

LOCATION: The Compton School, Summers Lane, London, N12 0QG

REFERENCE: F/04097/12 **Received:** 26 October 2012
Accepted: 01 November 2012

WARD(S): Woodhouse **Expiry:** 27 December 2012

**Final
Revisions:**

APPLICANT: The Compton School

PROPOSAL: Variation of Condition No.2 pursuant to planning permission Ref: C00433Y dated: 7/12/1994 for "Installation of all-weather sports pitch, 5 metre high ball stop fencing and 15 metre high floodlighting columns on land to rear (south) of main school buildings". Variation to include: use of the facility Monday to Friday between 9am and 10pm, Saturday between 9am and 8pm and Sunday till 9am to 9:30pm. (Amended Description).

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings 24087/14, 2012-311-02, 2012-311-03, Letter from Ben Kelly dated 26th October 2012 including lighting report and Floodlighting comparison plan, Landscaping drawing 2012-311-04 and accompanying species schedule.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2. This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3. Any existing tree or shrub within the landscaped area shown on drawing 2012-311-04 and accompanying species schedule which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

4. Before the floodlights are operated beyond the originally 1994 permitted operating hours, replacement floodlamp settings shall be implemented in accordance with details shown on the hereby approved documents and retained as such thereafter.

Reason:

To safeguard the character and visual amenities of the site, the amenity of the neighbouring residents and wider area in accordance with policies DM01, DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

5. The floodlights hereby permitted shall not be operated except between the hours of 9.00am to 10.00pm Mondays to Fridays, 9.00am and 8.00pm on Saturdays and 9.00am and 9.30pm on Sundays.

Reason:

To safeguard the amenities of neighbouring residents and wider area in accordance with policies DM01, DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows:

- i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Core Strategy (2012) and Development Management Policies DPD (2012).

In particular the following policies are relevant:

National Planning Policy Framework

The Mayor's London Plan: July 2011

- Policy 3.9 – Mixed and Balanced Communities
- Policy 3.19 – Sports Facilities
- Policy 7.2 – An Inclusive Environment
- Policy 7.3 – Designing Out Crime
- Policy 7.4 – Local Character
- Policy 7.6 – Architecture

Relevant Core Strategy Policies:

- Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
- Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
- Policy CS 7 – Enhancing and Protecting Barnet's Open Spaces

- Policy CS 9 – Providing safe, effective and efficient travel

Relevant Development Management Policies:

- DM01 Protecting Barnet's character and amenity
- DM02 Development standards
- DM04 Environmental considerations for development
- DM17 Travel impact and parking standards

ii) The proposal is acceptable for the following reason(s): Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, local roads or the amenities of any neighbouring property.

iii) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011

- Policy 3.9 – Mixed and Balanced Communities
- Policy 3.19 – Sports Facilities
- Policy 7.2 – An Inclusive Environment
- Policy 7.3 – Designing Out Crime
- Policy 7.4 – Local Character
- Policy 7.6 – Architecture

Relevant Core Strategy Policies:

- Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
- Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
- Policy CS 7 – Enhancing and Protecting Barnet's Open Spaces
- Policy CS 9 – Providing safe, effective and efficient travel

Relevant Development Management Policies:

- DM01 Protecting Barnet's character and amenity
- DM02 Development standards
- DM04 Environmental considerations for development
- DM15 Green Belt and Open Spaces
- DM16 Biodiversity

- DM17 Travel impact and parking standards

Relevant Planning History on Site:

Planning permission Reference C00433Y was approved on 7/12/1994 for "Installation of all-weather sports pitch, 5 metre high ball stop fencing and 15 metre high floodlighting columns on land to rear (south) of main school buildings"

Relevant Recent Planning History at other sporting facilities:

Planning permission F/00532/12 was granted in 2012 at The Avenue Tennis Club, N2 for "Installation of 12 floodlights to existing tennis courts and a new children's court and fence enclosure following the reduction of levels to the rear of the site" with a condition restricting hours of use to between 9:00 and 21:00 on Monday to Fridays and between 9:00 and 20:00 on Saturday to Sundays.

Planning permission F/04431/11 was granted at Brondesbury Tennis Club in 2012 for "Erection of 5No. x 6 metre floodlights and installation of additional luminaires onto existing poles to provide illumination to courts 4 and 7" with a condition restricting hours of use between 9am and 9.30pm on any day.

Planning permission F/04656/11 was granted in 2012 at Farm Walk Tennis Club for "Installation of sports lighting to four existing tennis courts" with a condition restricting hours of use to between 9:00 and 21:30 on Monday to Fridays and between 9:00 and 20:00 on Saturdays and Sundays.

