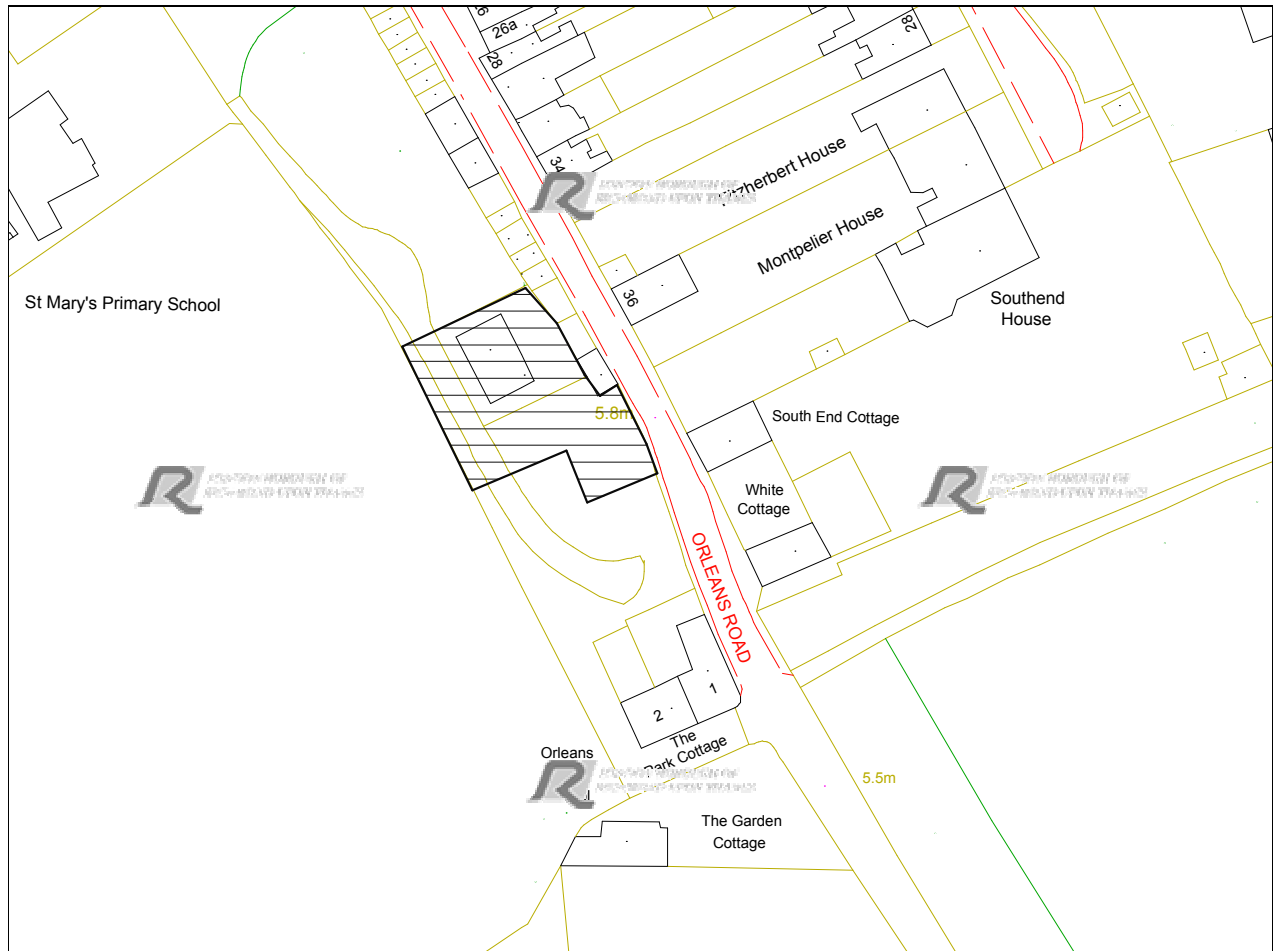


PLANNING COMMITTEE – 3 MAY 2007

**06/3800/FUL
ST MARY'S C OF E JUNIOR SCHOOL
RICHMOND ROAD
TWICKENHAM**

**TWICKENHAM RIVERSIDE WARD
Contact officer:
J Williams**



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Proposal: Retention of existing Astroturf surface and associated chain link fencing (2.1m high).

Applicant: Governing body of St Mary's CE School

Application received: 20th November 2006

Main Development plan policies:

UDP- First Review: STG 2, ENV 1, ENV 6, ENV 9, ENV 18, ENV 19, ENV 20, ENV 24, ENV 26, ENV 34, ENV 35, BLT 2, BLT 11, BLT 14, BLT 16, BLT 30, CCE 8.

