


Committee Report Planning Committee on 13 November, 2013

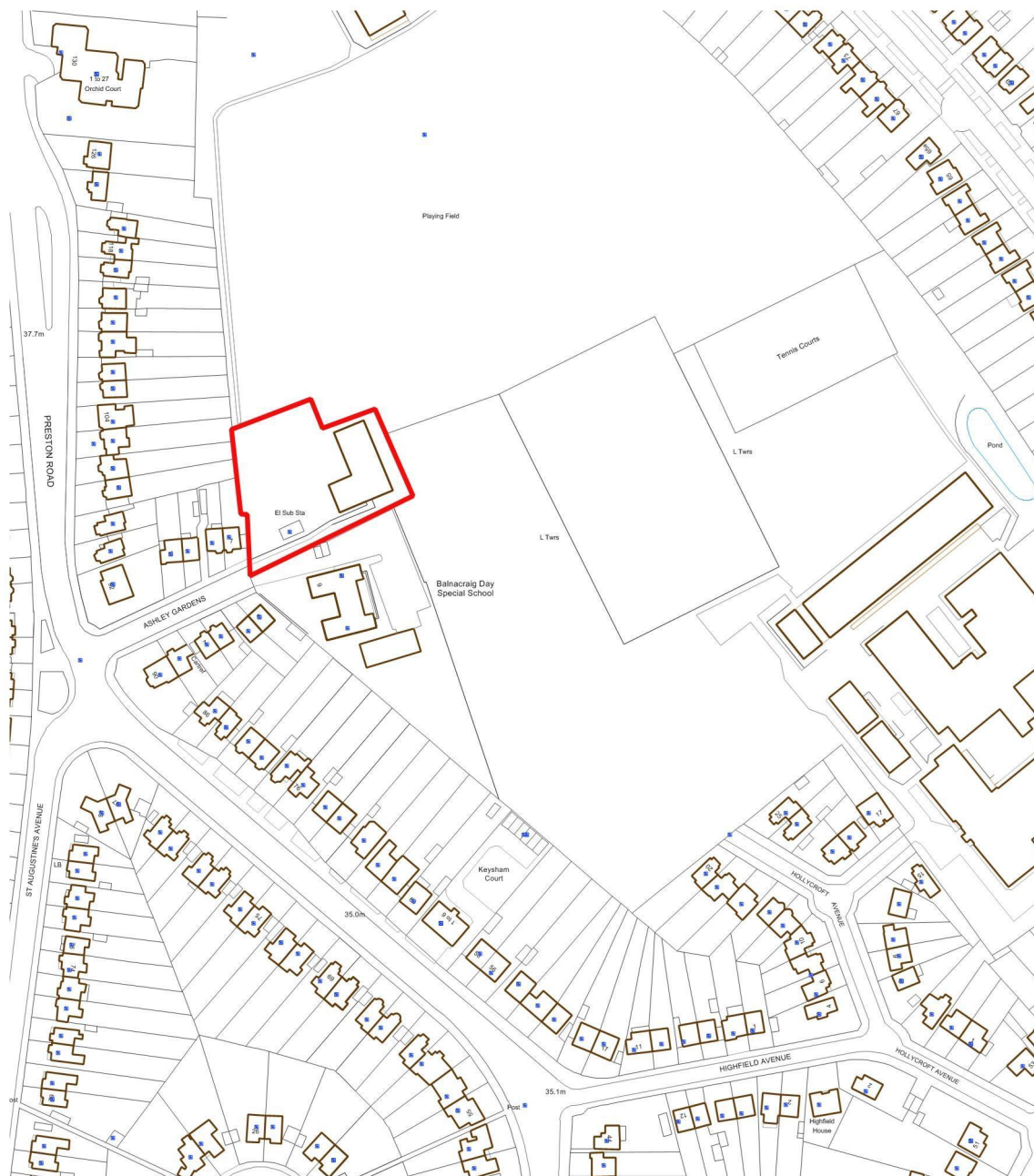
Item No. 09
Case No. 13/1975



Planning Committee Map

Site address: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

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This map is indicative only.

RECEIVED: 17 July, 2013

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA

PROPOSAL: Retention of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space

APPLICANT: Mr Rajesh Sinha

CONTACT: Watts Group PLC

PLAN NO'S:
See condition 2.

RECOMMENDATION

Approval.

EXISTING

The site comprises approximately 2900 square metres of the existing school grounds of Preston Manor High School. The site is adjacent to Ashley Gardens, a short residential cul-de-sac that also provides access to Ashley Pavilion, a building that houses BACEs and a children's nursery. There is also a pupil referral unit located in a temporary building in the grounds of Ashley Pavilion. The proposed site is to the north of Ashley Pavilion, and borders the back gardens of dwellings facing Ashley Gardens and Preston Road. The site also adjoins an existing electricity substation, which is to remain. Within the site is a large oak tree, which is to be retained.

Temporary permission was granted in December 2010 for a temporary primary school. This was installed in 2011.

Access to the site is via Ashley Gardens.

The site is not situated within a conservation area.

PROPOSAL

Retention of a temporary primary school in the grounds of Preston Manor High School to be accessed from Ashley Gardens and comprising a single storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space. The temporary school will continue to accommodate a maximum of 60 children.

