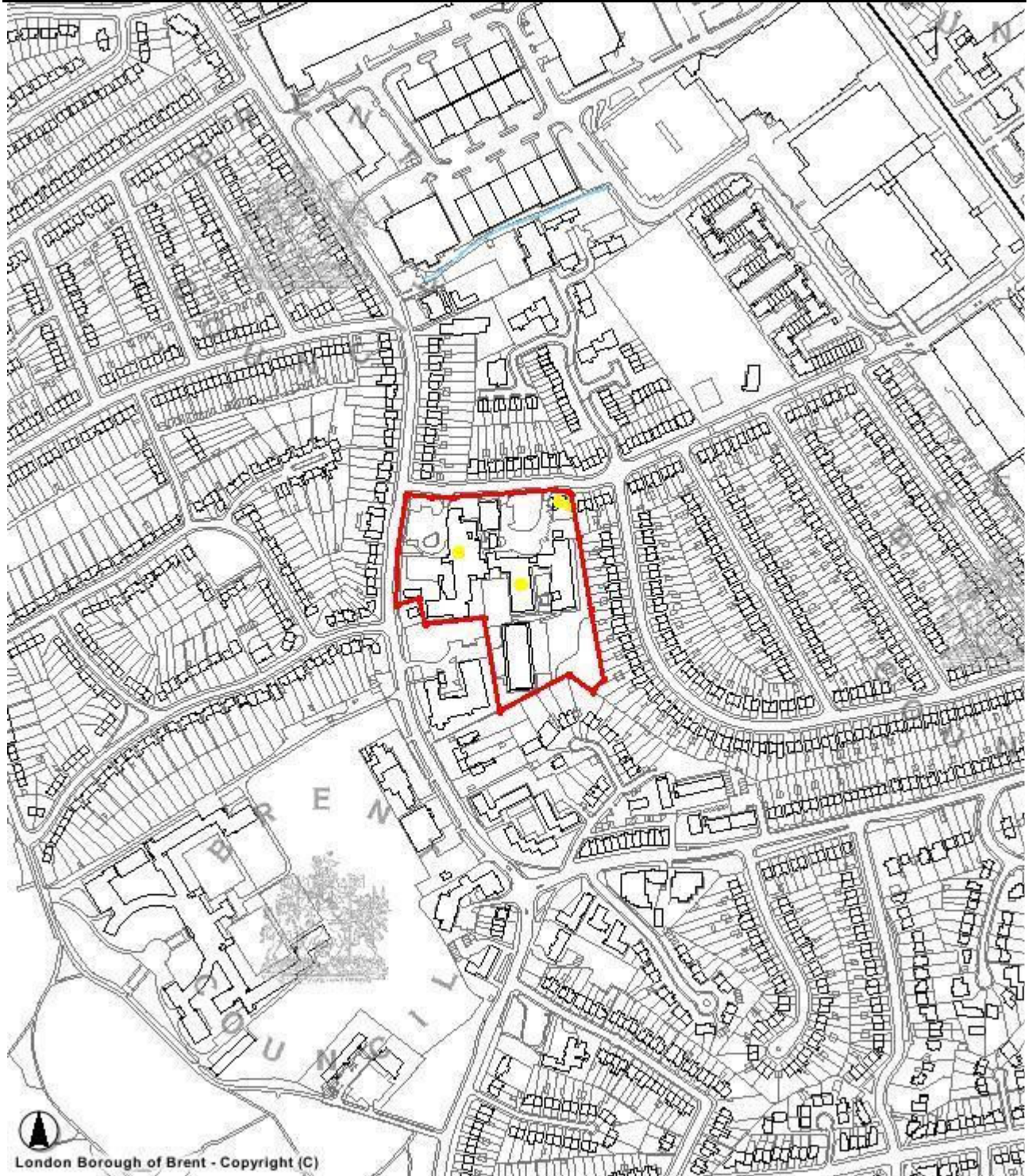




Planning Committee Map

Site address: Hay Lane Special School & Grove Park School, Grove Park, London, NW9

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This map is indicative only.