London Plan Policies: 2A.1, 3D.9, 3D.12, 4B.11, 4C.8, 4C.25.

Present use: Astroturf playing pitch.



PLANNING COMMITTEE – 3 MAY 2007

SUMMARY OF APPLICATION

The application seeks the retention of Astroturf in the rear part of the school site, which is within Metropolitan Open Land, Twickenham Riverside Conservation Area and forms part of a designated Green Corridor. The area was approved as an Environmental Study Area for the school in 2001. A temporary classroom was also granted planning permission on the site in 2003. The Astroturf has been laid up to the base of Sycamore trees within the site and is depriving the root protection area of adequate air and water. In addition a 2.1m high chain link fence surrounds the perimeter of the site. It is considered the Astroturf fails to preserve or enhance biodiversity and wildlife habitats and is therefore harmful ecological interests and the Green Corridor of which it forms a part. The area surrounding the site also suffers from surface water run off from the Astroturf. The Astroturf has also led to an intensification of the use of this part of the school grounds, which has resulted in unacceptable overlooking, noise and disturbance to residential properties in close proximity to the site.

RECOMMENDATION: REFUSAL and ENFORCEMENT ACTION

Site, history and proposal:

- 1 The application is in the grounds of St Mary's School on Richmond Road, Twickenham. The site is an area of land at the rear of the school that backs onto the rear gardens of No.1 and 2 Park Cottages and borders the wall of Orleans Road. The site is located in the Twickenham Riverside Conservation Area and located within Metropolitan Open Land.
- 2 The school building was approved in August 2001 (00/2883) and was undertaken as a PFI (private finance initiative) project. The site at the rear of the school grounds was approved as an Environmental Study Area. The school states the developer for the PFI project left this area unfinished after demolishing the old rugby club premises, allowing grass to grow over the area and left the macadam surface that ran through the area in situ. The school argues that due to the condition of the ground it could not be used properly by pupils due to Health and Safety reasons and was inaccessible for wheelchair users.
- 3 In April 2002 planning permission was granted for a temporary classroom in the grounds of the school for a period of 5 months (02/0613/FUL). The planning records indicate that the location of the classroom moved from the approved location by the main school to the current application site. An enforcement investigation followed and the temporary classroom was removed after the period of 5 months. Furthermore, a landscape maintenance schedule was submitted and approved in October 2003 as part of the original consent (00/2883/DD15) and stated the landscaping objectives for the school were to create wildlife habitats and provide planting to ensure screening from adjacent properties.
- 4 In February 2004 planning permission was granted for the erection of a temporary classroom building on the site at the rear for a period of 9 months (03/3283/FUL). A condition requiring proposed tree planting to be approved was attached to this permission but was never submitted. In August 2005 landscaping and tree planting conditions (00/2883/DD18) were agreed and discharged for the school site including the site at the rear.
- 5 The Astroturf was laid in the autumn of 2006 and as the works required planning permission, an enforcement investigation took place. The result of this investigation is the submission of this planning application, which seeks to regularise the operational development of laying the Astroturf.

PLANNING COMMITTEE – 3 MAY 2007

- 6 Several complaints from residents have been received regarding the erection of blinds on the main school building, cycle sheds and a play area at the school. These are the subjects of a separate report on this committee agenda.

Public Representations

- 7 13 letters received from local residents plus 1 letter sent on behalf of residents from CGMS consulting. The following objections are raised:

- Harmful to privacy and visual amenity of surrounding neighbours and No.1 and 2 Park Cottages whose gardens abut the site.
- Noise levels of children playing on the Astroturf are unacceptable.
- Concerns that the Astroturf will be used outside of school hours, which will cause undue noise and disturbance to residents. One resident stated weekend use of the Astroturf takes place.
- The fencing is of unsympathetic design and the Astroturf use is inappropriate for the Metropolitan Open Land.
- Lack of any suitable area for soft planting and fencing harms the Conservation Area.
- The Astroturf could harm the tree roots by depriving them of water and compacting roots and could make them unstable.
- The trees should not have been removed from the South West boundary.
- The Astroturf is destructive to wildlife, including a badger sett within the school grounds and results in a loss of biodiversity.
- Increase in flood risk to neighbouring properties as the Astroturf is not level and surface water runs off the Astroturf surface in the direction of 1 and 2 Park Cottages and the access road.
- The Astroturf does not meet the exception test set out in PPS 25.
- The Astroturf does not represent sustainable development as it has a limited lifespan and will need to be replaced.
- The leaves from the trees and shrubs around the site blow off the Astroturf site into the gardens of No.1 and 2 Park Cottages.
- The Astroturf infringes the Human Rights Act due to the harm caused to neighbours at 1 Park Cottages.
- There is no need for the Astroturf pitch as the number of pupils is capped by condition and it is believed to currently have a deficit of 30 pupils.

