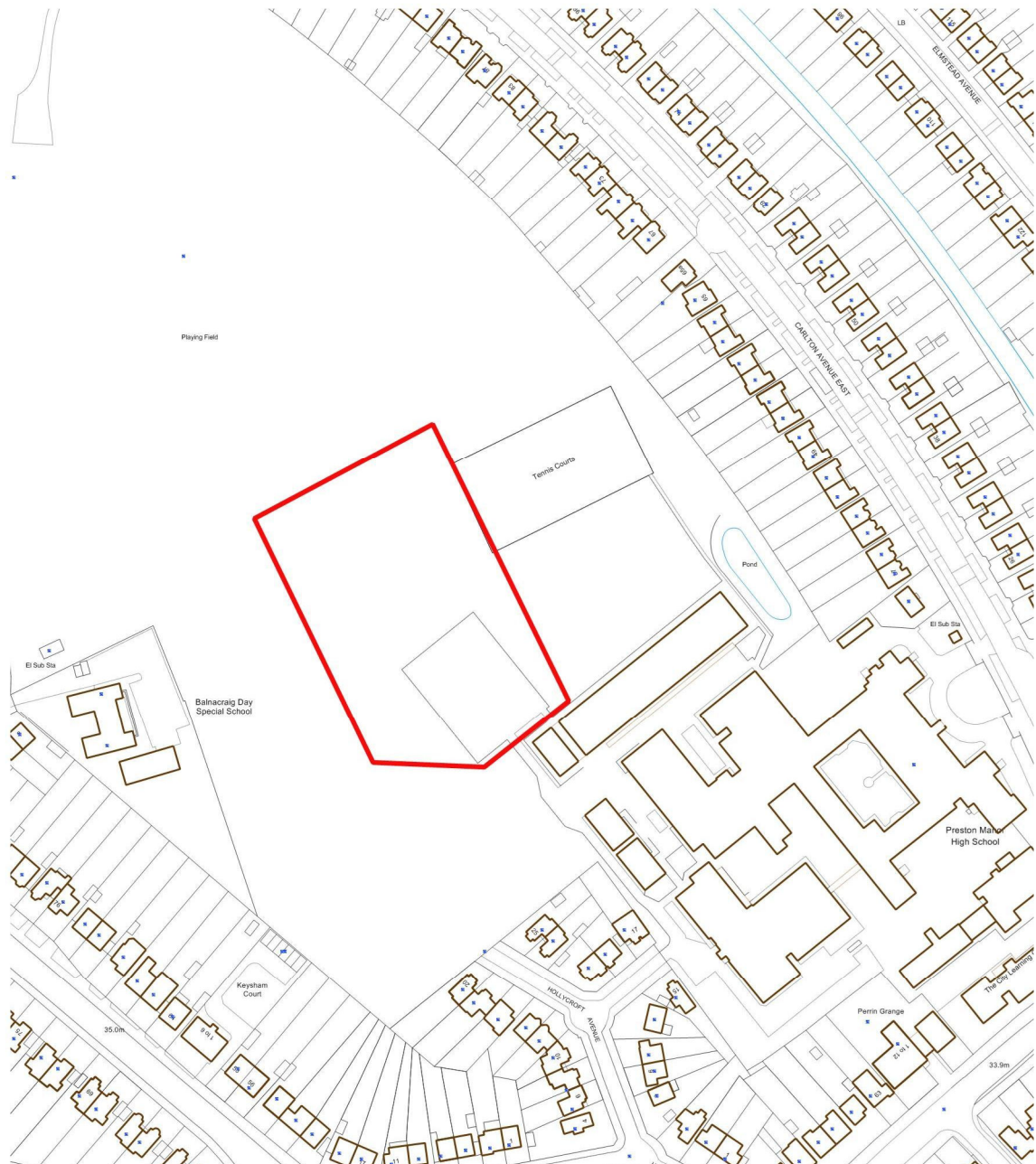




Planning Committee Map

Site address: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

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This map is indicative only.

RECEIVED: 12 July, 2011

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

PROPOSAL: Installation of a new synthetic turf hockey pitch, the erection of six 14.5m high floodlights and 3m high fencing around the pitch, to be located on the existing playing fields adjacent to Preston Manor High School

APPLICANT: Mr Barrett

CONTACT: HLM Architects

PLAN NO'S:

Please refer to condition 2

RECOMMENDATION

To either:

- (a) Resolve to Grant Planning Permission, subject to a s106 legal agreement, or
- (b) If within a reasonable period the applicant fails to demonstrate the ability to provide for the s106 terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission.

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- (a) Payment of the Council's legal and other professional costs in
 - (i) preparing and completing the agreement and
 - (ii) monitoring and enforcing its performance.
- (b) Prior to Occupation submit, gain approval for and adhere to a Community Access Plan of the school, covering public access to the hockey pitch for not less than 20 hours a week at rates comparable to council facilities and provide for advertising of the facility for community use

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

Preston Manor High School is located on the corner of Carlton Avenue East and Forty Avenue in Wembley. Its playing fields are located to the rear of the main school building and are bounded by the rear gardens of properties in Hollycroft Avenue, Preston Road, Ashley Gardens and Carlton Avenue East.

The playing fields lie partly within an area of Open Space Deficiency, although the proposed hockey pitch that is the subject of this application falls just outside this area.

Recently planning permission was granted for a new primary school in the north-eastern corner of the high school's playing fields, (10/3203.) Construction of the primary school is currently under-way.

PROPOSAL

Installation of a new synthetic turf hockey pitch to be located on Preston Manor High School's existing playing fields. The proposal includes the erection of six 14.5m high floodlights and 3m high fencing around the pitch.

