

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2009/1568

Ward: Fortis Green

Date received: 16/09/2009

Last amended date: N / A

Drawing number of plans: DL(0)01 rev C4; 135-PL-02

Address: TreeHouse School, Woodside Avenue N10

Proposal: Construction of a non-floodlit Multi Use Games Area (MUGA) enclosed by 3.6m high metal weldmesh fencing

Existing Use: D1 (Non-Residential Institutions)/ Education

Proposed Use: D1 (Non-Residential Institutions)/ Education

Applicant: Ms Margaret Malcolm

Ownership: Private

PLANNING DESIGNATIONS

Conservation area

Road Network: Classified Road

Officer Contact: Matthew Gunning

RECOMMENDATION

GRANT PERMISSION subject to conditions

SITE AND SURROUNDINGS

TreeHouse School is a purpose built school and centre for autism education (3,670 square metres in size) consisting of sixteen classrooms, a general purpose hall, science, food technology, music and drama rooms, seminar room and other ancillary facilities. The school is almost full with a capacity of 75 pupils attending.

The application site is 1.6 hectares in size and is located on the northern side of Woodside Avenue, bounded by Tetherdown School to the north, an access road/ pedestrian way to the west beyond which is Fortis Green Allotment Gardens. The site is bounded to the east by St. Luke's Woodside Hospital. The site is within Muswell Hill Conservation Area.

PLANNING HISTORY

HGY/2005/1787 - Construction of two storey school building with play areas, sports pitch, access road, drop off area and car parking (Revised Scheme) – Approved 13-12-05

HGY/2009/0677 - Construction of multi use games area enclosed by 4.5m high metal weldmesh fencing, together with 4 x 8m high floodlights. (Amended Description). – Withdrawn 01-07-09

DETAILS OF PROPOSAL

The proposal is for the construction of a non-floodlit Multi Use Games Area (MUGA) enclosed by 3.6m high metal weldmesh fencing. This MUGA will sit in the same position as a grass pitch initially proposed in the 2005 application and agreed in the Unilateral Planning Obligation accompanying this application.

The school points out that a grass pitch would have limited use throughout the year and that a MUGA would enable year round access to outdoor sports facilities for the children attending and for whom travelling to other facilities can be problematic requiring very high staffing ratios. A MUGA could also be used for a wider array of sports, in addition to football. The school argue that access to a safe multipurpose sports facility will provide an invaluable resource to the children attending the school.

The use of MUGA will be largely restricted to children and young people and TreeHouse staff. The hours of operation will be restricted to Monday to Saturday 9am to 6pm with no use on Sunday.

CONSULTATION

Neighbour Notification

41-51 (odd), 70-88 (even) Pumping Station, 85, 87
St.James CE Primary School, St Lukes Woodside Hospital, Woodside Avenue, N10
1-10(c) Holt Close, N10
75 Lancaster Road, N6
54, 56, 58, 63-91 (odd) Fordington Road, N6
2, 10-56 (even) Lauradale Road, N2
2 Lynmouth Road, N2
44-60 (even) Grand Avenue, N10
63-75(odd) Collingwood Avenue, N10
51, 76-88(even) Woodside Avenue, N10
53-67(even) Grand Avenue, N10
85, 87 Woodside Avenue, N10
Fortis Green Reservoir, Southern Road, N2
Tetherdown P.S, Grand Avenue, N10
Pumping Station, Woodside Avenue, N10

Internal/External Consultation

LBH Noise and Pollution
LBH Nature Conservation
LBH Conservation Team
Ward Councillors
Muswell Hill / Fortis Green Residents Association
Muswell Hill / Fortis Green CAAC

RESPONSES

Letters of objection/ concern have been received from the residents of the following properties: No's 51, 82, 84, 87, 88 Woodside Avenue; 63, 67 Collingwood Avenue; 3, 4, 8 Holt Close; 12, 27, 35, 46, 56, 58 60, 61 Grand Avenue; 63 Fordington Road, 5, 6 Holt Close; 12 Lauradale Road; 48 Friary Road N12, and 28a Eastern Road. These objections are summarised as follows:

- Unreasonable noise disturbance/ particularly in summer months;
- Loss of peace and quiet to adjoining gardens during after school hours;
- Objection to after school hours and weekend use;
- Already a substantial increase in noise from TreeHouse school;
- Objection to the wider school site being in use when MUGA is in operation;
- Should not be permitted after 6pm Monday -Friday or after 1pm on Saturday and Sunday;
- No restriction of hours of use;
- Need for strict conditions to be imposed (on hours of operation, on preventing Sunday operation, and on the ability of the Council to assess noise pollution);
- The facility will be used on a commercial basis;
- Request that the MUGA is not used after 6pm and no use during weekends;
- Impact on drainage infrastructure;
- Impact on car parking/ spillage onto Woodside Avenue./ increased traffic;
- Impact on commuting route for bats/ roosting habitat for species.

