

**Committee Report
Planning Committee on 7 June, 2011**

**Item No. 2/06
Case No. 10/2389**

RECEIVED: 20 September, 2010

WARD: Queen's Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Islamia School Centre, 129 Salusbury Road, London, NW6 6PE

PROPOSAL: Erection of a part two-storey and part three-storey primary school building with a playground at roof level

APPLICANT: Mrs Zahida Shaheem

CONTACT: Marks Barfield Architects

PLAN NO'S:
See condition 2

For clarification, this planning application was previously reported to the Planning Committee meeting held on the 15th December 2010. At the meeting the Planning Committee resolved that planning permission should be granted for the development, subject to the completion of a satisfactory s106 legal agreement. However, before planning permission could be issued by the Council a Judicial Review Pre-Action Protocol Letter (hereafter referred to as the JRPPL) in response to the resolution to grant planning permission was received from Forsters LLP on behalf of a group of local residents called 'We Love Queen's Park'. Having considered the content of the challenge the Council decided not to act on Members previous resolution to grant planning permission. For the avoidance of doubt, a summary of the grounds contained within the JRPPL, and the Council's response to these grounds, is provided below:-

- The Council failed to consult on amendments to the application in breach of its own Statement of Community Involvement

The proposals submitted within the planning application were subject to minor changes prior to the application being reported to Planning Committee on 15th December 2010. The JRPPL contends that the Council were required to formally re-consult on the changes and failed to do so. Whilst Officers would still contend that no additional public consultation was required as the changes constituted minor alterations to the development, in order to address this issue further public consultation has been undertaken on the proposals contained within the planning application, as amended. Furthermore, additional statutory notices have been displayed/published in response to concerns regarding the sites proximity to Listed structures and Conservation Areas. Further details are contained in the "Consultation" section of this report.

- The Council failed to state in the committee report how the requirements of the Statement of Community Involvement have been satisfied in breach of the legitimate expectation created by the Statement.

A summary of all public consultation undertaken by both the Council and the applicants, in accordance with the Statement of Community Involvement (SCI), was presented in the previous Committee reports along with a summary of responses received. As such, whilst no explicit statement has been provided of how the SCI requirements have been satisfied the consultation

has been carried out in accordance with the SCI. Reference to the requirements of the SCI is made under the "Consultation" section of this report.

- The Council failed to have regard to a material consideration, namely whether the scheme was viable and would be funded, as the consequence of granting planning permission for an unviable scheme would be to hinder planning permissions and development for other schools.

Officers previously stated in the Committee report that the issue of funding was not a material planning consideration and it is now acknowledged that this was incorrect. This issue is now properly addressed in the "Funding Issues & Delivery of the Project" section of the report.

- The Council have failed to adopt an Environmental Impact Assessment screening opinion, contrary to the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

Following the submission of the planning application the boundary (the "red-line") was amended by the applicant in order to allow for the imposition of planning conditions on land which had previously fallen outside of the planning application site. In doing so the size of the site was increased to exceed the 0.5ha threshold for urban development's beyond which the Local Planning Authority are required to issue a screening opinion as to whether they consider that an Environmental Impact Assessment (EIA) of the proposal should be submitted as part of the planning application. Having increased the size of the application site, the applicant has requested a screening opinion from the Local Authority and this has now been issued and made available for public inspection on the Council's website. In the opinion of the Local Planning Authority, having regard to the characteristics of the development, its location and potential impact, the Local Planning Authority does not consider that the proposal requires an EIA. Further reference to the screening opinion is made in the "Sustainability" section of the report.

- The Council failed to provide the public notice of the application to English Heritage in breach of Regulation 5A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990

Whilst Officers had previously been of the opinion that formal consultation with English Heritage was not required in this case, English Heritage have now been formally consulted on the application by way of a letter dated 6th April 2011. A formal response, dated 18th April 2011, has been received stating that the recommendation of English Heritage is that they do not wish to offer any comments on the application and that the Local Planning Authority should determine the application on the basis of national and local policy guidance. As mentioned above additional statutory notices have been displayed/published due to concerns regarding the proximity of the site to Listed structures and Conservation Areas. Further reference is made to this in the "Consultation" and "Remarks" section of the report.

- The Council have failed to make the proposed planning obligation available to the public.

In response to the above concerns, a draft copy of the proposed planning obligation has been made available for public inspection, since 19th April 2011, on both the physical planning file and the planning application page of the Council's website. The draft agreement has not been updated since the 19th April 2011.

Having addressed the above issues raised in the JRPPL Officers are now reporting the application to Planning Committee for Members to consider the application again. Officers confirm that the proposals previously reported to Planning Committee on the 15th December 2010 remain unchanged although Members are obliged to reconsider the planning merits of the proposals in their entirety without giving any weight to the previous resolution. For clarity, the main changes between the previous and current Committee reports are indicated in *italics*. However, Members are advised to review the entire report in order to refresh themselves with all of the issues to be considered.

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal & Procurement

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Prior to Occupation submit, gain approval for and adhere to a Community Access Plan, which includes details of community accesses to the development, particularly the Gym facilities which shall be made available to any community groups for not less than 20 hours a week, at rates covering administration costs only and not more than other Council facilities.
- A financial contribution of £10,000 towards the highway works, including bus cage works and the reinstatement of the footway adjoining the school, required to mitigate the impact of the development on local transport infrastructure and provide street tree planting, index-linked from the date of committee and due on Material Start.
- Sustainability – BREEAM Excellent Construction Assessment and Certificate shall be submitted prior to occupation; achieve 50% on the Brent Sustainable Development Checklist, demonstrated through submission of a Detailed Sustainability Implementation Strategy prior to construction; compliance with the ICE Demolition protocol, demonstrated by submission of an independent report detailing demolition and new build material use and recycling; and 20% on site renewable energy details to be submitted and approved, which shall be maintained throughout the lifetime of the development.
- Join and adhere to the Considerate Constructors scheme.
- Prior to Occupation, submit gain approval for and adhere to a Travel Plan.
- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

The subject site, located towards the northern end of Salusbury Road on the eastern side of the street, has an area of a little over 0.5ha and is currently occupied by both the Islamia Primary School and the Islamia Girl's Secondary School. The existing school buildings on the site comprise of the original part two, part three storey Victorian school building located generally towards the northern side of the site and along the north-eastern boundary. Since, the application was previously reported to Planning Committee, a number of smaller buildings on the site have been demolished. For the avoidance of doubt the act of demoltion, in this instance, does not appear to require planning permission. The central area of the site is generally occupied by the existing playground with a small car-park located on the southern tip of the site.

Due to the expansion of pupil numbers in 2007, the Islamia Primary School also currently lease classroom accommodation at nearby Winkworth Hall, located on the western corner of the junction between Salusbury Road, Chevening Road and Brondesbury Park, some 100m to the north of the site. At present all pupils are dropped off and collected from the main school site with pupils

escorted in groups to the overspill classrooms as necessary. The lease on the accommodation at Winkworth Hall is due to expire in July 2012. Winkworth Hall also provides the accommodation for the Hopscotch Nursery whose lease expires in July 2013.

