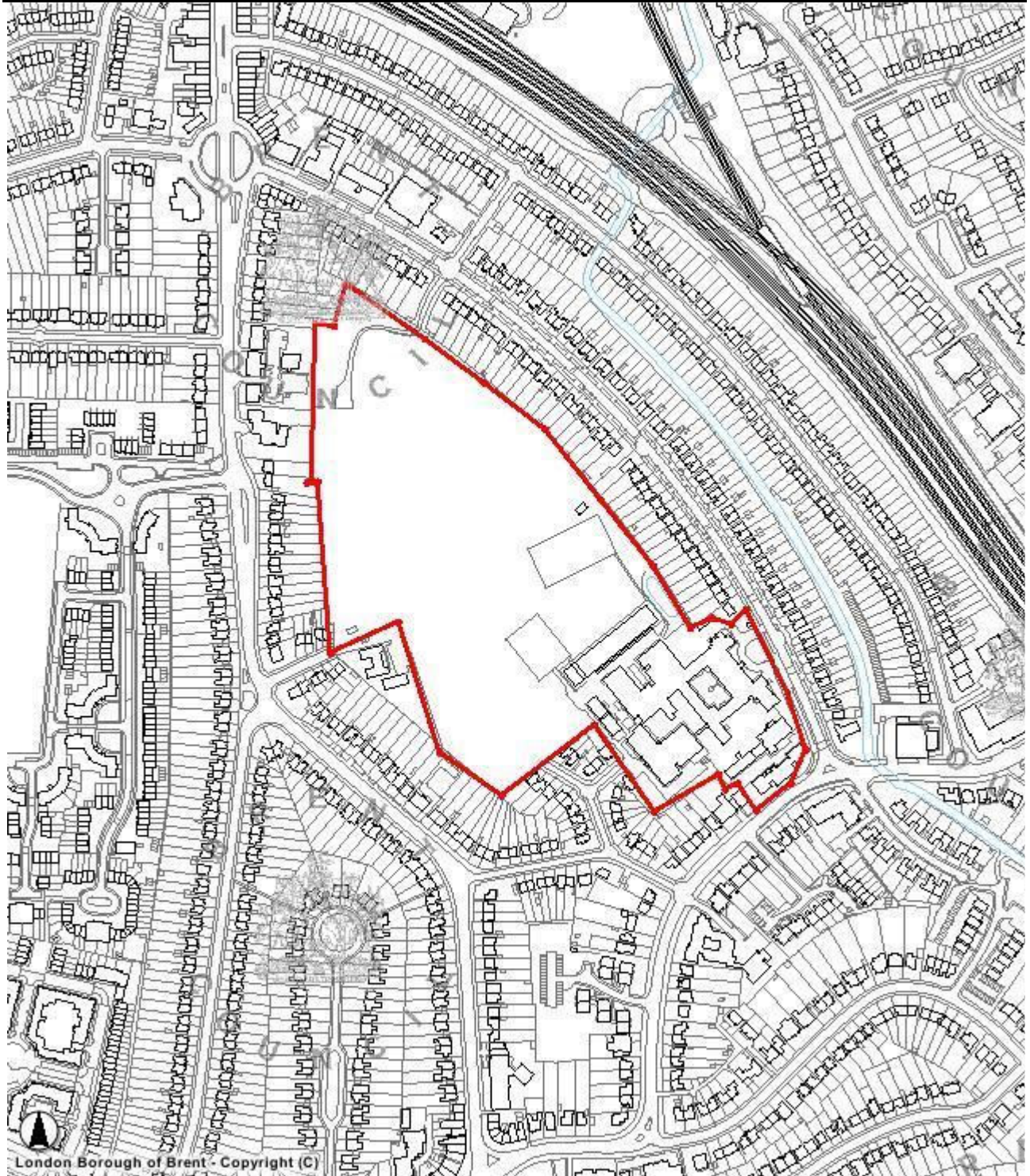
	<b>Planning Committee Map</b>
Site address: Preston Manor High School, Carlton Avenue East, Wembley, HA9 8NA	
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This map is indicative only.

**RECEIVED:** 17 August, 2011

**WARD:** Preston

**PLANNING AREA:** Wembley Consultative Forum

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

**PROPOSAL:** Variation of Condition 13 (details of external lighting) of planning permission 10/3203 to allow restricted light spillage to neighbouring gardens in accordance with the submitted lighting plans and specifications (maximum 8.1m high columns to MUGA, 4m high columns to school/carpark areas and 1m high light bollards elsewhere) and installation of all external lighting within 18 months of commencement of development.

*Planning permission 10/3203 granted 14/03/11 for Erection of a one and two storey building to form a 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, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990*

**APPLICANT:** Mr Baratt

**CONTACT:** HLM Architects

**PLAN NO'S:**  
Please refer to condition 2

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## **RECOMMENDATION**

Grant variation of condition and Planning Permission, subject to the original s106 legal agreement associated with 10/3203

## **SECTION 106 DETAILS**

The original 10/3203 application required a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance.
- Prior to Occupation submit, gain approval for and adhere to a Community Access Plan of the school, covering public access to the small and large halls and MUGA for not less than 20 hours a week at rates comparable to council facilities.
- Prior to Occupation submit, gain approval for and adhere to a Travel Plan of the school.

- Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and BREEAM EXCELLENT with compensation should it not be delivered. In addition to adhering to the Demolition Protocol.
- Offset 20% of the site's carbon emissions through onsite renewable generation. If proven to the Council's satisfaction that it's unfeasible, provide it off site through an in-lieu payment to the council who will provide that level of offset renewable generation.
- Join and adhere to the Considerate Contractors scheme.
- Prior to Material Start a contribution of £25,000 towards local highways improvements.
- Funding/ undertaking of works in the public highway in the vicinity of the site through s278 of the Highways Act 1980 to include:
  - (i) construction of a new access road with footways into the site, including lighting and drainage;
  - (ii) amendments to the junction of the site access/Princess Avenue/Carlton Avenue East to provide standard kerb radii on each side of the junction with a speed table and tactile paving (together with associated amendments to the crossovers into the adjoining properties);
  - (iii) provision of footways along both sides of Princess Avenue;
  - (iv) provision of suitable signing and lining for the school (incl. SCHOOL KEEP CLEAR markings and advance warning signs);
- Prior to Material Start a contribution of contribution of £7500 towards the provision of a new cricket table at Eton Grove to cover installation, maintenance and management agreements

The original s106 has been signed and completed, and the definition of development also refers to any relevant varied planning permission, such as this s73 application.

