

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

13 December, 2023  
04  
23/2805

## SITE INFORMATION

RECEIVED	23 August, 2023
WARD	Wembley Hill
PLANNING AREA	Brent Connects Wembley
LOCATION	Wembley Youth Centre and Land next to Ex Dennis Jackson Centre, London Road, Wembley, HA9
PROPOSAL	Demolition of Youth Centre and the construction of a new Special Educational Needs School comprising a three-storey school building, MUGA, soft and hard landscaping, access, parking and drop off and pick up system
PLAN NO'S	Please see condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_166063">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_166063</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "23/2805" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to conditions and informatives:

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. Time Limit for commencement
2. Approved drawings/documents
3. Sustainable Drainage Measures
4. Construction Logistics/Management Plan
5. Use Class Restriction
6. Ecology
7. NRMM
8. Energy
9. Off site tree planting
10. Tree protection measures
11. Highway works
12. Piling
13. District heat network
14. External materials
15. Hard/soft landscaping
16. Cycle parking
17. External lighting
18. Contaminated land
19. Travel Plan
20. Community Access Plan
21. Plant Noise
22. BREEAM

### Informatives

As listed in decision notice

That the Head of Planning is delegated authority to make changes to the wording of the committee's 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.

## SITE MAP



**Brent**

### Planning Committee Map

Site address: Wembley Youth Centre and Land next to Ex Dennis Jackson Centre, London Road, Wembley, HA9

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This map is indicative only.



## PROPOSAL IN DETAIL

It is proposed to demolish the existing community use buildings on site and to redevelop the site to provide a one- to three-storey SEND (Special Educational Needs and Disability) school, access, parking and turning areas within the frontage and outdoor spaces to the north, east and southern elements of the site, including a Multi Use Games Area (MUGA) which would be situated to the southern end of the site.

## EXISTING

The application site is situated at the eastern end of London Road. The northern end of the existing site contains the Ansar Youth Centre (formally known as the Wembley Youth Centre) and its associated car parking and open space. The east of the site contains a large area of hardstanding previously used as car parking and the now demolished Dennis Jackson Centre. The central and eastern elements of the site previously formed a part of the Copland School site, but were fenced off and hard surfaced for parking many years ago and did not form a part of the Ark Elvin playing fields when this was redeveloped.

The immediate surrounding area is predominantly terraced residential dwellings, the site is to the north of the Wembley Brook watercourse, which separates the subject site from the railway to the south. The land surrounding the brook is designated as a wildlife corridor as well as a Site in Nature Conservation (SINC). It is not within a conservation area and there are no listed buildings within the site's curtilage. The site adjoins the Ark Elvin School playing field to the north and east.

The site is accessed from the existing access point from London Road, there is a well established footpath that provides access at two different points from the site which have links to the High Road and further down towards Stonebridge Park.

## 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:

**Representation:** One objection has been received in relation to the application. The objector raised concerns with the use of the access road for the school site, overlooking into neighbouring properties, loss of trees and impact on wildlife, and noise nuisance from plant and floodlights.

**Principle of development:** The site contains a youth centre. It also previously included the Dennis Jackson community centre (now demolished) and parts of the site previously formed a part of the Copland School site. The proposal would result in the provision of a new school and therefore would result in the removal of the general community use. However, the community can still benefit from facilities within the building which would be secured through a community access plan. Furthermore, new community facilities are being delivered by the Council on the Wembley Housing Zone site on the corner of Cecil Avenue and the High Road, which are much better located for access. The proposal would provide a new SEND school which is confirmed to meet an identified need in the Borough in a site designated for an education use.

**Design:** The scale of the proposed 2-3 storey school buildings are considered to be appropriate in this context. A contemporary approach to design and materials has been proposed, which is considered to be an appropriate approach to the appearance of the school buildings. It sits well back into the site to provide sufficient space for access and parking within the landscaped frontage.

**Amenity Impacts:** The proposed school buildings are not considered to result in any unduly detrimental impacts on the neighbouring premises in relation to light, outlook or privacy, being sufficiently far from neighbour boundaries to prevent significant impacts.

**Transport:** A transport assessment and travel plan have been submitted by the applicant to demonstrate that the school would not have an unduly detrimental impact on the local highway network. Sustainable transport modes have been promoted.

**Trees, landscaping and public realm:** The applicant has submitted a tree survey and arboricultural method statement. Of the 12 individual trees and 6 group of trees identified on site, 5 individual trees and 4 groups of trees are proposed to be removed to facilitate the development. 23 replacement trees are proposed to be planted to mitigate against the loss, although there would still be an overall loss. Additional soft landscaping is also proposed where it does not conflict with the usability of the school.

**Environmental Health:** The development is acceptable in environmental health terms subject to conditions relating to plant noise, dust/emissions and external lighting.

**Energy:** The development is proposed to be carbon zero and is anticipated to achieve a BREEAM rating of 'Outstanding' upon completion and occupation. This is welcomed and a condition will require that a post-occupation BREEAM assessment is submitted to the Council to secure a minimum BREEAM rating of 'excellent' in line with policy.

## RELEVANT SITE HISTORY

### Relevant planning history

#### **18/4273 application for Full Planning Permission - resolution to grant planning permission**

Demolition of community centre and erection of three residential blocks ranging from three to seven storeys in height comprising a total of 170 residential units (67 x 1 bed, 82 x 2 Bed, 13 x 3 Bed and 8 houses) with community centre, new vehicular and pedestrian access, provision for car parking, cycle and refuse storage, amenity spaces and gardens and associated landscaping.

**12/1337:** Prior Approval for demolition of former community centre, Dennis Jackson Centre – Prior approval required and Granted.

## CONSULTATIONS

### Public Consultation

397 neighbouring properties were consulted on 30/08/2023. The application was also advertised by a site notice on 06/09/2023 and within the local press on 14/09/2023.

One objection received from a neighbouring occupier raising the following concerns:

Nature of objection	Officer response
Concerned with sharing the access road into the site with the access to their property (The Cottage) and that they no longer give permission for the Council to continue to use this access.	Land Registry information confirms that the private access belongs to Brent Council, not The Cottage. The resident of The Cottage may have an established right of access along the road, but it is not within their ownership.  The proposal continues to make provision for the access route to The Cottage from London Road.
Why is access to the school proposed from the existing access road	The proposal is for the access to the site to remain in the same location as the existing access, which have been evaluated and by the Council and is considered to be acceptable. A new footpath and gate is also proposed in addition to the vehicular entrance. This is discussed within paragraphs 41 to 44.
Loss of tree and impact on wildlife	The loss of trees is noted and is discussed within paragraphs 64 to 71. The impact of the proposal upon the ecological value of the site is also discussed within paragraphs 59 to 62.
Overlooking from school into neighbouring site	This has been discussed within paragraphs 32 to 36.
Access Road not suitable for HGVs	The application has been accompanied by details of construction logistics which has been considered

	acceptable by officers in Transportation. The internal road layout within the site would allow mini buses an delivery and service vehicles such as refuse lorries to be able to enter and exit the site in a forward gear by travelling through the internal loop access road.
Any generators or floodlight could impact on neighbouring amenity	A condition has been secured in relation to plant noise. No floodlights are proposed, and installation of floodlights would require the benefit of planning permission.