RECEIVED: 12 March, 2012

WARD: Queensbury

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: Hay Lane Special School & Grove Park School, Grove Park, London, NW9

PROPOSAL: Variation of condition 2 (development to be carried out in accordance with all plans and supporting documents) of full planning permission 10/2996 for part demolition of the existing special educational needs schools and erection of a replacement special educational needs school, comprising a two-storey main building (Use Class D1) and ancillary two-storey short-break centre (Use Class C2), including a sports hall, swimming pool, multi-use games area, external play space and associated landscaping as amended by plans received 20/01/10 to allow minor material amendments consisting of: (1) relocation of the sub-station compound to north-west corner of the site, on corner of Stag Lane and Grove Park

APPLICANT: London Borough of Brent

CONTACT: NTR Planning

PLAN NO'S:
See condition 2

RECOMMENDATION

To delegate authority to the Head of Area Planning to approve the application subject to consideration of any new substantive objections received.

EXISTING

The application site is the Village School (former Hay Lane and Grove Park schools), which is currently undergoing redevelopment to provide a new special educational needs school for children with profound and complex needs, involving a new building with better sharing of facilities and improved learning environment and an ancillary 'short break centre' for respite care..

PROPOSAL

Variation of condition 2 (development to be carried out in accordance with all plans and supporting documents) of full planning permission 10/2996 to allow minor material amendments to relocate the sub-station compound to the north-west corner of the site, on the corner of Stag Lane and Grove Park. At present the plans show the location accommodates three parking spaces and these would be moved to where the sub-station was originally proposed to be sited.

The purpose of moving the equipment is to improve the setting of the entrance.

HISTORY

11/2729 Details pursuant to condition no.3 (details of materials for all external work) and 4 part (ix) (landscaping), of a full application, reference 10/2996 **Under Consideration**

11/3169 Details pursuant to condition no.17 (details of the location and orientation of 107 sqm PV panels), of the full planning application reference 10/2996 **Granted** 09/02/12

11/3245 Details pursuant to condition 23 (Surface water drainage strategy) of full planning permission 10/2996 **Granted** 09/02/2012

11/1953 Details pursuant to conditions 5 (Air Source Heat Pump), 10 (Construction Method Statement), 15 & 16 (Tree Protection Methodologies) and 20 (ICE Demolition Protocol) of full application reference 10/2996 **Granted** 14/10/11

11/1855 Details pursuant to condition 4 (excluding part (ix) boundary treatment) of Deemed (Reg3 Councils own Development) reference 10/2996 **Granted** 09/09/2011

11/1745 Details pursuant to condition No 22(i) (Archaeological Evaluation) of Deemed (Reg3 Councils own Development) reference 10/2996 **Granted** 11/08/2011

10/2996 Part demolition of the existing special educational needs schools and erection of a replacement special educational needs school, comprising a two-storey main building (Use Class D1) and ancillary two-storey short-break centre (Use Class C2), including a sports hall, swimming pool, multi-use games area, external play space and associated landscaping as amended by plans received 20/01/10 **Granted** 04/02/2011

POLICY CONSIDERATIONS

National Planning Policy Framework

The NPPF was published on 27th March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy and UDP saved policies are referred to in the report below they have been considerations in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

London Plan 2011 and Mayor's Community Infrastructure Levy (CIL)

This applies to relevant developments from 01/04/2012

Development Plan

The development plan for the purposes of S38(6) Planning & Compulsory Purchase Act is the adopted Brent Unitary Development Plan 2004, adopted Core Strategy 2010 and London Plan 2011. Within that plan the following list of policies are considered to be the most pertinent to the application.

Built Environment

- BE2 on townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.
- BE6 on landscape and particularly the retention of landscape features and the provision of a landscaped frontage

- BE9 seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.

Brent Supplementary Planning Guidance

SPG 17 "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.

National

Greater flexibility for planning permissions Guidance, Department for Communities and Local Government, November 2010.

National Planning Policy Framework (27 March 2012) specifically section 11 Conserving and Enhancing the Natural Environment

CONSULTATION

Neighbours and Ward Councillors were consulted on 22 March 2012. No comments have been received to date but the 21 day consultation period ends on 12 April 2012, four days before committee; any comments which are received up to 16 April, the day before the committee meeting, will be reported to Members in a supplementary report.

The site notice was posted on 28 March and the press notice on 29 March, meaning the consultation period for those two items ends on 18 and 19 April respectively. Your officers seek delegated authority to the Head of Area Planning to consider any new substantive objections received between the committee date on 17 April and the end of the press notice consultation period on 19 April.

