

Committee Report
Planning Committee on 12 May, 2011

Item No. 11
Case No. 11/0961

RECEIVED: 13 April, 2011

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Kingsbury High School Annexe, Bacon Lane, London, NW9 9AT

PROPOSAL: Details pursuant to condition 14 (Access) and 15 (construction Method Statement), of full application reference 10/2994 dated 4 February 2011 for: Permission for phased development comprising Phase 1: erection of two-storey temporary school building with associated internal access road, car park, hardstanding play area, landscaping and new means of vehicular egress onto Bacon Lane (south) (3-year permission); and Phase 2: erection of single-storey permanent school building with associated hardstanding for sport and recreation, associated ancillary development and retention of means of vehicular egress onto Bacon Lane (south).

APPLICANT: London Borough of Brent

CONTACT: NTR Planning

PLAN NO'S:

610970/S/501 Rev A; 610970/S/530 Rev A; TP000-02A; TP000-03A; TP000-04A; 610970/Decant Access Road/SK01 28.3.11 (B 5.4.11); 610970/Decant Access Road/SK03 Rev A; Construction Method Statement

RECOMMENDATION

Approval

EXISTING

This site is located in the south-eastern corner of the Kingsbury High School Annexe campus, which is primarily accessed via Bacon Lane (north) (a local residential access road); Bacon Lane forms the western boundary of the Roe Green Village Conservation Area. A further lightly used access is available directly onto Stag Lane (a local distributor road).

The decant site is located between the existing school building and the rear of residential units on Stubbs Close and currently forms part of the playing fields for the school. The land is currently grassed and flat, marked with sports pitches in the summer. Some trees are present on and around the site near the boundaries. Due to the open nature of the south-western boundary, this part of the playing fields contribute to the open nature of Roe Green Park itself, which lies beyond that boundary.

At present, parking provision is limited to about 43 spaces (mainly unmarked) to the front and south-eastern sides of the main Kingsbury High School building, with further informal parking tending to occur on grass verges around the site. A further 80 or so spaces are located at the Princes Avenue campus

On-street parking in the surrounding area is generally unrestricted and tends to be lightly parked, although the narrowness of roads to the north means parking space in those streets is limited

Public transport access to the site is moderate (PTAL 2), with six bus services within 640 metres (8 minutes' walk).

PROPOSAL

Details pursuant to condition 14 (Access) and 15 (construction Method Statement), of full application reference 10/2994 dated 4 February 2011

HISTORY

Members considered planning application 10/2994 on 04/02/11 and granted planning permission for:

Permission for phased development comprising Phase 1: erection of two-storey temporary school building with associated internal access road, car park, hardstanding play area, landscaping and new means of vehicular egress onto Bacon Lane (south) (3-year permission); and Phase 2: erection of single-storey permanent school building with associated hardstanding for sport and recreation, associated ancillary development and retention of means of vehicular egress onto Bacon Lane (south).

A number of conditions, including pre-commencement conditions, were attached to the application.

POLICY CONSIDERATIONS

Brent Unitary Development Plan 2004

Within the 2004 UDP the following chapters are considered to be the most pertinent to the application.

Built Environment

Environmental Protection

Transport

CONSULTATION

Ward Councillors, Transportation, Landscape and Environmental Health were consulted on 18/04/11. The consultation period will expire on 09/05/10 and members will be updated in a supplementary report.

REMARKS

1. Introduction

Whilst it is unusual to put details pursuant applications to the committee, if two or more objections are received then the Brent Council constitution requires it. Since there is no statutory requirement to consult local residents on details pursuant applications as they do not materially change the scheme, it is rare that they are put to Members for their consideration. It is also not normal practice to complete the committee report without the consultation period having ended.

In this case your officers are of the opinion that there are special extenuating circumstances which mean such a course of action is necessary.

In order for the project to redevelop the former Grove Park and Hay Lane schools to commence works in the summer holidays, the temporary decant accommodation will need to be completed in time to allow the pupils to use the buildings in the new academic year. The timetable is such that there is a pressing need to satisfy these conditions before the end of May, to allow works to start on site at Kingsbury High School.

If local objections are received before this case can be determined by officers it would require the case to be sent to the later committee on 7 June. This would prevent works commencing on site and would have a corresponding impact on the programme of the development of the main school. As such, the decision has been taken to include this application on the current committee agenda in case objections are received prior to determination.

If the start date is delayed then this will have an impact on the completion date. If the decant building is not ready for the start of term then 150 of the borough's children with special education needs, will not have a school to go to; the impact of this is significant and officers of the Regeneration and Major Projects department are currently exploring the available options and have concluded that home schooling, using alternative premises or extending the holiday further all have unacceptable consequences for the children and their parents. In addition there would be significant costs for the Council (for example home schooling 150 children has been estimated at £30,000.00 per week for tuition fees alone).