## **EXISTING**

Preston Manor High School is located on the corner of Carlton Avenue East and Forty Avenue in Wembley. Its playing fields are located to the rear of the main school building and are bounded by the rear gardens of properties in Hollycroft Avenue, Preston Road, Ashley Gardens and Carlton Avenue East. This application relates to external lights for the recently approved primary school site, (10/3203,) which is currently under construction. The new primary school is located in the north-eastern corner of the high school's playing fields, and includes an approved Multi Use Games Area (MUGA.) The playing fields lie partly within an area of Open Space Deficiency, although the primary school is outside of this area.

## **PROPOSAL**

Variation of Condition 13 (details of external lighting) of planning permission 10/3203 to allow restricted light spillage to neighbouring gardens in accordance with the submitted lighting plans and specifications (maximum 8.1m high columns to MUGA, 4m high columns to school/carpark areas and 1m high light bollards elsewhere) and installation of all external lighting within 18 months of commencement of development.

*Planning permission 10/3203 granted 14/03/11 for Erection of a one and two storey building to form a 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, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990*

Members are reminded that the principle of a Multi Use Games Area (MUGA) in association with the primary school, was approved under application 10/3203 at Planning Committee in March. This application solely relates to external lights for the school/ carpark areas, access route and MUGA.

## HISTORY

There have been a number of planning applications submitted in recent years to the High School grounds. A summary of the main recent applications are listed below, but all available records are visible on the planning website, and this list does not contain the majority of condition approval applications:

- Pending Installation of non-illuminated school name sign on fascia above primary school entrance (ref 11/2272)
- Pending Details pursuant to condition 17(plant/ extraction equipment) of full planning application reference 10/3203 (ref 11/2245)
- Pending Details pursuant to conditions 15 (evidence of classrooms achieve BB93) and 18 (Noise Impact Assessment of Multi Use Games Area) of full planning application reference 10/3203 (ref 11/2108)
- Pending Details pursuant to condition 16 (kitchen/ ventilation/ gas flue details), of full planning application reference 10/3203 (ref 11/1980)
- Pending Details pursuant to condition 3 (parking/turning area/footways), 4 (nature play/habitat area), 6 (MUGA), 8 (hall internal dimensions), 9 (roof details/landscape structures), 10 (hard and soft landscape), 12 (refuse and recycling, bicycle parking and store) and 21 (construction and surfacing treatment for access route) of full planning application reference 10/3203 (ref 11/1554)
- Minded to grant, Pending s106 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 existing playing fields adjacent to Preston Manor High School (ref 11/1822)
- 06/09/11 Non material amendment arising from survey inaccuracies resulting in minor alterations to site layout and in particular reconfiguration of the Multi Use Games Area (MUGA) of *Full planning application reference 10/3203 dated 14/03/2011 for Erection of a one and two storey building to form a 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, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990* (Granted ref 11/2088)
- 06/09/11 Details pursuant to condition 13 (all external lights including 1m high light bollards and 4m high light columns around school building, access road and car park area and four 8.1m high floodlights to approved Multi Use Games Area which will be used for playground, netball and basketball games,) relating to the new primary school in the north section of the High School fields, (as revised) condition 13 of full planning application reference 10/3203 dated 14 March 2011 for: *Erection of a one and two storey building to form a 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, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990* (Withdrawn ref 11/1979)

- 07/07/2011 Details pursuant to conditions 11 (Details of construction method), and 20 (Drainage) of full application reference 10/3203 (11/0792 – granted)
- 27/07/2011 Details pursuant to condition 7 (materials), of full planning application reference 10/3203 (ref 11/1433 – granted)
- 14/03/11           Erection of a one and two storey building to form a 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, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees subject to a Deed of Agreement dated 14th March 2011 under Section 106 of the Town and Country Planning Act 1990 (ref 10/3203 – granted subject to s106)
- 17/12/10           Temporary 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 granted)
- 10/01/08           Planning permission granted for the erection of a single-storey block comprising of 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 existing mobile classroom buildings and removal of 1 mobile classroom (Ref: 07/3033 granted subject to s106).
- 01/06/2004        Planning permission granted for the erection of two single storey portable buildings for use as classrooms to replace recently fire damaged portable building (Ref: 04/0575).
- 28/01/00           An appealed against the non-determination of an application for the erection of 61 detached and semi-detached dwellings with associated car-parking and amenity space; rearrangement of the existing sports pitches and provision of an all-weather floodlit playing area, and erection of a mixed school building dismissed (Ref: 99/0652).
- 12/10/99           Planning permission refused for the erection of 61 detached and semi-detached dwellings with associated car-parking and amenity space; rearrangement of the existing sports pitches and provision of an all-weather floodlit playing area, and erection of a mixed school building (Ref: 99/0582).

## **POLICY CONSIDERATIONS**

The following are the policy considerations relevant to this application:

### **National Policies**

#### **Draft National Planning Policy Framework 2011**

Local authorities should take a proactive, positive and collaborative approach to the development of schools by working with schools promoters to identify and resolve key issues before applications are submitted. In determining planning applications for schools, local planning authorities should:

- attach very significant weight to the desirability of establishing new schools and to enabling local people to do so
- seek to mitigate any negative impacts of development through the use of planning conditions or planning obligations, as appropriate; and
- only refuse planning permission for a new school if the adverse planning impacts on the local

area outweigh the desirability of establishing a school in that area. (CLG, July 2011: p36)

### **Policy statement - Planning for Schools Development, 15 August 2011**

There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework. Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

### **Planning Policy Guidance 17: Planning for open space, sport and recreation**

PPG17 states that planning permission for the loss of a playing field should not be allowed unless it meets one of the following criteria:

- (i) the proposed development is ancillary to the use of the site as a playing field (eg new changing rooms) and does not adversely affect the quantity or quality of pitches and their use;
- (ii) the proposed development only affects land which is incapable of forming a playing pitch (or part of one);
- (iii) the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields or equivalent or better quantity and quality and in a suitable location; or
- (iv) the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development if sport to outweigh the loss of the playing field.

PPG17 also states that in considering application for floodlighting, local authorities should ensure that local amenity is protected.

### **Planning Policy Statement 23: Planning and Pollution Control 2004**

Any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to an impact on health, is capable of being a material planning consideration, in so far as it arises or may arise from any land use. In considering proposals for development, LPAs should take account of the risks of and from pollution and land contamination, and how these can be managed or reduced.

