

RECEIVED: 23 June, 2009

WARD: Willesden Green

PLANNING AREA: Willesden Consultative Forum

LOCATION: School Main Building, Capital City Academy, Doyle Gardens, London, NW10 3ST

PROPOSAL: Details pursuant to condition 3 (landscaping), 4 (fencing) and 8 (management plan) for full planning permission reference 03/2943 dated 04/12/03 for construction of an all-weather pitch on school sports grounds, located towards the centre of the Academy site (minimum of 75 metres from Doyle Gardens and 35 metres from Uffington Road), along with associated floodlighting and fencing (further details provided in letter from Capital City Academy 3rd August 2009)

APPLICANT: Capital City Academy Trust

CONTACT:

PLAN NO'S: 90LP001 A
Landscape Planting Compliance by MITIE
Community and other external use facilities plan
Produktinformation FGZ-LRÜ

RECOMMENDATION

Approval

EXISTING

The site is the playing field of the Capital City Academy and is bordered by Uffington Road and Doyle Gardens.

PROPOSAL

Details pursuant to condition 3 (landscaping), 4 (fencing) and 8 (management plan) for full planning permission reference 03/2943 dated 04/12/03 for construction of an all-weather pitch on school sports grounds, located towards the centre of the Academy site (minimum of 75 metres from Doyle Gardens and 35 metres from Uffington Road), along with associated floodlighting and fencing

HISTORY

01/2600 Granted

Demolition of the main school building and construction of a new school with car-parking and playing fields (subject to a Section 106 legal agreement)

03/2943 Granted

Construction of an all-weather pitch on school sports grounds, located towards the centre of the Academy site (minimum of 75 metres from Doyle Gardens and 35 metres from Uffington Road), along with associated floodlighting and fencing

POLICY CONSIDERATIONS

BE6 Public Realm: Landscape Design
OS9 Dual Use Open Space

CONSULTATION

External

No external consultation was necessary for this application for the discharge of conditions however comments have been received including a letter signed by 6 local residents. The following points were raised:

- There had to be a minimum space of 75m from Doyle Gardens and 35m from Uffington Road which had to be landscaped and should not include a full size football pitch.

With regard to this point officers confirm that the proposal is correct and in accordance with the condition in proposing a 4m strip around the boundaries only. The 75m and 35m refer to the location of the pitch within the site, it was not a requirement that all remaining space be landscaped. On approved plans other pitches are marked in the remaining space around the all-weather pitch.

- 6 years after the plans were approved only the turfing has been completed and none of the other conditions complied with which is a breach in planning control.
- Many boundary trees have been cut down and without the necessary dense planting the noise from the use of the AWP is extremely loud.
- Viburnum should not be used as it has toxic sap and seed pods.

Once the 4m screening has been planted the graduated earth mound could be installed.

REMARKS

The original application, dated 4th December 2003, involved the construction of an all-weather pitch on school sports grounds, located towards the centre of the Academy site (minimum of 75 metres from Doyle Gardens and 35 metres from Uffington Road), along with associated floodlighting and fencing

The application 03/2943 was approved on the basis that conditions would be complied with but unfortunately it seems that the development went ahead without the required information being submitted and approved by the Local Planning Authority. This current application is in response to officers informing the Academy of their need to meet their obligations.

Condition 3 reads as:

The development shall not be brought into use or occupied until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority.

Such scheme shall also indicate:-

- *the existing trees and shrubs on site to be retained;*
- *screen planting along all boundaries.*

All planting, seeding or turfing comprised in the approved details of the landscaping shall be carried out in the first planting and seeding seasons following completion of the development hereby approved. 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 to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance, to ensure that the proposed development enhances the visual amenity of the locality and to safeguard residential amenities.

