance with BS 5837:2005 shall be provided showing how roots and the above ground parts of the trees are to be protected throughout all phases of the construction of the floodlights. The tree protection methods shall be installed and retained, as approved, throughout the period of the work.

Reason: To ensure the trees are not damaged during the installation of the floodlights.

- (7) Prior to the commencement of works on site details of flood light baffles/shielding and their position on the floodlights shall be submitted to and approved in writing by the

Local Planning Authority and implemented in accordance with the approved scheme. No alterations to the shielding shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To prevent light nuisance to nearby residential properties.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

PPG17 "Planning for Open Space, Sports & Recreation"

Brent's Core Strategy 2010

Brent's UDP 2004

Three Letters of Objection

Any person wishing to inspect the above papers should contact Victoria McDonagh, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5337



Planning Committee Map

Site address: Fryent Primary School, Church Lane, London, NW9 8JD

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