### **The London Plan 2011**

#### **Brent's Unitary Development Plan 2004**

BE2 - Townscape: Local Context & Character  
BE4 - Access for Disabled People  
BE5 - Urban Clarity and Design  
BE6 - Public Realm: Landscape Design  
BE8 - Lighting & Light Pollution  
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  
OS9 – Dual Use Open Space  
CF2 – Location of small scale community facilities  
CF10 – Development within School grounds

#### **Brent's Core Strategy (July 2010)**

CP17 Protecting and Enhancing the Suburban Character of Brent  
CP18 Protection of Open Space  
CP23 Protection of Community Facilities

#### **SPD – s106 & Planning Obligations**

Brent's - "Planning for Sport and Active Recreation Facilities Strategy 2008."

#### **Other**

Institute of Lighting Engineers - Design Guidance notes for Reduction of Obtrusive Light 2005

DEFRA (2006): Statutory Nuisance from Insects and Artificial Light: Guidance on Sections 101 to 103 of the Clean Neighbourhoods and Environment Act 2005

#### **SUSTAINABILITY ASSESSMENT**

n/a

#### **CONSULTATION**

Consultation Period: letters sent on 18/08/11 to 233 properties on Ashley Gardens, Aylands Close, Carlton Avenue East, Forty Avenue, Perrin Grange, Highfield Avenue, Hollycroft Avenue, Keysham Court, Preston Road, Keysham Court, Orchid Court and Carlton Parade.

#### **8 neighbour objection letters raising the following issues:**

##### **In principle object to variation of wording**

- This variation of condition application may have come about because of the survey inaccuracies, but this is not immaterial to residents. The effects will be devastating for noise, sight of floodlights, the MUGA and light spillage in rear gardens.
- The original condition should stand to prevent light nuisance
- The developers are renegeing on their original undertaking

##### **Concerns regarding external lights**

- There is going to be light spillage, pollution and unsightly columns.
- Why does the car park need to be lit, car headlights will suffice. How long will the lights be on for?
- We object to the creation of noise and light pollution to residents adjoining the playing field, spoiling enjoyment of the garden and forcing residents to keep windows shut and encouraging insects, with no boundary provision and possible thefts from surrounding properties
- Why is the floodlit MUGA necessary?
- When floodlights were appealed 9 years ago, the project was stopped entirely rather than just reducing the light height or number of columns. The reasons for this decision have not altered and the detrimental impact on households continues
- As a primary school teacher I do not see the relevance of floodlighting for 3-11 year olds floodlights are not necessary for primary school children
- I object to the use of the MUGA by the community because lights will disturb adjoining residences especially to the north;
- I am totally opposed to the floodlighting for the MUGA, which was not on the original application
- Why wasn't floodlighting mentioned in any of the consultations? What else is being hidden?
- Late-night uses of the site and floodlighting may use nuisance in breach of s82 of the Environmental Protection Act 1990.

#### **Other**

- Sport England appear to be calling the tune, and the statement about minimising lighting nuisance appears balderdash.
- Brent Council and the school governors should stop deferring to Sport England and insist on grass for normal primary school play activities
- What is the implication of the 18 month time limit?
- Hopefully the Planning Committee will realise how costly this project has become, changing from a single storey primary school, to a fully fledged sports centre with primary school attached, with associated costs and not approve an application brought by persons

incompetent so far as the survey was concerned.

- Brent Council has met Sports England's demands without considering residents.
- Who is going to use the MUGA? Are primary school children expected to play outside after dark?
- Other MUGAs such as Tenterden Playing Fields, Vale Farm and King Edwards VII Park do not have floodlights and are not near residential properties
- Who will pay for the running costs of the electricity and maintenance? The taxpayers pay for the school, and paying for hiring out the facility will probably not cover this
- Late use of the MUGA will lead to cheering disturbing residents, even after the use of the MUGA has ended there will be loud noises, laughter and petrol fumes
- The local quality of life will be affected from a quiet environment to one of noise, disturbance and stress-related illness
- The proposal will cause congestion and pressurise on-street parking
- There is a security risk of a gathering of young people, even spectators close to dwellings, considering the recent riots
- Local residents do not want evening disturbances, it was bad enough when the fields used to be used for football and cricket teams at weekends, but this is 7 days a week
- The Ark Academy MUGA is not fully used, and is not near residential properties to cause a nuisance
- Local residents want security in our gardens, but do not want to be overlooked by CCTV cameras harming our privacy.
- Who will supervise the facility?
- What about litter arising following use of the facility?

### **Consultee comments:**

**Environmental Health** – No objections based on the information submitted and conditions

**Highways** – No objections - The proposed lighting of the entrance road and car park complies with British and European Standards for school car parks and mixed pedestrian/vehicular areas and are therefore considered appropriate. The games court is remote from any public highway though, so light spillage is not of concern to the Highway & Transport Delivery Unit.

**Sports and Park Service** - Based on the submitted information, no objections to the proposed lighting levels for the pitch.

### **REMARKS**

#### **Background**

Planning application 10/3203 relates to "*Erection of a one and two storey building to form a 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, revised landscaping incorporating car park, a new Multi Use Games Area, (MUGA,) play areas, access paths, external amphitheatre and new trees.*" This was approved in March 2011 by Planning Committee subject to conditions and s106.

The Primary School Multi Use Games Area (MUGA) is a requirement of BB99 for the new primary school, (BB99 is Framework Guidelines for primary schools in relation to minimum internal/ external space requirements,) to allow all primary pupils access to outdoor space for playing games on. Hard surfacing is preferred to grass as it provides all-year around access for the children to an outside space, whereas a grassed area would not be possible to be used in inclement weather. Community use of this facility was required after consultation with Sport England, in addition to there being a deficiency identified within the Brent Council document "Planning for Sport and Active Recreation Facilities Strategy 2008." The area is large enough to provide a pitch for basketball, tennis, football or netball, although netball is likely to be the predominant use out of school hours.



Sport England responded in its capacity as a statutory consultee to application 10/3203 for the primary school. The statutory requirement to consult them on such an application, (which entails development on playing fields,) is set out under Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184.) The full requirements of Sport England are set out in the report for 10/3203. Specifically in relation to the primary school however, they required: ***the applicant is expected to provide a Multi Use Games Area (MUGA) on the new primary school site for use by the school and the community out of school hours.***

Given the expectation of community use of the MUGA out of school hours external lights of the facility were likely and as there was a lack of detailed lighting information submitted with the primary school application Condition 13 required that details be submitted for the installation of any proposed external lights within 6 months of this decision or within 6 months of commencement of development and prior to occupation of the buildings. Officers required demonstration of no light spillage from the site entering neighbouring residential garden areas. However, now that lighting technicians have considered the specifications of lights required on site, some light spillage is envisaged and the original condition wording would not have been possible to meet. This application therefore seeks to revise the condition wording to allow restricted light spillage from the MUGA floodlights and ancillary lights associated with the school on the basis of the information submitted with this application.

