

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 March, 2016
10
15/4523

SITE INFORMATION

RECEIVED: 19 October, 2015

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: Byron Court Primary School, Spencer Road, Wembley, HA0 3SF

PROPOSAL: Demolition of eight existing buildings on site comprising 4x teaching blocks, 1x shelter, 1x shed, 1x storage/garage and 1x kitchen and dining facilities and construction of new part single and part two storey building (to accommodate expansion of the school from 3 form to 5 form entry primary school), all-weather MUGA to include the reconfiguration of the School's playing field and associated landscaping and parking, upgrading of the Nathans Road access and temporary permission for the erection of a single teaching block (2x classrooms) for use until July 2017.

APPLICANT: London Borough of Brent

CONTACT: LUC

PLAN NO'S: Please see condition 2.

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_124621

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1. Please go to pa.brent.gov.uk
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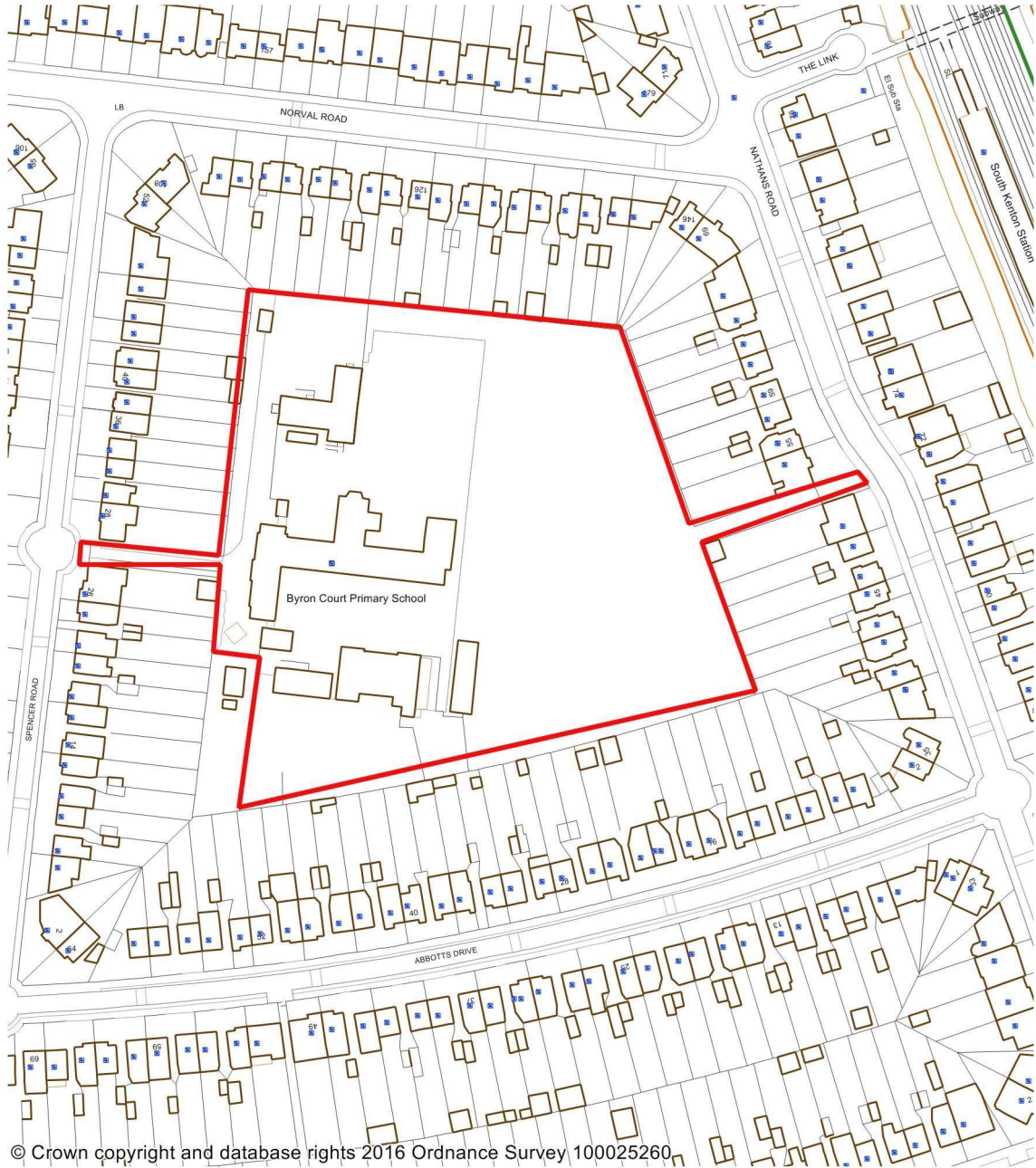
SITE MAP



Planning Committee Map

Site address: Byron Court Primary School, Spencer Road, Wembley, HA0 3SF

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This map is indicative only.

SELECTED SITE PLANS

SELECTED SITE PLANS

Proposed Site Plan



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed North and East Elevations



04 Proposed North Elevation

Proposed South and West Elevations



01 Proposed West Elevation
1/20



02 Proposed South Elevation
1/20

Proposed Elevations - Temporary classrooms



01 Proposed Classroom Classroom



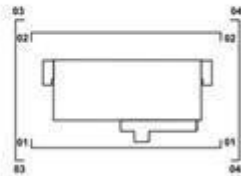
02 Proposed Classroom Classroom



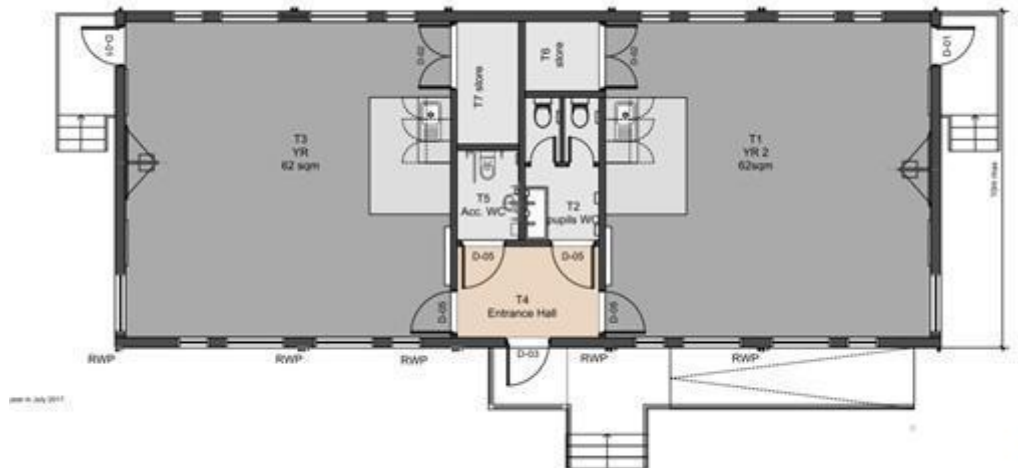
03 Proposed Classroom Classroom



04 Proposed Classroom Classroom



Proposed Floor Plans - Temporary Classrooms



RECOMMENDATIONS

Grant Consent, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

Demolition of eight existing buildings on site comprising 4x teaching blocks, 1x shelter, 1x shed, 1x storage/garage and 1x kitchen and dining facilities and construction of new part single and part two storey building (to accommodate expansion of the school from 3 form to 5 form entry primary school), all-weather MUGA to include the reconfiguration of the School's playing field and associated landscaping and parking, upgrading of the Nathans Road access and temporary permission for the erection of a single teaching block (2x classrooms) for use until July 2017.

B) EXISTING

The application site comprises Byron Court Primary School. It is a community school located in the north of the borough. The current capacity of the school is 630 plus 30 temporary/bulge places in Year 2 on the main site - 660 places in total. The school also manages two temporary Reception classes providing 60 places off site at Ashley Gardens.

The school site is surrounded on all side by two storey semi detached residential properties on Spencer Road, Norval Road, Nathans Road and Abbots Drive.

The main school access is currently from Spencer Road. There is a secondary access from Nathans Road but this is only used for maintenance purposes at present.

The site lies within Flood Zone 1, which is an area of low flood risk. The south western part of the site is currently designated as a Site of Local Importance of Nature Conservation. The school is also located within an Area of Distinctive Residential Character.

The Sudbury Court Conservation Area is located to the west of the site, along the boundary with The Fairway. Around 140m, to the east of the site is South Kenton Station, which is served by both London Underground and London Overground. The railside habitat is designated as a Site of Borough (Grade I) Nature Conservation Importance and a Wildlife Corridor.

C) AMENDMENTS SINCE SUBMISSION

During the course of the application, the following amendments have been made to the proposal:

- Updated to Travel Plan. This includes some changes to the action plan and use of Northwick Park Car

Park. No changes have been made to the targets.

- Updated to the Energy Report to clearly set out the targets in relation to carbon reduction.
- Additional sections referencing the height of the new building, MUGA and temporary classroom in relation to neighbouring occupiers. It has used SPG17 as a guide.

D) SUMMARY OF KEY ISSUES

Land Use and Nature of Application: This application seeks full planning permission for the expansion of Byron Court Primary School from 3FE to 5 FE. The works include a new single and two storey school building along the northern boundary, a MUGA and reconfiguration of the playing fields. This is an existing school site and the general principle of the development is considered acceptable.

Impact on neighbouring amenity: The new school buildings, as a result of its siting and layout within the school site in compliance with SPG17 guidance, will not adversely impact on the amenity of neighbouring occupiers.

Landscaping and trees: A number of existing trees within the school site will be retained. New trees and landscaping is proposed as part of the school redevelopment.

Sustainability: Policy CP19 seeks to achieve BREEAM 'Excellent' for new commercial buildings. The scheme achieves BREEAM 'Excellent'.

Transportation matters: The application proposes to increase on site car parking from 23 to 26 car parking spaces (including 2 disabled bays) with two EVCP to be secured by condition. 62 cycle spaces are proposed. A Service and Delivery Plan is to be secured by condition.

Officers recognise the current congestion problems around the school during drop off and pick up. The Council's Highways officers have recommended that additional measures are secured to mitigate the potential increase in traffic and parking on the roads, including improvements to the Travel Plan together with the Highways improvements set out later in this report. The improvements to the Travel Plan would seek to ensure that the Travel Plan (i) incorporates better targets, taking into consideration the increase in staff and pupils, (ii) includes existing initiatives that will be taken forward in autumn 2016 and (iii) includes the proposed park and stride measures for the Northwick Car Park. Further details are provided later in this report.

E) MONITORING

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 (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	2535	1705	830	3218	2383
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

Relevant planning history

Main school site

14/2382: Full Planning Permission sought for erection of single storey temporary modular unit for use as classroom within the playground adjacent to the main school building - Granted, August 2014.

11/2342: Full Planning Permission sought for first floor extension to rear wing of main building to help facilitate the expansion of the school from 2.5 forms of entry to 3 forms of entry - Granted, December 2011.

11/1336: Full Planning Permission sought for proposed works to school comprising enclosure of existing covered passageways, creation of new main front entrance, erection of new fencing and installation on new bicycle stands - Granted, August 2011.

92/1645: Full Planning Permission sought for retention of single storey classroom building - Granted, December 1992.

Ashley Gardens site

15/2083: Variation of condition 3 to allow the continued use of the temporary classrooms at Ashley Gardens to operate until the end of the academic year on 31 July 2017 - Granted, July 2015

14/3670: Variation of condition 3 to allow the continued use of the temporary classrooms at Ashley Gardens to operate until the end of the academic year in July 2015 - Granted, November 2014.

CONSULTATIONS

Consultation

Consultation letters were sent out initial sent to 344 local residents on 3 November 2015. Additional consultation letters were sent to 456 properties on 27 November 2015. These properties are further afield from the application site but on the main routes within the Sudbury Court Estate on Norval Road, Carlton Avenue West, Abbotts Drive, The Fairway and Oldborough Road

The Ward Councillor's for Northwick Park and Preston wards were consulted on 4 November 2015, together with the Sudbury Court Residents Association, and internal and external consultees. Site notices were displayed on the roads surrounding the site (Norval Road, Spencer Road, Abbotts Drive and Nathans Road) on 26 November 2015. The application was advertised in the press on 12 November 2015.

Response from individual households

In response to the consultation 22 objections have been received from individual households. A summary of the areas of objection and frequency of each area of objection is set out below:

Topic of objection	Objection	Frequency of objection
Public consultation prior to planning application being submitted	Proposal had overwhelming objection at the public consultation stage and despite the objections, Cabinet agreed for the expansion to go ahead, concluding that most of the objections could be resolved at the planning application stage.	1
	Brent Council has been misleading during public consultation stage prior to the application being submitted. At that stage it proposed a number of smaller school extensions, and not the scale of the expansion submitted within the planning application. This includes plans for the new main	2

	hall and kitchen to be one storey but the plans submitted with the application show it at two storeys.	
Public consultation at planning application stage	Council website inaccurate as states that those who comment address will not be displayed but the addresses have been displayed.	3
	Delay with objections being uploaded onto the website	1
	Council is changing the submissions that people are making and then displaying the changed submissions.	2
	Misleading information within the planning application consultation letter. Documents not available to view in hard copy in the Council offices.	1
	Council is adding new documents regarding the application once the initial consultation letters sent out.	1
	Number of comments supporting the scheme from Byron Court Primary School – individual addresses not provided. Therefore should not be counted as individual comments of support.	2
Need for school expansion	Wembley High Primary School will already provide surplus in school places in the area, meaning that pupils will be outside the catchment area and will need to travel further distance resulting in increase traffic and parking problems in the area	4
	Case to expand the school is flawed as it was based on the data and assumptions on the report to Cabinet in March 2015 but this data has since changed as stated in the report to Cabinet in November 2015. Proposal will result in surplus in primary school places in the area. Therefore expansion not justified.	7
	Brent Council claims the school is over subscribed but large	3

	number of pupils are from outside the catchment area. School places should be prioritised for those within the catchment area.	
	The school should not expanded to address school place shortfalls elsewhere including large developments within Wembley/Alperton. New schools should be built in these areas .	6
	The school does not meet the high education standards that it once did. Not OFSTED 'Excellent' and risk that expansion will result in the school being below outstanding. Figures suggest in 2014 Byron Court School only achieved 79% of pupils passing Level 4 which is below the average for Brent, consequently the school is only ranked 33rd in Brent. Furthermore by the Department for Education's newly proposed assessment criteria Byron Court School would no longer be rated outstanding.	7
	Proposals should be considered to only expand by 1FE and refurbish existing buildings.	1
	Proposal would impact on Green Belt	1
	The council should only expand schools that are on main roads and have more land space.	1
	The area already has community facilities. There is no demand for community facilities at Byron Court.	
Impact of expansion upon quality of education	School expansion will adversely on the quality of the teaching experience provided fort pupils at Byron Court. The Department of Education says large primary schools give a worse education than small schools.	9
	Construction work will disrupt the children's' education and will jeopardies health and safety.	2
Impact on neighbouring occupiers	Buildings will be obstructive to neighbouring occupiers with	9

