

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 October, 2018
03
18/2335

SITE INFORMATION

RECEIVED	15 June, 2018
WARD	Northwick Park
PLANNING AREA	
LOCATION	Byron Court Primary School, Spencer Road, Wembley, HA0 3SF
PROPOSAL	Installation of 3G sports pitch on the south side in place of the grassed sports field of Byron Court Primary School
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_140471</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/2335" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the committee resolve to grant planning permission subject to the conditions set out below.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Development to commence within 3 years of consent
2. Development to proceed in accordance with the approved plans
3. Hours of use for community access limited
4. Drainage/flood mitigation measures proposed to be adhered to
5. Community Access Plan to be submitted
6. Replacement trees to be planted with details submitted and approved
7. Biodiversity enhancements to be carried out with details submitted and approved

That the Head of Planning is delegated authority to make changes to the wording of the committees decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990. That the Committee resolve to GRANT planning permission subject to any direction by the Secretary of State pursuant to the Consultation Direction

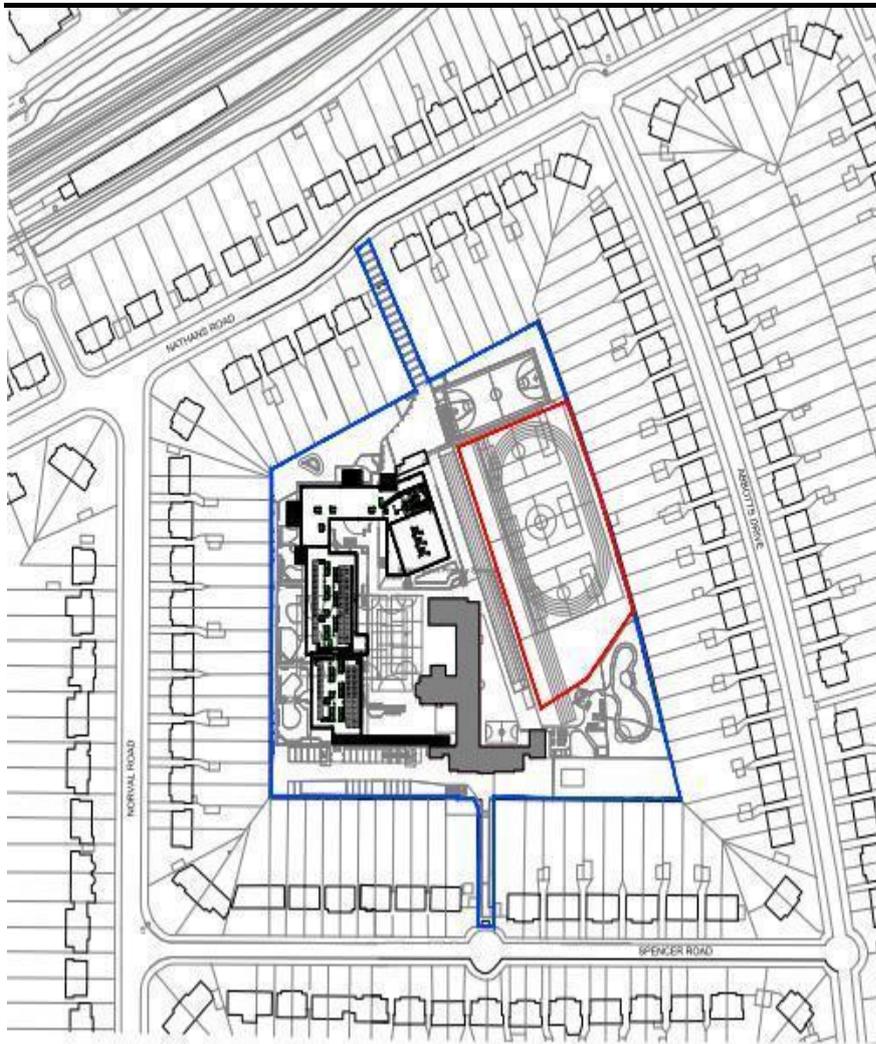
SITE MAP



Planning Committee Map

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

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- APPLICATION BOUNDARY
- OTHER LAND OWNED BY APPLICANT
APPLICATION No. 154523

This map is indicative only.

