Bridge Road Recreation Ground
in the London Borough of Brent
planning application no. 08/2842

Strategic planning application stage 1 referral (new powers)

The proposal
Erection of a new academy comprising a 6 form of entry secondary school, a 2 form of entry primary school, nursery, associated recreational and sports provisions and car parking.

The applicant
The applicant is Mr John Christie, and the architect is Studio E Architects Ltd.

Strategic issues
Part of the site is in temporary use as an educational facility but further information is required to justify the educational need for a new academy in this location.

The site is a former playing field. Further detail on the proposed community and sports uses is required to mitigate the loss of open space and damage to the area of open character and to meet the requirements of Sport England.

Further consideration is required in relation to the urban design of the school. Further information is also required in relation to access and equal opportunities, biodiversity, climate change mitigation and adaptation and transport elements to ensure compliance with strategic planning policy.

Recommendation
That Brent Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 70 of this report; but that the possible remedies set out in paragraph 72 of this report could address these deficiencies. The application does not need to be referred back to the Mayor if Brent Council resolves to refuse permission, but it must be referred back if Brent Council resolves to grant permission.

Context
1 On 2 December 2008 the Mayor of London received documents from Brent Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 12 January 2008 to provide the Council with a statement setting
out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Categories 3C and 3E of the Schedule to the Order 2008: “Development which is likely to prejudice the use as a playing field of more than 2 hectares of land which—(a) is used as a playing field at the time the relevant application for planning permission is made; or (b) has at any time in the five years before the making of the application been used as a playing field” and “Development — (a) which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and (b) comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order— (xi) class D1 (non-residential institutions).”

3 Once Brent Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal; take over the application for his own determination or allow the Council to determine it itself, unless otherwise advised. In this instance if Brent Council resolves to refuse permission it need not refer the application back to the Mayor.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site is the 4.2 hectares Wembley Park Sports Ground and is located approximately 1 kilometre to the north of Wembley stadium. The site is bound to the north by Forty Avenue and to the east by Bridge Avenue. Railway lines serving the Wembley Park railway station bound the site to the south and the Kenbrook Care Home adjoins the site to the west. The surrounding area mainly consists of residential uses, with residential estates facing the site across both Forty Avenue and Bridge Road.

6 The site contains a sports pavilion, a grass football pitch, a motorcycle repair centre and training track and a tarmac multi-use games area. The site was formerly used as a private sports ground for London Transport, but it is now in use as a communal recreational facility. Part of the site owned by London Transport is leased to Brent Council, and is currently in use as an education facility, with a temporary primary school located on the northwestern part of the site. The primary school currently has 52 pupils.

7 The site has a varying public transport accessibility level of between 4 at the north of the development and 5 at the south (on a scale where 1 is low and 6 is high). The closest section of strategic road network is the A404, Harrow Road, located approximately 3.2 kilometres south west of the site. The nearest section of Transport for London road network is the A406, North Circular Road, located approximately 2 kilometres south east of the site. The nearest London Underground Station is Wembley Park (on the Jubilee and Metropolitan lines), located to the southeastern corner beyond the boundary of the site. North Wembley Station (on the Bakerloo and London Overground lines) is within walking distance of the site, providing National Rail services. There are a total of five bus routes that serve Forty Avenue, providing services to Cricklewood, Hendon and Willesden.

8 Figure 1 below details the location of the temporary primary school.
Details of the proposal

9 The proposal is for full planning permission for a new sponsored academy with six forms of entry. The main school building of the new academy comprising a buildings of 2-, 3- and 4-storeys will consist of:

- A nursery school with 26 full time places.
- A primary school for 420 pupils with requisite teaching staff.
- A secondary school for 900 pupils (11 to 16 years) with requisite teaching staff.
- A sixth form facility for 250 pupils (17 to 18 years) with requisite teaching staff.
- Reprovision of sports facilities consisting of a floodlit all weather pitch, a junior turf pitch and a floodlit multi use games area with changing rooms.
- 45 staff-parking spaces, 3 disabled-parking spaces, 102 cycle-parking spaces.
- Landscaping of the site and access works.