HISTORY

Many history records on file, but the most relevant recent applications are:

- | | |
|------------|---|
| 04/10/2011 | Planning permission granted for the variation of Condition 13 (details of external lighting) of planning permission 10/3203 to allow restricted light spillage to neighbouring gardens in accordance with submitted lighting plans. (Ref: 11/2158). |
| 12/10/2011 | Planning permission granted for the installation of a new synthetic turf hockey pitch, the erection of six 14.5m high floodlights and 3m high fencing around the pitch, to be located on the high school playing fields. (Ref11/1822). |

- 06/07/2011 Approval of details pursuant to conditions 5 (cycle storage); 8 (parking layout/ pedestrian access/ drop-off point); 13 (boundary treatments) of planning permission 10/2738 (temporary school) (Ref: 11/0722.)
- 14/03/2011 Planning permission granted for the erection of a one and two storey building to form a new permanent primary school in the grounds of Preston Manor High School, with a new access between 109 & 111 Carlton Avenue East, comprising new classrooms, small and large halls, staff room, reception, kitchen and office space, with plant and photovoltaic panels, landscaping including new trees, staff car park, Multi Use Games Area (MUGA), play areas, access paths and an external amphitheatre. (Ref: 10/3203).
- 17/12/2010 Planning permission granted for the erection of a temporary primary school in the grounds of Preston Manor High School, to be accessed from Ashley Gardens, comprising a single-storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space. (Ref: 10/2738).
- 22/06/2010 Planning permission granted for the erection of a two-storey lift shaft to courtyard of the high school's main building and re-surfacing to front of school to provide level access to main entrance. (Ref: 10/1059).
- 19/05/2010 Planning permission granted for the erection of a single storey extension to high school to provide space for an Autistic and Spectrum Disorder (ASD) Unit. (Ref: 10/0602).
- 10/01/2008 Planning permission granted for extension to high school comprising the erection of a single-storey block comprising 14 new classrooms, toilets and office space; the erection of a new sports hall; the relocation of outdoor hard play area and the relocation of 2 and removal of 1 existing mobile classroom buildings. (Ref: 07/3033).
- 01/06/2004 Planning permission granted for the erection of two single storey mobile classroom buildings to replace an existing fire damaged mobile classroom. (Ref: 04/0575).

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of particular relevance to the determination of the current application

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- 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
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The London Plan, 2011

The London Borough of Brent LDF Core Strategy 2010

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

CP19 – Brent Strategic Climate Mitigation and Adaptation Measures

CP23 – Protection of existing and provision of new Community and Cultural Facilities

The London Borough of Brent Unitary Development 2004 ('saved' policies)

BE2- Townscape- Local Context and Character

BE5 – Urban Clarity & Safety

BE8 – Lighting and Light pollution

BE9- Architectural quality

BE12 – Sustainable Design Principles

BE17 – Building services equipment

EP2 – Noise & Vibration

EP6- Contaminated Land

H22 – Protection of Residential amenity

TRN3 – Environmental Impact of Traffic

TRN4 – Measures to make Transport Impact acceptable

TRN11 – The London Cycle Network

TRN22 – Parking standards- non-residential developments

TRN34 – Servicing in New development

TRN35 – Transport access for disabled people and others with mobility difficulties

CF2- Location of small scale Community Facilities

CF10 – Development within school grounds

Supplementary Planning Guidance

SPG17 - Design Guide for New Development

SPG12 – Access for disabled people, designing for accessibility

CONSULTATION

Consultation letters were sent out to 320 neighbouring properties on the 16/08/2013 including properties in Ashley Gardens, Aylands Close, Carlton Avenue East, (odds,) Forty Avenue, Perrin Grange, Highfield Avenue, Hollycroft Avenue, Keysham Court, Preston Road, Orchid Court and Carlton Parade.

4 objections have been received. A summary of the matters raised along with the officer's comment are set out in the table below.

Grounds of objection	Officer Comment
This application is in breach of the Restrictive Covenants on the playing fields. An application to modify the covenant has been made. This is due to be heard before the Upper Tribunal <i>Document Imaged</i>	This is not a planning matter. Legal advice is that the grant of planning permission does not prejudice any decision that the Land Tribunal may wish to make.

(Land Chamber) in January 2014. Surely, no decision should be made regarding this application until the Upper Tribunal has given a ruling.

The original permission (Ref: 10/2738) for the temporary school granted consent for a limited period of two years or until the new Primary school is opened at Preston Manor, whichever arises first'. The new Preston Manor Lower School was occupied from November 2011. Why wasn't an application for an extension made at that time, not some 20 months later?

Increasing demand for school places required the Council to look at several options for temporary accommodation around the borough. Part of the delay was uncertainty as to which options were to be implemented. It is regrettable that this has resulted in breach of the original permission.

Condition 5 of the original permission relates to 3 secure cycle stands. I cannot see any evidence of these being installed.

Planning actually approved a covered bicycle stand for up to 6 cycles. This has not been installed, but the applicants agree to install if permission is granted for the retention of the building.

Condition 12 of the original permission mentions the planting of at least one replacement oak and a secure and nature-enhancing boundary treatment along the western boundary of the site. All I can see is a very sick looking oak sapling, which will die very shortly.

A tree and a hedge along the sites western boundary was approved and planted. We are awaiting confirmation from our Landscape Team as to the condition of this planting and whether it requires additional planting to enhance it. This will report in a supplementary report.

In the Supplementary Information, put before the Planning Committee on 15th December 2010, it was stated under Traffic Safety 'the applicants have agreed to the payment of a financial contribution of £25,000 towards highway safety improvements in Preston Road. This sum will contribute towards new pedestrian crossings and signage. Was this financial contribution ever paid? If so, where has it gone! No new pedestrian crossing or signage is evident.

This sum was paid however the works for which it was required have not been undertaken. The advice from the Council's highways officer is that if the school is to be retained and re-opened as a temporary school these works should be undertaken.

The committee report for the permanent provision of a school at this location would not be acceptable, as it would be contrary to planning policies that seek to safeguard school playing fields for sport and recreation.

This application is not seeking the permanent retention of the primary school – just for a period of less than a year to allow for the two class-rooms to re-open until the end of the current academic year (July 2014).