PROPOSAL IN DETAIL

The development seeks the addition of a 3G sports pitch within the school site, on part of the site previously approved as a playing field. The pitch will occupy a 74m x 45m section of the school's playing fields on the southern side of the school site.

EXISTING

The application site relates to Byron Court Primary School. It is a community school located in the north of the borough. 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.

Parts of the site including the area where the 3G pitch is proposed lies within land that is liable to surface water flooding. 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.

Planning permission was granted for the demolition of eight 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.

The expanded school has been under construction throughout recent months and occupation is due to commence shortly.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

1. **Representations received:** One Councillor and 29 residential occupiers have objected to this application for a variety of reasons, however officers consider that the proposal is acceptable and that none of the grounds upon which objectors resist the proposal give rise to a reasonable argument that the proposal should be resisted in planning terms.
2. **Provision of additional sports facilities for the benefit of on-site school children and members of the wider community:** Your officers give great weight to the delivery of local sports facilities which would serve the school, and would also be available for the use of the local community.
3. **The loss of a protected playing field:** Whilst the playing field is protected from inappropriate development, officers consider that the proposed use represents an appropriate development which appropriately balances enhancement of the space for sporting uses and retention of the open character of the space.
4. **The impact of the 3G pitch and associated perimeter fencing on local residential amenities:** The proposed perimeter fencing will be tall, but will be formed of a lightweight material which will allow substantial light flow. The local vegetation is substantial and would act as a suitable screen in restricting visibility of the structure from local gardens.
5. **Flooding and local drainage:** The 3G pitch has been designed with comprehensive drainage infrastructure which has been shown to effectively prevent the 3G pitch from providing any increase in the severity or contributing to local flood events.
6. **Highways and transportation:** The school already has a community access arrangement approved (relating to internal sports facilities and an outdoor multi use games area) and this proposal would result

in the addition of one additional facility for this purpose, in line with previously consented hours of use. It is not considered that the proposal would materially affect local highways and parking capacities given that the community uses would take place during off-peak periods and with staggered arrival times associated with booked time slots. A travel plan is in place to work towards the reduction in car use for attending the school.

7. **Trees, and landscaping:** The 3G pitch will necessitate the loss of four small trees close to the western side of the 3G pitch. However, replacement of these trees to a similar standard within the school site is being secured by condition.
8. **Ecology:** The current playing field has been shown to already be of negligible ecological value given its frequent disturbance and short grass length. The replacement of this low value ecological space with an artificial pitch will present a negligible worsening of the environment in ecological terms. Ecological improvements are to be secured by condition. Notable local species such as badgers and hedgehogs are very unlikely to rely on the habitat of the current playing field and its loss would not worsen local habitats of value for such wildlife, such as hedgerows or more natural settings with long sward lengths.
9. **Environmental Health:** The pitch will not make use of tannoys or lighting and will not therefore worsen light pollution or cause nuisance by means of amplified sound. Any nuisance associated with use of the pitch would likely be similar or less impactful compared with use by school children during the day and is reasonably limited by restrictions on the hours of use.

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)
Non-residential institutions	0	0	0	0	0

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

The previous consent of relevance to this application is:

15/4523. Full Planning. Granted. 26/04/2016.

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.

CONSULTATIONS

108 local properties were consulted regarding the application on 05/07/2018. One local Councillor (Cllr Perrin of Northwick Park ward) and the occupiers of 29 local residential properties expressed objections to the proposal.

