

Report of the Head of Development Management and Building Control

Address:	NORTHWOOD COLLEGE EDUCATIONAL FOUNDATION MAXWELL ROAD NORTHWOOD
Development:	Variation of Conditions 12 (All-Weather Pitch Hours of Use) and 13 (All-Weather Pitch Restriction of Use) of planning permission ref. 2082/APP/2007/1411 dated 11-09-2007 (Removal of existing building and construction of new early years centre and relocation of all-weather sports surface playing field (approved under planning application ref. 2082/APP/2003/1103) including details of design and layout) to change the permitted operating hours and use of the all-weather pitch.
LBH Ref Nos:	2082/APP/2023/516
Drawing Nos:	24405.PCR.01 Rev. A Noise Impact Assessment (Dated 1st December 2022) School Travel Plan (Dated February 2023) 32404 Cover Letter (Dated 21st February 2023) 32404 Cover Letter - Appendix A and B (Dated 21st February 2023) 32404 Cover Letter - Appendix C (Dated 21st February 2023) Response to Public Comments (Dated 25th May 2023) Transport Statement Addendum (Dated July 2023) 398-SKD-22 398-SKD-11 398-SKD-12 398-SKD-16A 398-SKD-17A 398-SKD-18A 398-SKD-21 1575/PL03 398-SKD-08 398-SKD-07 398-SKD-00 398-SKD-27 398-SY-05 398-SY-09 398-SY-10A 398-SY-04 398-SKD-26 398-SKD-10A 398-SKD-15A

Date Plans received:	22-02-2023	Date(s) of Amendments(s):	18-06-2007
			25-05-2023
Date Application valid	22-02-2023		22-02-2023

1. SUMMARY

This is a section 73 application that seeks permission to vary Conditions 12 (All-Weather Pitch Hours of Use) and 13 (All-Weather Pitch Restriction of Use) of planning permission ref.

2082/APP/2007/1411. The original consent is a historic permission that granted consent for the removal of the existing building and construction of new early years centre and the relocation of all-weather sports surface playing field.

The current s73 application seeks to amend the relevant conditions of planning permission ref. 2082/APP/2007/1411 to enable access by the community (alongside the school) within the following times:

- 09.00 to 21.00 Mondays to Fridays;
- 09.00 to 18.00 Saturdays;
- 10.00 to 16.00 Sundays; and
- No use on Bank Holidays.

The principle of the use of the all-weather sports surfaces in this location has already been established by grant of planning permission under application reference 2082/APP/2007/1411, the only difference being that the pitches would be used for extended hours and by members of the community as well as the school. Community use of such facilities would provide a public benefit and is supported by regional and local plan policies. The proposal is supported in principle.

The proposed increase in hours of possible operation is notable. The school is located in a predominantly residential area and is bounded by residential properties on all sides, albeit there is an existing road which provides some separation distance between the school and properties directly opposite. The impact of the use of the outdoor facilities until 21:00 at night, in addition to associated late vehicle and pedestrian activity as users depart the site at this time, in terms of noise and disturbance to neighbouring residents has been fully considered. It is highlighted that the current application does not propose floodlights and would deem use until 21:00 impractical in any case for a significant portion of the year. Officers emphasise that floodlighting cannot be considered under the current application. This would be considered in full as part of a separate application submission.

Officers are aware that the Council has allowed for hours of use beyond 21:00 in residential areas, including the nearby Northwood School, Potter Street, which allows for hours of use until 22:00 on weekdays and 19:00 on weekends. Under the current application submission, the Council's Noise Specialist has also advised that the proposed outside activity operating during the day has low noise nuisance risk. Notwithstanding, it is considered necessary and reasonable to secure a Noise Mitigation and Management Plan by condition prior to the use of the playing surfaces during evening hours. This should set out how organisers of sports at the school would operate in order to best reduce noise impacts during the evening hours. Subject to such a condition, the proposed extended hours of use would not be considered to pose an unacceptable impact on neighbouring residential amenity sufficient to support a robust reason for refusal in an appeal scenario.

A schedule of activities at the site has also been submitted as part of a Transport Statement Addendum document which accounts for all other activities that would take place on site, not just the activities that would take place in connection with the MUGAs / all-weather pitch. This includes the sports hall, swimming pool, tennis courts, sports field, fitness suite, dance studio and recital hall. Taking this into consideration, the Highway Authority conclude that the proposal, alongside other existing out of school hour uses, can be facilitated by the car parking provisions on site in combination with sustainable travel provisions. Any overspill onto the local highway network would be negligible. As such, the proposal is not considered have an unacceptable impact on highway safety or severe cumulative impact on the road network. Officers do not consider a reason for refusal based on highway safety impact or residual cumulative impacts on the road network to be reasonable, robust or defensible in an appeal scenario.

Subject to the planning conditions and obligations to be secured by legal agreement, the proposed development is considered acceptable with respect to its impact on neighbour amenity, the local highway network, accessibility, security, landscaping, ecology, waste and noise. For the reasons set out within the main body of the report, the proposal accords with the development plan when read as a whole.

Subject to planning conditions and legal agreement, this application is recommended for approval.

2. RECOMMENDATION

That delegated powers be given to the Director for Planning, Regeneration and Environment to grant planning permission subject to the following:

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

i) Travel Plan: A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include such as matters as: targets for sustainable travel arrangements; effective measures for the ongoing monitoring of the Travel Plan; and a commitment to delivering the Travel Plan objectives.

ii) Air Quality Contribution: A financial contribution equal to £12,222 shall be paid to the Council to address the air quality impacts of the proposed development.

iii) Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Director for Planning, Regeneration and Environment), delegated authority be given to the Director for Planning, Regeneration and Environment to refuse planning permission for

the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of the travel planning and air quality). The scheme therefore conflicts with Policies DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-57 of the National Planning Policy Framework (2021).'

E) That if the application is approved, the following conditions be imposed:

1. NONSC Compliance

The development hereby permitted relates solely to the operation of the site. All works of previously approved under planning permission reference 2082/APP/2007/1411 (dated 11th September 2007) have now ceased and shall remain as such. This decision notice does not permit any further works from this site.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. NONSC Materials

All material details were approved under application reference 2082/APP/2007/3110 (dated 8th December 2009) and shall be retained as such.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

3. NONSC Boundary Treatment

All boundary details were approved under application reference 2082/APP/2007/3110 (dated 8th December 2009) and shall be retained as such.

REASON

To safeguard the visual amenities of the area in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

4. NONSC Parking for Wheelchair Disabled People

Details relating to parking for wheelchair disabled people have been approved under application reference 2082/APP/2007/3245 (dated 7th December 2009) and shall be retained as such.

REASON

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy DMT 6 of the Hillingdon Local Plan: Part 2 (2020).

5. COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged,

uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

6. NONSC Landscape Scheme

All landscape scheme details were approved under application reference 2082/APP/2007/3245 (dated 7th December 2009) and shall be retained as such.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with Policies DMHB 14 and DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

7. NONSC Early Years Centre Hours of Use

The early years centre shall only be used between the hours of 08:00 to 21:00 on Mondays to Saturdays, and at no time on Sundays and Bank Holidays.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

8. NONSC All-Weather Pitch Hours of Use

The all-weather playing surfaces shall only be used between the hours of:

- Monday to Friday: 09.00 - 21.00;
- Saturdays: 09.00 - 18:00;
- Sunday: 10.00 - 16.00; and
- No use on Bank Holidays.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

9. NONSC All-Weather Pitch Use by Community

The all-weather pitch shall be available for use by the wider community on a managed basis.

REASON

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020).

10. NONSC Control of Noise and Odour

Details pertaining to the control of noise and odour emanating from the site were approved under application reference 2082/APP/2009/497 (dated 16th June 2009) and shall be retained as such.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

11. ST1 Renewable Energy

10% of energy requirements for the development hereby approved shall be supplied from renewable sources and shall be retained as such.

REASON

To accord with the requirements secured under the original permission and to comply with the general principles of Policy SI 2 of the London Plan (2021).

12. ST1 Staggered opening hours for the Early Years Centre

The opening hours for the Early Years Centre shall be staggered by a minimum of 15 minutes from the college opening hours as detailed in the letter received from Dannatt, Johnson Architects dated 1/08/07.

REASON

To protect the amenity of surrounding areas in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020).

13. ST1 Access to Early Years Centre

The access to the Early Years Centre will be from Maxwell Road and no drop-off or pick-up will be permitted from Myrleside Close. This condition shall not apply to access for fire or other emergency services.

REASON

To ensure that vehicle safety is not prejudiced and to protect the amenities of occupiers of residential properties in Myrleside Close in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020).

14. NONSC Community Use Agreement & Parking Management Scheme

(i) Prior to operation of community use activities, a Community Use Agreement, prepared in consultation with Sport England, shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the indoor, outdoor and supporting facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The Community Use Agreement should allow community use of the facility during the following times:

- Monday to Friday: 09.00 - 21.00;
- Saturdays: 09.00 - 18:00;
- Sunday: 10.00 - 16.00; and
- No use on Bank Holidays.

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

The development shall not be used otherwise than in strict compliance with the approved documents.

REASON

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy S5 of the London Plan (2021). Also, to ensure the community use of the facility does not result in an unacceptable impact on the local highway network through an unacceptable increase in demand for on-street parking, in compliance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020).

15. NONSC Noise Mitigation and Management Plan

Prior to the use of the all-weather playing surfaces during evening hours (6pm to 9pm), a Noise Mitigation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the all-weather playing surfaces shall only ever be used during evening hours in accordance with these details for as long as the development remains in existence.

REASON

To safeguard the amenity of the surrounding area in accordance Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), and Policy D14 of the London Plan (2021).

INFORMATIVES

1. I52 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. 170 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3.

Please be advised that the application hereby approved does not permit any form of floodlighting.

153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMCI 6	Indoor Sports and Leisure Facilities
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 9	Management of Flood Risk
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 3	Locally Listed Buildings
DMHB 4	Conservation Areas
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling

LPP T6	(2021) Car parking
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF4	NPPF 2021 - Decision-Making
NPPF8	NPPF 2021 - Promoting healthy and safe communities
NPPF9	NPPF 2021 - Promoting sustainable transport

3. CONSIDERATIONS

3.1 Site and Locality

Northwood College occupies a 3.3 hectare irregularly shaped plot located on the north-western side of Maxwell Road. The main access to the school is from Maxwell Road. The site accommodates a number of buildings, which make up the lower and upper schools and the sixth form, in addition to playing fields, two Multi-Use Games Areas (MUGAs), car parking and ancillary facilities. The MUGA in western section of the school site forms the focus of this application, and adjoins residential properties located on Myrleside Close to the west and The Glen to the north.

Despite its close proximity to Northwood Town Centre, it falls within a predominantly residential area and is bounded by residential properties to the north-east and south-west. To the north-west it is bounded by residential properties and garages and to the south-east residential properties lie on the opposite side of Maxwell Road.

The entire school site falls within the Green Lane Conservation Area as designated in the Hillingdon Local Plan. The buildings at the front (south-east) of the site, including the Old School, Sixth Form and Library, Wray Lodge and Vincent House, are locally listed. The tree belt along the Maxwell Road boundary (north end) is protected by TPO 491. All other trees are protected by virtue of their location within Northwood Town Centre Conservation Area.

Further to the south-west, there is the designated Haste Hill & Northwood Golf Courses & Northwood Cemetery Nature Conservation Site of Grade 2 importance. The Northwood West Air Quality Focus Area is located a short distance to the west (circa 60m) and the Northwood East Air Quality Focus Area is located further away to the east (circa 700m).

3.2 Proposed Scheme

This application proposes the variation of Conditions 12 (All-Weather Pitch Hours of Use) and 13 (All-Weather Pitch Restriction of Use) of planning permission 2082/APP/2007/1411 dated 11th September 2007, which granted consent for the 'Removal of existing building and construction of new early years centre and relocation of all-weather sports surface playing field (approved under planning application ref. 2082/APP/2003/1103) including details of design and layout'.

At present, the all-weather playing surfaces are only permitted to be used by the school between the hours of 09:00 and 18:00 on Mondays to Saturdays, and at no time on Sundays and Bank Holidays. This application seeks permission to amend Condition 12 (All-Weather Pitch Hours of Use) and 13 (All-Weather Pitch Restriction of Use) to enable access to the all-weather playing surfaces by the community, alongside the school, during the following times:

- 09.00 to 21.00 Mondays to Fridays;

- 09.00 to 18.00 Saturdays;
- 10.00 to 16.00 Sundays; and
- No use on Bank Holidays.

The original planning permission will continue to exist separate to the outcome of the application under section 73. Where relevant, decision notices for the grant of planning permission under section 73 should set out all of the conditions imposed on the new permission, and restate the conditions imposed on earlier permissions that continue to have effect.

Should the application be approved, it is recommended that a number of the original conditions are attached where they remain applicable, removed where they are no longer relevant or altered to ensure compliance with previously approved details.

3.3 Relevant Planning History

2082/APP/2007/1411 Northwood College Maxwell Road Northwood

REMOVAL OF AN EXISTING BUILDING AND CONSTRUCTION OF NEW EARLY YEARS CENTRE AND RELOCATION OF ALL-WEATHER SPORTS SURFACE PLAYING FIELD (APPROVED UNDER PLANNING APPLICATION REF. 2082/APP/2003/1103) INCLUDING DETAILS OF DESIGN AND LAYOUT.

