

SUMMARY OF REPORT:

The current proposal is for the renewal of a previous consent issued in 2009 for the creation of 6 x multi use games areas (MUGA) and two tennis courts to be enclosed by 4 meters high close netted wire fencing. Since the approval of this previous application there has been no overriding change to National, London and Local Planning Policy. There is one material considered to take into account, namely in November 2011 permission was granted (on appeal) for the erection of 8 x 12m high flood lights in association with the approved scheme. The scheme however in terms of its scale, layout and design is still considered acceptable and compatible with the established use of this site. The proposal will not adversely affect the residential amenities of the nearby residents by reason of noise or disturbance and the traffic impact associated with the development will not adversely affect adjoining roads network.

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2.0 IMAGES



Existing Site Layout



View within the site (showing pavilion structure along western boundary)



Existing Pavilion Structure

3.0 SITE AND SURROUNDINGS

- 3.1 The application site is located within the grounds formerly known as North Middlesex, Lawn Tennis and Bowls Club which is accessed off Park Road. The site comprises of a large clubhouse with an associated car park located to the northern part of the site. The site is largely dominated by the cricket pitch, however along the western boundary of the site there are three tennis courts and a bowling green with an associated pavilion building which is no longer actively used and are in a state of disrepair. The cricket pitch and clubhouse are actively used by North Middlesex Cricket Club.
- 3.2 The northern boundary of the site is bounded by the rear gardens of the properties on Cranley Gardens, while along the eastern boundary the site adjoins the rear gardens of Nos 171-191 Park Road. There is a footpath along the southern boundary which links Wood Vale and Park Road. Along the western boundary there are a number of tennis courts. The application site falls within land designated as Metropolitan Open Land (MOL). The site does not fall within a Conservation Area.

4.0 PLANNING HISTORY

HGY/1992/1034 – Erection of single storey pavilion extension to provide additional changing room facilities and replacement tennis clubhouse. – Approved 13/04/1993

HGY/1995/1392 – Change of use from tennis clubhouse to function room/restaurant – Refused 20-02-96

HGY/2007/1710 – Retention of refrigeration unit and three air conditioning units – Refused 09-10-07

HGY/2007/2299 - Retention of three air-conditioning units –Approved 31/12/2007

HGY/2008/1743 - Change of use and Refurbishment of derelict storage building into Day Nursery Use Class (D1) – Refused 02-12-08

HGY/2007/1834 - Demolition of existing storage and erection of new nursery building – Refused 23-10-07

HGY/2008/0380- Retaining of two storage containers to boundary of cricket ground –Refused 08/04/2008

HGY/2008/1743 - Change of use and Refurbishment of derelict storage building into Day Nursery Use Class (D1). – Refused 02-12-08

HGY/2009/0723 - Creation of 6 x multi use games areas and two tennis courts together with close netted wire fence 4 meters high; new gravel footpath and 1

metre high retaining wall along with the insertion of 3 x underground rainwater collect and holding tanks. Placing of 10 x new seating benches and planting of trees and refurbishment of existing building into changing rooms – Approved 23/09/2009

HGY/2010/2176 - Erection of 8 x 15.24m poles with illumination lighting – Refused 01/03/2011 - Allowed on appeal 23/11/2011

5.0 RELEVANT PLANNING POLICY

5.1 National Planning Policy Framework

The NPPF was formally published on 27th March 2012. This document sets out the Government’s planning policies for England and supersedes the previous Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs). This policy document states that “access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.” (Para.73).

5.2 London Plan 2011

Policy 7.17 Metropolitan Open Land
Policy 7.19 Biodiversity and access to nature

5.3 Haringey’s Local Plan; Strategic Policies (formerly the Core Strategy - Draft 2012

SP13 Open Space and Biodiversity

States that “New development shall protect and improve Haringey’s parks and open spaces” and new development shall:

- Secure improvements, enhancement and management in both quality and access to existing green spaces;
- Seek to secure opportunities for additional publicly accessible open space

SP15 Culture and Leisure

States that “the Council will safeguard and foster the borough’s existing recreational and sporting facilities through:

- The protection and enhancement of sporting and leisure facilities in areas of deficiency; and
- The dual use of the borough’s cultural assets, such as land and buildings to meet the needs of local communities”.

SP16 Community Facilities

States that “the Council will work with its partners to ensure that appropriate improvement and enhancements, and where possible, protection of community facilities and services are provided for Haringey’s communities”.

5.4 Unitary Development Plan 2006

- G9 Community Well Being
- UD3 General Principles
- UD4 Quality Design
- ENV2 Surface Water Runoff
- ENV6 Noise Pollution
- ENV7 Air, Water & Light Pollution
- CLT1 Provision of New Facilities
- OS2 Metropolitan Open Land (MOL)
- OS11 Biodiversity
- OS13 Playing Fields
- OS17 Tree Protection, Tree Masses and Spines
- M6 Road Hierarchy
- M10 Parking for Development

5.5 Supplementary Planning Guidance

SPG8d Biodiversity, Landscape & Trees

5.6 Other

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

6.0 **CONSULTATION**

Statutory	Internal	External
Sports England	Transportation Ward Councillors	<u>Amenity Groups</u> CREOS - Crouch End Open Space Cranley Gardens Residents Association <u>Local Residents</u> 171-191 Park Road 119- 185 Cranley Gardens 1-35a Wood Vale

7.0 **RESPONSES**

Transportation

- 7.1 The highway and transportation comments made in relation to previously approved application HGY/2009/0723 highlighted concerns regarding lack of designated disabled parking bays, lack of cycle storage and the narrow width of the access onto Park Road. However, it has been noted that the above concerns were addressed via the imposition of appropriate conditions upon the previous decision notice. As this is the case the highway and transportation authority would not wish to object to the above application for renewal of permission subject to the re-imposition of the conditions as

1. Prior to development commencing details of the number of, type, finish and location of 20 secure cycle stands as well as 2 disabled car parking spaces shall be submitted to and approved in writing by the Local Planning Authority and thereafter provided in accordance with the approved details

Reason: To ensure satisfactory facilities for cyclists and adequate disabled parking provision.

2. No part of the development hereby permitted shall be brought into use until works to create a 4.1metres-wide access onto Park Road, which would allow entering and exiting vehicles to pass each other, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented.

Reason: To minimise vehicular conflict and conflict of vehicles with pedestrians/cyclists and to ensure highway safety at this location

Sports England

- 7.2 The principle of the development has already been established by the HGY/2009/0723 planning application. The current application is to extend the time limit for the implementation. This being the case, Sport England does not wish to raise an objection to this application.

- 7.3 The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grant funding. If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

CREOS - Crouch End Open Space (Crouch End Playing Fields Protection Society)

- 7.4 "The original application had been extremely controversial and attracted an unusually high number of objections, including our own very detailed

objections. The behaviour of the applicants in intervening years and months has served to reinforce those original objections.