A 4m deep strip of planting along the boundaries was considered necessary to act as a buffer in the interest of the amenity of neighbouring residents. A landscape plan was initially submitted with the current application which demonstrates a comprehensive planting scheme and received initial approval from the Council's Landscape Officers, 4 different mixes of plants are proposed alternately along the boundaries as well as semi-mature plane trees and multi-stemmed birch. This scheme would provide a good level of buffering which is necessary to filter the 'visual, light and possible noise effects of the proposal from the street' - as described in the report to committee on the original application.

However on visiting the site it was apparent that this scheme had not been implemented fully or managed effectively. The landscaping has not been implemented extensively, being reasonably well taken in some areas and sparse or nonexistent in others. Large gaps have been left by the felling of some large trees and in some areas where the correct mix of species have been planted it has been badly managed with inappropriate cutting.

Additional information has been provided from the academy to demonstrate the action they will take to ensure the planting scheme is fully implemented in accordance with the submitted plan. A 'Landscape Planting Compliance' document has been produced by MITIE (31st July 2009) which has identified the numerous deficient areas. Landscape Officer's are now satisfied that this report adequately addresses the major flaws in the planting scheme and that if work is carried out in accordance with the suggestions set out in the report the condition would be satisfied.

Given the poor upkeep of the planting that has taken place to date it is considered important that the school produces a Landscape Management Plan which would help ensure the vitality and appearance of the landscape as well as preventing plant death and future costs due to the need for replacement planting.

Condition 4 reads as:

Details of all fencing shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed. Thereafter the development shall not be brought into use or occupied until the works have been carried out in accordance with the details so approved. All those detailed works approved shall be subsequently retained unless alternative details have first been agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenity of neighbouring residents and character of the locality.

The railings have been erected on site. They appear to be black galvanized steel and the technical information submitted states that they are 2.4m in height. They do not appear overly high, due to the height of the trees behind them, when the landscaping is fully implemented it would be expected to further obscure the fence. The scale and design of the railings is suitable for their purpose and location.

Condition 8 reads as:

A Management Plan relating to the use of the facility, including use by the general public between the hours of 1700 hours and 2130 hours Monday to Friday, 1300 hours and 1800 hours Saturday and 0900 hours and 1400 hours Sunday, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use of the facility and any such plan as is agreed shall be implemented.

Reason: To ensure community use of the facility and in the interests of the amenities of adjoining occupiers.

The 'reason' for this condition suggests that it is both to ensure that the facility is available for public use and also to protect the amenity of neighbours.

The information provided states that the 'All Weather Pitch', which was the subject of the application, is available for hire from 6pm on weekday evenings rather than 5pm as stated in the condition, otherwise all available times are as stated.

Further information received on 3rd August 2009 states that there is security on site at all times as well as a person to supervise and manage the premises at the time of lettings. In terms of neighbouring amenity the following steps are taken:

- Notices in car park asking people to leave quietly
- Hosting of Local Neighbourhood Watch group allowing any concerns to be raised and followed up
- Turning off floodlights in accordance with original approval.

The principle of an all weather pitch was agreed by the Council in 2003 and the details now provided are considered to satisfy the conditions that required additional information about the development to be agreed by the Planning Authority. It is obviously unfortunate that the conditions were not complied with in a timely manner but the applicant has now advised that planting should take place in the next available planting season. The proposal is considered to comply with policies contained in Brent's *Unitary Development Plan 2004* and approval is, therefore, recommended.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004

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

Built Environment: in terms of the protection and enhancement of the environment

Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

CONDITIONS/REASONS:

INFORMATIVES:

- (1) The applicant is advised that in order to satisfy condition 3 (landscaping) all planting, seeding or turfing comprised in the approved details of the landscaping shall be carried out in the first planting and seeding seasons furthermore 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 to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.
- (2) The applicant is advised that it is important that the school produces a Landscape Management Plan which would help ensure the vitality and appearance of the landscape as well as preventing plant death and future costs due to the need for replacement planting.

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377



Planning Committee Map

Site address: School Main Building, Capital City Academy, Doyle Gardens, London, NW10 3ST

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