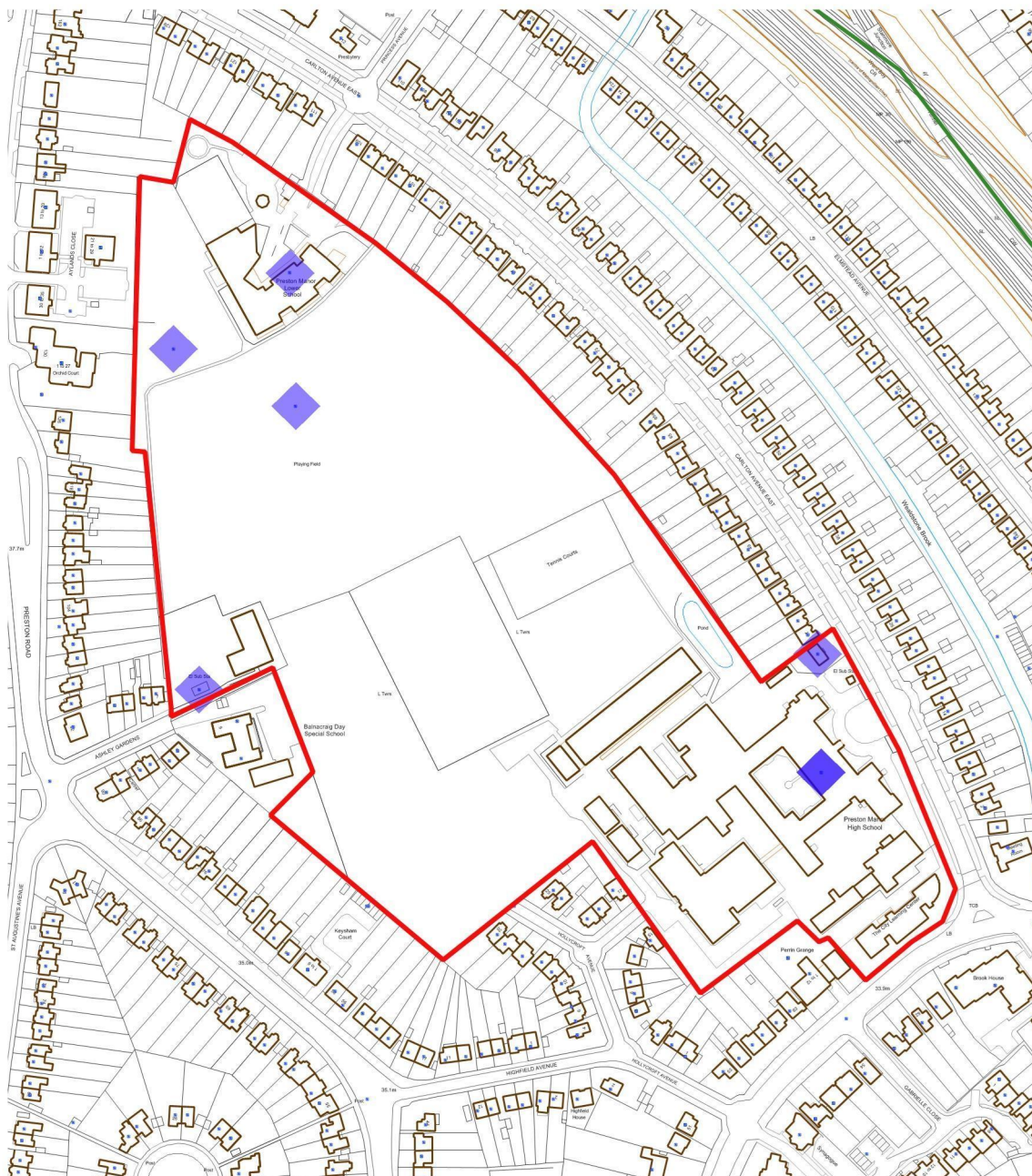




**Planning Committee Map**

Site address: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

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This map is indicative only.

**RECEIVED:** 17 January, 2014

**WARD:** Preston

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

**PROPOSAL:** Removal of two existing modular classroom huts and the erection of a permanent three-storey extension to the side of the existing high school sports hall to accommodate the schools 6th form building.

**APPLICANT:** On behalf of The Governors

**CONTACT:** Sampson Associates

**PLAN NO'S:**  
See Condition 2

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### **RECOMMENDATION**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

### **SECTION 106 DETAILS**

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Sustainability - submission of, and compliance with a revised TP6 Sustainability check-list to ensure a minimum score of 50% is achieved, and 2 months prior to a material start the submission of a detailed BREEAM assessment which demonstrates reasonable endeavours to achieve 'Excellent' rating, or a lower rating as deemed to be appropriate if demonstrated to the Councils satisfaction that this is the maximum level feasible on-site. Following the completion of construction works, appropriate independent evidence (such as BRE Post-Construction Review) would be required to be submitted to the Local Planning Authority to verify this.
- No later than 2 months prior to a material start, submission of a revised Energy Strategy to demonstrate that the maximum feasible carbon reduction target will be met on-site. This shall be targeting a 40% improvement on 2010 Building Regulations unless an alternative level is agreed by the Council as being the maximum level feasible for the development site. Including a reduction through on-site renewable technology.
- Join Considerate Constructors Scheme.
- Compliance with a Construction Management Plan that agrees the construction access point and measures that will be taken to minimise the impact of construction traffic on third parties.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

### **CIL DETAILS**

This application is not liable to pay the Community Infrastructure Levy (CIL).

