

MEMO

Metropolitan Open Land Summary Note

Four of the six planning applications submitted for the Highgate School's estate wide modernisation programme have Metropolitan Open Land (MOL) with the application's site boundary. These four sites are:

- Richards Music Centre;
- Mallinson Sports Centre;
- Temporary Decant; and,
- Far Field Playing Pitches.

Each individual planning application has an accompanying Planning Statement which individually assesses the impact of each proposal on the MOL. In addition, the accompanying drawings and Design and Access Statements provide further context.

The London Plan (2021) defines MOL as:

"strategic open land within the urban area. It plays an important role in London's green infrastructure – the network of green spaces, features and places around and within urban areas. MOL protects and enhances the open environment and improves Londoners' quality of life by providing localities which offer sporting and leisure use, heritage value, biodiversity, food growing, and health benefits through encouraging walking, running and other physical activity"

For context, Figures 1 and 2 below are extracts from LB Haringey's Planning Policy Maps depicting the extent of the MOL (darker green) in relation to the School.

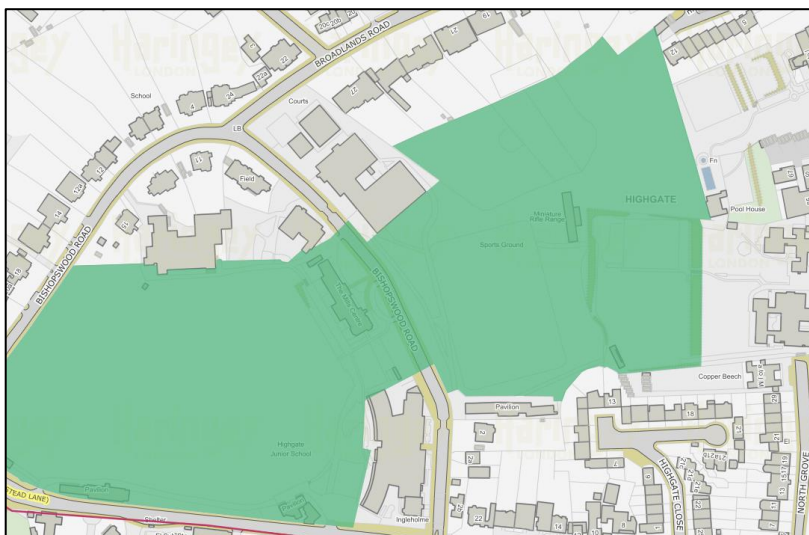


Figure 1 - Metropolitan Open Land boundaries, source: LB Haringey Planning Policy Maps



Figure 2 - Far Field Metropolitan Open Land boundaries, source: LB Haringey Planning Policy Maps

Richards Music Centre

At present the MOL boundary sits adjacent to the existing Richards Music Centre building (shown in grey). The precise boundary of the MOL designation (shown in green) is noted in the detailed plan at 4.4 of the Design and Access Statement as repeated below in Figure 3.

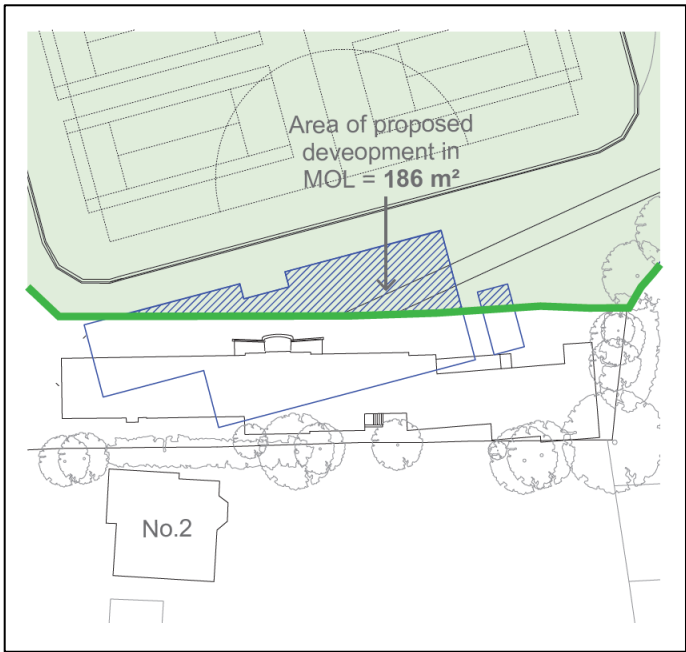


Figure 3 - The proposed RMC development with the MOL

It demonstrates that the orientation of the building – a requirement of the consultation process and the need to respond appropriately to the neighbouring residential development – results in the building conflicting with the MOL designation by approximately 186 sqm.