- 8 The issue of damp within the garage wall next to the Astroturf was also raised.

- 9 In addition several residents mentioned this retrospective application is an example of repeated avoidance of planning procedures and conditions by the School. However, whilst the Council does not condone the carrying out of development without planning permission each application must be considered entirely on its own merits.

- 10 **Leisure services** support the retention of the Astroturf.

Amendments

- 11 The OS and site plan was amended to show the correct siting and layout of the Astroturf on site.

PLANNING COMMITTEE – 3 MAY 2007

Professional comments

Principle of development

- 12 The school argues that the Astroturf is required as the number of pupils has been growing each year, now at 240, and new playing field space is limited within the school grounds. There is an all weather pitch adjacent to the school building.
- 13 The number of pupils at the school is capped by a condition attached to 00/2883/OUT at 250. Although PPG 17 states that sports provision in schools should be encouraged, the layout of the school and playing area was considered at the time of the application and the pupil number has not risen above the maximum number allowed of 250. Given the landscaping, siting, layout and provision of facilities was carefully considered at the time of the approval and no other significant factors have changed, the need for an additional outdoor sports pitch area in this particular location has not been justified.
- 14 One of the reasons for granting planning permission for the school in the first instance was that the design, layout and landscaping had been sympathetically developed and the footprint taken out of the Metropolitan Open Land would be minimal. Given the approved scheme (00/2883/FUL) included fencing of 1.8m high which enclosed this area, it is considered the retention of the Astroturf and 2.1m high fencing would not result in a significant loss of openness to the Metropolitan Open Land. It is therefore considered the character and appearance of the Metropolitan Open Land is preserved.

Nature

- 15 The site borders an area of ‘other site of nature importance’ and a green corridor runs along the perimeter and within part of the site. Given its sensitive location it is not considered that the Astroturf provides any ecological benefit to the area particularly in relation to the authorised use of the land as an Environmental Study Area. The proposal is therefore contrary to STG 2, ENV 1, ENV 6, ENV 18, ENV 19, ENV 20, which seek to protect green chains, biodiversity and increase the potential for wildlife.
- 16 A badger sett was present on the site in 2001 at the time of the approval for the school. At the time of a recent site visit it appeared that the badger sett was disused and had been for some time given the amount of foliage that had covered the entrance.
- 17 ENV 1 states that appropriate uses within the Metropolitan Open Land include public and private open space and playing fields. However, ENV 1 also states the Council will protect Metropolitan Open Land as a habitat for wildlife and increase potential for wildlife. This is supported by the London Plan policy 3D.9, which states “essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of the Metropolitan Open Land”. Given the retention of the Astroturf will fail to preserve or enhance biodiversity and wildlife habitats on site and considering the approved scheme, in addition to approved landscaping condition DD18 of 00/2883/FUL sought this aim, it is considered the scheme is harmful to the biodiversity of the Metropolitan Open Land.

Design

- 18 Fencing is present along the boundaries of the playing fields of Orleans School, which is to the west of the site. Given sports pitches are established in this area and the site being largely concealed from the streetscene it would be difficult to argue the fencing and Astroturf significantly harms the character and appearance of the Conservation Area and Metropolitan Open Land.

PLANNING COMMITTEE – 3 MAY 2007

Amenity

- 19 The chain link fencing abuts the rear gardens of No.1 and 2 Park Cottages. Given the absence of an adequate planting plan, lack of screening, siting of the Astro turf, type of fencing and the proximity of the site to residential properties it is considered the retention of the Astro turf results in significant overlooking to the gardens and properties of Nos. 1 and 2 Park Cottages.
- 20 Furthermore, the Astro turf is located in close proximity to residential properties and it is considered the noise of children playing would be harmful to the peaceful setting of this part of Orleans Road. Furthermore, the nature of Astro turf is one that can be played on all year round which differs to the adjacent grass playing fields. Therefore, it is considered the Astro turf leads to an unacceptable intensification of use of the site and results in unacceptable noise and disturbance compared to the approved use as an Environmental Study Area and would therefore be contrary to policy BLT 16.

