

Victoria Davies

From: Sam Franklin [sfranklin@landscape.co.uk]
Sent: 07 November 2011 10:18
To: Victoria Davies
Subject: FW: Northhill Lower School - Variation of condition 4 etc
Attachments: northhill_plan.pdf

Dear Vicki

As per our discussion this morning.

Best wishes

Sam

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From: Sam Franklin [mailto:sfranklin@landscape.co.uk]
Sent: Thursday, November 03, 2011 4:10 PM
To: 'Clare Golden'; 'planning@centralbedfordshire.gov.uk'
Cc: 'Cllr Tricia Turner MBE'; 'Northhill Lower School'
Subject: RE: Northhill Lower School - Variation of condition 4 etc

2 November 2011

To: Claire Golden, Central Beds Council
Re: The Proposed Use of the MUGA (Multi Use Games Area) at Northhill School (CB/11/02984/VOC)

Dear Claire

As I am sure you are aware, I visited your Council offices last week to study the file on the amendment of Condition 5 and removal of Condition 4 of the MUGA at Northhill School following our telephone discussion. I have now to read your Officers Report, on the website.

You are quite right that thirteen letters of objection have been received and I have had an opportunity to study those letters and I am writing to you with some points of clarification following some of the more speculative remarks.

1. Parking and Traffic

No doubt you have noticed that there is significant reference to parking and traffic in Bedford Road. Not only has your Highways Department stated that they do not consider this to be a problem or an issue, you will note that we have an off-road car park facility at Northhill School for up to ten cars. Even if all four people playing on the tennis court were to come by car, this would only be a total of four vehicles. In reality, we consider that the majority of tennis users would attend this site on foot or by bicycle, mostly living locally.

2. Demand for the Facility

I am attaching to this email a copy of Northhill Community Plan, which was prepared on behalf of

08/11/2011

Northhill Parish Council, in 2008.

No doubt you will not have time to read the documentation in full, but I draw your attention in particular to Paragraph 4.2 which confirms that a survey was delivered and collected from all residents in the Parish. In fact this consultation was a Parish-wide and thorough exercise which investigated a whole range of topics, including in Paragraph 16 (Ref R1.0) that specifically states *an action point is to create facilities in Northhill (plus Ickwell) for children within a 1 to 5 year time frame.* Secondly, in Section 33 you will note that three times as many people in Northhill requested additional sports facilities than those that did not. In addition, in Section 30 you will note that *youth specifically have a problem with transport for after school activities* (in Northhill greater than 50% of respondents made this point). Thus, a local facility would be a major asset particularly to youth.

In essence, the Northhill Community Plan not only identifies the fact that the MUGA at Northhill School is restricted, but that there is latent demand from the residents of Northhill village and the wider Parish for additional sporting facilities; there is also a problem with transport such that the youth of the Parish are not able to access facilities away from the village. These two points in particular demonstrate that there is a demand for sports facilities in the village.

The School has also conducted surveys amongst the parents, staff and children at Northhill School as well as the FPTA who have all stated a desire to use the facilities after school in order for parents and children to practice. It is misleading for respondents to claim that there has been no survey or that there is no demand simply because they themselves do not want to play tennis.

3. Floodlighting

You will no doubt be able to confirm to council members that floodlighting is not part of this application. The raising of it by respondents may be designed to create confusion.

4. Other Activities on the MUGA

This application is made in order to use the site for tennis ONLY. We have suggested that your Authority might consider the use of the court for other activities; however, we are prepared to have the use of the site restricted to tennis only as part of this application. The idea that volleyball, football, basketball and other sports might be played on the site is, merely speculative.

5. Latent Demand for the Site and Traffic

It is interesting to note that a number of respondents state that there is **no demand** for the facilities whilst at the same time their letters refer to the problems of traffic in Bedford Road that use of the site would create. These are entirely contradictory and mutually exclusive. If there is no demand, and therefore no use is made of the site, there would be no traffic generated at the school. In reality in addition to parents/pupils after school, we envisage a low level of irregular use by residents of Northhill who would mainly walk or cycle to the facility.

