

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 October, 2020
04
18/4008

SITE INFORMATION

RECEIVED	22 October, 2018
WARD	Kenton
PLANNING AREA	
LOCATION	Tenterden Pavilion & Sports Ground, 289 Preston Road and Car Park rear of 291-297 Preston Road, Harrow, HA3
PROPOSAL	<p>Demolition of existing pavilion building and reinstatement of green space; construction of a part 2 and part 3 storey sports and recreation centre with ground floor office and reception area; reconfiguration of the existing car park and associated soft landscaping, to provide sporting facilities for local school, community and football club (Forest United)</p> <p>The proposed development does not accord with the provisions of the development plan in force in the area as it seeks to develop land protected as open space within Brent's Core Strategy policy CP18.</p>
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_142287</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/4008" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- Payment of the Council's legal, planning negotiation and planning monitoring costs associated with preparing and monitoring the Section 106 agreement
- Notification of commencement of development 28 days prior to material start
- Development to be carried out in accordance with the BREEAM pre-assessment to achieve a BREEAM rating of Excellent
- The payment of a £6,000 contribution to enable the Council to plant and maintain between 10 and 12 trees within Tenterden Sports Ground (indicative planting plan prepared by Council's Tree Officer)
- The delivery of works to alter the car park in line with the approved plans, in consultation with the Council's highways and infrastructure service, including the provision of relocated gating and height restriction barrier.
- Secure that the use of the playing field in connection with WECT activity is to be prevented until drainage works to improve the pitches is complete.
- Secure that public access to the playing field is to be retained outside of formally licenced usage by the freeholder and for it to be assured that the playing field will not be fenced off or surrounded by any other means of enclosure.
- Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Compliance

1. 3 Years to commence development
2. Build in accordance with approved plans
3. Restriction on the use of the building to indoor sports and recreation facility, as a community hall or as an educational facility
4. Provide car parking arrangement as delivered through the S278 agreement prior to occupation
5. Provide cycle parking prior to occupation and for cycle parking to only be used in an ancillary capacity to the sports pavilion
6. Emissions of Non-road Mobile Machinery to be restricted.
7. Build in accordance with drainage documents
8. Build in accordance with arboricultural documents
9. Tree protection monitoring to be carried out
10. Limit on 16x comings and goings of minibuses to pavilion entrance each day in association with WECT use. Minibuses used to be no longer than 6.5 metres in length

Pre-commencement

11. Revised proposed car parking plan, to reflect existing car park layout for lower car park and upper car park (with exception of parent and child spaces being converted to disabled bays), and alterations to middle car park layout to be submitted and approved prior to commencement
12. Revised Construction Logistics Plan, setting out the extent of necessary closure of the existing car park and associated timescales, to be submitted and approved prior to commencement
13. Construction Management Plan to be submitted and approved prior to commencement
14. Air quality neutral assessment to be submitted and approved prior to commencement

Post-commencement

15. Submit material samples to be submitted and approved prior to above ground works commencing
16. Sports hall & exercise studio noise report to be submitted and approved prior to above ground works commencing
17. Plan showing ecology report mitigation and enhancement measures to be submitted and approved prior to above ground works commencing

Pre-occupation

18. Submit final Community Access Plan prior to occupation, setting out hours of use, specific hire rates, details of how it would be marketed, management arrangements and details of how inactive people in the community would be engaged with
19. Submit Travel Plan prior to occupation, incorporating targets for minimising vehicle based journeys to the site, monitoring of those targets and associated measures to meet those targets
20. Height restriction barrier management plan to be submitted and approved

Post-occupation

21. External lighting details to be submitted prior to use of external lighting, subject to agreement with the Council's parks and car parks teams
22. CCTV details to be submitted and approved prior to the use of CCTV
23. Plant noise details to be submitted and approved prior to the use of plant

Informatives

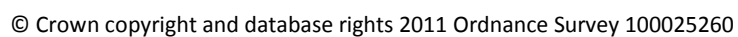
1. CIL liability
2. Party wall information
3. Building near boundary information
4. London Living Wage note
5. Fire safety advisory note
6. Asbestos advisory note
7. Any other informative(s) considered necessary by the Head of Planning

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the

SITE MAP



PROPOSAL IN DETAIL

The proposal seeks to demolish the existing pavilion building to the east boundary of the site and to reinstate the pavilion footprint, its surrounding hardstanding and the pedestrian access between the pavilion and the car park back to green space.

The proposed sports hall building will predominantly provide sporting facilities for a local school, Lycée International de Londres Winston Churchill but is also proposed to be open for the use of the community and as a club space for a local football club, Forest United.

The proposed sports hall is partly located within the existing car park to the south, and associated alterations are proposed within the car park.

EXISTING

The existing site comprises a sports pavilion building on the eastern edge of the Tenterden Sports Ground in the Preston Road area of Brent. The southern part of Tenterden Sports Ground is comprised of a car park and an area of hardstanding links the car park with the pavilion building to the north. The car park is consistently underutilised, except for event days prior to Covid-19 at which times the car park became occupied close to or at capacity. The pavilion is in close proximity to residential properties lining the western side of Preston Road.

AMENDMENTS SINCE SUBMISSION

The following amendments were made to the plans during the application:

Proposed layout of Tenterden Sports Ground car park adjusted

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- **Representations received:** 5 objections were lodged against this application. Objections raised centre around concerns over:
 - The implications for the usage of the pavilion and the adjacent external pitches by the wider community and specific community groups
 - The existing condition of the external playing pitches and their capacity for additional play
 - The need to minimise the impact of the pavilion building on nearby properties
 - A desire for there to be no substantial loss of public car parking
 - Assurance that the impact of the development will not be detrimental to local car park users from a transport perspective
 - Antisocial behaviour within the car park
 - The loss of a mature willow tree
- Your officers have considered the objections raised and consider that the development proposal is acceptable.
- **Provision of new sporting facilities:** The proposal will introduce modern indoor sporting facilities for local school use, local football club use and wider community use (to be hired out at rates in line with local authority sports facilities) at a current sports ground. The provision of the new sporting facilities will replace the existing defunct pavilion building in a different location and result in a one square metre net loss of protected open space. The very marginal loss of protected open space is acknowledged but is considered to be outweighed by the significant improvement in sporting provision in this location that would be brought about by the proposal.

- **The impact of a building of this height and design in this location:** The building is to be composed of two storeys and aligned in a T-shape. The materials are considered to be suitable choices and it is considered that the building is of an appropriate scale for a multi-purpose pavilion and community sports facility and that it is not likely to be overbearing in the context of its surroundings. The building would stand alone, with the nearest buildings being more than 50 metres away.
- **Neighbouring amenity:** Given the scale of the building and the level of separation with other properties, the development would comply with all of the Council's amenity impact guidance in relation to all potentially affected properties.
- **Highways and transportation:** The development is to result in a loss of 17 spaces from the Tenterden car park overall. A reconfiguration of the car park will expand the pay and display car park to the west so as to incorporate the entrance to the pavilion within this car park. Accordingly, the part of the car park which is for event day permit holders only is to be reduced by 32 spaces whilst the part of the car park available for pay and display is to be enlarged by 15 spaces. Additional blue badge parking and cycle parking facilities are to be introduced to the car park. The car park would be used by the applicant on weekdays for dropping off classes of students in minibuses for the purposes of physical education lessons. A suitable drop off arrangement has been demonstrated and will be limited by condition. Planning obligations are to be imposed on the applicant in relation to Travel Plan improvements/monitoring as well as construction logistics detailing.
- **Energy and Sustainability:** The application includes a BREEAM pre-assessment demonstrating that a score of BREEAM 'Excellent' will be achieved within the new development. In addition, a Section 106 obligation will normally require that a post-implementation BREEAM assessment is submitted shortly into the operation of the new building to confirm the achieved BREEAM rating.
- **Trees and Ecology:** Of 82 trees and 2 groups of trees within and within close proximity of the site, four trees and 1 group of trees are to be removed due to their close proximity to the sports hall and a further six trees are to be removed as a result of their very poor condition (category U). The remaining trees are to be fenced off with protective fencing to protect their condition during construction. Funding for the Council to plant of between 10 and 12 extra heavy standard trees is to be secured within the Section 106 Agreement (with an indicative plan prepared by the Council's Tree Officer including new trees along the northern edge of the car park and the pavilion, together with the boundary with the properties on Preston Road. The existing site is very low in ecological value with a negligible potential to support protected, priority or rare wildlife species given the short grass length and regular human play activities which take place on the field. Nonetheless, in seeking to minimise any loss of ecological value as a result of the proposal, a series of ecologists' recommendations for mitigating and enhancing biodiversity on site have been put forward and will be secured by condition.
- **Flooding and Drainage:** The site is located in an area with low probability of flooding (zone 1) in accordance with the Environment Agency's fluvial flooding maps. However, Brent's local lead flood authority has observed localised flooding problems in this area as a result of surface water runoff resulting from the steep changes in ground level at the site. The application demonstrates that general surface water runoff rates will be reduced down to Greenfield levels through the use of sustainable drainage techniques. Brent's Local Lead Flood Authority has reviewed these details and it is considered that the details are sufficient to recommend support for the proposal.
- **Environmental Health:** Suitable planning conditions are to require the applicant to address matters relating to noise impact from the use of the pavilion and from any plant machinery proposed, the management of potential disturbance that could arise through construction practices, a restriction on the use of high emissions construction vehicles and details of the impact of external lighting.

MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	1455	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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RELEVANT SITE HISTORY

The site has minimal planning history, none of which is relevant to the pre-application proposal.

CONSULTATIONS

Public consultation

This application was advertised in the local press initially on 08/11/2018, again on 20/12/2018 (so as to advertise the proposed departure from policy CP18) and again on 27/08/2020 following revisions being made to the proposed car park layout.

A site notice advertising this application was erected outside the application site on 20/12/2018 and then again on 24/08/2020 following revisions being made to the proposed car park layout.

448 properties were notified of this proposal by letter on 01/11/2018 and again on 20/12/2018 (so as to advertise the proposed departure from policy CP18) and 451 properties were notified again on 21/08/2020. The number of properties consulted the final time was different than previously as a result of properties being consulted whose occupants had submitted representations even though their address was not within the initial list of consulted properties.

5 objections to the application were received. The objections were received from the following properties/groups:

- The North Brent Parks Forum / John Billam, Tenterden Parks and Neighbourhood Watch Group
- Forest United Youth Football Club
- An occupier at a Preston Waye property
- An occupier at a Woodcock Hill property
- Ex-Cllr Michael Pavey (was an incumbent Councillor at time of submitting comments)

The comments raised are addressed below:

Ground of objection	Officer response
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<p>Planning permission should only be granted if it provides for the associated playing fields being maintained for at least the duration of any lease as publicly accessible open space playing fields and not reserved for Forest United Youth FC or other community groups specifically.</p>	<p>The playing fields are to be available for public usage during times when they are not being used by the WECT or Forest United Youth FC. The formalised community access arrangements will only apply to the indoor spaces.</p>
<p>The application seeks to address the implications of CP18 (loss of open space) by merely compensating the land utilised by the centre with other parts of the playing fields but fails to address the overall impact of this relocation on the use of the playing fields as a whole and with the need to meet the requirements to improve open space for play/sport across the borough as set out in policy.</p>	<p>All development proposals must be considered on the basis of their own merits.</p> <p>The application has been assessed in the context of the wider protected open space which it would affect and has been assessed against the CP18 policy in this holistic context.</p>
<p>There is a lack of clarity in the Design and Access statement about how exactly the new pavilion relates to the use of the playing fields and, at some points, it seems to be referring to just the part of the field where the centre will be located and at other points to the playing field as a whole.</p> <p>The demolition of the pavilion and its replacement with the new recreation centre have been artificially isolated from the playing fields where they are located and have been treated as separate entities, despite being logically inseparable.</p>	<p>Officers have considered the application in the context of the wider green space which it would affect.</p> <p>These aspects have been discussed with the applicant and appropriate safeguards have been introduced through planning obligations that maintain the existing public benefits of the external pitches.</p>
<p>There is a conflict of interest in Brent Council determining a planning application for development on its own land where it is not known if the playing fields will continue to be available for use by users of the new centre and how its own policies and strategies will be complied with.</p>	<p>The Local Planning Authority is an impartial arm of the Council which determines all planning applications in the borough in accordance with planning policies set out within the Development Plan for the area, including those where Brent Council is the owner.</p> <p>Officers are considering this application on the basis that the playing fields will continue to be publicly accessible, alongside formalised arrangements that are the subject of licence agreements between the freeholder (Brent Council) and lessees, as per the current arrangement.</p>
<p>Everything possible should be done to minimise the impact of the larger pavilion building on the properties along the edge of Tenterden playing fields, in respect of visual and noise impact.</p> <p>Trees should be replanted between the pavilion and the homes along Preston Road to maximise screening and improve greening.</p>	<p>The visual impact of the building is discussed in paragraphs 16 to 22. The noise impact of the building is discussed in paragraph 62.</p> <p>The majority of trees between the pavilion and the homes along Preston Road are to be retained.</p>

	<p>Some replanting is to be secured although not specifically in the location between the pavilion and the Preston Road boundary. The trees aspects are discussed in full in paragraphs 53 - 59.</p>
<p>The involvement of Forest United Youth FC with a right to use the building is fundamental and must be secured.</p>	<p>This is not something within planning control and is subject to the licence arrangements between the site freeholder (Brent Council) and its lessees (incl Forest United).</p> <p>Obligations that go beyond securing a means of a suitable general community access arrangement to the building (thereby addressing relevant planning policy CP 23) would be outside of planning remit.</p>
<p>The full details of community access should be secured prior to approval of planning permission.</p>	<p>Draft details of community access have been set out with the application documents and these are considered to be acceptable in principle. Further details will need to be developed as the development is delivered (if approved) and these can be submitted for officers' review closer to the time of occupation.</p> <p>Whilst officers would not deem it reasonable to secure the fully detailed community access plan up front, clear expectations for what it must contain have been set out within the relevant planning condition.</p>
<p>The playing fields must remain areas of open land to which the public have access outside of sporting events, must not be fenced in and must be properly maintained so that they can continue to be used by Forest United and the local community as well as WECT.</p>	<p>This will be secured through the permission.</p>
<p>CCTV should be provided to ensure that the replacement building remains safe and to ensure the surrounding area does not become an area for drug related or anti-social behaviours.</p> <p>CCTV positioning should be clarified and should be provided along the entirety of each flank of the pavilion.</p> <p>Fencing should also be provided around the pavilion to discourage and aid in the protection against ASB / drug related activity / loitering, both during and after use.</p>	<p>CCTV details will be required by condition.</p> <p>Fencing between the pavilion and the car park is shown on the plans.</p>
<p>There should be no substantial loss of car parking spaces and parking for the public should continue.</p>	<p>There will be no reduction in public pay and display car parking</p>

	as a result of this proposal.
<p>The retention of the gating to the western part of the car park is essential. This needs to continue to be closed after dark to deter anti-social behaviour.</p> <p>It should be confirmed that the gating and height restriction will continue to be provided even in the context of the gating being moved.</p>	<p>The gating and height restriction is to be reinstated within the new location to the west of the current location, as shown on the proposed car park layout plan.</p>
<p>No overhang or publicly accessible verandas or covered areas are in this application and this should be fully secured in the interests of ensuring that ASB and loitering is discouraged.</p>	<p>These features do not form part of the considered plans and further planning permission would be needed to implement such elements.</p>
<p>The speed humps in the car park that were installed in June 2018 are not shown as being replaced or retained within the car park. The speed humps need to be kept in place.</p>	<p>A Section 106 agreement will secure works to the car park. It can be clarified in the head of term for this obligation that speedhumps must be retained as part of the works.</p>
<p>Since June 2020 car park lighting is switched off after dark which has limited illegal and anti-social activity taking place in the car park. The same switch off should apply to the new pavilion once it stops being used after dark.</p>	<p>A planning condition is to require the applicant to provide further details of external lighting, and for these details to be subject to consultation with the Council's parks and car parks teams to confirm acceptability in the context of other initiatives such as this.</p>
<p>Given the narrow road into the site from Preston Road the size and frequency of transport to and from the Lycee should be properly regulated and that traffic issues related to the number and size of vehicles turning on and off Preston Road should be fully addressed.</p>	<p>The transport impact and access arrangements are discussed in paragraphs 39 - 44.</p>
<p>The existing pavilion includes the provision of free parking which is not impacted by event day restrictions. The application makes no assessment nor makes any provision for free car parking capacity commensurate with the anticipated public use of the facilities. There is no explanation of why such free parking is no longer a requirement and this provision exists at other outdoor facilities in the borough.</p> <p>The potential cost of relying on paid car parking is prohibitive and avoidable and would likely lead to underutilisation and/or congestion in the surrounding streets. The existing activities cater to a high proportion of small children where use of public transportation is neither feasible nor safe.</p> <p>51 free car parking spaces would be an indicative requirement for Forest United use. This could be implemented by a voucher or ANPR system.</p>	<p>This is addressed in paragraph 29.</p>
<p>An assessment of transport needs is incomplete.</p>	<p>This is addressed in paragraphs</p>

	28 - 31 and 39 - 44.
<p>The application does not seek to maintain or enhance the existing activities that are associated with the open space. In its current form, the proposed development will ensure degradation of existing facilities and reduction in utilisation.</p> <p>No information has been provided as to how the outdoor facilities will support anticipated use.</p> <p>Legal provision for wider access should be at the heart of the application, both to honour the longstanding intentions which enabled this application in the first place and to ensure that Brent Council uses all potential leverage to maximise healthy living and community engagement, both important corporate priorities for the Council.</p>	<p>This is addressed in paragraphs 1 to 9 and 12 to 14</p>
<p>The existing outdoor facilities have been graded as poor and needing improvement. Works identified as needed in Brent's Planning for Sport and Active Recreation Facilities Strategy 2008-2021 have not been carried out.</p> <p>The existing facilities are identified as operating at full capacity and increasing usage on outdoor facilities that are already poor and unsafe will lead to degradation and safety concerns.</p> <p>Brent is not forthcoming with allowing funding for upgrades to both John Billam and Tenterden playing fields.</p>	<p>Brent Council's Parks service intend to undertake works to improve the drainage to the fields shortly and only then will this result in an acceptable basis for formalised usage of the fields to be increased, as agreed by both Brent and Sport England.</p> <p>This is further addressed in paragraphs 12 – 14.</p>
<p>There is no usage/ maintenance/management plan for the outdoor facilities.</p> <p>DMP8 requires that where open is proposed it should be publicly accessible, appropriately designed to be safe, usable and integrated into the development site, enhance biodiversity and integrate into the existing green infrastructure network and include a suitable long-term management plan.</p>	<p>A new open space is not proposed, nonetheless matters of public access and biodiversity impact remain relevant to this application and appropriate safeguards are to be secured.</p> <p>Public access to the playing fields is further addressed in paragraphs 12 to 14.</p> <p>Biodiversity is further addressed in paragraphs 60 and 61.</p>
<p>The Lycee International de Londres Winston Churchill is one of twelve London schools within the Agency for French Education Abroad. The other eleven sister schools will no doubt seek to make use of this proposed facility.</p>	<p>There is no evidence to suggest this. Were use of the facility to increase in connection with WECT activity, the requirements of the community access plan and a condition preventing more than 16 minibus movements into and out of the car park per day would appropriately safeguard impacts.</p>
<p>A level of priority, via the license agreements, should be given to WECT and Forest United as principal stakeholders in the proposed development.</p>	<p>This is not something within planning control and is subject to the licence arrangements between the site freeholder (Brent</p>