How temporary is temporary. December 2010 to September 2014 seems pretty permanent. How can it be certain that if the retention is allowed the time limitation will not be ignored again?

An extensive programme to expand school provision across the borough is currently under way. The applicant anticipates that this programme will be sufficiently advanced to not require the temporary school beyond the end of the current academic year. If the school is required for longer then it will require a further planning application that would be considered on its merits.

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Other Consultee comments:

Cllr Harshadbhai Patel, Member for Preston Ward. Objects on the following grounds:

- The temporary school was only approved on the condition that it remain in place for a maximum of 2 years. The school is already in breach of this condition.
- The granting of the original permission was against the policy CP18 – ‘inappropriate development of open space’ which was justified then on the grounds that there was a specific local need for a new primary school. However, since then a new primary school at Preston Manor has already opened and there are proposals in the pipeline to expand Preston Park School and open a new school at Strathcona. There is also a new reception/nursery in the old Preston Library building and the newly opened Wembley Primary School. It thus appears that there is no actual local need for the new school and that instead these new proposals will only serve children from outside of the area who will be schooled in Preston at the detriment of the local environment, transportation, noise, nuisance and inconvenience for those that live there.
- The financial contribution of £25000 for highway safety on Preston Road that was promised previously does not seem to have been utilised.
- All other objections to the previous application are as applicable today as they were then and there are no discernible new reasons why this application should be passed.

Environmental Health - According to their records, there does not seem to have been any complaints made to the department regarding the temporary Primary School. They do have a record of complaints relating to a school alarm going off and the use of a tannoy during a sports event, but this is believed to relate to the high school rather than the temporary primary school.

They therefore have no objections to the retention of a temporary primary school.

Transportation - Whilst there are no objections to this proposal in principle, this is subject to the previous conditions regarding bicycle parking, contributions towards local road safety improvements and a Travel Plan being complied with.

The Environment Agency. Raise no objections.

Sport England – Originally objected to the proposed retention of the school on the grounds that it would prevent the use of land that could be used as a playing field. Following the receipt of further information setting out the Council’s reasons for requiring the extension they subsequently removed their objection to a one year extension (only). Conditions must be imposed requiring the application to remove the temporary building at the end of the one year period and reinstate that land to fit for purpose playing field condition within 3 months of the removal of the building.

REMARKS

Introduction

A temporary school comprising a single storey modular building incorporating two classrooms, an assembly hall, staff room, medical area and ancillary office and storage space, located within the grounds of Preston Manor High School and accessed from Ashley Gardens was approved by planning committee in December 2010. It was to provide teaching for two primary school classes (60 places) for a period of up to two years or until the new permanent primary school located on the opposite side of Preston Manor High’s grounds (approved under planning reference 10/3203 in March 2011) was complete; whichever occurred first.

The new permanent school (Preston Manor Lower School) began admitting pupils in September 2011, at which time the temporary building should have been removed. While the temporary building was not removed it did cease operating as a school. The building has largely been vacant since that time apart from occasional use as a pupil assessment centre by Brent Admissions. The Council now wishes to re-open it as a primary school for up to 60 children until the end of the current academic year. Assuming that planning is granted and a successful outcome at the Lands Tribunal in January the Council will aim to reopen the school in January.

Purpose of seeking an extension:

The Council is proposing to retain the temporary school until the end of the current academic year (2013-14). It will provide up to 60 primary school places. A significant number of the original intake were local residents.

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That local need still remains.

Members were provided an update on restrictive covenants at Preston Manor and the on-going Upper Tribunal proceedings in the July 2013 Executive report. Officers did not want to presume the outcome of the decision and after seeking legal advice considered that for the benefit of the local community, it would seek a one year fixed term extension for the use of the temporary building for educational purposes. If at a later time, the Upper Tribunal order was against such a short-term use, then the building will be removed as soon as possible.

It is envisaged that the pupils would be transferred to permanently expanded schools from the start of the next academic year e.g. Preston Park Primary school is currently in the process of expanding by 1FE from September 2014.

The Executive approved the July 2013 report and planning permission is now sought for a 1-year extension (September 2013 to August 2014, pending planning approval).

The demand for school places, which the Council has a statutory duty to meet, has been exceeding supply on an annual basis. In May 2013 the Executive approved proposals to deliver a total of 26 classes of temporary primary school places which were identified as required in advance of permanent places being delivered in 2014-15. It was noted in the report that the number would be confirmed after full review, that the timescale posed a particular challenge to all of the proposals and that further analysis would be undertaken. Further analysis of the approved proposals was presented to the Brent Executive in July 2013, which showed that some previously approved proposals were not deliverable and proposed alternatives. It also raised the number of temporary classes required by 1 to 27 in total.

The school place demand for 2013-14 is supported by the actual number of applications being received for the 2013-14 academic year. 3799 on time applications were received by 15 January 2013 compared to 3717 on time applications during the whole current academic year 2012-13. As in 2012-13, the council was able to offer all on-time applicants a school place for September 2013. However, between the closing date on 15 January 2013 and 17 June 2013 a further 472 late applications were received (including 30 applications for non-Brent residents), compared to 712 late applications (including 49 applications for non-Brent residents) for virtually the whole 2012-13 academic year. This also represented an increase of 239 applications since the figure reported in May 2013. Typically late applications reduce during the summer months and increase again in September. Based on previous years' experience, late applications will continue to be received throughout the current academic year and account for a small but significant percentage of demand. Arrangements would then be made for those children who will have reached statutory school age in September 2013 and places offered to those children who are currently out of school.

In order to address the shortfall in classes to be provided in the previously approved proposals and to accommodate the increase in total number of classes required, a review of all available non-school buildings and sites was undertaken by the Schools Capital Programme team and the Strategic Property team with Children & Families.