#### Internal and external consultation

**Council's Ecology Officer** – No objections raised to the finding of the Preliminary Ecological Appraisal. Suggested that specific features are included for wildlife and that landscape details including maintenance and management plan are conditioned to ensure the successful replacement of biodiversity on site.

**Local Lead Flood Authority** – confirmed that they have accessed the drainage strategy and have no issues with the implementation.

**Environmental Health** – no issues raised in relation to air quality, contaminated land or lighting subject to conditions. Details of plant noise measures to be conditioned and further information requested in relation to noise associated with the Multi Use Games Area (MUGA).

**Thames Water** – No objections raised subject to management of surface water in line with the drainage hierarchy set out within policy SI13 of London Plan 2021 and for a condition to be included in relation to a piling method statement due to proximity to a strategic sewer. They also confirmed in regards to waste water network and sewage treatment works infrastructure capacity, that they have no objections.

## **POLICY CONSIDERATIONS**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any future application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the  
London Plan 2021  
Brent Local Plan 2019-2041

Key policies include:

London Plan 2021  
GG1 Building strong and inclusive communities  
GG2 Making the best use of land  
D12a: Fire Safety  
S3 Education and childcare facilities  
S4 Play and informal recreation  
S5 Sports and recreation facilities  
G4 Open space  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
SI 1 Improving air quality  
T4 Assessing and mitigating transport impacts  
T5 Cycling  
T6 Car parking  
T6.5 Non-residential disabled persons parking  
T7 Deliveries, servicing and construction

Brent Local Plan 2019-2041  
DMP1: Development Management General Policy  
BD1: Leading the Way in Good Urban Design

BSI1: Social Infrastructure and Community Facilities  
BSUI4: On Site Water Management and Surface Water Attenuation  
BGI1: Green and Blue Infrastructure  
BT2 – Parking and Car Free Development  
BSWGA17 - Former Wembley Youth Centre/Dennis Jackson Centre London Road HA9 7EU

Other material considerations

The following are also relevant material considerations:

The National Planning Policy Framework  
National Planning Practice Guidance

Supplementary Planning Guidance / Documents:

SPD1— Brent's Design Guide (2018)

Sustainable Environment & Development – SPD – 2023

## DETAILED CONSIDERATIONS

### Principle of Development

1. The site is allocated in the Local Plan under Site allocation BSWA 17: Former Wembley Youth Centre/Dennis Jackson Centre London Road for residential and community use, to accommodate around 170 homes and to re-provide approximately 350sqm of community space.
2. There is an application with resolution to grant currently with the Local Planning Authority for the delivery of 170 homes on the application site, along with a new community use. While consent has not been formally granted, it does carry some limited material weight when considering any new application for a different development. However, whilst not a material planning consideration due to the land being classified for an educational use by the DfE then this would require it to be formally released in order for the land to be used for residential purposes. The submission sets out that the DfE have indicated that it would not allow for the disposal of the former school playing fields, allowing for the proposed residential scheme anticipated to progress. As such, the Council may not be in a position to rely on this area for housing delivery and as such a further educational use would likely be acceptable in principle.
3. While the site has an allocation for a residential led development, there is an exceptionally high and currently unfulfilled need for Special Education Needs and Disabilities (SEND) school places in the borough. The NPPF stresses that it is of crucial importance that a sufficient choice of school places are available to meet the demands of both existing and new communities. The NPPF advises that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and should encourage development that would widen choice in education. Great weight should be given to the need to create, expand or alter schools through the decisions on applications.
4. London Plan Policy S3 (Education and Childcare Facilities) encourages boroughs to ensure there is a sufficient supply of good quality education and childcare facilities to meet demand and offer educational choice, and states that development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need. Paragraph 5.3.6 highlights that 'there is a need for an increase in Special Educational Needs and Disability (SEND) provision in London and it is important that these places are planned for. Some of this provision will be within mainstream schools and some within specialist schools.'
5. Brent Local Plan Policy BSI1 sets out criteria that proposals for new or enhanced social infrastructure facilities should meet. The submission should fully address these criteria, although based on the information already provided:
  - e) the site location is reasonably accessible, with a PTAL 3 score
  - f) there is evidence of a proven Brent need
  - g) the space appears to be flexible and adaptable
  - h) co-location should be considered although this is likely to be challenging owing to the need for a secure, access-controlled site
  - i) a community use agreement should be secured to help maximise wider community benefit and mitigate against the loss of both the community centre (if justified) and the designated open space.
6. The Brent School Place Planning Strategy (2019-2023) highlights that the demand for special provision in Brent has been growing and will continue to grow. The 2022 refresh of the report (agreed at Cabinet 14/11/2022) notes that a significant and increasing demand remains for education places that meet the

needs of children and young people with SEND. Projections highlight future pressures on special provision, particularly in the secondary phase, that will continue to at least 2027. As detailed within Section 7.4 of the Brent School Place Planning Strategy (2019-2023), the Local Authority is undertaking a £44.19m capital expansion programme that was approved by Cabinet in January 2022 that will deliver 427 SEND places in the Borough through the creation of additional provision in existing mainstream schools, the creation of new SEND schools, the expansion of existing SEND schools and capital improvements to existing schools. As above, Cabinet approved the programme in January 2022, highlighting that there is a clear unmet need in the Borough for the provision of SEND school places.

7. The proposed development would deliver a SEND on Council owned land which is currently partially classified as in educational use by the Department for Education (DfE). The school would accommodate 150 secondary school pupils between age of 11 to 19 which 30 pupils within the sixth form. The proposed use is welcomed by the Local Planning Authority as it is understood that there is a specific need for this kind of facility within the borough.
8. The documents submitted with any new application justify that the proposed SEND school would meet a need in the borough in line with London Plan Policy S3 and Brent Local Plan Policy BSI 1.

#### Loss of Community Use Floorspace

9. Local Plan Policy BSI1 Social Infrastructure and Community Facilities states that existing social infrastructure and community facilities will be protected and retained unless it can be demonstrated that certain criteria are met. The Ansar Youth Centre is still in use but the building is in a poor state of repair. The proposed new school, while also defined as social infrastructure and community facilities, would be a different use, with a more limited degree of general public access (unless subject to a community use agreement securing general community access to the facility). The submission has sought to demonstrate that the applicants' are working with the Youth Centre, in order to identify locations to re-provide the facility for the community use in accordance with Policy BSI1, and where possible provide for the needs' of the current users, such as the youth club use.
10. It should also be noted that new community facilities have been consented within the Cecil Avenue Brent Housing Zone development. It is considered that through the provision of new community facilities at this nearby site, that the proposal would mitigate the loss of these community facilities and as such, the loss of the community use floorspace within the application site could be accepted.
11. Additionally, the information submitted with the application seeks to accommodate the provision of the wider community use by allowing for community uses outside of the normal allocated teaching hours for both the sports and café facilities which would be considered to contribute towards a community use. A draft community use agreement has been submitted with the application which states that the school is likely to be made available to the wider community between the hours of 6pm and 10pm during weekdays, and 9am to 10pm on weekends. Further details of the community access would be secured within a Community Access Plan as a condition to any forthcoming consent.
12. Whilst a different type of community use, the proposed school development is significantly larger than the existing facility and will comprise, high quality, sustainable design that facilitates wider community use in addition to the core school use. In this respect, the proposals are considered to remain consistent with Policies BSI1 and S1 of the development plan. Considering the efforts currently in place to re-provide and relocate the specific existing facility, the requirements of these policies are further satisfied.