Consultations and Views Expressed:

Neighbours Consulted: 43 Replies: 6
Neighbours Wishing To Speak 1

The 6 objections raised to the original proposals may be summarised as follows:

- noise disturbance
- light disturbance
- impact on nature
- impact on highways
- more litter

3 letters were received following reconsultation (with shorter operating hours for the floodlights) with similar grounds of objection. Those 3 letters came from addresses which had already objected as part of the original consultation.

Internal /Other Consultations:

Highways Group - No objection

Date of Site Notice: 15 November 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located to the rear of Compton School. It is designated Metropolitan Open Land. The Compton Sports Centre comprises a sports hall and all weather pitches. The facilities were originally built to provide sports facilities for the school during school hours in term time. The facilities were managed by Greenwich Leisure on behalf of the Council. The site facilities are used by the public outside of school hours and during school holidays.

The same pattern of usage is proposed. A sports management specialist has been appointed by the school and granted a sub-lease to operate the facilities. The new provider will improve the facilities with a complete refurbishment of the existing all weather pitches including the floodlighting system.

The applicant has advised that lack of investment has led to the facilities falling into decline and attracted some level of vandalism due to low levels of use.

Proposal:

Planning permission was granted in 1994 for the installation of the all-weather sports pitch, 5 metre high ball stop fencing and 15 metre high floodlighting columns on land to rear (south) of main school buildings.

The use of the facilities was restricted by condition to hours between 9am and 9pm Monday to Friday.

The current application seeks permission to increase the hours of use of the facilities to between 9am and 10pm Monday to Friday, 9am and 8pm on Saturdays and 9am to 9:30pm on Sundays at the request of the newly appointed management company.

(It should be noted that the application was originally submitted for an extension of hours to 11pm Monday to Friday and 10pm on Saturdays and Sundays. However, this has since been amended as stated above and explained in the table below.)

The summary of the existing and proposed operations is as follows:

	Original permission	Originally proposed (subject to 1st round of consultation)	Proposed
Weekdays	Until 9pm	Until 11pm	Until 10pm
Weekends	Not in use	Until 10pm	Until 8pm on Saturdays Until 9.30pm on Sundays

Planning Considerations:

Paragraph 70 of the NPPF states that to deliver the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision of sports venues to enhance the sustainability of communities and residential environments.

Paragraph 73 of the NPPF 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.

Policy 3.19 of the London Plan states that development proposals that increase or enhance the provision of sports and recreation will be supported. It further states that the provision of floodlighting should be supported unless the floodlighting gives rise to demonstrable harm to local community or biodiversity.

Policy DM01 (f) of the Local Plan states that development proposals for lighting schemes should not have a demonstrably harmful impact on residential amenity or biodiversity.

Policy DM04 (d) of the Local Plan states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Policy DM15 of the Local Plan relates to Metropolitan Open Land and states that in line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL).

The use of the site as existing is appropriate use in Metropolitan Open Land and which preserve its openness and does not conflict with the objectives of the Metropolitan Open Land.

The general principle of the use of the site for sporting activities is established. The main material consideration is whether the extended hours of use of the floodlighting would result in demonstrable harm to residential amenity.

In order to assess the impact of floodlights, it is important to understand how other sporting facilities in the Borough are operating. Full details of recent planning permissions at other sites are found in the planning history section above. The table below summarises the approved hours of use of floodlights at the three sites - all permission were allowed in 2012.

	Brondesbury	Farm Walk	The Avenue
Weekdays	Until 9.30pm	Until 9.30pm	Until 9.00pm
Weekends	Until 9.30pm	Until 8.00pm	Until 8.00pm

The applicant (and two objectors) have advised that the use of the floodlights has historically exceeded the original planning conditions imposed on site (to 10pm during the week) - this did not result in any planning enforcement complaints. It is considered that the use of the courts until 10pm during the week would not cause demonstrable harm to the residential amenity of neighbouring occupiers due to the separation between residential properties and the site.

The use of a lit court until 9.30pm at weekends has been established at Brondesbury Tennis Club in Childs Hill. This decision was made by a Planning Inspector in 2008 and accompanied by a cost decision against the Council. It is considered that the sports grounds at Brondesbury Tennis Club and the application site have similarities. They are both similar sizes and have similar relationships with neighbouring

residential properties.

It is considered that as the floodlights are angled downwards and the amount of vegetation on the boundary which should provide some screening, there should not be any significant loss of amenity to neighbouring properties as a result of the extended hours of use. It should be noted that the school has advised that the existing floodlamps system will be replaced. A lighting study accompanies the application and shows how the existing levels of light spillage will be reduced through the replacement of the existing system.