Trees

- 21 There are five trees (Sycamore and False Acacia) on the eastern Side of the site against the boundary wall of Orleans Road and three groups of Sycamore on the western side adjacent to the chain link fence. The root protection area for the trees on the eastern side is at least 6m in radius. The Council arboricultural officer raises objections to the scheme, as the Astro turf will affect tree health within the root protection area. The Astro turf covering prevents gaseous exchange and moisture penetration into the tree root zone and will therefore harm the trees, which are considered to contribute to the character and appearance of the Conservation Area.

Flooding

- 22 Surface water run off from the Astro turf is being deferred to the surrounding area, mainly the back gardens and drive of the residential properties 1 and 2 Park Cottages. The properties and drive is at a lower level, immediately alongside the Astro turf and is becoming a quagmire when wet. This is making access for 1 and 2 Park Cottages difficult. The Environment Agency has responded to state no objections to the retention of the Astro turf subject to conditions and informatives being attached to require surface water control measures. As proposals for this have not been submitted and there are no adequate measures on site this can form a reason for refusal.

Conclusion

- 23 By reason of its design, siting, resultant surface water run off and absence of landscaping the retention of Astro turf would be damaging to the Metropolitan Open Land, the Conservation Area, the green corridor of which it forms a part and neighbouring amenities.
- 24 Whilst I have had regard to PPG 17 which encourages sport provision and policy CCE 18 of the UDP which supports the provision of schools and other educational facilities there has been no increase in school pupil numbers and the school is a recent development whereby all sporting facilities and landscaping was taken into account at the time. Furthermore, no overriding need has been put forward for the retention of the Astro turf. Given nature conservation, noise, overlooking and surface water flooding have been identified as concerns on balance the benefits of retaining the Astro turf do not outweigh these concerns and the balance lies in favour of taking enforcement action.

I therefore recommend the following:

PLANNING COMMITTEE – 3 MAY 2007

1/ That planning permission is **REFUSED** for the following reasons:

The Astroturf and fencing results in the loss of valuable habitat provision and foraging areas on site and fails to conserve biodiversity interests and the Green Corridor. It is therefore contrary to policies STG 2, ENV1, 6, 18, 19 and 20 of the Adopted Unitary Development Plan: First Review 2005 and policy 3D.9, 3D.12 of the Adopted Mayor of London - London Plan 2004.

The siting, proximity, use and absence of screening around the Astroturf has resulted in unacceptable overlooking, noise and disturbance to neighbouring properties, particularly those at 1 and 2 Park Cottages and is therefore contrary to policies BLT 16 and BLT 30 of the Adopted Unitary Development Plan First Review 2005.

The site fails to provide for adequate surface water drainage and has resulted in water accumulating in the access road for 1 & 2 Park Cottages and is therefore contrary to policies ENV 35 of the Adopted Unitary Development Plan: First Review 2005 and policy 4C.8 of the Adopted Mayor of London - London Plan 2004.

The proximity of the Astroturf to the trees on the eastern boundary of the site and the covering over of the root protection area will fail to maintain the health of these Sycamore and False Acacia trees due to the absence of adequate water and air and is therefore contrary to policy STG 2, ENV 9 of the Adopted Unitary Development Plan: First Review 2005 and policy 3D.9 and 3D.12 of the Adopted Mayor of London - London Plan 2004.

2/ That **ENFORCEMENT ACTION** is taken to secure the removal of the existing Astroturf, the fencing is redesigned to allow for wildlife to enter the site and reinstate the area as a wildlife area in accordance with 00/2883/FUL, with a period of compliance of 6 months, for the following reasons:

The Astroturf and fencing results in the loss of valuable habitat provision and foraging areas on site and fails to conserve biodiversity interests and the Green Corridor. It is therefore contrary to policies STG 2, ENV1, 6, 18, 19 and 20 of the Adopted Unitary Development Plan: First Review 2005 and policy 3D.9, 3D.12 of the Adopted Mayor of London - London Plan 2004.

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PLANNING COMMITTEE – 3 MAY 2007

3/ **COURT ACTION** in the event of non-compliance with the Enforcement Notice

Standard Informative

IL05 - Decision Drawing Numbers “Design and Access Statement, L(00) 001, Notts Sport and Dura-Sport specification of new surface received 20 November 2006, L(00) 001 received 22 December 2006, Flood risk analysis received 25 January 2007, OS Plan and 01 Landscape plan and elevations received 22 March 2007”.

Background Papers

Application forms and drawings

Letters of representation.

00/2883/FUL, 00/2883/DD15, 00/2883/DD18, 03/3283/FUL, 02/0613/FUL.