#### Loss of open space

13. Part of the development site forms part of an area designated as open space on the edge of the wider Ark Elvin playing fields and as such, London Plan policy G4 is applicable. The designated area is primarily comprised of the Ark Elvin playing fields with smaller elements of the designated area being within the grounds of Elsley Primary School and part of the application site. None of these spaces are publicly accessible with the exception of the right of way through the Ark Elvin playing fields. The planning statement indicates that the existing area of the application site designated as open space measures 3,846sqm. This relates to the area that was formerly a part of the Copland school playing fields but some time ago was fenced off and hard surfaced. Nevertheless, significant weight must be given to this designation. The building is proposed to be constructed partly on the designated area.
14. Paragraph 99 of the National Planning Policy Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
15. Policy G4 criterion B of the London Plan also identifies that development proposals should not result in the loss of protected open space.
16. The Local Plan does not identify this open space as surplus to requirements, therefore its loss has not been justified under criteria A of paragraph 99. With regard to criteria B, it is noted that the part of the application site designated as open space (as a part of the former Copland School Playing Fields) does not appear to have been used for this purpose for some time (based on the committee report for 18/4273 which notes it was hard surfaced and segregated from the playing fields more than 10 years previously). The area of hardstanding is around 2738sqm and take up approx. 69% of the designated open space within the application site. The area appears to have limited public accessibility and does not have the character or usability of conventional open space or playing fields despite its designation on the policy map as such. Notwithstanding this, its loss requires further justification. It is also noted that while the building and parts of the car park will be situated on the area designated as open space, other parts will be used as open space for the school, including the area currently occupied by the Ansar Youth Centre which falls outside of the open space designation. As such, while there would be a loss of some designated open space, some additional spaces will be provided which will have a comparable open character.
17. With regard to criteria C, a draft Community Use Agreement (CUA) has been submitted and would be secured through compliance condition to ensure that facilities including the multi-use games area (MUGA) and the school hall are available for community use outside of school core hours, thereby providing sports and recreational benefits to the wider community, albeit only when not required for school use. London Plan policy S1 and Local Plan Policy BSI1 both encourage the sharing of facilities to maximise wider community benefit. Further details on how the MUGA and school hall can be appropriately booked, in addition to their toilet facilities, details of opening times and operational arrangements have been provided in further support of the Community Use Agreement. Additionally, details of programmes aimed at attracting new participants from the specific priority groups and a clear approach to pricing as well as monitoring arrangements have been provided. As such, the proposal is considered to provide a sufficient means of access for the wider community, gaining support from the NPPF.
18. On balance, whilst the site would result in the loss of designated open space within sufficient replacement open space being provided elsewhere, given the lack of public access and limited value of the designated open space, the significant benefits of the proposal are considered to outweigh this harm.
19. On the basis of the above and the proven need for SEND provision and the additional benefits for the community of having use of the school facilities, the loss of the designated open space is considered to have been sufficiently justified by the applicant and supported by officers on this basis.

#### Scale, Design and Layout

20. The NPPF seeks developments of high-quality design that will function well and add to the overall quality of the area, responding to local character and history, reflecting the identity of local surroundings while not discouraging appropriate innovation, establishing or maintaining a strong sense of place, and optimising the potential of the site to accommodate an appropriate amount and mix of development.
21. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Brent's Policy BD1 seeks the highest quality of architectural and urban design materials.
22. In this locality the surrounding site is characterised by two-storey terraced dwellinghouses, with the site situated at the end of the London Road cul-de-sac. The proposal under consideration here would consist of a 3-storey building which would be set back from the turning circle situated at the end of the London Road. The submitted documents show that the overall finish of the school building would be finished with

cladding and some base brickwork. The ground floor entrance is proposed to be clad in a fibre cement panel of pale orange, with the remainder of the ground floor frontage presenting a navy blue panel, with the upper levels clad in porcelain fibre cement panel. At the ends of the building, a fawn grey fibre cement panel with varying panel widths is proposed to provide visual interest. At the base of the building, a masonry plinth with Staffordshire blue brickwork and a dark grey mortar has been proposed to ground the building and ensure it has a robust base. The windows and integrated louvres are aluminium, with RAL 7016 grey colour to the window frames, which would respect the materiality and the colours identifies as above.

23. The scale and location of the proposed building is considered to be an acceptable flat roof development of 3 storeys, which has a suitable set back distance from the nearest residential properties and would sit comfortably within the site and wider street scene.
24. Given the use of materials, the legibility of the building as a school is clear in its approach. Through the varying use of the fibre cement panels and the clear delineation of the base, middle and top, a suitable level of visual interest in the school building has been achieved. The materiality highlights the durability of facades, reducing any potential cost of long-term maintenance.
25. With regard to the usability of the entrances, the materials palette and the pale orange colour feature towards creating an identity and ensure the legibility of the main entrance. A welcoming canopy, with clear signage indicating the school's name ensures a clear entrance which achieves a sense of arrival which is a design feature noted predominantly for residential developments in SPD1, however, it is still considered to be relevant in this instance.
26. The building would include PV panels fitted to the steel frame mono-pitch roof structure, with access via an external stair for maintenance. The roof with a 3.0m minimum height is proposed to prevent climbing opportunities and provide satisfactory aspect to maximise sunlight capture. The steel frame would be galvanised and coated in anthracite grey (RAL 7016) to match the remainder of the building. Additional PV panels are also located on the external canopies. These would not be visible from the street scene, given that the falls are set back slightly from the periphery of the building.
27. The layout of the site follows a broadly rectangular building typology, with a rectangular projection into the car park area which is where the main hall and dining area are located. To the west of the recess of the projection, the entrance and its overhanging canopy and orange materiality are located, providing a strong and legible entrance. The entrance lobby is located in the centre of the building with ancillary offices, and student wellbeing areas located close-by. To the west of the building the classrooms and teaching areas are mostly located, with the plant room and an ancillary kitchen situated adjoining the main hall and dining room on the east wing. A fitness suite is situated centrally with internal access from the hallway and the café/ shop discussed above is also located on the ground floor, with internal and external access to the frontage of the site.
28. Located at the upper levels, accessed via two stair cores and lifts, one located centrally and one on the western end of the building the remainder of the teaching classrooms are located. Additional ancillary offices are located on the third floor to accommodate users for the different humanities uses.
29. Throughout the building there are individual toilets and changing rooms, these are accessed from the main corridors and from some of the classrooms.
30. The car park area is situated to the frontage of the site, with some areas of greening provided. There is additional tree planting and generally the site appears to integrate well within its surroundings.
31. The proposed materiality of the development is sufficient and presents a good design approach that is legible in accordance with Policy BD1 and DMP1 of Brent's Local Plan.

#### Impact on Neighbouring Residential Amenity – light and outlook

32. It is always necessary for developments to take into account the residential amenity of neighbouring residential properties. Local Plan Policy DMP1 seeks to ensure all new development does not unacceptable increase neighbours' exposure to noise, light and general disturbance.
33. The proposed building would be located a sufficient distance away at in excess of at least 27.95 m from the boundary of nearby residential properties of The Cottage and Nos. 174 and 176 London Road. This significantly exceeds the minimum distance of 18m between directly facing habitable room windows, as

set out within SPD1. The proposal is therefore not considered to adversely impact neighbouring amenity in terms of overlooking or loss of privacy.