From this review the temporary building at Ashley Gardens was put forward to the Brent Executive as part of the proposals to provide further temporary standalone school provision offering 60 KS1 places (not linked to Preston Manor school) for a period of one year only i.e. academic year 2013-14.

A large proportion of the proposed 60 pupils at the Ashley Gardens temporary provision are likely to come from the local community, of which many are likely to walk to the proposed provision. This is based on the data which suggests that 59% who originally attended the school when it opened in 2011 were from HA0 and HA9 postcodes.

Transport

The original consent required a financial contribution of £25,000 to be paid to the Transportation Unit to undertake highway safety improvements in Preston Road. While we are informed by the applicant that this money was paid the work was never carried out. This money was identified for safety improvements to the pedestrian refuges and signing in Preston Road. Any renewal of planning consent therefore again needs to be subject to payment of this sum towards highway safety improvements.

In addition, the original consent required an amended Travel Plan to be submitted to and approved by the Local Planning Authority. There is no record of this being done either and the Transportation Unit's School Travel Plan team has never been involved in the monitoring of any Travel Plan for this site. The Council's Transportation unit still think there is benefit in implementing a Travel Plan for the site, in line with other

schools in the Borough and this may be done in conjunction with the existing Travel Plan for Preston Manor School if considered appropriate.

Details of a covered bicycle stand for up to 6 bikes was approved but never implemented. Again if permission is to be granted for the retention and further use of the school this requirement should be complied with.

In conclusion, whilst there are no objections to this proposal in principle, subject to the previous conditions regarding bicycle parking, contributions towards local road safety improvements and a Travel Plan being complied with.

Landscaping

As part of the original permission for the temporary school the applicants agreed to plant a new English oak with a 12-14cm girth, with appropriate protection and a mixed hornbeam, beech and dogwood hedge. This planting was carried out but is struggling to establish itself. If permission is granted for the retention of the building a condition is recommended requiring measures to enhance the approved landscaping scheme including additional planting if necessary.

Impact on sport provision

As part of the permanent primary school development, the following agreed improvements to sports provision required by Sport England, have been implemented:

- a) resurfaced football pitches,
- b) a new national level hockey pitch,
- c) a new multi used games area
- d) a new sports hall
- a) an upgraded community cricket pitch.

Both the secondary and primary schools are making good use of these new sports facilities and they are also available for use by the general community.

The application for an extension to planning permission does not affect the school's existing/new playing facilities. At the moment, the school does not have any plans to create further sports areas in the remainder of the fields; hence the land where the temporary school is located remains surplus.

A large proportion of the temporary provision is an existing grass area which will be used by the primary children to play, hence supporting the additional use of playing fields for its intended purpose. The temporary building will be removed after the proposed extension period comes to an end and the land underneath reinstated to grass.

Neighbouring Amenity

The building complies with SPG17 in terms of the building massing in relation to neighbouring gardens. It is closest to properties fronting Ashley Gardens and Preston Road. The original approval required the planting of a hedge along the boundary between the school and neighbouring gardens. As discussed above this hedge was planted but on recent examination by the Council's Landscape officer has found to be struggling to become established. As suggested above, work should be carried out to enhance the existing landscaping if the building is to be retained.

As with the original consent any external lighting will be restricted by condition to ensure that there is no light back-spill into the residential gardens in accordance with Policy BE8.

Noise

The original application included a noise assessment. This demonstrated that proposed noise levels arising from the temporary accommodation would result in noise levels 5-25dB below the prevailing background noise levels with the windows open, and with the windows shut would be even lower, and at least 10dB below the background noise level. This would not result in noise nuisance to adjoining residences.

The neighbouring properties are already adjacent to the school field and will experience some level of external noise from the existing High School. Furthermore the temporary school is unlikely to generate a sufficiently high level of noise to cause nuisance, and will wish to maintain a good relationship with adjoining properties, and so would react to any complaint. In any case this could be monitored by the Council's Environmental Health team, which has powers to enforce reasonable noise levels should this become a problem. They have commented that no noise complaints were received in relation to the temporary school

while it was in use. As with the original consent a condition is proposed will restricting any noise-generating equipment such as air conditioning in order to avoid machinery noise nuisance to neighbouring dwellings.

Conclusion

Subject to the conditions set out at the end of this report and subject to a commitment to carry out the pedestrian safety improvement works discussed above officers recommend approval for the application to retain the building until September 2014.

Remarks Section from Committee Report for 10/2738

This application is for the erection of a temporary school for; to meet an identified need to provide education places within the Borough. The main planning considerations are as follows:

- *Community facility/ need*
- *Size and scale of proposed building upon surroundings including residential amenities, the school playing fields, boundaries and pitches*
- *Impact on open space and sports provision*
- *Transportation impacts*
- *Flood risk*

Demand for Primary Places

Changes in Brent's population has created increasing demand for school places. The number of four year olds on school rolls is expected to rise strongly over the next three to four years.

In 2009-10, Brent Council analysed the increased demand for places and added a further 68 reception places, at Anson Primary School (7) Park Lane (30) Newfield (30) Avigdor Hirsch Torah Temimah (1), providing a total of 3428 reception places. Despite adding new places, there remains a shortfall of reception places in the Borough. As of 29 July 2010, there were 164 children of primary school age without a school place for the 2009/10 academic year. For the 2010-11 academic year beginning next September, temporary provision for 135 additional reception places has been created in the following schools; Brentfield (30) Wykeham (30) Braintcroft (30) Islamia (30) St Robert Southwell (15).

Applications for reception places 2010-11 are up on last year with 3817 applications compared to 3583 for 2009-10. Since the closing date for applications a further 295 have been received, making a total of 4112 applications. More applications will have come in since the start of the academic year.