The site fronts on to Salusbury Road, a local distributor road running from north to south connecting the largely residential area of Brondesbury Park to the north with Queen's Park town centre in the south. The opposite side of Salusbury Road, facing the subject site, has a predominately residential character, underpinned by a terrace of three storey Victorian properties. Beyond the rear of these properties lies the Queen's Park Conservation Area, a Victorian residential estate arranged around a centrally located park. Towards the rear, the subject site adjoins the boundary with Paddington Cemetery, a Registered Park and Garden and Conservation Area, at the centre of which lies two Grade II Listed chapels. To the south of the subject site lies the Vicarage and the domed Inter-faith Centre/Church of St Anne's. Towards the north lies the Quadrant Business Centre, comprising of a mixture of office and light industrial uses.

For the avoidance of doubt, although located in close proximity to both the Paddington Cemetery and Queen's Park Conservation Areas, the subject site and other properties along Salusbury Road are not located within a Conservation Area.

PROPOSAL

The proposal would involve the erection of a new part two, part three-storey primary school building on the existing school site. The proposed building would adjoin the existing main school buildings on site. The proposed building would be constructed on the site of the existing playground and the single-storey dining hall, which has been demolished. As the proposal would involve building over part of the existing playground, the proposal involves the formation of a new playground on the roof of the proposed building.

HISTORY

The planning history for the site consists primarily of planning applications for minor extensions to the main school building (02/0981, 02/0586, 99/0202 & 92/0327)and the siting of a temporary classroom (00/0626), which has since been removed from the site. Most recently planning permission (10/1534) was approved on a temporary basis for the erection of a single-storey canopy structure to provide a covered play area.

POLICY CONSIDERATIONS

London Borough of Brent Core Strategy 2010

The following policies in the recently adopted Core Strategy are considered relevant to the current application.

CP17	Protecting and Enhancing the Suburban Character of Brent
CP19	Brent Strategic Climate Mitigation and Adaptation Measures
CP23	Protection of existing and provision of new Community and Cultural Facilities

London Borough of Brent Unitary Development Plan 2004

The following saved policies contained in the Unitary Development Plan are considered relevant to the current application.

BE2	Townscape: Local Context & Character
BE3	Urban Structure
BE5	Urban Clarity & Safety
BE6	Public Realm: Landscape Design
BE7	Public Realm Streetscape
BE9	Architectural Quality

BE12	Sustainable Design Principles
BE25	Development in Conservation Areas
TRN1	Transport Assessment
TRN3	Environmental Impact of Traffic
TRN4	Measures to Make Transport Impact Acceptable
TRN11	The London Cycle Network
TRN22	Parking Standards - Non-Residential Developments
PS12	Parking Standards: Non-Residential Institutions (Use Class D1) and Hospitals (Use Class C2)
CF8	School Extensions

**Supplementary Planning Guidance 17:- Design Guide For New Development
 Supplementary Planning Guidance 19:- Sustainable Design, Construction & Pollution Control
 Supplementary Planning Document:- s106 Planning Obligations**

The London Plan (Consolidated with Alterations Since 2004)

**PPS5: Planning & the Historic Environment
 PPG17:- Planning for Open Space, Sport & Recreation**

SUSTAINABILITY ASSESSMENT

As the proposal would involve the creation of more than 1000m² of floor space the application is classified as a 'Major Development'. Consequently regard needs to be had to advice contained in Supplementary Planning Guidance 19:- Sustainable Design, Construction & Pollution Control (SPG19) and, as such, the applicant has submitted a Sustainability Checklist as part of the application. The submitted checklist indicates that the development would score 78% which would give the development an 'excellent' sustainability rating. However, Council's Sustainability Officer has reviewed the checklist and has recommended that further evidence would be required to adequately demonstrate that this score could be achieved. The Sustainability Officer considers that subject to the submission of further evidence that the development should comfortably exceed the Council's minimum requirement, achieving a score in excess of 50% thus achieving at least a 'very positive' rating. It is recommended that the sustainability checklist score should be secured by way of a s106 legal agreement to ensure that the development would realise the predicted sustainability benefits of the proposal.

The design of the proposed development would incorporate a number of sustainability measures which seek to reduce the impact of the development in terms of its energy efficiency. These include the provision of both ground and air source heat pumps and solar PV panels alongside other passive measures which seek to reduce the developments overall CO² emissions. The applicant has submitted an energy report as part of the application which sets out that the above measures would achieve a 44.7% reduction in overall CO² emissions in comparison to the notional building which would comfortably exceed the London Plan target of achieving a minimum 20% reduction in CO² emissions. The applicant has also stated that they intend for the development to achieve a BREEAM 'excellent rating' which would comply with the targets set by policy CP19 of the Council's adopted Core Strategy. Again, in order to ensure that the development would realise the anticipated sustainability benefits it is recommended that compliance with these minimum targets are secured in a s106 agreement should planning permission be granted.

ENVIRONMENTAL IMPACT ASSESSMENT

The Council has produced a Screening Opinion, dated 21st April 2011, to determine whether the proposed development of the site would require an Environmental Impact Assessment (EIA) before development consent can be given. An EIA is usually required where development is likely to have a significant effect on the environment. The Council has considered whether the development is of

more than local importance, in an environmentally sensitive or vulnerable location, or whether it produces complex or hazardous environmental effects. The conclusion of a Screening Opinion is that the scheme does not warrant EIA.

AIR QUALITY

The subject site is located within an air quality management area (AQMA), as confirmed by the Council's Environmental Health Officer in their formal consultation response to the application. The Council's Environmental Health Officer has stated that although the site is located within an AQMA that they do not consider the development would pose a significant risk to air quality. Having reviewed the application the Environmental Health Officer believes that the submission of an air quality assessment should not be required as part of the application.

CONSULTATION

INITIAL PUBLIC CONSULTATION

In terms of statutory consultation on the planning application, consultation letters, dated 28th September 2010, were sent to 417 local addresses, Ward Councillors and the Queen's Park Residents Association. The application was also advertised as being 'In the Public Interest' by way of a number of site notices, dated 8th October 2010, displayed outside of the site and by way of a press notice, published on the 7th October 2010.

The applicants have also undertaken their own programme of consultation which has involved attending a local fun day, arranging meetings with key stakeholder's, including the local residents association, publishing an article on the proposals in the Brent Magazine and setting up a website to provide information on the proposals. Full details of the consultation to date have been provided in a consultation report submitted as part of the application.

Overall, it is considered that the initial consultation process has been carried out in general accordance with the Council's Statement of Community Involvement.