34. SPD1 also requires new buildings to sit beneath the 30 and 45 degree lines when measured from neighbouring rear habitable room windows (measured at 2m high from internal floor level) and neighbouring private rear amenity space (measured at 2m from neighbouring ground level). The new school building does not directly face any rear habitable room windows. It is noted that both The Cottage and 174-176 London Road contain flank wall windows. Whilst it is likely that such windows would serve non-habitable rooms, the new school building would sit within 30 degree line from these windows. Likewise, it would sit within 45 degree line from the edge of the garden areas associated with these buildings.
35. The distance and the orientation of the school building which is splayed and set away from the Cottage and 174-176 London Road is also not considered to give rise to concerns with regard to loss of daylight or sunlight.
36. The use of the premises as a school is considered to be broadly acceptable within a residential area, indeed a school use already occurs a short distance from the application site.

## Transport and Highways

### *Site Context*

37. The site is situated on London Road, a local residential access road within PTAL 3 (moderate). The site is within Control Parking Zone 'C', which secures 8am-6:30pm Mon-to Sat (8am-midnight on Wembley Event Days). On-street parking is also prohibited during CPZ hours to protect the turning head. London Road is also not noted as being heavily parked. The current access to the site is via a single-width drive from the turning head of the London Road. It accommodates for the single-storey youth centre (530m<sup>2</sup>) and benefits from a large car park with 51 marked spaces but has capacity for 100+ cars. T

### *Car Parking*

38. Appendix 4 of the Local Plan states that the maximum car parking allowance for schools in areas with a PTAL rating of 3 or lower is 1 space per 5 members of full-time equivalent staff.
38. The Transport Statement indicates that there will be 80 members of full-time equivalent staff, giving a maximum allowance of 16 car parking spaces. The proposed 6 car parking spaces (plus two minibus spaces) therefore accord with maximum allowances. The parking also incorporates 2 disabled parking spaces and 2 EV charging spaces, which also meet minimum standards.
39. Whilst the proposed parking as discussed above is within maximum standards, the quantity of proposed car parking and drop-off arrangements still result in a vehicle dominated frontage and convoluted pedestrian routes around the edge of the car park, rather than in a direct line between the main entrance and the highway, which is not ideal.
40. However, the particular operational needs of the SEND school have been taken into account and officers in transportation have confirmed that it is accepted that this approach has been taken deliberately in order to keep vehicles and pedestrians fully segregated and the safety reasons for this approach for a SEND school are accepted.

### *Access arrangement*

41. The layout appears to provide two means of pedestrian access to the site from Public Rights of Way 86 and 87, giving traffic-free routes to the site from both the north and the south, which is welcomed. However, it needs to be clearly evident that the entrance gate from PROW 87 to the north is for general pupil access and it would help if fewer gates were in place along the internal footpath to the building.
42. The vehicle access to the site is via a single entry/exit corresponding with the existing access, which is fine. Two security gates are proposed along the entrance, with access to the adjoining Cottage retained between them.
43. However, discussions were also conducted regarding the potential to redesign the turning head at the end of London Road to provide more footway space for pedestrians and a better connection across the

end of the street between the two lengths of footpath/cyclepath. Dedication of a sliver of land from the site frontage as highway would also help to straighten the footway, although this is not essential. An earlier plan had been tabled showing these amendments, but the amended kerblines are not shown on the site plan submitted with this application.

44. Nevertheless, the works would be within the public highway, so can be agreed in detail at a later date and undertaken either through a S278 Agreement or delivered by Brent's Highways Service at the applicant's expense.

#### *Cycle Parking*

45. The minimum cycle parking requirement in accordance with the London Plan is 1 space per 8 FTE staff and 1 space per 8 students for long-stay parking, plus 1 space per 100 students for short-stay parking. This would translate to 29 long-stay spaces and 2 short-stay spaces in this case. The cycle parking provided are shown within a revised site layout which incorporates 15 Sheffield Cycle stands within the cycle shelter provided, supporting 30 cycles. The stores are considered to be weatherproof and secure. A Sheffield stand for short term parking should also be included. Such details of cycle parking are recommended to be conditioned to any forthcoming consent.

#### *Trip generation*

46. It is accepted that a significant proportion of students would require access to the site by minibus or taxi. To gauge this, the Transport Statement has examined student trips for eight SEN schools in Kent to estimate the likely number of pupils travelling by car, taxi, minibus, walking and public transport. However, the use of data from Kent is not considered to be representative of this site, given the poorer levels of public transport available and the much larger catchment areas.
47. The conclusion of the Transport Statement is that 20% of pupils would travel by private car and 80% by minibus/taxi. However, this does not even correlate with the data from the Kent schools, which shows 12% by private car, 86% by minibus/taxi, 1% walking and 1% on public transport. The Transport Statement has also assumed that just two pupils would travel in each minibus. This total is very low – far lower than for any of the schools examined in Kent – so the reasoning for this figure is unclear. It has also assumed no car sharing, whereas each Local Authority taxi would be expected to bring at least two pupils to school in practice.
48. To provide a more accurate assessment, the Transport Statement should have examined data for schools within Brent (or at least outer London). As such, Brent's transport officers have examined historic data held for the former Grove Park and Hay Lane SEN schools in Kingsbury. This suggested that about 12% of pupils are brought to school by private car/taxi and 88% by minibus. It also showed an average of 6-7 pupils travelling in each minibus, with about 1-1.5 pupils in each car/taxi.
49. The Transport Statement has also assumed that 27 staff would drive to the site, based upon Census data, even though only 6 car parking spaces are available. Given the presence of a CPZ in the area, the lack of parking should be successful in deterring staff from driving to the site and keeping the number of vehicle trips in the morning peak hour to about 15.
50. The overall estimate of morning peak hour vehicle trips within the Transport Statement is therefore 105 arrivals and 83 departures, which would be a significant volume that would place strain on the safe and efficient operation of the site's drop off facilities and result in considerable congestion.
51. However, for the reasons stated above, this total appears to be a significant overestimate and Brent's own survey data would suggest that about 19 minibuses, 13 cars/taxis and 6 staff cars could be expected in the morning peak hour, resulting in 47 arrivals and 32 departures.
52. A similar number of trips can also be expected at the end of the school day (3-4pm), but these will not coincide with network peak hours, so are less of a concern. Brent's survey data also suggests more efficient minibus operation for the homeward journey, with fewer minibuses able to transport the same number of pupils.

#### *Travel Plan*

53. The Travel Plan itself has been submitted as an Interim Document. It acknowledges the need to align with TfL's STARS accreditation system, which is welcomed, but makes no mention of any targets for

pupils to travel more sustainably. As the school is for teenagers and young adults, independent travel training should form part of their education and as much as possible should therefore be done to encourage and facilitate access by sustainable modes in the Travel Plan.