Letters of support have been received from the residents of the following properties: No's 82 Leghorn Road, NW10; 42 Fordington Road; 26 Collingwood Avenue; 231 Goldhurst Terrace; 1 Thornton Road High Barnett; 46 Dartmouth Park NW5; 5A Dukes Avenue; 79 Wellington Street Hertford; 27 Chatterton Road N4, 195 Alexandra Park Road; and 52 Hornsey Lane Gardens. who support the application on the grounds that:

- Some have children attending the school;
- Sports facilities are important for the physical/ psychological development of the children attending the school/ Need for team games;
- The area has a shortage of all- weather pitches.

Muswell Hill and Fortis Green Association – Their letter is summarised below:

- Are pleased to see that floodlighting is no longer proposed and the height of the metal fencing around the pitch has been reduced in height;
- Have concern about the use of the pitch at weekends in terms of disturbance to local residents;
- As the pitch is to be used by "the wider autistic community" it is suggested that specific hours of use should be considered as the term "daylight " would allow use over very long days in summer;
- Unreasonable disturbance and more traffic and parking difficulties at normally quiet periods;
- The metal fencing would be less obtrusive (or more recessive) if it were to be black rather than green.

RELEVANT PLANNING POLICY

National Planning Policy

PPG17 Planning for Open Space Sport and Recreation' (2002):
PPG 24 'Planning and Noise'

London Plan

3D.14 Biodiversity and nature conservation

Unitary Development Plan 2006

G9 Community Well Being
UD3 General Principles
UD4 Quality Design
ENV2 Surface Water Runoff
ENV6 Noise Pollution
CLT1 Provision of New Facilities
OS3 Significant Local Open Land (SLOL)
OS11 Biodiversity
OS13 Playing Fields
OS17 Tree Protection, Tree Masses and Spines
M10 Parking for Development
CSV1 Development in Conservation Areas
CSV5 Alterations and Extensions in Conservation Areas

Supplementary Planning Guidance

SPG8d Biodiversity, Landscape & Trees
SPG2 Conservation & Archaeology

Other

Planning Policy Statement 'A Sporting Future for the Playing Fields of England'

Sport England

Sport England 'A guide to the Design, Specification and Construction of Multi Use Games Areas (MUGAs) including Multi Sport Synthetic Turf Pitches (STPs) Parts 1, 2, 3'

ANALYSIS/ASSESSMENT OF THE APPLICATION

Background

This application follows on from a recent and similar application for the construction of MUGA to be enclosed by 4.5m high metal weldmesh fencing, together with 4 x 8m high floodlights. This application was withdrawn by the applicant. As outlined above the 2005 application included the provision of a junior sports pitch, for use by TreeHouse and two nearby primary schools (St James and Tetherdown School).

In assessing the recently withdrawn application the Local Planning Authority (LPA) considered the 4.5m fencing and 4 x 8m floodlights would have a detrimental impact on the character and setting of the Conservation Area in both spatial and visual terms. In addition the LPA considered that the proposed floodlit play facility did not appropriately address the potential impacts on the nature conservation and ecological value of the site. Finally, by virtue of the fact the MUGA could have been potentially used during the evening and weekends, the LPA considered the proposal could cumulatively lead to unreasonable noise disturbance.

In terms of this application the principal issues are considered to be: (1) the principle of development and its impact on land designated as Significant Local Open Land (SLOL), (2) the design, layout and operation use of the proposed MUGA; (3) impact on the residential amenity of nearby residents; (4) impact on visual amenity and on the character and appearance of the Conservation Area; (5) impact on ecology and (6) impact on car parking and traffic generation.

Principal of the Proposal/ Development on Significant Local Open Land (SLOL)

The principal of providing a junior sports pitch, for use by TreeHouse and two nearby primary schools (St James and Tetherdown School) was established in 2005 consent. In the response from Greater London Authority (GLA) on the proposal to develop the site the Mayor's office responded and stated that:

"The provision of a sports pitch for use by two local primary schools will prove a qualitative improvement and help increase recreational open space provision in the areas. In this context, the proposals will bring improvements to this piece of open space and will provide wider recreational benefits to the local school community, and therefore does not raise strategic concerns".