In response to the initial consultation, 178 letters of support and 268 letters of objection have been received (this is an increase on the 249 letters reported to Members in the previous Committee Report as a further 19 objections were received in the period after the Committee meeting, held on the 15th December 2010, but before the "Further Consultation" described below). The objections include letters from the Queen's Park Residents Association and an action group called 'We Love Queen's Park'. In summary the concerns of the objectors include:-

- The proposed development, and absence of stop and drop facilities, would exacerbate existing parking and traffic problems within the vicinity of the school, particularly during school pick up/drop off times, and would harm pedestrian/highway safety.
- The site location is not suitable for a school intended to serve the entire Borough
- There is inadequate public transport for an enlarged school
- The proposed building would have an overbearing appearance, would overshadow Salusbury Road and would not be in keeping with the character of the surrounding area, including nearby Conservation Areas and Listed Buildings
- The increase in pupil numbers would exceed those stated in the planning application
- The proposal would constitute an overdevelopment of the site
- The proposed building would have a poor relationship with the neighbouring vicarage and Inter-faith/Church buildings causing harm to existing views, outlook and daylight.
- The proposed rooftop play area would cause unreasonable noise disturbance
- The proposed rooftop play area would be unsafe for pupils
- The use of the rooftop play area for ball games would require increased enclosure or would

cause highway safety problems.

- There has not been adequate consultation on the proposals
- The proposed school will be used as a place of worship outside of school hours
- The proposed building will not provide community access for those outside of the Islamic community.
- The proposals will harm existing trees
- The close proximity of a plant room to the Vicarage could cause problems of fumes and noise to neighbouring occupiers.
- The proposed development could have negative consequences for the funding of other school expansion projects.

The majority of the letters of support received highlight the existing shortage of school places across the Borough and welcome the refurbishment and expansion of the existing school. Practical problems with the existing split site arrangement and the existing sites lack of facilities, particular for pupils with special needs, have been set out as grounds of support for the application.

A letter, dated 1st December 2010, was sent to the 821 addresses, comprising of all of the original consultees and other registered objectors/supporters at that time, to inform them of minor design alterations to the proposals. The revised plans indicating these alterations have been displayed on the Planning Service website.

As the subject site shared a joint boundary with Paddington Cemetery both The Friends of Paddington Cemetery and the Garden History Society have been consulted. No response has been received.

Prior to the Planning Committee meeting held on the 15th December 2010, objectors raised concerns with regards to the reported figures, in terms of letters of support for the application, contained in the Committee report. The Planning Service will aim to acknowledge all letters received either in support or against planning applications and whilst every effort is made to ensure that the reported figures represent an accurate reflection of the degree of public support and/or objection to an application invariably, where there are a large number of responses, there is likely to be a marginal degree inaccuracy in the reported figures. Having been reported to Officers, a small number of duplicate letters of support have been removed from the consultation figures. Having inspected the responses Officers do not consider that there has been any deliberate attempt to significantly alter the reported public response to the application. The current figures held on the consultation response database indicate that there have been approximately 178 letters of support and 268 letters of objection. Officers would also like to clarify to Members that the majority of the letters of support received have come in the form of a standard letter where the main text is replicated but the letters are signed and addressed individually by the sender.

Objectors have mapped the location of public consultation responses which indicates that generally the objections received have come addresses clustered around the subject site whereas letters of support have generally been received from a wider area.

FURTHER PUBLIC CONSULTATION

In response to the JRPPL received by the Council, further public consultation has been undertaken. This included a new consultation letter, dated 18th April 2011, which was sent to 840 individuals, comprising of all those originally consulted on the planning application as well as all of those not originally consulted who have registered their objection/support to the application, as well as Ward Councillors and the Queen's Park Residents Association. The letter offers a period of 21 days to submit comments on the proposals, which had previously been subject to minor amendments, but also makes clear that all comments already received will be included in the report to Members (see above). In response 7 additional letters of objection have been received, including one from the Queen's Park Residents Association. The additional letters of objection generally reiterate existing concerns regarding the proposal which have been summarised above.

One letter raises concerns regarding the schools ability to successfully deliver projects and this concern will be addressed in the "Funding Issues & Delivery of the Project" section of the report.

A further letter of objection, dated 25th May 2011, was received from Forsters LLP on behalf of their client "We Love Queen's Park". The letter sets out that, whilst their client welcomes the measures taken to remedy some of the deficiencies identified in the JRPPL, they continue to query the funding and viability of the project and raise concerns that this issue has not been adequately considered by Members. This issue is now addressed in the current report (see "funding Issues and Delivery of of the Project").

Further statutory notices have been displayed/published in order to satisfy the requirements of sections 67 and 73 of the Planning (Listed Buildings & Conservation Area) Act 1990 for the advertisement of developments in close proximity to Listed Buildings or Conservation Areas. This includes the following.

- Site Notices, dated 7th April 2011, were displayed along the site frontage on Salusbury Road and at the sole public entrance to the Paddington Cemetery which advertised the development as being in close proximity to a building listed for its historic architectural or historic interest and to a Conservation Area. These notices were replaced on 11th May 2011 by new notices in order to ensure that the notices refer to section 73, as well as section 67, of the Planning (Listed Buildings & Conservation Areas) Act 1990.*
- A press notice was published on the 14th April 2011 advertising the development as "affecting a listed building".*
- A press notice was published on the 12th May 2011 advertising the development as affecting a Conservation Area.*

Any further representations received within the 21 day consultation period set out under these notices will be reported to Members in a Supplementary Report

ENGLISH HERITAGE

English Heritage has been formally consulted on the Planning Application by way of a notice dated 18th April 2011. In response English Heritage have confirmed that they do not wish to offer any comments on the application and have recommended that the application be determined in accordance with national and local policy guidance and on the basis of the Council's specialist Conservation advice (see below "Urban Design & Conservation Officer")

SPORT ENGLAND

It has been suggested by objectors that Sport England should have been consulted on the planning application as a statutory consultee. Sport England is a statutory consultee on all planning applications affecting playing fields, including applications affecting any land that has been used as a playing field in the last five years and any replacement of a grass pitch with a synthetic surface. A playing field is defined as the whole of a site that encompasses at least one playing pitch. Officers do not consider that the existing playground meets with the definition of a playing pitch, both in terms of use and in terms of size, and therefore it is not considered that statutory consultation with Sport England is required as part of the application. The Planning Manager at Sport England has (14 December 2010) endorsed this view.

INTERNAL CONSULTATION

TRANSPORTATION UNIT

The Council's Transportation Unit have considered the proposals in detail and have stated that they would not object to the application provided that the applicant enter into a s106 agreement confirming the adoption of the new Travel Plan. The Council's Transportation Unit would also expect the redundant vehicular crossover to be reinstated at the applicants' expense, secured by a

s106 contribution, and that the remaining vehicular access would comply with the Council's normal standards.

URBAN DESIGN & CONSERVATION OFFICER

The Urban Design and Conservation Officer has considered the proposals within the context of the surrounding area, including the historic context, and has expressed support for the application subject to agreement of suitable materials for external finishes.