54. Officers in Transportation have also noted that the interim Travel Plan has used the Transport Statement figures for modal share as baseline figures, which is of concern given the above criticisms.
55. Otherwise, there are initiatives to encourage walking, cycling and public transport use and car sharing amongst staff, although these measures should include the offer of interest-free season ticket and bicycle purchase loans to staff. There is a lack of any consideration of travel measures for pupils though, either potential or proposed measures. Given the commitment to obtaining STARS accreditation, early consideration of potential measures would have been useful.
56. As such, the Travel Plan does not meet requirements in its current form and a full Travel Plan would need to be secured through condition and approved prior to occupation of the school.

#### *Delivery and Servicing*

57. The Transport Statement includes a section on Delivery and Servicing Management. It indicates that servicing will take place outside of school opening and closing times and tracking is shown for a 10m long refuse vehicle and a fire engine. It is also stated that up to 8 catering vehicles per week would be required and this is noted.

#### *Construction Logistics*

58. The applicant has submitted a Construction and Environmental Management Plan. This does indicate that construction vehicles will be able to access and egress the site in a forward gear, that they will only be on site between 9.30 and 15.30 and that it would take over 68 weeks to complete the works. Officers in Transportation have advised that these are broadly acceptable.

#### Biodiversity

59. Whilst the site itself does not lie within a site of importance for nature conservation, to the south of the site lies the SINC (Grade 1) Harlesden to Wembley Central including Wembley Brook designation and a wildlife corridor. Policy G6 of London Plan highlights that where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:
  - 1) avoid damaging the significant ecological features of the site
  - 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
  - 3) deliver off-site compensation of better biodiversity value.
60. It goes onto to state that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
61. The above position is reinforced within policy BGI1 of Brent's Local Plan which highlights that all developments should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area.
62. A Preliminary Ecological Appraisal and Preliminary Roost Assessment was submitted with the application together with a Reptile Survey Interim Report and Bat Emergence and Re-entry Surveys. The report highlighted that there were no protected, Habitats of Principal Importance or locally important floral species or habitats recorded on site. The reports also concluded that the existing buildings and trees on site are unlikely to contain roosting bats. It did however recommend ongoing inspections in case there are any roosting bats, and the use of low impact lighting within the site to minimise any impact on commuting or foraging bats, The reptile survey carried out to date show no signs of reptiles within the site. The reports also recommended the use of habitat creation and enhancement opportunities within the site including native tree, hedgerow and scrub planting and creation of wildflower grasslands, and the provision of bird boxes, to assist in achieving a net gain in biodiversity within the site in line with policy

### Urban Greening Factor

63. Policy G5 of London Plan sets out that major non-residential developments should target an Urban Greening Factor (UGF) of 0.3. In this case the site has an existing UGF score of 0.502 and as a result of the loss of the trees the proposed UGF would be 0.449, which still exceeds the London Plan requirement of 0.3. This would be achieved through semi-natural vegetation, green roofs, perennial planting, hedges, standard trees and permeable paving.

### Trees

64. Policy BGI2 sets out that development with either trees on site or adjoining it that could affect trees will require the submission of a BS5837 or equivalent tree survey detailing all tree(s) that are on, or adjoining the development site. The policy goes on to say that in the case of a major development to make provision for the planting and retention of trees on site. Where retention is agreed to not be possible, developers shall provide new trees to achieve equivalent canopy cover or a financial contribution for off-site tree planting of equivalent canopy cover will be sought. Replacement canopy cover will be measured as total canopy area of new trees at time of planting being equal to canopy area of existing mature trees proposed for removal.
65. BS5837 identifies category A trees as those of high quality with an estimated life expectancy of at least 40 years and category B trees as trees of moderate quality with an estimated remaining life expectancy of at least 20 years. Category C trees are identified as trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm. In assessing trees which would be worthy of retention in any scheme category A trees should be considered a material consideration and category B trees retained if possible.
66. The site contains a number of trees which are important to the character of the local area and significant to public amenity. There are currently 12 individual trees, 6 groups of trees and 2 hedgerows, which include 3 category B trees, 16 category C trees and 1 category U tree. There is a Tree Preservation Order (TPO 43.10/304: G2) which includes 1 x Pine, 7x Lombardy Poplar, 1 x Oak, 3 x Horse Chestnut, 2 x Ash, 3 Cherry Plum, 1 x Thorn and 1 x Maple. These are shown in the Tree Survey that supports the application as G4, G5, T10 and T11.
67. The application is seeking to retain T1, T2, T3, T4, T7, T8, T12, G1, G2, H1 and H2 as part of the application, These are trees and hedgerows are located along the perimeter of the site along the northern ends of the site alongside the Cottage and northern end of the playing field. T12 is located on the southern eastern end of the site. A tree protection plan has been submitted to show how such trees would be protected during construction works.
68. However, the application is also seeking to remove a number of trees and tree groups within the centre of the site and along the north eastern boundary, which includes the TPO trees. In total 5 individual trees (T5, T6, T9, T10, and T11) together with 4 groups of trees (G3, G4, G5 and G6) are proposed to be removed. In terms of the classification of the trees that are to be removed, T10 (Oak) has been classified as Category B with the remaining trees and tree groups as Category C with T11 (Common Ash) being classified as a Category U tree due to it being dead. The tree officer has reviewed the information and does not agree with the classification of G4 which they consider should be classified as Category B due to the maturity and visual significance of the group and the fact that it has been identified as having an estimated remaining life expectancy of 20-40 years.
69. The planning statement sets out that during the development of the design, several options were explored that considered whether the trees could remain on the site, however due to complex operational and construction constraints, the trees are required to be removed. The protected trees lie centrally on the site and given the size requirements of the school and general site shape and configuration, there is no feasible or realistic option to deliver the school and retain these trees. Indeed, officers also sought to look at revised option of the access into the site to see whether it was feasible to retain T10. However, this proven to be unfeasible.
70. As set out within policy BGI2, where retention is agreed to not be possible, developers shall provide new trees to achieve equivalent canopy cover. The combined canopy cover of the lost trees is 1650sqm, which is proposed to be replaced on site with a total of 23 new trees to be planted. On the assumption that the replacement trees are extra heavy standard trees (14-16cm trunk girth), the canopy radius will be

approx. 1.0m (so 2.0m across) which equates to an area of approx. 3.142m<sup>2</sup> at time of planting. This would mean that to replace the total canopy loss that the scheme would need to plant around 525 trees to compensate the canopy area lost as a result of the development. Given the constraints of the site, it would not be possible to plant this number of replacement trees. The policy also highlights that another option is for a financial contribution for off-site tree planting of equivalent canopy cover will be sought. The typical cost of planting an off site tree is around £2,500. Therefore this would account to an off site contribution of around £1.3m. Such a cost is likely to significantly impact on the delivery of delivering the new school. Nevertheless, the applicant is proposing to plant 8 trees off site within the southern end of the Ark Elvin Playing Field. Such details could be conditioned any forthcoming consent as Brent owns this land.

71. Given the significant benefits of the proposal to provide much needed SEND school places within the Borough, the benefits associated with the proposal are considered to outweigh the harm as a result of the loss of the trees.