	loss of light and overshadowing	
	New building will result in lack of privacy to existing residential occupiers .	10
	Overlooking from larger vehicles such as coaches travelling along Nathans Road access into neighbouring rear gardens and increased noise. No screen planting proposed. Impact made worse by loss of Chestnut Tree – this is against Protocol 1, Article 1. (person has the right to peaceful enjoyment of all their possessions, which includes the home and other land), Article 8 (states that a person has the substantive right to respect for their private and family life), Brent' UDP and DMP10.	1
	New building will result in increased noise to neighbouring properties and rear gardens.	5
	Noise and vibration from construction traffic and works	1
	Loss of trees will result in a loss of amenity for local residents.	3
Highway related matters	Increased demand for parking with additional staff and for contractor vehicles during the build. Parking is already a problem and this would get worse.	
	Area already significant congested with commuter traffic from South Kenton Station close by and people parking to visit Northwick Park Hospital. Additional congestion with vehicles parked on both sides of the narrow road network, and with construction lorries and coaches will led to emergency vehicles not being able to access the roads around the school.	15
	Construction vehicles and increased vehicles trips to the site once the school is expanded will lead to more noise and more inappropriate driving such as parents parking on driveways and on double yellow lines. Spencer Road is	7

	already a voluntary one way road during drop off and pick up times. Any vehicle trying to travel the other way results in more chaos and congestion.	
	Site has very limited access to public transport.	2
	Meeting school demand for areas outside the catchment will result in unsustainable modes of transport for pupils having to travel longer distances i.e. by car. This has not been considered within the Transport Assessment.	7
	Coach access from Nathans Road will be dangerous to pupils. No safety audit of the highway plan has been carried out. The access is unable to accommodate larger vehicles or provide turning areas. Lack of visibility splays and too close to neighbouring boundaries .	7
	Proposal to park in Northwick Park car park will not relieve congestion as the car park is only accessible by the same roads that experience congestion.	1
	No evidence has been provided of other schools where waling buses have been successful.	4
	Parking survey misleading as counts both sides of Spencer Road. This road is too narrow to allow parking on both sides of the road	1
	Residents have requested one way system in the past and parking regulations but no action taken by the Council.	1
	Pupils and staff should be forced to walk from Norval Road and Abbots Drive so that vehicles do not travel down Spencer Road	1
	The neighbouring properties will be required to gain the necessary width of access for larger vehicles from Nathans Road. This would be subject to compulsory purchase powers	

	and not shown within the planning application.	
	Misleading information regarding number of car parking spaces on site and number of staff.	1
	Accesses do not segregate vehicles from pedestrians	1
	No visibility from the street for parents to observe children arriving at their destination.	1
	There will be a planned change to the existing road layout at The Green junction with Watford Road, allowing for construction traffic to turn right into The Green from Watford Road. This would be detrimental to highway safety.	2
	Temporary road restrictions will apply.	1
	Proposed one way system through the estate could lead to delays/blockage. This would impact on residents if needing to leave in emergency situations.	1
Environmental considerations – Air Quality, Flood Risk and Ecology	Increased flooding and increased pressure on local sewer network .	5
	New access on Nathans Road being built over the existing drain – risk of collapsing.	1
	Information within the Air Quality Report misleading as no site visit carried out by consultant .	1
	Increased congestion and air pollution within the vicinity of the site.	11
	Proposal will affect wildlife and ecology in neighbouring gardens such as frogs, newts, mayflies, dragonflies and fish	1
	Council did not take advice from own consultant – i.e relating to EIA Screening Opinion. An EIA should have been required due to air quality.	1
	Design of building/impact on neighbouring Conservation Area	Design of new building not in keeping with character of

	existing school building.	
	Separate two storey building not attached to the existing school is contrary to policy. Residential houses in the area would not be allowed to build two storey detached buildings in their gardens.	1
	Proposals are out of character with the area.	3
	The proposal will affect the Sudbury Court Conservation Area through the generation of increased traffic and people, together with the schools size and appearance.	2
	Is the new building suitable for disabled access due to stepped level changes across the building	1
	The site is too small to accommodate the school expansion.	2
	Unclear why classrooms need headroom height of 4.3m at ground floor and 3.9m at first floor. This will result in extra energy to heat the buildings.	1
Other points raised	Impact on value of residential properties .	2
	Asbestos in existing buildings to be removed .	1
	Behaviour of headteacher unacceptable – pushing parents/pupils to support the expansion	1
	The school, officers and elected members should be there to serve its local community and not impose its own agenda, irrespective of the needs and wishes of the community.	1
	Increased crime as a result of more movements	1
	How can such a larger school (1050) be excavated safely in an emergency	1
	Rubbish being dumped by children	1

	Properties in the area have suffered from kerosene smells from aircraft. Query how this will affect the proposal.	1
	Increased risk to security of properties on Nathans Road due to access being opened up for pedestrians and vehicles. School responsible for boundary fencing. Likewise pedestrians at risk from the garage (contains asbestos) and conservatory within the neighbouring property due to proximity of the access road to the neighbouring property	1

Comments supporting the application have been received from the school and one individual householder. The reasons for supporting the school expansion are set out below:

- School expansion is needed to meet the increased population demands in the Borough.
- The school has to teach some pupils off site in the Ashley Gardens annexe. These children would otherwise not have a school place.
- School is suitable for expansion as it has OFSTED Outstanding status, teaching school accreditation, and has committed and talented staff and vision.
- The school needs a canteen, a bigger hall and also the classrooms outside requires refurbishing. Additional space and facilities will greatly enhance the teaching and learning opportunities and will provide children with a better environment in which to learn.

Sudbury Court Residents Association

An objection has been received from SCRA raising the following items:

1. March Cabinet decision to proceed based on incorrect data - Primary driver for 5FE expansion no longer applicable
2. Adverse Traffic Impacts
3. Flooding risk: Proposed development will cause surface water / sewage flooding
5. Parental concerns regarding the expansion
6. Educational risk - Risk of jeopardizing Byron Court rating and standards
7. Highway regulations and Health & Safety compliance failure for proposed Nathans access.
8. Inadequate separation of new Nathans access from adjoining property.
9. There should be appropriate segregation between pedestrians and vehicles
10. Vast Majority of parents and residents opposed to proposal
11. Ecological concerns

12. Traffic problems expected during construction works.

The above objection is accompanied by a petition supporting the objections raised above. The petition is signed by 1469 persons.

Ward Councillors

Councillor Perrin- objections have been received on the following grounds:

- Transportation and safety - congestion, cars parked illegally on yellows, no loading, school zig zags and of course the pavements and across (sometime in) driveways.
- Failing to comply with Travel Plan - no school staff in the street at all.
- Parents from Alperton and Wembley want a school place closer to home, so they do not need to drive.
- Query on amount of runoff (using averages) that will flow into the sewers and changes to local groundwater/table.
- Proposal should comply with SUDS policy

External Consultation

Sport England - Confirmed that they raise no objection to this application which is considered to meet in part both exceptions E4 and E5 of our adopted Playing Fields Policy, subject to conditions relating to community use and the quality of the replacement playing field.

Environment Agency - confirmed that they do not need to be consulted on the application and therefore wish to make no comments.

Internal Consultation

Landscape - Confirmed that they have no objection to the scheme. The loss of four trees including two large Horse chestnuts will be mitigate by new tree planting. Recommended that further details regarding the pond are provided to minimise impact on tree roots of nearby trees are conditioned.

Sustainability Officer - Proposal is acceptable as it achieves more than 35% carbon reduction over Part L 2013.

Environmental Health – No objections raised subject to conditions being secured relating to (1) emissions for the boiler within the new school building, (2) construction management plan to control dust and noise; (3) requirement for asbestos to be safely removed; (4) contaminated land; (5) noise in relation to plant equipment; (6) and restriction on external lighting to the MUGA.

Transportation - The proposal is likely to generate more traffic and parking on the roads. Measures to help mitigate any impact will need to be secured through:

- a. A revised Travel Plan that (i) reflects much better targets, taking into consideration the increase in staff and pupils, (ii) includes existing initiatives that will be taken forward in autumn 2016 and (iii) parents are being encouraged to use Northwick Car Park, in order to give the proposed Travel Plan targets some credibility.
- b. Highway improvements works as discussed within the remarks section below

POLICY CONSIDERATIONS

National Planning Policy Framework

Paragraph 72 of 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.

Further Alterations to the London Plan 2015

- 3.18 Education Facilities
- 3.19 Sports Facilities
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.13 Sustainable Drainage
- 6.1 Strategic Approach
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking

Brent's Core Strategy 2010

Objective 5 - meeting social infrastructure needs

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

CP19: Brent Strategic Climate Change Mitigation and Adaption Measures

CP23: Protection of existing and provision of new Community and Cultural Facilities

Brent's UDP 2004

BE4: Access for Disabled People

BE6: Public Realm - Landscape Design

BE7: Public Realm - Streetscape

BE9: Architectural Quality

BE12: Sustainable Design Principles

BE17: Building Services Equipment

BE29: Areas of Distinctive Residential Character

EP2: Noise & Vibration

EP3: Local Air Quality Management

EP12: Flood Prevention

CF8: School Extensions

OS13: Development on sites of Borough (Grade II) and Local Nature Conservation Importance

OS14: Wildlife Corridors

TRN4: Measures to make Transport Impact Acceptable

TRN10: Walkable Environments

TRN11: The London Cycle Network

TRN22: Parking Standards - Non Residential Developments

PS12 - Non-Residential Institutions

Draft Development Management Policies - Publication Version September 2015

DMP12: Parking

DMP13: Movement of Goods and Materials

SPG17 "Design Guide for New Development" Adopted October 2001

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

DETAILED CONSIDERATIONS

Existing site

1. Byron Court was built in 1932 and originally contained a part single part two storey hipped roof brick building, located towards the centre of the site. The main school building currently contains classrooms, learning resources, the hall and administrative offices. The school has been expanded over the years with the kitchen and dining hall located to the west of the main school building (built in 1960s), other classroom facilities to the east of the main school building in single storey buildings (built in 1970s and later years) and the temporary bulge classroom located on the school playground. The modular buildings within the site and

the kitchen/dining hall are outdated facilities and in a poor state of repair.

2. The current number of pupils enrolled at the School including Ashley Gardens is 697. The School's standard capacity is 630. This has been increased to 660 as there is one temporary bulge class onsite. The School is also responsible for Ashley Gardens which has a capacity of 60. The School therefore has a capacity of 720, 90 of which are temporary places.

3. A table showing the current school pupil numbers based on year group is set out below:

Year Group	Number of pupils
Reception	89
Year 1	134
Year 2	90
Year 3	114
Year 4	90
Year 5	90
Year 6	90
Total	697

The need for additional primary school places

4. In recent years Brent has seen an unprecedented increase in the demand for primary school places. The primary pupil population (Reception to Year 6) has grown from 23,488 in May 2008 to 26,028 in May 2015, an increase of 10.81%.

5. The Council has a duty to provide a "reasonable offer" of a school place to all children. For primary schools, "reasonable offer" is one within 2 miles of home.

6. The "School Place Planning Strategy 2014-18" was approved by Cabinet in October 2014. This advised that the most recent predictions provided to Brent Council by the GLA had indicated a substantial reduction in births across London, with a subsequent decrease in demand for Reception places. This has been confirmed by the 2015 projections. The Council is however aware that more recent data indicates that birth rates are rising again and it is therefore expected that the GLA projections to be revised upwards in 2016.

7. Demand for Reception places is currently projected to reduce from September 2016, leading to a projected surplus of Reception capacity across the borough. However, the Council expects that demand for admissions in year groups other than Reception will continue to grow.

8. Whilst the GLA projections are a good indicator of place need, they remain a statistical model which should be seen as a valuable tool rather than a definitive position. Demand for school places can be highly localised as parents seek entry to popular schools but refuse places at others. Fluctuations in birth rates can also quickly lead to projections being revised. In addition, the Council is projecting significant growth, particularly with developments coming forward within the Growth Areas.

9. In recent years Brent has been forced, at very short notice, to open temporary and bulge classes to meet a sudden increase in demand for primary school places. In total, and as of March 2015, there were 748 children in Brent being educated in temporary offsite annexes. Byron Court has one temporary bulge classroom on site and the school is managing two temporary Year 1 classes at Ashley Gardens. The Council wishes to reduce its reliance on such temporary provision, as it is neither educationally desirable or cost effective. In recognition of this, together with the anticipated changes to projections outlined above and the growth in primary cohort size from Reception to Year 6, Cabinet recommended in October 2014, that Brent should aim to maintain a 5% surplus in Reception places.

10. In March 2015, the Council's Cabinet Committee approved the permanent expansion of Byron Court Primary School by two forms of entry.

11. In November 2015, Cabinet approved an update to the "School Place Planning Strategy 2014-18". This resolved to approve the need to continue with all current planned school expansions. This was on the basis of a continued growth in demand for places in primary years outside of Reception and the recent changes in birth rates meant that future projections were are likely to be revised upwards.

Why the need to expand Byron Court Primary School

12. The Brent School Place Planning Strategy has criteria only to expand Good and Outstanding rated schools based on OFSTED classification (Office of Standards in Education). Byron Court Primary School was classified as Excellent by OFSTED in March 2012. The justification for expanding Byron Court Primary School was set out in the cabinet report and extracts are detailed below:

"Byron Court's attainment is above national averages. The percentages of the school's pupils attaining Level 4 and above in the reading, writing and mathematics national curriculum tests are higher than the national averages, and in 2014 nearly all of the school's pupils had met the national expectation of making at least two levels of progress at Key Stage 2.

The school uses its expertise to support other schools to improve. This has included the headteacher acting as Executive Headteacher for a school facing challenging circumstances. The headteacher and the governing body (made up of staff, parents, community and local authority representatives) provided strong leadership which was recognised by Ofsted when inspectors judged that school Good in May 2014.