1. Despite forswearing any intention subsequently to seek permission for floodlighting for these new areas that is exactly what the applicants did. We therefore feel that the Committee and public were misled at that time and it would be wrong to reward such behaviour with a renewal of permission. London Borough of Haringey's commendable decision to turn down the floodlighting application was subsequently overturned by the Planning Inspectorate.
2. The Planning Inspectorate review of the later floodlighting application was seriously flawed and unsatisfactory (a copy of our letter of complaint to the Planning Inspectorate was copied to you). They admitted shortcomings in their conduct of that appeal but did not retract their decision.
3. In our view, the failure of the applicants to progress their first consent illustrates the speculative nature of the application. They are 'adding value' to their enterprise at the cost of drawn out uncertainty and blight to adjacent residents.
4. The site has fallen into considerable neglect during the current proprietorship. Boundary fencing is partially collapsed and potentially unsafe. Intruders are readily able to access the site and cause nuisance. There are unsightly accumulations of rubbish and junk and these also provide harbourage for pests. The fact that the Club is content to tolerate such conditions reflects very unfavourably on their commitment to the wider area and their neighbours. London Borough of Haringey might wish to consider action in this regard under s215 of the Town and Country Planning Act 1990.
5. As far as we are aware, the Club has failed to investigate the impact of their proposals on bat populations or other wildlife and the environment generally.
5. We query whether the 'tennis courts' required by London Borough of Haringey in place of one or two of the originally proposed multi-use games areas actually comply with Lawn Tennis Association guidelines on space standards. We believe they are just rectangular shaped areas and suspect that other uses will follow.
6. We remain of the view that the impact of traffic and parking on traffic flows in Park Road and resident parking availability in Cranley Gardens, N10 and other nearby residential roads will be severe. Park Road is a major and through route. There is inadequate parking provision on site. All of this will cause delays and congestion and may increase the likelihood of accidents.

For all the above reasons we would ask for this proposal to be remitted back to the Committee for public examination and would urge London Borough of Haringey to reject the application.”

Cllr Bloch

- 7.5 “On behalf of the councillors of Muswell Hill Ward I want to strongly object to this application. We totally back the comments made by CREOS so I will not repeat them save to say that by turning this application down the Council Planning Officers may redeem themselves in the eyes of the residents. This

application given the amount of resident opposition should definitely not be decided by delegated powers but should go to planning committee for decision.”

Local Residents

7.6 Letters of objection/ comment have been received from the residents of the following properties No's 169, 274 Park Road, No's 5, 17, 19, 23, 27, 36 Wood Vale, No 8 Connaught Gardens and No's 121, 167, 169, 171 Cranley Gardens. The objections are summarised as follows:

Traffic & Parking

- Significant increase in traffic;
- Already significant parking problems and road congestion in the area;
- No provision for extra parking;

Impact on Residential Amenity

- Additional pitches would produce an intolerable amount of noise and verbal abuse;
- Noise issues both from multiple games of football being played simultaneously and the social activities at the Pavillion which already cause noise disturbance for neighbours;
- Multi use games areas are inappropriate in this residential area because of the noise level generated;
- Existing problems of noise pollution associated with evening events (especially Friday evening/ night);
- Impact of bright lights on amenity of nearby residents;
- Nuisance to local residents from light, noise and traffic;
- Changing room development should be no higher than the building to avoid any visual intrusion;

Impact on Ecology

- Impact of this development on the wildlife that has colonised the area in recent years;
- Some area of undeveloped land should be left for wildlife in order to protect nocturnal species, we would want guarantees that the sports pitches, changing rooms or paths to them, would not be lit after dark and that noise would be kept to a minimum;
- Floodlit towers at this height are out of keeping with the area which is metropolitan open land and has a thriving wildlife population which will inevitably be disturbed by such bright lights;

Other

- The area is already exceptionally well provided for with sports facilities;

- The fact that they have not proceeded with the work suggests that there is no real demand for it;
- The area is designated as 'Metropolitan open space', and as such belongs to the public, meaning it would be unlawful to sell it to a private bidder or allow any development by anyone other than the parks department;

Gardens Residents' Association

- 7.7 The HGY/2012/1279 proposal is relevant to Cranley Gardens Residents' Association firstly because the MOL site directly abuts back gardens of Cranley Gardens houses, and secondly because the bottom end of Cranley Gardens would be adversely affected by increased parking pressure. Residents are concerned about both these aspects, and additionally are not convinced that the Pavilion has as many parking spaces as it indicated in its original application. Please would Haringey Council check this on the site visit, and if the proposal were allowed, ensure that adequate parking provision is required to be implemented on-site.
- 7.8 Residents of the houses abutting the 185a Park Road site are particularly concerned that the proposal would have an adverse impact on noise levels which would be detrimental to their enjoyment of their back gardens. Football is naturally a far noisier game than cricket or tennis. Local residents have already found this from the football sessions that sometimes take place at the site. The further aspect of noise problems will arise from people coming and going in the general area around the Pavilion.
- 7.9 The impact on local wildlife has not as far as Cranley Gardens Residents' Association is aware been adequately looked into. This is a neighbourhood with bats and owls. The proposal doesn't merit planning permission on grounds of need this time round as there is now ample equivalent provision elsewhere in the area, usually better sited than 185a Park Road, avoiding nuisance to residential properties. Schools for example have resources, and commercially there is a large PowerLeague nearby at Bobby Moore Way, London N10 which has an ideal site between other open land and a dual carriageway road, (the A406).
- 7.10 On account of all these factors we urge Haringey Council not to grant the 185a Park Road planning permission this time. If however the planning permission were to be extended at all, then constraining it by more imposing stringent conditions would help reduce the impact of the scheme. We suggest the following are incorporated in conditions:

1. Reduced evening operation time

Could the evening hours of operation to be reduced to not after 6.00pm so that local residents can enjoy at least some evening-time in their own homes and gardens in peace and quiet?

Reason: Otherwise, large numbers of local residents will have no peaceful daylight time in their gardens at all.

2. Augmented soft landscaping screening

Reason: Substantially thickening the natural barrier of bushes and trees to be planted would mitigate against the adverse impacts of this proposal on Cranley Gardens residents. A further effect of this is that it could also mitigate against any negative impact on wildlife.

High School

7.10 The head teacher of Heartlands High School writes in support of the application and explains that:

“As a new school we require the use of outdoor pitches and sports facilities. The school adjudicator highlighted these as conditions for the opening of the school. The planning application and proposals put forward by the Middlesex Club will have a direct impression upon young people within the community and for students from our school. We would like to enter an agreement with the club and this application would allow them to meet the requirements for our curriculum and out of hours use Furthermore with enhanced access after school we would be able to engage in activities that would enrich the experience of our young people. The local area has a deficit in facilities such as this and as a local resident and head it would make a significant difference and would be fully supported by governors”.

8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

8.1 Planning permission was granted in September 2009 for the following:

- creation of 6 x multi use games areas (MUGA) (which could be used for basketball, netball and football) and two tennis courts to be enclosed by 4 meters high close netted wire fence;
- creation of a new footpath and 1 metre high retaining wall;
- insertion of 3 x underground rainwater collect and holding tanks.
- placing of 10x new seating benches;
- planting of trees;
- and refurbishment of existing building along the western boundary of the site into changing rooms.

8.2 The scheme as approved in 2009 was amended from that initially submitted so as to maintain more open space and vegetation along the boundaries of the site. One of the large multi functional pitches has been lost with the introduction of two smaller tennis courts closer to the rear gardens of Cranley Gardens”.

8.3 In November 2011 permission was granted (on appeal) for the erection of 8 x 15.24m poles with illumination lighting. The LPA considered that the

floodlighting, even as amended, would be unacceptable, adversely affecting the residential amenities of those nearby and the character of the MOL, due to light pollution and the nuisance likely to arise from the additional hours and intensity of use.