### Sustainability

72. London Plan Policy SI 2 requires major developments to be net-zero carbon following the energy hierarchy: Be Lean, Be Clean, Be Green, Be Seen. In line with policy SI 2, Brent Local Policy BSUI1 requires all major developments to submit a Sustainability Statement demonstrating compliance with the energy hierarchy and how sustainable design and construction methods have been used to enable the development to mitigate and adapt to climate change over its intended lifetime. The proposal needs to be supported by an energy assessment, overheating assessment and sustainability statement. In addition, BSUI1 sets out the need for all major non-residential development to achieve BREEAM 'excellent' standard.
73. The submission includes sustainability and energy reports proposing that the development will be Net Zero in operation that has adopted a passive design and fabric first approach and implemented renewable technologies such as Air Source Heat Pumps and Solar Photovoltaic (PV) panels.

### *Carbon emissions*

74. The energy assessment submitted sets how the London Plan energy hierarchy has been applied. At the 'be lean' stage of the hierarchy, applicants must achieve carbon emissions savings through passive energy saving measures. For this proposal, the applicants have used high specification fabric (including U-values that meet or exceed Building Regulations), glazing to maximise natural daylight and use of shading for the large majority of east and west facing glazing to reduce solar gains and reduce glare into the classrooms, together with energy efficient light fittings to minimise energy demand. This element of the scheme would secure a 12% saving in carbon emission. Whilst under 15% target set out within policy, as set out below the scheme would be net zero in terms of carbon emissions which is a significant benefit and would outweigh the limited policy conflict.
75. For the 'be clean' stage, the applicants explored the potential to connect to a district heat network (DHN). There are no nearby communal DHNs. The development should ensure that it is designed to allow future connection to a heat network and the details of a connection point to be incorporated into the development as a futureproofing measure will be secured by condition. Nonetheless, in the absence of a connection to a DHN, the development will not achieve any carbon savings through the 'be clean' stage of the hierarchy.
76. For the 'be green' stage, applicants are required to maximise the use of onsite renewable technologies in further reducing carbon emissions. The applicants propose to incorporate air source heat pumps (ASHP's) together with Photovoltaic Panels (PVs). This element of the scheme would secure a total carbon reduction of 92.5%.
77. The assessment demonstrates that the scheme would deliver a 104.5% reduction in carbon emissions across the development below the 2021 Building Regulations baseline, which is broken down into the following elements below:

	CO2 emissions (Tonnes CO2/year)	Saving in regulated emissions CO2 p.a	% reduction
Baseline Building Emissions	15.7	n/a	n/a

based on Part L 2021			
Building Emissions following 'Be Lean' measures	13.8	1.8	13%
Building Emissions following 'Be Clean' measures	13.8	0	0%
Building Emissions following 'Be Green' measures	-0.728	14.528	92.5%
Total		16.328	104.5%

78. The Air Source Heat Pumps are situated to the south west corner of the proposed building. It has not been appropriate to position these on the roof of the building, due to the BREEAM and energy requirements as set out below, and the requirements for a large number of PV panels to achieve net zero carbon in operation.
79. The submission includes a BREEAM Pre-Assessment Report that concludes that the scheme will be able to achieve BREEAM 'outstanding' (current target score predicted at 89%), exceeding the requirements of Policy BSUI1 of the Local Plan (which requires 'Excellent'), creating a highly sustainable development.
80. Notwithstanding this, it is noted that the London Plan requires 15% of the 35% reduction in carbon emissions to be achieved through energy efficiency measures. As demonstrated above, the scheme has sought to maximise the use of energy efficient measures and the carbon reduction that yields, which results in a 12% reduction beyond Part L (2022) requirements. The scheme will achieve Net Zero overall in line with policy.

#### Air Quality

81. London Plan Policy SI1 Improving air quality requires development proposals to be at least Air Quality Neutral. Local Plan BSUI2 Air Quality states that major developments within Growth Areas and Air Quality Focus Areas will be required to be Air Quality Positive and elsewhere Air Quality Neutral. Where on site delivery of these standards cannot be met, off-site mitigation measures will be required. Part of the site falls within Air Quality Action Area: Wembley and Tokyngton. An Air Quality Impact Assessment should be provided within any future submission. The assessment shall include mitigation proposals for any identified adverse impacts.
82. An Air Quality and Air Quality Neutral Assessment is submitted alongside this application that assesses both the construction phase impacts and the operational impacts.
83. The Air Quality Assessment concludes that the residual effects of the proposed development are considered to be not significant for all pollutants assessed and additional mitigation measures are not required. Furthermore, the development is considered to be air quality neutral and therefore complies with national and local policy for air quality.
84. Officers in Environmental Health have agreed with the conclusion of the Air Quality and Air Quality Neutral Assessment. They have recommended that conditions are secured in relation to Non-Road Mobile Machinery (NRMM) and that the details submitted within the Construction Management Plan are secured within a planning condition.

#### Flood Risk and Drainage

85. Policy BSUI3 of Brent's Local Plan sets out that proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment must contribute to flood risk management and reduction and:
- a) minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
  - b) wherever possible, reduce flood risk overall;
  - c) ensure a dry means of escape;
  - d) achieve appropriate finished floor levels which should be at least 300mm above the modelled 1 in 100 year plus climate change flood level; and

e) not create new basement dwellings in areas of high flood risk.

86. Proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.
87. The site located within Flood Zone 1 in terms of fluvial and sea flooding. It is also at low risk of ground water flooding. However, there is a small pocket of land within the site of the site that is liable to surface water flooding, which can be attributed to poor drainage on site at present.
88. The application has been accompanied by a Flood Risk Assessment and Drainage Strategy. A school building would be classified as a 'More Vulnerable' use and would normally expect to see an exception test within flood zone 3a (including surface water flooding). As the site forms part of a site allocation, as part of the Local Plan the site allocation passed the sequential tests and exceptions test for a residential led redevelopment (also a 'More Vulnerable' use). A detailed Drainage Strategy, layout and calculations are submitted alongside this application.
89. The proposed drainage scheme follows the SuDS hierarchy and utilises a combination of green roof, porous pavements, filter strips, rain gardens and underground storage to deliver a suitable SuDS scheme for the site. This has been fully co-ordinated with the proposed layout and landscaping to ensure it remains integrated with the scheme. The scheme would provide a significant betterment in terms of reducing surface water run off and the wider reduction in flood risk across the site. The scheme would propose the following reductions in surface water run off with 1 in 30 and 1 in 100 events exceeding greenfield run off rates:

	Greenfield (GF) runoff rates (l/s)	Existing discharge rates (l/s)	Required storage for GF rate (m3)	Proposed discharge rate (l/s)
Qbar	1.4			
1 in 1	1.2	29.77	443.7	2.5
1 in 30	3.2	68.7	443.7	2.5
1 in 100	4.4	87.02	443.7	2.5

90. Details of SuDS maintenance and management for the site are also included and would be conditioned subject of any future grant of consent.
91. Foul drainage is to connect into the existing mains network, benefitting from an approved pre-planning enquiry from Thames Water.