LANDSCAPE DESIGN OFFICER

The Landscape Design Officer raises no objection in principle to the proposed development

TREE PROTECTION OFFICER

The Tree Protection Officer is satisfied that the development could go ahead with little or no impact to surrounding trees, provided that adequate tree protection measures are taken. The planting of three new street trees along Salusbury Road is welcomed.

ENVIRONMENTAL HEALTH

The Council's Environmental Health Officer has raised the noise from the playground and disturbance from construction works as potential issues. These issues will be addressed in the main report. The application site is within an Air Quality Management Area but not specific concerns have been raised (See "Air Quality" section of the report

SUSTAINABILITY OFFICER

Is satisfied that the development would exceed the minimum sustainability requirements for such developments. Has recommended that this is secured by way of a s106 legal agreement (See 'Sustainability' section of this report).

CHILDREN & FAMILIES DIRECTORATE

The pupil admissions unit have confirmed that the proposal is for a 2 form entry school accommodating a maximum of 420 pupils and that the capacity to accommodate a higher number is not being considered due to the site restrictions and resource constraints. The admissions unit have also confirmed that the school will be subject to a catchment area, south of the North Circular Road and bound by the Borough boundary. Applications from pupils residing within this catchment area will be given a higher priority than those residing outside. The Local Authority are able to monitor the implementation of this admissions policy to ensure that this is applied before any offers of places are made.

STREETCARE

No response received.

BRENT CEMETERIES

No response received.

REMARKS

SCHOOL EXPANSION

The Council's development policies, contained in the UDP and Core Strategy, set out a general

presumption in favour of the expansion of existing school facilities, particularly where this is required for the Council to meet their statutory obligations. Across Brent, as of the 29th July 2010, there were 164 unplaced primary school pupils and it is generally acknowledged that the existing demand for school places is most acute towards the south of the Borough. The proposed redevelopment and expansion of the Islamia Primary School is part of the planned expansion of five Borough Primary Schools which seek to address the current shortage of primary school places. The proposed development seeks to secure the permanent expansion of the Islamia Primary School to a two form entry school with 420 pupils.

In terms of previous expansion of pupil numbers at the school, in 2007, under the statutory process, the pupil numbers at the school were expanded from 210 to 350 pupils. This expansion was partly in response to the closure of the nearby Avenue School. For the current academic year, in response to the on-going lack of school places, the Council have requested the school to further increase their pupil numbers to 390 places. In order to accommodate these extra pupils the school has had to sacrifice their dedicated ICT suite. The current pupil population of 390 are accommodated within the existing school buildings and through the use of temporary accommodation at the nearby Winkworth Hall.

The proposed development would provide a new primary school building on the site which would allow the existing 390 pupils to be relocated from within the existing school building (299 pupils), currently shared with the independent Islamia Girls Secondary School, and from the temporary accommodation at Winkworth Hall (91 pupils). The redevelopment would also allow the existing pupils to be joined by an additional 30 pupils taking the overall number of pupils attending the Islamia Primary School to 420.

Whilst, it is acknowledged that the proposed development would only increase the overall primary school pupil numbers by 30 places, from the current 390 to a proposed 420, the potential to accommodate further pupils within the vacated accommodation also requires consideration. The accommodation in the existing school building could provide the potential to expand pupil numbers at the Islamia Secondary School in the future although it has been stated by the applicant that there are currently no plans to do so. However, given this potential, it is considered that any future expansion of pupil numbers on the school site would need to be controlled in order to ensure that the impact of any further expansion is properly considered and controlled through the planning process. As such, it is recommended that any permission for the proposed erection of a new primary school building should be subject to a condition limiting the existing number of pupils across the site to 580 pupils, equivalent to the current capacity of the Secondary school, stated to be 160 pupils, combined with the capacity of the proposed Primary School (420 pupils). The temporary accommodation at Winkworth Hall is currently leased to the school by Brent Council, and this arrangement is due to end in July 2012. Beyond this the proposed future use and/or redevelopment of the site would be at the discretion of the Council. The impact of any future development of Winkworth Hall would be considered under the provision of any necessary planning applications.

TRANSPORTATION

The site is accessed from Salusbury Road, a local Distributor Road, and lies within Controlled Parking Zone "KQ", which operates between 8am and 6.30pm Mondays to Fridays during which time on-street parking is generally restricted to permit holders only. There are also a limited number of pay-and-display spaces available both along Salusbury Road and in the nearby side streets. Public transport access to the site is good (PTAL 4), with Brondesbury Park and Queen's Park stations and two bus services within walking distance of the site. The subject site has an existing car-park that provides 18 spaces, 10 allocated to the Islamia Girls School and 8 allocated to the Islamia Primary School. The schools are also currently allocated a total of 22 business parking permits which are used to allow staff to park in on-street permit holder bays.

As with any proposal for the provision of a new or expanded school, the impact of the development on highway conditions, particularly during drop-off and collection times, is a key consideration. The proposed development would also result in the loss of the existing on-site parking facilities for staff and the impact of this on-street parking conditions in the surrounding area will also be an important consideration

The majority of objectors to the application have raised concerns regarding existing parking and traffic problems that are associated with the dropping off and collection of pupils from the school. Objectors are concerned that the proposed increase in pupil numbers will only seek to exacerbate existing problems. However, whilst it is considered inevitable that there will be some traffic and parking impact associated with the operation of a school, the applicants have indicated a willingness to improve the current situation and mitigate the impact of the additional pupil numbers through a number of measures set out in a new school Travel Plan.

A travel survey carried out in January 2010 indicated that at present approximately 76% of pupils and 54% of staff travel to the school by either car or carshare. If the proportion of pupils and staff travelling to school by car/carshare were to remain constant then it is expected that the proposed development would generate, on an average school day, an additional 26 trips to the school by car/carshare. The measures contained in the revised travel plan seek to reduce congestion around the school site during drop off/collection times and reduce the overall proportion of pupils and staff that travel to the school by private car in accordance with the targets set out below.

Pupil/Staff Travelling by car/carshare

	September 2010	3 Year Target (2013)	5 Year Target(2015)
Pupils*	76% (297)	66% (277)	58% (244)
Staff*	54% (30)	49% (30)	44% (27)

*note that from 2013 onwards total staff numbers increase from 57 to 61 and total pupil numbers increase from 390 to 420

These targets have been worked up in consultation with the Council's Transportation and are considered to be realistic and achievable provided that the measures set out in the Travel Plan are fully implemented. These measures include:-

- The implementation of an admissions catchment area, defined as being the area south of the North Circular Road, bound by the Borough boundary. This policy would seek to increase the proportion of pupils living locally to the school. Applications for potential pupils living within the catchment area would be given a higher priority than those who do not. The Council's Admissions Unit have confirmed that they are able to ensure that this policy is effectively applied (see 'Consultation').
- The school will actively promote sustainable methods of transport to the school through a number of programmes.
- A School Patrol will be set up whereby members of staff will help manage the drop off and collection of pupils from outside of the site.
- Carsharing database
- The introduction of a wide range of breakfast and after-school clubs. This initiative seeks to spread the arrival/departure of pupils across a greater period of time.