- 8.4 A copy of the appeal decision is attached in Appendix 2. In this decision the Inspector states that “the sports ground is, in itself, fairly utilitarian: it is designed to be used for sporting activities: it lies beside similar facilities, some of which are floodlit, and in the midst of a city: and, no evidence is adduced to demonstrate that it has any special quality for the environment or wildlife”. The Inspector went on to say:

“on the contrary, parts of it are clearly run down and under-used. I think that the proposal might encourage its regeneration and, in galvanising more use of this local facility, enhance sporting and recreational opportunities for the health and benefit of the local community, including children and young people. I do not accept, therefore, that the floodlighting or the consequent use of the facilities proposed would seriously impair the character and environmental value of this open space”

- 8.5 In conclusion the Inspector states that he “found that this scheme would not seriously impair the character and environmental value of this open space nor spoil the amenities that neighbouring residents might reasonably expect to enjoy.

- 8.6 Condition 5 of this consent required that the floodlights be switched off at 18.00 hours and until 8.00 hours between October and March and at 20.00 hours and until 8.00 hours between April and September. Condition 6 of the 2009 application stated that the MUGA shall not be used other than between the hours of 08.00 and 18.00 during the winter months (October to March) and between the hours of 08.00 and 21.00 during the summer months (April-September). There is a slight difference (of 1 hour) therefore between the hours of use of the MUGA and the switching off the floodlight.

- 8.7 The current application is in effect a renewal of the previous 2009 consent. The details assessment of the planning issues was carried out as per the committee report prepared for planning reference: LPA HGY/2009/0723, attached in Appendix 3.

- 8.8 The Town and Country Planning (General Development Procedure (Amendment No.3) (England) Order 2009 which amended the Town and Country Planning (General Development Procedure) Order 1995 to allow extensions to extant permissions. The regulations came into effect on 1st October 2009.

- 8.9 While the PPG2 & 17 have been superseded by the National Planning Policy Framework and the London Plan has been revised since this previous application has been approved, there are no overriding changes in the Council’s policy position or no new material considerations to take account of.

The proposal is considered to be in accordance with Haringey's emerging Local Plan: Strategic Policies (April 2012).

- 8.10 The scale layout and design of the previously approved scheme is still considered acceptable and compatible with the established use of this site. The proposal will not adversely affect the residential amenities of the nearby residents by reason of noise or disturbance and the traffic impact associated with the development will not adversely affect adjoining roads network

10.0 HUMAN RIGHTS

- 10.1 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 where there is a requirement to give reasons for the grant of planning permission. Reasons for refusal are always given and are set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

11.0 EQUALITIES

- 11.1 In determining this planning application the Council is required to have regard to its obligations under equalities legislation including the obligations under section 71 of the Race Relations Act 1976. In carrying out the Council's functions due regard must be had, firstly to the need to eliminate unlawful discrimination, and secondly to the need to promote equality of opportunity and good relations between persons of different equalities groups. Members must have regard to these obligations in taking a decision on this application.

12.0 CONCLUSION

- 12.1 This determination has been made having regards to the previous consent under LPA Ref: HGY/2009/0723. The current proposal is a renewal of this previous consent. The scheme in terms of its scale layout and design is still considered acceptable and compatible with the established use of this site. The proposal will not adversely affect the residential amenities of the nearby residents by reason of noise or disturbance and the traffic impact associated with the development will not adversely affect adjoining roads network. As such the proposal is considered to be in accordance with policies UD3 'General Principles', UD4 'Quality Design', ENV6 'Noise Pollution', M6 'Road Hierarchy', M10 'Parking for Development', OS2 'Metropolitan Open Land (MOL)', OS11 'Biodiversity', OS13 'Playing Fields', OS17 'Tree Protection, Tree Masses and Spines'. Given the above this application is recommended for APPROVAL.

13.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

Applicant's drawing No.(s) TMC/01, 02A & TMC/03.

Subject to the following conditions:

IMPLEMENTATION

- 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.

SITE LAYOUT & LANDSCAPING

- 3. That prior to the commencement of the development, hereby approved, full details of the surface treatment of all areas of hardsurfacing within the applicable part of the site as well as details of the close netted wire fence shall be submitted to and approved in writing by the Local Planning Authority. These areas shall then be constructed and marked out in accordance with the approved details prior to their first use, or other timescale as agreed in writing with the Local Planning Authority.**

Reason: In the interests of visual amenity of the area.

- 4. 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.

5. Prior to development commencing details of the number of, type, finish and location of 20 secure cycle stands as well as 2 disable car parking spaces shall be submitted to and approved in writing by the Local Planning Authority and thereafter provided in accordance with the approved details.

Reason: To ensure satisfactory facilities for cyclists and adequate disabled parking provision.

6. A scheme for the repair/ replacement of the fence along the southern boundary of the site adjoining the public footpath shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of the development. This scheme shall be fully implemented before the multi use games area hereby approved is brought into use.

Reason: To prevent danger, obstruction and inconvenience to users of the adjoining public footpath

7. No part of the development hereby permitted shall be brought into use until works to create a 4.1metres-wide access onto Park Road, which would allow entering and exiting vehicles to pass each other, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented.

Reason: To minimise vehicular conflict and conflict of vehicles with pedestrians/cyclists and to ensure highway safety at this location.

CONTROLS ON USE

8. The MUGA shall not be used other than between the hours of 08.00 and 18.00 during the winter months (October to March) and between the hours of 08.00 and 21.00 during the summer months (April-September).

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

NATURE CONSERVATION

9. No development shall take place until a Phase 1 habitat survey, bat roost potential survey, has been carried out and approved in writing by the Local Planning Authority prior to the implementation of the development hereby permitted. Should the presence of bats on site be found, then no development shall take place until full details of measures for bat migration and conservation have been submitted to and approved by the Local Planning Authority.

Reason: To safeguard the ecology of the Metropolitan Open Lane and to protect species in line with UK and European Law.

OTHER

9. To the extent that it is lawfully permitted to do so, the applicant shall use reasonable endeavours to ensure that not less than 20 percent (20%) of the onsite workforce (excluding managers and supervisors) employed during the construction of the development shall be 'local residents'. In the event that achieving 20% proves impracticable for reasons notified in writing to the Council, then a lower figure will be agreed by the council as local planning authority. The applicant shall provide written records of the recruitment process undertaken and the resulting employment outcomes required to fulfil this condition, to the local planning authority, prior to the occupation of the development.

Reason: In order to support local residents in gaining access to employment and training opportunities in the borough.

REASONS FOR APPROVAL

This determination has been made having regards to the previous consent under LPA Ref: HGY/2009/0723. The current proposal is a renewal of this previous consent. The scheme in terms of its scale layout and design is still considered acceptable and compatible with the established use of this site. The proposal will not adversely affect the residential amenities of the nearby residents by reason of noise or disturbance and the traffic impact associated with the development will not adversely affect adjoining roads network. As such the proposal is considered to be in accordance with policies UD3 'General Principles', UD4 'Quality Design', ENV6 'Noise Pollution', M6 'Road Hierarchy; M10 'Parking for Development; OS2 'Metropolitan Open Land (MOL)', OS11 'Biodiversity', OS13 'Playing Fields', OS17 'Tree Protection, Tree Masses and Spines'

APPENDIX 1: COMMENTS ON OBJECTIONS

No.	Stakeholder	Comments	Response
1	Transportation	<p>Comments made in relation to previously approved application HGY/2009/0723 highlighted concerns regarding lack of designated disabled parking bays, lack of cycle storage and the narrow width of the access onto Park Road;</p> <p>Noted that the above concerns were addressed via the imposition of appropriate conditions upon the previous decision notice.</p> <p>Transportation do not object to the above application for renewal of permission subject to the re-imposition of the conditions.</p>	Noted and conditions imposed.
2	Sports England	<p>The principle of the development has already been established by the HGY/2009/0723 planning application. The current application is to extend the time limit for the implementation. This being the case, Sport England does not wish to raise an objection to this application.</p>	<p>Noted. Sports England notified about Planning Committee.</p>