As of 15 September 2010, after the additional 135 temporary places are taken into account, 208 Reception children are still unplaced, with 40 vacancies overall in schools; this leaves a net shortage of 168 Reception places in the current academic year. New arrivals to Brent continue to seek reception places. Furthermore many places at Brent's faith schools are taken up by children from outside the borough.

There is also a mismatch between where vacancies exist and where unplaced children live. Most parents seek a local school for primary aged children. During 2009-2010 in some cases the LA has had to offer places up to 5 kilometres away from where children live as this was the nearest offer that could be made.

The LA consulted with primary schools in the borough to explore the possibility of increasing the number of school places. It has been evident that the demand for places would be greater than the number of available places. This assessment was based on the number of applications received by LA, the current forecast of student numbers and

feedback from schools. Subsequently, the LA reviewed capacity constraints at all primary schools and identified the maximum need for school places in local areas. Discussions have taken place with schools that were suitable and willing for expansion. This was followed by an initial feasibility assessment.

Preston Manor High School

The Local Authority has asked the governing body of Preston Manor High School to consider the proposal to expand the school by creating a new permanent two form of entry primary school to open in September 2011.

Preston Manor High School is a Foundation school using the admission arrangements set by the Governing Body. It offers non-denominational mixed gender places for students aged 11-19 years. Student numbers on roll at the school in the academic year 2009-10 are given below:

Number on Roll*	Y7	Y8	Y9	Y10	Y11	Sixth Form	Total
Preston Manor High School	251	250	223	231	228	298	1481

*January 2010 Census Data

Preston Manor High School has agreed to accommodate two Reception classes (60 places) on a temporary basis from January 2011 until the end of the academic year. The temporary accommodation is the subject of this planning application, and is to be sited adjacent to Ashley Gardens.

A further planning application is likely to be submitted in the near future for the creation of the proposed permanent primary school. The proposed accommodation for the two form of entry primary provision would be of a permanent high quality modular construction and is expected to be situated at the north end of the school site with its own dedicated access from Carlton Avenue East. The proposed position is on land currently little-used by Preston Manor High School. If this future planning application were to be accepted, Preston Manor would offer two form of entry primary provision from September 2011. This would mean that the school would admit two form of entry (60 students) in the reception year from January 2011 and this cohort would progress to Year 6 by September 2016, after which they would transfer to the high school.

The proposed use

The application proposes the erection of a temporary primary school in the grounds of Preston Manor High School to be accessed from Ashley Gardens and comprising a single storey modular building incorporating two classrooms, assembly hall, staff room, medical area and ancillary office and storage space. The use of an existing school site for the provision of education facilities is acceptable and complies in principle with Policy CF10.

The proposed siting within the school playing field

The temporary school is proposed within the school grounds of Preston Manor High School. The school is to be run in conjunction with the established High School, under the same Headmaster. The site is within the western part of the school playing fields.

Brent's Core Strategy places great emphasis on the protection of Open Space. Policy CP18 states that "inappropriate development" of open space should be resisted. This is defined as any development harmful to the use or purpose of open-space unless very special circumstances apply. It has been demonstrated that there is a specific local need for a new primary school. The applicants have explained in supporting documents that other siting options were explored but were discounted. In addition the new primary school is functionally linked to the existing High School on site. The siting will allow a new pedestrian access from Ashley Gardens. The applicants consider the siting minimizes impact upon the existing High School's operation.

The "Brent Outdoor Sports Audit" by Ashley Godfrey Associates 2008 revealed that the school currently benefits from two Senior Football Pitch, (74% + 73%,) one Junior Football Pitch (61%), and 3 Tennis courts (78%.) Since that survey a new sports hall have been provided on site.

The applicants have provided revised drawings that demonstrate that the existing pitches on site are to be retained. They confirm that the proposed temporary primary school site has not been used by the High School for recreation recently. They have provided information that demonstrates that the school still has an appropriate level of play area. The supporting documents demonstrate that the current operation of the school will not be harmed by the application. The applicants have confirmed that the proposed siting of the temporary school will not impinge upon the High School's ability to expand in the future in compliance with Policy CF10 of Brent's Unitary Development Plan 2004. It is therefore not considered appropriate to refuse the current children's centre application on the grounds of harm to the schools potential future expansion.

The site is in an area not currently used for sports or recreation and is not marked out as a pitch at any time of the year. The application does not result in the loss of a pitch but nevertheless will take up land that has potential to form a pitch. In order to comply with PPG17 the applicants would need to demonstrate that the playing fields are surplus to requirements. Whilst the site area is not actively used by the school, there is a deficient of pitches within the Borough of Brent. This deficient is identified within the Council document "Planning for Sport and Active Recreation Facilities Strategy 2008."

Furthermore Sport England has issued a PPS that prevents building on pitches or playfields with the potential to form pitches. In order to comply with Sport England's policy guidelines, the applicants would need to demonstrate that the proposal is one of the 5 identified exceptions to building on playing pitches. Sport England raised objections to the proposal as originally submitted, and comment that the proposal cannot be considered as one of the 5 exceptions. However, Sports England have confirmed that as the school is to meet a dire need in the Borough to provide education to children currently out of school, they will consider removing their objection if the planning permission granted is only temporary, for up to 2 years and thereafter the site would be returned to playing fields. The applicant has agreed to this condition and Sport England have now removed their objection. It should be noted that the proposed temporary school is likely to bring permanent drainage improvements to the area, which are considered to improve the quality of the playing field locally after the temporary school has been removed.

Design

The proposed new buildings are single storey and with two number 68sqm classrooms and one 97sqm multifunction hall presented in an L-Shape. The building's external skin will be plastic coated steel laminated exteriors. The cladding proposed is in a beige and green finish. This is a standard approach on school sites, and is acceptable for a temporary building. The building is designed with a pitched felt roof. The applicants were asked to consider a green roof, to improve the building's sustainability. However the applicants have advised that given the budget and timeframes required to implement this temporary accommodation this is not feasible.