HISTORY

There have been a number of planning applications submitted in recent years to the High school grounds. A summary of the main recent applications are listed below, but all available records are visible on the planning website, and this list does not contain the majority of condition approval applications:

- Pending Variation of Condition 13 (details of external lighting) of planning permission 10/3203 to allow restricted light spillage to neighbouring gardens in accordance with the submitted lighting plans and specifications (maximum 8.1m high columns to MUGA, 4m high columns to school/carpark areas and 1m high light bollards elsewhere) and installation of all external lighting within 18 months of commencement of development. *Planning permission 10/3203 granted 14/03/11 for Erection of a one and two storey building to form a permanent primary school in the grounds of Preston Manor High School, with a new access between 109 & 111 Carlton Avenue East, comprising new classrooms, small and large halls, staff room, reception, kitchen and office space, with plant and photovoltaic panels, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990 (ref 11/2158)*
- Pending Non material amendment arising from survey inaccuracies resulting in minor alterations to site layout and in particular reconfiguration of the Multi Use Games Area (MUGA) of *Full planning application reference 10/3203 dated 14/03/2011 for Erection of a one and two storey building to form a permanent primary school in the grounds of Preston Manor High School, with a new access between 109 & 111 Carlton Avenue East, comprising new classrooms, small and large halls, staff room, reception, kitchen and office space, with plant and photovoltaic panels, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990 (ref 11/2088)*
- 14/03/11 Erection of a one and two storey building to form a permanent primary school in the grounds of Preston Manor High School, with a new access between 109 & 111 Carlton Avenue East, comprising new classrooms, small and large halls, staff room, reception, kitchen and office space, with plant and photovoltaic panels, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990 (ref 10/3203)
- 17/12/10 Temporary planning permission granted for the erection of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space (Ref 10/2738)

- 10/01/08 Planning permission granted for the erection of a single-storey block comprising of 14 new classrooms, toilets and office space; the erection of a new sports hall; the relocation of outdoor hard play area and the relocation of 2 existing mobile classroom buildings and removal of 1 mobile classroom (Ref: 07/3033).
- 01/06/2004 Planning permission granted for the erection of two single storey portable buildings for use as classrooms to replace recently fire damaged portable building (Ref: 04/0575).
- 28/01/00 An appealed against the non-determination of an application for the erection of 61 detached and semi-detached dwellings with associated car-parking and amenity space; rearrangement of the existing sports pitches and provision of an all-weather floodlit playing area, and erection of a mixed school building dismissed (Ref: 99/0652).
- 12/10/99 Planning permission refused for the erection of 61 detached and semi-detached dwellings with associated car-parking and amenity space; rearrangement of the existing sports pitches and provision of an all-weather floodlit playing area, and erection of a mixed school building (Ref: 99/0582).

POLICY CONSIDERATIONS

The following are the policy considerations relevant to this application:

National Policies

Planning Policy Guidance 17: Planning for open space, sport and recreation

PPG17 states that planning permission for the loss of a playing field should not be allowed unless it meets one of the following criteria:

- (i) the proposed development is ancillary to the use of the site as a playing field (eg new changing rooms) and does not adversely affect the quantity or quality of pitches and their use;
- (ii) the proposed development only affects land which is incapable of forming a playing pitch (or part of one);
- (iii) the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields or equivalent or better quantity and quality and in a suitable location; or
- (iv) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development if sport to outweigh the loss of the playing field.

PPG17 also states that in considering application for floodlighting, local authorities should ensure that local amenity is protected.

Brent's Unitary Development Plan 2004

- BE2 - Townscape: Local Context & Character
- BE4 - Access for Disabled People
- BE5 - Urban Clarity and Design
- BE6 - Public Realm: Landscape Design
- BE8 - Lighting & Light Pollution
- H22 - Protection of Residential Amenity
- TRN3 – Environmental Impact of Traffic

TRN4 – Measures to make Transport Impact Acceptable
TRN11 – The London Cycle Network
TRN22 – Parking Standards – Non-residential developments
OS9 – Dual Use Open Space
CF2 – Location of small scale community facilities
CF10 – Development within School grounds

Brent's Core Strategy (July 2010)

CP17 Protecting and Enhancing the Suburban Character of Brent
CP18 Protection of Open Space
CP23 Protection of Community Facilities

SPD – s106 & Planning Obligations

Brent's - "Planning for Sport and Active Recreation Facilities Strategy 2008."

Institute of Lighting Engineers - Design Guidance notes for Reduction of Obtrusive Light 2005

Government Policy Statement dated 15/08/2011 on Planning for Schools Development - presumption in favour state-funded schools' planning applications.

CONSULTATION

Consultation Period: letters sent on 14/07/11 to 233 properties on Ashley Gardens, Aylands Close, Carlton Avenue East, Forty Avenue, Perrin Grange, Highfield Avenue, Hollycroft Avenue, Keysham Court, Preston Road, Keysham Court, Orchid Court and Carlton Parade.

17 neighbour objection letters raising the following issues:

Object to proposal, when a similar proposal was refused on appeal in 2000:

- Raise objections on the same grounds as the HM Planning Inspector's report findings in 2000. The floodlights will cause an invasion of privacy, and disturbance of residential life to the owners and occupiers of the properties backing onto the playing fields.
- The Inspector's decision appears to have been ignored when a floodlit MUGA for the primary school was allowed until 10pm. A new hockey facility until 10pm would be unacceptable
- Residents recently objected to a large development of housing and flats being built in the fields and now we have the School building: new gyms, extension for a new sixth form block; hall and canteen; then we have the new School building for the Primary and Infants School and this new unwanted Hockey pitch which will never be used.
- In what respect do you feel that the HM Inspectors 2000 Report differs from the situation now arising that makes that report redundant?

Object that development has commenced

- The new Hockey pitch has nearly been built by the school without proper planning permission. It appears to be an unstoppable juggernaut/ undemocratic
- The construction noise has forced neighbours to shut doors and windows and not be able to enjoy their gardens.