Landscape and trees

No objections

Environmental Health

No objections

REMARKS

Background

This application is for some minor material amendments. Recent changes to Government policy recognises that some things matter more than others; since 2009 applicants have been able to submit applications for amendments "whose scale and nature results in a development which is not substantially different from the one which has been approved." (CLG, 2009).

Visual impact

The proposal involves a two structures and a surrounding 1.8m high timber fence. The sub-station itself would be within a GRP structure 2.5m high and 2.4 x 2.4m in plan; a switchgear room with generator and fuel tank (again a GRP structure) would be positioned to the north of the sub-station and it would be generally 2.7m high (with one 2.4 x 2.2m part rising to 3.7m) and 7m long with a width of 3m. These structures would be positioned approximately. 3.5m from the site boundary along Grove Park and 4.5m from the site boundary with Stag Lane at their closest points. Both structures would be finished in bottle green colour (RAL 6007).

The purpose of moving the equipment is to improve the setting of the entrance to the school. At present the plans show the sub-station and other equipment would be located approximately 3m from the boundary with Stag Lane, next to the main pedestrian entrance to the school. The impact of the proposal on the streetscene should therefore be balanced with the improvement to the streetscene in another location.

As part of the planting plans associated with redevelopment of the site additional trees are proposed within the 3m space to screen these structures. With that in mind, the proposals is considered acceptable subject to a condition to secure that planting as part of this permission in the event the main development changes. A sample of the bricks should be provided too.

Neighbouring amenity

Public safety and public concerns about safety are material planning considerations. In terms of public safety impacts, the new substation would be at least 26.5m from sleeping accommodation to the west and 17.5m to the north. There is no evidence to suggest this would had a material effect on the health of local residents and no residents have raised any concerns about safety. The borough Environmental Health officer has considered the proposal and is satisfied that the location of the substation is acceptable in terms of public safety.

Impact on trees

There are six trees between the sub-station and the site boundary and these are all to be retained. An Arboricultural Method Statement has been submitted in support of this application which sets out the need for hand-dig excavations of six support pads within the root protection zone of trees T7, T8 and T9. A concrete plinth to support the switchgear and generator room will be laid at ground level without excavation. The 1.8m high fence will be supported by posts fixed into hand-dug post holes.

In this respect the proposed changes are considered acceptable.

Conditions

The conditions attached to the original decision notice are repeated, although the standard time condition is amended to reflect the original decision date and where further details have been approved, these are included in the conditions.

Conclusion

The changes proposed are not considered to significantly change the approved scheme, but would result in an on-balance improvement in the visual amenities of the area. Your officers recommend the minor material amendments be approved.

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
Brent Core Strategy 2010
The London Plan 2008

Central Government Guidance
Council's Supplementary Planning Guidance

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

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Housing: in terms of protecting residential amenities and guiding new development
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:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on 04/02/2011 (the date of permission ref: 10/2996).

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):

Plan numbers

01 Rev H	02 Rev H
03 Rev H	04 Rev J
05 Rev H	06 Rev H
07 Rev H	08 Rev H
611638/VIL/10.50 Rev P2	10 Rev H
011 Rev H	12 Rev H
013 Rev H	14 Rev H
015 Rev H	16 Rev H
017 Rev H	18 Rev H
019 Rev H	20 Rev H
021 Rev H	

/A/13-05	23706/001/001 RevA
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PL-D01	PL-D02
PL-D03	PL-D04
PL-D05	PL-D06
PL-D07	
PL-L01	PL-L02

611638/VIL/24.02 Rev P1

Supporting documents

Arboricultural Implication Assessment (PJC Consultancy, November 2010)
Arboricultural Method Statement (PJC Consultancy, ref: PJC/2061/12)