### **Proposal**

This application provides details of all external lighting associated with planning permission 10/3203 (the primary school and associated development,) to allow restricted light spillage to neighbouring gardens in accordance with the current submitted lighting plans and specifications (maximum 8.1m high columns to MUGA, 4m high columns to school/carpark areas and 1m high light bollards elsewhere.)

### **Lighting**

PPS23 *Planning and Pollution Control* states that local planning authorities should take account of "the need to limit and, where possible, reduce the adverse impact of light pollution e.g. on local amenity" (CLG 2004: p12) as a material consideration in taking decisions on individual planning applications; PPG17 also requires local authorities to ensure that local amenity is protected when assessing applications for floodlighting (CLG 2002: para 18).

Sport England recognise that floodlighting is essential if types of sport facilities are to be used to their full capacity and increase opportunities for sport. Sport England's Planning bulletin 14 "Intensive use sports facilities revisited" refers to floodlighting. Within this document it is recognised that floodlights which are properly planned and installed by recognised companies are unlikely to result in any adverse impacts on surrounding areas. However, it is necessary to ensure that the floodlighting installation is designed for its intended purpose and for its intended level of competition. Higher columns can lead to better light concentration and significantly less light spillage than lower column heights. Also, due to improved technology and designs, modern columns can be less bulky and therefore will have a better daytime appearance. Brent's Unitary Development Plan saved policy BE8 regarding lighting and light pollution considers lights and states that conditions can be used to control nuisance to residential amenity.

The supporting documents accompanying the application consider light spill (at ground-level,) beyond the designated area, sky glow (light halos emitted into the night sky,) and glare, (lights causing visual discomfort if badly aimed.)

#### ***For comparison:***

Light levels are measured in lux, and are generally defined as follows: Direct sunlight: 100,000 - 130,000 lux; full daylight, indirect sunlight: 10,000 - 20,000 lux; overcast day: 1,000 lux; very dark day: 100 lux; Street lights at their brightness – 10-25 lux; twilight: 10 lux; deep twilight: 1 lux; full moon: 0.1 lux; moonless clear night sky: 0.001 lux; moonless overcast night sky: 0.0001 lux.

The degree of nuisance caused by lights is subjective. The Institute of Lighting Engineers have produced a document *Guidance Notes for Reduction of Obtrusive Light* (2005) which defines environmental zones by their character, in this case, the site would form category E3, a Medium District Brightness Area described as “small town centres or urban locations.” (ILE 2005, p3). The Guidance defines what may be considered Obtrusive Light, and prior to 23.00 hours, in a location with environmental zone E3 such as this site. This is defined as light trespass into windows of 10 lux. It should be noted that this site is located in a suburban location with numerous streetlights on neighbouring roads, (with an average light level of 10-25lux.) Neighbouring properties are used to street lights illumination within their front gardens, which drop to levels of 0.5- 2 lux on the front house wall. However, whilst there are external lights on and around the High School buildings currently, neighbours are not used to any lights in the proposed positions for the proposed primary school.

### **Sports pitch (MUGA) lights**

The planning system aims to balance the interests of local amenity with the interests of achieving greater participation in sport, better healthy living. Given the limited hours of daylight in Britain in the winter, floodlighting is essential if the community is to make maximum use of the sporting facilities on this site, in line with the Government’s objectives (DEFRA, 2006). Modern floodlighting employs a number of technological devices which have resulted in improved performance with reduced light trespass and sky glow and as such “floodlights which are properly planned and installed are unlikely to result in any adverse impacts on the surrounding areas”, as noted by Sport England in their document *Planning Bulletin 14: Intensive Use Sports Facilities Revisited* (Sport England 2004: p7).

Badly specified or poorly installed floodlighting, however, can create a genuine disturbance to residents and therefore it is essential that applications for floodlights include technical specifications and accurate predictions of the performance of the scheme.

The MUGA associated with the primary school will primarily be used as a playground within school hours. Out of hours, it may be used for several sports, but has been primarily designed as a netball court. In order to meet England Netball’s full-size court requirements the facility need to be 30.5m long with 3.05m run-offs either end totalling 36.6m, and 15.25m wide with 3.05m run-offs either side totalling 21.35m. As the north-west corner of the hard-surface is splayed, the court will be off-set within the designated MUGA/ playground area towards the east. This ensures that the appropriate sports pitch requirements are met, and takes the facility further away from the nearest boundaries to neighbouring dwellings to the north and north-west. There is also capacity for a wider swathe of landscaping to be proposed on site to the east, helping to screen properties from this direction.

The northern boundary retains a soft landscaping buffer to the Multi Use Games Area of at least 2.7m wide, (as the original MUGA shape has been reconfigured with an angled north-western corner.) The nearest neighbouring dwellings also have mature trees at the end of their garden, which aids visually screening the proposal from adjoining occupiers. The applicants have also provided a MUGA section plan that demonstrates that the court level is lower than surrounding ground levels to the north-west and west (including neighbouring dwellings,) due to a retaining wall cutting the court into the naturally sloping ground at this point. The MUGA and school building at this end of the site will therefore appear lower to properties to the north-west. The actual landscaping of the pinch-point area to the north-west (at least 2.7m wide,) is subject to condition 10 of 10/3203, which is being considered under application 11/1554. The current details being considered have a different planting arrangement to that shown on the section drawing submitted with this application, so the planting details shown are not for consideration. A 2.4m high acoustic fence treatment to the boundary will remain.

There are a number of bodies which give recommended lighting levels for sports, including Sport England, the National Governing Body (e.g. England Netball Association) and European Standard EN 12193:2007. Sport England guidance—in the document *A Guide to the Design, Specification &*

*Construction of Multi Use Games Areas (MUGAs) Including Multi-Sport Synthetic Turf Pitches (STPs)*— it is clear, however, that where conflicting guidance is given by different organisations or publications regarding the recommended standards of lighting for different sports, reference should be made to the appropriate National Governing Body for the sport(s) concerned. The England Netball Association has a illuminance standard of 400 lux for its Category 2 pitches (outdoor courts intended for intended for local league, school, recreation and community use) and this is what the proposed lights have been specified for. The light plot drawing shows that the minimum lux on court is 351. This minimum is slightly below the minimum recommended by England Netball but the Uniformity ratio ( $E_{min}/e_{av}$ ) for the site is 0.705 which just conforms with England Netball's requirement of a uniformity ratio of at least 0.7 across the court. The proposal therefore provides the minimum light levels required in order to provide an England-Netball/ Sports England compliant netball facility.