Decision: 11-09-2007 Approved

2082/APP/2007/3110 Northwood College Maxwell Road Northwood

DETAILS IN COMPLIANCE WITH CONDITION 3 (MATERIALS), CONDITION 4 (BOUNDARY TREATMENT) AND CONDITION 18 (DEMOLITION AND CONSTRUCTION MANAGEMENT PLAN) OF PERMISSION REF: 2082/APP/2007/1411 DATED 11/09/2007 'REMOVAL OF AN EXISTING BUILDING AND CONSTRUCTION OF NEW EARLY YEARS CENTRE AND RELOCATION OF ALL-WEATHER SPORTS SURFACE PLAYING FIELD (APPROVED UNDER PLANNING APPLICATION REF. 2082/APP/2003/1103) INCLUDING DETAILS OF DESIGN AND LAYOUT.'

Decision: 08-12-2009 Approved

2082/APP/2007/3245 Northwood College Maxwell Road Northwood

DETAILS IN COMPLIANCE WITH CONDITIONS 5 (DISABLED PARKING PROVISION), 7 (TREE PROTECTION), 8 (HARD & SOFT LANDSCAPING) AND 10 (LANDSCAPE MAINTENANCE) OF PLANNING PERMISSION REF: 2082/APP/2007/1411 DATED 11/09/2007 'REMOVAL OF AN EXISTING BUILDING AND CONSTRUCTION OF A NEW EARLY YEARS CENTRE AND RELOCATION OF AN ALL WEATHER SPORTS SURFACE PLAYING FIELD'

Decision: 02-12-2009 Approved

2082/APP/2009/497 Northwood College Maxwell Road Northwood

DETAILS IN COMPLIANCE WITH CONDITION 16 (AIR EXTRACTION SYSTEM) AND CONDITION 22 (GREEN TRAVEL PLAN) OF PLANNING PERMISSION REF 2082/APP/2007/1411 DATED 11/09/2007: REMOVAL OF AN EXISTING BUILDING AND CONSTRUCTION OF NEW EARLY YEARS CENTRE AND RELOCATION OF ALL-WEATHER SPORTS SURFACE PLAYING

FIELD (APPROVED UNDER PLANNING APPLICATION REF. 2082/APP/2003/1103) INCLUDING DETAILS OF DESIGN AND LAYOUT.

Decision: 16-06-2009 Approved

2082/APP/2014/600 Northwood College Educational Foundation Maxwell Road Northwood
Demolition of existing storage sheds and construction of two storey building comprising 1,600 sqm of temporary classroom accommodation, for a period of 3 years from 4 September 2014 (excluding construction/deconstruction period).

Decision: 07-05-2014 Approved

2082/APP/2017/2086 Northwood College Educational Foundation Maxwell Road Northwood
Continued use of temporary classroom accommodation, comprising a two storey building of 1,600sq.m, for a further temporary period of 3 years (as previously approved in planning permission ref: 2082/APP/2014/600 dated 08-05-2014).

Decision: 12-09-2017 Approved

2082/APP/2018/981 Northwood College Educational Foundation Maxwell Road Northwood
Details pursuant to Condition 6 (community use agreement) of planning permission ref: 2082/APP/2017/2086, dated 14-09-17 (Continued use of temporary classroom accommodation, comprising a two storey building of 1,600 sq.m for a further temporary period of 3 years (as previously approved in planning permission ref: 2082/APP/2014/600, dated 08-05-2014))

Decision: 08-10-2018 Approved

2082/APP/2019/3720 Northwood College Educational Foundation Maxwell Road Northwood
Continued use of temporary classroom accommodation comprising of a two storey building of 1,600sqm until 14 September 2023 (as previously approved in planning application reference 2082/APP/2014/600 and 2082/APP/2017/2086)

Decision: 18-03-2020 Approved

Comment on Relevant Planning History

The current application is connected to planning application ref. 2082/APP/2007/1411 which granted permission for the removal of existing building and construction of a new early years centre and relocation of all-weather sports surface playing field (approved under planning application ref. 2082/APP/2003/1103) including details of design and layout.

Condition 12 attached to planning permission 2082/APP/2007/1411 states that:

The all-weather playing surfaces shall only be used between the hours of 09:00 and 18:00 on Mondays to Saturdays, and at no time on Sundays and Bank Holidays.

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Condition 13 attached to planning permission 2082/APP/2007/1411 states that:

The all weather pitch shall be for the exclusive use of the school and shall not be hired out to outside organisations, which could attract additional trips during the evening peak.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with policy AM2 of the Hillingdon Unitary Development Plan.

Planning application ref. 2082/APP/2014/600 granted permission for the demolition of existing storage sheds and construction of two storey building comprising 1,600 sqm of temporary classroom accommodation, for a period of 3 years from 4 September 2014 (excluding construction/deconstruction period).

Subsequently, planning application ref. 2082/APP/2017/2086 permitted the continued use of temporary classroom accommodation, comprising a two storey building of 1,600sq.m, for a further temporary period of 3 years (as previously approved in planning permission ref: 2082/APP/2014/600 dated 08-05-2014). Condition 6 was attached to this permission, requiring the submission of a Community Use Agreement. This Condition was discharged under application ref. 2082/APP/2018/981 and confirmed that the grass pitch, multi-use games area, tennis courts, sports hall, climbing wall and swimming pool could be used by the community during the following times:

Term-time:

Mon-Fri 18:00 hrs to 21:00 hrs

Sat 09:00 hrs to 19:00 hrs

Sun 09:00 hrs to 12:00 hrs

School holidays:

Mon-Fri 09:00 hrs to 18:00 hrs

Sat 09:00 hrs to 18:00 hrs

Sun 09:00 hrs to 12:00 hrs

As the condition is connected to planning permission ref. 2082/APP/2017/2086, which was a temporary consent that expired on 14th September 2020, a permanent community use has not technically been established at the site.

A further application for the continued use of the temporary classroom accommodation comprising of a two storey building of 1,600sqm until 14th September 2023 (as previously approved in planning application reference 2082/APP/2014/600 and 2082/APP/2017/2086) was approved under application ref. 2082/APP/2019/3720 but a community use agreement condition was not replicated on the decision notice.