#### **CIL Liable?**

Yes/No: No

### **EXISTING**

The site comprises the school buildings and playing grounds of Preston Manor High School. The original school dates back to the 1930's and a number of buildings and extensions have been erected since. The site is accessed primarily from Carlton Avenue East, and there is a secondary access via Hollycroft Avenue. The

site is not situated within a conservation area nor is it home to any listed building. Surrounding uses are predominantly residential with residential properties on Carlton Avenue East, Forty Avenue, Hollycroft Avenue, Preston Road and Ashley Garden all sharing a boundary with the site.

A new permanent primary school has been built at the northern end of the site. Known as Preston Manor Lower School this began admitting pupils in September 2011.

### DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

#### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
non-residential institutions	13710.8		311.8	1224.2	

#### TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	13710		311	1224	

#### Monitoring Residential Breakdown

##### Existing

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total

##### Proposed

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total

### PROPOSAL

Removal of two existing modular classroom huts and the erection of a permanent three-storey extension to the side of the existing high school sports hall to accommodate the schools 6th form building.

### HISTORY

#### 13/1975 - Granted

Retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space.

#### 11/1822 - Granted

Installation of a new synthetic turf hockey pitch, the erection of six 14.5m high floodlights and 3m high fencing around the pitch, to be located on the existing playing fields adjacent to Preston Manor High School and subject to a Deed of Agreement dated 12th October 2011 under Section 106 of the Town and Country Planning Act 1990, as amended.

#### 10/3203 - Granted

Erection of a one and two storey building to form a permanent primary school in the grounds of Preston Manor High School, with a new access between 109 & 111 Carlton Avenue East, comprising new classrooms, small and large halls, staff room, reception, kitchen and office space, with plant and photovoltaic panels, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990.

#### 10/2738 - Granted

Erection of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall,

staff room, medical area and ancillary office and storage space, as amended.

### **07/3033 - Granted**

Erection of a single-storey block comprising of 14 new classrooms, toilets and office space; the erection of a new sports hall; the relocation of outdoor hard play area and the relocation of 2 existing mobile classroom buildings and removal of 1 mobile as accompanied by Design Statement received 11/10/07; Flood Risk Statements dated 11/10/07 and 28/11/07 addendum and emails dated 21/12/07 and 03/01/08; Traffic Impact Assessment Report received 11/10/07; Sustainability Checklist dated 28/11/07; and Mercian Lighting details received 28/11/07 and subject to a Deed of Agreement dated 10<sup>th</sup> January 2008 under Section 106 of the Town and Country Planning Act 1990, as amended.

### **POLICY CONSIDERATIONS**

The following planning policy documents and guidance are considered to be of particular relevance to the determination of the current application

#### **The National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools

#### **The London Plan, 2011**

Policies 5.2 & 5.7

#### **The London Borough of Brent LDF Core Strategy 2010**

**CP19** – Brent Strategic Climate Mitigation and Adaptation Measures

**CP23** – Protection of existing and provision of new Community and Cultural Facilities

#### **The London Borough of Brent Unitary Development 2004 ('saved' policies)**

**BE2**- Townscape- Local Context and Character

**BE4** - Access for Disabled People

**BE5** – Urban Clarity & Safety

**BE9**- Architectural quality

**BE12** – Sustainable Design Principles

**EP2** – Noise & Vibration

**H22** – Protection of Residential amenity

**TRN1** - Transport Assessment

**TRN3** – Environmental Impact of Traffic

**TRN4** – Measures to make Transport Impact acceptable

**TRN11** – The London Cycle Network

**TRN22** – Parking standards- non-residential developments

**TRN34** – Servicing in New development

**TRN35** – Transport access for disabled people and others with mobility difficulties

**CF8** - School Extensions

**CF10** – Development within school grounds

#### **Supplementary Planning Guidance**

**SPG17** - Design Guide for New Development

**SPG12** – Access for disabled people, designing for accessibility

**SPG19** - Sustainable Design & Construction

### **SUSTAINABILITY ASSESSMENT**

Proposed sustainability measures are set out through the Brent Sustainability Checklist, and Renewable

## Energy Assessment.

The applicants achieve a self-assessed score on the checklist of 39.1%, normally a minimum score of 50% is expected to be achieved on all new development. Where such a shortfall exists Officers will secure improvements through an obligation, secured through s106 legal agreement that requires submission of, and approval of a revised Sustainability Checklist to demonstrate a score of 50% (see draft Heads of Terms).