Object to lights/ noise/ disturbance

- Can anyone confirm that the proposed lights will not affect the residents adversely? In the 2000 Appeal decision the literature stated there would be light pollution from even the best designed sports installations. Residents are sure that the technology has not changed since then, and feel this will only be known once the lights are installed, causing high visual intrusiveness.
- Creation of noise and light pollution to residents adjoining the playing field, spoiling enjoyment of the garden and forcing residents to keep windows shut and encouraging insects

- 6 floodlights will disrupt sleeping in adjoining bedrooms
- You have not had an authoritative independent inspection of the floodlighting, noise impact, and its affect on the local residents. Please provide a copy of the report and let me know of the parameters used in the calculations,
- What crowd numbers are estimated, and what hours are anticipated for the provision of this facility, and how will it be staffed (including security staff) after usual school hours, particularly during the winter months?
- Health concerns from adjoining residents, particularly those with poor health who have a severe sensitivity to lights already and suffers from migraines. Unwell residents need rest and not excessive noise and light.
- Knowing the management at Preston Manor High School, if this Hockey Pitch is built the School will rent the pitch out in the evenings and at weekends so that there will be noise, lighting nuisance, vandalism in the field in the evenings and at weekends disrupting my sleep and quiet enjoyment.
- The new floodlights will make it impossible to continue astronomy has a hobby by local residents.
- The light spill is likely to be far greater outwards than depicted, as visible at Vale Farm, where the sky is saturated.
- No reference to management of the lights being turned on and off is provided. At Vale Farm Sports Centre and Leisure Golf the lights are on when the facilities are not in use, and can be seen for miles around.
- Object to noise from players/ observers particularly cheering and lights which may breach the Environmental Protection Act 1990

Longer-term management of the site concerns

- Security risk arising from the fields being open to the public late at night, as thefts and intrusions from the school happen now in school hours, and residents do not want access to the public for non-sporting reasons.
- The School have even rented out the fields for parking so this new Hockey Pitch if it is built will be used for car parking for the Stadium & Arena fixtures in the future
- The former Caretakers' house adjacent to the School is now rented out and guarded with high fencing all around it for some reason.
- The school cannot look after the grounds it has as the majority of the boundary fencing between the residents' gardens and the school playing fields is defective and the school will not repair this fencing. There have been many instances previously when school children have been in my garden looking for footballs and this has to stop.
- A strong, 8ft fence should be erected on the boundary to prevent thefts
- The School has proved that it is irresponsible at managing the existing facilities, erecting a skateboard practice structure and long jump alongside adjoining properties, allowing rallies on site with loud speakers, not making staff available when thefts have occurred, residents cannot reach the site manager out of hours, existing noisy netball training occurs until 9pm in a court near out fences and no-one heeds our complaints, the school was used for Event Day parking as recently as 18/07/11. A school's proximity implies noise during school hours, but not after hours if it is a nuisance to residents.
- The recent riots show how crime can occur out of the blue if groups are unsupervised.
- How will public use of the site be supervised? If there are unauthorised uses of the fields, will residents be provided with contact numbers in case of problems?

No real need for the provision

- The Multiple Use Games area facilities provided by the Ark Academy are under-utilised, so why duplicate them at Preston Manor? (- 08/2842 was proposed for basketball and netball. Not hockey)
- The building of a synthetic turf hockey pitch is unnecessary and a waste of Council and income tax payers' money because the school already has ample sports facilities including: enlarged gyms which were recently built; tennis courts and sand pits and the School did have a running and games area in the field before the school started the building a

concrete base on the fields for car parking and hockey pitch area.

- In the 36 years I have lived in the area, I have never seen hockey played on the High School playing fields.
- It is fine for the school to use the pitch but objectionable to rent out the facility when there is already Vale Farm and Ark Academy which can be used.

Harmful to visual amenity

- The proposed New Hockey Pitch will be out of character in the area as the "green" school playing fields have now all been built on
- There will no longer be any "green fields view" which all the residents are paying extra for on their Council Taxes.
- I object to the loss of my green fields view, which is bad because of the hard surfacing and made even worse by the proposed fences and lights

Other

- The proposal will affect the value of our property, is there any recourse?
- The Council does not care for people living in this area. The traffic is so bad, particularly in the morning and after 3.15pm
- The documents associated with 10/3203 (primary school application) did not mention floodlighting. The upgrades to the sports pitches did not consider local residents.
- Residents have not been informed at Consultation Stages of the primary school 10/32033 about floodlights. The consultation is a sham.
- The construction has caused a loss of wildlife locally
- I do not see why as the result of an agreement between a failing Brent Schools Department, tainted by its failures to build primary schools when demand was increasing, and a quango pushing its targets, should cause a threat of intolerable noise, light nuisance and crime increase.
- How can the Council claim to have green credentials when it allows construction on the grass playing fields and light pollution?
- The D&A Statement refers to the wrong year, which does not provide credence for the document.
- Our property deeds state that the school fields cannot be used for this purpose
- Where would any associated car/ coach parking and accesses be located?
- The proposal will generate more litter in the local area

One letter raising the following comments:

- No objections to the principle of a hockey pitch, as long as the lights are not on all night/ late, which would be objectionable

Consultee comments:

Council's Sports and Parks service - supports the provision of a full size hockey pitch in the Borough. There is no similar provision elsewhere in the Borough. Assuming that the facility will be required to be available at an affordable rate to the local community for use outside of curriculum hours it will provide an opportunity for hockey clubs to develop and play in Brent, offering a new sporting opportunity for Brent's young people and adults.

Sport England – No objection subject receiving confirmation that the AGP is 101.4m x 63m (including run-off,) subject to the following condition(s) being attached to the decision notice (if the Council are minded to approve the application):

1. *Details of the surface type for the artificial grass pitch shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.*
2. *Prior to the commencement of the use/development a Community Use Scheme for the pitches shall be submitted to and approved in writing by the Local Planning Authority.*

Environmental Health – No objections subject to conditions regarding hours of use of the pitch, and limitation of external noise amplification systems

Thames Water- No objections, no build-over agreement is required for the pitch

Highways – To be reported in Supplementary

REMARKS

Introduction

This application seeks planning permission for a floodlit synthetic turf pitch that will be installed to national standards. The pitch is to be 91.4m x 55m, with an overall size including run-offs totalling 101.5m x 63m. The pitch will primarily be used for hockey by the High School, but will also have additional markings for recreational senior & five-a-side football. As the pitch is required as a Planning Obligation associated with the Primary School application (ref: 10/3203), it is expected that the facility will also be used by the community out of school hours.