6. Parents Offering Training to their Children Post-School

A careful reading of Condition 4 of the original planning Consent confirms that only pupils and staff of the school may use the court between 08:00 and 17:00 Monday to Friday. Even though the school closes normally at 15:15 parents are not allowed to utilise the hour and 45 minutes between the school closing and 17:00 hours as they are specifically prohibited. This is why we are asking for the removal of this Condition, so that people other than staff may use the MUGA to train children. Strictly speaking, we cannot even bring a tennis coach to the school, as Condition 4 is so restrictive. I don't think this was the thrust of the original thinking behind Condition 4.

7. Other Facilities in the Parish and the Wider Area

Many respondents have referred to the fact that there are perfectly serviceable tennis courts at Sandy, Biggleswade, Shuttleworth College, etc, and there is also a MUGA in Upper Caldecote. The argument being raised by the respondents is that because these facilities exist, there is no need for, or reason why the Northhill School MUGA should be made available.

There are several counter arguments against this so-called logic.

- The first being, there is a problem recognised in the Northhill Parish Community Plan with lack

of transport, particularly for young people, to get to those sports facilities, otherwise I am sure they would already be making use of them.

- Secondly, there is an issue of sustainability in that if people have to drive to facilities further away from where they live, then this creates an unnecessary amount of car based transport, which is against the thrust of CBC and Government policy.
- Thirdly, one can safely assume that since there are so many other facilities that are well known to the respondents, that the use of these facilities by people playing tennis cannot be such a great nuisance to residential neighbours. The facilities in Sandy, Biggleswade and elsewhere are in residential areas, where there are neighbours physically close to the courts.
- Fourthly, with so many other facilities in the area, it is most unlikely that people from outside of Northhill parish would use the tennis court, thus the level of use of this single court is likely to be low.

A number of respondents have stated that there are facilities in Sandy, Biggleswade and elsewhere that are potentially available to players. If you search on the following website: www.tennisforfree.com and if you type in the postcode of the school or nearby respondents (SG18 9AH) you will see that, in fact, whilst there appears to be a significant number of free courts available, the nearest is, in fact, 7 miles away at Baldock and there are no 'free to play' facilities in Northhill parish or indeed any of the adjoining parishes, let alone Biggleswade, Sandy or Shuttlesworth College.

It would be a mistake, therefore, to confuse commercial facilities that offer club coaching and training facilities, where annual membership is required, with this simple, single free play court. The cost for parents to drive to other commercial facilities and to hire courts is often prohibitive.

8. Level of Disturbance

There has been much comment by the respondents with regard to the level of noise/disturbance that two or four players of tennis might generate on a tennis court. There has also been reference to the fact that there are facilities in the Parish for football and cricket. There appears to be an apparent contradiction whereby it may seem perfectly acceptable for the football club to play five-a-side, seven-a-side and eleven-a-side football on Ickwell Green (owned by Northhill Parish Council) which is surrounded by a large number of residential properties, where games are played on Saturdays and practices happen during the weekday evenings using floodlights. Cricket is also played on Sundays in particular, which is eleven-a-side plus umpires on Ickwell Green in front of people's houses.

There are also practice nets adjacent to the cricket club which are utilised in the evening and at weekends by players improving their game. Seemingly, this level of noise is perfectly acceptable to residential neighbours who, in large part, welcome the sight of cricket being played. This is in contrast to the fears expressed by respondents here that four people could, during a game of tennis, create so much noise that it would be so disruptive to their private lives as to be intolerable. It just does not seem to stand up to scrutiny.

9. Secure Fencing

I think Councillors should be reminded that the MUGA is in fact double fenced from neighbouring properties with a high specification **industry standard** 3 metre chain link fence to minimise the possibility of balls exiting the MUGA. There is a further 2 metre gap between the MUGA and the boundary of the nearest property (technically nothing adjoins the MUGA itself as we have a management strip in this 2m gap), there is then a close board fenced at a 2 metre height. In addition, the majority of rear gardens that back on to the MUGA are screened by mature landscape features.