It is submitted in the energy assessment that energy efficiency measures are sufficient in isolation to achieve compliance with the 2010 Part L Building Regulations by achieving a 25% improvement on carbon emissions. London Plan (policy 5.2) seeks to secure a 40% reduction in carbon dioxide emissions for the period 2013-2016. On balance Officers consider that opportunities to achieve further improvements should be explored pursuant to this policy. As such it is recommended that the requirement for submission of a revised Energy Strategy is secured through the s106 agreement. Upon submission of this it may become apparent that it is simply not feasible to achieve the level of reduction in CO<sub>2</sub> and to reflect this Officer's consider that the s106 agreement should require that the revised Energy Strategy achieves the maximum feasible level of CO<sub>2</sub> reduction.

In terms of the 'Be green' measures several options have been evaluated for on-site renewables. The proposal does not include a Combined Heat and Power (CHP) source. For CHP to be viable the demand for heat should be relatively stable throughout the year. This is unlikely to be the case here given the daily hours of occupancy and traditional holiday pattern of the school, leading to large periods of non use. Also the building currently sits outside of any existing heat network areas, with no existing potential to link in. Solar thermal has been discounted on the basis that the extension would not have a large enough hot water demand. Wind turbines were discounted on the basis that prevailing wind conditions are not suitable for this to be a viable technology, and because this is a dense built up area surrounded by residential properties. Air source heat pumps, and ground source heat pumps are identified as being potentially viable. Biomass has been discounted because of the implications this would have for air quality and practicalities surrounding fuel supply issues.

It has been concluded that solar photovoltaics (PV) are feasible and most deliverable because of the availability of flat roof, and as this would not be shaded by surrounding structures. It is submitted that this PV array would reduce CO<sub>2</sub> emissions by 10%, after other 'Be lean' and 'Be Clean' measures have been applied.

### *BREEAM*;-

Brent's Core Strategy (2010) does require all non residential major development to achieve a BREEAM rating of 'excellent'. A pre-assessment would normally indicate the BREEAM level expected to be achieved.

Officer's are recommending an s106 clause requiring the submission of a detailed BREEAM assessment which demonstrates reasonable endeavours to achieve 'excellent' rating, or a lower rating as deemed to be appropriate, if demonstrated to the Councils satisfaction that this is the maximum level feasible on-site due to the nature and scale of the development. This approach has been adopted on other sites where the Council acknowledge it may not be possible to achieve 'excellent' and this exercise will need to be carried out prior to a material start on site.

In order to ensure that the development achieves the maximum sustainability credentials feasible the Council's standard section 106 clauses have been agreed with the applicant, including the need to submit a revised Sustainability check-list, submission of a detailed BREEAM assessment which employs reasonable endeavours to achieve 'Excellent' rating is achieved, and to the submission of a revised Energy Strategy to demonstrate the maximum feasible level of CO<sub>2</sub> reduction. This shall be targeting a 40% improvement on 2010 Building Regulations unless an alternative level is agreed by the Council as being the maximum level feasible for the development site.

## **CONSULTATION**

On 17 February 2014 a total of 330 individual properties were notified. This consultation exercise applied to addresses on Carlton Avenue East, Forty Avenue, Hollycroft Avenue, Preston Road and Ashley Gardens.

Site notices were displayed on 17 February 2014.

Press notice advertised on 20 February 2014.

To date 6 individual objections to the proposal have been received. These objections are from addresses on Carlton Avenue East and Hollycroft Avenue.

Summary of objections:

<b>Grounds for Objection</b>	<b>Officer Comment</b>
Extension will generate extra traffic locally	<p>This proposal for an extension will result in a moderate uplift in pupil numbers (20% increase = 60 sixth form pupils). As there is an acceptable accredited Travel Plan in operation for the site which is continuing to be monitored and reviewed the proposal can be supported on transportation grounds.</p> <p>Assuming the proportion of new pupils travelling by car matches that of existing students (i.e. 13%) then it is estimated eight additional car trips would be expected to be generated.</p>
Extension will overlook properties on Hollycroft Avenue and result in loss of privacy to these properties.	<p>Windows within the proposed extension will directly face Hollycroft Avenue properties. Rear windows of no's 23 &amp; 25 are to be 40m away. The Council's adopted guidance for directly facing residential windows is for a minimum of 20m. These windows are in excess of this and considered to be suitably distanced apart not to lead to a loss of privacy (see 'Remarks section for more detailed discussion).</p>
Extension will be harmful to outlook of properties on Hollycroft Avenue.	<p>The proposed extension is in full compliance with both the 30 degree and 45 degree tests, as set out in SPG17 'Design Guide for New Development'. This test is used to ensure the size and scale of development is acceptable without harming residential amenity. By demonstrating compliance and being set well away from the boundary it is not considered this extension would have a detrimental impact to neighbouring properties in terms of loss of light and loss of outlook (see Remarks section for more detailed discussion).</p>
Extension will result in a loss of light to properties on Hollycroft Avenue.	See above comment
The noise and dust during construction will harm local residents amenity.	<p>With any build project there will inevitably be some level of disturbance caused. The modular method of construction to be employed here means that a lot of the construction work is done off-site, and units are delivered on site already fitted out. This reduces the construction period and reduces the associated impact. Details are set out in the Construction Management Plan.</p>
The application does not indicate where site access for construction vehicles will be.	<p>As confirmed in the Construction Management Plan, Hollycroft Avenue will not be used for construction traffic. The school propose to use the main entrance off Carlton Avenue East, with a secondary temporary construction access formed by a track way across the school grounds, this will lead to an exit via Ashley Gardens.</p>