The pitch is to be located within the middle of the High School playing fields. From each boundary it is located as follows:

- North – at its nearest the pitch is approximately 257 metres from the back garden boundary of properties on Carlton Avenue East (screened by the new primary school.).
- East – at its nearest the pitch is approximately 92m metres from the back garden boundary of properties on Carlton Avenue East.
- South - at its nearest the pitch is approximately 68m metres from the back garden boundary of properties on Hollycroft Avenue.
- West - at its nearest the pitch is approximately 109m metres from the back garden boundary of properties on Ashley Gardens.

The pitch surface has been laid on site at the time of writing this report, but none of the supporting infrastructure such as the proposed permanent fencing and floodlights have been installed.

Loss of a playing field

Sport England's Response

An upgrade of the High School's hockey pitch was required as a consequence of the new primary school being constructed on land previously used as playing fields. The statutory requirement to consult them on such an application is set out under Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184.)

Sport England's policy on the loss or development of playing fields is currently framed by Statutory Instrument 1996/1817 (the Town and Country Planning (General Development Procedure) (Amendment) Order 1996;) and is set out in their planning policy statement *A Sporting Future for the Playing Fields of England*. This states that Sport England would oppose the granting of 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 unless at least 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 has determined that the proposal meets exception e5 of that policy and has required conditions/ obligations to be attached to the planning permission, to include: a Community Use Scheme, and details of the pitch surfacing to be used. The applicants currently propose a pitch that performs to the requirements specified by the FIH (the FIH is the international governing body for the sport of hockey,) for an England Hockey Category 2 and FIH National Pitch. The pitch will be a sand filled synthetic grass carpet, with an overall size including run-offs totalling 101.5m x 63m. The orientation of the pitch reflects best-practice playing guidelines.

Sports England's conclusions are echoed in National Planning Policy Guidance PPG17, which states that playing fields can be redeveloped if (iv) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development if sport to outweigh the loss of the playing field. Furthermore Brent's Core Strategy Policy CP18 protects open space from inappropriate development. The explanatory text states that "development which is ancillary to the main use of the site as open space, or is an essential facility for outdoor sport and recreation... (are) generally considered appropriate." Parts of the High School grounds are in an area of Open Space deficiency, although the red-line application site itself is not. The policy recognises a need to prioritise sports facilities improvements. The proposal therefore complies with planning policies in this respect.

Community Use

Policy OS9 of the Unitary Development Plan states that the dual use of education open space will be promoted, particularly where there is a deficiency of public open space. The dual use of facilities will be sought where schools bring forward significant development proposals. There is a deficiency of pitches within Brent identified within the Council document "Planning for Sport and Active Recreation Facilities Strategy 2008." In addition, as the new primary school (currently under construction in the north-eastern corner of the High School playing fields,) was built on the High School's existing playing fields, in accordance with their playing field policy Sport England required various mitigation measures to compensate for the loss of the original playing fields.

The relevant parts of Sport England's response to previous application 10/3203 stated that:

- ***Development of this site would not be in any way acceptable without off-site re-provision as discussed with the Planning, Sport and Education Departments of Brent Council at previous meetings. Whilst the applicant can demonstrate critical education needs in support of the development, this is not itself justification for any development taking place on playing fields on any site in view of the strict application of playing field protection policy.***
- ***The applicant should be in no doubt that the necessity to meet off-site re-provision (ensuring standards at the replacement site) along with onsite improvements to the Preston Manor School site is obligatory. Failure to comply with this necessity must be considered a breach of any permission provided by the Council. Furthermore, Sport England's application of exception E4 and aspects of E5 of the playing field policy which provides for 'equivalent or better alternative provision' could not be deemed appropriate.***
- ***Sport England has been involved in the negotiations to address the requirements of off-site re-provision and develop the mechanism which resolves our concerns over this***

development. We submit a no objection response to this application on the basis that it will result in a suitable Section 106 agreement, or other legal mechanism delivered to make arrangements for replacement provision and on-site improvements.

- **The S106/Legal Agreement is required to address the following specific matters:-**
 - 1) The applicant is expected to provide a Multi Use Games Area (MUGA) on the new primary school site for use by the school and the community out of school hours.** A community use and access agreement may be necessitated. This aspect can be viewed as a significant improvement upon the existing poor quality of a part of the application site along the northern and eastern boundaries. The upgraded surface should be a minimum type 2 facility in view of Sport England design standards. This facility will provide space, community access, and associated operational lights and it goes some way towards the terms of Exception E5 but is not sufficient to address the entire land-take of the development in isolation.
 - 2) The applicant is expected to upgrade the retained playing fields of Preston Manor High School, with permanent improved drainage measures undertaken.** This aspect goes some way to off-setting the loss of the useable pitch which is affected by the land-take of the proposed primary school, in partial compliance with Exception E5.
 - 3) The Applicant has considered the Council document "Planning for Sport and Active Recreation Facilities Strategy 2008" and have liaised with Brent Sports Services.** Sports Services have identified that within the local area, a site that would make a valuable contribution to playing field provision through an upgrade would be at Eton Grove, Kingsbury. At the site the sum of £7,500 will allow the excavation of a 27m by 25m cricket square, which would be graded and laid with new loam and grass cover, to create a new cricket table. The sum of £7,500 would be sought through the s106 legal agreement to secure these off-site improvement works. Therefore the provision of a new, upgraded cricket table at Eton Grove, as a result of s106 monies arising from the permanent primary school application at Preston Manor High School would then be considered to off-set the use of the playing fields at Preston Manor for new school buildings. Exception E4 of the playing field protection policy could then be applied.

As a consequence of the previous Sport England statutory consultee requirements, the need for the current application arose. Given that community use of the facility was required; this has generated the need to install floodlights, and officers advised for the need for a new planning permission in order for the impacts of this to be properly considered.

Officers recommend that the Community Access Plan (sought by Sport England and the Council's Sports and Parks Departments,) and arrangements are controlled via s106 Planning Obligation. This will require the submission of an agreed plan to cover community access hours of use per week at hire out rates which shall be at the same level as similar council facilities and include information regarding the ongoing promotion of the availability of the facilities. Community users will have access to the school car parking/ secure cycle storage areas in addition to toilets and changing rooms to facilitate use of the pitch in a similar way to the out-of-hours use of the High School Sports Hall facilities currently operates now.