This application proposes 4 floodlights to the MUGA, two on the west and two on the east. The nearest MUGA lighting column to a neighbouring property is set 7m from the north-western boundary with neighbouring gardens. Due to the retaining wall along the western edge of the MUGA described above, and the MUGA being recessed into the natural ground-levels at this point, the western light columns will appear to properties to the north-west a maximum height of 5m. The two on the eastern edge of the MUGA, set at the same level as the playing surface will appear 8.1m high. The closest eastern floodlight to the eastern boundary is at least 12m away, and separated by an expanse of landscaping on site including new trees.

The lights proposed are 2000W Thorn Champion light fittings. They have a downward asymmetrical distribution with a reflector that is designed to direct light in a specific direction, ensuring that there will be minimal light spill. To further reduce any possibility of direct light spill the lights will also be fitted with additional adjustable front and side visors which will offer further shielding from direct light spill. These will be tested and adjusted on site. The fittings are designed to prevent direct intrusive light or skyglow and minimise light trespass, to reduce effects of the lights upon the surrounding properties as much as current technology will permit.

The applicant has provided two light plot plans which show both the horizontal and the vertical (glare) light levels (in lux) from the proposed floodlights across the site and neighbouring properties. These plans allow officers, with advice from the borough Environmental Health officers, to make an informed judgment on the potential impact of the floodlights, balancing the interests of amenity and sporting activity whilst also providing a mechanism for enforcement action should complaints arise once the floodlights are operational.

At the boundaries with neighbouring gardens closest to the MUGA, light spill could be up to 25lux, (the equivalent of a street lamp.) Light spill of less than 0.5 lux incurs over less than half the depth of the adjoining rear gardens, (this is lower than natural "twilight" light levels appear.) The information submitted shows that no light spill or glare reaches the rear elevations of any of the adjoining houses.

The effect of obtrusive spill illumination as observed from neighbouring properties (vertical) however will appear brighter to neighbouring houses and in the worse-case scenario (vertical levels) reaches within approximately 2m of the rear wall of the adjoining dwellinghouses, reducing to 0lux at this point. The light spill/ glare plots do not however take into account any existing trees within neighbouring gardens or proposed tree planting on site.

Environmental Health officers have assessed the proposals for the floodlights and, on the basis that the predicted light spill trespass at the rear of neighbouring houses would be 0 lux, are satisfied that the 10 lux maximum as set out in the Institute of Light Engineers (ILE) Guidance Notes on the Reduction of Obtrusive Light guidance notes would be met and this, combined with the other proposed condition controls on the operation of the lights, means the impact on neighbouring amenity is considered acceptable to officers.

The restrictive MUGA light conditions referred to are maximum hours of use: 08.00-21.00 hours Mondays to Fridays; 08.00-20.00 hours Saturdays and 09.00-19.00 Sundays and Bank Holidays with any floodlights associated with the netball pitch shall be switched off within 15 minutes of these times, the pitch vacated and within these time parameters, and the floodlights shall only be switched on when the court is in active use. In addition to compliance with submitted specification details and post-completion testing to ensure the floodlights substantially meet the expected performance levels set out in the submitted technical details and incorporating a mechanism for securing either further baffles/screens or reduced hours of operation. Light spillage from the MUGA will not reach any adjoining highway.

### ***Other outdoor lighting***

The lighting strategy for the other outdoor lighting includes: three CFA security building-mounted lamps by the entrance, up to twenty-eight 1m high bollards and eight 4m column-mounted lights to ensure safe travel around the building, car park and pathways.

The three 150W downward-orientated CFA building-mounted security lights by the main entrance are within the recessed entrance courtyard surrounded by the wings of the building on both sides and as such would only be visible obliquely to two properties to the north-east. Any spill from these security lights is projected to be nominal. The twenty-eight 1m high bollards are 70W and the eight 4m high columns are also 70W around the building, car park and paths. Drawing D18101/JM/D shows the horizontal light spillage of these other outdoor lights. This shows that at its worst, up to 1 lux (deep twilight equivalent) enters one garden to a depth of 9m deep but is some distance from the houses. These lights will also be subject to restrictive conditions, including an hours of use restriction with photocell/time clock controls, to be reported in the Supplementary; compliance with submitted specification details and post-completion testing to ensure the lights substantially meet the expected performance levels set out in the submitted technical details and incorporating a mechanism for securing either further baffles/screens or reduced hours of operation. Based on these safeguards, the proposed external lights are considered to have an acceptable relationship to neighbouring amenity. The Council's Highway Engineers comment that the proposed lighting of the entrance road and car park complies with British and European Standards for school car parks and mixed pedestrian/vehicular areas and are therefore considered appropriate from a Highway safety perspective.

### **Responses to objections not covered above**

#### ***Floodlight appeal decision***

*When floodlights were appealed 9 years ago, the project was stopped entirely rather than just reducing the light height or number of columns. The reasons for this decision have not altered and the detrimental impact on households continues.*

In the late 1990s several applications were submitted on behalf of the school and incorporated floodlights. The last of these applications, related to application 99/0652. This proposed: *Erection of 61 detached and semi-detached dwellings with associated car-parking and amenity space; rearrangement of the existing sports pitches and provision of an all-weather floodlit playing area, and erection of a mixed school building.* Following an appeal and referral to the Secretary of State, the appeal was dismissed for a number of reasons.

A material consideration is the Inspector's Decision Notice in relation to the appeal against application 99/0652 dated 28/01/2000. Within Paragraph 10.16 the Inspector found that the six 15m high lighting columns: *"would not have any material impact on the open prospect currently enjoyed."* She further stated: *"the lighting contour plan demonstrates minimal light spillage at residential boundaries and this could be secured by way of a condition. With the lights switched on, residents would be aware of a pool of light which would alter views of the night sky and there could be some glare if looking directly at the lanterns. However having regard to the distance of the columns from neighbouring properties, I consider that the light would not be unacceptably intrusive."*

Within the previous application 99/0652, a 60m by 50m flood-lit all-weather pitch was proposed. At the time, the pitch was 49m from the nearest house wall on a residential property. Six 15m high floodlight columns were proposed, with light spillage from the floodlights on the nearest residential boundary of 2 lux. The lights were proposed to be in use between the hours of 8am - 10pm Mondays to Saturdays and 9am - 8pm on Sundays and Bank Holidays.

This compares with the current proposal, for a total playground area of 37m by 27m, with a pitch within this area of 36.6m by 21.35m. At its closest, the pitch itself is 41.6m from the back wall of the nearest neighbouring property. This application proposes 4 floodlights to the MUGA, two on the west and two on the east. The nearest MUGA lighting column to a neighbouring property is set 7m from the north-western boundary with neighbouring gardens. Due to the retaining wall along the western edge of the MUGA described above, and the MUGA being recessed into the natural ground-levels at this point, the western light columns will appear to properties to the north-west a maximum height of 5m. The two on the eastern edge of the MUGA, set at the same level as the playing surface will appear 8.1m high. The closest eastern floodlight to the eastern boundary is at least 12m away, and separated by an expanse of landscaping on site including new trees.