The proposed development is in breach of restrictive covenants.	This is not a planning matter. Legal advice is that the grant of planning permission does not prejudice any decision that the Land Tribunal may wish to make in respect of any application to modify covenants.
There is adequate 6th form capacity within 400m of the site at the Ark Academy (Forty Lane).	The school has an identified need for greater capacity for teaching science and math's at AS and A2 levels. They are oversubscribed in these subjects meaning that pupils are forced to go to colleges outside the borough. This modest expansion will help to meet this shortfall.
The Transport Assessment does not take into account residential developments being built on Forty Lane & Brook Avenue.	Each application is assessed on its individual merit. In respect of this modest expansion Transportation does not see that this will create unacceptable levels of congestion, or increased traffic. (see Remarks section for more detailed discussion).

Brent Transportation:-

As there is an acceptable accredited Travel Plan in operation for the site which is continuing to be monitored and reviewed, this proposal for an extension to the building and moderate uplift in pupil numbers can be supported on transportation grounds, subject to a condition requiring the provision of additional bicycle parking within the site to take the total to at least 64 spaces.

Environmental Health:-

No objection raised.

Landscape Design:-

Have recommended that a total of 6 new trees be planted at a girth of 25-30cm, further details of which will be secured by condition.

Environment Agency:-

No objection raised.

Ward Councillors:-

No responses received.

**REMARKS**

**Introduction:**

1. Preston Manor School is an all-through school and was awarded Co-operative Academy status in Feb 2013. The school currently has 1860 pupils on the school roll between the ages of 5-18, 1635 of which are in the Upper School, and 300 of whom are in the sixth form. The school sixth form has been oversubscribed for a number of years with the largest waiting lists for science subjects and there is insufficient provision of science labs and math's classrooms to meet the demands for science and math's to be taught at AS and A2 levels. As a result students often have to take up college places outside of the borough. The reduction in the number of sixth form places at Copland Community School also means there will be even fewer Brent sixth form places for Brent residents.
2. This current application seeks to address the needs of the school's existing sixth form capacity and proposes an expansion of sixth form pupils by 20%, from 300 to 360 pupils. A three storey extension is proposed, built attached to the schools existing sports hall building. This is located towards the south-western part of the site. The extension will provide 7 new classrooms, 2 science labs, study room, common room with some ancillary office and meeting space.
3. The school has secured funding for this project from the Education Funding Agency.
4. The Council's Unitary Development Plan (UDP) emphasises the importance of providing sufficient social infrastructure to meet demand. Policy CF8 in the UDP confirms that in principle proposals are supported



to enlarge a school size where it is necessary to accommodate growth in pupil numbers, subject to any expansion having an acceptable transport impact. The National Planning Policy Framework (NPPF) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

#### **Siting, layout, design & appearance;**

5. The application proposes a 3-storey extension to the south western side of the upper school sports hall building, this will involve the removal of two existing single storey modular classroom buildings. The extension will provide additional much needed classrooms for sixth form pupils to meet the identified demand for more science and math's to be taught at AS and A2 levels. The modular buildings to be removed are 4.7m off the closest residential boundary with 17 Hollycroft Avenue, in comparison to the proposed extension which will be set further away from this boundary at 14.5m.
6. The school have advised they did consider other potential sites around the school buildings. However they are limited for suitable space and they did give consideration to building on top of some of the existing school buildings. This option was discounted for cost reasons, and on the basis it would be impractical, as it would have meant closing off and vacating parts of the school buildings during the construction period.
7. The extension will have a gross floor area of 1536sqm, arranged over three identical sized floors. There are two staircase towers at either end. The removal of the two modular classroom buildings, each approximately 150sqm means that the net floor area gain is 1236sqm.
8. The proposed extension will not be visible from Carlton Avenue East as it is to be screened by existing school buildings. It will be visible from the school playing-field, from properties on Hollycroft Avenue, Preston Road, Ashley Gardens and a small number of Forty Lane properties which share a boundary.
9. The design of the proposed building has one distinct mass. The extension proposed is 12m deep, 37m wide (43m including the staircase towers) and 9m high. It will be set below the height of the existing sports hall building to which it will be attached to, and is considered to be in keeping with the scale and form of existing school buildings. An outdoor terrace and landscaped area is proposed directly outside the building. Within this area six new trees are to be planted, further details of which are to be secured by condition.
10. The sixth form block will be constructed in a mixed palette of materials comprising of facing brickwork, cedar cladding, aluminium cladding with metal projecting eaves panels. The choice of materials of the extension will help to break up the massing and are considered to be appropriate. Further details of the materials will be secured by condition to ensure a good standard of development.
11. The building has been designed to be fully wheelchair accessible with level access and a wheelchair lift which will provide access to the upper floors.