	<p>Council) and its lessees (incl Forest United).</p> <p>Obligations that go beyond securing a means of a suitable general community access arrangement to the building (thereby addressing relevant planning policy CP 23) would be outside of planning remit.</p>
A usage pattern should be submitted and a maintenance program to ensure long term sustainability.	This is a matter for the Council's Parks team. It is likely that such work will be undertaken as part of the improvement works the team carries out to the playing pitches.
The role of the Preston Road car park needs to be more explicitly covered by this application, not least because of significant ASB in recent months. The application should be an opportunity to upgrade the security of the car park and should not be missed.	Significant alterations to the car park are proposed. This is addressed in paragraphs 32 – 36 and 46.
The application is on behalf of a registered charity, however this is not a charity with an established record of supporting the local community. Whilst fee paying schools can be legally constituted as charities, this does not mean that they automatically have the interests of local residents at heart.	The nature of the applicant is not a material planning consideration.
Care should be taken in removing any asbestos present on the existing pavilion building during demolition.	A suitable safety informative will be communicated to the applicant in respect of asbestos.
The Fields in Trust organisation have accepted that the fields are suitable for protection under Active Sports Status and we await Brent Council's support.	This is not a material planning consideration.
The mature willow tree's removal is strongly objected to in this proposal. The pavilion should be moved to allow its retention.	This is addressed in paragraphs 53-59
The main WECT facility should be hired out at rates equivalent to Brent Council sports hiring facilities.	This will be one of the requirements, and will be secured within the community access management plan.
Other local school should be able to make use of the facilities.	A condition will require the applicant to demonstrate that specific hire rates for the indoor sports hall hire are genuinely comparable with rates at public sector run sports hire facilities in the local area.
The sports facilities should not be reduced when the government is encouraging active lifestyles.	The array of sports facilities at the site are to be expanded and improved as part of this application.

The pavilion should include a social centre for the local community to reduce noisy behaviour.	Community access for sporting purposes will be secured by the Council as part of the public benefits of the proposal.
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Internal consultation

The following officers at the Council were consulted regarding the proposal:

Officer Consulted	Summary of Comments
Environmental Health	No objection subject to a condition requiring a noise report to be submitted and approved prior to first occupation that confirms a suitable amenity impact in respect of the noise generated from sporting uses within the building.
Local Lead Flood Authority	No objection subject to the drainage measures submitted being secured by condition.

External statutory and professional body consultation

Metropolitan Police

The Metropolitan Police were consulted regarding this application. The Met Police raised no objection to the application but did make some recommendations in the interests of security that relate to internal and external areas of the pavilion, bin stores, utilities, lighting, the car park, cycle stores and pathways. Much of the commentary is in a greater level of detail than can be approved through the planning process, however the applicant has been sent these comments to ensure that they are considered as part of the more detailed design process.

Sport England

Sport England were consulted regarding this application. Whilst initially raising a holding objection to the proposal, Sport England now support the proposal and this is detailed below in paragraphs 12 - 13 and 55 - 56 below.

In terms of the specific comments made these are set out below.

Sport England initial comments:

Comment	Officer Response
The Council's Playing Pitch Strategy highlights issues with the quality of the playing field and that the site is over-played. Although the submitted documents indicate that Lycee International de Londres Winston Churchill would use the proposed indoor facilities it is not clear if the school would use the playing field as well. Could the applicant, therefore, confirm whether the proposed development would result in increased use of Tenterden Sports Ground playing field and if so, what measures are proposed to mitigate any increase use. This would enable to Sport England to fully understand and assess the impact on the playing field.	<p>The WECT intend to make use of the outside pitches subject to a playing pitch strategy to be agreed by condition. This would likely increase the formally agreed play on the fields.</p> <p>The quality of the pitches is to be significantly improved through a project to be undertaken by the Council's Parks team to address the drainage issues experienced on the pitches at present.</p>

Sport England understands that the proposal would result in the only area of the site where users do not have to pay for parking which is likely to have an impact on existing community use of the site. Could the applicant confirm the intended parking arrangements/access plan, including any areas where the users could park for free.	There has never been a formal arrangement for free parking at the site and there are a number of reasons why the introduction of free parking would not be supported at the site. This is set out in paragraph 29.
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Sport England follow-up comments:

Comment	Officer Response
The Section 106 obligation relating to preventing the use of the playing pitches until drainage improvements have been undertaken would ensure that the quality of the playing pitches would not be detrimentally affected by the play from the school unless the playing field is improved. Once the playing field is improved as indicated it should result in improving the playing capacity of the site which should in turn ensure that it would then be able to accommodate the school s use as well as increased/maintained community use. It is important that the playing field improvement works are implemented and do actually improve its carrying capacity. Sport England notes that the improvement works does appear in the Council s Local Football Facility Plan so it is likely that the works will. The condition suggested would also prevent the school from using the playing field if the improvement works do not come forward thereby protecting the community use of the playing field.	Noted.
As a result, Sport England now considers that the proposal broadly aligns with Exception E5 of its Playing Field Policy as, notwithstanding the not ideal siting of the facility, the proposed facility would overall provide a benefit to the community which outweighs the negative caused by the partial loss of playing field. Sport England has arrived at this view as there appears to be a shortfall of sport hall provision within the borough identified by the Facilities Planning Model (which, in the absence of a robust Council Strategy for built sports facilities is the best alternative to use) and provided that the facility is designed and constructed in line with Sport England Design and Cost Guidance and is available for community use outside core school hours.	Noted.

Community Involvement

As part of the planning process and proposal's development, the applicant held two public consultation afternoons at a local library, the Preston Community Library. The first consultation was held on the 5th

December 2017 and the second consultation was held 14th June 2018. As a way of making all local residents and businesses aware that the consultations were taking place, leaflets were distributed and tracked to properties in close proximity (approximately within a 750m radius of the Preston Road/Preston Way junction) for the two consultations. A large banner was also erected on the Tenterden Sports Ground. A press article was also published for each consultation in the Brent and Kilburn Times. The consultation events were also advertised on the Lycée International de Londres Winston Churchill's website, with accessible links to leaving feedback, making contact details with the Wembley Education Charitable Trust to voice any comments or queries and to access the display notice boards electronically.

The applicants summarise the feedback they received during and following the consultation as follows:

- The large majority of feedback received confirmed that the proposed Sports Hall would help make a positive contribution to the local area;
- Interest in activities participating is wide ranging from futsal, basketball, volleyball, badminton, 5-a-side football, dance, yoga, Gym;
- A number of residents are interested in renting Forest United community room for non-sporting activities (group meetings etc.) when not in use;
- The facility should be opened to the local community and local clubs and pricing should be in line with Council run facilities;
- Local schools should still be able to access the sports fields for their sports event day;
- The proposal should address concerns in regards to transportation and minimise traffic/congestion;
- Car park gates should remain in use to prevent misuse of the grounds;
- The development should be in keeping with the environment and be sustainable;
- The sports ground should remain opened and not be fenced so that walkers can continue to access the grounds as currently;
- There should be no loss of green space resulting from the development;
- Trees to be protected and any tree removed should be replaced adequately;
- The proposal should help contribute to deter anti-social behaviour that is an issue currently;
- CCTV would be required; no shelter area to be provided; Building perimeter to be built robustly at ground floor level or fenced all around;
- There should be no overhangs on the building so no shelter is provided which may enable anti-social behaviour.
- Parking should remain affordable;
- The Pavilion should be removed and asbestos disposed of in a safely manner in accordance with HSE;
- The project will ensure that the empty property is removed and stops being vandalised;
- Local schools located within walking distance to the Tenterden Sports Grounds should be consulted for the running of their school holiday programme;
- The addition of an internal climbing wall would be welcomed;
- This new facility would be welcome and is much needed in an area where no such facility exists;
- The replacement should encourage higher quality facilities, supporting the function of the football team and use of the park for sport;
- This will create a community space for clubs, groups and individuals to gather and enjoy sport;
- The proposal will provide Forest United with a base and foster a relationship with the Lycée International de Londres and aid the integration of the French community into the Borough;
- The proposal will improve the usability and desirability of the location in providing sports facilities to the local community;
- This facility will help promote healthy lifestyles.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies DPD, the 2011 Site Specific Allocations Document and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

London Plan (2016)

- 3.16 – Protection and enhancement of social infrastructure
- 3.18 – Education facilities
- 3.19 – Sports facilities
- 5.1 – Climate change mitigation