Archaeological Desk-Based Assessment (Allen Archaeology Limited, October 2009)
Bat Survey (PJC Consultancy, May 2010)
BREEAM Bespoke 2008 Pre-assessment – Short Break Centre (Frankham Consultancy Group, July 2010)
BREEAM Bespoke 2008 Pre-assessment – Village School (Frankham Consultancy Group, July 2010)
CCTV Drainage Survey – Grove Park (K S Maintenance Ltd, September 2009)
CCTV Drainage Survey – Hay Lane (K S Maintenance Ltd, September 2009)
CHP Report (Frankham Consultancy Group, July 2010)
Design & Access Statement (Frankham Consultancy Group, November 2010)
Design & Access Statement Village School External Realm (Farrer Huxley, November 2010)
Extended Phase 1 Ecological Survey (PJC Consultancy, September 2010)
External Noise Break-In (Lee Cunningham Partnership, September 2010)
Flood Risk Assessment (Bureau Veritas, October 2010)
Generic Risk Assessment (Environmental Scientifics Group, February 2010)
Ground Investigation (Environmental Scientifics Group, February 2010)
Phase 1 Environmental Review (Frankham Consultancy Group, September 2009)
Stage D Energy Report (Frankham Consultancy Group, September 2010)
Surface Water Drainage Strategy (Frankham Consultancy Group, October 2010)
Sustainability Strategy (Bureau Veritas, September 2010)
Town Planning Statement (NTR Planning Ltd, November 2010)
Transport Statement (Peter Brett Associates, September 2010)
Travel Plan (Peter Brett Associates, September 2010)
Utility Survey (Ground Restoration Ltd, March 2010)

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

- (3) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any building work is commenced. The work shall be carried out in accordance with the approved details.

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

- (4) All areas shown on the approved plan(s) shall be suitably landscaped in accordance with the detailed approved by application 11/1855 and in accordance with further details of:

1. proposed walls and fencing, indicating materials and heights which shall be submitted to and approved in writing by the Local Planning Authority within six months of the date of this permission.

All landscaping shall be carried out within 6 months of first occupation of the development unless otherwise agreed in writing by the local planning authority.

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 standard of appearance and setting for the development and to ensure that the proposed development enhances the visual

amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (5) The development shall be carried out in accordance with the details of the Air Source Heat Pump (ASHP) approved by application 11/1953 and this shall be retained thereafter unless otherwise agreed in writing with the local planning authority beforehand.

Reason: To protect the residential amenities of the adjoining occupiers and in the interests of sustainable development.

- (6) Prior to the commencement of the use, a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme 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 scheme shall include arrangements for consultation and shall be brought into operation upon commencement of the school use and it shall remain in operation for the duration of the use of the development unless otherwise varied in writing with the local planning authority.

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 Policy

- (7) Prior to commencement of development, appropriate arrangements shall be made in writing with the local planning authority to provide the following, as shown indicatively on plan HLS002:
- (i) New 'SCHOOL KEEP CLEAR' zig-zag markings, with associated Traffic Regulation Orders to enforce 'No Stopping' between 8.15-9.15am and 2.30-4.30pm on weekdays in Stag Lane, to match those currently provided in Grove Park and adjustments to the existing 'SCHOOL KEEP CLEAR' zig-zag markings in Grove Park to reflect the removal of one of the existing access points to Grove Park school;
 - (ii) New "School children" advance warning signs;
 - (iii) Provision of a guard railing in front of the new school pedestrian entrance gates;
 - (iv) Provision and reinstatement of dropped kerbs.

The use authorised by this permission shall not begin until the above works have been completed in accordance with the above points and indicative plan and have been certified in writing as complete by or on behalf of the local planning authority

Reason: In the interests of highway and pedestrian safety.

- (8) The development shall not be occupied until the car-parking and turning areas shown on the approved plans have been constructed, surfaced and marked out to the satisfaction of the Local Planning Authority. The car-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) Prior to the commencement of the use of the buildings, a School Travel Plan of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme, 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 and shall be fully implemented.

Reason: In the interests of reducing reliance on private motor vehicles.

- (10) The development shall be carried out in accordance with the details of the Construction Method Statement approved by application 11/1953 and this shall be retained thereafter unless otherwise agreed in writing with the local planning authority beforehand.

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

- (11) Details of the proposed CHP units, including emissions data relating to oxides of nitrogen, stack height and location and any abatement equipment to be fitted, shall be submitted to the local planning authority for approval prior to commencement of the development. The works shall be carried out in accordance the approved details prior to occupation and retained thereafter.

Reason: To ensure that the development does not prejudice local air quality.