In 2014 Byron Court's application to establish the Brent Teaching School Alliance was approved by the National College of Teaching and Leadership and the Department for Education. The teaching school alliance gives Byron Court as an outstanding school a leading role in the training and professional development of teachers, support staff and headteachers, as well as contributing to the raising of standards through school-to-school support. Byron Court's alliance includes three primary schools, one secondary school, three higher education institutions and the Brent Schools Partnership.

In order to become a teaching school Byron Court Primary School provided evidence of its successful partnership working and demonstrated its track record for excellent leadership and school improvement. Both the headteacher and the school met stringent criteria. As the lead school, Byron Court offers future teachers and leaders the professional development necessary to deliver success in their own schools."

13. For school planning purposes the borough is split into 5 different regions (planning areas) so that local demand can be calculated. Byron Court Primary School and 7 other Brent schools providing primary provision fall into planning area 2. This area covers the wards of Kenton, Barnhill, Preston and Northwick Park. Whilst latest projections as set out in the update to the "School Place Planning Strategy 2014-18" indicates a decrease in projected demand for Reception places in this Planning Area, if no action is taken, there would be a deficit in school places in this Planning Area of around 2 classes. The impact of this would be that whilst there would be sufficient primary school places across the Borough as a whole, there would be a deficit in two of the three Planning Areas in the north of the Borough, meaning the Council would be less likely to be able to make a "reasonable offer" of a school place to those children.

14. The applicant has advised that the expansion of Byron Court by two FE will address that deficit. A further planned expansion of a school in this Planning Area (Uxendon Manor Primary), if approved, would add a further 2FE expansion and overall the two expansions would create a manageable working surplus of primary school places in this Planning Area.

15. The applicant has also advised that a review was undertaken in January 2016 by Brent's Early Help and Education team which illustrated the latest projections for primary school places. The review concluded that in 2016/17 there will be a deficit of 10 reception places if Byron Court is not permanently expanded and a surplus of 50 places if it is expanded, across the borough. The findings of the review confirm that there is an immediate need to expand to Byron Court to a 5-form entry school.

16. The planning application for Uxendon Manor is also under consideration (LPA Ref: 15/5240) and has been put forward with a recommendation for approval at the 9 March 2016 Planning Committee. The applicant has advised that in the event that only one of the planning applications for Byron Court or Uxendon Manor obtained approval the subsequent developments would address the deficit in school places and would create a very small surplus of places in this Planning Area. This level of surplus is not considered sufficient to meet the anticipated growth in demand for Reception places in future years, or to support the sufficiency of places across the whole of Brent or to accommodate the existing and growing need for places in other primary year groups. The applicant therefore intends to expand both schools should planning approval be obtained.

17. If the proposal to expand is approved the increase in the number of permanent places at the school will be gradual until the maximum of 1050 (an increase of 390 pupils on site) is reached in September 2021. A table setting out the increase in pupil numbers is detailed below:

Year	2014/20	2015/	2016/	2017/2	2018/2	2019/2	2020/2
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	15	2016	2017	018	019	020	021
Total capacity at Bryon Court	720*	720	780	840	900	990	1050

*630 permanent places (3FE)

+30 (bulge)

+ 60 at Ashley Gardens

Catchment area of Byron Court Primary School

18. School placements are based on school catchment areas, defined in a map. Each school has a set of roads which gives the children residing in them priority to that school. The actual catchment area can expand and shrink according to the number of children who apply for a place. If the school is very popular, depending on the criteria priority list, the children living closer to the school stand a better chance of getting a place than those far away. If the school is unpopular or has a specialism (e.g. a faith school) children living outside the official catchment area may stand a good chance of receiving a place. The School's Place Planning Team have advised that the map will not change once Byron Court is expanded although the demand most likely will.

19. The boundaries for the catchment map for Byron Court Primary School comprises the south of the Metropolitan Line (Northwick Park/Westminster University), the west of the Bakerloo Line/London Overground, northern side of East Lane and the Borough boundary along Watford Road.

20. The current catchment of pupils to Byron Court Primary School based on data from the October 2015 Brent School Census includes 254 pupils from within the catchment and 443 from outside the catchment. This is broken down within the following table:

In/Out Catchment	LA/Borough	Pupils	
Inside	Brent	254	36%
	Inside Total	254	36%
Outside	Brent	403	58%
	Brent LA	403	58%
	Harrow	29	4%
	Ealing	5	0.7%
	Neighbour LAs	34	5%
	Watford	5	0.7%
	Three Rivers	1	0.1%
	Non London LAs	6	0.9%
	Outside Total	443	564%
Total Pupils		697	

21. The Council's School Places Team have advised that they do not expect that new school places will only be taken up by pupils living in the catchment area. The catchment is purely a mechanism for prioritising applications. The Council plans school places on planning areas. There are five planning areas and Byron Court is in Planning Area 2. It is anticipated that places at Byron Court would assist with meeting demand in Planning area 2 and also in the neighbouring planning areas PA1 and 3. The Council endeavour to offer a school place within two miles of a child aged 5 - 8s home and for a child over 8 a place within 3 miles of a child's home. This is considered a reasonable distance by the Department for Education.

Proposal

22. In light of the above identified need for additional school places this proposal is seeking to provide additional permanent buildings on the site to accommodate two extra forms of entry to increase the school from a three form entry to a five form entry, together with additional teaching support and non-teaching areas to meet the increased size of the school. The proposals include:

- Retain the main school building and demolish the ancillary outdated accommodation within the school site.
- Provide a new part single part two storey school building to the north and east of the main school building. This will provide 25 new classroom,s with a main hall and kitchen.
- New football pitch lines on playing field, levelled hard play area and a MUGA
- New parking layout with access from Spencer Road

- Opening up access from Nathans Road for pedestrians/cyclists and for service access.

Phasing of the works

23. The works are proposed to be carried out in three main phases, over a projected 17 month period. The first phase on site will include construction of the new kitchen and hall, together with the MUGA. The second phase will involve works to demolish the existing kitchen/dining hall and the construction of the new classrooms. The third phase will include the demolition of the existing buildings located to the south west of the site, and completion of the landscape works.

Design of the extensions

New school building

24. The new school will be part single part two storeys in height. It will have a flat roof design and is designed to be lower in height than the pitched roof of the main school building. It is to be located to the north of the existing school building. The two storey element will have an overall length of around 158m running north to south. The two storey element runs along the length of the rear gardens of Nos. 120 to 136 Norval Road. This element will contain classroom accommodation for Years 2 to 4 together with a staff room and supporting accommodation.

25. The single storey element is attached to the two storey element and is "U" shaped. It runs around 49.5m north to south and 123m east to west. This element runs along the rear gardens of Nos.138 to 146 Norval Road and Nos. 53 to 69 Nathans Road. The single storey element contains classroom for Reception and Year 1 pupils together with the kitchen and new school hall facing back into the school site, with supporting accommodation. Whilst the hall is single storey, to achieve the required ceiling heights, in its appearance it is over one storey in height, but lower than the two storey element.

26. The impact of the new school building on neighbouring amenity is discussed in more detail below.

27. Given the scale of the new building that is proposed, a number of design measures have been incorporated to break up its scale and massing. This includes the two storey element broken into two wings through articulation in the building line and a stepped arrangement in the height, to reflect the level changes across the site. The elevations have also been articulated through the use of adding a new material to the first floor staff room and changes in the disposition of brick and render. The canopies to the outdoor play areas have also been amended to reduce their lengths, and further break up the horizontality of the elevations. Additional screen planting is also proposed along the northern boundary of the site with the neighbouring residential rear gardens.

28. The existing school building is constructed in brick. The bricks have multi colours but are predominantly red and brown bricks with a few blue tones. Instead of matching the colour of the existing brick work, the application proposes to provide a high quality blue brick for the lower floor and flank elevations to contrast with the main school building and surrounding residential properties. The upper floor will be treated in render and a veneered timber finish. This approach (to contrast the existing buildings) is typically more successful than trying to match the existing buildings where the materials cannot be matched precisely. The windows and doors will be aluminium in a grey colour.

29. It is recommended that full details of external materials including sections of how the render will be constructed are conditioned to any forthcoming consent.

Roof top equipment

30. The roof of the two storey element will contain PV panels and vents. The section plans indicate that these will be below the parapet level of the roof, and thus not visible from adjoining neighbouring rear gardens. The roof of the single storey element will also contain roof top equipment, including plant equipment for the kitchen. A cross section showing the height of the plant equipment has not been submitted. However, given that the plant equipment is set back 6.5m from the eastern edge of the building closest to residential boundaries, it is recommended that section plans and any required screening are conditioned to any forthcoming consent.

Temporary Decant Classrooms

31. The temporary decant classroom will be located to the south of the school within a grassed area, that is

accessed via a pathway from the main playground. It will be over 8m away from the woodland area that is protected in nature conservation terms. The temporary classroom will be 18.7m wide by 8.4m deep and 3.95m high. A distance of 6m will be maintained to the boundary with the rear gardens of Nos. 32 to 38 Abbots Drive. The temporary classrooms will be in a modular building that will be transported to the site, and is of a design typically seen in school site for temporary accommodation. This temporary building will be removed once the school building is complete.

Remodelling of existing accommodation within the main school building

32. The existing school building will include the remodelling of two toilet spaces into a new office. This building will accommodate Years 5 and 6 with ancillary space, the main reception and administration spaces.

Impact on neighbouring amenity

33. As discussed above, the site is surrounded by residential properties on all sides. The impact of the proposal upon neighbouring residential properties is discussed below:

New school building

34. The two storey element of the new school building is located between 13.5m and 15.5m from the boundary with the residential rear gardens at 120 to 136 Norval Road. The rear gardens on Norval Road are long at around 28.5m in length. This maintains distances of over 40m between windows on the northern elevation of the new school building and rear windows within the properties on Norval Road.

35. A distance of over 20m is maintained from the new school building to the boundary with the residential rear gardens at Nos. 38 to 44 Spencer Road, with a distance of over 49.5m being maintained between windows of the new school building and rear windows within the properties on Spencer Road.

36. The new school building maintains a distance of 60m from the boundary with the residential rear gardens on Abbots Drive and a distance of over 90m to rear windows within the properties on Abbots Drive.

37. The single storey element of the new school building is between 11.7m from the boundary with the rear gardens of the properties at Nos. 138 to 146 Norval Road. A distance of between 10m to 26m is maintained from the single storey element to the boundary with the residential gardens at Nos. 53 to 69 Nathans Road. The properties on Nathans Road have rear gardens of around 28.5m long. Due to the angle of the school building in relation to the houses on Nathans Road, they do not directly overlook one another. Distances of over 40m are maintained between windows.

38. Whilst SPG17 is a standard used for new residential buildings, it is considered to be a useful guide. To ensure privacy is maintained, SPG17 requires new development to be 10m away from the boundary with neighbouring rear gardens and for a distance of 20m to be maintained between directly facing habitable room windows. The distances from the school building to the residential rear gardens meet the requirements of SPG17, and it is noted that the distances between windows significantly exceed the requirements set out in SPG17. It is therefore considered that the privacy of surrounding residential properties will not be adversely affected by the new school building.

39. SPG17 also requires new buildings to sit within a line drawn at 30 degree from rear facing habitable room windows of neighbouring properties (measured at a height of 2m above internal floor level) and to sit within a line drawn at 45 degrees from the boundary of the rear garden of neighbouring occupiers (also measured at a height of 2m above ground level). This is required to ensure that the proposal does not appear overbearing or result in a detrimental loss of light. Site Sections have been submitted with the application that show the new school building sitting well below both the 30 and 45 degree lines from the neighbouring residential properties and rear gardens on Norval Road, Spencer Road, Abbots Drive and Nathans Road. As such it is considered that the height of the new building will not appear overbearing from the residential properties and rear gardens or result in a detrimental loss of light.

Temporary Classroom

40. The temporary classroom during the construction works is to be set in from the boundary with the residential rear gardens on Abbots Drive by 6m. Windows are proposed to the temporary classrooms on the front and rear elevation, providing dual aspect. To maintain acceptable levels of privacy to the neighbouring occupiers, it is recommended that the windows on the southern elevation (rear elevation) are obscured glazed and opening at high level only.

41. Site Sections have been submitted with the application that show the temporary classrooms sitting well below both the 30 and 45 degree lines from the neighbouring residential properties and rear gardens on Abbots Drive. As such it is considered that the height of the temporary classrooms will not appear overbearing from the residential properties and rear gardens or result in a detrimental loss of light.

Relocation of the playing fields

42. The school playing fields are currently located to the east of the main school building. This application proposes to re orientate the playing fields to run along the southern boundary of the school site alongside the rear gardens of the properties on Abbots Drive. A Multi Use Games Area is proposed within the south eastern corner of the site.

43. The school playing field and MUGA will not be flood lit. This will limit their hours of operation to ensure that they do not have a detrimental impact upon neighbouring amenity of the residential rear gardens on Abbott Drive and Nathans Road.

44. Site Sections have been submitted with the application that show the MUGA sitting below both the 30 and 45 degree lines from the neighbouring residential properties and rear gardens on Nathans Road and Abbots Drive. As such it is considered that the height of the MUGA will not appear overbearing from the residential properties and rear gardens or result in a detrimental loss of light.

Community Access

45. London Plan Policy 3.16 requires that, wherever possible, the multiple use of social infrastructure should be encouraged.

46. The application proposes to allow the Multi Use Games Area (MUGA) to have community access together with the badminton courts in the sports hall. The School currently ALOSO let out the small hall and would continue to do so.

47. Further details of the community access arrangements will be set out in a Community Access Plan to be secured as a condition to any forthcoming planning consent. The Community Access Plan should establish the range of facilities which will be made available, at which times and hours, establishing the means by which the facilities can be booked including a contact within the school and ensuring rates of hire comparable to similar local authority facilities. It will include a requirement to provide community access for a minimum of 15 hours per week. These hours are comparable with Alperton Community School which does not have flood lit sport pitches.

Impact on Playing Fields

48. Paragraph 74 of the NPPF has a presumption of protecting playing fields. Development which would lead to the loss of, or would prejudice the use of, all or part of a playing field, is resisted unless it meets one of five exception set out by Sport England.

49. The school has an existing playing field at the eastern end of the site. This playing field has an area of approximately 7,717.3sqm which provides three FA U7-U8 football pitches, one FA U11-U12 football pitch and one athletics tracks with an 80m sprint track. The playing field is also used for tag rugby, hockey, cricket and rounders. The existing playing field is irregular in form which limits the scope of the playing field to provide formal playing pitches.

