

## Agenda Item 03

### Supplementary Information Planning Committee on 22 October, 2015

Case No. 15/3161

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| Location    | Ark Elvin Academy, Cecil Avenue, Wembley, HA9 7DU  |
| Description | Demolition of existing buildings on site and erection of replacement building to accommodate a three storey 9FE secondary school for 1750 pupils (1350 11-16 year old and 400 post 16) with associated car parking, servicing and circulation space, Multi Use Games Area, All Weather Pitch, games areas and other hard and soft landscaping, together with the diversion of Public Right of Way (PROW) No.87 |

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#### Members site visit

At the site visit a number of issues were raised and these are considered in further detail below.

- Construction Access

The use of Brent House or the existing access from the High Road were not considered appropriate for the main construction access route. Brent House is a separate site which is under offer and a planning application for its development is expected imminently. Access from High Road was considered but was deemed to be unsuitable due to health and safety reasons as a result of the need to segregate pupils/construction traffic.

The main construction access is proposed from Jesmond Avenue. Jesmond Avenue has been selected as the preferred route of construction access for the following reasons:

- it has direct access from Harrow Road with a yellow box junction to allow for unobstructed right turns;
- It is closer to the North Circular Road compared to Clifton Avenue;
- it will result in the loss of fewest on street parking spaces compared to other surrounding roads as a result of the provision of a temporary single yellow line during construction;
- it allows the school to operate during construction without risk to pupils.

Consideration has been given to providing a car park for Jesmond Avenue residents during construction. The construction access route is proposed to be "in and out" of Jesmond Avenue. As such, a car park within the application site will be difficult to manage, in addition to the need to secure the site when construction works have stopped for the end of the day. Furthermore, the majority of properties in Jesmond Avenue have driveways. With the introduction of a single yellow line along one side of Jesmond Avenue, there will be a loss of 5 to 10 on street parking spaces. The loss of these spaces will only take place during 8.30am to 4.30pm Mondays to Fridays, and will not be affected during evenings and weekends.

- Public right of way

A number of local residents have written to advise that they have rights of access across the playing fields. A right of way has not been established other than the formal public right of way (PROW) referenced in this application.

Legal advice has been sought on this matter which confirms that where there are any potential claims to the use of the school grounds by residents, the assessment of such claims cannot be carried out by the Planning Committee and must instead be dealt with by a separate process by the Transportation Department. The advice confirms that there is no impediment to the Planning Committee considering and determining the application.

- Ownership of the school site

Brent Council owns the freehold of the application site. The school currently has a short term lease and in the event that planning permission is granted, the school will be given a long term lease (125 years) once the

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development is completed.

- Concerns about fencing round St Joseph's School

A condition regarding boundary fencing during construction has already been secured as part of condition 22(a)(iii).

#### Updated plans

The following plans have been updated to reflect the changes to the site layout (including car parking spaces, access from Cecil Avenue) as discussed within paragraphs 59 to 77 of the main committee report.

693-NHA-(SK) 180 Rev 00 - Boundary conditions with Ark Elvin Academy and Brent House car park plan  
693-NHA-(SK) 181 Rev 00 - Boundary conditions with Ark Elvin Academy and Brent House car park section  
D2308 L.200 REV C - Combined Hard and Soft General Arrangement Plan  
D2308-SP001 REV B - Outline Landscape Specification  
D2308 L.103 REV B - Boundaries Plan  
D2308 L.102 REV B - Access and Circulation Plan  
D2308 L.101 REV D - Colour Masterplan  
D2308 L.100 REV B - Site Plan

#### Status of hardstanding within school site

One of the objections raised within the main committee report related to an area of hardstanding that was once part of the grass playing field. It has been confirmed by Planning Enforcement that this area of hardstanding has existed for over four years and is immune from planning control. It is within the application site and is used for educational purposes therefore no change of use has occurred.

#### Relocation of the temporary classrooms

As the temporary classrooms will be relocated on the site to facilitate this application, their relocation can be included within the Construction Management Plan (condition 11). It is therefore recommended that condition 11 is amended to read as follows:

*No development shall take place, including any works of demolition, until an updated Construction Method Statement and Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:*

- (i) *The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;*
- (ii) *The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;*
- (iii) *Vehicular access to Jesmond Avenue to not be impeded with the provision of a single yellow line to run along one side of Jesmond Avenue;*
- (iv) *Restriction in the hours of deliveries to correlate to the restrictions on parking on Jesmond Avenue as detailed in (iii) above;*
- (v) *the parking of vehicles of site operatives and visitors;*
- (vi) *construction traffic routes to the development site*
- (vii) *loading and unloading of plant and materials;*
- (viii) *storage of plant and materials used in constructing the development;*
- (ix) *the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;*
- (v) *wheel washing facilities and schedule of highway cleaning;*
- (xi) *measures to control the emission of dust and dirt during construction;*
- (xii) *a scheme for recycling/disposing of waste resulting from demolition and construction works;*
- (xiii) *School access during the construction phase (including **staff car parking**, servicing and delivery arrangements)*
- (ix) ***Details of location of any temporary classroom buildings together with duration of time that they are required on site***

*Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.*

#### Amendment to wording of other conditions

To enable preparation works to take place on site that do not affect the PROW, it is recommended that condition 10 is amended to read as follows:

*No development shall take place **that will impact on the existing Public Right of Way (PROW)**, including any enabling works or works of demolition, until the Orders for the temporary and permanent diversion of the **PROW** have been approved by the Council. The temporary diversion of the PROW shall be in place throughout the construction of phase **1 and 2** of the development, and the permanent diversion of the PROW shall be in place prior to the new school building being occupied.*

*Reason: In the interests of maintaining a safe public right of way.*

It is also recommended that the general landscape condition is updated to include means of enclosure. It is recommended that this condition is updated to read as follows:

*A scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority within 3 months of commencement of Phase 2. The approved hard and soft landscaping shall be completed in full accordance with the approved details prior to the occupation of the new school or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-*

- (a) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling;*
- (b) all planting including location, species, size, density and number incorporating native species.*
- (c) details of the provision of artificial bird and bat boxes*
- (d) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users*
- (e) the location of, details of materials and finishes of, all street furniture*
- (f) details of means of enclosures including materials and heights***
- (g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.***

*Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.*

*Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.*

#### Transport for London

TfL have written in advising that they are seeking a contribution of £375,000 towards additional bus capacity in particular between Wembley Central and area north of Wembley Park.

Consideration has been given to this request but it is not considered that a contribution can be justified given that this planning application will increase in pupil capacity by just 150 pupils, with the number of additional passengers on any particular service is likely to average less than one, which is not considered to be significant.

The positive benefits of the new school also need to be considered and the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and requires local planning authorities to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. This is reinforced in policy 3.18 of the London Plan.

#### Additional letters of objection

An additional letter of objection has been received raising concerns with the proposed implementation of

yellow line parking on Jemsond Avenue and that this did not form part of the consultation as this was not included within the construction management plan submitted with the planning application.

A construction management plan (CMP) was submitted in support of the application. Through consultation with Transportation, yellow lines have been requested to allow for ease of access along Jesmond Avenue when construction lorries will be delivering goods to the site. Transportation have requested the yellow lines for good traffic management and this would be dealt with by way of a Traffic Regulation Order (TRO). It is usual practice that such measures outside of the application site are secured by condition and may include more detail than an initial submission.

**Recommendation: Remains approval subject to the conditions set out in the draft decision notice within the main committee report and the amendments to the conditions as set out above.**

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