Policy OS5 states that development will not be permitted on SLOL,

- unless it is ancillary to the use of the open space;
- small in scale;
- it does not detract from the site's open nature and character;
- it is required to enhance activities associated with the particular open nature and character;
- and it positively contributes to the setting and quality of the open space.

Bearing in mind that within National and local planning policy on Metropolitan Open Land (MOL) there is a general presumption that essential facilities for outdoor sports or recreation are considered acceptable on MOL site, the principle of essential facilities for outdoor sports or recreation would also be considered acceptable on SLOL, which as a designation fall below MOL designation, MOL being of strategic importance while SLOL is of local importance.

In this case the proposed MUGA is ancillary to existing use on site, is small in scale, will not detract from the site's open nature and character and will incorporate additional landscaping to contribute to the setting, quality and ecological value of the open space.

Design, Layout and Use

The MUGA will be situated away from main building to the west of the site, set back approximately 19m from Woodside Avenue and set in 3m from the access route which runs along the side of Fortis Green Allotment Gardens. The MUGA will be 34m x24 m. The MUGA will be enclosed by way of a 3.6m green powder coated weldmesh fence, with 200mm x 50mm gauge. The green powder coating will help blend the facility into its surroundings.

The MUGA will have a permeable polymeric surface which will be green in colour. This free draining, robust surface will ensure that year round use is possible. The surface is formed by mixing re-cycled black rubber crumb with a polyurethane binder and casting this onto the surface in a layer 15mm thick, laid on an engineered porous macadam base. The entire depth of construction will be permeable and also has the ability to store water before passing into an under pitch drainage system and from the to the school's attenuation facilities. No external floodlighting is proposed as part of the proposal.

The main use of the facility will be during the school day by TreeHouse pupils with some slots offered to the neighbouring primary schools. A gate will be installed so that Tetherdown pupils may have direct access between the two sites. The applicants, TreeHouse, state that they are currently in the process of developing an extended day provision for the wider autism community within Haringey and neighbouring boroughs and the MUGA facility will be a pivotal and essential resource for this.

Impact on Residential Amenity

As outlined above the LPA have received a significant number of objections from local residents who raise concern that the operational use of this part of the site as a MUGA would lead to more activity and noise and disturbance, which in turn would have a detrimental affect on their residential amenity. The nature of the proposal has changed from the last submitted scheme in that no external floodlighting is proposed and as such the operating times of the MUGA will be more restricted.

The closest residential property to the MUGA is No 88 Woodside Avenue (approximately 50m away) located diagonally opposite on the southern side of Woodside Avenue. The closest property on Grand Avenue is 105m away.

Bearing in mind the site of the proposed MUGA already has planning permission for a grass games pitch under the permitted 2005 scheme and bearing in mind the background noise associated with the two schools and associated playgrounds within close proximity as well as the background noise associated with the traffic along Woodside Avenue, it is considered that general daytime use of the MUGA would not result in unreasonable additional noise disturbance to nearby residents from that which could be generated through the permitted use as a grassed pitch. There is some screening inside the boundary of the site with Woodside Avenue which will be enhanced and will help mitigate its impact.

The distance between the MUGA and the nearest properties are in excess of Sport England's guidance, which recommends a distance of 30 metres between a residential property (actual dwelling) and a MUGA.

Overall it is considered subject to an appropriate condition restricting the hours of use, the proposed daytime use of the MUGA will not adversely impact the residential amenity of nearby residents.

Visual Impact/ Impact on the Conservation Area

As pointed out above the MUGA will be enclosed by way of a 3.6m green powder coated weldmesh fence which is needed to prevent balls leaving the court. The MUGA will be set in from the boundaries of the site, in particular with Woodside Avenue and as indicated by the applicant they are willing to incorporate additional screening on the south side of the site.

In addition the applicant proposes to include hedging to be planted immediately adjacent to the MUGA. This is most likely to be beech in keeping with other hedging on site. The grassed mounds included to the south of the site will also help soften the visual impact when viewed from Woodside Avenue.

As such it is considered that a 3.6m fence would not have a dominating affect on the character and setting of the site or the character and appearance of this part of the Conservation Area.