Your officers have balanced the risk of receiving objections to this details pursuant application with the very detrimental impact this would have on the developed programme and the families who rely on the school and judged the correct course of action is to present this case to Members for their consideration, even though it will rely in part on the contents of a supplementary report. As this case is a details pursuant application the content of the supplementary report will be brief, indicating whether or not the Tree, Transportation and Environmental Health officers confirm support for the submitted information.

2. Members' and residents' concerns at committee

At the committee meeting on 4 February, Councillor J Moher, ward member, stated that he had been approached by members of Kingsbury Charities. Councillor J Moher stated that as the proposal would involve the re-routing of several mini-buses through Bacon Lane it would constitute a major traffic hazard with consequences for pedestrian safety. He felt that the transport impact of the proposed development had not been properly assessed and urged members to defer the application until the concerns expressed had been addressed and a full construction method statement had been submitted and approved.

This echoed other objections raised by local residents about the scheme and particularly the traffic impact.

3. Post-application community involvement

In response to those objections the Committee report included conditions relating to the details of construction and temporary access in recognition of the need to try and limit the short term impact of the development on residents and local stakeholders. Members agreed to Councillor J Moher's request that further post-application discussions be had with the local community on the issue of traffic.

Brent Council's Regeneration and Major Projects department has undergone a series of meetings with residents including (Roe Green RA, Stubbs Close RA, Parish Council of Holy Innocents Church/Nursery and Bacon Lane Residents) in order to develop the detail of the following documents which will be submitted to the LPA to discharge the relevant planning conditions:

- (i) **Details of Temporary Road** (App No. 10/2994, Condition 14) to be in place and approved by the LPA prior to works starting on site (May 2011)
- (ii) **Construction Method Statement** (App No. 10/2994 Condition 15) To be in place and approved by the LPA prior to works starting on site (May 2011)
- (iii) **Decant School Travel Plan** (App No. 10/2994 Condition 16) To be in place and approved by the LPA prior to commencement of the use of the building (September 2011)
- (iv) **Kingsbury School Travel Plan** (App No. 10/2994 Condition 17) (September 2013)

This application concerns the construction method statement (condition 15) and the details of the temporary access road over Roe Green (condition 14).

This application does not concern the movements or routing of minibuses and other school traffic. This is covered by conditions 16 & 17 (Decant School Travel Plan & Kingsbury School Travel Plan).

Meetings with residents were held on the following dates: Thursday 2 March 2011, 3pm Holy Innocents Church Hall, Bacon Lane; Tuesday 8 March 2011, 6.30pm Holy Innocents Church Hall, Bacon Lane; and Monday 4 April 2011, 3pm Bacon Lane

Some of matters discussed are included under each condition, see below.

4. Condition 18 – Construction Method Statement

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) development phasing and hours of operation;*
- (ii) approved construction vehicles route to and from the site and limitations on the size of vehicles and their loads;*
- (iii) management of deliveries and other construction vehicles to ensure these avoid peak school times;*
- (iv) provide a physical presence (e.g. Banksman or similar) when vehicles negotiate the egress route over Roe Green;*
- (v) measures to ensure construction traffic does not back-up or wait on Bacon Lane (South);*
- (vi) vehicles entering the site can be accommodated before any vehicle intending to depart is released;*
- (vii) a contingency for the event that a vehicle's arrival or departure coincides with an emergency vehicle;*
- (viii) the parking of vehicles of site operatives and visitors;*
- (ix) loading and unloading of plant and materials;*
- (x) storage of plant and materials used in constructing the development;*
- (xi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;*
- (xii) wheel washing facilities to be used at all times;*
- (xiii) a schedule of road cleaning to ensure the public highway remains free from dust and mud;*
- (xiv) measures to control the emission of dust and dirt during construction; and*
- (xv) a scheme for recycling/disposing of waste resulting from demolition and construction works*

Reason: In the interests of the environment and residential amenity.

The purpose of the Construction Method Statement is to outline restrictions to the Contractor in

terms of hours of operation, deliveries, traffic management, contingencies in the event of an emergency, etc in order to ensure that there is minimal impact on third parties and adjoining owners for the duration of the construction works.

At the time of awarding planning permission for the temporary accommodation for TVS residents were very concerned about the impact of the construction of the temporary accommodation on the surrounding streets and in particular Bacon Lane (South).

Bacon Lane South is a public highway circa 3.7m wide which joins Roe Green (road) at its southern end. To the south of the road is Roe Green Park and to the north the road provides access to Holy Innocents Hall, a community hall, which contains a nursery during the week days, and also residential houses on Stubbs Close.