Objectors to the application have raised doubts regarding the effectiveness of the proposed school catchment area and have plotted the residence of the current pupils highlighting that many live outside of the proposed catchment area. It is acknowledged that currently there is no catchment area for the school and this, in part, has led to the dispersal of the current pupils. However, it has been confirmed by the Council's Admissions Officer that a catchment area will be applied to school applications from September 2011 To this effect from September 2011 admission would be prioritised on the basis of faith, siblings and the catchment area which over the course of time would increase the proportion of pupils living within a closer proximity to the school. Whilst, this catchment area would not affect existing school pupils, it would over the course of time seek to

increase the proportion of the pupils that live locally to the school thus reducing the need to travel to the school by car.

Objectors have also suggested that the school should consider the use of mini-buses in order to reduce the number of pupils being brought to the school by car. The applicants have confirmed that they have made initial enquires although at present the provision of a bus service is likely to be unviable due to funding issues and therefore this has not been included as one of measures with the current Travel Plan. However, following the implementation of the catchment area this may be a measure that could be given further consideration in the future

Following consultation with the Council's Transportation Unit, it is considered that the proposed Travel Plan should, at very least, mitigate the impact of the increase in pupil numbers on parking and traffic within the locality of the site in the short term, and would be likely to improve on the existing situation in the medium to long term. The Travel Plan would be subject to on-going review to ensure that the measures set out are sufficiently meeting the targets. If the targets are not met then the school will be required to consider further measures that can be incorporated to address any failings. Furthermore, the applicants have also agreed to incorporate a £20,000 penalty clause into the proposed Travel Plan which will be paid should the school fail to meet the targets set in the Travel Plan. The penalty clause would be split so that £10,000 would be required should the school fail to meet the 3 years targets with another £10,000 required should the 5 years targets also fail to be met. Officers consider that this indicates a firm commitment by the school to ensuring the successful implementation of the Travel Plan and a willingness to improve the existing impact of the school at drop off and collection times on local highway conditions. If required, these monies could go towards local highway improvements. It is recommended that in order to ensure that the Travel Plan is fully implemented and the targets met that any permission should be subject to the applicant entering into a s106 legal agreement containing an undertaking to implement and carry out an on-going review of the school Travel Plan, including the provision of penalty clauses if the targets are not met.

In terms of the loss of the existing on-site parking facilities, it is clear, given the on-street parking restrictions in the surrounding area, that some staff will need to seek alternative means of transport to and from the school and the measures set out in the Travel Plan will assist with this process. The Council's Transportation Unit have confirmed that they would not permit additional on-street parking permits to be issued to compensate for the loss of the existing parking facilities and this can be secured through the school Travel Plan. However, due to the absence of on-site parking, it is also noted that there would be no dedicated disabled parking provision for staff. If required, the Council would consider suitable proposals for providing such facilities on-street.

Concerns have been raised regarding the impact of the proposed development on highway safety within the locality of the site. An inspection of the personal injury accident data available for a 500 metre radius around the subject site shows that there have been five accidents within the vicinity of the site in the past three years. None of these incidents make reference to school related traffic and, in fact, one of these incidents occurred at the weekend. As discussed above, it is not considered that the proposals will result in a significantly increase of traffic and therefore it is considered that highway safety is also unlikely to be significantly affected.

The proposed school building would also be used for a range of community uses outside of the standard school hours (see the 'COMMUNITY USE' section of this report). However, these would generally be of a small scale and provide that they are incorporated into the Travel Plan it is considered that they would be unlikely to have a significant impact on the local highway conditions.

Ten secure bicycle parking spaces are proposed which would be double the Council's minimum standards for the Primary School. As the site is a primary school it is considered that pupils would be unlikely to use these spaces and that staff would be more likely to benefit from their provision.

Refuse bins will be stored within a dedicated store, located close to the main vehicular access to

the site. The Council's Transportation Unit consider these arrangements to be satisfactory

The Council's Transportation Unit have recommended that financial contributions are secured from the development in order to provide adequate infrastructure to mitigate the direct highways impact of the development. This would include contributions to provide street trees, reinstate redundant crossovers and amend the existing bus cage along Salusbury Road. The applicant has agreed to make a contribution of £10,000 in order to cover the cost of the required works. As discussed above, this contribution could increase through a penalty payment arrangement should the school fail to meet the targets of the Travel Plan.

URBAN DESIGN

The proposal envisages the construction of a part-two, part three storey school building, adjoining the existing school building which is also generally two to three storeys in height. The footprint of the building would generally take the form of a perimeter block set around a central courtyard. Towards the southern side of the site, the wings of the block are staggered to narrow the space between them and reduce the impact on the adjoining Vicarage building. Fundamentally, the main body of the building has a rather straightforward form with the interest and architecture expressed mainly through the elevational detailing and finishes. The most notable element of the proposed design is the angled prayer hall, located towards the north western side of the building. The angle of the prayer hall is designed to ensure that worshippers are orientated to face Mecca during prayers, a requirement of the Muslim faith, and this design element underpins the Islamic identity of the school. Furthermore, the dislocation of the prayer hall from the normal axis of the building is considered to add visual interest to the building. The main elevations of the prayer hall have been staggered in order to introduce a rhythm which will allow the prayer hall to sit more comfortably with the elevations to the main body of the building and reduced the perceived mass of this element. The building would primarily be finished externally with yellow stock bricks which are considered a wholly appropriate material within the context of the surrounding area.

In terms of the overall scale and massing, it is noted that the streetscene along Salusbury Road, with the exception of the Vicarage building, is generally characterised by buildings of two to three storeys in height. As such, it is considered that in scale and massing terms that the proposed development would respect the generally form of the existing streetscene. Whilst, it is acknowledged that the scale of the proposed building could be considered at odds with the adjacent Vicarage building, particularly in terms of its forward projection, it should be noted that the scale of the Vicarage itself is at odds with the general character of the streetscene and it is considered that the general difference in scale is further justified on the basis of the civic nature of the proposed building. On balance, although it is clear that there will be a significant change to the existing streetscene as a result of the proposed development, it is considered that this change would have an acceptable impact on the character and appearance of the surrounding area.

Concerns have been raised by objectors regarding the accuracy of the 3-D computer generated images (CGI) that have been submitted by the applicants although having been inspected by Officers it is considered that these provide a useful interpretation of the proposed building in its realised form. In any case, Members will be aware, whilst acknowledging the usefulness of CGI images, that the proposals should be considered on the basis of the plans listed in condition 2, recommended at the bottom of this Committee Report.

HERITAGE ASSETS

The subject site is located adjacent to Paddington Cemetery which is a Conservation Area and Registered Park and Garden. The character of the cemetery is under pinned by the Grade II Listed Chapels located at its centre. Whilst the subject site itself does not fall within a Conservation Area nor are any of the buildings on site Listed, it is important that the impact on the setting of these historic assets is considered as part of the assessment of the application. As such, the applicant has submitted a Heritage Assessment as part of the planning application.