4. Planning Policies and Standards

Development Plan

Planning law requires that applications for planning permission be determined in accordance with the

development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment
PT1.EM5 (2012) Sport and Leisure
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.HE1 (2012) Heritage

Part 2 Policies:

DMCI 6 Indoor Sports and Leisure Facilities
DMCI 7 Planning Obligations and Community Infrastructure Levy
DMEI 10 Water Management, Efficiency and Quality
DMEI 9 Management of Flood Risk
DMHB 1 Heritage Assets
DMHB 11 Design of New Development
DMHB 12 Streets and Public Realm
DMHB 14 Trees and Landscaping
DMHB 3 Locally Listed Buildings

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DMHB 4 Conservation Areas

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

LPP D1 (2021) London's form, character and capacity for growth

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D14 (2021) Noise

LPP HC1 (2021) Heritage conservation and growth

LPP SI12 (2021) Flood risk management

LPP SI13 (2021) Sustainable drainage

LPP SI2 (2021) Minimising greenhouse gas emissions

LPP T4 (2021) Assessing and mitigating transport impacts

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

NPPF4 NPPF 2021 - Decision-Making

NPPF8 NPPF 2021 - Promoting healthy and safe communities

NPPF9 NPPF 2021 - Promoting sustainable transport

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: 21st April 2023

5.2 Site Notice Expiry Date: 28th April 2023

6. Consultations

External Consultees

A total of 890 no. letters were sent to neighbouring properties, a site notice was displayed to the front of the

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site and an advert was posted in the local paper. All forms of consultation expired on 28th April 2023.

A petition in objection to the scheme has been received with 25 signatories. The comments made as part of the petition are summarised as follows:

- 1) The proposal disrespects the human rights to have times of peace and quiet.
- 2) The proposal disregards ecology, including birds, hedgehogs and other animal life.
- 3) Sports should be situated outside towns.
- 4) Permission should not be granted.
- 5) Sunday should be free of noise.
- 6) If permission is granted, supervision should be on-site at all times.

A further 17 individual objections have been received and are summarised as follows:

- 1) Extended hours will cause more traffic and cause issues for parking.
- 2) Parents disregard all rules during school pick-up and drop-off.
- 3) The swimming pool is open to non-pupils at the weekend.
- 4) There is already a lot of noise from the school which impacts those who work from home or those that do night shifts.
- 5) The proposed constant noise is unfair to residents and would impact on quality of life.
- 6) Floodlighting is totally unacceptable.
- 7) The proposal changes the ethos of the school from an educational establishment to a commercial enterprise.
- 8) Use of the site up to 9pm and use on Sundays is not appropriate.
- 9) The proposal would affect the Conservation Area.
- 10) The proposal would create pollution.
- 11) The proposal would adversely affect the local ecosystem.
- 12) Sport events can require the use of PA systems, loudspeakers and megaphones which will adversely affect the noise environment.
- 13) There is an increase of non-residential parking on Hawkesworth Close, Dormans Close and Leaf Close which will get worse.
- 14) The proposal is for profit.
- 15) The Transport Statement only covers aspects of 2 netball playgrounds without covering other activities Northwood College host at the same time.
- 16) The Parking Permit Scheme should be extended to Hawkesworth Close and Dormans Close to have "Residential permit parking only" restrictions from 8:00 to 20:00 weekdays and from 8:00 to 16:00 weekends.

Planning Officer comment

All material planning considerations are addressed within the main body of the report.

Specifically, it should be clarified that the application would not include any new construction or floodlighting, rather it is an administrative change to the operation of the site outside of school hours.

A Transport Statement Addendum has been submitted to cover the cumulative impact of multiple activities occurring at one time.

Regarding an extension of the parking permit scheme on local residential roads, it is noted that residents will need to petition to implement such a scheme.

NORTHWOOD RESIDENTS ASSOCIATION

We object to the proposed times which includes Sunday.

SPORT ENGLAND

The application seeks to amend the conditions to allow the Multi-Use Games Area (MUGA) to be used on weekday evenings and during the weekend by the community. Sport England welcomes this application as allowing and extending the period when the facilities would be available provides local residents more opportunities to access sport facilities within their local area.

Sport England, however, would like to highlight that the peak time for community sport participation is weekday evenings until 10pm and during the day at the weekend so it would encourage that the condition reflects these times. It would also support revising/drafting a Community Use Agreement (CUA) so that sustainable long-term community use of the facility could be secured. Sport England has template CUA that can be forwarded on the request.

Sport England also have a free online resource called Use Our School that offers further guidance and information for local authorities and other education providers on how to make the best use of school facilities for the benefit of the local community. It is especially useful for those who have responsibility within a school for establishing, sustaining and growing community activity on school sites. More detail can be found at www.sportengland.org/useourschool

Internal Consultees

PLANNING OFFICER COMMENT

Following comments raised by residents in respect of the cumulative impact of all activities on the school site, a Transport Statement Addendum document has been submitted for review. This is considered within the main body of the report and by the Highways Authority below.

HIGHWAYS AUTHORITY (Dated 11th July 2023)

Site Characteristics & Background

The site is situated in the far northern part of the borough in Northwood. The college fronts Maxwell Road and is in proximity of Rickmansworth Road. The former roadway is covered by a Controlled Parking Zone (CPZ) operating from Monday to Friday for one-hour per day increasing to an all-day Monday to Saturday coverage to the north-east of the site toward Northwood town centre. All of which further limits the availability of 'un-paid' for parking in the area during these periods.

It is proposed to extend the operational times of the existing Astro turf 'all-weather' pitch and to promote the sporting facility for extended community use purposes.

This proposal is specifically related to conditions 12 & 13 of permission - 2082/APP/2007/1411 relating to the construction of a new 'early years' centre and relocation of an all-weather sports pitch and reads as follows:

Condition 12 (Existing)

"The all-weather playing surfaces shall only be used between the hours of 9am and 6pm on Mondays to

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Saturdays, and at no time on Sundays and Bank Holidays".

Condition 13 (Existing)

"The all-weather pitch shall be for the exclusive use of the school and shall not be hired out to outside organisations, which could attract additional trips during the evening peak".

Condition Variations (Proposed)

Condition 12

"The all-weather playing surfaces shall only be used between the hours of: Monday to Friday - 9am to 9pm; Saturday - 9am to 6pm & Sunday - 10am to 4pm with no use on Bank Holidays".

Condition 13

"The all-weather" pitch shall be used by the community on a managed basis as set out in condition 12".

Appraisal

In terms of highway/transport considerations, the two planning conditions are intrinsically linked. At a pre-application enquiry stage in 2021, the enquirer was encouraged to provide an assessment of the likely impacts of extra-curricular activities which should take into account the extended hours of opening during the working week and Sunday. This information has been provided.

It is noted that extracurricular activities would now be made available to the wider community for 7 days per week. The proposed extended hours of extracurricular activity from Monday to Friday (7 to 9pm) have been arranged so as not to overlap or interfere with normal weekday daytime school operations. In cumulative impact terms, this is welcomed for clear reason. Saturday periods of use are to remain as previously consented whilst Sunday use has been newly added.

There are in the region of 43/18 formal on-plot car parking/cycle spaces respectively available on-site for school related purposes and these would be made fully available for the proposed extracurricular activities which would measurably assist in limiting parking related impacts on the immediate local road network.