The light spill and light glare at the nearest neighbouring dwelling's back wall is 0lux, and the light glare is 0lux. Light spill and glare does however enter some neighbouring gardens as set out in the report above with up to 25lux, (the equivalent of a street lamp.) The maximum finish time of the use of the netball pitch is 21.00. The current MUGA lights proposal therefore represents a worse light spillage than that considered at appeal in 2000, but at more restricted operational times than considered at appeal, with modern lighting design, screening mechanisms and restrictive conditions as set out within the report above. Furthermore the Inspector found that the floodlights proposed under 99/0652 would not be unacceptably intrusive."

### **Environmental nuisance**

*Late-night uses of the site and floodlighting may cause nuisance in breach of s82 of the Environmental Protection Act 1990.*

The hours of use of the lights are restricted to a maximum of 9pm on weekdays and the MUGA floodlights will only be switched on when the court is in use. The Council has the power to issue an abatement notice in respect of noise or light that is, or is likely to comprise a statutory nuisance. This is set out in s80 of the Environmental Protection Act 1990. The Council's current assessment is that the likelihood of a *Statutory Nuisance* is insufficient to warrant service of an abatement notice based on "likely occurrence". A 'Statutory Nuisance' is not the same as disturbance, and requires firm evidence of significant disturbance and ongoing inability to enjoy a residential own premises.

### **Residential amenity safeguards from any noise nuisance associated with the MUGA:**

In the committee report associated with 10/3203 officers explained that given the requirement for community access, the MUGA would be subject to maximum hours of use **condition 5 of 10/3203**: *The Hockey Pitch shall only be permitted to be used between: 08.00-21.00 hours Mondays to Fridays; 08.00-20.00 hours Saturdays and 09.00-19.00 Sundays and Bank Holidays; unless otherwise agreed in writing by the Local Planning Authority*

The condition also requires that any floodlights associated with the netball pitch shall be switched off within 15 minutes of these times and the pitch vacated, and within these time parameters, the floodlights shall only be switched on when the court is in active use. **Condition 14 of 10/3203** prevents the use of music, public address systems or other amplified sound system on the primary school site without prior approval by the Local Planning Authority. **Condition 18 of 10/3203** required a noise impact assessment for the MUGA, which has resulted in the applicants proposing a 2.4m high acoustic fence around the primary school site on the boundaries to any adjoining residential property, to reduce the opportunity for noise nuisance.

### **Other**

*What is the implication of the 18 month time limit?*

The condition as varied requires an implementation deadline, and as building works on the school

are underway, 18 months after commencement is a reasonable time to install the lights.

*Other MUGAs such as Tenterden Playing Fields, Ark Academy, Vale Farm and King Edwards VII Park do not have floodlights and are not near residential properties*

There is a Sport England requirement to create new sporting facilities for community use on site, (as the primary school is constructed on playing fields,) which raises the need for lights to use the facilities after school/ hours of darkness. A need for new pitches is also identified in Brent's - "Planning for Sport and Active Recreation Facilities Strategy 2008."

*Who will pay for the running costs of the electricity and maintenance? The taxpayers pay for the school, and paying for hiring out the facility will probably not cover this.*

The costs will be met by the school and hire charges

*Local residents want security in our gardens, but do not want to be overlooked by CCTV cameras harming our privacy.*

The School's CCTV company ensure that it is not possible to film anything outside the perimeter of the school

*Who will supervise the facility?*

Any access to the school external sports facilities during agreed out of hours will be managed by the school personnel, as the internal sports areas are now.

*There is a security risk of a gathering of young people, even spectators close to dwellings, considering the recent riots*

*What about litter arising following use of the facility?*

As the facility is to be managed by school staff, there is not expected to be any crime or litter implications for local properties arising from the use of the hockey pitch. The recent riots are an abnormal occurrence and appropriate security measures will be taken by the school if such an event was to occur once the facility is operational.

*The proposal will cause congestion and pressurise on-street parking*

The primary school will mitigate against this as much as possible with staggered opening and closing times compared to the High School and a Travel Plan that encourages sustainable transport modes. The Council's Highway Engineers support the Consultant Engineers findings that the local highway network has capacity for some parking,

### **Summary**

As recently as 15/08/11 the Secretary of State for the Government department of Communities and Local Government and Education set out a policy statement on Planning for Schools Development, which requires Local Authorities to make full use of their planning powers to support state-funded schools' planning applications. The current variation of condition application arises from the construction of the primary school on the High School playing fields resulting in the need to provide a sports pitch on the primary school site for community use, as a Sport England statutory requirement. Application 10/3203 for the primary school included approval of a MUGA and use of the approved MUGA out of school hours requires the use of lights for the pitch after dark, in addition to lights assisting the operation of the primary school and its immediate access areas. This application seeks to vary a condition of the original approval to allow restricted light spillage from the site into surrounding residential gardens. Officers have carefully considered the implications of allowing restricted light spillage, which is objected to by local residents. Subject to conditions, the proposal is considered to comply with local and national planning policies and accordingly is recommended for approval, requiring the re-issue of the original planning permission 10/3203 within varied conditions and subject to the original s106 legal agreement.

**RECOMMENDATION:** Grant Consent subject to Legal agreement

- (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 5 – Planning for the Historic Environment  
Planning Policy Statement 9 - Biodiversity and Geological Conservation  
Planning Policy Statement 23: Planning and Pollution Control 2004  
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  
SPD - s106 and Planning Obligations  
London Plan 2004 as consolidated with amendments  
SPG19 - Sustainable Design and Construction  
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 permission 10/3203: 14/03/2011.