Impact upon residential amenity

Appearance of pitch and fencing

The pitch is located on an area that was previously partly grass and partly a poor-quality hardstanding area used by the High School as a playground and for sports purposes. The proposed fencing around the new pitch is to be a 3m high green weldmesh, which is a common treatment for such facilities in school grounds and is of a design and colour that is not considered to harm the visual amenities of the area in accordance with policy BE2 of Brent's Unitary Development Plan and policy CP17.

Any new external lights other than the floodlights associated with the development will form the subject of a condition requiring the submission of further details prior to installation.

Floodlighting

Brent's Unitary Development Plan saved policy BE8 regarding lighting and light pollution considers lights and states that conditions can be used to control nuisance to residential amenity. Sport England recognise that floodlighting is essential if these types of sport facilities are to be used to their full capacity and increase opportunities for sport. 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. Higher columns can lead to better light concentration and significantly less light spillage than lower column heights. Also, due to improved technology and designs, modern columns can be less bulky and therefore will have a better daytime appearance.

As the pitch is intended for predominately hockey use it must be fit for purpose. England Hockey provides guidance of the minimum average levels of illumination required for a successful facility, (500 lux) and this in turn has influenced the height of the proposed six 14.5m high floodlight columns. The design of the lights has been influenced by the need to comply with the England Hockey guidelines, and to minimise the overspill directly around the facility, glare and the skyglow from the facility, thus reducing the impact of the proposal upon adjoining residential properties.

The six "Thron Champion" floodlights have an elevated internal glass within the body of the lamp. This means that the body of the floodlight sits horizontal to the pitch and acts as a front baffle to cut off any unwanted illumination that could produce spill light onto surrounding areas. Due to the fact that the body of the floodlight sits horizontal to the pitch, all light is directed downwards to the pitch and no light is emitted upwards. In addition to this, the Champion floodlight has the option of four different lamp positions. This has the benefit of altering the angle at which the light intensity is distributed from the lamp, therefore changing the elevation of the floodlight and reducing light spillage.

The supporting documents accompanying the application consider light spill (at ground-level,) beyond the designated area, sky glow (light halos emitted into the night sky,) and glare, (lights causing visual discomfort if badly aimed.)

The degree of irritation caused by lights is subjective. The Institute of Lighting Engineers have produced Design Guidance notes for Reduction of Obtrusive Light which dates from 2005. This defines areas by their character, in this case, the site would form category E3, a medium district brightness area described as "small town centres or urban locations." The Guidance defines what may be considered Obtrusive light, and prior to 23.00 hours, in a location such as the site area this is defined as light trespass into windows of Ev 10lux.

A great deal of technical information has been submitted and explained to officers, who have requested an explanatory note for interested parties. The supporting documentation shows that all of the light spillage from the floodlights is contained within the boundaries of the school, meeting the appropriate level on pitch, and that the levels are 0 lux at all of the proximate school boundaries with adjoining properties, many of which are also partly screened by existing trees or boundary fences. The design of the floodlights will prevent light spill upwards from the lights themselves, although officers consider that this may not eradicate the light glow around the pitch arising from reflection for example.

The applicants have provided a pitch-level "horizontal" lighting showing average lux levels on the pitch at ground-level and a lighting contour plan that shows glare at neighbouring windows both for hockey use and for lower illumination levels for other sports such as football, (where the luminance requirements are lower.) The lux plots provided demonstrate that light visible from possible glare arising from the court is less than the ground-level light spillage on court, ("horizontal" plan) but at some points is 0.1 lux on the garden boundaries with neighbouring properties lowering to 0 lux by the houses themselves. The Institute of Lighting Engineers have produced Design Guidance notes

for Reduction of Obtrusive Light (2005) states that levels less than 10 lux at neighbouring windows before 23.00 hours would not be considered obtrusive.

For comparison:

A very dark day would produce a light level of 107 lux

Street lights at their brightness – 10-25 lux

Twilight - 10.8 lux

Deep Twilight – 1.08 lux

Full moon – 0.1 lux

Neighbouring properties are used to street lights illumination within their front gardens, which drop to levels of 0.5- 2 lux on the house frontage. However, whilst there are external lights on and around the High School buildings currently, neighbours are not used to taller lights in the proposed position on the school playing fields. The proposal will result in no light spillage at ground level at neighbouring residential boundaries, but a perceived appearance of a full moon (0.1 lux) at some residents' garden boundaries, with no apparent spill/ glare at the rear dwellinghouses buildings themselves. On the basis of the submitted information officers therefore consider that the proposal will not cause significant detrimental harm to neighbouring properties.

Relevant appeal decision on floodlights at Preston Manor High School

In the late 1990s several applications were submitted on behalf of the school and incorporated floodlights. The last of these applications, related to application 99/0652. This proposed: *Erection of 61 detached and semi-detached dwellings with associated car-parking and amenity space; rearrangement of the existing sports pitches and provision of an all-weather floodlit playing area, and erection of a mixed school building.* Following an appeal and referral to the Secretary of State, the appeal was dismissed for a number of reasons.

A material consideration is the Inspector's Decision Notice in relation to the appeal against application 99/0652 dated 28/01/2000. Within Paragraph 10.16 the Inspector found that the six 15m high lighting columns: "*would not have any material impact on the open prospect currently enjoyed.*" She further stated: "*the lighting contour plan demonstrates minimal light spillage at residential boundaries and this could be secured by way of a condition. With the lights switched on, residents would be aware of a pool of light which would alter views of the night sky and there could be some glare if looking directly at the lanterns. However having regard to the distance of the columns from neighbouring properties, I consider that the light would not be unacceptably intrusive.*"

Within the previous application 99/0652, a 60m by 50m flood-lit all-weather pitch was proposed. At the time, the pitch was 49m from the nearest house wall on a residential property. Six 15m high floodlight columns were proposed, with light spillage from the floodlights on the nearest residential boundary of 2 lux. The lights were proposed to be in use between the hours of 8am - 10pm Mondays to Saturdays and 9am - 8pm on Sundays and Bank Holidays.