No.	Stakeholder	Comments	Response
		<p>The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grant funding. If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.</p>	
3	CREOS / Crouch End Open Space	<p>Original application had been extremely controversial and attracted an unusually high number of objections;</p> <p>The behaviour of the applicants in intervening years and months has served to reinforce those original objections;</p> <p>Feel that the Committee and public were misled at that time and it would be</p>	<p>Application is going before Planning Committee for them to review/ take note of the appeal decision;</p>

No.	Stakeholder	Comments	Response
		<p>wrong to reward such behaviour with a renewal of permission;</p> <p>The Planning Inspectorate review of the later floodlighting application was seriously flawed and unsatisfactory;</p> <p>They admitted shortcomings in their conduct of that appeal but did not retract their decision.</p> <p>In our view, the failure of the applicants to progress their first consent illustrates the speculative nature of the application.</p> <p>The site has fallen into considerable neglect during the current proprietorship. Boundary fencing is partially collapsed and potentially unsafe. Intruders are readily able to access the site and cause nuisance.</p> <p>There are unsightly accumulations of rubbish and junk and these also provide harbourage for pests. The fact that the Club is content to tolerate such conditions reflects very unfavourably on their commitment to the wider area and their neighbours.</p>	<p>Planning Inspectorate were entitled to comment to different view to that of the LPA in terms of the application for floodlighting;</p> <p>The Inspector gave weight to the fact there are floodlit tennis courts occupied by the Highgate Cricket and Lawn Tennis Club; The LPA have no seen any communication between CREOS and the Planning Inspectorate on this matter;</p> <p>There may be many reasons why the previously allowed scheme has not been implemented (difficulty in securing funding, lack of interest/ oversupply of similar facilities). These are however not material to making a decision on this application.</p> <p>The dilapidated nature of the site is noted. As per Condition 6 above (as put forward by Members of the Planning Committee previously) a scheme for the replacement/ repair of the fence along the southern boundary of the site is required prior to the completion of the development.</p>

No.	Stakeholder	Comments	Response
		<p>The Club has failed to investigate the impact of their proposals on bat populations or other wildlife and the environment generally;</p> <p>Question as to whether the tennis courts areas actually comply with Lawn Tennis Association guidelines on space standards;</p> <p>The impact of traffic and parking on traffic flows in Park Road and resident parking availability in Cranley Gardens, N10 and other nearby residential roads will be severe.</p> <p>Park Road is a major and through route. There is inadequate parking provision on site. All of this will cause delays and congestion and may increase the likelihood of accidents.</p>	<p>A condition will be applied asking for a Phase 1 Habitat/ Bat Survey to be submitted;</p> <p>The LPA cannot insist that the courts meet Lawn Tennis Association guidelines. There are tennis courts in the broader area which do not meet current Lawn Tennis guidelines. In order to generate local interest/ demand for the use of these tennis courts it is in the interest in the applicant to meet these guidelines.</p> <p>45 car parking spaces</p>
4	Cllr Bloch	<p>As Ward Councillor strongly objects to the application and supports comments made by CREOS.</p> <p>Ask that the application is refused and “should definitely not be decided by delegated powers but should go to</p>	<p>Noted.</p> <p>Application brought before Planning Committee for them take note of appeal decision allowing floodlighting.</p>

No.	Stakeholder	Comments	Response
		planning committee for decision”	
5	Local Residents	<ul style="list-style-type: none"> - Significant increase in traffic; - Already significant parking problems and road congestion in the area; - No provision for extra parking; - Additional pitches would produce an intolerable amount of noise and verbal abuse; - Noise issues both from multiple games of football being played simultaneously and the social activities at the Pavillion which already cause noise disturbance for neighbours; - Multi use games areas are inappropriate in this residential area because of the noise level generated; 	<ul style="list-style-type: none"> - The coming and going associated with this use are not considered to be significant. The proposed MUGA will in part be used by schools who will travel by minibus and by member of the local community who may car share (particularly parents bringing a number of children) or walk to this facility. - 45 parking spaces provided which is considered adequate. Cycle parking is also required. - The nearest MUGA court will be 44m away from the northern boundary. The rear gardens of these properties on Cranley Gardens are in excess of 35m deep. - There is more screening along the western boundary of the site which adjoins other tennis courts and which are located behind the rear gardens of properties (No’s 1 to 35a) on Wood Vale. The closest property on Wood Vale is 75m away from the boundary of the application site. - The MUGA and tennis courts will replace the forlorn tennis courts and bowling green. These courts will complement the sports facilities provided on site and in the immediate area. As explained by the Planning Inspector “much of this open space, designated as Metropolitan Open Land, remains in use as a cricket”.

No.	Stakeholder	Comments	Response
		<ul style="list-style-type: none"> - Existing problems of noise pollution associated with evening events (especially Friday evening/ night); - Impact of bright lights on amenity of nearby residents; - Nuisance to local residents from light, noise and traffic; - Changing room development should be no higher than the building to avoid any visual intrusion; - Impact of this development on the wildlife that has colonised the area in recent years; - Some area of undeveloped land should be left for wildlife in order to protect nocturnal species, we would want guarantees that the sports pitches, changing rooms or paths to them, would not be lit after dark and that noise would be kept to a minimum; - Floodlit towers at this height are out of keeping with the area which is 	<ul style="list-style-type: none"> - Time limits as previously recommended will apply to prevent disturbance to local residents and the enjoyment of their houses and gardens. - Considered in the appeal decision. The Inspector noted that the floodlight would be positioned about 38m from the boundary with the nearest property on Cranley Gardens (not including depth of the garden) “that a considerable degree of separation would be achieved” and “moreover, new tree planting is proposed ...thereby strengthening the intervening vegetation apparent in the adjacent back garden”. - The profile and height of the new changing rooms will be the same as that of the existing structure. - The area of hardsurfacing has been reduced in order to bring the development further away from boundaries of the site which have vegetation and which is of importance for ecological reasons. Additional planting will be provided along the northern boundary of the site which will help biodiversity of the site as well reduce its visual impact. Given the extent of hardsurfacing to this part of the site and given the fact that there are numerous tennis courts surrounding this part of the site and the fact that this site has no specific ecological designation within the current UDP, the LPA would not be in a position to refuse this application on such a ground. - There are some floodlit tennis courts in the area. As per the appeal decision the height of the approved floodlight will be

No.	Stakeholder	Comments	Response
		<p>metropolitan open land and has a thriving wildlife population which will inevitably be disturbed by such bright lights;</p> <ul style="list-style-type: none"> - The area is already exceptionally well provided for with sports facilities; - The fact that they have not proceeded with the work suggests that there is no real demand for it; - The area is designated as 'Metropolitan open space', and as such belongs to the public, meaning it would be unlawful to sell it to a private bidder or allow any development by anyone other than the parks department. 	<p>12m, reduced from 15m. The Inspector considered that such a reduction “would further reduce the risk of visual intrusion” and with the addition of a louver and the separating distance this will mitigate against light intruding into adjacent homes.</p> <ul style="list-style-type: none"> - Point noted, however the improvement of existing facilities could not be resisted/ refused. - Point noted and discussed above. - MOL can be on privately owned land. The designation of MOL does not mean it “belongs to the public”. The application site of which the majority remains as cricket ground is accessible to the public, although restricted. The land in question may be subject to covenants, however the presence of a covenant does not prohibit an application being submitted and determined.
6	Cranley Gardens Residents' Association	<p>The proposal is relevant to Cranley Gardens Residents' Association firstly because the MOL site directly abuts back gardens of Cranley Gardens houses, and secondly because the bottom end of Cranley Gardens would be adversely affected by increased parking pressure.</p> <p>Residentsare not convinced that the Pavilion has as many parking spaces as it indicated in its original application.</p>	<ul style="list-style-type: none"> - In deterring the last application the number of spaces were counted.