The proposed development has been designed in order to avoid the need to carry out works to the cemetery wall which form part of the listing on the site. Instead, play walls will be erected within the break out play areas located adjacent to the cemetery wall, in order to provide a narrow separation between these play spaces and the cemetery wall. As well as preserving the character of the cemetery wall this would also avoid any damage to the wall as a result of the use of the proposed play spaces. As discussed above, the scale and massing of the proposed building is considered in keeping with the surrounding area and it is noted that the cemetery is surrounded by a number of other developments, both historic and modern, which could be considered to affect the setting of the cemetery in a similar, or in some cases, greater way. The impact of the proposed development on the setting of these historic assets has been thoroughly inspected by the Council's Conservation Officer who considered that the proposed development, due to its scale, siting and materials, would have an acceptable impact on the setting of the Conservation Area and Listed Buildings.

As set out above, English Heritage have been formally consulted on the proposals and they do not object to them stating that they do not want to offer any specific comments on the application. They have recommended that regard be given to national and local policy guidance and the Council's own specialist Conservation advice. On this basis, it is recommended that Members give substantial weight to the views expressed by the Council's Conservation Officer with regards to the likely impact of the development on nearby historic assets.

LANDSCAPING/PLAY AREAS

When considering the merits of the proposed landscaping and play areas on the site, Officers would refer Members to the guidance contained in PPG17: Planning for open space, sport and recreation and in particular highlight the guidance contained in paragraph 13 which states:-

“Development may provide the opportunity to exchange the use of one site for another to substitute for any loss of open space, or sports or recreational facility. The new land and facility should be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. Wherever possible, the aim should be to achieve qualitative improvements to open spaces, sports and recreational facilities.”

At present the play space for the existing primary school is provided by way of a dedicated hard surfaced play area and a larger tarmac playground, which is shared with the Secondary School. The existing total provision of play space is 1199m². The play areas for the proposed Primary School would be provided primarily by way of a roof top play area, a ground floor courtyard, smaller break out areas to the front and rear of the building whilst the pupils of the Secondary School would use the Morning Entrance Courtyard for recreational activities. Overall, the proposed provision of play areas would occupy an area of 1867.9m², whilst other external areas including a staff garden would bring the overall provision of external space to 2109m². As such, it is considered that in quantitative terms the proposed development would improve the overall provision of amenity and play areas.

Whilst it is acknowledged that the concept of a roof top play area is relatively uncommon within the Borough it should be noted that there are several examples across London of where the utilisation of roof spaces to provide play areas have been successfully achieved. The provision of a play area at roof level also has the added benefit of providing a more effective use of the available site.

In qualitative terms, a detailed landscaping scheme for the proposed development has been submitted as part of the application and this has been inspected by the Council's Landscape Design Team who consider the proposals suitable. In particular, the proposed rooftop play area would incorporate three character/activity zones that would allow pupils to run, play and climb

safely. The school have confirmed that the roof top play area would not be used for ball games and this would need to be secured by way of a planning condition if the planning permission were to be granted. The roof terrace would be enclosed by balustrade panels which are of a suitable height to ensure the safety of the pupils whilst respecting the character and appearance of the proposed building.

Objectors have argued that by imposing a condition on the roof top play area prohibiting balls games or other similar activities that the qualitative value of the overall play space provision is diminished from that of the existing. However, Officers consider that the qualitative value of the play spaces is best judged by those who they are intended to serve and it is noted that in the submitted Landscape Proposals (pages 5 and 6), provide details of the consultation undertaken with both pupils and staff in order to ensure that the spaces meet the demands of the intended users

As discussed in the 'consultation' section of the report, the proposals have been inspected by the Council's Tree Protection Officer who is satisfied that, subject to suitable tree protection measures during construction, that the development would not harm existing trees. The applicant has agreed in principle to make a provision for the planting of new street trees and a contribution to enable this would be included in to £10,000 to be secured as part of any s106 agreement.

IMPACT ON ADJOINING OCCUPIERS

In terms of the impact of the proposed development on nearby residential properties, the applicants have submitted a daylight and sunlight report, carried out in compliance with BRE guidance, which analyses the impact of the proposed building on the daylight and sunlight to the properties at 110-130 Salusbury Road, located opposite the site, and the adjoining Vicarage at 125A Salusbury Road. In terms of the impact on 110-130 Salusbury Road the report confirms that the potential impact on light would be in general compliance with the BRE standards. It is also noted by Officers, that a number of these properties are currently used to provide more temporary forms of residential accommodation. In considering the impact on the existing Vicarage, which is much closer to the proposed development the report noted that the proposed development would have a noticeable impact on the daylight to two side facing windows, one serving a kitchen on the ground floor and one serving a bedroom on the first floor. However, as the layout of the Vicarage is known, it has been confirmed that the rooms of that are served by these windows are also served by at least one other window with acceptable daylighting conditions. As such, the submitted daylight and sunlight report concludes that the proposed building would have an acceptable impact on the daylight to habitable room windows of neighbouring properties. In terms of sunlighting it is noted that the Vicarage is located towards the south of the proposed building and therefore unreasonable overshadowing would not occur.

Whilst it is noted that objectors have also raised concerns regarding the impact on daylight into the Inter-faith centre/Church it is noted that the centre is located to the southern side of the Vicarage building. As such, the proposed school building, being located to the north of the Inter-faith Centre, could not affect the sunlight to this building. It is also considered that the relationship between the proposed building and existing side windows to the Inter-faith centre, although not covered in the daylight/sunlight report, would comply with the Council's guidance contained in SPG17 and therefore any impact on daylight would be acceptable.

In terms of outlook, it is considered that the properties on the opposite side of Salusbury Road would not be unduly affected as the distance between the existing frontage and proposed building would be at least 23m. In terms of outlook to the Vicarage it is acknowledged that outlook from side facing windows would clearly be affected although as mentioned before these windows are generally secondary and do not provide the sole means of outlook to a single room. The wings of the proposed building have been pulled in towards the centre of the site to minimise the forward and rearward projection beyond the front and rear of the Vicarage and the proposal has been amended to provide screens which will allow the provision of climbing plants along the boundary.

Whilst it is acknowledged that concerns have been raised regarding the impact of the proposals on existing views from a number of locations, as Members will be aware, unless strictly defined in policy terms which the views referred to are not, the right to any particular view is not normally a justified consideration on which to base the refusal of a planning application..

In terms of noise disturbance, the impact of pupil play areas has been raised as potential issue as it would be with any school proposal. However, in this case it should be noted that there is already an existing school on the site which contains a relatively large playground areas directly exposed to Salusbury Road, which itself generates substantial noise. Whilst, the proposed development would increase the overall provision of play space it is noted that this would take the form of several smaller separate play areas. As such, it is considered that the form of the proposed play spaces would only serve to distribute the noise generated by children's play and that any noise disturbance would be unlikely to significantly exceed existing levels. In terms of external noise generated by plant machinery, the applicants have included an assessment of this in a submitted noise report. The report acknowledges that some noise attenuation, such as insulation to plant rooms, may be required to ensure that appropriate levels are met and it is recommended that post installation testing and any further attenuation should be controlled by condition.