- 5.3 – Sustainable design and construction
- 6.9 – Cycling
- 6.10 – Walking
- 7.15 – Reducing and managing noise
- 7.18 – Protecting and enhancing open space and addressing deficiency
- 7.19 – Biodiversity and access to nature
- 7.21 – Trees and woodlands

Brent's Core Strategy (2010)

- CP 18 – Protection and Enhancement of Open Space, Sports and Biodiversity
- CP 19 – Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 23 – Protection of existing and provision of new Community and Cultural Facilities

Brent's Development Management Policies (2016)

- DMP 1 – Development Management General Policy
- DMP 8 – Open Space
- DMP 9 B: On Site Water Management and Surface Water Attenuation
- DMP 12 – Parking
- DMP 13 – Movement of Goods and Materials

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released an "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

Relevant policies in the 'intend to publish' London Plan include:

- D4 Delivering good design
- D5 Inclusive design
- D12 Fire safety
- D14 Noise
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan. Relevant policies include:

General:

- DMP1 – Development Management General Policy

Place:

- BP4 – North West

Design:

BD1 – Leading the way in good design

Social Infrastructure:

BSI1 – Social Infrastructure and Community Facilities

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent

BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent

BSUI2 – Air Quality

BSUI3 – Managing Flood Risk

BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

BT3 – Freight and Servicing, Provision and Protection of Freight Facilities

BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

SPD1 Brent Design Guide 2018

DETAILED CONSIDERATIONS

Principle of developmentUse of the proposed building

1. The application has been submitted on behalf of Wembley Educational Charitable Trust (WECT). The proposed building is proposed to provide sporting facilities for Lycee International de Londres Winston Churchill, for the use of the community and as a club space for Forest United Youth FC.
2. The Lycee School is a primary and secondary school located within the former Brent Town Hall on Forty Lane and has been open since 2015. Whilst current on-site facilities have been sufficient in terms of Physical Education (PE) for the school, the school has been limited by the range of activities available for pupils. The only indoor sports hall is located within the former Paul Daisley Hall, but this hall is also used as an assembly and events space. This has had an impact with the PE offer that the school can provide with overbooking of the hall and timetabling issues. Pupil numbers are set to rise to 1,100 pupils by 2020 (900 enrolled in 2018), and the Paul Daisley Hall is not Sport England compliant due to its size and heritage features (the building is Grade II listed).
3. The proposed indoor sports hall and associated facilities will allow the school to develop and improve its PE offer, including out of school activities and inter school competitions.
4. The proposal also seeks the continuation of a community use within a newly built sports pavilion which would replace the existing pavilion on site. The poor condition and disused state of the pavilion on site has created a magnet for anti-social behaviour that has caused residents and the local residents association a lot of concern. Due to the pavilion's current state, it has been boarded up for health and safety reasons and sits derelict to the east of the site. Therefore, no one can use the building at present. Some of the windows to the north elevation have been smashed and the building has been subjected to vandalism.
5. The new pavilion would result in a larger provision of community floorspace than at present and the development will therefore not result in the loss of community use floor space. The new facility would

include a brand-new four court Sport England compliant sports hall with changing rooms and a fitness studio so the sports offer will be better than currently proposed (currently none). The sports hall will also include a climbing wall. Additionally, the previous occupier of the Pavilion (Forest United Youth FC) has been provided with a community room including toilets and sports storage that will be sub-let to them as well as access to changing rooms.

6. The current pavilion does not have any indoor sport activity areas and is now closed so the proposed facilities will be better than the existing one on all aspects. The proposed facilities will be open to schools, members of public including local organisations and current users of the playing fields. A preliminary community access plan has been submitted with the application which sets out the following information:
7. Community to be able to hire the sports hall and exercise studio at the following times:

Period	Weekday Public Hire Hours	Saturday Public Hire Hours*	Sunday Public Hire Hours*	Hire Out Rates
During French calendar school holidays	18:00 – 22:00 (4 hours a day)	9:00 – 20:00 (11 hours a day)	9:00 – 18:00 (9 hours a day)	Comparable to those of Brent Council owned facilities
Outside French calendar school holidays	9:00 – 22:00 (13 hours a day)	9:00 – 20:00 (11 hours a day)	9:00 – 18:00 (9 hours a day)	

* The Lycee International de Londres will occasionally use the facilities for week-end inter school completion matches (approximately once a month) and PE sports days (once a year).

8. The proposal would result in community access of up to 40 hours a week during French calendar school time and up to 85 hours a week outside French calendar school time. On occasional weeks where the facilities would be used for school related activities at weekends, the number of hours of community access per week would reduce to no lower than 20 (4 hours per week day). It has also been envisaged that the school may be able to open in early mornings for additional community access, prior to school hours but this would need to be confirmed at a later date.
9. The preliminary plan is positive, proposing at least 20 hours of community access per week at competitive rates. The proposal is therefore consistent with the requirements of core strategy policy CP 23 and draft policy BSI1. A condition will require a finalised community access plan to be submitted to confirm the finalised hours of community access and the specific hire out rates to be charged for officers to approve prior to first occupation. At least 20 hours of community access hours a week will be expected, alongside hire rates which would be clearly competitive with similar facilities in the area. Comments received from Brent's Culture Service have, in addition to the above requirements, required that details of how the facility would engage with inactive people in the community. This will also form part of the condition.

Impact on open space

10. Tenterden Sports Ground is identified in the local plan as an Open Space subject to protections as stipulated in CP 18 and DMP 8. The policy requires that open space of local value is protected from inappropriate development and is preserved for the benefit, enjoyment, health and well-being of Brent's residents, visitors and wildlife. Support will be given to the enhancement and management of open space for recreational, sporting and amenity use.
11. The proposal will result in the loss of 985sqm of green space within the Tenterden Sports Ground, immediately north of the car park, between the marked out football pitch and the tree line which runs along its eastern boundary. The proposed pavilion building and a small area of hardstanding around its southern edge would occupy this area of lost open space. Alongside this, the proposal would result in the reinstatement of 984sqm of green space along the sports ground's eastern edge, coinciding with the loss of the existing pavilion building and associated hardstanding. The proposal would therefore deliver a net loss of one square metre of protected open space. Whilst the space to be lost is acknowledged as being slightly more valuable and usable open space compared to the space which would be regained along the eastern periphery of the site, the 1sqm net loss of open space overall is considered to constitute a reasonable mitigation which seeks to minimise departure from the requirements of CP 18 and DMP 8. Furthermore, the proposal would deliver a comparatively modern and large indoor sporting facility

compared to the existing. The proposed pavilion (consisting of a large sports hall, clubroom with associated store, studio space and sports changing facilities) would clearly be complimentary to the wider sporting use of the open space.

Associated use of the external playing field

12. As part of the proposal, the Lycee International de Londres Winston Churchill have confirmed that they would use both the internal pavilion facilities and external pitch facilities for Physical Education lessons and associated sporting uses. The school have confirmed that they would only use the external pitches during school times on week days, with occasional weekend use where possible for a sports day or other activity, similarly to the indoor facility. Forest United FC, whose replacement club room would be provided within the proposed pavilion, mostly use the pitches at weekends for training and matches, although sometimes during the week after school hours too. In any case, the use of the external pitches on Tenterden Sports and Recreation Grounds is managed through a Licence Agreement on a yearly basis operated by Brent Council. During times when the playing fields are not being used for purposes as set out in the freeholder's (Brent Council) licence agreement, the playing fields would remain publicly accessible/usable as has long been the arrangement. In securing this, a Section 106 obligation would require that the playing fields to remain areas of open land to which the public have access outside of sporting events and that they must not be fenced in at any time.
13. The site is considered to constitute playing field, or land last used as playing field. As such Sport England is a statutory consultee. Sport England has stated that it has considered the application in light of the National Planning Policy Framework (particularly Para. 97) and against its own playing fields policy. Whilst initially objecting to the application proposal on the grounds that the playing fields are overplayed and that regular use by the Lycee International would worsen the ground conditions, Sport England now support the proposal on the understanding that the drainage works to improve the quality of the pitches at Tenterden Sports and Recreation grounds is to be undertaken and funded by the Council's Parks service. The Council's Parks service have identified the works to the pitches as a priority project given the poor quality of the soil and note that the pitches remained waterlogged for much of the Winter 2019/2020 period. In addition, the Council's playing pitch strategy highlights issues with the quality of the playing field and that the site is overplayed.
14. On the 29th September 2020, Brent's Capital Investment Panel approved funding for the drainage improvement and reinstatement works to Tenterden Sports Ground and the adjacent John Billam Sports Ground. Brent's Parks service intend to carry out the works during the winter of 2020/2021. To support the carrying out of these works, a Section 106 obligation would be applied to the consent requiring the external pitches to not be used for school related activities prior to the completion of the drainage improvement works. This planning obligation has been agreed as suitable with both the applicant and Sport England. This obligation would not preclude the continuing public access to the pitches and the pitches would need to continue to be accessible by both the public and in line with use agreements between the freeholder (Brent Council) and any relevant leaseholders (e.g. existing use by Forest United Youth FC) as has long been established, with only WECT related usage of the pitches precluded until such a time that the drainage works to improve the quality of the playing fields have been carried out.