#### **Impact on neighbouring amenity;**

12. The proposed location for the 3-storey extension is closest to properties on Hollycroft Avenue, and as such, the impact to rear of these surrounding properties has been duly assessed. There is a group of properties, no's 19 - 25 Hollycroft Avenue which back onto the part of the school site the extension is proposed. A site visit to no's 23 & 25 Hollycroft Avenue was carried out on 20/03/14 and the relationship viewed from both the rear gardens, and both the properties internally.
13. Distances between the closest neighbouring properties and the proposed extension are set out below:-
  - Garden edge of 17 Hollycroft Avenue is 14.5m from nearest point of proposed extension. This house does not directly face the proposed extension, it will be at an oblique angle.
  - Garden edge of no's 23 & 25 Hollycroft Avenue is 24m from nearest point of proposed extension.
  - Rear walls and directly facing windows of no's 23 & 25 Hollycroft Avenue are 40m from nearest point of proposed extension.
14. Section 3 – Design Layout of SPG17 – Design Guide for New Development, sets out guidelines for new development in regards to layout and positioning to protect neighbouring occupiers from loss of light,



outlook and privacy. SPG17 states that "...the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of 2m above floor level" and that "Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m." The proposed extension is in full compliance with both of these requirements due to the generous separation distances that will be maintained away from the site boundary. As such is not considered that this extension would be of a size or scale to have a detrimental impact to neighbouring properties in terms of loss of light and loss of outlook. It is considered to be in accordance with UDP Policy BE9 – Architectural Quality and SPG17.

15. In addition it is considered that the windows on the face of the proposed extension are suitably distanced from the closest garden boundaries (no's 17, 23 & 25), and closest rear windows of properties on Hollycroft Avenue (no's 23 & 25) which directly face the application site. 17 Hollycroft Avenue does not share the same relationship, as referred to above. There are no adopted standards which set out the minimum separation distances required window-to-window, where non-residential windows directly face residential windows. However SPG17 can be used as a means of testing this relationship and reaching a balanced view as to what we would normally expect as a minimum level of separation. SPG17, requires a minimum window-to-window separation of 20m where residential windows are directly facing one another, this standard is applied in order to safeguard against loss of privacy and overlooking. The proposed relationship is to achieve a separation of 40m between directly facing windows, achieving a significantly greater level of separation. Similarly the Councils adopted guidance seeks that residential windows be set a minimum of 10m away from residential boundaries, as referred to above there is no such standard for non-residential windows to boundaries but in this case the extension set far enough away within the site to maintain a separation of 14.5m. This is more generous than the Council would seek to achieve. Furthermore given the presence of existing trees outside of the site in adjoining residential gardens, and the proposal to plant a total of 6 new semi-mature trees in between the extension and these closest gardens, these will further minimise the visual impact of the extension from adjoining rear gardens. It is important also to take account of the daytime operational hours of the school, and on balance it is not considered that there will be a significant detrimental loss of privacy, light or noise pollution to neighbouring occupiers from this proposed extension.

#### **Transportation impacts;**

16. A Travel Plan is already in place to assist the school in minimising its transportation impacts on its surroundings, Transportation advise this is operating with success.
17. The school is located on the northwestern corner of the priority junction of Carlton Avenue East (a local residential access road) and Forty Avenue (a local distributor road).
18. The school has three main entrances for vehicles and pedestrians – two onto Carlton Avenue East in front of the main building and a lightly used rear access from Hollycroft Avenue. A separate further access onto Carlton Avenue East is located at the northern end of the site, serving a recently constructed lower school. Access to the school grounds can also be gained from Ashley Gardens (off Preston Road).
19. The High School currently has a school roll of 1578 pupils, with 133 full time staff and 117 part time staff. School hours are 8.40am-3.30pm, with out of hours activities also taking place on Saturdays (8.00am-3.00pm) and Sundays (9.30am-10.30pm).
20. Car parking comprising a total of 108 spaces (54 for staff, 8 for visitors and 2 disabled) is located in various areas to the north and south of the main building, with access via two points off the carriage driveway at the front of the site. A total of 32 bicycle spaces are currently provided.
21. There will be an increase of 3 staff and 60 pupils (all 6<sup>th</sup> form pupils) as a result of the proposal, taking the school roll to 1638 pupils.
22. The last major alteration to the school to provide a new 14-classroom block was submitted in 2007 (ref: 07/3033) and was approved following the completion of a S106 Agreement requiring the implementation of a School Travel Plan, with targets to reduce the proportion of staff and pupils travelling to and from the site by car to 35% and 15% respectively.
23. The school has thus been operating a Travel Plan during that period, which is currently accredited by TfL with Bronze status. The most recent update for the school for 2014 shows 37.6% of staff travelling to the school along by car (plus 6.7% car sharing) and 13% of pupils travelling by car (plus 2% car sharing). As

such, the targets set in the S106 Agreement from 2007 are being broadly complied with.