Impact of the building upon neighbouring residential amenities

The proposed building complies with SPG17 in terms of the building massing in relation to neighbouring gardens. It is closest to properties fronting Ashley Gardens and Preston Road. The applicants have suggested a green palisade fence to the boundary of the residential properties. Your officers have requested that the applicants consider a more substantial boundary treatment, as an alternative to the palisade fencing. It is used around the Pavilion in the vicinity of the site, but it is not considered to be very neighbour-friendly immediately adjoining residential gardens.

A hedge is seen to be a more robust boundary treatment as there is not a standardised boundary finish along this site edge. Feathered whips (Hornbeam, Beech and Dogwood) planted in a double-staggered row at 500mm centres, protected by chestnut pale fencing would suffice. With regards to the additional oak trees, it is considered that future tree stock in appropriate positions (5m-10m from boundaries) will not incur onto future pitches as the existing oak tree and substation are located here. The applicants have requested that this be dealt with by way of condition, which is acceptable.

Any external proposed lights will be restricted by condition to ensure that there is no light

back-spill into the residential gardens in accordance with Policy BE8. This ensures that neighbouring amenities are not harmed by the development.

Noise

The applicants have submitted a noise assessment. This demonstrates that proposed noise levels arising from the temporary accommodation will result in noise levels 5-25dB below the prevailing background noise levels with the windows open, and with the windows shut would be even lower, and at least 10dB below the background noise level. This would not result in noise nuisance to adjoining residences. The Noise Assessment further states that if noisy activities levels are high, windows could be closed to reduce levels lower. This is not considered reasonable. The consent would be limited to 2 years, so there would only be the higher noise levels in this part of the grounds associate with a temporary primary school on a short-term basis. The neighbouring properties are already adjacent to the school field and will experience some level of external noise from the existing High School. Furthermore the temporary school is unlikely to generate a sufficiently high level of noise to cause nuisance, and will wish to maintain a good relationship with adjoining properties, and so would react to any complaint. In any case this could be monitored by the Council's Environmental Health team, which has powers to enforce reasonable noise levels should this become a problem. A condition will restrict any noise-generating equipment such as air conditioning in order to avoid machinery noise nuisance to neighbouring dwellings in accordance with policies H22 and EP2.

Transportation issues

The site lies at the end of Ashley Gardens. On-street parking in Ashley Gardens is generally unrestrict

, although the area is within the Wembley Stadium event day protective parking scheme, whereby on-street parking on event days is restricted to residents' permit holders only. Public transport access to the site is moderate (PTAL 2), with Preston Road Underground station (Metropolitan line) within 960 metres (12 minutes' walk) and four bus services within 640 metres (8 minutes' walk).

Car parking allowances for educational uses are set out in standard PS12 of the adopted UDP 2004. This allows up to one space per five staff, plus an additional 20% for visitors. As such, no more than two spaces should be provided for this temporary school. Use is proposed to be made of two standard spaces and one disabled space within the existing BACES 31-space car park. This approach is acceptable in principle and will also satisfy requirements for disabled parking policy TRN35. Standard PS16 requires the provision of at least one bicycle parking space per ten staff, so at least one such space will be required. Further details of bicycle parking provision are therefore required as a condition of any approval. The applicant has provided an indicative area where cycles will be stored.

Refuse and recycling collection will be managed through the extension of the service already being provided to the BACES Adult Education Centre and Nursery. Appropriate receptacles will be housed within the school boundary in the area indicated on the revised plan. This complies with policy TRN34 of Brent's Unitary Development Plan and the provision of the bin store will be required as a condition of any approval.

The Council's Highway Engineers require that the remainder of the BACES car park be made available for parents that do bring children to the school by car to use to set them down and collect them at the start and finish of the school day in order to minimise congestion in Ashley Gardens, particularly since the road does not benefit from a turning head. The applicants have confirmed that this setting down area will be created, and this will be a condition of approval.

Given the sensitivity of this proposal, a Transport Statement has been prepared by Capita Symonds Ltd. and submitted in support of the application. This has assessed the likely trip generation and modal split for journeys to and from the school. This assessment has been based on data held on the TfL database (TRAVL) for two schools in Northwest London (Maple Walk in West Kensington and nearby Wembley Manor in East Lane). However, only the latter of these is considered suitably representative of this site, as Maple Walk has all the locational characteristics of an inner London school, rather than

an outer London school such as this. As such, the Highway & Transport Delivery Unit has discarded the data from Maple Walk School in vetting this application and has instead applied only data from Wembley Manor School to this site.

The Wembley Manor Primary School survey (undertaken in 2006) showed 50% of staff driving and 32% of pupils being driven to the school by car. Applied to this proposal, three staff could be expected to travel as car drivers and 19 pupils to arrive and depart as car passengers, which is considerably greater than the estimated figures given in the Transport Statement. Nevertheless, even these more robust estimated traffic flows are not considered to be large enough to give rise to any capacity problems at the junction of Ashley Gardens and Preston Road (given that Ashley Gardens is otherwise very lightly trafficked), so the proposal is still considered generally acceptable in traffic generation terms by the Council's Highway Engineers.

However, it should be noted that the junction of Ashley Gardens onto Preston Road, being on the inside of a bend, has substandard sightlines (2.4m x 35-40m) in either direction. The accident history of the junction has therefore been examined for the last 36 months, which shows just one personal injury accident over that period relating to a bus braking sharply and thereby injuring a passenger. Nevertheless, the junction is considered unsuitable for use to serve a major school in the future and for this reason, this permission should be very strictly capped at a maximum of 60 pupils for a temporary two-year period only. Pupil numbers will be restricted by a condition.