- (12) Following the demolition of the buildings and the removal of the oil storage tank 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 in the vicinity of the historic Boiler House and oil storage tank, as well as the previously identified contamination hotspot at WS1 (from Generic Risk Assessment Report ref:3893198). The investigation shall be carried out in accordance with a scheme, which 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 the contamination and an appraisal of remediation options required to contain, treat or remove any contamination found. The written report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004.

- (13) Any remediation measures required by the Local Planning Authority shall be carried out in full. In addition, any soil imported to site for the purposes of soft landscaping shall be tested for contamination to ensure that it is suitable for use, and the results forwarded to the Local Planning Authority for approval. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted 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 proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004

- (14) Prior to commencement of the development, a Noise Impact Assessment shall be submitted to and approved in writing by the local planning authority. The impact assessment should include an assessment of the background noise levels at the nearest receptors covering the proposed hours of operation to take account of the noise generated by plant or machinery and any abatement equipment to be fitted, shall be submitted to the local planning authority for approval prior to commencement of the development. The works shall be carried out in accordance the approved details prior to occupation and retained thereafter.

Reason: To protect residential amenity.

- (15) The development shall be carried out in accordance with the details of the Tree Protection Method Statement approved by application 11/1953 and the measures approved shall be retained for the duration of the works unless otherwise agreed in writing with the local planning authority beforehand.

The following activities must not be carried out under any circumstances:

- (i) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
- (ii) No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
- (iii) Nothing shall be attached to or supported by a retained tree.
- (iv) No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
- (v) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the local planning authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure the viability and health of the existing trees.

- (16) The development shall be carried out in accordance with the details of the Arboricultural Method Statement approved by application 11/1953 and the measures approved shall be retained for the duration of the works unless otherwise agreed in writing with the local planning authority beforehand

The local planning authority may require the scheme of supervision to be administered by a qualified arboriculturalist approved by the local planning authority but instructed by the applicant. The approved scheme shall be adhered to throughout the construction and demolition works.

Reason : To ensure the ongoing health and vitality of the existing trees throughout the duration of the development in the interests of the occupants and general public

- (17) The development shall be carried out in accordance with the details of the Photovoltaic panels approved by application 11/3169 and these shall be retained thereafter unless otherwise agreed in writing with the local planning authority beforehand.

Reason: To accord with sustainability objectives.

- (18) Details of water saving measures will be submitted to and approved in writing by the local planning authority prior to commencement of any demolition/construction work on the site. Such details shall include:
- (i) appropriate design measures to ensure the installation of individual pulsed output water meters and/or water leak detection;
 - (ii) water-saving fittings in each unit (such as spray taps, showers, lo-flush WC/waterless urinals, etc.) to reduce water demand
 - (iii) the location and capacity of proposed rainwater harvesting system,

Such details shall be provided prior to occupation of the development and shall remain in operation for the duration of the use of the development unless otherwise varied in writing with the local planning authority.

Reason: To ensure satisfactory water efficiency measures are implemented to reduce water demand.

- (19) Prior to commencement of the development, further details of how the CHP has been sized to meet base hot water demand, including heat load profile shall be submitted to and approved in writing by the local planning authority. The CHP shall be provided prior to occupation in accordance with the approved details.

Reason: To accord with sustainability objectives.

- (20) The development shall be carried out in accordance with the details of the ICE Demolition Protocol Methodology approved by application 11/1953.

Reason: To accord with sustainability objectives.

- (21) The development hereby approved shall not be occupied unless a review by a BRE approved independent body which verifies that a BREEAM 'excellent' rating has been achieved is submitted to and approved in writing by the Local Planning Authority. 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.

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

- (22) The development shall be carried out in accordance with the details of the Written Scheme of Investigation for an Archaeological Evaluation approved by application 11/1745 and in the event that significant archaeological remains are encountered during the works, further mitigation, including archaeological fieldwork if necessary, must be detailed in a Mitigation Strategy to be submitted to and approved in writing by the Local Planning Authority, in consultation with English Heritage.

English Heritage will advise on whether archaeological remains are significant and the programme of archaeological work shall be implemented on commencement of works.

Reason: The development of this site may cause damage to heritage assets of archaeological interest.

- (23) The development shall be carried out in accordance with the details of the Surface Water Drainage Strategy and drawings 200/P3; 201/P3; 202/P1; 203/P1 and 250/P3 approved by application 11/3245 the scheme shall be retained, maintained and managed after completion

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

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