A first draft of the Construction Method Statement was issued to residents on 23 February 2011 and a subsequent meeting was held on 2 March 2011 to discuss this document. Residents in Stubbs Close were represented by Julia Day who also represents the interests of the Holy Innocents Hall, Rev Clive Morten attended and also Doreen Childs who represented the nursery. Residents from Roe Green RA attended this meeting as well.

The document was developed with comments from residents, LBB Health and Safety Officer and the projects own CDM C. A subsequent and update document was issued on 4 April 2011 along with a summary of the changes made.

4.1 Transportation officer's comments

The Council's Transportation Officer has no objections to the discharge of these conditions.

4.2 Environmental health officer's comments

These will follow in a supplementary report to members and will be focussed on parts (i), (xi), and (xiv).

4.3 Tree protection officer's comments

These will follow in a supplementary report to members and will be focussed on parts (viii) and (x).

4.4 Summary

This will follow in a supplementary report to members.

5. Condition 14 – Access Road

No development shall take place until further details of the temporary access roadway and footpath through Roe Green Park have been submitted to and in approved in writing by the local planning authority in consultation with officers of the Highway & Transport Delivery and Parks services and the Council's Tree Officer. The approved details shall be implemented in full and the roadway and footpath retained until the conclusion of 'Phase 1' of the works hereby approved.

Reason: to provide a suitable safe access route which does not damage retained trees

The detail of the temporary road design has been developed over the past two-and-a-half months since the application was approved on 4 February.

The proposals include two phases, a construction phase design and a permanent works detail. For the duration of the construction of the decant building the pedestrian footpath and carriage way will

be separated by a double layer of barriers, a layer of concrete traffic barriers (or similar) on the carriage way side and also a 2.4m solid ply hoarding. Once the decant building is complete a raised pavement will be constructed separated from the carriageway by bollards.

5.1 Transportation officer input

Brent Highways were instructed by Regeneration and Major Projects officers to design the temporary road linking Bacon Lane South to the decant site within Roe Green, Robert Francis (Traffic Engineer) carried out the work in close consultation with Peter Boddy (Traffic Team Leader). The advantage of this approach was that the emerging detail has been discussed with John Fletcher (Team Leader – Development Control), Danny Walker (Senior Project Engineer), Malcolm Edmunds (Area Manager for John Billam and Roe Green, Parks) and Lawrence Usherwood (Tree Protection Officer).

The temporary road was discussed in the context of the traffic management proposals for the The Village School (TVS) travel plan at a meeting on the 9th March 2011 with John Fletcher, Nisha Malhoutra (Transport Services Manager), other officers from Brent Transport as well as the project teams transport consultant, education consultant and representatives from TVS and Kingsbury High School (KHS).

A preliminary design for the temporary road was presented to Shaun Faulkner (Head of Service, Parks) by Richard Barrett on 22nd March 2011 and the detail of this was discussed at a meeting with Malcolm Edmunds on 23rd March 2011.

The final road design was discussed and agreed in principle at a meeting with John Fletcher, Julia Day (resident representing Stubbs Close and Holy Innocents Hall) and Cllr Jim Moher in a meeting on 4 April 2011 on site.

All officers previously involved were sent a copy of this design by e-mail on 4th April 2011; no further comments have been received.

Officers from Regeneration and Major Projects undertook consultation with residents and local stakeholders to progress the detail of the temporary road and other items relating to the decant scheme.

5.2 Tree officer's comments

A detailed tree root radar survey was commissioned and carried out by Sharon Hosegood of DF Clark Arboricultural Consultants. Results from the tree root survey showed that there were no major roots within the upper 1000mm of soil, most probably the result of massive excavation during the original building of the school. Therefore, the tree officer is now satisfied that the proposed access road can be implemented provided all works are carried out to the specified design (cross sectional drawings supplied), in accordance with the AMS (still to be submitted as condition 8).

Drawing No. TP000-02A highlights the closeness of the temporary road and path to two parks trees. It is likely in hindsight even with a good Tree Protection Plan and Arboricultural Method Statement that both trees especially the larger Pear will suffer detrimental affects resulting from some root loss and unavoidable compaction. Therefore, it is vital that we secure replacement planting in the near vicinity (covered in condition 9 still to be submitted).

Conclusion

The submitted material has been prepared in close consultation with relevant Council officers and with the involvement of local residents. Although there are outstanding matters within the construction method statement which require further details and comments from consultees, due to the very pressing need to commence works on site, your officers request Members consider this

application with a recommendation for approval, subject to confirmation from Transportation, Environmental Health and Tree officers.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-
Brent Unitary Development Plan 2004

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

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact Angus Saunders, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5017



Planning Committee Map

Site address: Kingsbury High School Annexe, Bacon Lane, London, NW9 9AT

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