50. The proposed development will result in the loss of approximately 3,111.7sqm of playing field. However, as the shape of the proposed playing field is more regular (running east to west along the southern boundary of the site), the playing field sporting provision will not be reduced. The playing field will continue to provide three FA U7-U8 football pitches, one FA U11-U12 football pitch and one athletics tracks with an 100m sprint track (it should be noted that the grass sprint track has increased from 80m to 100m). Tag rugby, hockey, cricket and rounders will also continue to be provided. In addition to the retained sporting provision, the proposed scheme will provide an 80m sprint track including a sand pit for long jump and triple jump and a Multi-Use Games Area (MUGA). The total area of the new provision is 1,844.8sqm. The MUGA will have a beneficial impact on the local community as it will be open for use by the public.

51. The existing playing field is susceptible to waterlogging. This occurs due to the poor infiltration rates of the underlying soil strata and prevents the School from using the playing field until the water has fully

infiltrated, thereby severely limiting use during the winter. The proposed drainage layout for the playing field which will include a number of land drains that drain to an attenuation tank, prior to entering the sewer network. This will have a beneficial impact on the quality of the proposed playing field which will be provided as part of the proposed scheme, and it will also enable the pitches to be used all year round.

52. The proposed scheme will also provide a new 300sqm sports hall suitably sized for two badminton courts which is another facility Byron Court does not currently provide. The provision of the sports hall will also enable the school to diversify its sporting provision and, subsequently, provide greater opportunities for pupils to play sport and lead an active lifestyle. The sports hall will be available to the community and it is intended that local badminton clubs and any other clubs which require an indoor space will be able to hire it.

Assessment against Sport England Policy

53. This application relates to the loss of existing playing fields and/or the provision of replacement playing fields. It therefore needs to be considered against exception E4 and E5 of the above policy, which state:

"E4 - The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development"

"E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields".

54. The proposed development will result in a loss of grass playing field, as highlighted above. However, the applicant has confirmed that some of the playing field will be replaced on the site of some of the buildings that will be demolished. This part of the proposal therefore meets E4. The relocation of the MUGA onto the playing field meets E5 and this new facility will be made available for the community. In addition the proposed development at this primary school includes a new school hall, able to accommodate 2 badminton courts. This will also be made available to the community and its location on the existing playing field would meet E5 of the above policy.

55. Sport England have reviewed the information and have confirmed that they raise no objection to this application which is considered to meet in part both exceptions E4 and E5 of Sport England's adopted Playing Fields Policy, subject to conditions relating to community use and the quality of the replacement playing field.

Sustainability

56. Achieving sustainable development is essential to climate change mitigation and adaptation. The most recent relevant policy framework includes Brent's adopted Core Strategy 2010 policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures and the London Plan policies within Chapter Five London's Response to Climate Change.

Compliance with Brent policies

57. In support of the objective of satisfying Core Strategy policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures, a Sustainable Development Statement has been submitted predicting the scheme will achieve BREEAM 'Excellent'. Policy CP19 seeks to achieve BREEAM 'Excellent' for new commercial buildings.

58. A BREEAM Pre-Assessment has been undertaken. This has confirmed that the scheme will secure a base target of 72.56% at the pre-assessment stage. This is above the 70% target to achieve BREEAM 'Excellent'.

59. It is recommended that BREEAM 'Excellent' is secured as a condition.

60. Brent's Sustainability Checklist has been completed, that demonstrates that the scheme can achieve a score of 30.1%. This score falls short of the target of 50%. Whilst the scheme falls short of this local checklist, given that it meets London Plan requirements which is more up to policy requirements, the short fall is not considered to warrant a reason for refusal. It is recommended that a minimum score of 30.1% for the Sustainability Checklist is secured as a condition to any forthcoming consent.

Compliance with Further Alterations to the London Plan 2015

61. The scheme includes measures to minimise the impact of this proposal on, and mitigate for the effects of, climate change and your officers consider the proposal to be in accordance with the energy hierarchy as required by Further Alterations to the London Plan 2015 policy 5.2 Minimising carbon dioxide emissions part (a): (i) be lean: use less energy; (ii) be clean: supply energy efficiently; (iii) be green: use renewable energy.

62. In summary, the proposal meets the criteria of London Plan policy 5.2 for 35% improvement on Part L 2013 Building Regulations. A 39% carbon reduction is proposed.

- Lean measures

63. The building has been designed to have a low energy demand. This includes a number of passive design measures including the building fabric, and active design measures will be utilised to improve ventilation, domestic hot water systems and lighting.

64. The lean measures will produce a carbon reduction saving of 13%.

- Clean measures

65. District heating or the use of a combined heat and power plant has been discounted for the site due to there being no existing heating and/or cooling networks in proximity to the site. The existing school building has a relatively modern heating system, but does not have capacity to supply the new building as well.

- Green measures

66. The scheme is proposes PV panels on the roof of the new school extension. This will achieve an additional carbon reduction saving of 26%.

67. The Sustainability Officer has reviewed the sustainability report, and confirmed that it is acceptable.

68. It is recommended that a minimum 35% improvement on Part L 2013 Building Regulations carbon is secured as a condition to any forthcoming consent.

Ecology

69. The wildlife garden located in the south west corner of the site is designated as a Grade II SNIC. An ecology assessment has therefore been submitted. The ecology assessment concludes that in line with the recommendations set out within the Ecological Planning and Research (EPR) review of the site conducted in 2014, a work buffer of 5m is implemented beyond the roots zone of the trees in the location. This is to allow the integrity of the SNIC habitats to be retained. This could be provided with HERAS fencing or similar, and form part of the Tree Protection Plan to be conditioned to any forthcoming consent.

70. The ecology report has also considered the impact of the proposal upon habitat and protected species. This is summarised below:

Trees

71. Trees T6 and T13 (Horse Chestnut), T10 (Cherry Plum), T14 (Silver Birch) and T16 (common Hawthorn) are to be removed. These trees are shown on the tree survey. These trees make up a very small percentage of the trees present within the site and their loss will be considered to neither result in a break in ecological connectivity or have an unacceptable impact on invertebrate diversity within the site. Therefore, the removal of the trees will not have an impact on the presence of foraging or commuting bats.

72. The Ecology Report makes recommendation for T10 to be retained. This tree is annotated differently on the tree survey and is a poplar that forms part of G1 on the tree survey within the wildlife garden. It has been confirmed that G1 will not be affected as a result of the proposed development.

73. Protection of existing trees to be retained on site will be carried out in accordance with BS 5837: 2012. See further comments below on trees.

Habitat Loss and Enhancement

74. A biodiversity enhancement plan to be incorporated into the landscape scheme to maximise the ecological value of the site. This should include planting of habitat that is of value to wildlife, nesting/roosting habitat for birds and bats, and planting of new trees of an appropriate species to compensate for the loss of trees within the site to facilitate development.

75. It is recommended that the above is secured by condition.

Bats

76. Surveys of the buildings to be demolished have been carried out. The results conclude that these buildings have no suitable features for bats and these structures are therefore considered 'Negible' for their potential to support roosting bats. These buildings have flat roof construction and made of modern materials. The survey also advise that these structures support no vegetation or alternate habitats which are likely to support notable invertebrate populations nor do they support habitats of interest to bats for the purposes of foraging. Finally, their locations within the site provide none of the necessary commuting routes required for bats for the purposes of commuting across the landscape.

77. In accordance with current guidelines, structures with 'Negible' potential require no further surveys and/or timing constrains in regard to bats. However in the unlikely event that bats and/or evidence of bats are found during demolition, then all works should stop and Natural England or the appointed ecologist contacted on the appropriate manner to which to proceed. It is recommended that this is drawn to the applicant's attention by an informative.

78. The main school building has not been surveyed as it is not going to be affected by the building works. It is however noted that the pitched roof covering of the main school building has suitable access points for bats, and in the event that any works were proposed that would impact on the main building, then further surveys for the presence of roosting bats should be undertaken prior to start of works. Once again, it is recommended that this is drawn to the applicant's attention by an informative.

79. One tree, T10, (this is the poplar tree within the wildlife garden - refer to paragraph 72 above) is identified as having features suitable to support roosting bats. This tree is to be retained as part of this proposal. Once again, in the event that any work is proposed to this tree that a further survey is required. Once again, this will be drawn to the applicant's attention by an informative,

80. With regards to foraging bats, the ecology report advises that the site offers only restricted areas of foraging for bats, and although the wider landscape is considered suitable to support bats, the nature of the proposed works will not result in a detrimental impact on these habitats. It therefore does not recommend further activity surveys for bats to be carried out.

81. The ecology survey identifies that lighting can be detrimental to bats, and has made recommendations with regards to lighting. The inclusion of sensitive lighting will ensure that the light does not spill onto suitable habitat features. It is recommended that the lighting measures are conditioned to any forthcoming consent.

82. It is recommended that roosting opportunities for bats within the proposed building could be achieved through the installation of bat tubes. These are recommended to be installed at 3m high or above, on southern, eastern and western elevations, out of the illumination of artificial lights. It is recommended that bat tubes are conditioned to any forthcoming consent.

Breeding birds

83. The site is suitable to support a range of common bird species. It is therefore recommended that vegetation clearance should be undertaken outside of the nesting bird season.

84. It is recommended that bird boxes are installed on site. Once again it is recommended that these are conditioned to any forthcoming consent.

Badgers

85. No evidence of badgers was recorded ad the site is considered sub-optimal for the species. No further consideration to the presence of badgers is required.

Great Crested Newts

86. Although the wildlife pond and habitats immediately surrounding this pond surrounding area are considered suitable for great crested newts, as no other waterbodies are noted within 250m of the site and habitat connectivity to the site is poor, the potential for great crested newts to reside within the site is considered 'Negligible. Furthermore, no suitable habitat for great crested newts is to be affected by the proposed and consequently, no further surveys for great crested newts are required.

Reptiles

87. Habitats within the site suitable to support reptiles are restricted to the woodland within the Wildlife Garden. As this areas is not to be affected by the proposed, no further surveys for reptiles are required.

Invertebrates

88. The habitats within the site are typical of those expected within an urban location and it is considered unlikely that they would support protected or notable species of invertebrates. The scattered trees and broad-leaved woodland are considered of greatest value to invertebrates, but as these habitats are to be retained, no further invertebrate surveys are required.

Hedgehogs

89. The brash pile provides suitable habitat for hedgehogs and where practical it is recommended that this feature be left undisturbed. Should this feature require removal then this work should be conducted using hand tools only and outside of the winter hibernation period for hedgehogs of 1 st November to 1 st March (inclusive). In the event that any hedgehogs are identified it/they should be re-located by hand into a suitable location within the retained Wildlife Garden.

90. The ecology has also advised that with regard to Building 2, this could also be used by hibernating hedgehogs. They therefore recommend that Building 2 is removed outside the core hibernating period (1st November - 1st March) and after an inspection of the underside of the building has been made for the presence of hedgehogs. In the unlikely event that a hedgehog is found to be present, it will be relocated by hand to an appropriate location within the wildlife garden.

91. It is recommended that the above is secured by condition.

Trees and Landscaping

Trees

92. The application proposes the loss of 4 trees within the school site. Three of these trees are within the car park and the other is next to the access from Nathans Road, to facilitate development. The Council's Tree Officer has confirmed that there are no objections to the removal of these trees.

93. The Tree Officer has advised that they would like further details to be provided regarding the excavation and construction of a balancing pond between trees T8 and T9 on the eastern boundary of the site. The pond encroaches on the RPA's of both trees and they have requested that further details of the pond are conditioned to see if it can be slightly repositioned to have less of an impact on the rooting area. The tree protection plan and accompanying survey report are recommended to be conditioned although the tree protection plan may need to be modified to take into account the potential repositioning of the pond.

94. To compensate for the loss of trees within the site, the proposal will plant 38 new trees within the site, with a minimum size 14-16cm girth. Once again, the tree officer has agreed to the replacement tree planting, although full details will be conditioned to any forthcoming consent.

External play areas and other landscaping

95. The external play areas have been designed as a series of spaces to meet the demands and needs of the pupils. The central external area between the proposed and existing school building have been designed to be used by the older year groups, including seating and an area marked out for sport. Trees will be provided within the area.

96. Adjacent to the proposed sports hall, which is at a lower level than the existing building, sheltered areas are provided suitable for outdoor dining or localised events. The enclosed external spaces within the 'hook' of

the proposed building provides a more intimate area, which has been designed as quiet learning zone and includes benches and tables.

97. The external areas along the northern boundary of the site are steeped in accordance with the proposed buildings internal finished floor levels. Access between the spaces is made through the implementation of a number of steps and grade paths. The outdoor equipment has been chosen to reflect the requirements and abilities of the pupils in each area.

98. Along the northern boundary fastigated trees (trees having branches more or less parallel to the main stem) will be planted to provide screening to properties along Norval Road. A swale will be constructed adjacent to the northern boundary which will collect surface water runoff and divert it into a number of rainwater gardens which will provide outdoor learning opportunities for the pupils.

99. It is recommended that full details of hard and soft landscaping and boundary treatments are conditioned to any forthcoming consent. This should include natives species to take on board the recommendations set out in the ecology report.

External Lighting

100. The MUGA is not going to be flood lit. External lighting will be provided via a number of low level bollards which will illuminate the car park, cycle/scooter park, the pedestrian access from Nathans Road to the Reception and a number of accesses/walkways within the central and northern parts of the site. It is recommended that a condition is secured requiring details of existing and proposed lighting, together with light spillage diagrams to direct light away from the site boundaries. This should also include details of any automatic timers or sensors. The lighting should also be designed to meet the requirements regarding bays as set out in the ecology section above.

Flood Risk

101. The site lies within Flood Zone 1. The site is an area that is of low risk to flooding. As the site is over 1 hectare in size, a Flood Risk Assessment (FRA) is required. This has been carried out.

102. The FRA assessment concludes that as the site is within Flood Zone 1, there is no risk of flooding from rivers and/or the sea.

103. The Environment Agency website indicates that the site is at medium to high risk of flooding from surface water. This is identified due to the underlying ground is not suitable for infiltration due to the presence of London Clay, which has very low permeability, and for the purposes of design is treated as impermeable. It is considered that the lack of infiltration across the site is thought to be the primary cause of historic flooding on the site.