10 The proposals have been developed using a zoning approach - whereby parts of the school can be securely accessed while other areas are closed off - which facilitates community use of the school facilities out of school hours.

11 Figure 2 (below) sets out the proposed layout of the academy on the recreation ground site.
Case history

12 Temporary planning permission (for three years) was granted in March 2008 for a single storey temporary primary and secondary school facility to accommodate 300 pupils. This development now occupies the northwestern part of the site.

Strategic planning issues and relevant policies and guidance

13 The relevant issues and corresponding policies are as follows:

- Education  
  London Plan;
- Urban design  
  London Plan; PPS1
- Access/equal opportunities  
  London Plan; PPST; Accessible London: achieving an inclusive environment SPG;
- Open Space  
  London Plan; PPG17
- Playing fields  
  London Plan; PPG17
- Biodiversity  
  London Plan; the Mayor’s Biodiversity Strategy; Improving Londoner’s Access to Nature: Implementation Report; PPS9
- Transport/parking  
  London Plan; the Mayor’s Transport Strategy; PPG13;
- Climate change  
  London Plan; PPST, PPS Planning and Climate Change Supplement to PPS1; PPS3; PPG13; PPS22; the Mayor’s Energy Strategy; Sustainable Design and Construction SPG

14 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 Brent Unitary Development Plan 2004 and the
London Plan (Consolidated with Alterations since 2004). The draft Core Strategy was withdrawn prior to the examination in public on the advice of the Inspector in 2008 and a revised Core Strategy (pre-submission) is currently out to consultation. This revised draft is due for resubmission to the Secretary of State in early 2009 and is therefore a material consideration, although it cannot yet be afforded significant weight. The Site Specific Allocations submission document was also withdrawn prior to examination. This document identified the London Transport Sports Ground site for educational use:

“New school building along the Bridge Road frontage, with dual use playing fields for public use with improved facilities and accessibility. Proposals must conserve and enhance the nature conservation element of the site and open views from Forty Avenue must also be maintained. Turning facilities for buses will be sought in the vicinity of the development and a cycle link between Forty Avenue and Bridge Road provided.”

15 Brent Council has indicated that this designation will remain in the resubmitted version.

Loss of playing fields/open space

16 The only designation the site has within the Brent UDP (2004) is as an ‘Area of open character’ which should be protected and enhanced. London Plan policy 3D.8 ‘Realising the value of open space and green infrastructure’ notes the importance of protecting, promoting and improving access to London’s network of open spaces and ensuring developments make a positive contribution to the wider network of open spaces. The proposals for a school on the recreation ground will impact on the open character of the area, but the location of the proposed school buildings to the east of the site may minimise the impact and allow the ongoing ‘open’ use of sports facilities on the remainder of the site. High quality visuals of the views of the proposed academy along Fort Avenue should be provided along with a justification for the loss of the open character of the site in this location.

17 As the site is also a playing field, ‘Planning Policy Guidance 17: Planning for Open space, Sport and Recreation’ is also relevant. Sport England is the government agency responsible for community sport and has been a statutory consultee on planning applications affecting playing fields since August 1996. Sport England objects to any application that is detrimental to sport, unless alternative provision of at least equivalent value is found elsewhere. Sport England’s policy on planning applications for development on playing fields former playing fields is set out in its planning policy statement ‘A Sporting Future for the Playing Fields of England’, which is based on PPG17. This states that it will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of all, or any part of a playing field unless at least one of five specific exceptions applies. Sport England has determined that subject to the concerns listed below being satisfactorily addressed through any permission, the proposal meets exception E5, namely:

“E5: The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field.”

18 Sport England has, however, also raised the following concerns to be addressed:

- **Community use:** A Community Use Agreement/Scheme to include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review.
- **Management and maintenance:** The new sports facilities must be maintained and managed to a high standard on sites where community access is proposed. The highest
standards of maintenance must be ensured through a Management and Maintenance scheme in order to protect the future community use of the Ark Academy.

- **Access for all:** The internal and external sports facilities will need to be fully accessible for people of all physical capabilities and a condition requiring details of standards to comply with Sport England Design Guidance Notes and include consideration of ‘Access for Disabled People 2002’, is recommended.