Concerns have been raised by objectors regarding the impact of the proposed development on property prices within the vicinity of the site. Whilst this is an understandable concern for local residents, paragraph 29 of 'The Planning System: General Principles' sets out that Paragraph 29 of 'The Planning System: General Principles' set out that in determining planning applications "The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest". As such, it is not considered that the potential impact of the development on property prices is a consideration that would justify the refusal of planning permission.

COMMUNITY USE

The facilities created by the proposed development will allow the school to open up and expand their current community use programme. A Community Use strategy has been submitted alongside the application which sets out an indicated programme including adult education classes, keep fit classes and meeting and lectures. The particular facilities that will be available for community use include the Prayer Hall, the Dining Hall/Gym and the classrooms. As a Brent funded school it is expected that the school should provide inclusive community access to all members of the wider community regardless of faith. Whilst, clearly the potential for the Prayer Hall to be used for wider community use will be limited, it is considered that the dining hall/gym and classroom would provide suitable facilities for wider community use. It is recommended that should planning permission be granted that this should be subject to a s106 legal agreement requiring the school to make available least 20 hours of general community access per week for any community group.

FUNDING ISSUES AND DELIVERY OF THE PROJECT

Officers acknowledge that issues relating to funding can be a material planning consideration in respect of this application. Concerns have been raised that by funding the expansion of the Islamia School, the Council may be reducing the opportunity to fund the expansion of other schools and facilities throughout the Borough. As discussed earlier, the proposed expansion of the Islamia Primary School is part of a wider schools expansion programme across the Borough with planning permission recently being secured for the redevelopment of Brentfield Primary School, Preston Manor Primary School and Newfield Primary School. The aim of the expansion programme is to enable the Borough to fulfil their statutory obligations with regards to providing school places and sites have been chosen for expansion based on the assessment of a wide range of criteria. The programme is reliant on public funding which, particularly under the current economic conditions, may be subject to some level of uncertainty. However, in this case, the proposed expansion forms

part of a wider expansion programme which is being managed comprehensively and includes a number of projects and funding streams including government grant and contributions from the School. As part of the management of this programme there is an on-going dialogue with the PFS on conditions and time limits for each of these funding streams. Clarifying the planning status of this proposal would, as with many schemes, be a milestone in securing the necessary funding. The programme also assumes that should permission be granted then the school, and the Local Authority, will be able to realise the potential benefits of expanding the site without unduly harming the viability of other proposals required to meet the current and future demand for school places within the Borough.

It is not envisaged that adequate funding will not be available to allow the development to be completed if approved and the public contribution envisaged would be contingent on agreement of the availability of overall funds. However, Forsters have highlighted the potential implications of not completing an approved development. If these circumstances were to arise then the likely planning consequences would be the visual impact of any work remaining incomplete on the character and appearance of the surrounding area. Depending on the extent of works carried out this may, or may not; also involve an impact on the setting of the adjoining Conservation Area and nearby Listed structures. Any Health and Safety or Environmental Health issues as a result of work remaining incomplete would be likely to be adequately addressed under powers held by Officers in the Council's Environmental Health & Health, Safety and Licensing Units. The degree of any impact would subject to a number of factors, and in particular the extent and progress of any work carried out. However, it is not reasonable to assume in the circumstances of an interruption to construction that a responsible landowner would leave the development in such a condition as to cause unacceptable harm to the interests referred to above, or be such, as to not warrant granting planning permission. In any event, these considerations also have to be weighed against the envisaged positive planning benefits of the scheme, such as the provision of much needed school places within the Borough, the provision of a DDA compliant school environment, the provision of a new school building constructed to the standard of BREEAM 'excellent' and the provision of new high quality school play area, designed in conjunction with the views of the pupils of the school. On balance, it is considered that in this case the planning benefits would outweigh any queries raised regarding the funding and viability of the project and therefore Officers do not consider that the application should be refused on this basis.

Other objectors also raised concerns regarding the Islamia Trust's ability to deliver the project citing another development that they claim is underfunded and behind schedule. However, specific problems associated with another site would not provide sufficient evidence that would lead Officers to believe that there is now a substantial risk that the current proposal cannot be delivered. As such, it is considered that in terms of the delivery of the project there are no reasonable grounds to justify a refusal to grant planning permission.

CONSIDERATION OF OBJECTIONS

The concerns of objectors have generally been addressed in the above report. However, a number of objectors have also raised concerns that there has been inadequate consultation on the proposals. The statutory consultation undertaken by the Planning Service on the application, as set out in the 'Consultation' section of this report, is considered to be in accordance with the standard approach to consultation on planning applications of this nature. Furthermore, the applicants have also undertaken a substantial consultation programme in order to further engage and seek the views of local residents on the proposals. Given the large number of response both in favour and against the application, it is the opinion of Officers that despite criticism of the consultation undertaken that it is clear that a large number of local residents are aware of the planning application and the proposals contained therewith. As such, it is not considered that any further consultation is required in order for Members to make an informed decision on the application taking into account the concerns of the objectors.

CONCLUSION

Overall, Officers consider that the proposed development would make an effective use of subject site, in terms of maximising potential pupil numbers, which are in severe demand across the Borough. Whilst, acknowledging that there are significant highways concerns from local residents, Officers consider that the provisions made within the new school Travel Plan will ensure that the additional pupil capacity will not significantly exacerbate any existing problems and that in the longer term may help change attitudes towards more sustainable forms of transportation. It is also considered an important factor that the development, if permitted, would allow the imposition of condition on the site which would allow greater consideration and regulation of any further proposed expansion of pupil numbers through the planning process. The building is considered to respect its setting and context, particularly in terms of conservation and heritage, being of an appropriate design, scale and massing to the site whilst maximising the potential of the site to provide high quality facilities, including innovative external play spaces, for future pupils. On balance, whilst acknowledging local concerns, it is considered that the proposed development has set out appropriately address these concerns and that the proposals are in general compliance with the Council's Development Plan, As such, approval, subject to the recommended conditions and s106 agreement Heads of Terms, is recommended.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Central Government Guidance
The London Plan (consolidation with alterations since 2004)
Council's Supplementary Planning Guidance 17:- Design Guide for New Development
Council's Supplementary Planning Guidance 19:- Sustainable Design, Construction & Pollution Control
Council's Supplementary Planning Document:- s106 Planning Obligations

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

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Transport: in terms of sustainability, safety and servicing needs
Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

(1) The development to which this permission relates must be begun not later than the expiration of three years beginning on 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 drawings:-