#### Noise

92. London Plan Policy D14 requires new development to reduce and mitigate the impacts of noise. A Noise Impact Assessment has been undertaken to establish both the existing noise levels across the site which could affect the proposed development and the potential noise present as a result of the development.
93. Based on the measured noise levels from the survey, an outline assessment has been made of the required building envelope sound insulation in order to meet the internal noise levels, set out in BB93 for educational use. The planning statement sets out that a hybrid ventilation system and mechanical ventilation will be used in the building and limits for external plant noise emissions are identified to ensure no adverse impact on the nearest sensitive receptors, and further details of this will be required through condition of any grant of planning consent.
94. Given the proposed use, the noise assessment also considers the potential noise impacts arising from use of the external MUGA area. This assessment identifies only 'slight' impacts on the nearest sensitive receptors to the west of the site, with the predicted noise levels from external play area being around 10dB below existing ambient noise levels at 1720176 London Road and 16dB below existing ambient noise levels at 159 London Road. The Noise Assessment confirms that the noise levels from MUGA will achieve the WHO targeted outdoor amenity noise criterion. It should be noted that the MUGA does not proposed any floodlighting and therefore its use would be limited to daylight hours only.

#### Lighting

95. External lighting is proposed across the site, within the car parking areas and at ground floor level, to provide a safe and secure environment for the movement of pedestrians around the building. While the

proposal seeks to minimise levels of intrusive lighting and allow for the safe movement of vehicles around the car park, the generation of additional light has to be assessed.

96. An External Lighting Layout Plan sets out the proposed locations of external lighting on site, the specification for external lighting and any the lighting's compliance with the reduction of intrusive light guidance. Details of external lighting are recommended to be conditioned to any forthcoming consent.

#### Fire Safety

97. The application has been accompanied by a Fire Strategy report which sets out the following information in order to accord with policy D12 of London Plan (2021):

98. The active and passive fire safety systems for the building detailed in this report are designed to provide early warning of a fire event and to maintain tenable conditions during the evacuation stage. If implemented, the health and safety of people in and about the building can be readily assured.

99. The fire measures proposed can be summarised as:

- a) The provision of Building materials with suitable flammability, and smoke / toxicity emissions
- b) The provision of 30 minutes fire compartment around stores, changing rooms and switchrooms.
- c) The provision of fire escape doors in line with the existing concept drawings plus an additional escape door in the Gym
- d) The provision of fire detection and warning system to BS5839 type M
- e) The provision of emergency lighting and emergency signage.
- f) Ensuring at least 15% of the building perimeter can be accessed by a fire-fighting vehicle
- g) Ensuring that there is a fire hydrant within 90m of the entry point to the building.

100. Formal approval under the Building Regulations would be required, however, therefore given the submitted fire strategy would be considered to be acceptable and accords with Policy D12 of the London Plan the proposal is considered to accord with Policy D12.

#### Equalities

101. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

#### Conclusion

102. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions.

The proposal would result in the provision of a new SEND secondary for which there is a significant identified need within the Borough. The new school building would be on land designated as open space which forms a part of the former Copland School site and is not publicly accessible open space, but other open areas are proposed within the grounds of the new SEND school. The proposal would result in the loss of existing trees within the site and while more trees will be planted than will be lost, the canopy at planting will not meet or exceed the canopy size of existing trees. The proposal also results in the demolition of community buildings. However, a community access plan will be secured and new community facilities are also to be provided by Council at the Wembley Housing Zone site on the corner of Cecil Avenue and the High Road. Overall, the impacts associated with the proposed development are considered be outweighed by the planning benefits associated with the proposal and it is recommended that planning permission is granted.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 23/2805

To: Miss Tilley  
DHA Planning Ltd  
Eclipse House Eclipse Park  
Sittingbourne Road  
Maidstone  
ME14 3EN

I refer to your application dated **23/08/2023** proposing the following:

Demolition of Youth Centre and the construction of a new Special Educational Needs School comprising a three-storey school building, MUGA, soft and hard landscaping, access, parking and drop off and pick up system

and accompanied by plans or documents listed here:  
Please see condition 2.

at **Wembley Youth Centre and Land next to Ex Dennis Jackson Centre, London Road, Wembley, HA9**

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: 05/12/2023

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

### 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 2021  
London Plan 2021  
Brent's Local Plan 2019-2041

- 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):

Existing Floor Plans B01 Rev 01,

Existing Elevations B01 Rev 01,

Location Plan - 2153-MAC-XX-XX-D-L-0001 Rev P02,

Existing Site Block Plan - 2153-MAC-XX-XX-D-L-0002 Rev P02,

Proposed Ground Floor Plan - 2153-SOS-01-00-D-A-1101 Rev P02,

Proposed First Floor Plan - 2153-SOS-01-01-D-A-1102 Rev P01,

Proposed Second Floor Plan - 2153-SOS-01-02-D-A-1103 Rev P02,

Proposed Roof Plan - 2153-SOS-01-RF-D-A-1104 Rev P02,

Proposed west and South Elevations - 2153-SOS-01-ZZ-D-A-2101 Rev P02,

Proposed East and North Elevations - 2153-SOS-01-ZZ-D-A-2102 Rev P02,

Site Demolition Plan - 2153-MAC-XX-XX-D-L-0014 Rev P02,

Whole Site Plan - 2153-MAC-XX-XX-D-L-0003 Rev P08,

Site Landscaping Plan - 2153-MAC-XX-XX-D-L-0004 Rev P07,

Hard Landscaping Plan - 2153-MAC-XX-XX-D-L-0005 Rev P07,

Soft Landscaping Plan - 2153-MAC-XX-XX-D-L-0006 Rev P06,

External Area Assessment - 2153-MAC-XX-XX-D-L-0007 Rev P06,

Green Infrastructure Strategy Plan - 2153-MAC-XX-XX-D-L-0008 Rev P06,

Tree Protection Plan - 2153-MAC-XX-XX-D-L-0009 Rev P04,

Arboricultural Impact Assessment - 2153-MAC-XX-XX-D-L-0010 Rev P05,

Site Sections - 2153-MAC-XX-XX-D-L-0011 Rev P05,

Access and Circulation Strategy – External - 2153-MAC-XX-XX-D-L-0012 Rev P07,

Off-site Planting Plan - 2153-MAC-XX-XX-D-L-0017 Rev P02,

Typical External Cycle Shelter Details - 2153-MAC-XX-XX-D-L-0018Rev P03,

H-02 Rev P1 – London Road Turning Head,

External Lighting Layout - 2153-MET-01-00-D-E-6312 Rev S5 - P01.

Supporting documents

Energy Statement & LZC Feasibility Study prepared by Method Consulting dated August 2023 and the additional technical note dated 26<sup>th</sup> November 2023

Preliminary Ecological Appraisal and Preliminary Roost Assessment (prepared by arbtech dated 11/05/2023)

Reptile Survey Interim Report (prepared by arbtech dated 04/08/2023)

Bat Emergence and Re-entry Surveys (prepared by arbtech dated 15/08/2023)

Construction and Environmental Management Plan prepared by REDS10 dated 16/08/2023

Drainage Assessment (2153-DID-XX-XX-T-C-1002) dated August 2023 prepared by Design ID 2050ELR-MET-XX-XX-C-E-6301 London Road Rev 2 Relux Luminaire Data (dated 05/12/2023).

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

- 3 The development shall be carried out in full accordance with the recommendations set out within the approved Drainage Assessment (2153-DID-XX-XX-T-C-1002) dated August 2023 prepared by Design ID in relation to the proposed surface water drainage strategy. The measures shall thereafter be maintained in accordance with the surface water management and maintenance schedule as detailed within the approved document throughout the lifetime of the development, unless an alternative strategy is submitted to and approved in writing by the Council and thereafter implemented in full.