The grounds of objections raised by residents and Councillor are summarised as follows:

Ground of objection	Officer response
The 3G pitch is close to the boundary of residents along Abbotts Drive and will restrict their view, present as an eyesore and compromise privacy for existing residents.	Officers' views on this are set out below in paragraphs 11-13
It is not understood why the pitch is required. There is adequate green space in the site for sporting activities.	The replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.
The pitch is suspected to be used on weekends and after school disrupting residents at those times.	<p>This is proposed by the applicant and is required by Sport England as it will represent a benefit to users of the pitch at the school and within the local community.</p> <p>It is not considered that the pitch will unreasonably disrupt residents' amenities and this is clarified within the report below.</p> <p>It should be noted that the area in which the 3G pitch is proposed can be used outside of school hours already.</p>
The pitch would likely have floodlights and PA systems increasing noise levels and incurring additional light pollution into neighbours' homes.	The applicants are not proposing floodlights or PA systems. As such, no nuisance from amplified sound or light spillage would be incurred in neighbours' homes. Planning permission would be required for any such features to be installed.
What is the storage building on the side of the pitch? This will restrict residents' views.	There are no buildings proposed around the pitch.
The opinions of residents have not been addressed and all previous proposals at the school have gone ahead despite large scale objection.	Residents' views are always considered. Nonetheless, acceptability in planning terms is determined by the proposal's adherence to local and national planning policies. It is not considered that concerns raised by residents demonstrate that the proposal is unacceptable in planning policy terms.
There are pitches in nearby schools (e.g. Wembley High) and green space on the other side of East Lane. The facility could also be in Northwick Park. Why does the school need to use this pitch, which would cause disruption and inconvenience to residents?	<p>The 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.</p> <p>The pitch being on-site would make the pitch more practical for use by the school compared to an off-site location where travel arrangements and management would need to be made in using such facilities for school purposes.</p>
Use of the pitch will increase bring a lot more traffic into the estate over the weekend and in the evenings and disrupt residents, adding to parking pressures.	Officers' views on this are set out below in paragraphs 29 and 30.
It is unclear if cars will be entering the school as a result of the proposal and which access will be used.	The 3G pitch would represent an addition to the arrangements of the community access plan (CAP) relating to the original school expansion application and a condition will require that the

	CAP is updated to reflect that the 3G pitch will operate on the basis of the same access arrangements.
Why was this application not made at the time of the original application to expand the school?	It would not be reasonable to restrict the school in terms of what can and cannot be applied for and at what time. This can often be a product of planning and it is understood that some projects require amendment/alterations as factors change. At the point of application, your officers consider that the 3G pitch development is acceptable in planning terms and that this does not prejudice the previous planning consent.
Work may have already commenced on the pitch.	Works to build the 3G pitch have not yet commenced and this has been confirmed by the applicant.
The pitch will not benefit the pupils as it will only reduce green areas for children to play freely.	The replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play. There will be no practical loss of play space within the school site since there will be no fixed buildings/structures built as part of the proposal.
The proposal will remove more open space within the site.	The replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.
There is no plan for scrubs or trees to mitigate impact.	Officers' views on this are set out below in paragraph 19 and 21 below.
The neighbourhood's community spirit is being lost as the enlarged school attracts outside congestion from areas outside Sudbury Court.	Officers' views on the potential for the 3G pitch to attract outside congestion is set out below in paragraphs 29 and 30. Officers would consider that the proposal is likely to be of benefit to community cohesion, given that community access to a new local facility which promotes healthy lifestyles is to be achieved.
The site is overcrowded	It is not considered that the site is overcrowded or overdeveloped. In terms of open space, such provision on the site will not be reduced from that which was approved in 2015.
There are concerns that the 3G pitch will affect drainage runoff.	Officers' views on this are set out below in paragraphs 14-18.
The 3G pitch will be detrimental to local ecology and trees.	Officers' views on this are set out below in paragraphs 22-28.
There is no guarantee that floodlights and	Officers' views on this are set out below in