Summary

15. In summary, the land 'swap' which would be undertaken by reinstating 984sqm of green space through removal of the existing pavilion and hardstanding on the eastern edge of the site in place of the loss of 985sqm of green space slightly farther to the west would ultimately result in a net loss of just 1sqm of protected open space. Nonetheless, it is acknowledged that the space to be lost would be slightly lower value space and less usable space than the open space which would be gained, in outdoor amenity terms. On the other hand, the addition of the pavilion as proposed would retain the existing external playing pitches in full, re-provide improved pavilion facilities where the current facilities are defunct and introduce new high quality indoor sports facilities to the site which could be hired out at competitive rates by the local community. Furthermore, the existing means of public access to the Tenterden playing fields, outside of licence agreement arrangements, would be retained in full and secured by legal agreement. The proposal would therefore significantly improve the range and versatility of the sports offer available within the Tenterden site and it is considered that these benefits outweigh the comparatively minor shortcomings against the aspirations of policies CP 18 and DMP 8. As a result, officers consider that the proposal is acceptable in principle.

Scale, height, massing and design of the development within its local context

16. The plans demonstrate the building is to be composed of two storeys and aligned in a T-shape. The building will be about 7.45m high in its southern portion and 10.15m high above the sports hall floor at the rear (north) side of the building. The southern portion of the building would have a flat roof whilst the northern portion containing the sports hall would have a roof with a shallow pitch with gable ends on the east and west edges of the building. It is considered that the building is of an appropriate scale for a multi-purpose pavilion and community sports facility and that it is not likely to be overbearing in the context of its surroundings. The building would stand alone, with the nearest buildings (two storey residential buildings lining Preston Road and Preston Waye) being sufficiently far away (50m+) and out of view so as to not inform or set precedent for the local context.
17. The elevations clarify the specification and visual appearance of the building's external materials. The prevailing visual features would be dark grey brickwork at low level and a white and light grey silicone render at higher level with a polymeric roof. The cladding at higher level will have darker coloured strips that would appropriately articulate the facades. The materials are considered to be suitable choices and the appearance would likely be acceptable subject to officers reviewing samples of these materials prior to above ground works commencing. A condition will require that the material samples are reviewed by the officer prior to above ground works commencing. This will be to ensure that the building will have an appropriate finish.

Design and layout

18. The proposal is it to contain approximately 1,503sqm of internal floor space. About 766sqm will form the double height sports hall itself on the northern side of the building, whilst the remaining floor space is to be provided on the southern side of the site, across two floors. The ground floor is to provide the clubroom for Forest United, the local football club based at the site, associated storage as well as offices, reception area, physio room and plant room. The first floor is to provide a large studio space and associated storage as well as a viewing gallery allowing people to spectate activities in the sports hall.
19. Finally, four sets of changing rooms are to be provided, two sets on each floor. The first floor changing rooms include two shower rooms. WC facilities are also to be provided across both floors.
20. At ground floor, the building will have a main entrance on the southern edge of the building, immediately bordering the car parking area. Six additional accesses are to be provided, two on the west elevation providing access to the Forest United club room and Forest United Store respectively, one on the east elevation providing access to the plant room in isolation and three on the south elevation of the sports hall itself.
21. The building will be located partly across the current car park, and will remove 18 current car parking spaces.
22. The overall design and layout is appropriate and will provide a logical arrangement allowing for Forest United, Teaching and public community uses.

Impact on amenities of neighbouring properties

23. In order to be acceptable when judged against Brent's DMP1 policy, it will be necessary for the application to demonstrate that the development meets all standards within Brent's SPD1 guidance for new developments in respect of its impact on the nearest existing residential units and the other proposed residential blocks within the development.
24. The relevant amenity impact tests within this guidance would relate to privacy and undue enclosure at residential properties. The relevant tests of this impact are as follows:

Privacy

25. The amenity impact considerations require that all windows within the proposal are at least 9m from the boundary with neighbouring private gardens and 18m between directly facing windows. This is set out in SPD1. The only windows on the east elevation (facing the properties on Preston Road) serve the entrance lobby, and these are located approx. 17.8m from the boundary with the residential gardens and approx. 32m to the nearest rear habitable room windows. As such, the proposal would not be considered to detrimentally affect neighbouring amenity in respect of overlooking and loss of privacy.

Undue Enclosure

26. In the interests of protecting existing properties from overshadowing and losses of light, all buildings proposed should generally sit underneath a 45 degree line drawn from a 2m height at the nearest edge of the nearest residential garden boundaries towards the proposed buildings. The proposed buildings should also generally sit underneath a 30 degree line drawn from a 2m height at the nearest rear habitable room windows within neighbouring properties. This is set out in SPD1.
27. The closest residential property to the proposed building is 299 Preston Road, with the shortest distance between the proposed building and the rear garden boundary of this property being about 16.8m. Given the scale of the building and this level of separation, the development would comply with the 45-degree line and 30-degree line test in respect of this property and all other potentially affected properties.

Transport

Car Parking Capacity and Availability

28. The site is adjacent to a Council run car park (Preston Road) which has 163 car parking spaces, with 141 spaces being for the sole use of season ticket holders and 22 spaces for pay and display users with 3 of these pay and display spaces being disabled bays and a further 4 being parent and child bays, as well as two electric charging points.
29. An objection made by Forest United Youth FC raises concerns that free parking for the existing pavilion is to be lost as part of this proposal. However, the only sanctioned forms of parking on the site are the pay and display/season ticket holder parking bays referred to above. Any forms of informal parking outside of the sanctioned bays (such as space that may have been available on the hardstanding between the car park and the existing pavilion which is to be removed) would not hold weight in transport terms as it does not constitute formalised or intended car parking space. Since no formal means of free parking is available at Tenterden Sports Ground car park it would not be commensurate with current transport policies (including DMP12 in the adopted local plan or BT1 & BT2 in the emerging local plan) to promote car parking by officially sanctioning free parking where it does not replace an existing provision. It would also result in a loss of revenue to the council and would add to the administration of the car park in order to enforce areas of free parking for specific users.

30. The parking charges for the car park are as follows:-

Charged hours - Monday to Saturday 8am to 6.30pm Event Day - 8am to midnight (outside of these hours parking is free)

- First hour - no charge
- One to three hours - £1 for one hour then 20p per six minutes
- Three to five hours - £4.50 for three hours then 25p per ten minutes
- Over five hours - £7.50

31. With regards to the capacity of the existing car park, parking services have confirmed that the existing pay and display bays are well used and although the season ticket car park reaches capacity during event days, it is relatively underutilised for the remainder of the time.

Car Parking Layout

32. The proposed pavilion development would occupy a 15.3m x 22.8m segment of the middle car park, which would result in a loss of 16 car parking spaces from the middle car park (currently assigned as a Wembley Stadium event day permit holders' car park). The applicant's submitted plans do not precisely identify the correct location and number of parking spaces and this minor discrepancy results in the applicant's plans showing 20 existing car parking spaces being removed. The applicant's plans show one more space than is actually present in the lower (western) car park and seven more spaces than are actually present in the middle car park. The extent of the parking area has been shown correctly, but the markings within the car park have not. The application has been assessed on the basis of the actual parking layout, and the number of spaces that can be accommodated within the proposed layout. A condition will require that a fully accurate plan is submitted to confirm the exact losses to the middle car park that would result from the proposal, prior to any works commencing. In any case, losses of permit holder car parking spaces within this range has been agreed in principle by parking services although they note it would result in a loss of revenue. New boundary treatment is proposed to divide the pay and

display car park from the season ticket/event day car park together with the relocation of the existing height restriction.

33. The proposals also involve rearranging some of the parking bays in the pay and display (upper) car park in order to provide disabled parking in order to meet the minimum requirements by converting the 4 parent and child spaces to disabled spaces. Parking Services have no objection in principle to the loss of parent and child spaces as the inability to legally enforce the parent and child bays is an ongoing concern. However it is important that the distance from the disabled bays to the new building entrance would be within the maximum guideline distance of 50m for an uncovered route and it is unclear whether the gradient of the slope connecting the different levels of the car park would be within the maximum allowed gradient for disabled users. To overcome this, Transport have recommended that 2 disabled parking spaces are located within the 1st aisle of the eastern half of the lower car park and the latest plans for consideration now reflect this arrangement. The latest plans also show that the number of car parking spaces in the upper car park is to be reduced, with 3 standard bays being lost, 2 blue badge bays being lost and 2 electric vehicle charging bays being lost. However, these changes have not been approved by parking services and the development will need to proceed on the basis that the upper car park's layout does not change aside from the conversion of parent and child bays to blue badge bays. This would be secured in the condition that requires the submission of an accurate proposed car park plan. Overall, based on the changes to the car park which have been shown in the proposed car park plan, the further changes to the car park which would be required by condition and on the basis that the pavilion will displace 16 existing car parking spaces, the proposal would result in the following changes to the car park:

Changes by car park segment

Lower (western) car park

- Unchanged - (60 spaces)

Middle car park

- Losing 16 through the new pavilion
- Losing 1 through the creation of 2x blue badge spaces in place of 3x standard spaces
- Total loss 17 - (from 81 to 64 spaces)

Upper (eastern) car park

- Number of spaces unchanged - (22 spaces)
- Re-allocating 4x parent and child bays to blue badge bays resulting in an overall provision of 13x standard bays, 7x blue badge bays, 2x electric bays
- Total car parking spaces to be lost: 17 - (from 163 to 146 spaces)

Changes by car park type

Permit holders car park

- Losing 16 through the new pavilion in middle car park
- Losing 1 through the creation of 2x blue badge spaces in place of 3x standard spaces in middle car park
- Losing 15 through re-assignment to pay and display spaces in middle car park
- Net loss of 32 - (from 141 to 109 spaces)

Pay and display car park

- Gaining 15 through re-assignment from permit holder spaces in middle car park
- Re-allocating 4x parent and child bays to blue badge bays resulting in an overall provision of 26x standard bays, 9x blue badge bays, 2x electric bays
- Net gain of 15 - (from 22 to 37 spaces)

34. The proposals also include the provision of a footway approximately 1.8m wide between the building and the car park separated by vehicular protection fencing and this has necessitated the reconfiguration of some of the car parking spaces so as to retain the minimum length requirements for car parking spaces of 4.8 metres and the minimum access aisle width requirement of 6 metres. Whilst the minimum standard for a car parking space width within current policy is 2.4 metres, the width of the reconfigured parking bays (aside from blue badge bays) is to be retained at 2.2 metres, which is the standard that has long been applied across the car park. This is accepted by parking services and highways officers based on its continuity with the existing arrangement and the fact that the proposal is not providing additional car

parking spaces overall, but merely replacing a number of the existing bays..