24. The school has moderate access to public transport services (PTAL 3), with close access to four bus routes on Forty Avenue and Preston Road and both Preston Road and Wembley Park Underground stations (Metropolitan and Jubilee lines) within reasonable walking distance.
25. On-street parking along Forty Avenue is generally unrestricted (other than on Wembley Stadium event days, when it is prohibited between 8am and midnight), aside from at junctions and bus stops.
26. Parking along Carlton Avenue East is generally unrestricted, but again is limited to residents permit holders only on Wembley Stadium event days. SCHOOL KEEP CLEAR markings in front of the site prevent stopping between 8.15am-9.15am and 2.30pm-4.30pm on weekdays. There are traffic calming features (largely speed humps) along the length of Carlton Avenue East.
27. Car parking allowances for schools are given in standard PS12 of the UDP. The parking requirements for disabled people and bicycle parking requirements are given in standards PS15 and PS16 respectively. The parking allowance for schools permits one space per 5 staff, plus an additional 20% for visitors. With an estimated equivalent full-time staff total of 191, up to 45 standard width spaces would be permitted. The existing on-site parking provision of 108 spaces exceeds this allowance.
28. The small increase in staff arising from this proposal would increase the parking allowance slightly to 46 spaces, bringing it marginally closer to the actual level of parking within the site. It is not considered reasonable to require existing parking to be reduced to comply with standards as part of this application, particularly if the Travel Plan is successfully reducing car use amongst staff.
29. At least 5% of spaces should be widened and marked for disabled parking, giving a requirement for six spaces based on the existing level of parking provision. Only two such spaces are currently provided and this should therefore be increased. In the event that permission is granted it is recommended this be secured by condition.
30. Consideration also needs to be given to the potential impact of the proposal on traffic flow and parking in the area. To this end, the existing School Travel Plan has been updated this year and shows significant reductions in car use amongst both staff (51% down to 37.6%) and pupils (17.8% down to 13%) since first coming into operation in 2008.
31. On this basis, the addition of 60 further pupils on the school roll can be more easily accommodated without having a severe impact on junction operation or parking in the area. Assuming the proportion of new pupils travelling by car matches that of existing students (i.e. 13%) then it is estimated about eight additional car trips would be expected to be generated. The considered view of your Transportation officers is that the modest expansion is not considered to be significant enough to warrant further assessment of local junction capacity.
32. The use of public transport for travel to and from the school by staff and students has correspondingly increased with the reduction in car use. Amongst staff, the percentage travelling by public transport has risen from 24.4% in 2008 to 33.5% in 2014, whilst for pupils the totals have grown from 26.2% to 36.7%.
33. Applied to the additional pupils and staff, about 23 additional public transport journeys would be created before and after school, which amounts to less than one additional passenger per bus/train in the local area, so is not significant enough to cause concern.
34. Walking journeys amongst pupils have remained fairly steady at about 44% of the total, but amongst staff, the proportion has risen from 5.5% to 13.8% since 2008.
35. In conclusion, the Travel Plan has been successful in reducing the proportion of car trips to the site and has been suitably accredited by TfL. Set against this, the proposed marginal increase in pupils arising through this proposal would be considered acceptable in transportation terms.
36. Bicycle parking for the school should include 1 space per 10 staff/students. On this basis, the bicycle parking requirement would rise from 177 spaces to 184 spaces with this proposal. However, the Travel Plan does show that only 17 pupils use bicycles to travel to school at present and only 16 staff cycle to school.
37. Nevertheless, this is sufficient to result in existing cycle parking space being used to its full capacity and it

is therefore essential that further bicycle parking is provided as a condition of any approval. In this respect, it is noted that a total of 48 spaces should have been provided on site anyway through the discharge of condition 11 on the previous school extension (ref: 08/2517), but one of the approved shelters does not appear to have been provided. A condition is therefore recommended requiring these 16 missing spaces to be provided, plus at least a further 16 spaces to meet the needs of the additional pupils and cater for a little more of the shortfall within the site.

38. The new extension does not affect any access or parking areas, whilst the drainage proposal, including rainwater harvesting, are generally acceptable.

*Summary:-*

39. As there is an acceptable accredited Travel Plan in operation for the site which is continuing to be monitored and reviewed, this proposal for an extension to the building and moderate uplift in pupil numbers can be supported on transportation grounds, subject to a condition requiring the provision of additional bicycle parking within the site to take the total to at least 64 spaces, which can be at the expense of some of the excessive car parking provision.

*Construction Management Plan*

40. Local residents had expressed concern that Hollycroft Avenue might be used as an access for construction vehicles, as set out in the objections received. Your Transportation officers also deem this an unsuitable point of access due to its width and alignment. It has since been confirmed through the Construction Management Plan (CMP) that no construction traffic will enter the site through Hollycroft Avenue.

41. The CMP breaks down the construction phase into four distinct parts. For the purposes of this a temporary access track is proposed to be installed across the school grounds, leading to an existing exit via Ashley Gardens, located off Preston Road. This is considered to be the route of least disruption to surrounding residents. Not all construction traffic would be able to manoeuvre within the site if accessed from Carlton Avenue East, due to existing school buildings. A similar approach was followed in granting permission for the sports hall and 14 classroom expansion in 2007, the difference here being that the temporary site exit for construction traffic was gained at the far, northern end of the site which is no longer possible due to the newly built lower school.