This compares with the current proposal, for a total pitch 101.5m x 63m. From each boundary it is located as follows:

- North – the nearest part of the court to the northern boundary with properties on Carlton Avenue East is 257m, (screened by the new primary school.)
- East – the nearest part of the court to the westernmost part of the nearest back garden boundary for properties fronting Carlton Avenue East is approximately 92m.
- South - the nearest part of the court from the northernmost point of the nearest residential property on Hollycroft Avenue is approximately 68m.
- West - the nearest part of the court to the easternmost side garden of the nearest neighbouring property on Ashley Gardens is approximately 109m.

The nearest boundary to the pitch is that with the southern neighbouring properties on Hollycroft Avenue. The distance between the closest floodlight and wall of the nearest neighbouring house is

shown on plan L(PA)905 P1 to be 86m. The lightspill at this neighbouring boundary is 0 lux, but the light glare is 0.1 lux. Furthermore, officers are now recommending a condition that controls light use within the following hours:

*a) The Hockey Pitch shall only be permitted to be used between
08.00-21.00 hours Mondays to Fridays
08.00-20.00 hours Saturdays and
09.00-19.00 Sundays and Bank Holidays.*

b) Any floodlights associated with the hockey pitch shall be switched off within 15 minutes of these times and the pitch vacated

c) Within these time parameters, the floodlights shall only be switched on when the court is in use

The current proposal therefore represents a significant drop in lux at neighbouring properties with a distance to the lights that is almost double that considered at appeal in 2000, at more restricted times than considered at appeal. Officers also recommend a condition on post-completion testing to ensure no further baffles to the columns are necessary to reduce the impact of the lights post-installation. Furthermore the Inspector found that the floodlights proposed under 99/0652 would not be unacceptably intrusive. Officers therefore consider the impact of the proposed floodlights acceptable.

Noise Impact

The High School are required to allow the use of the hockey pitch out of school hours by the community, (which is a Sport England requirement.) The test here is what considered reasonable with regards to the amenities of surrounding residential properties. A condition of approval will be that no music, public address system or any other amplified sound system shall be installed or used externally on the site without the prior written approval of the Local Planning Authority to limit potential for harm to local amenities.

Environmental Health typically allows such sporting facilities to operate up to 22:00 at night without being concerned about potential noise nuisance. It should be noted that the appeal Inspector in relation to previous application 99/0652 did raise concerns about the use of the then proposed floodlit all-weather pitch until 22.00, which contributed to her dismissal of the appeal. This was both due to the proposed hours of use, and the proximity of the facility to the boundary of properties along Preston Road. However, the hours of use condition suggested (above) is more restrictive in terms of earlier finishing times and in addition, as set out above, the hockey pitch now proposed is nearly double the distance from the adjoining residential boundaries, which will lower noise-levels arising at neighbouring boundaries. Furthermore, during daylight hours, it should be noted that the High School already use the pitch area for sports heavily during the school day, in addition to using the hard-surfaced parts of the site for informal play. In summary, the conditions suggested are considered to reasonably safeguard adjoining neighbouring properties.

Landscaping

There are no trees in the area where the pitch is proposed. The applicants have provided hard landscaping details of the proposed court and access routes to it from existing school facilities. The proposal does not affect the number of trees on site overall, and in fact the applicants have indicated that they wish to retain all trees proximate to school boundaries to help provide a natural screen to adjoining properties and contribute to local visual amenities.

Transportation

The site is located on the western side of Carlton Avenue East (a traffic-calmed local residential access road), immediately north of its priority junction with Forty Avenue (a local distributor road). The main school entrance is located on Carlton Avenue East. A total of 24 school parking spaces are accessed from this entrance including 2 disabled parking bays, plus 12 (incl. two disabled) for the City Learning Centre. A further 15 spaces are located on the western side of the site, accessed via Hollycroft Avenue, whilst further gated accesses are provided into the school

playing fields from both Hollycroft Avenue and Carlton Avenue East. On-street parking in Carlton Avenue East is generally unrestricted. Public transport access to the site is moderate (PTAL 3.) The car parking for the school at 36 standard width spaces accords with Unitary Development Plan guidance and policy TRN22. On site currently there are 3 cycle bays providing 48 spaces with 32 within the playground and 16 within the car park areas. The proposal will increase on-site demand for facilities and accordingly it is usual practice on such proposals to request 3 secure cycle stands, which will form a condition of approval in accordance with policy TRN11.

As the School has an existing Travel Plan, this will be required to be updated as a result of the proposal as a condition of approval in accordance with policies TRN3, TRN4, and TRN22.

Flood Risk

The site area is less than a hectare within Flood Zone 1. In accordance with PPS25 on Development and Flood Risk, the development only needs to consider good practice on drainage. The applicants have proposed 160mm perimeter drains and 80mm lateral drains at 10m centres. These will discharge into the Thames Water sewer via a hydrobrake restricting flow rate at 8 litres per second. Thames Water raise no objections to this strategy.

Environmental Impact Assessment of the Development

The proposed scheme will be unlikely to have any significant environmental effects by virtue of its nature, scale and location and it is therefore considered that no Environmental Impact Assessment is warranted in this instance.

Responses to third party objections that are not addressed above

Object that development has commenced

- *The new Hockey pitch has nearly been built by the school without proper planning permission. It appears to be an unstoppable juggernaut/ undemocratic*
- *The construction noise has forced neighbours to shut doors and windows and not be able to enjoy their gardens.*

Officers are aware that development has commenced on site, and the pitch surfacing has been laid to date. This has been undertaken at the applicant's own risk, and whilst the relevant application is being considered by the Local Planning Authority, and recommended for approval it is not considered expedient to commence enforcement action. Some construction noise is inevitable on projects such as this, particularly in conjunction with the other development associated with the new primary school application 10/3203 approved by Planning Committee in March 2011. The builders on-site are operating within the parameters of Considerate Contractors guidelines.