35. For this to be an enlarged pay and display car park to cater for the expected increase in demand for parking as a result of the proposals, there would also need to be a suitable relocation of the gates which control access to the season ticket/event day parking area. The reconfiguration of the car park as shown on the plans has also accounted for a suitable westward movement of the gating and height restriction which control access to the season ticket/event day parking area.
36. The applicant's red line location plan does not include the full extent of the car park area to which works would be needed and which are indicated on the proposed car park layout plan. Because of this, and given the Council's freehold ownership of the land, the works to alter the car park as discussed above will need to be secured through a Section 106 agreement planning obligation.

Cycle Parking

37. A minimum of 10 short stay cycle parking spaces are required. The Transport Statement indicates that these would be provided by way of 5 Sheffield stands located at the front entrance of the building. The latest plans indicate 5 Sheffield stands to the north of the first car parking aisle, providing the minimum capacity of 10 short stay cycle parking spaces. The provision of this will be secured by condition.

Pedestrian Safety and Permeability

38. In order to increase pedestrian permeability Transport have requested a direct footpath from the building to the existing north-south footway to the west of the car parks, thus improving pedestrian connectivity towards Kenton. Such a footpath was shown indicatively on previous iterations of the site layout plans, although the applicants advise that their agreement for lease does not cover the area within which this footpath would need to be delivered. Furthermore, the footpath would result in further loss of open space, contrary to the requirements of policies CP18 and DMP8. On balance, officers consider that the new footpath should not be delivered and that the protection of the open space to the west of the proposed pavilion building should be prioritised over taking the opportunity to improve formal pedestrian connections in the area.

Transport Impact

39. The principal weekday use of the sports hall building would be to provide sporting facilities for a local school – Lycée International de Londres Winston Churchill located at the former Brent Town Hall.
40. Both the design and access statement and transport statement mention that students would be transported between the site and school by way of minibuses, although the design and access Statement also indicates that students would make their own way there if their lessons are at the start of the day or make their own way home if lessons finish at the end of the school day. This latter arrangement is likely to lead to dropping off and picking up of students by cars in the mornings and evenings at this site, although this may simply substitute for such activity at the school itself.
41. The applicants have submitted vehicle tracking showing how a mini-bus would access the site and be stationed outside of the sports hall for temporary periods of time for drop-offs and pick-ups. The applicants have also submitted an indicative timetable for minibus movements, indicating the following schedule of movements:

2 x group classes (circa 30 students in each class) will use the facilities at any one time with the following timetable:

- 8.00am – students and teachers arrive at the facility by their own means – circa 60no. students and 2no. PE teachers
- 10.00am – minibuses depart Lycee International Londres (LIL) and drop off another 60 students. Assumes the PE teachers remain at the school and school staff take part of the minibus journey to the sports facility and back with the 60 pupils finishing their lessons
- 12noon – minibuses parked at LIL go to pick up pupils and PE teachers for lunch at the school.
- 2.00pm – minibuses depart LIL and drop off 60 students and 2no. PE teachers
- 4.00pm - minibuses depart LIL and drop off another 60 students. Assumes the PE teachers remain at the school and school staff go take part of the minibus journey to the sports facility and back to supervise pupils

- 6.00pm – end of last lesson and pupils leave the sport facility by their own means
 - *Lycee International de Londres will use 17 seater minibuses - that is 4 no. minibuses that will do 4 no. round trips departing from Lycee International de Londres each day.*
 - *The journey takes circa. 7min between the two facilities.*
 - *Therefore, the traffic impact is considered to be very low.*
42. The school caters for students from Year 1 to Year 13. The supporting information in the design and access statement justifies the need for the facilities due to the existing sporting facilities at the school being insufficient to meet demand. The new facility would enable the high school year's students to undertake their sports lessons there, whilst allowing other students to use the existing facility on site. In order to manage transport impact at the site appropriately, a condition will require the number of minibus movements to the car park each day to be limited to 16 comings and 16 goings unless an alternative arrangement is first approved in writing by the Local Planning Authority.
43. Information as to where minibuses will drop off students or how minibuses will be able to manoeuvre within the site has been submitted within the latest site layout plan. The revised barrier locations would negate the need to raise the height restriction barriers to enable minibus access to the pavilion entrance. A management plan for the opening and closing of the height restricting barrier would need to be implemented when oversized vehicles require access. This will be required by condition.
44. To be able to secure the promotion of sustainable modes of transport in accessing the pavilion, a Travel Plan will need to be secured. This would need to provide baseline figures on current work travel patterns and targets to reduce reliance on private motor vehicles to allow travel by car to be reduced in the interests of environmental sustainability and of local parking capacity. This will be secured as a Section 106 obligation.

Construction Logistics

45. The submitted site logistics construction plan indicates that over 35 extra season ticket/event day car parking spaces (on top of the 18) would be lost during the construction period. The extent of this loss and timescales would need to be agreed with Parking Services. A more detailed construction logistics plan would be needed and specific construction dates should be set out to confirm whether Stadium event days would be impacted by the closures associated with construction. A condition will require this. The parking services team would likely seek compensation from the applicant where construction prevents normal uptake of event day permit holder spaces. Recouping the revenue loss could not reasonably be secured through a planning obligation as it is not a material planning consideration and would need to be agreed separately between parking services and the applicant.

Garages to dwellings fronting Preston Road

46. Whilst the applicant's Transport Statement indicates that the access road to the existing pavilion also provides access to garages belonging to dwellings fronting Preston Road, having reviewed the current arrangement it does not appear that any rear garden outbuildings serving properties that back onto this strip of hardstanding provide vehicle access at present. Therefore, the loss of the hardstanding is not considered to prejudice these occupiers. It is also noted that none of the properties affected by this have commented on the application or raised this as a concern.

Car park lighting

47. One of the comments received on this application raised a concern about lighting. The commenter noted that lighting within the car park has not been turned on since June 2020 and that this has been effective in deterring anti-social behaviour at the car park. The commenter has requested that the pavilion does not make use of external lighting after dark so as to uphold the improved safety of the car park. Whilst the applicant has submitted a provisional external lighting plan, the plan does not include details of light spillage or lux levels. A condition will require that further details of external lighting are submitted and approved prior to the use of external lighting at the site. The condition will also require consultation with the Council's parks and parking teams so that they can consider if the lighting would be acceptable in the context of other initiatives (e.g. whether it would be desirable for lighting to be turned off when activities within the pavilion have finished).

Sustainability, Drainage, Ecology and Tree Considerations

Sustainability

48. Brent's adopted CP19 policy and draft BSUI1 policy set out a requirement for major applications for non-domestic development to include a BREEAM pre-assessment demonstrating that a score of 'Excellent' will be achieved within the new development. In addition, a Section 106 obligation will normally require that a post-implementation BREEAM assessment is submitted shortly into the operation of the new building to confirm the achieved BREEAM rating. A BREEAM pre-assessment has been provided which indicates the building can achieve a rating of BREEAM Excellent. The pre-assessment has been reviewed by the Council's sustainability officer and it is agreed that the details are acceptable. A Section 106 agreement obligation will require the submission of a BREEAM post-assessment to confirm the final BREEAM rating is in line with expectations.
49. Policy 5.2 of the adopted London Plan requires that major applications for non-domestic buildings submitted between 2016 and 2019 achieve relevant building regulations requirements set out in part L of the building regulations. Given that no requirements that exceed the building regulations are set out, no planning obligations will be imposed in this respect. For clarity, Policy 5.2 and the corresponding Intend to Publish London Plan policy SI 2 set out an expectation for zero carbon development to be achieved (even if through carbon offsetting in part) in the context of applications for non-domestic buildings submitted after 2019, however, given the 2018 submission date of this application, this requirement cannot reasonably be imposed in this instance.