No.	Stakeholder	Comments	Response
		<p>Residents of the houses abutting the 185a Park Road site are particularly concerned that the proposal would have an adverse impact on noise levels which would be detrimental to their enjoyment of their back gardens.</p> <p>Football is naturally a far noisier game than cricket or tennis.</p> <p>Further aspect of noise problems will arise from people coming and going in the general area around the Pavilion.</p> <p>The impact on local wildlife has not as far as Cranley Gardens Residents' Association is aware been adequately looked into. This is a neighbourhood with bats and owls.</p> <p>The proposal doesn't merit planning</p>	<ul style="list-style-type: none"> - The distances between the MUGA and nearby properties is significant. Existing and proposed additional planting adjacent to back garden boundaries will act as a sound barrier. - It is accepted that football is generally noisier however in this case the MUGA are smaller than those found at Powerleague facilities and as such will not generate significant noise levels. - As noted above the proposed MUGA will in part be used by schools who will travel by minibus and by member of the local community who may car share (particularly parents bringing a number of children) or walk to this facility. - The area of hardsurfacing has been reduced in order to bring the development further away from boundaries of the site which have vegetation and which is of importance for ecological reasons. Additional planting will be provided along the northern boundary of the site which will help biodiversity of the site as well reduce its visual impact. The site in question does not have an ecological designation however a Phase 1/ Bat Survey is required to be submitted. - In the event that the presence of bats found then details of measures for bat migration and conservation are required to be submitted. - Need in itself was not the reason for previously granting

No.	Stakeholder	Comments	Response
		<p>permission on grounds of need..... Schools for example have resources, and commercially there is a large PowerLeague nearby at Bobby Moore Way, London N10 which has an ideal site between other open land and a dual carriageway road, (the A406).</p> <p>If planning permission were to be extended....then stringent conditions would help reduce the impact of the scheme</p> <p>1. Reduced evening operation time Could the evening hours of operation to be reduced to not after 6.00pm so that local residents can enjoy at least some evening-time in their own homes and gardens in peace and quiet?</p> <p>2. Augmented soft landscaping screening</p>	<p>planning permission; however there is a planning policy position to improve existing open space and access.</p> <p>- The hours as put forward previously are considered to be acceptable (MUGA shall not be used other than between the hours of 08.00 and 18.00 during the winter months (October to March) and between the hours of 08.00 and 21.00 during the summer months April-September). Reflecting the hours imposed by the Planning Inspector on the application for floodlights, the MUGA will be required to not operate after 20.00 hours between April and September.</p> <p>- This was previously required as per the consent issued in 2009 and also as per conditions 6 & 7 of the Inspector's appeal decision.</p>
7	Heartlands High School	The headteacher of Heartlands High School writes in support of the application and explains that as a new school they require the use of outdoor pitches and sports facilities.	Noted

No.	Stakeholder	Comments	Response
		<p>The school adjudicator highlighted these as conditions for the opening of the school. The planning application and proposals put forward by the Middlesex</p>	

APPENDIX 2: APPEAL DECISION



Appeal Decision

Site visit made on 8 November 2011

by D R Cullingford BA MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 November 2011

Appeal Ref: APP/Y5420/A/11/2157418

Land to the rear of 185 Park Road, London, N8 8JJ

- This appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is by Sports Club UK Limited against the decision of the Haringey London Borough Council.
 - The application (ref: HGY/2010/2176 and dated 22 November 2010) was refused by notice dated 1 March 2011.
 - The development is described as the 'erection of 8 x 15.24m poles with illumination lighting'.
-

Decision

1. For the reasons given below, I allow this appeal and grant outline planning permission for the erection of 8 poles with flood-lights attached on land to the rear of 185 Park Road, London in accordance with the terms of the application (ref: HGY/2010/2176) dated 22 November 2010, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the submitted plans, as amended by the plans attached to the email sent to Steve Lain from Tass Efstathiou on 1 February 2011, except as required by the conditions set out below.
 - 3) Further details of the floodlighting, hereby permitted, shall be submitted to, and approved in writing by, the Local Planning Authority before any floodlighting pole is erected. Those details shall include the exact make and model of the floodlights, their alignment, the type of louver to be fitted and the method of its fitting (if necessary), the colour of the poles and the exact position (on a scale plan) of each pole. Development shall be carried out in accordance with the approved details.
 - 4) The poles, hereby permitted, shall be no higher than required to fit a floodlight at a height of 12m above the ground level in which the pole stands. No floodlight shall be fitted more than 12m above the ground immediately below.
 - 5) The floodlights, hereby permitted, shall be switched off at 18.00 hours and until 8.00 hours between October and March and at 20.00 hours and until 8.00 hours between April and September.
 - 6) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the land between the floodlit courts and pitches and the rear gardens of the houses in Cranley Gardens. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.
 - 7) All planting, seeding or turving comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reasons

2. The 8 floodlights would illuminate the football pitches and courts that are intended to replace the forlorn tennis courts and bowling green that now lie in the midst of the flat open ground, formerly used by the North Middlesex, Lawn Tennis and Bowls Club. Much of this open space, designated as Metropolitan Open Land, remains in use as a cricket ground with its associated pavilion. Beyond a tree-lined footpath to the south there are yet more sports facilities (a cricket ground and some floodlit tennis courts occupied by the Highgate Cricket and Lawn Tennis Club). To the north, beyond their long rear gardens, stand solid suburban detached and semi-detached villas in Cranley Gardens: to the east, beyond the expanse of the intervening cricket ground, are the houses in Park Road.
3. The Council explain that planning permission was granted in 2009 for the creation of 6 multi-use games areas and 2 tennis courts here subject to a condition that no floodlighting should be installed in order safeguard local amenity and the character of the MOL. Hence, it is not surprising that they have refused planning permission for the current proposal. They consider that the floodlighting, even as amended, would be unacceptable, adversely affecting the residential amenities of those nearby and the character of the MOL, due to light pollution and the nuisance likely to arise from the additional hours and intensity of use. The claim is that the scheme would be contrary to 'saved' policies UD3, ENV7, CLT1 and OS2. Those are the issued on which this appeal turns.

Metropolitan Open Land

4. Policy OS2 seeks to safeguard the character and quality of Metropolitan Open Land and, although essential facilities for outdoor sport would normally be acceptable, they should not impair the openness of the MOL. The character and quality of this open land is that of an expansive sports field. I do not see that a limited degree of floodlighting over a modest area of such a place would be inherently incongruous. The sports ground is, in itself, fairly utilitarian: it is designed to be used for sporting activities: it lies beside similar facilities, some of which are floodlit, and in the midst of a city: and, no evidence is adduced to demonstrate that it has any special quality for the environment or wildlife. On the contrary, parts of it are clearly run down and under-used. I think that the proposal might encourage its regeneration and, in galvanising more use of this local facility, enhance sporting and recreational opportunities for the health and benefit of the local community, including children and young people. I do not accept, therefore, that the floodlighting or the consequent use of the facilities proposed would seriously impair the character and environmental value of this open space.