Object to lights/ noise/ disturbance

- *The new floodlights will make it impossible to continue astronomy has a hobby by local residents.*
- *No reference to management of the lights being turned on and off is provided. At Vale Farm Sports Centre and Leisure Golf the lights are on when the facilities are not in use, and can be seen for miles around.*
- *Object to noise from players/ observers particularly cheering and lights which may breach the Environmental Protection Act 1990*

The hours of use of the lights are restricted to a maximum of 9pm on weekdays, which should enable any local astronomers to continue their hobby after these hours with no change from existing light levels. One of the recommended conditions of approval is that within the hours of use restrictions, the floodlights will only be switched on when the court is in use. The Council has the power to issue an abatement notice in respect of noise or light that is, or is likely to comprise a

statutory nuisance. This is set out in s80 of the Environmental Protection Act 1990. The Council's current assessment is that the likelihood of a *Statutory Nuisance* is insufficient to warrant service of an abatement notice based on "likely occurrence". The key thing here is that a 'Statutory Nuisance' is not the same as disturbance, and requires firm evidence of significant disturbance and ongoing inability to enjoy a residential own premises.

Longer-term management of the site concerns

- *Security risk arising from the fields being open to the public late at night, as thefts and intrusions from the school happen now in school hours, and residents do not want access to the public for non-sporting reasons.*
- *The School have even rented out the fields for parking so this new Hockey Pitch if it is built will be used for car parking for the Stadium & Arena fixtures in the future*
- *The former Caretakers' house adjacent to the School is now rented out and guarded with high fencing all around it for some reason.*
- *The school cannot look after the grounds it has as the majority of the boundary fencing between the residents' gardens and the school playing fields is defective and the school will not repair this fencing. There have been many instances previously when school children have been in my garden looking for footballs and this has to stop.*
- *A strong, 8ft fence should be erected on the boundary to prevent thefts*
- *The School has proved that it is irresponsible at managing the existing facilities, erecting a skateboard practice structure and long jump alongside adjoining properties, allowing rallies on site with loud speakers, not making staff available when thefts have occurred, residents cannot reach the site manager out of hours, existing noisy netball training occurs until 9pm in a court near out fences and no-one heeds our complaints, the school was used for Event Day parking as recently as 18/07/11. A school's proximity implies noise during school hours, but not after hours if it is a nuisance to residents.*
- *The recent riots show how crime can occur out of the blue if groups are unsupervised.*
- *How will public use of the site be supervised? If there are unauthorised uses of the fields, will residents be provided with contact numbers in case of problems?*
- *What crowd numbers are estimated, and what hours are anticipated for the provision of this facility, and how will it be staffed (including security staff) after usual school hours, particularly during the winter months?*
- *The proposal will generate more litter in the local area*

The proposed community use is expected to be largely local in focus. The Police were involved during the consultation stage of the school proposals and have provided their feedback, which has been acted upon. Any access to the school external sports facilities during agreed out of hours will be managed by the school personnel, as the internal sports areas are now. Access outside of these approved hours to external sports facilities will not be permitted. The school has an extensive colour CCTV system, movement activated external lights and modern alarm systems. In the event of alarms being activated outside of approved hours there is a 24\7 keyholding company. As the facility is to be managed by school staff, there is not expected to be any crime or litter implications for local properties arising from the use of the hockey pitch. The recent riots are an abnormal occurrence and appropriate security measures will be taken by the school if such an event was to occur once the facility is operational. Following a past complaint, the Council's Planning Enforcement department have contacted the High School regarding the unauthorised use of the site for car parking for the Stadium & Arena fixtures. This has now stopped.

No real need for the provision

- *The Multiple Use Games area facilities provided by the Ark Academy are under-utilised, so why duplicate them at Preston Manor?*
- *The building of a synthetic turf hockey pitch is unnecessary and a waste of Council and income tax payers' money because the school already has ample sports facilities including: enlarged gyms which were recently built; tennis courts and sand pits and the School did have a running and games area in the field before the school started the building a concrete base on the fields for car parking and hockey pitch area.*

- *In the 36 years I have lived in the area, I have never seen hockey played on the High School playing fields.*
- *It is fine for the school to use the pitch but objectionable to rent out the facility when there is already Vale Farm and Ark Academy which can be used.*

There is a need to upgrade the existing High School pitches, and the School Management team have identified that a hockey facility is the priority for their schoolchildren. Sport England requires for community use of the facility, in addition to Brent's Planning for Sport and Active Recreation Facilities Strategy 2008 identifying the need for improved facilities in the Borough. The existing sports pitch facilities at the Ark School and Vale Farm are predominately use for basketball and netball sports, not for hockey.

Harmful to visual amenity

- *The proposed New Hockey Pitch will be out of character in the area as the "green" school playing fields have now all been built on*
- *There will now longer be any "green fields view" which all the residents are paying extra for on their Council Taxes.*
- *I object to the loss of my green fields view, which is bad because of the hard surfacing and made even worse by the proposed fences and lights*

The subject hockey pitch was previously a mixture of an existing hard-surfaced area and playing field grass. Council Tax valuation is not a planning consideration. Whilst planning case-law sometimes considers large-scale development and loss of view to multiple properties as a material consideration, in this instance the proposed enclosed, floodlit hockey pitch changes the overall character of school playing fields to a small degree (9.5% of the original High School playing fields,) and such sports development is commonly associated with school environments, and as such the partial loss of grass that was not previously hard-surfaced under the hockey pitch is not considered sufficient reason to resist the application on the grounds of visual amenity.

Other

- *The proposal will affect the value of our property, is there any recourse?*
- *The Council does not care for people living in this area. The traffic is so bad, particularly in the morning and after 3.15pm*
- *The documents associated with 10/3203 (primary school application) did not mention floodlighting.*
- *Residents have not been informed at Consultation Stages of the primary school 10/32033 about floodlights. The consultation is a sham.*
- *The construction has caused a loss of wildlife locally*
- *Our property deeds state that the school fields cannot be used for this purpose*
- *Where would any associated car/ coach parking and accesses be located?*

Loss of value to property is not a material planning consideration. Any additional traffic generated by the community-use of the hockey pitch will be out of hours, and therefore will not contribute to traffic associated with the school opening and closing times. Any additional traffic associated with the hockey pitch is anticipated to be small-scale only and a condition of approval is that the existing School Travel Plan be amended to consider how non-car modes of transport can be encouraged. New cycle stores shall also be required as a condition of approval. Any cars using the site will use the Carlton Avenue East entrance. The facility is not expected to generate coach use.