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):

**10/3203:**

L (PA)900 P2 site location plan  
L (PA)902 P02 pitch layout plan  
L-(9-) 901 P03 Landscape  
L(05)001 P4 Proposed ground floor plan  
L(05)002 P4 Proposed first floor and roof plan  
L(05)006 P3 Proposed Sections and elevations

Acoustic Design Report  
Arboricultural Method & Materials Statement  
BREEAM Education 2008 Pre-Assessment Report  
Cultural Heritage Desk Based Assessment  
Design & Access Statement  
Educational Need Assessment and Site Selection  
Energy Statement for Planning  
Extended Phase 1 Habitat Survey  
Neighbourly Matters Report  
Q Section - landscape details 18/02/11  
Planning Statement & Statement of Community Involvement  
Preston Manor Primary School – Travel Plan  
Report on Phase 2 – Site Investigation Rev 51594A  
Sustainable Development Checklist  
Traffic Assessment

**11/2158:**

L (7) 901 P1 - Floodlight location

L (PA) 907 P2 - Indicative Light spill  
L (91) 910 C9 - Hard landscaping  
L (9-) 952 C5 - Section of MUGA  
D1801/JM/D - External Lights plots for non-MUGA lamps  
a1107-31 Ncfc404 -proposed MUGA lights and pitch size information  
Christy Lighting Ltd Ncfc404 28 Jul 2011 Horizontal  
Christy Lighting Ltd Ncfc404 28 Jul 2011 Normal to TV  
Light details: CFA Series, Evoluta, Helvellyn  
Thorn Champion light details  
MUGA Flood lighting statement

**11/0792:**

07 rev P1 - Roof drainage strategy  
06 rev P1 - foul water drainage scheme  
03 rev C2 - access road and drainage layout  
KP010017 rev F - open plan office  
rev.2 - traffic and fire management plan

Construction Phase Methodology - Kier for Preston Manor Primary School  
Foul and surface water drainage strategy  
Site waste management plan

**11/1433:**

L(27)001 C1  
E(0-)001 C3  
L(27)002 C1  
L(0-)003 C2  
L(04)000 C1

MARS 03712 D 12 C1  
MARS 03712 D 05 C1  
MARS 03712 D 17 C1  
MARS 03712 D 15 C1  
MARS 03712 D 14 C1

Visual 3D drawing of the proposed school  
Email from Phil Grant dated 04/07/11  
samples (see photographs)

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

- (3) Prior to the occupation of the proposed buildings, the following shall be constructed and permanently marked out in accordance with the approved drawings:
- (a) parking spaces, (including one disabled parking space);
  - (b) turning areas;
  - (c) footways

These shall be constructed and permanently marked out in accordance with the approved plans. Thereafter they shall be retained and used solely for the specified purposes in connection with the development hereby approved and shall not be obstructed or used for any other purpose/s.

Reason: To ensure a satisfactory design and access to service the development and to enable vehicles using the site to stand clear of the highway so that the proposed development does not prejudice the free-flow of traffic or the conditions of general safety within the site and / or along the neighbouring highways and in the



interests of pedestrian safety.

- (4) The nature play/ habitat area shall be constructed to include the following features:
- a) at least 3 log piles
  - b) at least 5 nest/ bat boxes
  - c) at least 2 bird feeding stations

These shall be completed within 1 year of commencement of development on site, unless otherwise agreed in writing by the Local Planning Authority prior to the occupation of the building

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

- (5) a) The Multi Use Games Areas shall only be permitted to be used between  
08.00-21.00 hours Mondays to Fridays  
08.00-20.00 hours Saturdays and  
09.00-19.00 Sundays and Bank Holidays.
- b) Any floodlights associated with the MUGA area shall be switched off within 15 minutes of these times and the MUGA vacated
- c) Within these time parameters, the floodlights shall only be switched on when the court is in active use

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties

- (6) The MUGA shall be laid out to comply with Sport England Design Guidance Notes and include consideration of 'Access for Disabled People 2002'. The upgraded surface should be a minimum type 2 facility. The proposed facilities shall be constructed in accordance with the approved design and layout details prior to occupation.

Reason: To ensure the development is fit for purpose, subject to high quality design standards and sustainable in order to meet an Exception Policy for Sport England

- (7) The external lighting hereby approved, with the exception of the MUGA floodlights which are subject to separate control and those which are required for security purposes, shall be controlled by a photocell/time clock control and be arranged in such a manner that the photocell will switch the external lighting on, when required if it is dark with a time clock switching the external lighting off at the pre-set times in line with the following times: XXX  
The photocell shall also be used to switch the external lighting off should it become light prior to the pre-set time in order to save energy. The development shall operate within these parameters unless otherwise agreed in writing with the local planning authority beforehand.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties in respect of noise and light disturbance.

- (8) The development shall be undertaken in accordance with the external materials (hardwood cladding system, hall glulam frame, render, brickwork, doors, roof including roof standing seams, downpipes and fenestration including window brise soleil,) approved under application 11/1433 including: L(27)001 C1; E(0-)001 C3; L(27)002 C1; L(0-)003 C2; L(04)000 C1; MARS 03712 D 12 C1; MARS 03712 D 05 C1; MARS 03712 D 17 C1; MARS 03712 D 15 C1; MARS 03712 D 14 C1; Visual 3D drawing of the proposed school ; Email from Phil Grant dated 04/07/11; samples (see photographs); unless further or revised details are submitted to and approved in writing by the Local Planning Authority

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

- (9) Within 3 months of the date of this decision or within 3 months of the commencement of development, the applicant shall submit details of the proposed hall internal dimensions, demonstrating that they meet Sport England's minimum size dimensions for a badminton court in terms of length, width and height. If development commences, these approved details shall thereafter implemented

Reason: To ensure a satisfactory development which incorporates community access

- (10) Within 3 months of the date of this decision or within 3 months of the commencement of development, the applicants shall submit details of
- a) any proposed brown roof
  - b) any proposed green roof
  - c) proposed green screens/
  - d) steps to amphitheatre
  - e) gabion planter
  - f) general arrangement of hard/ soft landscape; construction details of roof; drainage; indicative roof sections
  - g) substrate depth to soft landscape – to be a minimum of 100mm for sedum/wildflower; 150mm for turf; 300-450mm for shrubs and 600mm for trees.
  - h) an associated roof landscape maintenance schedule (min 5 years)
  - i) a method of separating the site from the EDF substation, providing at least 5m separation

These details shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the commencement of development or within 3 months of commencement of development and thereafter the details shall be installed in accordance with the details so approved prior to the occupation of the building

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development

- (11) Within 3 months of this decision notice or within 3 months of commencement of development, a landscape plan shall be submitted to and approved in writing by the Local Planning Authority. Such landscape works shall be completed prior to occupation of building(s) and within 18 months of commencement of the

development hereby approved.