Nature Conservation

This site is designated within the Council's Unitary Development Plan (2006) as being 'Significant Local Open Land' and a Borough 'Grade II Ecologically Valuable Site'

A Phase 1 habitat survey and protected species assessment has been undertaken in connection with this application. In terms of biodiversity, the most important parts of the site are the northern and eastern edges, where the woodland is best developed and includes some fine mature trees and which have been largely retained in the construction of the new school building.

The part of the site on which the MUGA will sit was formerly occupied by rather 'sterile' grass of a disused playing field, and as the surveys carried out before the granting of permission for the new school pointed out did not provide much variety of flora and fauna. This part of the site is now grassed but is of low intrinsic wildlife interest, given that the landscaping is less than 12 months old and has not yet fully established. The MUGA will result in the loss of part of this grassland however a larger area of similar grassland will remain. The removal of the floodlighting will mean that no adverse impact will occur to the habitats with the potential to support nesting birds or roosting bats across the site.

Overall it is considered that the proposal will have no detrimental impact on the nature conservation/ ecological value of this part of the site and as such the proposal is not considered to be contrary to policy OS6.

Traffic and Car Parking

Some objection letters received have expressed concern about additional traffic generation, congestion and parking difficulties for local residents along Woodside Avenue. There are currently 31 car parking spaces on site.

Given this MUGA facility will be largely used in conjunction with the TreeHouse school with some slots offered to the neighbouring primary schools, the regular day time use of the proposal will not lead to additional traffic generation. While TreeHouse seek to provide an extended day provision for the wider autism community within Haringey and neighbouring boroughs, the traffic generated by such a use can be accommodated within the car park of the school during outside of school hours use. Also given the proposal only relates to one MUGA (a 5 side court as opposed to a full size court), this in itself will limit demand and associated traffic generation/ car parking demand.

Controls over the operating hours of the MUGA will ensure that traffic movements associated with the use of the facility will not extend late into the evening and therefore adversely affect residential amenity of nearby residents.

SUMMARY AND CONCLUSION

The proposed multi use games area as per the amended scheme is now considered acceptable in terms of its siting, layout and operational use and will be compatible with the established use of this site. Given its siting the proposal will not detract from the character and setting of the Conservation Area, nor adversely impact the ecological value of the site. The proposed development will provide an important outdoor recreation facility for children and young people; in particular the children in the adjoining schools. As such the proposal is considered to be in accordance with Policies G9 'Community Well Being', UD3 'General Principles', UD4 'Quality Design', ENV6 'Noise Pollution', OS3 'Significant Local Open Land (SLOL)', OS11 'Biodiversity', OS13 'Playing Fields', OS6 'Ecologically Valuable Sites and their Corridors', and CSV1 'Development in Conservation Areas' of the adopted Haringey Unitary Development Plan (2006). Given the above this application is recommended for APPROVAL.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2009/1568

Applicant's drawing No.(s) DL(0)01 rev C4; 135-PL-02

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. A scheme for native tree/shrub planting around the proposed MUGA (including details of species, number, size, location and density) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved tree planting shall be completed within the first planting season following completion of the development approved. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

4. The MUGA shall not be used other than between the hours of 09.00 and 18.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site.

5. No floodlighting or other form of external lighting, temporary or permanent, shall be installed in connection with the development hereby approved as such works would require the express consent of the Local Planning Authority.

Reason: In the interest of safeguarding local amenity and the character of the Metropolitan Open Lane.

6. The secondary recreational garden to the rear of TreeHouse School and adjoining the rear gardens of No's 52 to 60 Grand Avenue, and as shown on Drawing 135-PL-03 shall not be used outside of normal school hours.

Reason: To protect residential amenity of adjoining residents and to ensure that the additional activity on site arising from this consent, and taking place outside normal school hours, is confined to the front of the site.

REASONS FOR APPROVAL

The proposed multi use games area as per the amended scheme is now considered acceptable in terms of its siting, layout and operational use and will be compatible with the established use of this site. Given its siting the proposal will not detract from the character and setting of the Conservation Area, nor adversely impact the ecological value of the site. The proposed development will provide an important outdoor recreation facility for children and young people; in particular the children in the adjoining schools. As such the proposal is considered to be in accordance with Policies G9 'Community Well Being', UD3 'General Principles', UD4 'Quality Design', ENV6 'Noise Pollution', OS3 'Significant Local Open Land (SLOL)', OS11 'Biodiversity', OS13 'Playing Fields', OS6 'Ecologically Valuable Sites and their Corridors', and CSV1 'Development in Conservation Areas' of the adopted Haringey Unitary Development Plan (2006).