The applicant has provided information pertaining to the likely peak level of attendance related to the 2 proposed 'netball' pitches (14 players per pitch). It has been estimated by way of census data, that in terms of modal share, up to 50% of patrons ** would travel to and from the site via private motor transport generating in the region of a 14 'car' attendance plus several associated with referees/organisers and typically nominal viewing attendees when both pitches are active. This level of demand would be well within the available capacity of the on-site parking provision which totals 43 spaces and would usefully cater for 'consecutive hour' overlapping match attendee parking demand together with a high proportion of existing 'after-school' events. It is also noted that there is some realistic scope in a further reduction in predicated vehicle parking demand based on a 'not unreasonable' assumption that a proportion of after school activities are frequented by students of the school who are already in attendance which inherently cancels out arrival trips leaving only departures.

It should be noted that, reliance on what are in effect, 'third-party' parking provisions outside of the site envelope such as the availability of nearby off-street car parks for overspill (such as Green Lane Car Park), as suggested by the applicant, is not normally promoted. This is due to the fact that such spaces outside the site envelope cannot be guaranteed in perpetuity and conversely, measurable levels of occupation

generated by related site activities may impact detrimentally on the general parking availability for the rest of the general public (shoppers and/or restaurant patrons included) thereby potentially impacting on the viability and vitality of the local town centre. However, in fairness to the applicant, it is also accepted that, in reality, these facilities are physically available and can be used legitimately as and when required where capacity permits which thereby lessens potential demand on specific on-site parking provisions and the need to park on-street.

Notwithstanding this last point, an analysis of the accumulation of parking spaces on site indicates that demand would only be exceed the 43 on-site spaces available on a single occasion between the hours of 7pm and 8pm by 1 parking space given a likely demand of 44.

As a logical consequence of the above predicted demand, any significant untoward/displaced on-street parking within the local public roadways or local public car parks is therefore not anticipated thereby protecting residential amenity. This conclusion is also reflected when considering cumulative impacts of match events related to traffic generation which would be expected to be absorbable by the local road network without notable detriment to traffic congestion and road safety with no imposition on the most crucial and sensitive peak morning and late afternoon/early evening weekday traffic periods.

The applicant has accepted to manage and monitor these extracurricular activities by way of a 'Car Parking Management Plan' to assist matters and has also submitted an existing Community Use Agreement (CUA) for a previous separate permission (2082/APP/2017/2086) which is applicable to the existing community use. It would therefore be beneficial to update this agreement (including mitigations) to reflect the current proposal via planning condition.

An updated school travel plan based on one produced for the provision of a new science block (2082/APP/2019/4091 - condition 16) has also been submitted and takes into account the current proposal for the extended community use. The submission is considered broadly fit for purpose and securement via planning condition is recommended as this is considered as a 'live' document that should be open to enhancement/variation as and when required.

Conclusion

In summary, there is no 'in principle' objection to the proposal subject to the imposition of the above highlighted conditions.

** The percentage reduction factor is considered realistic as it also takes into account the likelihood of multiple car sharing, mini-bussing and attendance by sustainable means such as walking and use of public transport.

NOISE SPECIALIST (Dated 17th April 2023)

It is an outside activity area operating during specified times during the day. Despite the reference to IEMA guidance, evidence based guidance for this is sparse which makes assessment and regulation I would suggest rather unnecessary in the context of a low noise nuisance risk.

It is therefore considered that any noise management would if necessary be effected through operational control and this is typically how they would deal with complaints in the unlikely event they were to arise.

CONSERVATION OFFICER (Dated 20th April 2023)

I confirm that altering the opening hours of the all weather playing areas will have no impact on the Conservation Area.

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AIR QUALITY OFFICER (Dated 25th May 2023)

1 Summary of Comments

The proposed development is located outside the LBH Air Quality Management Area and approximately 100m from the Northwood West Focus Area, with the potential of increasing pollutant traffic emissions in this sensitive area.

As per the London Plan (GLA, 2021) and the LBH Air Quality Action Plan 2019-2024, developments need to be neutral as minimum and positive in Focus Areas (or in their vicinity if affecting them), contributing to the reduction of emissions in these sensitive locations. As per the plan, LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor. Furthermore, Policy DMEI 14 of the emerging London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the Air Quality Management Area.

The Mayor of London has implemented the requirements to reduce PM_{2.5} concentrations to achieve the WHO interim target of 10ug/m³ through the London Plan and has placed a requirement on Local Authorities to reduce PM_{2.5} concentrations in their areas (London LAQM Policy 2019 Guidance: para 5.11. reads "Boroughs are expected to work towards reducing emissions and concentrations of PM_{2.5} in their areas"). The current proposal will be increasing pollutant traffic emissions due to the additional trip generation associated with the operation of the site on Sundays.

The proposed development is in the catchment area of a LBH Focus Area and therefore an appropriate level of mitigation is calculated using the Damage Cost Approach. The level of mitigation required associated with the operation phase of the proposed development for both pollutants of concern: NO_x and PM_{2.5} amounts to a S106 contribution required of £14,378.

Damage Cost and Mitigation Measures

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The mitigation measures proposed were evaluated in terms of likely emission reductions onto local air quality. Wherever quantifiable, these are calculated and subtracted from the overall value due. When no quantification is possible, a flat rate discount is applied.

The total level of mitigation required to the proposed variation for traffic emissions is £14,378. Once all deductions were applied, the remaining value of mitigation due is £12,222. Flat rate deductions applied are as follow: Travel Plan (15%), Green Sustainable Measures (0%), contribution to long term LBH strategic long-term strategies (e.g. multimodal shift) (0%), totalling a reduction of £2,157.

Therefore, if no further quantifiable mitigation is offered by the applicant, a section 106 agreement with the LAP of £12,222 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

ACCESS OFFICER (Dated 3rd July 2023)

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I have considered the detail of this planning application and consider this proposal to have no impact on accessibility.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy S5 of the London Plan (2021) states:

B) Development proposals for sports and recreation facilities should:

- 1) increase or enhance the provision of facilities in accessible locations, well-connected to public transport and link to networks for walking and cycling
- 2) maximise the multiple use of facilities, and encourage the co-location of services between sports providers, schools, colleges, universities and other community facilities
- 3) support the provision of sports lighting within reasonable hours, where there is an identified need for sports facilities, and lighting is required to increase their potential usage, unless the lighting gives rise to demonstrable harm to the local community or biodiversity.

Policy CI2 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will ensure that community and social infrastructure is provided in Hillingdon to cater for the needs of the existing community and future populations by:

- 4) Encouraging the development of multi-purpose facilities that can provide a range of services and facilities to the community at one accessible location;

Policy DMCI 2 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Proposals for the refurbishment and re-use of existing premises for community facilities will be supported.

B) Proposals for the provision of new community facilities will be supported where they:

- i) are located within the community or catchment that they are intended to serve;
- ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards that meet the needs of intended occupants;
- iii) are sited to maximise shared use of the facility, particularly for recreational and community uses; and
- iv) make provision for community access to the facilities provided.