tannoys will not be applied for later.	paragraph 5 below.
There has already been wildlife losses observed in nearby gardens as a result of the school development. There is a particular risk to hedgehog populations.	The applicant's ecologist notes that the area proposed for occupation by the 3G pitch would be very unlikely to form a habitat for local notable species such as hedgehogs at present. As such, officers' consider that there would be no loss of a high value ecological habitat under this proposal.
3G pitches are linked to health conditions including cancer as a result of bacteria and chemicals on the surface of the pitch	This is not a material planning consideration as it does not affect the impact of the development on its surrounding environment. Such considerations would need to be made by the applicant.
Children would prefer a more natural environment	Whilst the pitch would be artificial, the replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play. The benefits of this are considered to outweigh the dis-benefits associated with the loss of the grass playing field.
The proposal does not constitute a 'minor' amendment to the original application.	The proposal is made as a new planning application for the 3G pitch only and it has not been put forward on the basis that this is an amendment to the previous consent.
The 3G pitch constituted part of the original application for the school expansion and was then removed and replaced with playing fields on environmental grounds.	This is not correct. The playing field was always a part of the original proposal and a 3G pitch was not considered for this location until the current application.
The submission states that 15 hours of community access will be allowed.	Community access will be allowed in line with the time restrictions currently imposed on the adjacent multi-use game area.
Surrounding properties will be devalued by the proposal.	Whether a proposal will affect surrounding property values (either positively or negatively) is not a material planning consideration.
Increased traffic and parking will make the local traversal of emergency vehicles more difficult.	It is not considered that parking and other associated highways issues will be put under additional pressure by this proposal. As such, it is not considered likely that emergency vehicle access will be more difficult.
Local consultation was not comprehensive.	All of the surrounding houses bordering the school were consulted and, given that the proposal is not strategic in scale (compared with the previous application for a school expansion) officers consider that the consultation radius was appropriate.
There will be increased local warming as a result of an artificial surface replacing a natural one.	There is no evidence to suggest that the 3G pitch would have the potential to increase local temperatures to an extent that would be detrimental to the surrounding environment.
The installation of the pitch would be expensive	These are not material planning considerations

and would require extensive cleaning and maintenance.	and are not related to the planning benefits or drawbacks associated with the impact of the proposal.
The impacts of ongoing construction and the proposed development are a health and safety risk to residents.	Given that the application is a 'minor' application, the construction vehicles and works associated with the proposal will be limited. Concerns regarding health and safety are covered through separate legislation.
There will be increased littering and there will be more burglaries and robberies requiring local police protection.	It is not considered that there will be a material increase in such activities and that the number of visitors to the site is unlikely to be significantly greater than under the access plan approved with the school expansion consent.
The chemicals on the pitch will filter into the surrounding soil and damage wildlife and ecology.	The current playing field is of negligible ecological value. There are no environmental health concerns raised by officers on these grounds which would outweigh the other benefits of the proposal.
The 3G pitch will increase the likelihood of flooding and remove areas of natural drainage.	Officers' views on this are set out below in paragraphs 14-18 below.
The 3G pitch has the potential to worsen sports injuries as a result of the surface being harder than a natural grass field.	This is not a material planning consideration as it does not affect the impact of the development on its surrounding environment. Such considerations would need to be made by the applicant.

Internal and External Consultation

In addition, Sport England externally and the Local Lead Flood Authority internally were consulted. All of the above officers did not object to the application and their detailed responses are discussed below in the 'detailed considerations' section.