Residential amenities

5. I realise that many local people have objected to this scheme and that policy ENV7 aims to separate potentially polluting activities from sensitive ones such as homes. But I estimate that the nearest dwellings in Cranley Gardens stand behind rear gardens some 40m in depth. Since the nearest floodlight would be positioned about 38m from that boundary, I think that a considerable degree of separation would be achieved. Moreover, new tree planting is proposed, thereby strengthening the intervening vegetation apparent in the adjacent back

- gardens. And, of course, the whole of the cricket ground would lie between the proposed floodlit pitches and the back gardens of the dwellings on Park Road.
6. Other safeguards exist. First, the scheme has been revised and the revision is supported by the Council's Street Lighting Manager, provided that the floodlights are correctly aligned with the addition of a louver catered for, should that be necessary to avoid light intruding into the adjacent homes; those provisos could be the subject of appropriate conditions. Second, although the proposal is for poles over 15m in height, it is clear that the advice from Thorn Lighting is that floodlights fitted just 12m high would suffice; such a reduction would further reduce the risk of visual intrusion likely to be experienced by those in the vicinity. Third, the use of the multi-use games areas and tennis courts granted planning permission in 2009 is restricted to 8.00-18.00 hours between October and March and to 8.00-20.00 hours between April and September. In those circumstances, the proposed floodlights are unlikely to be used for more than a couple hours during the evenings and often for much less; an appropriate condition could require the lights to be turned off when the use of the pitches is required to cease. In my view, such a balance between the use of the sports pitches and the peace and quiet residents might expect to enjoy in the vicinity of such a facility would be reasonable.
 7. Taking those matter into account, and subject to the controls indicated, I consider that this proposal would not seriously impair the amenities that neighbouring residents might reasonably expect to enjoy here. It follows that it would comply with the requirements of policy ENV7.

Other matters and conclusion

8. I have found that this scheme would not seriously impair the character and environmental value of this open space nor spoil the amenities that neighbouring residents might reasonably expect to enjoy. Hence, and in spite of considering all the other matters raised, I find nothing sufficiently compelling to alter my conclusion that this appeal should be allowed, subject to the conditions set out above and the reasons for imposing them. My conclusion rests on those assumptions.



INSPECTOR

APPENDIX 3: COMMITTE REPORT – 15TH September 2009

REPORT FOR CONSIDERATION AT PLANNING COMMITTEE

Reference No: HGY/2009/0723

Ward: Muswell Hill

Date received: 29/04/2009

Last amended date: 20TH August 09

Drawing number of plans: TMC/01, 02A & TMC/03.

Address: 185A Park Road N8

Proposal: Creation of 6 x multi use games areas and two tennis courts together with close netted wire fence 4 meters high; new gravel footpath and 1 metre high retaining wall along with the insertion of 3 x underground rainwater collect and holding tanks. Placing of 10 x new seating benches and planting of trees and refurbishment of existing building into changing rooms. (AMENDED DESCRIPTION & AMENDED PLANS).

Existing Use: Recreation / MOL

Proposed Use: Recreation / MOL

Applicant: Mr Chris Hadji-PanayiSport Club UK Ltd

Ownership: Private

PLANNING DESIGNATIONS

Road Network: Classified Road

Officer Contact: Matthew Gunning

RECOMMENDATION

GRANT PERMISSION subject to conditions

SITE AND SURROUNDINGS

The application site is located within the grounds formerly know as North Middlesex, Lawn Tennis and Bowls Club which is accessed of Park Road. The site comprises of a large clubhouse with an associated car park located to the northern part of the site. The site is largely dominated by the cricket pitch, however along the western boundary of the site there are three tennis courts and a bowling green with an associated pavilion building which is no longer actively used and are in a state of disrepair. The cricket pitch and clubhouse are actively used by North Middlesex Cricket Club.

The northern boundary of the site is bounded by the rear gardens of the properties on Cranley Gardens, while along the eastern boundary the site adjoins the rear gardens of No's 171-191 Park Road There is a footpath along the southern boundary which links Wood Vale and Park Road. Along the western boundary there are a number of tennis courts. The application site falls within land designated as Metropolitan Open Land (MOL). The site does not falls within a Conservation Area.

PLANNING HISTORY

HGY/1992/1034 – Erection of single storey pavilion extension to provide additional changing room facilities and replacement tennis clubhouse. – Approved 13/04/1993

HGY/1995/1392 – Change of use from tennis clubhouse to function room/restaurant – Refused 20-02-96

HGY/2007/1710 – Retention of refrigeration unit and three air conditioning units – Refused 09-10-07

HGY/2007/2299 - Retention of three air-conditioning units –Approved 31/12/2007

HGY/2008/1743 - Change of use and Refurbishment of derelict storage building into Day Nursery Use Class (D1) – Refused 02-12-08

HGY/2007/1834 - Demolition of existing storage and erection of new nursery building – Refused 23-10-07

HGY/2008/0380- Resiting of two storage containers to boundary of cricket ground –Refused 08/04/2008

HGY/2008/1743 - Change of use and Refurbishment of derelict storage building into Day Nursery Use Class (D1). – Refused 02-12-08

DETAILS OF PROPOSAL

This application is for the creation of 6 x multi use games areas (MUGA) (which could be used for basketball, netball and football) and two tennis courts to be enclosed by 4 meters high close netted wire fence. The proposal will also involve the creation of a new footpath and 1 metre high retaining wall along with the insertion of 3 x underground rainwater collect and holding tanks. In addition the proposal will involve the placing of 10x new seating benches and planting of trees and refurbishment of existing building along the western boundary of the site into changing rooms. This application has been amended from that initially submitted so as to maintain more open space and vegetation along the boundaries of the site. One of the large multi functional pitches has been lost with the introduction of two smaller tennis courts closer to the rear gardens of Cranley Gardens.

CONSULTATION

Transportation Group
Ward Councillors
Transportation Officer
171-191 Park Road
119- 185 Cranley Gardens
1-35a Wood Vale

RESPONSES

Letters of objection has been received from the residents of the following properties: No's 5, 99, 119, 121, 129, 133, 135, 137, 139, 143, 145, 151, 153, 161, 167, 169, 171, 175, 179 Cranley Gardens; No's 169, 181, 187, 191 Park Road; No's 2, 5, 9, 11, 17, 19, 21, 22, 25, 29, 35, 45, 77 Wood Vale; No's 8 & 69 Connaught Gardens; 94 Woodland Gardens, 7 Claremont Road N6, 9 Healey Street, NW1 and from Cranley Gardens Residents Association, Muswell Hill and Fortis Green Residents Association and CREOS (Crouch End Open Space). These objections are summarised as follows:

- Inappropriate sports facility for this location;
- Semi-commercial sports activity of this intensity is inappropriate for a residential area;
- The Pavillion club is already a major nuisance in the area and adding football will make this worse;
- Owners appear to have intentionally allowed this particular area of the site (existing tennis/bowls) to become run down;
- The proposal would result in substantial noise and other nuisance affecting properties immediately adjacent to and around the site;
- The security of adjoining properties would also be seriously prejudiced throughout this period;
- The ability of residents to enjoy relaxation in their gardens on fine days would essentially be completely abolished, through continual noise, notably the constant blowing of referees whistles and shouting by players and their supporters;
- Loss of peace and quiet presently enjoyed by residents;
- Noise and swearing associated with soccer;
- The development would be in clear breach of restrictive covenants applicable to the site;
- The proposal would constitute a breach of their basic human rights;
- Detrimental impact on MOL and detrimental impact on the character, appearance and openness of the area;
- Number of car parking spaces has been exaggerated;
- Additional cars and the resulting increase noise pollution to neighbours- already a registered problem relating to the Phoenix Bar;
- Additional cars entering and leaving onto to the already conjested Park Road which will be further conjested when the hospital opens and present increased dangers to Highgate Wood School pupils entering and leaving the area.