- **Pitch quality:** The quality of the new pitches on the former school site must meet appropriate standards for play. Quality should be ensured by attaching a condition requiring new pitches to be provided in accordance with the plans submitted.

19 The applicant should also provide detailed information on how these issues relating to the playing fields will be addressed as part of the full justification for the loss of public open space/area of open character on the site.

**Education and community facilities**

20 The London Plan seeks to support and maintain high quality educational opportunities and life choices for London’s children. London Plan policy 3A.24 specifically relates to the provision of education facilities. Borough Councils need to provide a criteria based approach to the provision of new facilities and the expansion of existing facilities, taking into account:

- The need for new facilities.
- The potential for expansion of existing provision.
- Other policies within the London Plan.

21 This proposal is for the construction of an academy to be sponsored by the ‘ARK Schools’ registered charity which has established several academy schools in London. The academies programme is a Department for Children, Schools and Families (DCSF) initiative which aims to deliver improvements in standards in inner-city schools by increasing diversity in secondary provision. Academies are non-selective, state-funded schools for local children, established by sponsors. As a sponsor, ARK Schools will be expected to contribute towards the capital cost of the project or towards an endowment fund for the academy. Once the school is open, the DCSF provides continuing funding on a comparable basis to other state schools in the area.

22 Although there is an existing education use on the site, this is temporary and further full justification is required to establish a permanent change of use on the site. The temporary primary school on the site is an ARK school and in the committee report for the temporary planning application, Brent Council noted that a new academy was required in this location to meet unexpected increases in demand for both primary and secondary school places in the borough. It also commented that there has been high demand for the temporary primary school and that provisions within the borough to expand local schools cannot meet expected demand, especially given the predicted regeneration growth in the north of the borough. These arguments need to be made explicitly in relation to the proposed permanent academy on the proposed development site as part of the educational need argument. Reference should also be made to the site selection procedure and criteria (including the demographics of the catchment area) to provide a robust justification of the proposed use in this location.

23 London Plan policy 3A.24 also notes that “In order to maximise usage and to reduce the need for more alternative land to be sought, education authorities should work with local partners to achieve full use of schools in the evenings and at weekends”. The aim of the ARK academies is to play an important part in the regeneration of local communities through community use of the facilities provided. Given the existing community uses on the site, it will be important to ensure
that these are protected and enhanced in line with London Plan policy 3A.18 ‘Protection and enhancement of social infrastructure and community facilities’.

24 The ongoing use and enhancement of sports facilities on the site would comply with London Plan Policy 3D.6 ‘The Olympic and Paralympic Games and sports facilities’. The construction of new modern facilities would also, in principle, enhance education facilities and contribute towards the wider investment objectives of the Mayor’s Economic Development Strategy.

25 The proposals for education and community facilities are compliant with London Plan policies in principle, provided justification for the loss of open space and a robust argument of the educational need in this location is provided. The site selection process should also be clarified in detail. The terms of the wider community use should also be established and secured through a relevant planning condition or section 106 agreement (as requested by Sport England).

**Biodiversity**

26 The application site includes a Site of Importance for Nature Conservation (SINC), as identified through the adopted procedures for London. This is the Wembley Park Wood Local SINC, occupying the northeast corner of the site.

27 The applicant has submitted an ecological impact assessment in support of its application. This is both fair and accurate, and concludes that beyond Wembley Park Wood the application site is of relatively low value for biodiversity and as such, the Local SINC represents the focus for biodiversity conservation opportunities here and should be retained within the proposals.

28 It would appear that the current proposals essentially retain the Local SINC, intending to use it as “Soft Play Natural Habitat”. London Plan Policy 3D.14 ‘Biodiversity and nature conservation’ expects new developments to avoid adverse impact on the nature conservation value of SINCs, and if that is not possible, to minimise such impact and seek mitigation of any residual impacts. The policy also expects developments to seek opportunities to achieve positive gains for biodiversity conservation through creating, enhancing and managing wildlife habitat and improving access to nature. The applicant’s ecological impact assessment (5.3 Mitigation; page 20) includes various recommendations to address these expectations.