There is an area to the east the site that contains the tiered lawn area and to the rear a void area over the sunken garden. The lawned area will total approximately 94 sqm. However, as this is proposed to be green amenity space it is

not considered to impact on the openness or the enjoyment of the MOL in accordance with NPPF and London Plan policy.

The NPPF (2021) states that “a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt” (paragraph 149). However, seven exceptions to this policy are set out, including:

- *...B) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- *G) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development;*

Where these exceptions do not apply, inappropriate development is “by definition, harmful to the Green Belt and should not be approved except in very special circumstances” (paragraph 147).

It continues, stating that “‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.” (paragraph 148).

London Plan Policy G3 Part B establishes the four criteria for designation of MOL:

- *“it contributes to the physical structure of London by being clearly distinguishable from the built-up area*
- *“it includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London*
- *“it contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value*
- *“it forms part of a strategic corridor, node or a link in the network of green infrastructure and meets one of the above criteria”*

In this case, it is considered that the site contributes little to any of the criteria – especially in consideration of the strategic London wide/ national contribution that is set out in each point.

Given that the proposed development provides for an appropriate facility in relation to an existing use for outdoor sport and recreation, that the function does not undermine the strategic function of MOL and that openness is maintained, it is considered that the development should be assessed as an exception to Paragraph 149.

Further, the quality of this specific area of MOL is highly relevant to any assessment being made. The area adjacent to the existing building is partially tarmacked and used lawfully for parking of cars. The wider MOL designation at this location is dominated by the existing multi-use sports pitches which will remain.

In this respect, and contrary to its designation, it is not open land in the sense that it is absent of development. Accordingly, we conclude that the development preserves openness and can be considered to be an appropriate facility.

Should the planning authority disagree with this assessment, a fall back very special circumstances case is set out at 7.20 of the Planning Statement

Temporary Decant

The Decant Facility will be located on part of the Multi-Use Games Surface at the Junior School Playing Fields, the site is located between the Richards Music Centre and Mallinson Sports Centre sites.

The area of the proposed development is c.2,500 sqm, however, this use will only be temporary, and the land will be return to its existing condition upon cessation of its use.

The London Plan (2021) Policy G3 states:

“Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt:

- 1) MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt*
- 2) boroughs should work with partners to enhance the quality and range of uses of MOL”*

In this respect, the NPPF (2021) states that *“a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”* (NPPF,149). Where development is inappropriate, it is *“by definition, harmful to the Green Belt and should not be approved except in very special circumstances”* (NPPF, 147).

The test of very special circumstances (VSC) is set out at paragraph 148, stating: *“‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

The School acknowledges that the proposed development would be considered to be inappropriate and that a VSC case would need to be advanced. In this respect, VSC are demonstrated as follows:

- There is a strong policy justification for proposals which enhance education provision (principle of development) as set out above;
- The development facilitates a ten-year estate programme which would deliver highly sustainable development enhancing the education provision across the estate – the need is established within a supplementary planning document which is a material consideration of weight;
- The development is temporary and upon cessation of the need for the decant solution, the site would be fully restored;
- There is no alternative site which is sequentially preferable to the Junior Field location;
- The use of this location will significantly reduce disruption, avoiding the need to install and remove temporary facilities with each project;
- The site offers the opportunity to reuse the existing foundation/ pad of the existing MUGA and the MUGA surface is approaching end of life requiring replacement in any event, resulting in a lesser extent of development and a lower carbon impact arising from the temporary construction;
- That the School has a track record of delivering high quality temporary facilities and site restoration;
- That in all other respects, the proposed development is compliant with the development plan when read as a whole.