42. The four distinct build phases will comprise the following:-

- Removal of two existing classroom huts - These modules will be individually mounted onto lorries by mobile crane and driven out of site via the proposed temporary track way. The removal of excavation and demolition material not being re-used on-site is also to be via this Ashley Gardens exit.
- Enabling works and foundations - It is anticipated the new building will be supported on conventional pad foundations cast in concrete by traditional pumping methods. It is proposed that these cement delivery vehicles will take a route via the main school entrance on Carlton Avenue East. Such deliveries would be scheduled to take place outside of school arrival and departure times.
- Delivery and erection of modular units - The majority of the building is to be assembled off-site from factory produced modular units. These will arrive on site ready to be put together and complete with internal finishes. This type of construction is beneficial as it results in much less disruption to the site and surroundings, and the number of individual trades on site and deliveries greatly reduced. These units would be delivered via Ashley Gardens, through the Brent Adult Education Centre car park, and via the temporary track way. The proposed construction comprises 42 individual modules, and it is anticipated that these will be delivered in groups of 5 per day, resulting in a total delivery period of 8-9 days. Individual units will be taken from the delivery lorry and positioned on site using a mobile crane. All deliveries to site will be under supervision of a banksman, and just to reconfirm no construction traffic will come via Hollycroft Avenue. No deliveries to either access point will be scheduled to coincide with school arrival and departure times, and arrival to site will need to be pre-arranged with the contractor.
- Fitting out & finishes - Once the modules are installed works that could not be completed in the factory will be undertaken. This would include works like the installation of external cladding, solar panels, entrance canopies and landscaping.

43. The Construction Management Plan is welcomed as it will minimise disturbance to surrounding properties and reduce the impacts of construction traffic during the build phase. Implementation of this plan will be secured through the s106 legal agreement.

**Landscape improvements;**

44. There are no trees in the area where the extension is proposed requiring removal, or any soft landscaping features. The proposal does not affect the number of trees on site overall, and in fact the applicants have proposed six new semi-mature trees. These trees will help to help provide a natural screen and buffer between the extension and adjoining properties on Hollycroft Avenue, and they will contribute to local visual amenities.
45. The Council's Tree Officer has recommended that these tree's have a girth of 25-30cm at planting, and the *Tilia Cordata* species is recommended as being suitable for growing to a height that would help screen the extension. Further details of the tree species, size and the tree pit construction details will be secured as a condition of any approval.

#### **Habitat & protected species;**

46. The proposed works do not result in the loss of any existing vegetation, hedgerow, trees or dilapidated buildings. All of which could have the potential to support bat roosts or nesting birds. Building works will take place on a part of the site that is already entirely hardsurfaced. In accordance with the standing advice issued by Natural England further detailed surveys are not required.
47. Previous applications for developments on the wider school site have not identified the presence of any protected species. A previous Phase 1 Habitat Survey carried out identified only a potential location for roosts and nesting birds within bordering vegetation, mature trees, woodland belts and dilapidated buildings. None of which were within the area proposed for the extension. No features of this type are to be affected or removed to facilitate this proposed extension. The earlier conclusion reached was that the site has low ecological value in specific relation to protected species and that no protected species were likely to be impacted by earlier development. In any event the grant of planning permission 10/3203 did secure post development improvements and habitat creation through the provision of bat and nesting boxes.

#### **Sports space provision;**

48. The proposed development will not result in the loss of any play space/sports pitches.

#### **Flood Risk;**

49. The proposed extension is to be sited wholly within Flood Zone 1 (low probability), and is supported by a Flood Risk Assessment. The Environment Agency has been consulted on the proposal. No objection is raised, or detailed comments provided, they advise of the need for good practice for the management of surface water run-off and drainage on site.
50. There is no proposed increase in the total impermeable area of the site. The proposed extension is to be located wholly within an area identified as being Flood Zone 1, and this accords with the sequential test approach for preferential sites in areas at low risk of flooding. This is consistent with the National Planning Policy Framework.
51. The applicants have proposed rainwater harvesting to collect runoff from the roof, this will be re-used within the building. On the basis of this water recycling, and that the proposed extension does not increase the area of surface impermeability of the site it is not considered that this would adversely effect on site drainage, or flooding.

#### **Restrictive covenants;**

52. Objectors have submitted that the proposed extension would be in breach of restrictive covenants on the site, and this forms one of their reasons for objecting to the extension. An application to modify restrictive covenants has already been made in respect of the now built, Preston Manor Lower School, as this development constituted a breach. This application has been considered by the Upper Tribunal (Land Chamber) in January 2014. As a result the school is fully aware of its position in respect of restrictive covenants, and acknowledges that this extension, if built, would be built, in part on land that is burdened by restrictive covenants.
53. The school has sought its own legal opinion in respect of the restrictive covenants that exist. Having taken independent legal advice the school's position is that they remain entitled to apply for a development that would be in breach of covenants, even if those covenants burdened the land on which the proposed development is intended to be built. If necessary the school would be entitled to apply to the

Upper Tribunal (Lands Chamber) for an order to modify the restrictive covenants prior to works commencing on site. The applicants anticipate, based on the independent legal advice obtained by them that an application to modify the covenants has a good prospect of a positive outcome. Ultimately this is a decision that will be made by the Upper Tribunal (Lands Chamber).