Such details shall include:-

- i. Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling.
- ii. Hard surfaces including details of materials, manufacturers, specifications, and finishes. These should have a permeable construction wherever possible and should make reference to the Sustainable Urban Drainage System hierarchy. These include, but are not limited to
  - i. nature play stepping stones
  - ii. sensory play surfaces
  - iii. imaginative play surfaces
  - iv. bark chip play area
  - v. wet pour safety surfacing
  - vi. alternatives to mastertint coloured tarmac
  - vii. self binding gravel path
  - viii. block paving pedestrian/ vehicular
  - ix. slab paving
- iii. The provisions of a dense landscaped shrub buffer along the boundaries of the site, incorporating trees
- iv. Proposed boundary treatments including walls and fencing, indicating materials and heights and providing details of acoustic properties, where applicable.
- v. All planting including location, species, size, density and number
- vi. Any sustainable construction methods which are to be used.
- vii. The provision of play equipment including specifications, model and orientation
- viii. The provision of at least 53 new trees within the site
- ix. Details of the proposed amphitheatre including materials, finish and species
- x. Further details of the stimuli to make the imaginative play and sensory play areas fulfill their specifications
- xi. Details of the proposed totem pole
- xii. Details of a sculptural intervention to signify the approach to the school along the access road
- xiii. Details of the MUGA retaining walls
- xiv. A detailed (min 5 year) landscape management plan showing requirements for the ongoing maintenance of hard and soft landscape.

Any trees, plants and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development

- (12) The development shall be undertaken strictly in accordance with the approved Construction Method Statement under application 11/0792 incorporating:
- a) details of the proposed site compound
  - b) methodologies that ensure air quality on site is safeguarded during construction
  - c) a Site Waste Management Plan
  - d) methodology of protecting trees related to construction (BS:5837 2005) during construction works
  - e) details of wheel washing, to prevent harm to the local highway network

Approved details: 07 rev P1 - Roof drainage strategy; 06 rev P1 - foul water drainage scheme; 03 rev C2 - access road and drainage layout; KP010017 rev F - open plan office; rev.2 - traffic and fire management plan; Construction Phase Methodology - Kier for Preston Manor Primary School; Foul and surface water drainage strategy; Site waste management plan; Unless further or revised details are submitted to and approved in writing by the Local Planning Authority

Reason: In order to safeguard local residential amenities, sustainability measures and air quality

- (13) Within 3 months of this decision notice, or within 3 months of commencement of development further details of:
- a) the proposed refuse and recycling facilities
  - b) 10 secure, weatherproof bicycle parking spaces, including details of the appearance of the shelter
  - c) the infant external store on the eastern elevation

shall be submitted to and approved in writing by the Local Planning Authority and if commenced, the development shall be carried out and completed in all respects in accordance with the details so approved before the buildings are occupied.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (14) The proposed external lights on site (maximum 8.1m high columns to MUGA, 4m high columns to school/carpark areas and 1m high light bollards elsewhere) shall be erected within 18 months of commencement of development, substantially in accordance with the approved details including directional details, style, baffles where applicable, and relevant horizontal/ vertical light plot drawings; and shall thereafter be maintained in accordance with the approved manufacturer's guidelines unless otherwise agreed in writing by the Local Planning Authority. No other external lights other than those approved under application 11/2158 shall be erected on site unless further revised details are submitted to and approved by the Local Planning Authority

Reason: In order to prevent harm to local amenities from light spillage

- (15) No music, public address system or any other amplified sound system shall be installed externally on the site without the prior written approval of the Local Planning Authority. Any proposed system/s shall be submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter only installed in accordance with the details so approved

Reason: To safeguard the amenities of the adjoining occupiers

- (16) Prior to occupation of the proposed development the applicants shall submit evidence that the development achieves BB93 for internal noise levels and sound insulation within the classrooms. This shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be completed in accordance with the details so approved unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a suitable, learning environment and protect the amenities of future children occupants

- (17) Within 12 months of the date of this decision or within 12 months of the commencement of development and prior to installation, the applicants shall submit details of the proposed
- a) kitchen extraction system and filters
  - b) ventilation equipment
  - c) the gas boiler flue and emissions

These details should include an assessment of the their impact on air quality and shall be submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter if commenced, the development shall be completed in accordance with the details so approved

Reason: In order to safeguard local air quality and amenities

- (18) a. Within 3 months of the date of this decision or within 3 months of the commencement of development details of any plant/ extraction equipment to be installed together with any associated ducting and the expected noise levels to be generated, shall be submitted to and agreed in writing by the Local Planning Authority prior to installation and thereafter if commenced, shall be installed in accordance with the approved details. Ducts should outlet at least 1m above eaves unless otherwise agreed in writing.
- b. The noise level from any plant (e.g. refrigeration, air-conditioning, ventilation system, kitchen extraction equipment), 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, (less than LAeq35bB.) The method of assessment should be carried out in accordance with BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas".
- c. 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 safeguard the reasonable amenities of local residential properties

- (19) a. A noise impact assessment (with appropriate mitigation measures if required) must be submitted to the Local Planning Authority, detailing the potential noise impacts of the Multi Use Games Area on the nearby residential properties. The noise level from the MUGA 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".
- b. 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: To ensure that nearby residents do not suffer a loss of amenity by reason of noise pollution

- (20) The development shall not be occupied until the approved drainage strategy has been implemented in full, (detailing on and/or off site drainage works,) under application 11/0792 including: 07 rev P1 - Roof drainage strategy; 06 rev P1 - foul water drainage scheme; 03 rev C2 - access road and drainage layout; KP010017 rev F - open plan office; rev.2 - traffic and fire management plan; Construction Phase Methodology - Kier for Preston Manor Primary School; Foul and surface water drainage strategy; Site waste management plan; unless further revised details are submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker

Reason: To ensure a satisfactory development that does not lead to sewage flooding and to ensure that there is adequate capacity in the sewerage network and that surface water is protected

- (21) Within 3 months of the date of this decision or within 3 months of the commencement of development, the applicant shall submit details of the construction and surfacing treatment for the access route. These approved details shall thereafter be implemented

Reason: To ensure a satisfactory development which considers highway safety

- (22) Prior to use of the lights other than for testing purposes, the applicants shall submit post-completion testing results that demonstrate that the lights are substantially in accordance with the approved lightspill and glare plot plans. If the results fail to demonstrate this, a mitigation strategy shall be submitted to the LPA that considers additional floodlight baffles/shielding, light designs and light directions or other such devices such as reduced hours of use. This information shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the details so approved. The lights shall only operate in accordance with these details and no subsequent alterations to the shielding shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To prevent light nuisance to nearby residential properties.

#### **INFORMATIVES:**

None Specified

#### **REFERENCE DOCUMENTS:**

Planning Policy Guidance 17: Planning for open space, sport and recreation  
Planning Policy Statement 23: Planning and Pollution Control 2004  
London Borough of Brent Unitary Development Plan 2004  
Brent Core Strategy 2010  
SPD - s106 and Planning Obligations

Any person wishing to inspect the above papers should contact Amy Wright, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5222