This application seeks permission for the variation of Conditions 12 (All-Weather Pitch Hours of Use) and 13 (All-Weather Pitch Restriction of Use) of planning permission ref. 2082/APP/2007/1411 to enable access by the community (alongside the school) within the following times:

- 09.00 to 21.00 Mondays to Fridays;
- 09.00 to 18.00 Saturdays;
- 10.00 to 16.00 Sundays; and
- No use on Bank Holidays.

The principle of the use of the all-weather sports surfaces in these locations has already been established by grant of planning permission under application reference 2082/APP/2007/1411, the only difference being that the pitches would be used for extended hours and by members of the community as well as the school. Community use of such facilities would provide a public benefit and is supported by Policy S5 of the London Plan (2021), Policy CI2 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMCI 2 of the Hillingdon Local Plan: Part 2 (2020), as well as being supported by Sport England. The principle of the proposal is considered acceptable, subject to the detailed

consideration of all other material planning considerations.

7.02 Density of the proposed development

Not applicable to the consideration of the application.

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

ARCHAEOLOGY AND AREA OF SPECIAL LOCAL CHARACTER

Not applicable to the consideration of the application.

CONSERVATION AREA AND LOCALLY LISTED BUILDINGS

The site is designated within Green Lane Conservation Area and the buildings at the front (south-east) of the site, including the Old School, Sixth Form and Library, Wray Lodge and Vincent House, are locally listed.

Policy DMHB 3 of the Hillingdon Local Plan: Part 2 (2020) states that there is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.

Policy DMHB 4 of the Hillingdon Local Plan: Part 2 (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

The above policies are supported by the NPPF (2021), Policy HC1 of the London Plan and Policy HE1 of the Hillingdon Local Plan: Part 1 (2012).

This application seeks permission for the variation of conditions to enable access by the community, alongside the school, during extended hours of access. As such, no physical development is proposed as part of this application. The Council's Conservation Officer has been consulted and has confirmed that the application would not have an impact on the Conservation Area or Locally Listed Buildings.

7.04 Airport safeguarding

Not applicable to the consideration of the application.

7.05 Impact on the green belt

Not applicable to the consideration of the application.

7.06 Environmental Impact

Not applicable to the consideration of the application.

7.07 Impact on the character & appearance of the area

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards

and, incorporate principles of good design.

Matters relating to impact on the character and appearance of the area have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.08 Impact on neighbours

Policy D14 of the London Plan (2021) states that development proposals should avoid significant adverse noise impacts on health and quality of life. It also requires development proposals to mitigate and minimise potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that all development should not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

At present, the all-weather playing surfaces are only permitted to be used by the school between the hours of 09:00 and 18:00 on Mondays to Saturdays, and at no time on Sundays and Bank Holidays. This application seeks permission to amend Condition 12 (All-Weather Pitch Hours of Use) and 13 (All-Weather Pitch Restriction of Use) to enable access to the all-weather playing surfaces by the community, alongside the school, during the following times:

- 09.00 to 21.00 Mondays to Fridays;
- 09.00 to 18.00 Saturdays;
- 10.00 to 16.00 Sundays; and
- No use on Bank Holidays.

This is a notable increase in hours of possible operation over the existing restrictive condition. Furthermore, the use of the premises by external clubs/local residents would intensify the use of the outdoor game areas.

Whilst Sport England's desire for the facilities to be made available for longer hours is acknowledged, it must be noted that the school is located in a predominantly residential area and is bounded by residential properties on all sides, albeit for the road which provides some separation distance between the school and properties directly opposite. Use of the outdoor facilities until 21:00 at night, in addition to associated late vehicle and pedestrian activity as users depart the site at this time, could give rise to unreasonable levels of noise and disturbance, which could affect residential amenity. Accordingly, it is considered that an appropriate balance must be struck between maximising the sporting use of the site and safeguarding residential amenity.

It is also noted that, in reality, the absence of floodlights at the school site would deem use until 21:00 impractical in any case for a significant portion of the year. It is noted that the information submitted references the submission of a separate application for floodlighting but it should be emphasised that this does not form part of the current application submission. This is a matter which would be considered in full as part of a separate application submission.

Notably, the Council has allowed for hours of use beyond 21:00 in residential areas. At the nearby Northwood School, Potter Street, the community use permitted in connection with application references 12850/APP/2014/4469 and 12850/APP/2013/1810 allows for hours of use until 22:00 on weekdays and 19:00 on weekends. Under the current application submission, the Council's Noise

Specialist has also advised that the proposed outside activity operating during the day has low noise nuisance risk.

It is noted that residents have raised concerns with regard to the use of the all weather playing surfaces in the evening hours. Specifically, there are concerns over shouting, whistling and use of megaphones. Officers appreciate that these are noises which are an inevitable product of sports. The information submitted notes that all community users would have to agree to a written code of conduct before using the school facilities. Notwithstanding, it is considered necessary and reasonable to secure a Noise Mitigation and Management Plan by condition prior to the use of the playing surfaces during evening hours. This should set out how organisers of sports at the school would operate in order to best reduce noise impacts during the evening hours.

Given the above considerations, subject to necessary planning conditions, the proposed extended hours of use would not be considered to pose an unacceptable impact on neighbouring residential amenity sufficient to support a robust reason for refusal in an appeal scenario.

7.09 Living conditions for future occupiers

Not applicable to the consideration of the application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The site is located on Maxwell Road. Based on TfL's WebCAT planning tool, the site has a PTAL rating of 2. This indicates that access to public transport is low and that there is a dependency on the private car for trip making to and from the site.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity. This should be viewed in conjunction with Policies T6 and T6.1 of the London Plan (2021).

Paragraph 111 of the NPPF (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is supported by Policy T4 of the London Plan (2021).

This application seeks permission to vary Conditions 12 (All-Weather Pitch Hours of Use) and 13 (All-Weather Pitch Restriction of Use) of planning permission ref. 2082/APP/2007/1411 to change the permitted operating hours and use of the all-weather pitch.

Car Parking:

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Northwood College currently provides 43 no. car parking spaces within the bounds of the school.

It is noted that extracurricular activities would now be made available to the wider community for 7 days per week. The proposed extended hours of extracurricular activity from Monday to Friday (17:00 to 21:00) have been arranged so as not to overlap or interfere with normal weekday daytime school operations. Saturday periods of use are to remain as previously consented (09.00 to 18.00) whilst Sunday use would be between 10.00 to 16.00.

The applicant has submitted that the likely peak level of attendance related to the netball pitches, this being the most intensive use of the pitches, would generate 14 players per pitch. It has been estimated by way of census data, that in terms of modal share, up to 50% of patrons would travel to and from the site via private motor transport generating in the region of a 14 car attendances plus several associated with referees/organisers and typically nominal viewing attendees when both pitches are active. This level of demand would be within the available capacity of the on-site parking provision which totals 43 spaces and would cater for consecutive hour overlapping match attendee parking demand.