Reason: To ensure that surface water flooding is reduced and controlled within the site.

- 4 The development shall be carried out in full accordance with the recommendations set out within the approved Construction and Environmental Management Plan prepared by REDS10 dated 16/08/2023 throughout the construction of the development, unless an alternative details are submitted to and approved in writing by the Council and thereafter implemented in full.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the Development hereby approved shall only be used for purposes within Use Class F1(a) as a Special Educational Needs School , as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To safeguard the amenity of residents and in the interest of ensuring appropriate access and servicing.

- 6 The development shall be carried out fully in accordance with the Recommendations in the approved Preliminary Ecological Appraisal and Preliminary Roost Assessment (prepared by arbtech dated 11/05/2023), Reptile Survey Interim Report (prepared by arbtech dated 04/08/2023) and Bat Emergence and Re-entry Surveys (prepared by arbtech dated 15/08/2023).

Reason: To prevent any harm to protected species and habitats.

- 7 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW

used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/> "

Reason: To protect local amenity and air quality in accordance with Brent Policy BSUI1 and London Plan Policy S11.

- 8 The development shall be carried out in full accordance with the details set out in Energy Statement & LZC Feasibility Study prepared by Method Consulting dated August 2023 and the additional technical note dated 26<sup>th</sup> November 2023 to achieve the reduction in carbon levels set out within the report.

The applicant must continue reporting to the Mayor for at least five years via an online portal in line with the London Plan.

Reason: In the interests of sustainable development and reducing carbon emissions

- 9 The development hereby approved shall not be occupied until the highway works in London Road and at the entrance to the site as shown on drawing H-02 Rev. P1 have been undertaken at the developer's expense and certified as complete by Brent Council in its role as the Local Highway Authority, including the appropriation of land across the whole width of the access in front of the site entrance gates as highway land.

Reason: In the interest of highway and pedestrian safety.

- 10 The use of the development hereby approved shall not commence unless details of eight replacement trees to be provided off site have been submitted and approved by the Local Planning Authority and the approved tree planting has been implemented in full.

Any new planting which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning authority gives its written consent to any variation).

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits.

- 11 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees in accordance with BS5837: 2012 including a Tree Protection Plan (TPP, at para. 5.5 BS 5837) and an Arboricultural Method Statement (AMS, at para. 6.1 BS 5837) shall be submitted to and approved in writing by the local planning authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/utilities/drainage
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA that may impact on the retained trees
- d) A full specification for the installation of boundary treatment works
- e) A full specification for the construction of any roads, parking areas and driveways to be constructed using a no-dig specification including the extent. Details shall include relevant sections through them.
- f) Detailed levels and cross sections to show that the raised levels or surfacing, where the installation of no-dig surfacing within the RPA is proposed, demonstrating that they can be

- accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction activities in this area clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires.
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist.
- n) Reporting of inspection and supervision.
- o) Methods to improve the rooting environment for retained trees and landscaping
- p) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 12 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.”

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 13 Prior to commencement of development (excluding site clearance and demolition works), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

The development shall be completed in accordance with the approved details thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI3 and Brent's Local Plan Policy BSUI1.

- 14 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), details of materials for all external building work, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority. Detailed studies shall be submitted to and approved in writing by the Local Planning Authority which shall include detailed sections, elevations and where relevant, technical specifications illustrating how specific elements of the façades will be constructed, to include typical windows, parapets, soffits and the junctions between key materials. The development shall be carried out in full accordance with the approved details.

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

15 Prior to commencement of development (excluding demolition, site clearance and laying of foundations) a detailed landscaping scheme and implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall incorporate the hard and soft landscaping details proposed on the approved plans, as well as further details of, but not limited to the following:

- (i) Proposed materials for all hard surfaces and the permeable qualities;
- (ii) Species, locations and densities for all trees, grass and shrubs, which shall include a minimum of 23 proposed individual trees
- (iii) Existing and proposed walls, fencing, and gates and any other permanent means of boundary treatment/enclosure, indicating materials, position and heights;
- (iv) Existing and proposed functional services above and below ground in relation to proposed landscaping (e.g. drainage, power, communications, shared ducting provision)
- (v) Tree pits for all new tree planting;
- (vi) Details of biodiversity enhancement measures based on measures as set out in the submitted Preliminary Ecological Appraisal and Preliminary Roost Assessment (prepared by arbtech dated 11/05/2023)
- (vii) Details to maximise the urban green factor (UGF) for the site in line with policy G5 of London Plan (with a minimum target of 0.3), including the requirement to submit a UGF Masterplan
- (viii) An Ecological Management Plan with details of habitat creation and enhancement
- (ix) A Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping

The approved landscaping scheme and implementation programme shall be completed in full;

- (a) prior to first occupation or use of the building, in respect of hard landscaping components and boundary treatments;
- (b) during the first available planting season following completion of the development hereby approved, in respect of all other soft landscaping components.

It shall thereafter be mainlined fully in accordance with the approved Landscape Management and Maintenance Plan, 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.

16 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), a plan showing the arrangement of cycle storage within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall set out the following cycle storage provision:

- 29 long-stay cycle parking spaces to be provided;
- 2 short-stay cycle parking spaces surrounding the perimeter of the building;

All of the cycle parking within the development shall be made available for use prior to the first occupation of the development hereby approved and thereafter retained and maintained for the life of the development unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development adequately provides for and encourages uptake of cycling among building users.

- 17 Prior to the installation of any external lighting, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures that form a part of the lighting strategy. The lighting shall not be installed other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safety and the amenities of the area.

- 18 In the event that any soil contamination remediation measures are required as identified within AGB Environmental Phase 1 desk top study and a Subadra combined geotechnical and environmental investigation report, a verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 19 Prior to the occupation of the development, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved details and maintain a commitment to participating in the TfL STARS accreditation scheme (or replacement thereof) for the lifetime of the development.

In the interests of highway and school safety and to demonstrate a commitment to sustainable transport modes.

- 20 Prior to first occupation or first use, a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access arrangements and management responsibilities.

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

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

- 21 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

Prior to installation of any plant, an assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority,

The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 22 Within six months from practical completion of the non-domestic floorspace hereby approved, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a minimum BREEAM Excellent rating, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the non-domestic floorspace is constructed in accordance with sustainable

design and construction principles, in accordance with Brent Local Plan Policy BSUI1.

## INFORMATIVES

- 1 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.affluent@thameswater.co.uk](mailto:trade.affluent@thameswater.co.uk) . Application forms should be completed on line via [https://urldefense.com/v3/http://www.thameswater.co.uk/!!CVb4j\\_0G!TgHUfwsidJrJM6YIj2-VEm-qHtGKfec6OG\\_w6OsYlkgc76WN6Eaph0YBuJiesmZFeTQZdlsyj8shKC1SSzleazoCfepMKw\\$](https://urldefense.com/v3/http://www.thameswater.co.uk/!!CVb4j_0G!TgHUfwsidJrJM6YIj2-VEm-qHtGKfec6OG_w6OsYlkgc76WN6Eaph0YBuJiesmZFeTQZdlsyj8shKC1SSzleazoCfepMKw$) .
- 2 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149