

Appeal Decision

Site visit made on 15 February 2017

by Terry G Phillimore MA MCD MRTPI

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

Decision date: 23 February 2017

Appeal Ref: APP/M5450/W/16/3164212

The Hive Football Centre, Camrose Avenue, Edgware HA8 6AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by The Hive (PEPF Development Ltd) against the Council of the London Borough of Harrow.
 - The application Ref P/3255/16 is dated 6 July 2016.
 - The development proposed is erection of a temporary spectator stand adjacent to the academy pitch (training area A) with footpath to provide pedestrian access to the temporary stand.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a temporary spectator stand adjacent to the academy pitch (training area A) with footpath to provide pedestrian access to the temporary stand at The Hive Football Centre, Camrose Avenue, Edgware HA8 6AG in accordance with the terms of the application, Ref P/3255/16, dated 6 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The temporary stand hereby permitted shall be removed and the land restored to its former condition within 3 years of the date of this permission.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 462 PL (3)100, 462 PL (3)101, SL-07-0482-07-02 Rev2, SL-07-0482-07-01 Rev2, 462 PL(3)102.
 - 4) The temporary stand hereby permitted shall be used only to accommodate spectators in conjunction with football activities on the adjacent academy pitch (training area A) and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
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Main Issue

2. The main issue is whether there is an established need for the proposal within the context of relevant development plan policies and having regard to the potential impact on the character and quality of the open space and neighbouring amenity.

Reasons

3. The Hive Football Centre (formerly Prince Edward playing fields) is a 173ha football and sports complex, with a football stadium, grass football pitches, floodlit synthetic football pitches, a commercial fitness centre and ancillary buildings and community facilities. The Harrow Core Strategy 2012 includes as an objective for the Kingsbury & Queensbury Policy Sub Area to 'continue to promote Prince Edward playing fields as a centre of sports excellence', with a further objective to 'maintain community access to sport and recreation facilities and encourage enhancement'. Under policy CS 9, the playing fields will be maintained as an important sporting destination and opportunities for enhanced community access will be sought.
4. In the Harrow Site Allocations Local Plan 2013 the playing fields are site MOS5, with an allocation for community outdoor sports use. Paragraph 6.13 adds that the allocation supports such further outdoor sport development as may be required to enable the continued success of this important community facility. Development must make provision for community access to facilities and be consistent, in terms of design, siting and any other impacts, with the amenity of neighbouring residential occupiers.
5. In the Harrow Development Management Policies 2013, policy DM 18 seeks to protect open space. Under part C, proposals for ancillary development on land identified as open space (which includes this site) will be supported where: a. it is necessary to or would facilitate the proper functioning of the open space; b. it is ancillary to the use(s) of the open space; c. it would be appropriate in scale; d. it would not detract from the open character of the site or surroundings; e. it would not be detrimental to any other function that the open space performs; and f. it would contribute positively to the setting and quality of the open space.
6. Policy DM 48 deals with enhancing outdoor sport facilities. Part B is that proposals for uses that would support outdoor sporting uses will be supported where they are: a. ancillary in terms of size, frequency, use and capacity; and b. do not displace or prejudice facilities needed for the proper functioning of the principal outdoor sports uses.
7. The proposed temporary stand would be sited towards the eastern boundary of the site adjacent to a training area laid out with a number of football pitches. It would be around 12.89m at its longest dimension and rise to a height of 6.62m, and could accommodate up to 249 people seated in one tier of 11 rows. The stand is intended to accommodate visitors associated with football academy training and matches. There is no dispute that within the sports complex it would be an ancillary facility.
8. The Council questions the need for the stand on the basis that, with a football match of 22 players accompanied by up to around 44 people who could be expected to make use of it, the size of the structure has not been justified.

The appellant explains that the stand would provide shelter for spectators who currently visit the training area to watch children's football, providing comfort and shelter for these rather than attracting more spectators. It is stated that the area can accommodate up to 132 children playing at once, on occasions with several rounds of matches and accompanied by multiple visitors who currently stand on the pitch touchlines. Within the relevant policy matrix set out above, the appellant's evidence amounts to a reasonable case on the need for the facility given the supportive context for the community role of the sports complex.

9. In terms of impact on the character and quality of the open space, while in itself a fairly large structure, within the overall extent of the centre the stand would be a relatively small scale development. It would be partly embedded within existing banks and landscaping and adjacent to two water tank structures. In this context the stand would not be an overly obtrusive feature or unacceptably detract from the positive attributes of the open space.
10. With respect to amenity, it appears that the stand would not increase the number of visitors or result in a change in the hours or intensity of use of the associated sports pitches. The location is some 85m from the nearest residential property. No objections have been received to the proposal. There is no evidence to warrant resisting the proposal on grounds of potential noise and disturbance to neighbouring residential occupiers.
11. Prevention of flood risk is a requirement of relevant policies, but the Council accepts that there would be no harm in this respect and there is no reason to conclude otherwise.
12. Overall I find that the proposal complies with the development plan, including the general design criteria of policy DM1 of the Development Management Policies. A temporary condition is required on the basis of the nature of the stand structure and as sought in the application. Restoration of the land should be straightforward, not warranting a requirement for a scheme of this to be submitted. The permission is based on the submitted plans to provide for certainty. The use should be restricted to that applied for since other uses could give rise to wider implications that have not been considered. There is no justification to also limit the hours of use given that there is no existing restriction on use of the pitches which takes place only in daylight.
13. For the reasons given above I conclude that the appeal should be allowed.

T G Phillimore

INSPECTOR