Drainage

50. The site is located in an area with low probability of flooding (zone 1) in accordance with the Environment Agency's fluvial flooding maps. However, Brent's local lead flood authority has observed localised flooding problems in this area as a result of surface water runoff resulting from the steep changes in ground level at the site. The flooding problems are generally observed to affect the John Billam Sports Ground and Silverholme Close to the west most severely, but given the site's proximity to this location and the surrounding gradient changes Brent's Local Lead Flood Authority considers that drainage attenuation should be given careful consideration at this development.
51. In line with the requirements of Brent's DMP9B policy, an onsite water management and surface water attenuation plan has been submitted with the application to demonstrate that general surface water runoff rates will be reduced down to Greenfield levels through the use of sustainable drainage techniques. Brent's Local Lead Flood Authority has reviewed these details and it is considered that the details are sufficient to recommend support for the proposal. The Local Lead Flood Authority specifically notes the proposed building will be set fairly high in comparison to adjacent ground. The surface water will be well managed on-site and the developer will be providing a green roof and below ground storage tanks to manage water on site. The surface water discharge will be restricted to 5 l/s and this will reduce the flood risks in the area. In addition, permeable paving is proposed which will reduce the flow in the system.
52. It is considered that the details are acceptable and the details of the drainage reports submitted are to be secured by condition.

Trees

53. A full tree survey, arboricultural impact assessment and tree protection plan has been submitted alongside the application.
54. The arboricultural report has surveyed 82 trees within and within close proximity of the site and 2 groups of trees. Four trees and 1 group of trees are to be removed due to their close proximity to the sports hall. This includes 2 category B trees, 2 category C trees and a group of Category C trees. A further six trees are to be removed as a result of their very poor condition (category U). The remaining trees are to be fenced off with protective fencing to protect their condition during construction. The tree officer notes that the removal of the existing hardstanding along the eastern edge of the Tenterden site as is proposed would likely benefit the remaining trees in the long term and enable a better root spread.
55. One of the trees to be removed owing to its proximity to the pavilion is a mature willow tree and the loss of this tree would ideally be avoided. Nonetheless, the placement of the pavilion building would result in it sitting 5 metres from the edge of the marked out playing field to the west and farther movement to the west would compromise the usability of this playing field and a movement of the pavilion building away from the willow tree would not be encouraged from this perspective in protecting the integrity of the

sporting facilities within the Tenterden site.

56. Whilst the majority of the surveyed trees would be able to be kept and protected from damage, six trees with some amenity value would be lost, including a willow tree which has considerable amenity value. Brent's tree officer has requested that this tree loss is mitigated through applicant funding of additional tree planting along the northern boundary of the pavilion and along the northern boundary of the car park to the west of the pavilion. Funding of £6,000 is sought from the applicant to plant between 10 and 12 extra heavy standard trees with the indicative location of the trees drawn up by the Council's Tree Officer to the north of the car park west of the pavilion and to the north of the proposed pavilion, and adjacent to the boundary with the properties on Preston Road. Given that Brent Council is the freeholder, the trees would be planted by Brent with applicant funding and the planting would need to be situated close to the edge of the playing fields so as to preserve the openness of the playing fields to the north.
57. Sport England have reviewed an indicative planting plan for the replacement trees drawn up by Brent's tree officer and consider that the tree planting would result in some further playing field loss, but also acknowledge that the tree positioning close to the edges of the playing fields would be unlikely to have a significant impact on the site's sporting capacity compared to a scenario where the trees are not delivered. On balance, Sport England have advised that they will not object to the tree planting proposals on pragmatic grounds. Officers have considered the concerns raised by Sport England but would consider that the positive visual amenity benefits that the trees would deliver over time, especially in the context of the loss of the existing willow tree, would outweigh the minimal encroachment on the openness of the playing fields that they would incur.
58. In accepting the tree planting, Sport England have strongly advised that the trees and roots of the newly planted trees should not impact on the quality of the playing field nor the integrity of the proposed building. Brent's tree officer considers that there will be no risk of tree related building damage with regards to the proposed new trees and has advised that modern building methods and standards require that foundations are designed to withstand the potential volumetric changes that soil may undergo where nearby tree roots populate a shrinkable clay soil.
59. Following the above discussion, planning conditions are to be applied which would require the developer to adhere to the tree protection plan in full and to have the tree officer at Brent observe the installation of the protection measures for the retained trees. A Section 106 obligation will be imposed to safeguard the £6,000 requested for the tree planting along the northern edge of the site in mitigating the losses.

Ecology

60. The applicants have submitted an ecology report prepared by a suitably qualified professional which sets out the predicted impact to the ecological value of the site. The report's assessment sets out that the existing site is very low in ecological value with a negligible potential to support protected, priority or rare wildlife species given the short grass length and regular human play activities which take place on the field. The report states that there is no strong likelihood of statutory protected species being on site at present. Nonetheless, in seeking to minimise any loss of ecological value as a result of the proposal, the applicant's ecologist has made recommendations for the development which include:
- Use of low level LED lighting to minimise disturbance to bats
 - Tree reductions to occur outside of bird nesting season (or subject to an active bird nest check)
 - 8 bird boxes and 3 bat boxes are recommended to be incorporated within the development as biodiversity enhancement measures on site.
61. The recommendations for mitigation and enhancement of ecology as set out in the report will be secured by condition and will be required to be shown on a plan which is to be submitted, approved and implemented prior to the occupation of the development.

Environmental Health Considerations

62. The Council's Environmental Health officers have been consulted regarding this application. A response has been received from Brent's nuisance control team in response to the noise impact survey submitted with the application. The Council's environmental health officers have noted that the application does not consider noise from the proposed sports pavilion. The nuisance control team require the applicant to submit a statement or a noise assessment showing that noise emanating from the use of the sports hall and exercise studio will not result in a material impact in relation to noise disturbance to the occupiers of nearby residential units. A condition will require that such a report is submitted and approved prior to first

occupation of the pavilion.

63. Given the nature of the development, the submission of a construction management plan is to be required ensuring that impacts to surrounding occupiers owing to construction is minimised. This will also be required by condition.
64. Another standard condition in relation to environmental health for development on this scale is the plant noise restriction condition. This condition will require that an assessment of the plant noise is carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the required noise levels are submitted for approval.
65. Brent is currently part of the 'London low emission construction partnership'. Therefore, the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. A condition will impose this restriction on the developer.
66. Finally, a condition requiring details of external lighting to be submitted will be applied. This will ensure that any lighting proposals can be confirmed as acceptable in terms of safety and nuisance in respect of lighting placement and brightness.
67. The development is not within an air quality management area but is major in scale and therefore requires the submission of an air quality assessment to demonstrate achievement of air quality neutral criteria in line with London Plan policy 7.14 and Intend to Publish London Plan policy SI 1

Equalities

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

Conclusion

69. Overall, the proposal would see a minimal loss of open space (about one square metre) alongside significant betterment in terms of the indoor sporting facilities which complement the wider intended sporting use of the open space. On balance, the proposal is considered to be acceptable in principle when judged against the requirements of Core Strategy Policy CP 18 and DMP Policy 8 and it is considered that a net gain in terms of community benefit will be experienced.
70. The indoor sporting facilities would be highly sustainable and would achieve BREEAM 'Excellent' and would be provided within a suitably sized building with an acceptable appearance. The building would not contravene any of the Council's guidance seeking to protect acceptable visual amenity impact to the residential occupiers surrounding the sports ground. The building works would also incorporate drainage measures to reduce surface water runoff rates and result in a reduction in local flood risk.
71. The proposed pavilion would be delivered alongside a reconfigured car park with an overall loss of 17 car parking spaces but an expanded pay and display capacity for public use at parking charge rates commensurate with public transport costs and improved disabled parking facilities. The lost parking spaces would result in a reduced event day permit holders parking area only. Suitable cycle parking facilities would be introduced to the car park and suitable external lighting and CCTV would be secured by condition. Whilst six trees with some amenity value and four trees of minimal amenity value would be lost, a contribution of £6,000 is to be secured for new tree planting with an indicative location shown to the north of the car park, whilst between 10 and 12 trees would be newly planted by the Council to the north of the car park and pavilion, and along the boundary with the properties on Preston Road, which would be funded by the applicant. Suitable ecological measures would be implemented to minimise loss to habitat and to potentially improve it through the use of bird and bat boxes.
72. In conclusion, officers recommend the application for approval, subject to conditions and set out in draft decision notice and completion of Section 106 Agreement.

CIL DETAILS

This application is liable to pay **£104,645.58** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 1505.72 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Assembly and leisure	1505.72		1505.72	£5.00	£0.00	£11,225.68	£0.00
(Mayoral) Assembly and leisure	1505.72		1505.72	£0.00	£60.00	£0.00	£93,419.90

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£11,225.68	£93,419.90

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/4008

To: Mr Goodwin
Darwin Group Ltd
Darwin Group Ltd
Shawbury Business Park
Shawbury
Shrewsbury
SY4 4EA

I refer to your application dated **22/10/2018** proposing the following:

Demolition of existing pavilion building and reinstatement of green space; construction of a part 2 and part 3 storey sports and recreation centre with ground floor office and reception area; reconfiguration of the existing car park and associated soft landscaping, to provide sporting facilities for local school, community and football club (Forest United)

The proposed development does not accord with the provisions of the development plan in force in the area as it seeks to develop land protected as open space within Brent's Core Strategy policy CP18.

and accompanied by plans or documents listed here:
Refer to condition 2.

at Tenterden Pavilion & Sports Ground, 289 Preston Road and Car Park rear of 291-297 Preston Road, Harrow, HA3

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 06/10/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposal is in general accordance with the following documents:

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)

Emerging Policy

- The Intend to Publish London Plan (2019)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- SPD1 Brent Design Guide (2018)