104. To improve surface water drainage for the site, the scheme has incorporated swales into the design, which are listed highly in the SuDS hierarchy due to their sustainability benefits. Rainwater harvesting has also been considered which will be designed at the detailed design stage. The proposals for surface water drainage within the scheme include the provision of an attenuation tank, which will restrict flows to the greenfield rates in line with the National Planning Policy Framework (NPPF) and The London Plan. On the existing site the hard landscaped areas are drained unrestricted to the surface water sewer on Nathans Road. By attenuating surface water drainage from the proposed scheme the existing unrestricted peak flow rate will be reduced from 64.5 l/sec to 7.52l/sec, thereby significantly reducing the flood risk onsite and within the surrounding area.

105. In addition to onsite attenuation, the proposed scheme will utilise land drains to collect surface water falling onto the soft landscaped areas, therefore reducing the risk of ground saturation. Once collected by the land drains, the surface water percolates through a gravel layer into a perforated pipe where it connects to the attenuation tank before flowing into the surface water sewer. By significantly reducing the flow rate into the existing sewer we are reducing the flood risk onsite and the surrounding area.

106. With regards to the new connections to the surface and foul sewers, the agent has advised that it is common practice for the detailed discussions with Thames Water to commence once planning permission has been granted as separate permission is required for new connections to the surface water and foul sewer networks. As such, the proposed scheme will only be constructed once Thames Water is comfortable that there is sufficient capacity within the networks to accommodate the proposed scheme.

107. The Local Lead Flood Authority has confirmed that they have no objections to the proposal on flood risk grounds. They have confirmed the following:

"The proposed development will be within the Flood Zone 1 and floor level of new building will be raised so that there will be no risk of flooding for 1:1000 rain event. The developers are required to protect the building for 1:100 + 30% climate change event. They have considered various SuDS options and some of them are not suitable due to existing ground condition.

I noticed that they are providing Swales at rear of Norval Road and this will slow down the discharge and will also provide storage and will improve the water quality. They are also providing storage tanks and restricting the discharge rate to 5 lit/sec.

They have taken adequate measures to reduce the flood risks within their site and also reducing the flood risks in the catchment".

108. The Environment Agency have also confirmed by email that there are no constraints which fall within their remit for this application. They confirmed that they did not need to be consulted on this application and therefore have no comments.

Environmental Health considerations

Air Quality

109. An Air Quality Assessment has been produced which considers the impact of the school proposal upon air quality. This has taken into account building emissions and road transport emissions. The report concludes that the proposal will be air quality neutral. This report has been reviewed by your officers in Environmental Health you have confirmed that they are satisfied with the conclusions within the report and recommend that a condition is secured relating to the boiler to be installed.

110. The control of dust during construction works will also be managed through the construction management plan.

Noise

111. Officers in Environmental Health have advised that there is potential for noise from the plant equipment installed within the new school building. They have therefore recommended a condition requiring a noise impact assessment to be submitted requiring the noise level from this equipment to be below background noise level. It is recommended that this is conditioned to any forthcoming consent.

Contamination

112. Officers in Environmental Health have advised that part of the land has potential as being contaminated. They have therefore requested a contamination land investigation to be provided together with a remediation and verification report, in the event that any contamination is found. Once again, it is recommended that these details are secured by condition.

Environmental Impact Assessment

113. Under the updated Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015, the scheme is considered to fall within the definition of development under Schedule 2 "Urban Development Projects" as it includes over 1 hectare of urban development which is not dwellinghouse development. An EIA screening opinion was submitted to the Council, where it was concluded that taking into account the schemes scale, nature and location, it is not anticipated that it will result in significant environmental effects. It concluded that an EIA is not required for the application.

Highway considerations

Site context

114. Byron Court Primary School is located on the eastern side of Spencer Road, a local access road which is defined as heavily parked overnight in Brent's 2013 survey. Abbotts Drive was also listed as heavily parked, but other surrounding streets (Norval Road, Nathans Road etc.) were not heavily parked.

115. School keep clear markings and single yellow lines, on Spencer Road, restrict parking Monday - Friday 8.15am - 9.15am and 2.30pm - 4.30pm in the vicinity of the school access.

116. The site lies outside any area of current or proposed car parking control, and has low accessibility. TfL's connectivity toolkit (WebCat) shows the northern section of Spencer Road within a PTAL 2 and the southern section within a PTAL 1b. South Kenton Station (Bakerloo tube & Overground rail) is within walking distance of the site, but no bus routes are locally available.

Transport Assessment

117. The Transport Assessment illustrates that 66% of the students live in same postcode region as the school (HA0), with 13% living nearby in HA9 and 12% living in HA1.

118. Information on collision data retrieved from TfL has been provided. The data shows one slight collision at the junction of Abbots Drive/Spencer Road in 2011, involving a child pedestrian hit by a vehicle. Transportation's accident statistics in the last three years showed show 2 slight accidents in 2014/2015, involving vehicle accidents on The Fairway at junctions with Norval Road and Abbots Drive and is unlikely to be related to pupils at the school as the children in the vehicles were aged 13 and 15.

119. The Transport Assessment shows the mode split data of existing pupils taken in the summer 2014 and winter 2015. The results show 490 pupils walking in the summer and only 249 in the winter resulting in 50 pupils travelling by car in the summer and 96 travelling by car and 33 car sharing in the winter. Pupils' travelling by bus doesn't seem to change however, those using the train's increases in the winter by 4.6%.

120. The Transport Assessment shows a pupil and staff modal split for the existing and proposed as balanced. However, your officers in transportation would like to see an improvement to these figures via the Travel Plan targets and initiatives - see comments below within the Travel Plan section.

121. One of the initiatives the school proposes is to increase the 'soft start' from 10 minutes to 20 minutes between 08:30-08:50 to allow a staggered drop to reduce number of vehicles in the vicinity at any one time. Based on this and the assumption of extra school activities, it proposes 20% of pupils to arrive 07:00-08:00, 25% between 08:00-08:30 and 54.7% between 08:30-09:00. The departure figures proposed 39.6% to leave between 15:00-15:30, 24.7% to leave between 15:30 -16:00 and 30% to leave between 16:00-17:00.

122. The Transport Assessment anticipates an additional 83 - 299 during the morning and afternoon peak of summer/winter. These vehicles will be staggered between 7am - 9am and 3pm- 6pm and these vehicles can be accommodated within the Northwick Car Park, which can accommodate 50 or more spaces, alleviating on street parking concerns.

123. Consideration of the use of Northwick Park Car Park is discussed below together with on street parking demand.

Use of Northwick Park Car Park for park and stride

124. The application is proposing to use Northwick Park car park to be used by parents for park and stride to school. Parents would drive to the car park rather than to the school. Teachers would then escort groups of children from the car park to the School (walking). Parents would not need to accompany the children as they would be under the responsibility of the school staff. The school has confirmed that it is committed to providing the park and stride. It is understood that the trialled use of the car park commenced within the last three weeks, but that the park and stride proposal hasn't been fully implemented as yet and take-up is low at present.

125. The Transport Assessment shows a break down of parking occupancy levels in the car park between 08:00-09:00. The car park occupancy does gradually start increasing by 08:30 however, the average occupancy is 39% and therefore less than half the car parking is being occupied, giving scope to use the car park for parents to park and stride.

126. A follow up survey was carried out 12th May 2015. Northwick Car Park shows only 4-5% occupancy both in morning and afternoon peak which is a significant change in results.

127. Since the enforcement of the 3 hour maximum stay restriction in the car park, only approx. 5-10 parked cars have been counted during site observation. The survey carried out by the consultants shows a low 4-5% of the car park being occupied. The car park is therefore ideal for parents to park within to ease congestion

on the surrounding residential streets. However, the access into the car park is 200m long and does not have segregated footway, which is a concern for pedestrians walking on the carriageway whilst vehicles travel in and out of the car park. The grassed area either side of the carriageway can probably be walked along in the summer months however during the recent site observations, it was found that it was too muddy to walk on leaving pedestrians to walk on carriageway. This is Brent Council Parks land and your officers in Transportation have requested that a segregated footway for pedestrians is implemented, especially the school children, to be able to use.

128. The use of Northwick Park Car Park for parent parking is considered an essential factor to support the school expansion. It will assist in relieving congestion on the road network surrounding the school, and will form part of the travel plan - see comments below.

Site observations and highway safety concerns

129. Local residents and the Sudbury Court Residents Association have expressed concerns with inappropriate driving behaviour in the vicinity of the site during school drop off and pick up times. Your officers in Transportation carried out site visits to the school on 23rd, 25th 26th and 30th November 2015 and 22 February 2016 (morning and afternoon peaks). A summary of the observations is set out below:

- Weather conditions on all the days visited was cold and overcast
- Northwick car park used by no parents with the exception of 1 parent in the afternoon of 22 February 2016.
- Vehicles travelling the wrong way (northbound) on Spencer Rd, the voluntary one way system, to drop off child which caused traffic congestion as a result.
- On average there are approx. 3 vehicles per minute dropping off their children, and at any one time 50+ vehicles were counted.
- Vehicles continue to park on double yellow lines at the junction with Norval Road, block driveways and parked on the single yellows opposite the school.
- A member of staff was outside the main school gates and there were signs outside on the main school entrances asking parents to think about children safety and how they park. These signs have been seen on our previous visits. However, they were only able to move vehicles near the school entrance, poor parking behaviour by the junction of Norval Road does restrict the working of the junction and contributes to creating congestion.
- Pupils were observed walking and between 7 to 10 observed cycling to the school.

130. Resident concerns regarding existing parking problems is recognised. Site visits carried out by officers observed vehicles parking on double yellow lines, traffic queuing from Spencer Rd onto Norval Road and obstructing junctions and vehicles mounting footways. The obstructive parking behaviours meant that parents and pupils had to cross roads between parked or stationary vehicles in a dangerous manner and it only took one or two vehicles to travel against the prevailing flow to result in severe congestion. The existing unlawful and inconsiderate parking and traffic flow issues on these residential streets is a major concern for pupils and pedestrians safety. To address these concerns a number of highway mitigation measures have been suggested by officers in Transportation. These are discussed below. In addition, significant improvements within the School Travel Plan to encourage park and stride at Northwick Park Car Park and sustainable modes of transport are required. Once again, these are discussed in more detail below.

131. The Residents Association has also provided videos showing the school receiving deliveries occurring during peak drop off/pick up times. One shows a delivery van travelling against the flow on Spencer Road. The videos show pupils and parents having to cross behind the van or the being forced to walk out onto the carriageway. No teachers can be seen in the videos stopping or assisting these delivery vehicles. In response to these concerns, your officers can advise that the new access on Nathans Rd will be used for deliveries rather than Spencer Road. The new access cannot be used by deliveries during peak school opening and closing times due to the number of children arriving and departing. The school will have to manage their delivery timings so that future deliveries do not occur during the schools peak arrival/departure times. This is recommended to be secured by condition.

Parking availability in the surrounding streets

132. Parking beat surveys have been completed by the developer's consultant and also by the Council's Transportation Service. There are differences in the number of available parking spaces which could be attributed to the methodology used in calculating them. Sensitivity testing has been applied. Parking on both sides of the road on Abbots Drive and Spencer Road cannot be counted due to its narrow width, as it would result in obstruction to refuse and emergency vehicles.

133. Brent's Transport officers carried out a site visit last year November which showed no available on street spaces in the morning. An additional site visit on 22 February 2016 at 8am found that the surrounding streets did have some capacity for on street parking:

	Vehicles Parked	Available Spaces	Occupancy %
Nathans Rd	38	64	41%
Norval Road	43	47	91%
Abbotts Drive	22	38	57%
Spencer Rd	24	26	92%

134. There was also 13 vehicles parked on street in the short section of The Fairway outside the car park entrance and concurs with the consultants findings.

Commuter parking

135. A number plate recognition survey was carried out as part of the original parking beat survey in March and vehicles arriving after 5am and parking for 4 hours or more were considered commuters. The consultants carried out this exercise during the March survey, however there are no comparable results for the May survey, which would have given a clear indication of any changes following the enforcement of three-hour maximum stay restrictions in the Northwick Park car park. As such, only broad assumptions can be made on the current volume of commuter parking in the area.

136. Your officers in Transportation have carried out a comparison between our overnight survey (2013) and the results from the consultants parking survey (2015 8am). It is noted that any increase in on-street parking should be attributed to commuters as well as parents.

137. The results showed that in March, Nathans Road, The Fairways, Abbotts Drive and Norval Road all had an increase for on street parking by 8am compared to the overnight parking figures. However, the results show that by May, when enforcement of the car park was in action, the on-street parking by 8am had a reduction of 4-8 vehicles on all streets except Norval Road which had an increase of 29 vehicles. The comparison of the parking figures between March and May (8am) showed that in May there was a decrease in the number of vehicles parked on Nathans Road, The Fairways and Abbotts Drive but an increase of 2 vehicles on Spencer Road and an increase in 4 vehicles on Norval Road.

138. The commuter parking survey that took place in March showed that Norval Road and Nathans Road had the highest percentage of commuters by 9am, with 20% on Norval Road and 16.9% on Nathans Road, reflecting their location closer to South Kenton and Northwick Park stations. Our comparison indicates that parking on Norval Road has increased by 8% and appears to be commuter parking as identified in March. The increase in parking is not as significant as expected since the enforcement of the car park in May, especially as parking on Nathans Road has decreased. This could also reflect less parent parking as figures indicate that more children will walk to school by spring/summer.

139. From Brent's comparison it is concluded that the enforcement of the car park in May has not resulted in a significant displacement of on-street commuter parking and the parking survey results between March and May do in fact show a reduction in demand for on street parking.

Travel Plan

140. Officers in Transportation have reviewed the Travel Plan initially submitted (dated October 2015) using the attrubte tool, and advised that it has failed. The objectives aim to reduce car travel, encourage car share and increase 'active travel' options. The targets did not reflect this with the following pupil targets set for four years:

- 1% increase in cycle travel
- 1% in train travel,
- a reduction of 1% in bus travel by summer 2020,
- a reduction of 1% in car share by winter 2020
- There is no change over the winter park and stride figures of 17% and only a 2% change by summer 2020. This figure was not acceptable, particularly if Northwick Car Park is to be encouraged for park and stride.
- The car mode figure will be reduced from 16% in autumn 2016 to 12% by winter 2020 and whilst this

represents a 25% reduction in the proportion travelling by car, it is a long way short of the 60% increase in pupils, thus implying a considerable increase in traffic travelling to the school site.

141. For the reasons set out above, officers in Transportation requested improved targets to be set. They should be linked to the objectives and the targets should offset the proposed increase in staff and pupils.