Pedestrian access to the site has been given very little consideration in the Transport Statement, even though the figures supplied suggest that walking trips to the school could make up more than 50% of total trips to the site. All that was shown on the original site layout plan is a footpath from the BACES car park that emerges at the rear of a line of car parking spaces, which would be likely to be obstructed. Furthermore, the lack of existing continuous pedestrian routes into and through the BACES car park makes the provision of the pedestrian access in this location unacceptable in pedestrian safety terms. Aside from this, the addition of extra vehicular traffic into and out of the BACES Centre would also be likely to compromise pedestrian safety at the site entrance amongst visitors (particularly nursery children).

To address this, a revised site layout plan has been submitted that includes a pedestrian footpath directly from the end of Ashley Gardens into the school building. This is welcomed and will avoid any need for pedestrians travelling to the school to walk through the BACES Centre car park or its narrow access gates. This revised plan is considered acceptable by the Council's Highway Engineers.

Further afield, the lack of pedestrian crossing facilities on Preston Road at the Ashley Gardens junction causes the Council's Highway Engineers to be concerned. At present, there are traffic islands on either side of the staggered crossroad junction with Ashley Gardens and St. Augustine's Avenue, but these do not have dropped kerbs or tactile paving so are not currently suitable for use by parents with children and pushchairs. It is essential that this is rectified if a school is to be accessed from Ashley Gardens, even for only a temporary period. In addition, school warning signage will be required on Preston Road to give warning of the presence of schoolchildren. To cover the likely cost of these works, a financial contribution of £25,000 will be required. The applicants have indicated that they will pay this £25,000 through a head of term of an associated s106.

Finally, to help to minimise the traffic impact of the proposal, a School Travel Plan has been prepared. This includes information on the site (based on the information set out in the Transport Statement) and includes a set of measures to be introduced to help to reduce car use amongst parents and staff, to be implemented by a Travel Plan Co-ordinator. However, the proposed measures are limited in extent (no mention of season ticket loans for staff or car parking management), whilst the plan is also particularly weak in terms of setting targets for future car use, or stating how the plan will be secured or funded. As such, it has scored a FAIL using TfL's ATTrBuTE assessment programme. An improved Travel Plan is therefore required and the applicants have agreed that this will be secured as a s106.

Flood Risk

Document Imaged

The site area is less than a hectare within Flood Zone 1. In accordance with PPS25 on Development and Flood Risk, the development only needs to consider good practice on drainage. The Environment Agency raise no comments to this specific proposal.

Other matters

The site is close to an electricity substation; accordingly the applicant has been asked to clarify whether electromagnetic radiation has been considered. The Health Protection Agency has confirmed that the magnetic fields around local area substations are measured at a maximum of 10 microtesla, which is much less than the ICNIRP reference level of 100 microtesla which is regarded as the safe limit for public exposure. It also states that at a distance of between 5- 10m from the substation boundary fence, magnetic fields from substations were undetectable. The proposed temporary school building is set at 14 metres away from the substation and is therefore not considered to be at risk. The statement suggests that there is absolutely no risk to occupants of the school and no special measures are needed, On the advice of the consultant the applicants have agreed to ensure that the boundary fence is set 5 metres from the edge of the substation to safeguard children at play.

The site incorporates a large, established oak tree. The Council's Arboricultural Officer has assessed the submitted tree report by Landscape Planning that is considered to deal comprehensively with all the details relating to protection of T1 Oak. He concludes that provided Landscape Planning's tree protection specification is adhered to, the tree should not be at risk. The tree protective measures specified in the report will be conditioned. A new tree will also be required, in order to provide a future replacement for the existing sizeable tree and contribute to local visual amenity.

Local residents have raised concerns about the number of consultations and contradictory dates that they have been consulted upon. This is because the Council is statutorily required to consult neighbouring residents under the Town and Country Planning Act 1990, as amended, regarding the planning application 10/1738 for a proposed temporary school in the grounds of the High School.

The document entitled "Statutory Notice" is notice under the Education and Inspections Act 2006 of the changes to the school from the School Governors. There have been three public forums where parents and residents have been invited to air their views by the Schools and Families department. Two of these sessions (parents and residents) took place at Preston Manor School on 13th October 2010, the third at the Wembley Area Forum on 20th October 2010 and a fourth on 29th November 2010 at Preston Manor School. These sessions have been arranged to address both the temporary and permanent proposals from an education perspective. The Council's Children and Families department has also provided the following response to the specific question regarding consultation on the temporary proposal. "The Local Authority has a statutory duty to provide sufficient school places in the borough. As stated above, 72 Reception aged and 29 Year 1 aged children are currently without a school place. Where permanent expansion is not feasible or whilst waiting for such an expansion to be completed, it is necessary to provide temporary places to ensure that all children in the borough are allocated a school place. Borough wide consultation on such schemes is not always feasible due to the urgent need associated with such additional provision, however, an agreement with the expanding school and its governing body is always sought. This includes the schools which have an Academy, Foundation or voluntary aided status."