It is not considered that the extended use of the site will give rise to any significant additional noise and disturbance. It is noted that the same amount of noise would be created in the summer months when the lighting would not be required. This is not therefore considered to be a reason to refuse the application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are considered to have been covered above. Development Management Policy DM16 (Biodiversity) states that when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity. It is considered that in view of the existing hours of use, objections on the grounds of the impact on nature do not warrant refusal for the application.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would comply with the Council's policies and guidelines and would not cause unacceptable harm to the area, local roads or the amenities of any neighbouring property.

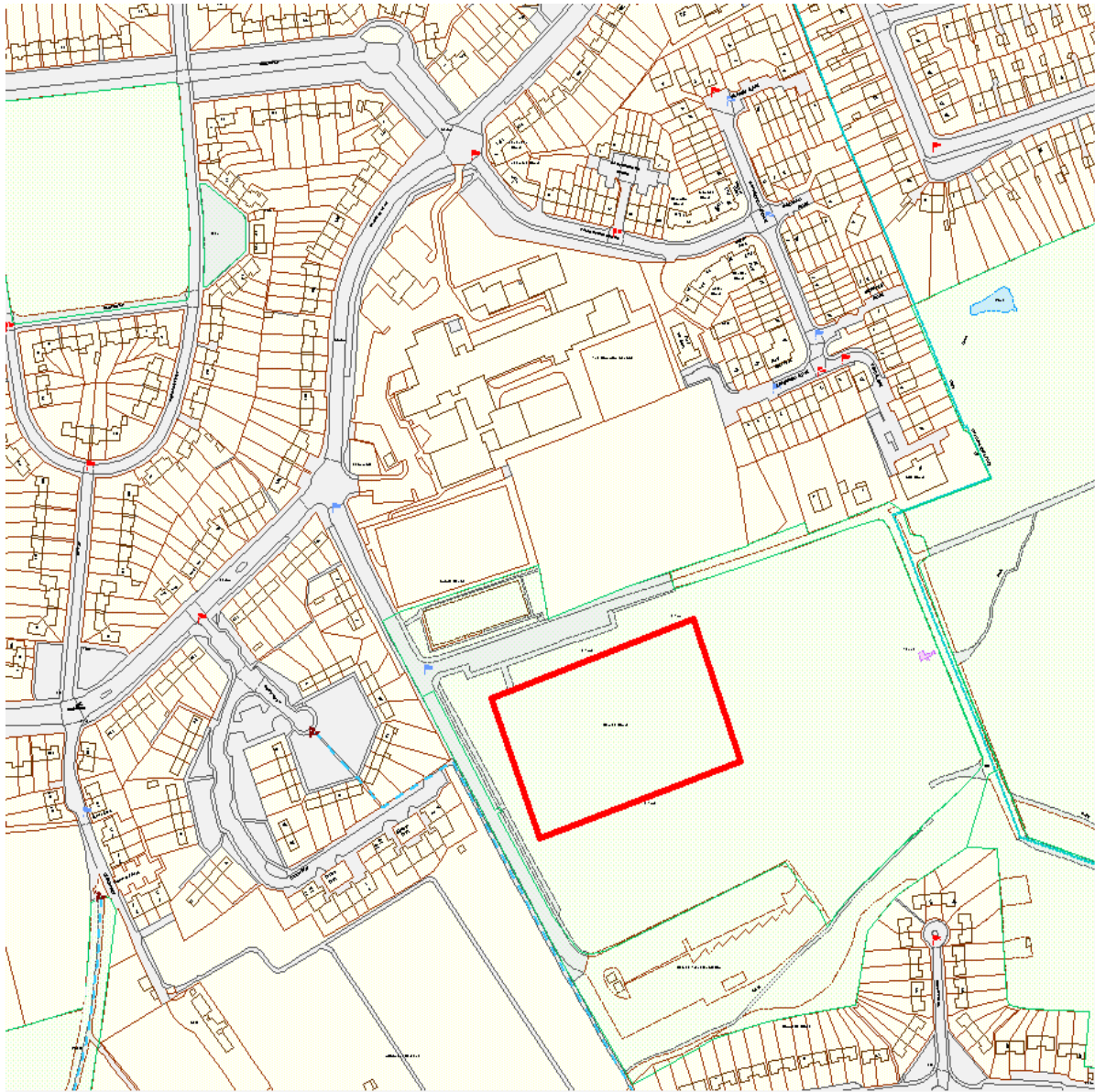
It is therefore recommended that the application be **APPROVED**.

**SITE LOCATION PLAN:
N12 0QG**

The Compton School, Summers Lane, London,

REFERENCE:

F/04097/12



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2013. All rights reserved. Ordnance Survey Licence number LA100017674.