142. A revised Travel Plan was subsequently prepared (dated February 2016). It provided the following pupil travel mode split targets:

Mode	Autumn 2016 (Site Opening)		September 2019 (Year 3)		September 2021 (Year 5)	
	Winter	Summer	Winter	Summer	Winter	Summer
Walk	42%	78%	43%	78%	44%	78%
Scooter/Cycle	9%	7%	9%	8%	9%	9%
Bus	5%	5%	5%	5%	5%	5%
Train	5%	1%	5%	1%	5%	1%
Park & Stride	17%	0%	18%	1%	19%	2%
Car	16%	8%	13%	6%	10%	4%
Car Share	6%	1%	7%	1%	8%	1%
Total	100%	100%	100%	100%	100%	100%

143. Your officers in Transportation have reviewed the revised travel plan. The revised travel plan has made a notional change to targets pertaining to walking, cycling and Park and Stride. However in light of the current congestion around the school it is considered that a 2% increase by 2021 for Park and Stride is not sufficient. Officers in Transportation have advised that they would expect to see a marked increase in the Park and Stride target subject to an achievable scheme being implemented that demonstrates the school is actively working to mitigate any further negative impact on congestion to the roads immediately surrounding the school through its expansion.

144. Revised travel plan shows unambitious targets for sustainable travel with no changes to bus or train travel and 1-2% increase in car share during winter. Car sharing is another area that subject to an achievable scheme being implemented will mitigate further negative impact on congestion surrounding the school.

145. It is recommended that a revised Travel Plan taking on board the above comments is conditioned to any forthcoming consent.

Highway improvement works

146. Your officers in Transportation have proposed a number of highway improvement works together with justification for why they are required:

Highway Improvements	Reasons
A raised table directly outside the access onto Nathans Road	To reduce the speed of traffic by this access.
A zebra crossing to enable a safer pedestrian route the new entrance in Nathans Road.	This will provide safe crossing to the school access for the desire line from the station.
Implementation of traffic management arrangements to better manage flow on roads surrounding the school subject to public consultation	<ul style="list-style-type: none"> • To provide safer crossing distance for the pupils and better visibility. • Relieve parking pressure in the area and improve traffic flow • Ease concerns of vehicles travelling both ways on narrow streets resulting in congestion and improving road safety
Segregated footway for pedestrians, especially for children, to be provided on the access into Northwick Car Park and a covered waiting area	Pedestrians currently walk on the carriageway and improvements should be made if the car park is to have an increase use for park and stride.

147. It is recommended that the above are secured by condition to any forthcoming consent.

Alterations to pedestrian and vehicular accesses - Spencer Road and Nathans Road

148. The site is currently accessed via Spencer Road for both pedestrian and vehicular access. There is an existing access off Nathans Road, but this has not been used for a number of years. The access from Nathans Road is proposed to be reopened for pedestrian/cyclists only during drop off and pick ups and used for deliveries and refuse collection only during the rest of the day. The Spencer Road access will be used for vehicles accessing the car park (i.e. staff car parking) and for pedestrian/cycle access.

149. Officers in Transportation have advised that the use of the second access will disperse traffic between the two entrances which will ease traffic conditions on Spencer Road.

150. The access from Nathans Road will have a segregated footway (1.5m wide) on the western side and thus retaining a 4m wide carriageway. The main purpose of the access is for pedestrian/cyclist and therefore officers in Transportation have requested that the access is designed as a shared surface, with priority to pedestrian users. Deliveries and refuse vehicles should only visit outside of the drop off or pick up times and therefore a levelled pedestrian access is preferred. It is recommended that a condition is secured for a shared surface to be provided. It is also recommended that a condition is secured for this access to only be in use for service/delivery vehicles and refuse, and not for general parking.

151. Sight line visibility should be maintained at Nathans Road access and the schools fence directly by the entrance should be reduced to a height of 0.6m. The vehicular access is an existing access and will only be used by approx. 25 vehicles in a week and these will be larger vehicles who will have a driver eye level of 2m, which is different to a normal vehicle however, they will be using the access outside of the drop off/pick times and therefore visibility is acceptable but should be improved by the reduction in the schools existing fences on either side of the entrance. This is to be secured through condition.

Parking requirements for the school

152. Parking standard PS12 of the UDP-2004 will allow 1 car parking space to be provided per 5 staff, with visitor parking to be provided at 20% of the staff parking, but a minimum provision of a single car space. This standard also urges close attention to pick-up and set-down facilities at school sites, and the impact of on-street car parking on local residents.

153. The school currently employs 75 staff; 41 teachers, 29 support staff and 5 admin staff. This will increase to 105 staff members as a result of the proposal.

154. The school currently has 23 unmarked parking spaces, 22 cycle parking spaces and 15 scooter spaces and the proposal will provide 26 parking spaces including 2 disabled and 62 cycle spaces. Officers in Transportation have advised that this is sufficient to satisfy standards.

Cycle parking

155. 62 cycle parking spaces will be provided and the cycle sheds appear to be located by both accesses; Spencer Road and Nathans Road. The cycle spaces should be in a secure and covered shed to protect against theft and weather in compliance with PS16 of the UDP-2004.

Service and Deliveries

156. During construction, the school proposes to continue using the access of Spencer Road for their deliveries and refuse, as is the current situation. After construction, the school proposes to use the access on Nathans Road for their deliveries and refuse.

157. A tracking diagram has been submitted showing the vehicle tracking for a refuse vehicle, which is 8.3m long. The drawing shows that a refuse vehicle can turn around within the site and leave in forward gear, which is acceptable. Refuse storage is proposed near the rear access for straightforward collection.

158. Swept path analysis has also been provided for 'transit' sized vans, which can also turn around and leave in forward gear. The van deliveries will be made for groceries/food deliveries. The new kitchen is near the rear access, allowing straightforward unloading into the kitchen. There is also an office by the rear access which will presumably allow deliveries such as post to be collected.

159. The hard standing area reserved for unloading/loading and turning area, will not be marked out with bays or 'keep clear' signage and therefore could potentially lead to off street parking by the school. This could potentially lead to obstruction of large vehicles being able to turn around or park. Clear signage should be implemented or the school should strictly enforce no vehicle parking in the area other than deliveries. It is recommended that this is secured within the service and delivery plan to be conditioned to any forthcoming consent.

160. It is also recommended that deliveries are restricted to outside the morning and afternoon peak (i.e between the hours of 08:00-09:00 and 15:00-17:00). Once again, it is recommended that this is secured via the service and delivery plan.

161. Details have also been provided showing that the access from Nathans Road can be used for coaches. Once again, it is recommended that coach arrivals are managed through the service and delivery plan to avoid conflicts with other vehicles.

162. The school has also advised that the area will be used for coaches and a swept path analysis should be submitted for this.

163. The submitted layout would result in delivery vehicles having to wait on Nathans Road whilst trying to access the school. Officers in Transportation have advised that this is not acceptable, and that the gate should be set back 10m to allow a refuse vehicle to wait within the access whilst they are pressing the intercom to gain access into the school. This is to be secured through condition.

Construction Management Plan

164. The access from Nathans Road will be used for construction vehicles and construction will occur outside of school drop off and pick ups.

165. The construction plan submitted shows the swept path analysis for a large crane, large tipper, mobile crane, concrete mixer and rigid vehicle.

166. Most vehicles will be able to leave the site in forward gear and those vehicles that cannot leave in forward gear will be assisted by a banksman.

167. It is proposed that the access will be manned to allow deliveries to access the site without obstructing the road. Due to the residential roads, HGV's may be restricted in their movements and therefore parking suspensions maybe be required in order to allow HGV's to manoeuvre. Parking bay suspensions for the traffic route as well as any other traffic management required for unloading of cranes/plants must be agreed with the Highway Authority prior to the commencement of any works. Such restrictions may be subject to traffic orders.

168. Off street parking for the contractors will be provided within the site compound. Transportation have requested that a revised construction management plan is submitted showing the parking area and any required traffic management for the site.

Summary of highway considerations

169. In conclusion, the existing congestion problems raised by local residents and the Residents Association and recognised by officers. Your officers in Transportation have advised that the Travel Plan is not evidencing that the proportion of car journeys can be sufficiently reduced to offset the proposed expansion to the school. The car mode figure will be reduced from 16% in autumn 2016 to 10% by winter 2021 and whilst this represents a 25% reduction in the proportion travelling by car, it is a long way short of the 60% increase in pupils. The proposal is therefore likely to generate more traffic and parking on the roads, unless improvements to the Travel Plan are made.

170. Officers in Transportation have advised that the following measures are required to help mitigate any impact and to remove any highway objections:

a. A revised Travel Plan that (i) reflects much better targets, taking into consideration the increase in staff and pupils, (ii) includes existing initiatives that will be taken forward in autumn 2016 and (iii) parents are being encouraged to use Northwick Car Park, in order to give the proposed Travel Plan targets some credibility.

b. The Highway improvements as set out above.

Consultation

Pre-application consultation event

171. Prior to the planning application being submitted, public consultation was carried out on the proposed expansion of Uxendon Manor Primary School. Informal consultation was carried out on 20 November 2014 to 24 December 2014. A public meetings were held on 3 December 2014.

172. The Byron Court proposal received 334 responses (including three late responses) received before 5 January 2015 in this first informal consultation. A summary of the consultation response is set out below:

	Number of responses received	Overall % of responses received
Petition letter against the expansion	117	35%
Agree with the expansion	29	9%
Disagree with the expansion	182	54%
No decision reached	6	2%
Total	334	100%

173. The areas of objections raised are summarised below:

- Impact on the character and ethos of Byron Court
- Affect child development and integration – including behaviour, language barriers and the impact of proposed 'zoned areas' in the expanded school
- Reduce attention to pupils and affect school results
- Impact on teaching standards
- Limit facilities after expansion, especially green spaces for outdoor play and extra curricular activities
- Affect education because of the building work
- Over-expand an existing school when a new school should be built
- Queries over the need for school places in Brent
- Queries over the need for school spaces in the Sudbury Court Estate (SCE) – particularly in view of the new primary school at Wembley High Technical College
- Health and safety considerations of expansion- particularly playground accidents and illness
- Potential car accidents
- Implications of long distance travel to school on parents and pupils
- Noise, litter and wildlife
- Suitability of the site for large development; particularly its residential nature, narrow roads and susceptibility to flooding
- Traffic, congestion and pollution
- The relationship between parents and staff
- Effect of building work on residents
- Potential to attract further regeneration, housing and leisure in Brent
- Parking and inconsiderate parents
- House value and amenities- especially the right to light and privacy
- Previous promises from the school against expansion

174. A statutory notice was also published on 15 January 2015 ending on 19 February 2015 for the expansion of the school. A summary of the responses is set out below:

	Number of responses received	Percentage of overall responses
Agree with expansion	43	16%
Disagree with expansion	222	84%
No decision reached	0	0%
Total Responses	265	100%

175. In addition to the themes referred to above, objections were raised on the following grounds:

- Administrative difficulties especially management problems, mealtimes and turnover

- The relationship between the school and the wider community; including the impact on emergency services, dissidents' relations with the school and job creation
- Impact on children from minorities
- The Consultation Process

Consultation responses during consideration of planning application

176. The following table sets out responses to the objections raised during the consideration of the planning application:

Topic of objection	Objection	Response
Public consultation prior to planning application being submitted	Proposal had overwhelming objection at the public consultation stage and despite the objections, Cabinet agreed for the expansion to go ahead, concluding that most of the objections could be resolved at the planning application stage.	The planning merits of the proposal have been considered and detailed above.
	Brent Council has been misleading during public consultation stage prior to the application being submitted. At that stage it proposed a number of smaller school extensions, and not the scale of the expansion submitted within the planning application. This includes plans for the new main hall and kitchen to be one storey but the plans submitted with the application show it at two storeys.	The plans shown at the pre-planning consultation events do not show smaller school extensions. The submitted design and access statement shows iterations of the design and how options for expansion were first considered, one of these shows a different approach but this was not taken forward. The scale of the expansion has remained the same in consultation. The plans for the main hall and kitchen from pre-planning consultation showed PL51.40 where the submitted plans show PL51.70. A very slight increase, the other buildings show decreases. This is described in the design and access statement.
	Large number of parents do not support the school expansion (raised by SCRA)	The planning application can only consider the planning merits of the proposal.
Public consultation at planning application stage	Council website inaccurate as states that those who comment address will not be displayed but the addresses have been displayed.	The website was incorrect for a period as it advised that addresses will not be displayed. This is incorrect and the website is being updated. The information is not contrary to

		data protection legislation.
	Delay with objections being uploaded onto the website	Whilst there was a short delay with objections being uploaded, your officers can confirm that all objections submitted on line are now uploaded onto the website.
	Council is changing the submissions that people are making and then displaying the changed submissions.	Your officers can advise that comments have not been edited before being displayed on the website. The objector made reference to punctuation marks etc being edited. It is noted that the changes that the objector has referred to do not alter the content of the objection aside from formatting and punctuation and the objection could still be considered in full.
	Misleading information within the planning application consultation letter. Documents not available to view in hard copy in the Council offices.	<p>The Council does not hold hard copies of any planning application. The information is available to view on computers in the Council offices.</p> <p>However, in this case, given the significant public interest on the proposal, including many elderly residents, your officers did make arrangements for one hard copy of the application to be posted to the SCRA.</p>
	Council is adding new documents regarding the application once the initial consultation letters sent out.	Details of any revised documents are summarised below. Your officers can confirm that these amended documents have not materially changed the application, and therefore it is considered that re-consultation is not required.
	Number of comments supporting the scheme from Byron Court Primary School – individual addresses not provided. Therefore should not be counted as individual comments of support.	A summary of the responses to the planning application are set out in the consultation section above.
Need for school expansion	Wembley High Primary School will already provide surplus in	Consideration of the school catchment area is discussed in

school places in the area, meaning that pupils will be outside the catchment area and will need to travel further distance resulting in increase traffic and parking problems in the area .

(similar issue raised by SCRA)

paragraphs 18 to 21 above.

Case to expand the school is flawed as it was based on the data and assumptions on the report to Cabinet in March 2015 but this data has since changed as stated in the report to Cabinet in November 2015. Proposal will result in surplus in primary school places in the area. Therefore expansion not justified.

(similar issue raised by the SCRA)

The justification for the school expansion is set out in paragraphs 4 to 16 above.

Brent Council claims the school is over subscribed but large number of pupils are from outside the catchment area. School places should be prioritised for those within the catchment area.

(similar issue raised by SCRA)

Consideration of the school catchment area is discussed in paragraphs 18 to 21 above.

The school should not be expanded to address school place shortfalls elsewhere including large developments within Wembley/Alperton. New schools should be built in these areas .