POLICY CONSIDERATIONS

National Planning Policy Framework 2018

Further Alterations to the London Plan 2015

3.18 Education Facilities

3.19 Sports Facilities

Brent's Core Strategy 2010

Objective 5 - meeting social infrastructure needs

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

Brent's DMP 2016

DMP1: General Development Management Policy

DMP8: Open Space

DMP9a: Managing Flood Risk

DMP9b: On site water management and surface water attenuation

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

Principle of development

1. The development seeks the addition of a 3G sports pitch within the school site, on part of the site previously approved as a playing field. The playing fields of the site are protected as open space under Brent's Core Strategy Policy CP18. Policy CP18 requires that "open spaces of local value are protected from inappropriate development and are preserved for the benefit, enjoyment, health and well-being of Brent's residents, visitors and wildlife." It also states that "support will be given to the enhancement and management of open space for recreational, sporting and amenity use". It is considered that the proposal will meet the requirement of policy CP18 as it would see the continued use of the space for sporting/recreational use in an open environment, as consistent with the policy. The natural environment of a small element of the school playing field would be lost, but the value of the space for recreational, sporting and amenity uses would be enhanced as it would enable year round use of the space for sporting activities and the quality of the space for enabling sports activities would be improved through levelling of the land, providing a flat ground surface.
2. All playing fields in England are protected by Sport England, and Sport England's support of this proposal would be key to ensuring that the development is acceptable in principle. Sport England have reviewed the application and consider that the continued reduction in natural outdoor play space is concerning. However, Sport England do note that the artificial pitch would be fit for purpose and would have at least the same capacity for play as the approved playing field would have had. Subject to the pitch being made available for the benefit of the community, Sport England have advised that they would not object to this proposal as they consider that it would meet Sport England's Exception E5 which states that the provision of the sports facility would outweigh the detriment caused by the loss of the playing field.
3. From your officers' perspective, the development will result in the loss of a naturally grassed playing field, however the value of the field for sporting use is reduced as a result of the sloped nature of the ground and the substantial maintenance requirements in keeping the field fit for sports uses throughout the year. The replacement 3G pitch will be largely open in its character and will enhance the ability of this land to enable sporting and recreational uses.
4. As required by Sport England, the 3G pitch will be used for both school activities and external community uses. The playing field forming part of the original school expansion consent was not approved with community uses and there is thus a benefit to the local community in the increased availability of sporting facilities with this application. A condition will be attached to the consent limiting the use of the 3G pitch hours to ensure that activities are reasonably limited given the outdoor location in a residential area, whilst providing sufficient opportunities for community use. It is noted that the 3G pitch will not be equipped with floodlighting which will limit the usability of the pitch outside of school hours during winter months, nonetheless the MUGA timeframes of community use would remain reasonable restrictions based on an established precedent, even though the 3G pitch is unlikely to be used during all of these time frames. A condition will require that the school's community access plan is updated to clarify the specific arrangements and management details for the 3G pitch's access to the public.
5. Some objectors to the proposal have requested that a condition preventing lighting and tannoy equipment from being applied for in the future forms part of the consent, however your officers would consider that this is not a reasonable planning obligation and would unfairly prejudice the school, since a future application may be capable of clearly demonstrating that such features would not unduly harm the amenities of surrounding properties. However, officers would stress that such an application will only be supported where the Council is satisfied that such use will not unduly prejudice the amenities of surrounding residents.
6. Ultimately, the principle of this proposal is supported by your officers, however this is subject to the consideration of the potential of this proposal to result in other impacts such as increase in local flood risk, damage to local trees/local ecology and being of detriment to the visual amenity of neighbouring

properties. These have been thoroughly examined and are discussed later within this report.

Siting and appearance

7. The pitch will occupy a 74m x 45m section of the school's playing fields on the southern side of the school site. The pitch will be bounded by the school's previously consented Multi-Use Games Area (MUGA) to the east and the school's remaining playing field space and nature reserve to the west. The school buildings are located to the north of the proposed 3G pitch. The 3G pitch bounds the rear garden boundaries of residential properties along Abbots Drive to the south. The 3G pitch will extend alongside the rear garden boundaries of no's 18-38 (evens) Abbots Drive, but will be set back from the boundary with these properties by a minimum of about 3.5m and a maximum of about 5.02m.
8. The pitch will be lined by a 3.2m high chain-link fence along all the perimeter of all four sides, which is broadly consistent with the design of other enclosed sports pitches in similar environments. The fence will allow for substantial flow of light and visibility from and to the inside of the pitch, retaining a suitably open character within and around the pitch.
9. The development will necessitate the levelling of the pitch, which will require a raising of the current ground level by up to about 1.5m towards the northern side of the 3G pitch. The 3.2m high fences are to measure this height from the top of the newly formed ground level. Relative to the current ground level, the height of the southern boundary fence (that which is closest to the neighbouring properties along Abbots Drive) is 3.7m. The relationship between neighbouring houses, the proposed fences and existing and proposed ground levels are clearly laid out on the submitted site boundary section plans.
10. The size, scale and appearance of the 3G pitch, as most prominently defined by the 3.2m high perimeter fencing is considered to be acceptable in terms of its general siting and appearance. The 3G pitch would appear as a typical feature of many school sites and the use of a see-through mesh fence would preserve visibility in and around the pitch. The siting and appearance of the pitch is therefore supported in planning terms.