29 To conclude, there are unlikely to be significant impacts on biodiversity as a result of the proposed development. However, all recommendations for ecological mitigation and enhancements in the submitted ecological impact assessment should be secured through planning conditions.

**Urban Design**

30 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which encompass both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design polices in this chapter and elsewhere in the London Plan underpin the key principles set out in 4B.1 in greater detail, including specific design requirements relating to maximising the potential of sites, respecting local context, access, built heritage, views, and respecting the natural environment amongst others.

**Layout**

31 The layout of buildings and play/open spaces and sporting facilities across the site is founded on an analysis of the historical and current site context and is generally successful. The footprint of new buildings has increased, but buildings have been positioned in locations across the
site where buildings or hard standing areas already exist to minimise disruption to the openness where possible. The new formal playing courts are located on the existing playing field in a new formal arrangement of pitches.

32 Whilst the ‘conch’ style layout of the main teaching building to the west responds well to the surrounding open space, including links to outdoor teaching spaces, careful consideration is required in terms of the close proximity of to the street and main roads, in particular given the nature of peak time movements of pedestrians and vehicles collecting children around the entrance points to the site. The pinch point to the north of the site (the primary school entrance from Forty Avenue) is likely to cause considerable problems during peak times. This may be further exacerbated by the lack of drop off or pick up point space, with vehicles pulling into the small courtyard off Forty Avenue, which could have impacts on the highway.

33 The sports hall located along the eastern boundary appears to turn its back on the basketball courts and sports pitches to the west. This is disappointing and the opportunity to provide views of the basketball courts and across the west of the site should be considered. The current elevation results in a lack of natural surveillance to this part of the site, which should be improved where possible.

34 Breakout space for the secondary school is unclear. The design and access statement indicates the ball courts will not be fenced. It is unclear whether this refers to the basketball courts or the multi use games area. Given the expected number on role could be up to 900 pupils for the secondary school alone, this needs to be appropriately catered for.

35 The size, proximity and time constraints for use of the floodlights is unclear and should be clarified and also illustrated on plan. Further work and justification on these points is required.

Elevations, scale and massing

36 There is a discrepancy between the massing images shown in the design and access statement to those shown on plan. Whilst the scale and massing of the building appears reasonable having regard to the local context and surrounding character of buildings, further accurate massing and perspective images should be provided to illustrate the appearance of the building.

37 The simple palette of materials and use of colour across the scheme is welcomed and results in a contemporary style for the collection of school buildings.

38 In summary whilst the design is generally supported, some areas require further consideration and justification to ensure the proposals meet London Plan policy 4B.1 ‘Design principles for a compact city’. In particular, further thought to the arrangement of the north entrance point, and design amendments necessary to ensure inclusive access need to be considered. The proposals should also meet TfL minimum cycle parking standards, and ensure storage is both covered and secure. These changes should be made prior to the scheme being referred back to the Mayor.

Access/equal opportunities

39 Policy 4B.5 of the London Plan expects all future development to meet the highest standard of accessibility and inclusion. This together with the Mayor’s Supplementary Planning Guidance ‘Accessible London: achieving an inclusive environment’ underpins the principles of inclusive design and the aim to achieve an accessible and inclusive environment consistently across London.
A full and detailed access statement has not been submitted in support of the application. The proposal currently fails to incorporate reasonable means of inclusive access across the site. It is not clear why there are numerous changes in level, or why these have not been designed out of the scheme. The result is numerous barriers to the movement of pedestrians, pushchairs, wheelchairs and other forms equipment being moved across the site. The scheme should seek to design out the changes in level where possible in order to create a much more inclusive environment consistent with London Plan policy 4B.5. ‘Creating an inclusive environment’.

A detailed access statement should be provided to demonstrate that all areas of the school will be accessible to comply with Building Regulations Part M and Building Bulletins (In particular BB94 Inclusive Design for Schools and BB91 Access for Disabled People to School Buildings) to ensure compliance with London Plan policy relating to accessibility issues.