(similar issue raised by the SCRA)

Consideration of demand for school places within neighbouring Planning Areas is set out in paragraphs 13 to 16 above.

The school does not meet the high education standards that it

The Council's School Expansion Programme only includes

	<p>once did. Not OFSTED 'Excellent' and risk that expansion will result in the school being below outstanding. Figures suggest in 2014 Byron Court School only achieved 79% of pupils passing Level 4 which is below the average for Brent, consequently the school is only ranked 33rd in Brent. Furthermore by the Department for Education's newly proposed assessment criteria Byron Court School would no longer be rated outstanding.</p> <p>(similar issue raised by SCRA)</p>	<p>schools with 'Good' or 'Outstanding' OFSTED ratings. The last review of Byron Court rated it 'outstanding'.</p> <p>The applicant has advised that standards in 2015 were well above the local and national averages - 90% BC, 83% LA and 80% NA. The Council has no reason to expect that the school is not delivering a high quality of education.</p>
	Proposals should be considered to only expand by 1FE and refurbish existing buildings.	The justification for the school expansion by 2FE is set out in paragraphs 4 to 16 above.
	Proposal would impact on Green Belt	The school is not located within Green Belt or Metropolitan Open Land.
	The council should only expand schools that are on main roads and have more land space.	School expansions are planned on demand for school places.
	The area already has community facilities. There is no demand for community facilities at Byron Court.	There is a policy requirement for some of the facilities within the school to be available for community use. This will include the new hall and MUGA.
Impact of expansion upon quality of education	School expansion will adversely on the quality of the teaching experience provided for pupils at Byron Court. The Department of Education says large primary schools give a worse education than small schools.	The applicant has advised that many large primary schools have been very successful. It is the quality of the leadership that counts. Byron Court has outstanding leadership. Bigger schools also provide more opportunities for children.
	Construction work will disrupt the children's' education and will	A Construction Management Plan will be secured by condition to manage the

	jeopardies health and safety.	impacts of the construction works.
Impact on neighbouring occupiers	Buildings will be obstructive to neighbouring occupiers with loss of light and overshadowing	This has been discussed within paragraphs 39 and 41 above.
	New building will result in lack of privacy to existing residential occupiers .	This has been discussed within paragraphs 34 to 38 and 40 above.
	Overlooking from larger vehicles such as coaches travelling along Nathans Road access into neighbouring rear gardens and increased noise. No screen planting proposed. Impact made worse by loss of Chestnut Tree – this is against Protocol 1, Article 1. (person has the right to peaceful enjoyment of all their possessions, which includes the home and other land), Article 8 (states that a person has the substantive right to respect for their private and family life), Brent' UDP and DMP10.	The majority of larger vehicles will arrive and depart during the main school day, outside of drop off and pick up times. This will be secured as part of a service and delivery management plan. Whilst larger vehicles can see over the fence line, they will be travelling along the access for short periods of time. The degree of overlooking is not considered significant to warrant a reason for refusal.
	New building will result in increased noise to neighbouring properties and rear gardens.	Noise from plant equipment will be conditioned to be below background noise level. The external play areas next to residential gardens will only be in use during school hours.
	Noise and vibration from construction traffic and works	Construction traffic and works will be managed through the construction management plan.
	Loss of trees will result in a loss of amenity for local residents.	The scheme proposes a loss of a small number of trees. This will be mitigated by the planting of 38 new trees within the site.
Highway related matters	Increased demand for parking with additional staff and for contractor vehicles during the build. Parking is already a	Contractor parking will be provided on site. The construction management plan will include details on parking

<p>problem and this would get worse.</p>	<p>arrangement during the construction works.</p>
<p>Area already significantly congested with commuter traffic from South Kenton Station close by and people parking to visit Northwick Park Hospital. Additional congestion with vehicles parked on both sides of the narrow road network, and with construction lorries and coaches will led to emergency vehicles not being able to access the roads around the school.</p> <p>(Similar issue raised by SCRA)</p>	<p>Consideration of on street parking availability and commuter parking is discussed in paragraphs 132 to 139 above.</p>
<p>Construction vehicles and increased vehicles trips to the site once the school is expanded will lead to more noise and more inappropriate driving such as parents parking on driveways and on double yellow lines. Spencer Road is already a voluntary one way road during drop off and pick up times. Any vehicle trying to travel the other way results in more chaos and congestion.</p> <p>(Similar issue raised by SCRA)</p>	<p>Measures to manage parking during construction will be secured through construction management plan.</p> <p>Active measures are proposed within the Travel Plan to reduce car travel to the site once the school is in occupation. Further details are discussed within paragraphs 140 to 145 above.</p> <p>A number of highway improvements works are to be secured by condition as set out in paragraph 146 above.</p>
<p>Site has very limited access to public transport.</p> <p>(similar issue raised by SCRA)</p>	<p>The PTAL level of the site is discussed in paragraph 116 above.</p>
<p>Meeting school demand for areas outside the catchment will result in unsustainable modes of transport for pupils having to travel longer distances i.e. by car. This has not been considered within the Transport Assessment.</p>	<p>Modal splits have been considered. As discussed above, active measures are proposed within the Travel Plan to reduce car travel to the site once the school is in occupation.</p>

<p>(similar issue raised by SCRA)</p>	
<p>Coach access from Nathans Road will be dangerous to pupils. No safety audit of the highway plan has been carried out. The access is unable to accommodate larger vehicles or provide turning areas. Lack of visibility splays and too close to neighbouring boundaries .</p> <p>(similar issue raised by SCRA)</p>	<p>Tracking plans have been submitted to demonstrate that a coach can access the site via Nathans Road. The tracking plan has been reviewed by officers in Transportation.</p>
<p>Proposal to park in Northwick Park car park will not relieve congestion as the car park is only accessible by the same roads that experience congestion.</p> <p>Layout of Northwick Park Car Park not appropriate for park and stride.</p> <p>(similar issue raised by SCRA)</p>	<p>The use of park and stride has been considered by your officers in Transportation and considered a suitable mitigation measure for this proposal to reduce car travel to the site.</p> <p>Details of highway improvement works within the Car Park are to be conditioned – see paragraph 146 above.</p>
<p>No evidence has been provided of other schools where walking buses have been successful.</p> <p>(Similar issue raised by SCRA)</p>	<p>The use of park and stride has been considered by your officers in Transportation and considered a suitable mitigation measure for this proposal to reduce car travel to the site.</p> <p>Details of highway improvement works within the Car Park are to be conditioned – see paragraph 146 above.</p>
<p>Parking survey misleading as counts both sides of Spencer Road. This road is too narrow to allow parking on both sides of the road. Similar concerns raised with other surrounding streets</p> <p>(similar issue raised by SCRA)</p>	<p>Consideration of on street parking availability and commuter parking is discussed in paragraphs 132 to 139 above. This includes independent surveys by officers in Transportation.</p>

	Residents have requested one way system in the past and parking regulations but no action taken by the Council.	As part of this proposal a number of highway improvement works are proposed, to manage congestion on Spencer Road and Nathans Drive.
	Pupils and staff should be forced to walk from Norval Road and Abbots Drive so that vehicles do not travel down Spencer Road	The Travel Plan will promote active measures including park and stride to reduce the number of vehicles travelling to the school site.
	The neighbouring properties will be required to gain the necessary width of access for larger vehicles from Nathans Road. This would be subject to compulsory purchase powers and not shown within the planning application. (similar issue raised by SCRA)	Your officers in Transportation have reviewed the tracking plans submitted with the application, and advised that the access is suitable for delivery vehicles, refuse and coaches.
	Misleading information regarding number of car parking spaces on site and number of staff.	Details of car park and staff numbers are set out in paragraph 153 above.
	Accesses do not segregate vehicles from pedestrians	Officers in Transportation have requested for the access via Nathans road to be a shared access – refer to paragraphs 148 to 151 above.
	No visibility from the street for parents to observe children arriving at their destination.	Dropping off/picking up arrangements are managed by the school.
	There will be a planned change to the existing road layout at The Green junction with Watford Road, allowing for construction traffic to turn right into The Green from Watford Road. This would be detrimental to highway safety.	Details of construction traffic routes will be set out in the construction management plan. Any alterations to road layouts will need to be considered separately through highway legislation.

	(similar issue raised by SCRA)	
	Temporary road restrictions will apply.	As above.
	Proposed one way system through the estate could lead to delays/blockage. This would impact on residents if needing to leave in emergency situations.	Highway improvement works to ease congestion on Spencer Road are to be secured – see paragraph 146 above.
	Data in Travel Plan misleading as this was provided by the children. Travel Plan and other measures such as breakfast club/after school club not realistic. (raised by the SCRA)	Hand up surveys are routinely carried out in Travel Plans. The Travel Plan has been reviewed by officers in Transportation and revisions are required. See paragraphs 140 to 145 above.
	Sustainability checklist incorrect as proposal will result in increased number of vehicles to the site (raised by SCRA)	The objectives of the Travel Plan is to reduce vehicles to the site to be comparable with the existing situation. To assist in achieving this target, more active use of park and stride is required plus car sharing.
	Number of minor accidents in the area but not documented in the Transport Assessment (raised by SCRA)	Details of accident statistics are set out in paragraph 118 above.
	Increased cycle will be detrimental to children safety. (raised by SCRA)	The scheme proposes a marginally increase in cycling to school within the Travel Plan (only 1%). The Travel Plan aims to increase more sustainable modes of transport.
Environmental considerations – Air Quality, Flood Risk and Ecology	Increased flooding to surrounding area and increased pressure on local sewer network (similar issue raised by SCRA)	Flood risk consideration and impact on surface/foul sewers is discussed within paragraphs 101 to 108 above.
	FRA not fully carried out in accordance with NPPF	See paragraphs 101 to 108 above.

(raised by SCRA)	
New access on Nathans Road being built over the existing drain – risk of collapsing.	The access road on Nathans Road is existing. Any alterations to the access over the drain will need to be agreed with Thames Water.
Information within the Air Quality Report misleading as no site visit carried out by consultant, and no assessment of the boilers have been carried out.. (similar issue raised by SCRA)	The Air Quality Report has been reviewed by officers in Environmental Health. They have advised that the conclusions are acceptable. See paragraphs 109 to 110.
Increased congestion and air pollution within the vicinity of the site. (similar issue raised by SCRA)	See paragraphs 109 to 110 above.
Proposal will affect wildlife and ecology in neighbouring gardens such as frogs, newts, mayflies, dragonflies and fish	The ecological considerations of the scheme are set out in paragraphs 69 to 91 above.
Council did not take advice from own consultant – i.e relating to EIA Screening Opinion. An EIA should have been required due to air quality.	The screening opinion concluded that an EIA is not required. An Air Quality Assessment has been submitted with the application.
Bat survey not corrected carried out and the ecology report only considers the site in isolation. (raised by SCRA)	The consideration of bats is set out in paragraphs 76 to 82 above.
Concerns raised with loss of tree and impact on ecology of site (raised by SCRA)	Habitat loss and enhancement is set out in paragraph 74 above.
Floodlighting during construction works (raised by SCRA)	The construction management plan will secure details of any external lighting during construction works.

Design of building/impact on neighbouring Conservation Area	Design of new building not in keeping with character of existing school building.	The design of the new school building is discussed in paragraphs 24 to 30 above.
	Separate two storey building not attached to the existing school is contrary to policy. Residential houses in the area would not be allowed to build two storey detached buildings in their gardens.	The context of a school site is different in nature to residential gardens. The same policy approach can not be applied.
	Proposals are out of character with the area.	The design of the new school building is discussed in paragraphs 24 to 30 above.
	The proposal will affect the Sudbury Court Conservation Area through the generation of increased traffic and people, together with the schools size and appearance.	The site does not adjoin the Conservation Area. The proposal is not considered to adversely impact on the Sudbury Court Conservation Area.
	Is the new building suitable for disabled access due to stepped level changes across the building	The new building has been designed to comply with Building Regulations M and the Equality Act 2010.
	The site is too small to accommodate the school expansion.	The new building is appropriate sited in relation to neighbouring occupiers. It provides sufficient outdoor play area and playing pitches.
	Unclear why classrooms need headroom height of 4.3m at ground floor and 3.9m at first floor. This will result in extra energy to heat the buildings.	The height of the new building is considered acceptable in relation to neighbouring occupiers. The Energy Assessment indicates that the proposal will meet 35% carbon reduction using lean and green measures.
Other points raised	Impact on value of residential properties .	This is not a material planning consideration.

Asbestos in existing buildings to be removed .	A condition will be secured in relation to asbestos.
Behaviour of headteacher unacceptable – pushing parents/pupils to support the expansion	This is not a material planning consideration.
The school, officers and elected members should be there to serve its local community and not impose its own agenda, irrespective of the needs and wishes of the community.	The planning application considers the planning merits of the proposal.
Increased crime as a result of more movements	It is unclear how the school expansion will result in increased crime within the area.
How can such a larger school (1050) be evacuated safely in an emergency	Excavation of the school is considered by Building Regulations in consultation with the fire brigade.
Rubbish being dumped by children	Details of refuse and recycling within the school site will be secured by condition.
Properties in the area have suffered from kerosene smells from aircraft. Query how this will affect the proposal.	It is unclear how this relates to the school expansion.
Increased risk to security of properties on Nathans Road due to access being opened up for pedestrians and vehicles. School responsible for boundary fencing. Likewise pedestrians at risk from the garage (contains asbestos) and conservatory within the neighbouring property due to proximity of the access road to the neighbouring property	<p>Details of how the access from Nathans Road is to be managed will be secured within the service and delivery plan.</p> <p>It is common to have schools next to residential properties. The risk from asbestos within neighbouring residential properties or the conservatory is no worse than a typical situation of a school access next to residential properties.</p>

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Conclusion

144. The proposed school expansion will increase the number of primary school places within Brent to meet projected demand. It will also provide community access to the benefit of Brent residents.

145. The school buildings have been designed and laid out to minimise potential impact by complying with the Council's guidance relating to new development.

146. The application is accompanied by a Flood Risk Assessment which the Lead Local Flood Authority consider to be acceptable.

147. As discussed above, one of the key considerations is the impact of the school expansion upon the wider highway network. Officers recognise the current congestion problems around the school during drop off and pick up. The Council's Highways officers have recommended that additional measures are secured to mitigate the potential increase in traffic and parking on the roads, including improvements to the Travel Plan together with the Highways improvements set out later in this report. The improvements to the Travel Plan would seek to ensure that the Travel Plan (i) incorporates better targets, taking into consideration the increase in staff and pupils, (ii) includes existing initiatives that will be taken forward in autumn 2016 and (iii) includes the proposed park and stride measures for the Northwick Car Park. Further details are provided later in this report.