Local residents have raised concerns about the proposed catering strategy for the school. The applicants have confirmed that meals for the temporary reception classes would be produced in the main High School kitchens and moved to Ashley Gardens by Brent Transport, where they will be served to pupils in the multi-function hall using retractable tables. All pupils will either eat school meals or bring a packed lunch. The catering proposal is to prepare meals in the main school kitchens and transport to Ashley Gardens by Brent Transport. The multi-function hall will have retractable seating for use during meal times. Being of reception age, all children will be kept within the confines of the site during break times. It is proposed that existing arrangements for the BACES Centre at Ashley Gardens will be extended to cover the waste and recycling created by the temporary school

Conclusion

The proposed temporary school is for a finite period only, (maximum 2 years,) in order to meet a recognised need to provide education for primary school aged children within the Borough. The proposed temporary school is on balance considered acceptable provided it is for a temporary period only, allowing the playing field to be reinstated following the temporary school's removal. The applicants have demonstrated that subject to a legal agreement, the proposal will not harm the local highway network as contributions will be made towards pedestrian crossing improvements on Preston Road, and signage, in addition to providing a new pedestrian footway to the site from Ashley Gardens. In order to ensure that the impact of the temporary school is acceptable on local amenities and the highway network, the number of students who may attend the school will be limited by condition to 60. The applicants have demonstrated that the proposal will comply with local and national planning policies, and accordingly approval is recommended.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Planning Policy Guidance 17 – Planning for open space, sport and recreation
Planning Policy Statement 25 – Development & Flood Risk
Planning Policy Statement – A sporting future for the playing fields of England
Brent Unitary Development Plan 2004
Brent Core Strategy 2010
SPG17 - Design Guide for New Development
SPG12 – Access for disabled people, designing for accessibility

CONDITIONS/REASONS:

(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):

Arboricultural Method & Materials Statement - Sept 2010
Design & Access Statement
Temporary Accommodation Noise Assessment
Preston Manor Temporary Reception School Travel Plan
Preston Manor Temporary School Transport Statement
113130/001RevB
113130/002RevB
2K1009-11/P(C) plan
2K1009-11/E(C) elevations
2K1009-11/RP
Letters from Watts dated 26/11/10
Elite Systems samples

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

(3) No more than 60 children shall be present on the site at the same time unless the Local Planning Authority agrees in writing to an increase.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties or harm the local highway network

- (4) This permission shall be for a limited period of 1 year only, expiring on 13/11/2013 . Thereafter all buildings, all hard standing areas and any temporary boundary treatments shall be removed from the site, and the playingfield grass shall be made good across the site, in the positions that it is currently, with the additional soft landscaping planting unless otherwise agreed in writing by the Local Planning Authority

Reason: The building are temporary in nature only and would be contrary to design, highway and playingfield protection policies and therefore could not be supported on a permanent basis

- (5) Prior to the re-occupation of the temporary school the cycle parking details approved under planning reference 10/0722 shall be installed unless the Council agree in writing to an alternative arrangement.

Reason: To ensure the adequate provision of cycle-parking to promote the use of non-car modes of access to the site.

- (6) No external lights shall be erected unless otherwise agreed in writing by the Local Planning Authority through the submission of details, which shall then only be implemented in accordance with the approved details

Reason: In order to safeguard local residential amenities

- (7) No new plant machinery and equipment (including air conditioning systems) associated with the proposed development shall be installed externally on the building without the prior written approval of the Local Planning authority. Details of the equipment and the expected noise levels to be generated, shall be submitted to and agreed in writing by the Local Planning Authority prior to installation, unless agreed otherwise in writing by the Local Planning Authority, and thereafter shall be installed in accordance with the approved details and maintained in accordance with the relevant manufacturer's guidance
The noise level from this plant together with any associated ducting, shall be maintained at a level 10 dB (A) or greater below the measured background-noise level at the nearest noise-sensitive premises. The method of assessment should be carried out in accordance with BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas". Should the predicted noise levels exceed those specified in this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: In order to ensure adequate insulation and noise mitigation measures and to safeguard the amenities of adjoining occupiers and future occupiers

- (8) Any development on site including the removal of temporary buildings/ paths/ hard surfacing and/or demolition shall comply with the measures set out within the approved Arboricultural Statement. This includes provision for supervision of tree protection by a suitably qualified and experienced arboricultural consultant.

Reason: To ensure retention and protection of the sizeable oak trees on the site in the interests of amenity.

- (9) No new plant machinery and equipment (including air conditioning systems) associated with the proposed development shall be installed externally on the building without the prior written approval of the Local Planning authority. Details of the equipment and the expected noise levels to be generated, shall be submitted to and agreed in writing by the Local Planning Authority prior to installation, unless agreed otherwise in writing by the Local Planning Authority, and thereafter shall be installed in accordance with the approved details and maintained in accordance with the relevant manufacturer's guidance
The noise level from this plant together with any associated ducting, shall be maintained at a level 10 dB (A) or greater below the measured background-noise level at the nearest

noise-sensitive premises. The method of assessment should be carried out in accordance with BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas". Should the predicted noise levels exceed those specified in this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: In order to ensure adequate insulation and noise mitigation measures and to safeguard the amenities of adjoining occupiers and future occupiers

- (10) Prior to the re-occupation of the building a scheme to enhance the landscaping approved under reference 10/0722 shall be submitted to and have approved in writing by the Local Planning Authority.

The approved scheme shall be implemented within 3 months of this decision or in accordance with a programme agreed in writing with the Local Planning Authority. Any existing boundary treatment shall not be uprooted or removed except where in accordance with the approved plan and shall be protected from building operations during the course of development. Any permanent planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To safeguard the character of the area and the reasonable residential amenities of local residents.

- (11) Prior to the re-occupation of the building the applicants shall submit a Travel Plan for the proposed temporary school, which shall also have regard to the existing Travel Plan for the High School. This shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be monitored on an annual basis and the results of the ITrace-compliant monitoring incorporated into the submission requirements below:

)Within 3 months of occupation, the Travel Plan shall be audited, with a site and staff ITrace-compliant survey and these details shall be submitted to the Local Planning Authority and approved in writing within 6 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority

A review of the Travel Plan measures over the first 9 months of operation shall be submitted to the Local Planning Authority within 15 months of the commencement of the use and the review shall be approved in writing within 18 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Hannah McCashin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2707