54. Restrictive covenants on land is not a planning matter and cannot be taken into consideration when determining a planning application. Legal advice given previously is that the grant of planning permission does not prejudice any decision that the Land Tribunal may wish to make in respect of restrictive covenants. The grant or refusal of planning permission will not override any other statutory processes. Members are therefore advised to determine the planning application, which will not prejudice the Upper Tribunal (Land Chamber) findings in relation to future applications submitted to modify the covenants.

**Summary:** Officers consider the proposed scheme complies with the relevant policies and is in conformity with the National Planning Policy Framework which places great importance on ensuring that sufficient school places are available to meet the needs of existing and new communities. This extension will meet the schools sixth form teaching needs, provide improved facilities and will increase the education choices available to pupils. It has been demonstrated throughout this report that the extension is positioned a sufficient distance away from neighbouring boundaries in order to safeguard amenity. and new tree planting proposals are welcomed. The impact of the sixth form expansion on surrounding traffic patterns has been carefully considered and on balance is considered to have an acceptable level of impact. Accordingly your officers recommend planning permission be granted, subject to a number of conditions and completion of a satisfactory s106 legal agreement

**RECOMMENDATION:** Grant Consent subject to Legal agreement

- (1) The proposed development is in general accordance with policies contained in the:-

National Planning Policy Framework 2012  
London Plan 2011  
Brent LDF Core Strategy 2010  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 17

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Transport: in terms of sustainability, safety and servicing needs  
Community Facilities: in terms of meeting the demand for community services

**CONDITIONS/REASONS:**

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

13.009/01  
13.009/SK04  
13.009/SK05  
13.009/SK10,revA  
13.009/SK11,revA  
13.009/SK12,revA  
13.009/SK13,revA  
13.009/SK14  
13.009/SK15,revA  
13.009/SK16  
13.009/SK17,revA  
13.009/SK18

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) Provision is to be made for not less than 5% of the total existing parking spaces on site to be widened and marked for disabled parking. Such works shall be completed prior to first occupation of the extension hereby approved and shall not be altered except with the prior written permission of the Local Planning Authority.

Reason: To ensure that the proposed makes adequate provision for disabled parking in accordance with adopted standards.

- (4) Modular classroom buildings proposed for removal as part of this application shall be fully removed from site prior to work commencing on the extension hereby approved.

Reason; To ensure an acceptable standard of development.

- (5) Further details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out fully in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- (6) (a) Further details of tree pit construction details shall be submitted to and approved in writing by the Local Planning Authority before any planting commences on site, and the landscape works to be carried out fully in accordance with such details as may be approved, and completed prior to first occupation of the building hereby approved. A total of 6 trees with a girth of 25-30cm at planting stage shall be planted in the location shown on the approved plans, which shall be *Tilia Cordata* species, unless otherwise approved in writing by the Local Planning Authority.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

(b) Details of the means by which existing trees on site are to be protected from damage by vehicles, mobile cranes, stored or staked materials, and building plant or other equipment shall be submitted to and approved, in writing by the Local Planning Authority before any construction work commences on site, and such protection shall be installed and retained, as approved, throughout the period of the work.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (7) Details of the provision of additional secure cycle parking spaces shall be submitted to and

approved in writing by the Local Planning Authority prior to the commencement of work on site. The additional provision shall take the total number of spaces on site to at least 64 spaces. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained thereafter.

Reason: To ensure satisfactory facilities for cyclists.

- (8) The development hereby approved shall not commence until vehicle wheel washing facilities have been provided on site in accordance with details submitted to and approved in writing by the Local Planning Authority. Such facilities shall be installed prior to the commencement of the development and used by all vehicles leaving the site and shall be maintained in working order until completion of the appropriate stages of development or such other time as may be agreed in writing with the Local Planning Authority.

Reason: To ensure that the construction of the proposed development does not prejudice conditions of safety and cleanliness along the neighbouring highway.

**INFORMATIVES:**

- (1) If a protected species is encountered during the course of the development, then works should cease and advice sought from an suitably qualified ecological consultant.
- (2) With reference to condition 6 Brent's Tree Officer has advised that Tilia Cordata (small leaf Lime) would be an appropriate species of tree to be planted.
- (3) No construction traffic is permitted to use the Hollycroft Avenue site access, this is deemed unsuitable due to the width and alignment of the highway. All associated construction traffic shall enter and leave the site in accordance with the Construction Management Plan for the duration of the construction period.
- (4) In relation to condition 5 (materials) please note the Council no longer accepts physical samples of proposed materials. Either a detailed schedule should be provided electronically, or a materials board made available to view on site at time arranged with the case officer.

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227