Need case

Section 4 of the SPD sets out the requirements of the School and identifies the need for the various projects and this is not replicated here. Within each application it is necessary to justify the quantum of the development proposed to enable officers to undertake the planning balance.

Without the provision of a decant facility it would not be possible for the School to undertake the redevelopment projects.

Temporary nature

Through pre-application discussion, it has been accepted by the Greater London Authority that *“weight can be given to the fact that the inappropriate development would be temporary. GLA officers would also require a planning obligation to be secured ensuring that the land used for the temporary decant facilities would be reinstated as MOL and playing field of equal or higher quality following cessation of the temporary use.”*

Indeed, the Council has adopted a similar approach in respect of previous applications made for the School as referred to in the Planning History earlier. In respect of HGY/2012/2446, it was concluded that with the removal of temporary structures, the long-term impact on the MOL will be minimal, in compliance with the policies in place at that time. While the policy position has changed since that approval, it was adopted in the context of the first National Planning Policy Framework (2012) and the London Plan (2011). The spirit of MOL/ Green Belt policy has not evolved significantly.

It is concluded that weight should be applied to the temporary nature of the scheme.

Alternative locations

As acknowledged within the SPD, the School has explored various alternative locations where a decant facility could be proposed. The SPD notes that *“an extensive review of temporary accommodation options was undertaken by the School and accumulated in the proposed location on the Junior Field Synthetic Pitch. In this regard, the Council will allow for temporary buildings in appropriate locations.”*

The overall aim of the review of alternative sites was to keep the educational experience as close to normal for pupils, particularly in terms of access to the numerous Senior School facilities distributed between the Senior School and Bishopswood Road campuses, minimising travel time as much as possible.

Alternatives were considered as follows:

SITE	ANALYSIS	DECISION
Senior School Chapel Quad	The site could host only part of the space requirements in a three-storey building. It would be too prominent with a strong visual impact on the two listed buildings and Highgate Conservation Area.	Not feasible
Senior School Science Quad	Most of this Quad will be occupied as site access and contractor's compound for the development projects. The Quad is also a main central circulation node and therefore the works could result in disruption impacting education provision.	Not feasible
Senior School Garner Quad	Part of the Quad will be occupied as contractor's compound. The Quad is also a key amenity space for pupils.	Not feasible only considered for shorter term mobile toilet units
Senior School Parade Ground	Part of the landscaping works associated with the Dyne House proposals. Considered more sensitive in respect of the local planning context and given relationship to neighbours.	Not feasible
Junior Field on grass field strip	Narrow site could host only part of the space requirements in a three storey building. It would be too prominent with a strong visual impact on the public	Not feasible

	amenity area. Difficult access and excavations for foundations along mature trees make this option not feasible	
Junior Field on Synthetic Sports Pitch	Ideally located enroute and between campuses. Large site can host all teaching space requirements in a single storey building. Existing engineered base requires no foundations. Existing engineered base is sunk minimising visibility. Direct vehicle access for servicing and disabled access. This site is the most remote from residential neighbours.	Accepted
Orchard and Tatham's Fields (near Mallinson Sports Centre)	Sites at the top of a hill are difficult to access. Too remote for pupils' travel time between campuses. Sloping sites and extensive excavations for foundations near mature trees make this option not feasible with greater impact on neighbours. No direct vehicle access for servicing and disabled access	Not feasible
Senior Field West on grass field	Too remote for pupils' travel time between campuses. Location of the "First Club" football pitch recently reinstated following removal of the temporary Junior School.	Not feasible

As highlighted in the table above, the reasons outlined for the selection of the Junior Field in the assessment are as follows:

- It is ideally located en-route and between campuses.
- The large site can host all teaching space requirements on a single storey building.
- The existing engineered base requires no foundations.
- There is existing direct vehicle access for servicing and disabled access.
- The site is least sensitive to the School's neighbours.
- The existing levels of the MUGA allow for the temporary structures to be sunk, minimising visibility of the temporary structures.