451_A_010_PL RevA 451_A_101_PL Rev C
451_A_120_PL 451_A_130_PL
451_A_131_PL 451_A_140_PL
451_A_141_PL
451_A_210_PL RevA 451_A_211_PL Rev A
451_A_212_PL RevA 451_A_213_PL Rev A
451_A_310_PL RevA 451_A_311_PL RevA
451_A_312_PL RevA 451_A_313_PL RevA
451_A_320_PL RevA 451_A_321_PL RevA
451_A_333_PL RevA 451_A_335_PL RevA

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

- (3) Following first occupation of the primary school building, hereby approved, the pupil roll for the site shall not exceed 580 pupils, including no more than 160 secondary school pupils and no more than 420 primary school pupils, unless agreed in writing with the Local Planning Authority

Reason: To ensure proper consideration of the impact on amenity and highway conditions of any further expansion of pupil numbers on the site

- (4) All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- (5) The proposed refuse/recycling storage area, indicated on the approved plans, shall be constructed prior to the first occupation of the building and shall be maintained for the purposes of storing refuse/recycling unless agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate facilities for the storage and collection of refuse/recycling are maintained.

- (6) The roof top play area, as indicated on the approved plans, shall not be used for any form of play that involves the use of balls or any other projectiles unless agreed in writing with the Local Planning Authority

Reasons: In the interests of health and safety.

- (7) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development, including the roof play area, (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme

agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;
- (b) proposed walls and fences indicating materials and heights;
- (c) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;
- (d) existing contours and any proposed alteration to ground levels such as earth mounding;
- (e) areas of hard landscape works and proposed materials;
- (f) details of the proposed arrangements for the maintenance of the landscape works.

Any 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 with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

(8) An acoustic report including:-

- the location of the nearest residential windows that may be affected by noise from the proposed plant room, indicating the distance of the window from the source in metres
- the proposed operational hours of the plant room
- the background-noise level assessment (LA90, 15 minutes) over the proposed hours of operation, including the time, date and weather conditions, instrumentation and calibration, noise-sampling locations and a copy of the noise survey data
- manufacturer's specifications: octave or 1/3 octave band analysis of noise for the proposed plant
- calculations for the predicted noise level 1 metre from the window of the nearest residential property
- details of any proposed attenuation measures to ensure a level of 10dB below the lowest measured background-noise level (LA90, 15 minutes), as measured one metre from the nearest affected window of the nearest affected residential property

shall be submitted to and approved in writing to the Local Planning Authority within 3 months from first occupation of the development and the development shall be carried out and completed in accordance with the details of the acoustic report.

Reason: To ensure that the plant room would not cause unreasonable disturbance to neighbouring occupiers.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent Core Strategy 2010

London Borough of Brent Unitary Development Plan 2004

The London Plan (Consolidated with Alterations Since 2004)

Supplementary Planning Guidance 17:- Design Guide For New Development

Supplementary Planning Guidance 19:- Sustainable Design, Construction and Pollution Control

Supplementary Planning Document;- s106 Planning Obligations

266 letters of objection

179 letter of support

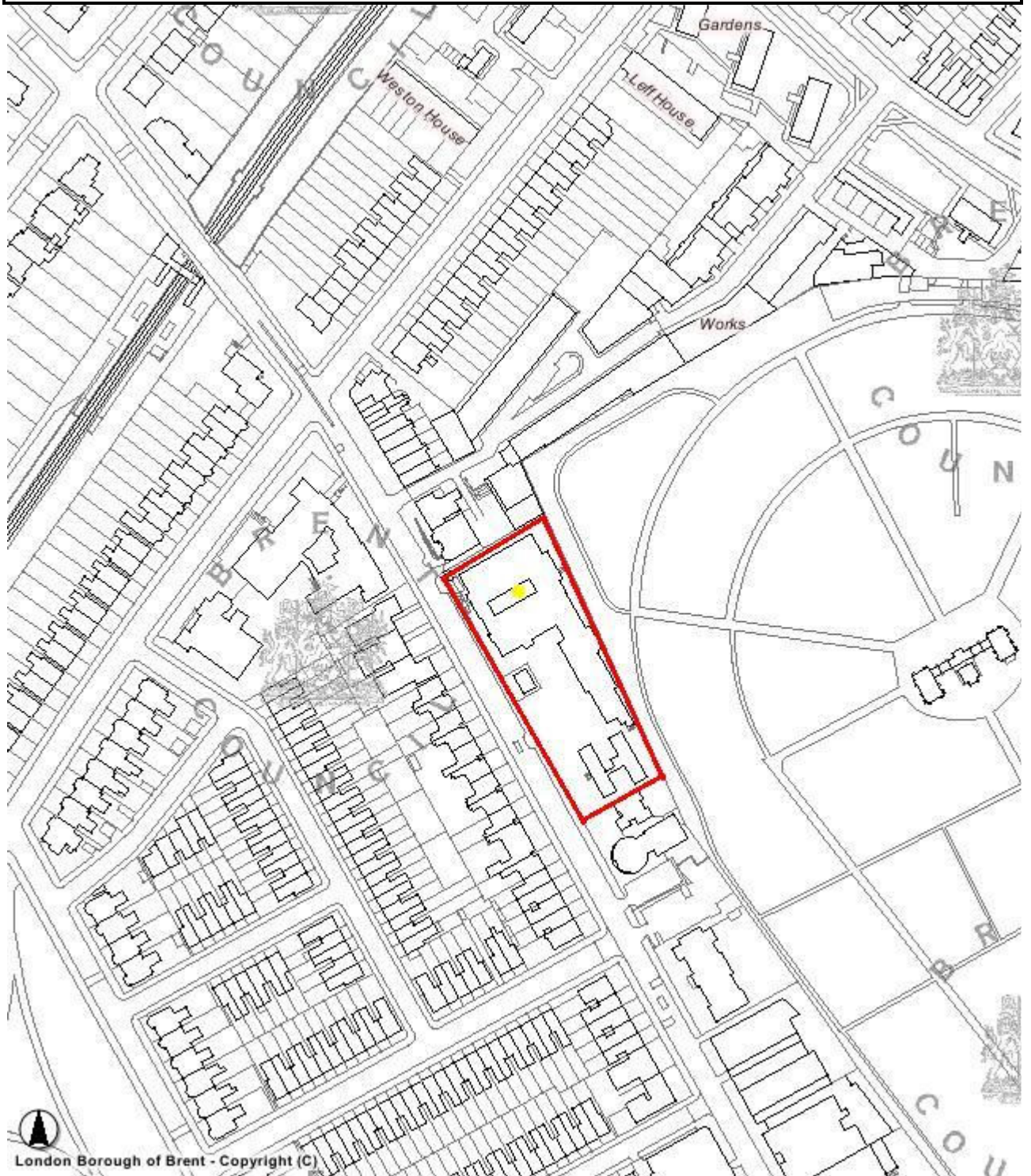
Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: Islamia School Centre, 129 Salusbury Road, London, NW6 6PE

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This map is indicative only.