Impact on visual amenity of neighbouring properties

11. Brent's SPG17 guidance and draft SPD1 guidance set out parameters for acceptable amenity impact in respect of light losses and overshadowing as a result of new structures being built in proximity to private residential properties. The erection of a 3.2m (3.7m relative to the current ground level) high fence within 3.5m-5.02m of the rear garden boundaries of neighbouring residential properties has the potential to overshadow or appear unduly imposing from the neighbouring rear gardens. Officers acknowledge that the largely transparent nature of the fence will limit any losses of light to gardens occurring as a result of the erection of the fence alongside the 3G pitch, however the presence of the structure has the potential to appear unduly overbearing and would therefore reasonably warrant assessment against Brent's amenity impact standards within guidance.
12. The applicant's submission identifies the relationship between the affected properties (18-38 Abbots Drive) and the fence of the 3G pitch. The relevant guidance parameter (the drawing of a 45 degree line at a height of 2m from the fence line of the neighbouring property towards the proposed development) has been applied to the section drawings and it is shown that the fence will comfortably pass the amenity impact test. It is therefore considered that the fence of the 3G pitch will not have an unduly detrimental impact on the rear gardens of neighbouring houses, and it is emphasised that the impact will be lessened further by the transparent nature of the fence structure.
13. Notwithstanding the fact that the fence complies with the relevant guidance for reasonable amenity impact on neighbours. There is already substantial vegetation along the rear boundaries of affected properties on Abbots Drive that is of sufficient height and substance to provide a good level of mitigation and prevent overlooking into neighbouring gardens.

Flood risk

14. An issue raised by some residents is in relation to localised flooding and the potential for the loss of natural soil to worsen localised flooding.
15. The school site is not close to any brooks or rivers and falls within the Environment Agency's lowest grade for fluvial flood risk. However, due to local topography, a localised flood risk associated with

surface water runoff from rainfall has been identified, and part of the school site (including a part of the 3G pitch coverage) falls within flood zone 3a (relating to surface water only) of the West London Strategic Flood Risk Assessment (SFRA) criteria.

16. The applicants have submitted a drainage strategy alongside their proposal to clarify flood mitigation measures that will form part of the proposed works. The strategy confirms that the 3G pitch will be installed with its own underground storage tank for rain water and that land drainage will be installed under the pitch surface. The storage tank will have a capacity for 300 cubic metres of water and will have a discharge into the sewer of 5 litres per second, which is an equivalent drainage rate of that of green field land.
17. This information has been reviewed by Brent's Local Lead Flood Authority (LLFA). The LLFA officer is satisfied that the proposed flood mitigation measures are sufficient for the site and that any instances of flooding would not be related to the addition of the 3G pitch, given the measures that will be in place. The LLFA officer has confirmed that the drainage calculations have been prepared using the Wallingford sewer design programme and that the storage tank and land drainage will protect the local area from flooding even in the event of a 1:100 year storm event plus an allowance for a 30% increase as a result of climate change.
18. There have been some anecdotal reports from a few residents that flooding has been occurring within their rear gardens. Brent's LLFA officer has not identified any such instances of local rear garden flooding in the Council's database. The LLFA officer has clarified however that rear garden flooding is common during heavy rain and that the Council receives many complains related to this across the borough. These problems usually stem from the ground conditions and all of Brent and many other London Boroughs are built atop London Clay which does not absorb water as well as other soil types. Whilst this is an ongoing problem that needs addressing, Brent's LLFA officer remains satisfied that the 3G pitch (with drainage mitigation measures) will not contribute to this problem.