In essence, whilst it would be incorrect to say that the MUGA is invisible from the rear gardens of properties, certainly it does not stand out. The evidence provided by some respondents suggesting that large numbers of balls enter gardens is not borne out by the school's evidence on the other side of the MUGA, where we have the other 3 sides of the MUGA which face the rest of the school playing field. There has been nothing like the number of balls exiting the MUGA on these three sides and the school has exactly twice the area of fencing facing the playing field as neighbours do. In addition, the school can confirm that it has not lost over 600 balls, the cost of which would show

up in school accounts.

10. Planning Policy and Comparables

I am sure I do not need to rehearse in detail with you that the use class within which schools normally fall is D1, which is considered a perfectly acceptable activity that may occur in residential areas. It is inconceivable that were a new school to be built in or close to a village that it would not have its playing field and other facilities. Indeed, I have been working specifically with your Council on a proposed new development in the village of Cranfield (RA7) which includes a new lower school site. The proposal is immediately behind and adjacent to residential properties. I could also take you to many schools in the district of Central Bedfordshire to demonstrate the proximity of school playing fields (including hard surfaced areas) to residential properties. In order to identify a particular site as comparable to Northill School, I direct you specifically to schools in Henlow, Clifton, Biggleswade (Stratton) and Flitwick where hard surfaced courts are adjacent to residential areas and are sometimes in use at evenings and weekends.

11. Crime and Fear of Crime

Whilst I recognise the fears and concerns of respondents regarding criminality, I consider that the majority of these concerns are mostly speculative and largely unfounded. It seems unlikely, for instance, that a thief would make a booking to use this tennis court and personally collect the key from an identified key holder and then during a supposed tennis game, actually conduct a break-in. Only a very dim thief would make such a foolish mistake.

In reality access to the school playing field via the Northill Cemetery or the open fields on the northern boundary are possible and a determined criminal could gain access to the school playing field by climbing this fence.

The school is well aware of the risks inherent in unoccupied premises and we consider that having occasional tennis players utilising the courts will in fact add to the overall security of the surrounding area, including the wider school premises.

12. Support from Sport England

I note also that the Sport England respondent has fully supported this application and states in his letter that inter alia:

It is considered unlikely that the use of the facility by the community on the terms proposed in the planning application would have an adverse impact on the residential amenity.

The proposals would, therefore, be expected to have a positive impact on the use of the facility from a sports development prospective. On this basis, I can confirm that Sport England has no objection to the planning application.

It goes on to state that:

community uses would not be considered to result in a significant difference in terms of impact on amenity due to the limited number of people that the MUGA could realistically accommodate.

13. Possible Conditions that could be imposed on a planning consent

Given that your authority is recommending refusal for this application, despite the support that the application receives, I have the following suggestions to make for further conditions and restrictions on the use of the MUGA as a tennis court, were your Council minded to approve it.

13.1 We are content to accept a tennis only condition on the use of this court outside of the existing hours, such that residents can be reassured that only tennis be played after school and during holidays etc.

13.2 Whilst I am not sure if it is practicable to impose such a condition, we would be prepared to operate a Northill Parish / Northill School (including parents, pupils, staff etc.) condition on the use of the court outside of term time. In any event we do not consider that people from outside of the parish and the school community would be likely to use the court.

13.3 Hours of Operation. If your Authority considers that by reducing the hours proposed this would make the application more acceptable then we would consider a reduction in the hours. Clearly any reduction in the amount of use that could be made of the court would impact on the ability of players to use it outside of school hours, but if it were possible to create a condition which allowed additional use up until 6pm during term time and then at other times 9am until 5pm Monday to Saturday, this could be acceptable.

13.4 Finally and only as a last resort, the school would consider a temporary extension to the use of the facilities for say two years in order for CBC to gauge the success or otherwise of the changes. In operating a booking system we will be able to keep an accurate record of the level of play in that time period.

I hope this information can be reported to councillors before, or at the committee meeting on the 9th November.

Yours sincerely

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