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

180053-DGL-XX-XX-DR-A-1100 Rev P1 – Existing Topo and Services
 180053-DGL-XX-XX-DR-A-1120 Rev P1 – Site Location Plan
 180053-DGL-XX-XX-DR-A-1130 Rev P1 – Existing Site Plan
 180053-DGL-XX-XX-DR-A-1140 Rev P1 – Proposed Site Plan
 180053-DGL-XX-XX-DR-A-1145 Rev P4 – Proposed Car Park Layout
 180053-DGL-XX-XX-DR-A-1150 Rev P1 – Existing Block Plan
 180053-DGL-XX-XX-DR-A-1160 Rev P1 – Proposed Block Plan
 180053-DGL-XX-XX-DR-A-1100 Rev P1 – Existing Topo and Services
 180053-DGL-01-XX-DR-A-1170 Rev P1 – Site Logistics Plan
 180053-DGL-XX-XX-DR-A-1180 Rev P1 – Green Space Area
 180053-DGL-01-00-DR-A-1410 Rev P1 – Landscaping Plan
 180053-DGL-01-ZZ-DR-A-2000 Rev P1 – General_Arrangement
 180053-DGL-01-RL-DR-A-2002 Rev P1 – Roof Plan
 180053-DGL-01-XX-SH-A-2100 Rev P1 – Proposed Elevations
 180053-2101 Rev P1 – External Lighting Plan
 180053-DGL-XX-XX-M3-A-2200 Rev P1 – 3D_Visuals

8877-EPG-ZZ-XX-DR-D-0001(-) – Below Ground Drainage Layout & Details
 8877-EPG-ZZ-XX-DR-D-0002(-) – Surface Water Sustainable Roof Drainage Layout

Supporting Documents:

- Underground Drainage Strategy (reference: EPG-8877-RP-DS-01), prepared by the Environmental Protection Group Ltd (EPG) and dated July 2018.

- Arboricultural Impact Assessment prepared by Skilled Ecology Consultancy Ltd and dated September 2018.
- BREEAM New Construction – Pre-assessment 2014 – Tenterden Sports Hall, prepared by BRE and dated July 2018.
- BREEAM UK New Construction 2014 – Guidance Note GN13 – Relating ecologist's report to BREEAM
- Tenderden Sports Ground, Harrow Noise Survey Summary (ref: L0929.1 V1), prepared by Red Twin Ltd and dated June 2017.
- Preliminary Ecological Assessment Including a Protected Species Assessment of Land and Buildings at Tenterden Sports Ground, Preston Road, Brent, London. prepared by Skilled Ecology Consultancy Ltd, dated July 2017.
- Refurbishment and Demolition Asbestos Survey (ref: TAG/A/0000TT3875), prepared by Trinity Alexander Group, dated January 2018
- Community Access Plan – Planning Application Stage

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

- 3 The building hereby approved shall not be used, other than as an indoor sports and recreation facility, as a community hall or as an educational facility, notwithstanding the provisions of the The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting either Order with or without modification).

Reason: To ensure the use of the site is appropriate for the location.

- 4 The amendments to the car park as reflected in the revised car park layout plan as set out in condition 11 below and to be implemented as part of the Section 106 obligations for the development shall be made completed in full and made available for use prior to the first occupation of the development hereby approved.

Reason: To ensure that the development is fit for purpose and appropriately mitigates transport impact.

- 5 The cycle parking infrastructure hereby approved shall be implemented and made available for use prior to the first occupation of the development hereby approved. The cycle parking infrastructure shall only be used for purposes ancillary to the sports building hereby approved.

Reason: To ensure the development is fit for purpose.

- 6 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan policies 5.3 and 7.14.

- 7 The development shall be carried out in full accordance with the details set out in the submitted Underground Drainage Strategy (reference: EPG-8877-RP-DS-01), prepared by the Environmental Protection Group Ltd (EPG) and dated July 2018.

Reason: To ensure the development improves the drainage capacity of the site in line with Brent Policy DMP9.

- 8 The development shall be carried out in full accordance with the method statements set out in the submitted Arboricultural Impact Assessment prepared by Skilled Ecology Consultancy Ltd and dated September 2018.

Reason: To ensure the development makes appropriate provisions for protecting trees.

- 9 Subsequent to the erection of fencing to protect trees on site, but prior to the further commencement of the development, the Council's tree officer shall visit the site and confirm that the protective fencing has been erected adequately and in precisely the correct location.

Reason: To ensure the effective safeguarding of trees on site.

- 10 Following the commencement of the use of the pavilion hereby approved, no more than 16 minibus journeys to and from the site shall be undertaken per day in connection with usage of the proposed and existing sports facilities at the site for the purposes of school sports / physical education lessons. The vehicles used in transporting school students and staff within this allotted number of journeys shall not exceed 6.5 metres in length. The above requirements shall be upheld in perpetuity unless an alternative arrangement is first approved in writing by the Local Planning Authority.

Reason: To ensure that the safety and usability of the Tenterden Sports Ground car park is not unduly compromised.

- 11 Prior to the commencement of the development, a revised proposed plan of the Tenterden Sports Ground car park shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The submitted plans shall precisely identify the existing placement, proposed losses and proposed re-configuration (where relevant) of parking spaces within the car park. The changes shall incorporate no changes to the upper (eastern) car park aside from the re-allocation of 4x parent and child bays to 4x blue badge disabled bays. The construction of the development shall be carried out in accordance with the approved document.

Reason: To enable effective management of the car park on site.

Pre-commencement Reason: The potential for car park closures needs to be known by Brent's highways officers prior to the closures being necessary, for planning and management purposes.

- 12 Prior to the commencement of the development, a revised Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The submission shall provide information on the extent of closures to the car park owing to construction and associated timescales of those closures. The construction of the development shall be carried out in accordance with the approved document.

Reason: To enable effective management of the car park on site.

Pre-commencement Reason: The potential for car park closures needs to be known by Brent's highways officers prior to the closures being necessary, for planning and management purposes.

- 13 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The submission shall outline measures that will be taken to control dust, noise and other environmental impacts of the development. The construction of the development shall be carried out in accordance with the approved statement.

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

Pre-commencement reason: The impacts of the construction need to be understood before they are able to occur.

- 14 Prior to the commencement of the development, an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The submission shall demonstrate how the development would achieve the air quality neutral criteria set out in London Plan policy 7.14. The development shall be thereafter implemented in accordance with the approved document.

Reason: To ensure the development appropriately limits its environmental impact.

Pre-commencement reason: Air quality impacts can stem from construction practices. The mitigation measures therefore need to be known prior to the commencement of the development.

- 15 Before any work is commenced (excluding demolition and the laying of foundations), details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The development shall be carried out in accordance with the approved details.

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

- 16 Prior to the commencement of the development (excluding demolition and the laying of foundations), a revised noise report shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The noise report shall demonstrate that expected noise levels emanating from the use of the proposed sports hall and exercise studio room will not be detrimental to the noise amenity of the occupiers of nearby residential units.

The development shall not be occupied unless in accordance with the mitigation measures set out in the approved noise report, where relevant.

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

- 17 Prior to commencement of the development (excluding demolition and the laying of foundations), a plan showing the following biodiversity mitigation and enhancement measures shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition:

- Use of low level LED lighting to minimise disturbance to bats
- Tree reductions to occur outside of bird nesting season (or subject to an active bird nest check)
- 8 bird boxes and 3 bat boxes are recommended to be incorporated within the development as biodiversity enhancement measures on site.

Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure the development makes appropriate provisions for the protection and enhancement of biodiversity.

- 18 Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority in consultation with Sport England and through the submission of an application for approval of details reserved by condition. A copy of the completed approved agreement shall be provided to the Local Planning Authority. The agreement shall apply to the sports hall and ancillary facilities and include details of:

- Pricing policy, with hire rates that are genuinely comparable with rates at public sector run sports hire facilities in the local area
- Suitable hours of use
- Access by non-educational establishment users
- Management responsibilities
- Measures that will be taken to engage with less active people in the community
- A mechanism for review

The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

- 19 Prior to the first occupation of the development hereby approved a Travel Plan for the sports pavilion shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The Travel Plan shall incorporate targets for minimising vehicle based journeys to the site, monitoring of those targets and associated measures to meet those targets. The Travel Plan shall be continually monitored thereafter.

Reason: To ensure the development makes provisions for promoting sustainable transport modes.

- 20 Prior to occupation of the development hereby approved, a management plan detailing the arrangements for the opening and closing of the height restricting barrier within the approved car park plan when oversized vehicles require access shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The development shall thereafter operate in accordance with the approved management plan.

Reason: To ensure the car park is managed appropriately and enables access to all vehicles.

- 21 Prior to the installation of any external lighting, further details of any proposed external lighting, including details of lux levels and light spillage diagrams, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Council's Parks and Parking teams to confirm if the external lighting proposals would be acceptable in the context of wider initiatives in the car park. The details shall be submitted through the submission of an application for approval of details reserved by condition.

Any external lighting shall thereafter be installed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory visual amenity impact and safety from external lighting.

- 22 Prior to the installation of any Closed Circuit Television Cameras (CCTV), further details of any proposed CCTV placement and specification shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

Any CCTV shall thereafter be installed and maintained in accordance with the approved details.

Reason: To ensure a suitable CCTV arrangement on the site.

- 23 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 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 BS4142:2014 'Methods for rating and assessing industrial and commercial

sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant. The assessment shall be submitted through the submission of an application for approval of details reserved by condition. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 Given the age of the buildings to be demolished, asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903