Impact on trees

19. A comprehensive tree removal, protection and replacement strategy was approved as part the school expansion consent. There are no trees in the area where the 3G pitch is proposed to be, however there is a small group of trees close to the western side of the 3G pitch extent. The original landscaping plan associated with the school expansion approval identified a group of 9 trees in this location, whilst the new proposed plans within this application show this group reduced down to 5 trees, with the 4 which are closest to the 3G pitch having been removed. All of the trees within the site were protected under the conditions of the consent and, in exercising this protection, Brent's tree officer would therefore require that 4 replacement trees of similar size and species to those lost are re-planted within the site. A condition will require that details of the replacement tree planting are submitted, approved and implemented prior to the first occupation of the 3G pitch.
20. It is noted that the above observations are at odds with the content of the applicant's submitted arboricultural statement which states that no trees are to be lost as a result of the 3G pitch construction. This has since been clarified with the applicant.
21. Subject to the above condition, Brent's tree officer is satisfied with this proposal in respect of its likely impact on local trees.

Impact on ecology

22. A professional ecology study has been undertaken to consider the impact of the 3G sports pitch on local ecology compared to that of the previously consented playing field.
23. The ecology study identified that the playing field was previously heavily managed and frequently disturbed amenity grassland with a sward length of equal to or less than 2cm. It was previously assessed as being sub-optimal habitat to support protected and/or notable species during 2015. This was as a result of the playing fields' frequent use for sporting activities. Such habitat type typically has limited ecological value and would provide limited foraging opportunities for common bird species. It is therefore considered that the site has a negligible ecological value.
24. The report identifies that the best quality local habitats for protected or notable species (e.g. hedgehog, badger and birds) are likely to be associated with the school's wildlife area (which is to be retained in the

south-western corner of the school site), the neighbouring gardens and boundary habitats.

25. Under the original proposals, reinstatement of the grass pitch would have resulted in the simple replacement of one vegetated area of negligible ecological value with a similar vegetated area of negligible ecological value. The replacement of this area with a 3G pitch would represent a replacement of this vegetated area with an area of practically no ecological value, which does represent a minor negative impact. However, the scale and likely significance of this impact is likely to be negligible.
26. Whilst impacts on ecology are likely to be negligible, opportunities exist for the further reduction of these minor impacts and even to deliver overall biodiversity enhancements through the proposals.
27. In addition, it is important to note that common bird species and mammals such as hedgehogs are wide ranging species. Individual hedgehog home ranges vary during the year but are on average 10-20ha, and they travel an average distance of 2km a night. Therefore, the loss of the amenity grassland sports pitch, a sub-optimal habitat, would not be solely responsible for the loss of hedgehogs within the wider area. Residential gardens, with a variety of structure and botanical species, provide ideal hedgehog habitats.
28. A condition will require that details of the abovementioned biodiversity enhancements are proposed, submitted, approved and implemented prior to first occupation of the 3G pitch.

Highways considerations

29. Brent's highways officers have reviewed the proposal and are comfortable that the addition of the 3G pitch to the school's community access offer (which already includes internal sports facilities and the outdoor multi use games area) is unlikely to have a material impact on local highways in respect of increased car usage and local parking.
30. It is highlighted by highways officers that local highway stress is at its greatest during school drop off/pick up times and that a staggered and relatively low-frequency use of community facilities throughout non-school hours is unlikely to materially worsen local highway conditions and parking capacities. Furthermore, it should be noted that this proposal will not increase the number of pupils within the school to beyond that approved as part of the 2015 planning consent. Nonetheless, the school will be required (by condition) to update their travel plan to take account of additional community access to the 3G pitch to ensure that the school's strategy towards reducing local car use is up-to-date and fit for purpose