Carbon impact

Whilst it has not been quantified, there is a clear benefit arising from the reuse of the existing engineered base of the sports pitch upon which the development will sit. Utilising any other site would require installation of concrete pad foundations and potentially piling, resulting in a greater carbon impact. This is a matter to which weight should be given as a material consideration.

Track record

As noted earlier, the School has a track record of delivering high-quality decant facilities on a temporary basis. We refer to Planning Permission reference HGY/2012/2446, which can be located with a search of the local planning register. The quality of the facilities and the lack of any remnant of that temporary facility will be replicated as part of this proposed development and this is material consideration of weight.

Compliant with the development plan in other respects

Finally, it is noted that the proposed development is compliant with the development plan when read as a whole in all other respects. This is considered in further detail below.

Mallinson Sports Centre

The existing buildings at the Mallinson Sports Centre sits completely outside of the MOL, with the MOL boundary abutting the existing Sports Hall.

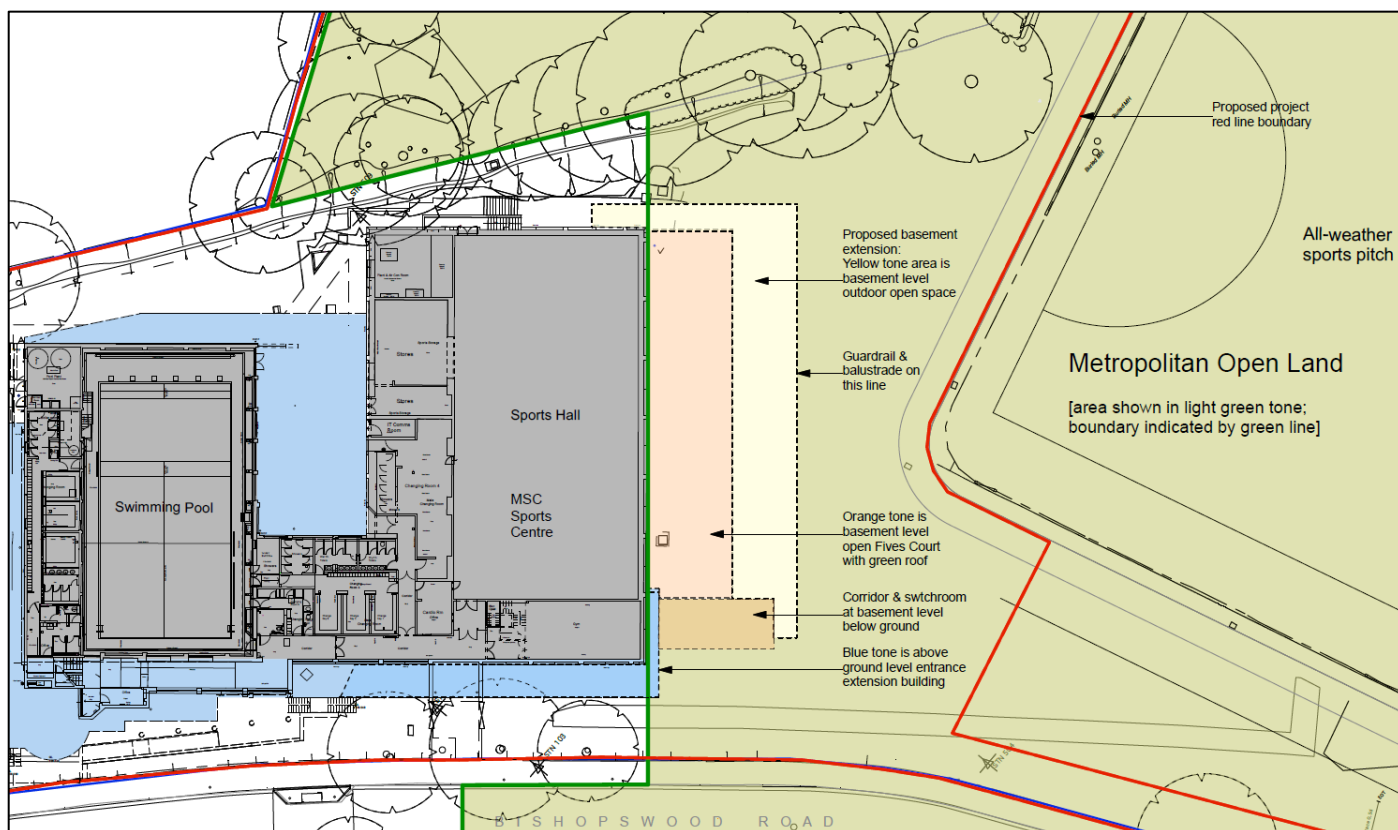


Figure 4 - The proposed redevelopment of the Mallinson Sports Centre and the interaction of the new extension into the MOL

The blue tone of Figure 4 shows the minor incursion at ground level, in addition the orange tone shows the green roof to the open five courts. These above ground developments within the MOL account for approximately 305 sqm.

If the area highlighted in a yellow tone is included, which demarks the sunken basement level on the fives courts, then the total area within the MOL is approximately 585 sqm. However, due to the sunken nature of fives courts this element is not considered to impact the openness of the MOL.

In respect of the MSC proposals the development should be considered as an exception as set out at paragraph 149 of the Framework. The justification for this is set out as follows.

Appropriate development

The precise boundary of the MOL designation is noted in Figure 4 and also detailed plan at 4.5 of the Design and Access Statement. It demonstrates that there are two key elements of the built development which result in an incursion on to MOL.

The first is an extension shown in blue tone, which is a small extension of approximately 1.2m to the MSC entrance. The entrance is a key element of the design of the MSC project and creates an important sense of arrival to the facility. In accordance with paragraph 149 of the NPPF, this is an alteration which does not result in a disproportionate addition to the existing building. Further, the alteration will not prejudice the wider function of the MOL at the Bishopswood Road Campus. Accordingly, this element of the works does not result in a conflict with development plan policy.