- Park Road is likely to become still more congested with the opening of the new Hornsey Central Hospital;
- Significant increases in congestion over prolonged periods, seven days a week;
- Overspill parking in Park Road, Cranley Gardens and other nearby roads;
- Aesthetic value of the area would be diminished considerably;
- Excessive hardsurfacing of the site;
- Concern that the applicant will seek to include floodlighting in the future;
- The rainwater recovery system would also seem likely to involve installation of plant and equipment of various substantial natures;
- Overdevelopment of the site;
- Astro turf would be an eyesore;
- 4m high fence will be visually intrusive;
- Out of character with the nature of the site and its designation as MOL
- Proposal involves substantial construction work on MOL;
- Impact on views;
- Impact on cricket matches – the two sports are incompatible at the same time & in close proximity;
- There is no assessment of traffic, noise, environmental impacts;
- Low intensity sport or parkland would be much more appropriate;
- Drawings and design statement do not give sufficient detail;
- Inadequate consultation;
- Detrimental effect on the local flora and fauna;
- Impact on bats and other important habitats;
- The facilities proposed are already available locally; namely Highgate Wood School, Powerleague on Colney Hatch Lane;

97 signed petition letters objecting to the application have been received as well as a petition with 75 signatures, also objecting.

Cllr Block – Objects to the application and raises concerns about the viability of the proposal;

Wood Vale Tennis Club - Support the principle of creating new recreation facilities however have concerns that the noise levels will go up and the character of the playing fields will be changed.

Letters of support have been received from the following residents of the following properties: No 10 Cranley Gardens, No 10 Wood Vale, No's 187 & 222B Park Road, No 1 Ossian Mews, N4, No 54 Graham Road N15, No 22 Highpoint, North Hill N6, No 58 Hermiston Avenue N8, No 9 Shanklin Road N8. In these letters of support some comments have been made, namely

- Would like to see an end time of sundown or 7pm, whichever is earlier, imposed as a condition;
- Would like the screen of trees that is to be planted to include hedges, to fill in the gap between trees and try and control the noise a bit more.
- Would like to see additional screening

St Thomas Moore School Sports Partnership – Support the application as it will improve and widen the range of sports which can be played at the facility. They point out that schools across the Borough use the facility;

A petition with the signatures of 162 people in support of the application has been submitted by the applicants (The Pavilion

Transportation -."Restricted width of the site access: - The width of the vehicular access is narrow and not sufficient for two cars to pass or indeed for this access to be shared with pedestrians and cyclists contrary to the UDP Policy M8. This problem is also compounded by the high level of predicted generated traffic ensuing from this development proposal. Although the data available from TRAVL trip prediction tool is old and may not accurately reflect the present day scenario, our interrogation with this database has revealed that, based on comparable London site (Campden Hill Lawn Tennis Court - W8), this development proposal (based on 2167sqm/ 5 additional courts) would generate a combined in and out movement of nil and 48 vehicles in the morning and evening peak hours respectively.

We have therefore considered that this restricted vehicular access would not be able to cope with this high vehicle movements, taking into account also that the entire length of the bus route Park Road is heavily parked and the significant level and speeds of vehicles traversing along this road. Hence, we would advise the applicant to create a 4.1metres- wide access which would allow entering and exiting vehicles to pass each other and ultimately ensure that these vehicles access and leave this site promptly without impeding the movement of buses and other traffic on Park Road. Alternatively, we would suggest that the applicant erects a priority signage indicating that 'priority is given to vehicles entering the site from Park road', in the form of roundel Ref.No 615, as contained in the 'Traffic Signs and General Directions 2002', at the exit from the western side of the site access at a point where the vehicular access starts narrowing down, eastbound towards Park Road.

Lack of disabled/cycle parking provision: While the Council's parking standard for this development, as detailed in Appendix 1of the UDP, states that 5 per cent of the parking spaces provided for a development of this nature shall be dedicated to the mobility impaired patrons/staff, which means that at least 4 of the car parking spaces should have been earmarked for these vulnerable road users, the applicant has not provided these parking facilities. In addition, while the parking standard stipulates that cycle parking provision must be made, the applicant has not provided any. We would have expected a development of this magnitude to provide a minimum of 20 cycle rack, enclosed under a secure shelter. This contravenes the UDP Policy M10

Consequently, the highway and transportation authority object to this application."

Comment: While Planning Officers note this objection from Transportation condition 5 and 7 seeks to address these objections. Condition 5 requires details

of works to create a 4.1metres-wide access onto Park Road to be submitted to and approved in writing by the Local Planning Authority while Contion 7 requires 2 disable car parking spaces to be provided on site.

RELEVANT PLANNING POLICY

National Planning Policy

PPG2 Green Belt
PPG17 Planning for Open Space Sport and Recreation' (2002):
PPG 24 'Planning and Noise'

London Plan

3D.10 Metropolitan Open Land
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
OS2 Metropolitan Open Land (MOL)
OS11 Biodiversity
OS13 Playing Fields
OS17 Tree Protection, Tree Masses and Spines
M6 Road Hierarchy
M10 Parking for Development

Supplementary Planning Guidance

SPG8d Biodiversity, Landscape & Trees

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

In terms of this application the principal issues are considered to be: (1) the principle of development and its impact on MOL; (2) the design and layout of the proposed development; (3) impact on the residential amenity of nearby residents; (4) traffic and car parking and (5) impact on ecology.

Principle of development/ Impact on MOL.

As pointed out above the site is located within Metropolitan Open Land (MOL) and this designation therefore severely limits the use of the site and buildings and the opportunities for development. Section 3.248 of the London Plan states that land designated as MOL is the same as 'Green Belt' in terms of protection from development, and therefore the principles of control over 'Green Belt', set out in PPG2, also applies to MOL. Policy OS2 of adopted Local Plan states that "the character and quality of MOL will be safeguarded" and that "limited development" serving the needs of the visiting public may be permitted if clearly ancillary to the identified purposes of MOL. The policy also states that "essential facilities for outdoor sports or recreation" will be acceptable where they do not have an adverse impact on the openness of the MOL.

In planning terms there is no material difference between the use of the land as tennis courts and the use as MUGA. In terms of this application the question is whether the use of the former bowling green area to accommodate 5 multi use games area courts would be acceptable in planning terms. As there are 15 tennis courts immediately next to this part of the site and given that this part of the site has been used for a sporting activity the provision of the 5 MUGA courts would be considered acceptable within the designation of the land for playing field/ sports use.

This application has been amended from that initially submitted so as to maintain more open space and vegetation along the boundaries of the site, particularly along the North West corner to the rear of No 133-139 Cranley Gardens where a gap of 22m will be maintained. In addition one of the large multi functional pitches has been lost with the introduction of two smaller tennis courts in a similar position although different orientation to two existing tennis courts.

The existing tennis courts and building in this part of the site are rather run down in appearance and have been the target of vandalism and other anti-social behaviour. Currently the bowling green area is being used for playing soccer in particular by trespassers who climb over the fence to gain access to this part of the site. The proposal would bring this part of the site into more active use and provide a more secure and managed sporting facility.