The 50% modal share is considered to be robust by the Council's Highways Officer as it would take into account car sharing, trips made by mini-bus and attendance by sustainable means such as walking and use of public transport.

A schedule of activities at the site has also been submitted as part of a Transport Statement Addendum document which accounts for all other activities that would take place on site, not just the activities that would take place in connection with the MUGAs / all-weather pitches. This includes the sports hall, swimming pool, tennis courts, sports field, fitness suite, dance studio and recital hall.

By combining the existing and proposed numbers, based on the assumptions that 66% travel by car, 50% of which car share, on a weekday between the hours of 5pm and 11pm, it is likely that the accumulation of parking spaces on site would only exceed the 43 spaces available once between the hours of 7pm and 8pm. It is also understood that the exceedance would not be significant, estimated to be only 1 parking space.

Based on the above considerations, the Council's Highways Officer concludes that the proposal, alongside other existing out of school hour uses, can be facilitated by the car parking provisions on site in combination with sustainable travel provisions. Any overspill onto the local highway network would be negligible. As such, the proposal is not considered have an unacceptable impact on highway safety or severe cumulative impact on the road network. As per paragraph 111 of the NPPF (2021), development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Officers do not consider a reason for refusal based on highway safety impact or residual cumulative impacts on the road network to be reasonable, robust or defensible in an appeal scenario.

Cycle Parking:

The school currently provides 18 cycle parking spaces at the site. No additional cycle parking is

proposed as part of this application.

Community Use Agreement:

An existing Community Use Agreement (CUA) has been submitted for a previous separate permission (2082/APP/2017/2086) on the school site. If recommended for approval, an updated Community Use Agreement would be secured by planning condition which directly applies to the subject All-Weather pitches.

Travel Plan:

An updated school travel plan based on one produced for the provision of a new science block (2082/APP/2019/4091 - Condition 16) has been submitted and takes into account the current proposal for the extended community use. If recommended for approval, a final detailed travel plan shall be secured by a Section 106 legal agreement.

Pick-Up and Drop-Off Strategy:

The pick-up and drop-off strategy is to remain as existing.

Servicing and Delivery:

Servicing and delivery arrangements are to remain as existing.

Summary

Subject to conditions and a Section 106 legal agreement, the proposed development would not be considered to prejudice conditions on the local highways network, in accordance with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020) and Policies T4 and T7 of the London Plan (2021).

7.11 Urban design, access and security

URBAN DESIGN

Please see Section 07.07 of the report.

SECURITY

Matters relating to security have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.12 Disabled access

Policy D5 of the London Plan (2021) requires development proposals should achieve the highest standards of accessible and inclusive design.

The physical arrangement of the site has already been established as acceptable in accessibility terms under the original planning permission (ref. 2082/APP/2007/1411). The school site provides accessible toilet facilities within the Sports Hall. Changing room facilities are provided for the swimming pool but these would not be accessible to users of the sports pitches. A total of 2 no.

accessible car parking spaces are also provided within the school car park. For these reasons, the proposal is not considered contrary to Policy D5 of the London Plan (2021).

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of the application.

7.14 Trees, Landscaping and Ecology

TREES AND LANDSCAPING

Matters relating to trees and landscaping have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

ECOLOGY

The Haste Hill & Northwood Golf Courses and Northwood Cemetery Nature Conservation Site of Grade 2 importance is designated circa 150m to the south-west.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

A Preliminary Ecological Appraisal has been submitted as part of the application. The report identifies that the buildings and tree close to the sports pitches are suitable for birds and bats. Mitigation measures would be required if floodlighting was proposed. As previously noted, the current application does not include floodlighting and therefore does not form part of the consideration of this application.

With regard to noise impacts on local ecology, it is noted that the noise environment is already inclusive of the school operation which includes the regular use of the sports pitches. As such, the proposal to extend the access of the pitches to the local community and extend the hours of use to the early evening is not considered to have a detrimental impact with respect to local ecology.

7.15 Sustainable waste management

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection.

The Transport Statement submitted confirms that there will be no change to the existing servicing and refuse collection arrangement as a result of these proposals.

7.16 Renewable energy / Sustainability

Matters relating to energy have already been established by grant of original permission and there has been no material change in site circumstances to suggest that the previous assessment is no longer valid.

7.17 Flooding or Drainage Issues

Matters relating to flood and water management have already been established by grant of original

permission and there has been no material change in site circumstances to suggest that the previous assessment is no longer valid.

7.18 Noise or Air Quality Issues

NOISE

Please see Section 07.08 of the report.

AIR QUALITY

Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors. Policy SI 1 of the London Plan (2021) further supports this.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The Northwood West Air Quality Focus Area is located a short distance to the west (circa 60m) and the Northwood East Air Quality Focus Area is located further away to the east (circa 700m). These are areas that exceed the EU annual mean limit value for nitrogen dioxide (NO₂), have high human exposure and current planned measures are insufficient to resolve the poor air quality issues.

As confirmed by the Council's Air Quality Officer, the proposed development would contribute to the production of unacceptable pollutant emissions in the Northwood West Air Quality Focus Area and the Northwood East Air Quality Focus Area. Calculations undertaken by the Council's Air Quality Officer indicate that the development is not air quality neutral. Further, the proposed development is not air quality positive and the measures proposed are not sufficient to mitigate the total emissions.

The damage cost is calculated to equal £14,378 and is discounted by 15% in view of the proposed travel plan, equalling £12,222. If recommended for approval, this contribution would be secured by a Section 106 legal agreement, ensuring compliance with Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) and Policy SI 1 of the London Plan (2021).

7.19 Comments on Public Consultations

Please see Section 06.1 of the report.

7.20 Planning Obligations

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure

requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis:

- i) to secure the provision of affordable housing in relation to residential development schemes;
- ii) where a development has infrastructure needs that are not addressed through CIL; and
- iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

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

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

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

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

- i) Travel Plan: A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include such as matters as: targets for sustainable travel arrangements; effective measures for the ongoing monitoring of the Travel Plan; and a commitment to delivering the Travel Plan objectives.
- ii) Air Quality Contribution: A financial contribution equal to £12,222 shall be paid to the Council to address the air quality impacts of the proposed development.
- iii) Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Please be advised that as from 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100m² or more will be liable for the Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. The liability payable will be equal to £60 per square metre (from April 2019). The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition development with additional floor area would represent Chargeable Development under the Hillingdon Community Infrastructure Levy, which came into effect on 1st August 2014.

The proposals do not include any additional floor area and as such the proposals are not liable to CIL.

7.21 Expediency of enforcement action

Not applicable to the consideration of the application.