Considering the second element, it is noted that the proposed Five courts will deliver an area of sunken covered (but open to the air) hard standing appropriate for the game of Fives. This is noted by the area toned in orange (the covered courts) and yellow (an open external area of over-run) within the detailed plan overleaf.

As an area facilitating external recreation in an otherwise sterile part of the MOL designation, it is considered that the development should be considered as provision of appropriate facilities in connection with an existing outdoor sport use.

Further, given the sunken nature of the development, and the architectural approach to maintaining views through and across the Fives courts themselves, it should be considered that the openness of the MOL is also maintained. Accordingly, we conclude that this element of work also does not result in a conflict with the development plan.

Should the planning authority disagree with this assessment, a fall back very special circumstances case is set out at 7.19 of the Planning Statement.

Far Field Playing Field

There are no new buildings to be constructed as part of the proposed development; the existing pavillion will be refurbished with no increase in floor area, and the principal development relates to engineering operations associated with the proposed installation of a synthetic surface. On completion of the works, the playing field will remain available for outdoor sport and there will be no change to the openness of the site. The playing surface will have no permanent marks or permanent netting/borders and will be painted and set-up seasonally reflecting the field markings of a natural grassed surface. The proposed STP will have no discernible difference compared to the existing, and resultantly is considered to have no impact on the openness of the MOL.

We therefore conclude that the development would not be inappropriate development and there is no requirement for a very special circumstances case to be applied.

Anecdotally, it is highlighted that the proposed landscaping improvements around the periphery of the playing surface will enhance the setting of the MOL.

Land Swap

The School had as part of the Junior School Planning Application (ref. HGY/2012/2346), demolished the Fives building and tuck shop. These buildings were originally located within the MOL, to the west of the new Junior School across Bishopswood Road, adjacent to the Senior Field.

The area in question provides c.570 sqm of open land back to the MOL as shown in Figure 5 below.