Environmental health considerations

31. There will no floodlighting of the 3G pitch and there is thus no potential for the addition of the 3G pitch to worsen local light pollution into neighbouring residential properties.
32. There is the potential for noise associated with play to disturb residents, however this land has functioned as a playing field previously so it is unlikely that noise would be greater than when the pitch was used for play purposes during the school day. It is acknowledged that there would be some additional noise impact during out-of-school hours for some of the properties along Abbots Drive, however this would not be to an extent that would warrant resistance to the proposal and would be balanced with a limitation of community use up until 8pm in the evening. Short daylight hours in the winter would further limit any potential noise disturbances during after school periods at this time of year.

Conclusion

33. The principle of the development accords with the Council's policies in respect of open space and the proposal is not objected to by Sport England. Furthermore, it is considered that the 3G pitch will not be of material detriment to surrounding residential amenities in respect of appearance, visual impact, environmental health, flood risk, impact on trees and local ecology and impact on local highway usage.
34. In conclusion, the proposal is considered to comply with policies set out in Brent's Core Strategy 2010 and Brent's Development Management Policies 2016, as set out above. There are no grounds upon which this proposal should reasonably be resisted and your officers would therefore recommend that planning permission be granted, subject to the abovementioned conditions.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/2335

To: Miss Mezzabotta
Paul Murphy Architects
The Foundry
7 Glenthorne Mews
London
W6 0LJ

I refer to your application dated **15/06/2018** proposing the following:

Installation of 3G sports pitch on the south side in place of the grassed sports field of Byron Court Primary School

and accompanied by plans or documents listed here:
Refer to 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: 01/10/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

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 policies contained in the:-

National Planning Policy Framework 2018
Brent Development Management Policies 2016
Brent's Core Strategy 2010
Brent's Supplementary Planning Guide 17 2001
Brent's Draft Supplementary Planning Document 1 2017

- 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):

1519 DL(2-)002 Rev P1
LP2082-FIRA-10-W-3014 Rev D
LP2082-FIRA-10-W-3015 Rev D
LP2082-FIRA-10-W-3016 Rev D
LP2082-FIRA-MP-ST-S-LA-01
LP2082-FIRA-MP-ST-S-LA-02
CLSK(52)3002
CLSK(52)3003
CLSK(52)5001
CLSK(52)5002
CLSK(52)5003
CLSK(52)5004

Soft Surfaces Maintenance Proposal – Byron Court
Drainage Statement for 3G Pitch Proposals – Prepared by Cundall – Ref: 1014846-RPT-CL-001
– Dated: August 2018
Update Ecology Report – Prepared by Aven Ecology – Dated August 2018

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

- 3 Activities within the 3G pitch hereby approved for use by community users shall only take place between the hours of 0900 and 2000 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.

- 4 The development permitted by this planning permission shall be carried out in accordance with the approved 'Drainage Statement for 3G Pitch Proposals', Reference: 1014846-RPT-CL-001 (dated August 2018). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements as set out in the statement, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce surface water run off rates and to prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided.

- 5 Prior to first use of the 3G pitch hereby approved, an updated Community Access Plan detailing community access arrangements across the school as a whole, 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 at the school 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 updated Community Access Plan shall be brought into operation within 3 months of first use of the 3G pitch 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.

- 6 Prior to first use of the 3G pitch hereby approved, details of size, species and placement of four new trees to be planted within the school site shall be submitted to and approved in writing by the Local Planning Authority. The tree planting shall be implemented prior to first use of the 3G pitch hereby approved.

Any trees required by this condition which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced in similar positions by trees 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.

- 7 Prior to first use of the 3G pitch hereby approved, details of the biodiversity enhancements, as specified on page 10 of the Update Ecology Report prepared by Aven Ecology (dated August 2018) shall be submitted to and approved in writing by the Local Planning Authority.

The approved ecology measures shall be implemented prior to first use of the 3G pitch and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development includes proposals to nurture and enhance surrounding ecology and wildlife habitats.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903