7.22 Other Issues

SECTION 73 CONDITIONS

The original planning permission will continue to exist separate to the outcome of the application under section 73. The conditions imposed on the original permission still have effect unless they have been discharged. In granting permission under section 73 the local planning authority may also impose new conditions - provided the conditions do not materially alter the development that was subject to the original permission and are conditions which could have been imposed on the earlier planning permission. Decision notices for the grant of planning permission under section 73 should set out all of the conditions imposed on the new permission, and restate the conditions imposed on earlier permissions that continue to have effect.

A number of conditions have been restated and amended and a number of conditions have not been restated as they no longer continue to have an effect.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The principle of the use of the all-weather sports surfaces in this location has already been established by grant of planning permission under application reference 2082/APP/2007/1411, the only difference being that the pitches would be used for extended hours and by members of the community as well as the school. Community use of such facilities would provide a public benefit and is supported by regional and local plan policies. The proposal is supported in principle.

Officers are aware that the Council has allowed for hours of use beyond 21:00 in residential areas, including the nearby Northwood School, Potter Street, which allows for hours of use until 22:00 on weekdays and 19:00 on weekends. Under the current application submission, the Council's Noise Specialist has also advised that the proposed outside activity operating during the day has low noise nuisance risk. Notwithstanding, it is considered necessary and reasonable to secure a Noise Mitigation and Management Plan by condition prior to the use of the playing surfaces during evening hours. This should set out how organisers of sports at the school would operate in order to best reduce noise impacts during the evening hours. Subject to such a condition, the proposed extended hours of use would not be considered to pose an unacceptable impact on neighbouring residential amenity sufficient to support a robust reason for refusal in an appeal scenario.

A schedule of activities at the site has also been submitted as part of a Transport Statement Addendum document which accounts for all other activities that would take place on site, not just the activities that would take place in connection with the MUGAs / all-weather pitch. This includes the sports hall, swimming pool, tennis courts, sports field, fitness suite, dance studio and recital hall. Taking this into consideration, the Highway Authority conclude that the proposal, alongside other existing out of school hour uses, can be facilitated by the car parking provisions on site in combination with sustainable travel provisions. Any overspill onto the local highway network would be

negligible. As such, the proposal is considered to have an acceptable highway safety and would not have a severe cumulative impact on the road network. Officers do not consider a reason for refusal based on highway safety impact or residual cumulative impacts on the road network to be reasonable, robust or defensible in an appeal scenario.

Subject to the planning conditions and obligations to be secured by legal agreement, the proposed development is considered acceptable with respect to its impact on neighbour amenity, the local highway network, accessibility, security, landscaping, ecology, waste and noise. For the reasons set out within the main body of the report, the proposal accords with the development plan when read as a whole.

Subject to planning conditions and legal agreement, this application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

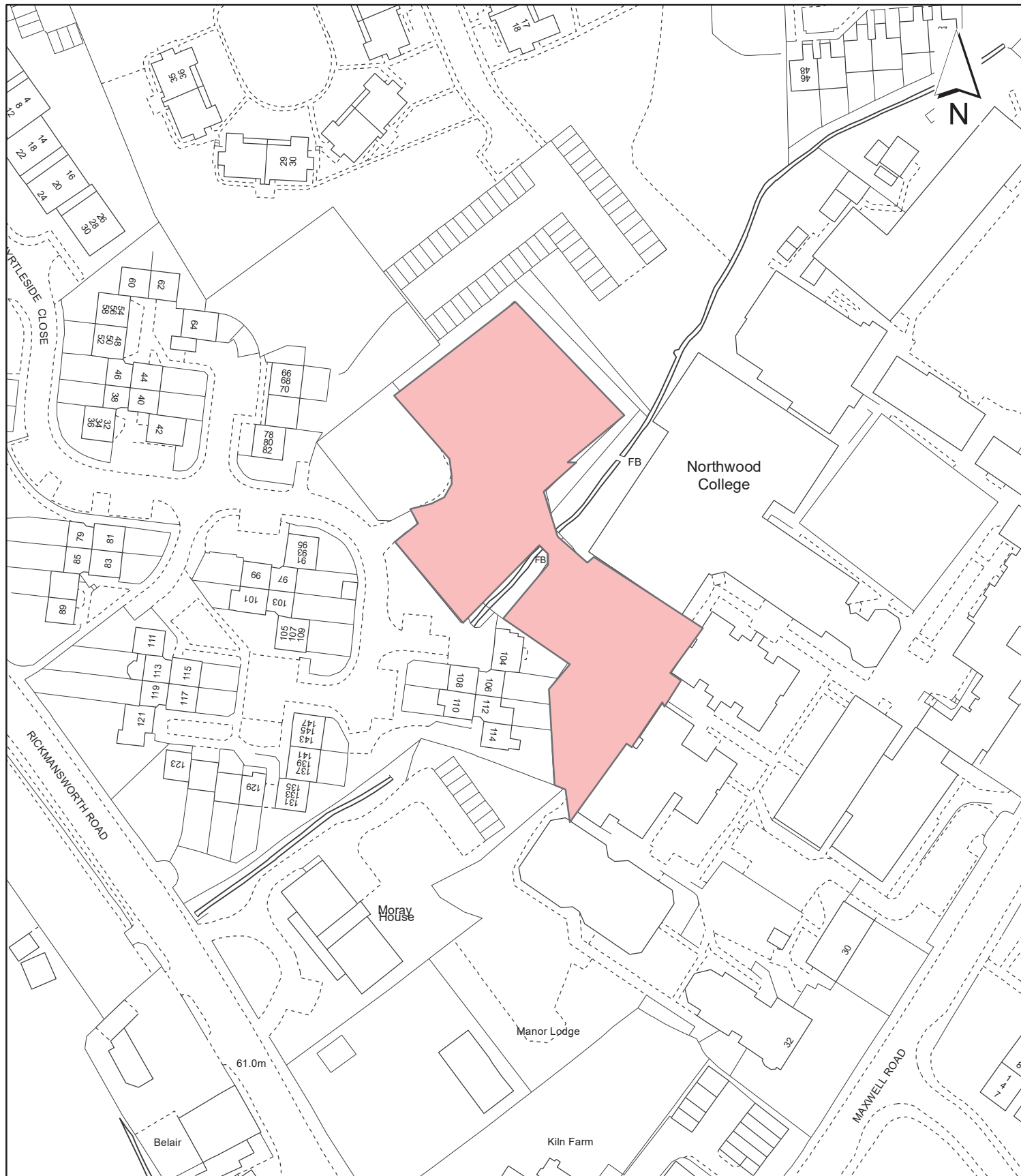
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

London Borough of Hillingdon Open Space Strategy 2011-2026 (July 2011)

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Notes:

 Site boundary

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Site Address:

**Northwood College
Educational Foundation,
Maxwell Road**

Planning Application Ref:

2082/APP/2023/516

Planning Committee:

Major

Scale:

1:1,250

Date:

July 2023

**LONDON BOROUGH
OF HILLINGDON**
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