148. Accordingly, it is recommended that planning permission be granted, subject to conditions.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/4523

To: Mr Grantham
LUC
43 Chalton Street
London
NW1 1JD

I refer to your application dated 19/10/2015 proposing the following:
Demolition of eight existing buildings on site comprising 4x teaching blocks, 1x shelter, 1x shed, 1x storage/garage and 1x kitchen and dining facilities and construction of new part single and part two storey building (to accommodate expansion of the school from 3 form to 5 form entry primary school), all-weather MUGA to include the reconfiguration of the School's playing field and associated landscaping and parking, upgrading of the Nathans Road access and temporary permission for the erection of a single teaching block (2x classrooms) for use until July 2017.
and accompanied by plans or documents listed here:
Please see condition 2.
at Byron Court Primary School, Spencer Road, Wembley, HA0 3SF

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with the:-
National Planning Policy Framework
London Plan
Brent LDF Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance

- 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):

941N 100 Rev B - Existing Site Plan
941N 101 Rev E - Proposed Site Plan
941N 102 - Location Plan
941N 110 Rev A - Existing Ground and First Floor Plans
941N 111 Rev A - Existing Site Sections & Elevations

941N 200 Rev J - Proposed Ground Floor Plan
941N 201 Rev E - Proposed First Floor Plan
941N 202 Rev B - Proposed Roof Plan
941N 250 Rev B - Temporary Classroom Provision Proposed Floor and Roof Plan
941N 400 Rev D - Proposed West and South Elevations
941N 401 Rev I - Proposed North and East Elevations
941N 402 Rev D - Proposed Section Elevations
941N 450 Rev A - Temporary Classroom Provision Proposed Elevations
941N 500 Rev E - Proposed Sections
941N 501 Rev C - Proposed Sections Sheet 2
941N 502 Rev C - Proposed Sections Sheet 3
941N 510 - SPG17 Site Sections AA & BB
941N 511 - SPG17 Site Sections CC & DD
941N 512 Rev A - SPG17 Site Sections EE & FF

538-PL-001 Rev E - Landscape Masterplan
538-PL-011 Rev F - General Arrangement North
538-PL-012 Rev F - General Arrangement South

15-267-TPP-Rev -B - Tree Protection Plan

Supporting Documents

Design and Access Statement

Servicing Management Plan prepared by Transport Planning Associates (dated October 2015)

Construction Management Plan prepared by Transport Planning Associates (dated October 2015)

Transport Assessment prepared by Transport Planning Associates (dated October 2015)

Revised Travel Plan prepared by Transport Planning Associates (dated February 2016)

Technical Note prepared by Transport Planning Associates (dated February 2016)

Tree Survey Report Rev C prepared by Canoy Consultancy (dated 14 October 2015)

Acoustic Survey Report prepared by Bickerdikey Allen and Partners (dated 24 September 2015)

Low & Zero Carbon Technologies feasibility study prepared by METHOD (dated February 2016)
Sustainable Development Checklist
BREEAM Design Stage Pre-Assessment prepared by METHOD (dated 17 September 2015)
Landscape Material Schedule Rev B (September 2015)
Extended Phase I Habitat Survey prepared by Greenspace Ecological Solutions (dated October 2015)
Flood Risk Assessment prepared by Price & Myers (dated September 2015)
Air Quality Assessment prepared by Air Quality Consultants (dated November 2015)
Planning Statement prepared by LUC (dated October 2015)

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

- 3 No music, public address system or any other amplified sound system shall be installed or used externally on the site without the prior written approval of the Local Planning Authority. Details of any proposed system(s) shall be submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter only installed and operated in accordance with the details so approved.

Reason: To safeguard the amenities of the adjoining occupiers.

- 4 Vegetation clearance shall be undertaken outside of the nesting bird season (generally extends between March and September inclusive). If this is not possible then any vegetation that is to be removed or disturbed shall be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them is required to be delayed until the young have fledged and the nest has been abandoned naturally.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- 5 Activities within Byron Court Primary School for use by community users hereby approved shall only take place between the hours of 0630 and 2300 Mondays to Sundays, with the premises cleared within 30 minutes of this time, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of surrounding residential properties.

- 6 The windows on the southern elevation of the temporary classroom hereby approved shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 7 Prior to any demolition works, a qualified asbestos contractor shall be employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

Reason: To ensure the safe development and secure occupancy of the site proposed for use.

- 8 The development shall not be occupied until the car-parking, cycle parking and turning areas shown on the approved plans have been constructed, surfaced and marked out to the satisfaction of the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The car-parking, cycle parking and turning areas so provided shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: In the interests of highway safety.

- 9 The existing and proposed temporary classrooms as shown on the proposed site layout plan shall be removed within one month following first occupation of the new school building hereby approved, or alternative timescales to be agreed in writing by the Local Planning Authority. The areas where the temporary classrooms stood, shall thereafter be implemented in accordance with the details set out in the approved landscape works.

Reason: The buildings are temporary in nature only and would be contrary to design policies and therefore could not be supported on a permanent basis.

- 10 The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) 'Flood Risk Assessment, Byron Court Primary School, September 2015' and the compensatory flood storage measures detailed within the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided.

- 11 No development shall take place, including any works of demolition, until a Construction Method Statement 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 parking of vehicles of site operatives and visitors;
- (ii) Construction traffic routes to the development site;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties to 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 as part of the Construction Management Plan);
- (vi) Details of how vehicular access to adjoining and opposite premises are not impeded;
- (vii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (viii) wheel washing facilities and schedule of highway cleaning;
- (ix) measures to control the emission of dust and dirt during construction;
- (x) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (xi) School access during the construction phase (including servicing and delivery arrangements);
- (xii) Staff car parking facilities; and
- (xiii) Adhere to the Considerate Contractors Scheme.

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

- 12 (a) No development shall commence on site until a Training & Employment Plan has been submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following:

- (i) the details of the Training & Employment Co-ordinator;
- (ii) a methodology for meeting the Training & Employment Targets and the Training & Employment Reporting Schedule;
- (iii) a commitment to offer an interview to any job applicant who is a resident in Brent provided that they meet the minimum criteria for the particular job

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

(b) Prior to the occupation of the new school buildings, a Training & Employment Verification Report shall be submitted to and approved in writing by the Council.

Reason: In the interest of providing local employment opportunities.

13 Prior to commencement of the development, the applicant shall make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority to provide the following highway works:

- (i) A raised table directly outside the access onto Nathans Road
- (ii) A zebra crossing to enable a safer pedestrian route the new entrance in Nathans Road.
- (iii) Implementation of traffic management arrangements to better manage flow on roads surrounding the school subject to public consultation
- (iv) Segregated footway for pedestrians, especially for children, to be provided on the access into Northwick Car Park and a covered waiting area

The new school building shall not be occupied (or other timescales to be agreed in writing by the Local Planning Authority) until the above works have been completed to the satisfaction of the Local Highway Authority and have been certified in writing as being substantially complete by or on behalf of the local planning authority.

Reason: In the interests of highway and pedestrian safety.

14 No works shall commence on site prior to a Tree Protection Plan and Arboricultural Method Statement being submitted to and approved in writing by the Local Planning Authority. These shall include method statements and plans which:

- (i) adhere to the principles embodied in BS5837:2012
- (ii) indicate exactly how and when the retained trees, hedges and shrubs on-site or off-site near the site boundaries will be protected during the construction phases;
- (iii) reconfiguration of the balancing pond between trees T8 and T9 on the eastern boundary of the site, to avoid damage to tree roots.
- (iii) show root-protection zones;
- (iv) detail method of pruning works to retained trees (if proposed)

Provision shall also be made for supervision of tree protection by a suitably qualified and experience arboricultural consultant and details shall be included within the tree protection statement. No works shall commence on site until the Council's Tree Officer has been on site to inspect the protection measures and, the development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

15 Details of foul water drainage for the new school building hereby approved shall be submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul water from the site shall be made into the public system until the approved drainage details have been completed unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

16 (a) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent

of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site

- 17 Notwithstanding the details submitted under submitted plans otherwise approved, prior to commencement of works on site, revised details of the access road from Nathans Road shall be submitted to and approved in writing by the Local Planning Authority. This shall include a shared surface, reduction in height of boundary fence next to the access to 0.6m high to maintain visibility, and set back of the gates from the entrance of the access. The approved access layout shall be fully implemented prior to first occupation of the new school building.

Reason: To provide safe access to the site.

- 18 Prior to commencement of development, further details of the following external materials (with samples where appropriate to be pre-arranged to be viewed on site) shall be submitted to and approved in writing by the Local Planning Authority.

- Details of facing bricks including samples to be pre arranged to be viewed on site
- Details of the specification and colour of the window frames and doors
- Details of the finishing material and colour for render and veneered timber, louvres, parapets, cills, and any railings

The works shall be carried out in full accordance with the approved details, unless alternative materials are agreed in writing by the Local Planning Authority.

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

- 19 Prior to commencement of works on site, further details of the following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature which show:

- (a) the window and door reveals, headers and sills, including the depth of the reveals and the junction of materials around the returns;
- (b) the junctions around any wall mounted external vents, if applicable;
- (c) the location of any external plant equipment and extract and supply ducts to the kitchen together with details of the design and material of any screening to the external plant equipment and extract and supply ducts;
- (d) details of any hand rail at roof level including its position on the roof, design and finish

The development shall be completed in accordance with the details so approved before the school building is occupied.

Reason: These details are required to ensure that a satisfactory development is achieved.

- 20 Within three months of commencement of works on site, details of the design and layout of the Multi Use Games Area shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Sport England. The MUGA shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy

- 21 No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority, in consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and

(ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full before first occupation of the new school building (or other timescales to be agreed in writing with the Local Planning Authority, in consultation with Sport England). The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy.

- 22 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 development. The approved hard and soft landscaping shall be completed in strict accordance with the approved details prior to the occupation of the new school buildings or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) all planting including location, species, size, density and number incorporating native species

(b) planting of minimum 38 x 14-16cm native trees,

(c) details of the provision of artificial bird and bat boxes

(d) details of ramped access for terrestrial mammals if excavations are left open overnight during the construction stages

(e) areas of hard landscape works including details of materials and finishes.

(f) the location of, details of materials and finishes of, all street furniture and play equipment.

(g) existing and proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height

(h) details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows)

(i) 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.

- 23 Prior to occupation of the new school buildings, a Community Access Plan prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall allow for a minimum of 15 hours of community use each week and shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access by non-school users/non-members and management responsibilities.

The approved Community Access Plan shall be brought into operation within 3 months of occupation of the development and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Local Plan.

- 24 Details of the roof plan, showing the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

- 25 Prior to occupation of the new school building, further details of layout and external appearance of the refuse storage facilities shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure the external appearance is acceptable and protect the amenity of adjoining residents.

- 26 Prior to occupation of the new school building, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the management of staff car parking and community access outside of school hours. The car park management plan shall be implemented in accordance with the approved details.

Reason: In the interest of highway safety.

- 27 Prior to occupation of the new school building, a servicing and delivery plan (including coaches) shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In the interest of highway safety and the amenities of neighbouring occupiers.

- 28 Prior to the commencement of the use of the new school buildings, a School Travel Plan of sufficient quality to score a PASS rating when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets, shall be submitted to and approved in writing by the Local Planning Authority. The measures should include increased targets for park and stride and car sharing.

On first Occupation of the new school building the Travel Plan shall be fully implement for the lifetime of the Development, or as amended by the agreement of the Local Planning Authority in writing.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 29 Prior to occupation of the new school buildings, further details of 2 spaces that will be provided

with electric vehicle charging points and 2 spaces that will be provided with passive electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority, and thereafter fully implemented in accordance with the approved details and permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure sustainable modes of transport.

- 30 Within 2 months of occupation of the new school building, a Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded the following:
- (i) Minimum 35% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO2 emissions;
 - (ii) Minimum BREEAM 'Excellent' rating
 - (iii) Minimum score of 30% on Brent's Sustainability Checklist

If the review specifies that the development has failed to meet the above levels, compensatory measure shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

The approved Sustainability and Energy Strategies (or as amended) shall be fully implemented and maintained for the lifetime of the Development unless otherwise agreed in writing with the Council.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

- 31 The boiler to be installed in the new school building shall meet or improve upon the emissions standards and technical details described in the Air Quality Assessment. Prior to the commencement of the use the applicant shall provide details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met, and shall maintain the unit thereafter in such a way as to ensure that these standards continue to be met.

Reason: To protect local air quality.

- 32 Any plants for ventilation, extraction, heating equipment etc. shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The combined noise levels from any such plants together with any associated ducting, shall be below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the noise levels and any mitigation measures applied to achieve the required noise levels shall be conducted post installation of the systems and submitted to approved in writing by the Local Planning Authority. The plants shall thereafter be maintained in accordance with the manufacture's guidance.

Reason: To safeguard the amenity of the neighbours from the transmission of noise

- 33 Prior to occupation of the new school, further details for the provision of a minimum of 62 cycle spaces (which includes separate cycle parking facility for staff) and scooter parking together with details of how the cycle stands/scooter parking will be secure and covered, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure satisfactory level of cycle parking for pupils and staff.

INFORMATIVES

- 1 The applicant is advised that in Britain all bat species and their roosts are legally protected, by both domestic and international legislation.
 - In the event that bats and/or evidence of bats are found during demolition, then all works should stop and Natural England or the appointed ecologist contacted on the appropriate manner to which to proceed.
 - In the event that any works were proposed that would impact on the main building, then further surveys for the presence of roosting bats should be undertaken prior to start of works.
- 2 The Construction Management Plan as set out in condition 12 above, shall include details of building 2 as shown in the Ecology Report to be removed outside the core hibernating period (1st November - 1st March) and after an inspection of the underside of the building has been made for the presence of hedgehogs. In the unlikely event that a hedgehog is found to be present, arrangements shall be made to relocated it by hand to an appropriate location within the wildlife garden.
- 3 With regards to condition 21 set out above, the applicant is advised that the design and layout of the MUGA should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to: Artificial Surfaces for Outdoor Sports.
- 4 With regards to condition 22 set out above, the applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011), FA Grass Pitch Quality Performance Standard (Community), FA Goalpost and Pitch Sizes.
- 5 With regards to condition 24 above, the applicant is advised that guidance on preparing Community Use Agreements is available from Sport England www.sportengland.org.

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337