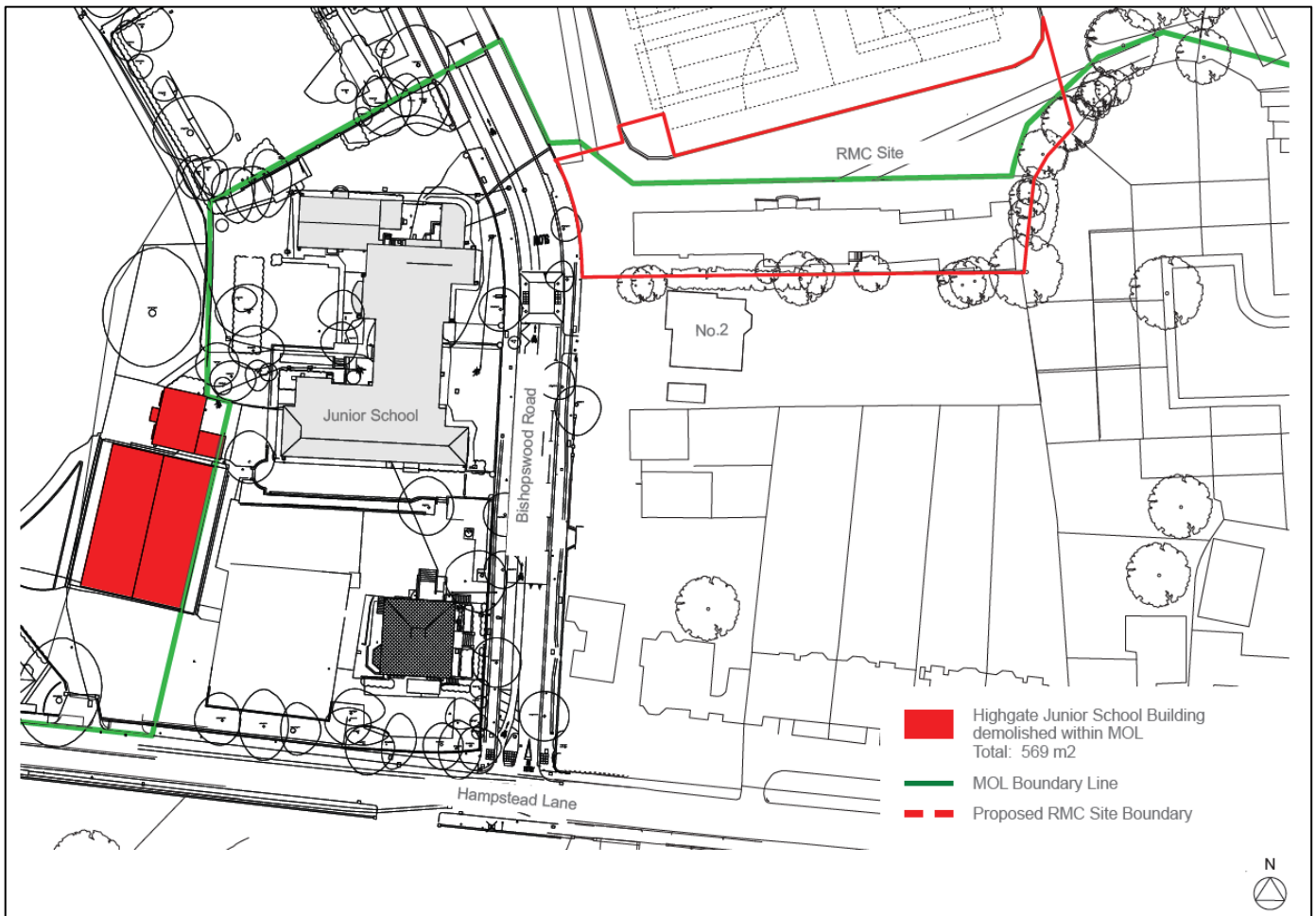


Figure 5 - A drawing outlining the buildings demolished within the MOL as part of the Junior School redevelopment

Conclusion

The above proposed permanent above ground development within the MOL is considered to be approximately 305 sqm for the Mallinson Sports Centre and 186 sqm for the Richards Music Centre. This combined figure would equate to approximately 491 sqm. This totals less than the area of the Junior School buildings demolished within the MOL.

Although the decant facility will be located within the MOL, due to the temporary nature of the Decant Facility there will be no permanent incursion into the MOL.