Possible nuisance to neighbouring residential properties arising from external lights on site was considered under the primary school application 10/3203 particularly in relation to the Multi Use Games Area proposed for the primary school. The committee report stated: *any external proposed lights will be restricted by condition (condition 13,) to ensure that there is no light back-spill into the residential gardens in accordance with Policy BE8. This ensures that neighbouring amenities are not harmed by the development.* Officers are currently considering this application 11/2158, which neighbouring properties have also been consulted upon. This application is anticipated to be reported to Planning Committee on 28th September 2011. Much of the construction on the High

School grounds that has disturbed wildlife is associated with the primary school. However, the primary school incorporates an extensive landscaping scheme including at least 53 new trees and nature conservation area with log piles, bat and bird boxes. The school playing fields are subject to a restrictive covenant that prohibits the erection of buildings within the school grounds, except for houses or a sports pavilion. The proposal for an enclosed, floodlit pitch is therefore not covered by the covenant.

Summary

As recently as 15/08/11 Steve Quartermain, Chief Planner for the Government department of Communities and Local Government set out a policy statement on Planning for Schools Development, which requires Local Authorities to support state-funded schools' planning applications. The current application arises from the construction of the primary school on the High School playing fields resulting in the need to make improvements to existing sporting facilities in the local area as a Sport England statutory requirement. Officers have carefully considered the implications of the subject hockey pitch, which is objected to by local residents on numerous grounds particularly because of its floodlit nature and access to the community out of school hours. Subject to conditions, the proposal is considered to comply with local and national planning policies and accordingly is recommended for approval subject to a s106 legal agreement to secure community access of the facility.

RECOMMENDATION: Grant Consent subject to Legal agreement

- (1) The proposed development is in general accordance with policies contained in the:-
Planning Policy Guidance 17: Planning for open space, sport and recreation
London Borough of Brent Unitary Development Plan 2004
Brent Core Strategy 2010
SPD - s106 and Planning Obligations

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):

11069/01 - Proposed AWP
11069/02 - Cross Section for Construction
11069/05 - Cross Section for Construction
L(9-)902 Rev P5 - Proposed Pitch Layout
L(PA)903 Rev P1 - Existing Site Survey & Levels
L(PA)904 Rev P1 - Site Location Plan
L(PA)905 Rev P1 - Proposed Pitch Sectional Elevations
L(PA)906 Rev P3 - Sports Pitch Landscape Proposal
L(PA)907 Rev P2 - Indicative Light Spill Diagrams
Preston Sch Wembley Christy Lighting Ltd - Hockey 628aa (Normal to TV)
Preston Sch Wembley Christy Lighting Ltd - Hockey 628aa (Horizontal)
Christy Lighting Ltd - Hockey 618aa (Normal to TV)
Christy Lighting Ltd - Hockey 618aa (Normal to TV)

Design & Access Statement - July 2011
Champion - Thorn lighting

- (3) The proposed six 14.5m high floodlights shall be erected on the site strictly in accordance with the approved details including directional details, style and baffles where applicable, and shall thereafter be maintained in accordance with the manufacturer's guidelines unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of safeguarding local amenity

- (4) a) The Hockey Pitch shall only be permitted to be used between
08.00-21.00 hours Mondays to Fridays
08.00-20.00 hours Saturdays and
09.00-19.00 Sundays and Bank Holidays.
- b) Any floodlights associated with the hockey pitch shall be switched off within 15 minutes of these times and the pitch vacated
- c) Within these time parameters, the floodlights shall only be switched on when the court is in active use

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

- (5) No music, public address system or any other amplified sound system shall be installed or used externally on the site without the prior written approval of the Local Planning Authority. Any proposed system/s shall be submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter only installed in accordance with the details so approved

Reason: To safeguard the amenities of the adjoining occupiers

- (6) Within 3 months of the installation of the hockey pitch three secure Sheffield-style cycle stands finished in dark green or black shall be installed on site in proximity to Carlton Avenue East and thereafter shall be maintained unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure sustainable transport measures are encouraged in accordance with policy TRN11

- (7) Within 12 months of commencement of development, and prior to commencement of the use of the artificial grass pitch, confirmation of the details of the surface type for the artificial grass pitch and its court markings shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England and England Hockey/FIH. The submission shall provide confirmation of post-completion testing of the surfacing to demonstrate that it meets England Hockey/FIH current National standards. If it fails to do so, a mitigation strategy shall set out how any deficiencies shall be overcome, and once the strategy is agreed, this shall be fully implemented. The development shall be maintained in accordance with the approved details.

Reason: In order to ensure a modern, hockey pitch that is fit for purpose

- (8) No other new external lights other than the six 14.5m floodlights shall be installed on site without the prior submission to and approval in writing by the Local Planning Authority. This shall include the specification, manufacturer, lux, model, direction and the siting of each lamp. Thereafter the lights shall be installed in accordance with the details so approved prior installation

Reason: In order to prevent harm to local amenities from light spillage

- (9) Within 6 months of the commencement of the use of the artificial grass pitch, a revised School Travel Plan document shall be submitted to and approved in writing by the Local Planning Authority setting out an update to the existing School Travel Plan in relation to community use of the proposed hockey pitch. The update shall consider include ITrace-compliant monitoring and measures to achieve a target reduction in the proportion of visitors arriving/ departing by car to use the new hockey pitch within 5 years of opening

Reason: In order to promote sustainable transport measures

- (10) Prior to use of the floodlights other than for testing purposes, the applicants shall submit post-completion testing results that demonstrate that the floodlights are substantially in accordance with the approved lightspill and glare plot plans. If the results fail to demonstrate this, a mitigation strategy shall be submitted to the LPA that considers additional floodlight baffles/shielding, light designs and light directions. This information shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the details so approved. The floodlights shall only operate in accordance with these details and no subsequent 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:

Planning Policy Guidance 17: Planning for open space, sport and recreation
Brent's Unitary Development Plan 2004
Brent's Core Strategy (July 2010)
SPD – s106 & Planning Obligations
Brent's - "Planning for Sport and Active Recreation Facilities Strategy 2008."
Institute of Lighting Engineers - Design Guidance notes for Reduction of Obtrusive Light 2005

Any person wishing to inspect the above papers should contact Amy Wright, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5222