Design &Layout

The application proposes the establishment of a 6 MUGA courts and two tennis courts in this part of the site. Court No 1 will be the largest court and will measure 34m by 66m. The five other courts would occupy a slightly larger area to that occupied by the bowling green. These courts will be 25.5 m in depth by 17m in width. The courts will have a part astro/ part synthetic grass surface. As pointed out above two smaller tennis courts are in a similar position although in different orientation to two existing will be created. The new tennis courts will not be any closer to the rear boundary of the nearby properties on Cranley Gardens.

The playing surface will be have a similar appearance to the existing courts and the tennis courts surrounding this site, and as such would not have an adverse impact on the appearance and openness of the broader site.

In order to create these various courts the ground on this part of the site will in part have to be built up and levelled. This part of the site is already elevated above the existing cricket ground. The ground works to this part of the site will have to be engineered to enable the drainage into the 3 submerged water tanks. A new retaining wall will be constructed at the junction between the cricket ground and this part of the site. A red brick wall will be constructed next to the concrete retaining wall. The proposed courts will be bounded by 4 metre high green weld mesh.

The existing redundant old pavilion used in association with the bowling green will be brought back into use and used as changing rooms. The building has mains water and drainage in place. It is proposed to face this building in a Cedar shiplap, horizontal boarding treated with a clear weatherproof sealant. The windows will be replaced with high level split timber double glazed windows. The proposed courts will be bounded by a 4m high close netted wire fence.

A shingle stone footpath access path from the main pavilion building will be created. This has been moved away from the rear garden fence of Cranley Gardens by 4m, in order to protect the privacy and amenities to these properties and to provide a buffer and area for additional planting. Additional tree planting is proposed for the northern boundary of the site to help reduce the transmission of noise and disturbance to the adjoining residents. No lighting is proposed as part of this planning application.

Impact on Residential Amenity

As outlined above the Local Planning Authority 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; which they believe would lead to more activity and noise and disturbance which in turn would have a detrimental affect on residential amenity.

As outlined above the layout of the scheme has been amended from that initially submitted so that the MUGA is moved further away from the nearest residential

properties (No 133-139 Cranley Gardens). The nearest MUGA court will be 44m away from the northern boundary. The rear gardens of these properties on Cranley Gardens are in excess of 35m deep.

There is more screening along the western boundary of the site which adjoins other tennis courts and which are located behind the rear gardens of properties (No's 1 to 35a) on Wood Vale. The closest property on Wood Vale is 75m away from the boundary of the application site.

The distances between the MUGA and the nearest properties are well in excess of Sport England's guidance, which recommends a distance of 30 metres between a residential property (actual dwelling) and a MUGA. It is therefore considered that the proposal should not result in adverse impact from the noise generated with the MUGA in use. A restriction on the hours of use will be placed on the consent.

Traffic and Car Parking

Many of the objection letters received are on the grounds of additional traffic generation, congestion and parking difficulties for local residents on the adjacent and surrounding roads.

There are currently 45 car parking spaces on site which are located along the northern boundary of the site behind property No's 165 to 177 Cranley Gardens. A Transport Assessment has not been submitted with the application. Given that this part of the site has been previously used for sports and given the proposal does not involve flood lighting (i.e. which would generate evening activity) a transport assessment is not considered necessary in this instance.

The Council's Transportation Officer has expressed concern about the restricted width of the site access and therefore asks that a 4.1metres-wide access which would allow entering and exiting vehicles to pass each other be created. This would ensure that vehicles access and leave this site promptly without impeding the movement of buses and other traffic on Park Road. Alternatively, it is suggested that the applicant erects a priority signage indicating that 'priority is given to vehicles entering the site from Park road', in the form of roundel Ref.No 615, as contained in the 'Traffic Signs and General Directions 2002', at the exit from the western side of the site access at a point where the vehicular access starts narrowing down, eastbound towards Park Road.

The Council's Transportation Officer has asked the 5% of the parking spaces provided are disabled parking. Given that there are in fact only 45 spaces on site this would amount to 2 spaces. In addition 20 cycle rack in an enclosed secure shelter is requested to be provided on site. These will be secured by way of conditions.

Given that this MUGA will not have floodlighting it considered this development will generate a different levels of demand, traffic and car parking requirement when compared to a Powerleague operation which firstly have larger pitches and

secondly normally cater for adults who play after work. The proposed MUGA will in part be used by schools who will travel by minibus and by member of the local community who may car share (particularly parents bringing a number of children) or walk to this facility.

Given that the cricket is normally played on site between April and the end of September it is expected that the focus times for the playing of the different sports will differ therefore also having a bearing on the traffic flow and parking demand.

Impact on Ecology

The proposal will lead to further hardsurfacing of part of the site, however part of the site is already hard surfaced. The area of hardsurfacing has been reduced in order to bring the development further away from boundaries of the site which have vegetation and which is of importance for ecological reasons. Additional planting will be provided along the northern boundary of the site which will help biodiversity of the site as well reduce its visual impact. Given the extent of hardsurfacing to this part of the site and given the fact that there are numerous tennis courts surrounding this part of the site and the fact that this site has no specific ecological designation within the current UDP, the LPA would not be in a position to refuse this application on such a ground.

SUMMARY AND CONCLUSION

The proposed multi use games area as per the amended scheme in terms of scale layout and design is considered acceptable and compatible with the established use of this site. The proposal will not adversely affect the residential amenities of the nearby residents by reason of noise or disturbance and the traffic impact associated with the development will not adversely affect adjoining roads network. As such the proposal is considered to be in accordance with policies UD3 'General Principles', UD4 'Quality Design', ENV6 'Noise Pollution', M6 'Road Hierarchy; M10 'Parking for Development; OS2 'Metropolitan Open Land (MOL)', OS11 'Biodiversity', OS13 'Playing Fields', OS17 'Tree Protection, Tree Masses and Spines' and is therefore recommended for APPROVAL.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2009/0723

Applicant's drawing No.(s) TMC/01, 02A & TMC/03.

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. That prior to the commencement of the development, hereby approved, full details of the surface treatment of all areas of hardsurfacing within the applicable part of the site as well as details of the close netted wire fence shall be submitted to and approved in writing by the Local Planning Authority. These areas shall then be constructed and marked out in accordance with the approved details prior to their first use, or other timescale as agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity of the area.

4. 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.

5. Prior to development commencing details of the number of, type, finish and location of 20 secure cycle stands as well as 2 disable car parking spaces shall be submitted to and approved in writing by the Local Planning Authority and thereafter provided in accordance with the approved details.

Reason: To ensure satisfactory facilities for cyclists and adequate disabled parking provision.

6. The MUGA shall not be used other than between the hours of 08.00 and 18.00 during the winter months (October to March) and between the hours of 08.00 and 21.00 during the summer months (April-September).

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

7. No part of the development hereby permitted shall be brought into use until works to create a 4.1 metres-wide access onto Park Road, which would allow entering and exiting vehicles to pass each other, have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented. Reason: To minimise vehicular conflict and conflict of vehicles with pedestrians/cyclists and to ensure highway safety at this location.

REASONS FOR APPROVAL

The proposed multi use games area as per the amended scheme in terms of scale layout and design is considered acceptable and compatible with the established use of this site. The proposal will not adversely affect the residential amenities of the nearby residents by reason of noise or disturbance and the traffic impact associated with the development will not adversely affect adjoining roads network. As such the proposal is considered to be in accordance with Policies UD3 'General Principles', UD4 'Quality Design', ENV6 'Noise Pollution', M6 'Road Hierarchy; M10 'Parking for Development; OS2 'Metropolitan Open Land (MOL)', OS11 'Biodiversity', OS13 'Playing Fields' and OS17 'Tree Protection, Tree Masses and Spines' of the Haringey Unitary Development Plan.