**Transport/parking**

Transport for London (TfL) own some of the land included in the proposed development. Consequently these transport comments have been prepared by the GLA Transport Team and are based on information provided by the applicant.

**Car Parking**

A total of 45 car parking spaces for staff and 3 disabled spaces have been proposed. This level of car parking complies with London Plan Policy 3C.23 ‘Parking Strategy’ (including annex 4).

**Cycle Parking**

A total of 135 cycle parking spaces have been proposed. This is in line with London Plan Policy 3C.22 ‘Improving conditions for cycling’. A plan should be submitted showing the location of the cycle spaces and the provision of shower and changing facilities for staff would be welcomed. The total number and location of spaces should be secured by use of a planning condition.

**Walking**

A full walking audit should be undertaken to assess the conditions of footpaths surrounding the site and where deficiencies exist a contribution will be sought from the applicant to ensure compliance with London Plan policy 3C.21 ‘Improving conditions for walking’. All proposed footpaths should be DDA compliant.

**Buses & Bus Priority**

The applicant should undertake an audit of all bus stops and stands within a 400 metre radius of the site and to assess pedestrian routes to bus infrastructure. Where facilities do not meet Transport for London (TfL) standards a contribution will be required to upgrade them in accordance with TfL transport assessment best practice guidance. These works should be secured through use of a planning obligation.

The provision of the bus lay-by is welcomed in principle as it would provide a safe and convenient location for buses serving the school to pick up and set down and allow for an increase in capacity of the bus network. The lay-by could also be used as a stand by for a new bus service linking to Park Royal, on which TfL is about to consult. The area will need though to be protected by a bus stop clearway to prevent its use for dropping off and picking up by parents. The installation of CCTV should be secured through an appropriate planning condition to help enforce illegal parking in this area. These matters of design and safety will need to be agreed with TfL through use of planning conditions and obligations prior to their implementation.
48 TFL has previously requested that a new turning facility is also required in order to allow buses to terminate as near as possible to the site and minimise empty workings. This would assist in meeting the demand created by this development and to meet the longstanding aspirations of Brent Council and TFL to increase bus capacity in the area. If the turnaround cannot be provided on site, an alternative location will need to be found by Brent Council to address these concerns. These options should be discussed and agreed on by TFL and the Council prior to this application being determined.

49 As stated, this development is expected created additional demand which has not yet been quantified. Further information must therefore be provided including details of the additional intake for each academic year and a calculation of the projected additional bus trips. In addition, further information on the general origin and destination of passengers is required. This will allow an assessment of the options for providing additional bus capacity and determine what level of section 106 contribution is required. Due to the proposed opening times and likely intake such contributions will be required in advance of occupation. This will ensure compliance with London Plan Policy 3C.20 ‘Improving conditions for buses’.

Freight and Servicing

50 Further information is required on where the loading and unloading of deliveries and supplies will take place within the site. This is of particular concern with the number of school children that will be on site and vehicle swept paths for articulated vehicles that will be used during construction should be submitted.

51 A delivery and servicing plan and a construction logistics plan should also be submitted. These should aim to consolidate loads, rationalise peak delivery times, site access arrangements and vehicular routes. This should be secured through a planning condition.

52 A commitment by the developer to use environmentally sustainable firms who are members of TFL’s Freight Operator Recognition Scheme would also be welcomed. This will ensure compliance with London plan Policy 3C.25 ‘Freight Strategy’.

Trip Generation & Highway Issues

53 The transport assessment provides no information concerning total person trip generation. It has been assumed that 40% of pupils have siblings attending the same school. On this presumption vehicle trips have been reduced by 40%. There is no evidence to support this claim and as a result the full number of vehicle trips should be more accurately assessed within a revised transport assessment. Confirmation is also required that the modelling has been prepared and validated in accordance with DTO modelling guidelines 2008.

54 An accident study will need also to be undertaken within the vicinity of the application site.

Travel Plans

55 No travel plan has been submitted as part of this application. A school travel plan will need to be scoped out and submitted for approval prior to planning permission being granted. Advice on the structure and mechanisms can be found in TFL best practice guidance on workplace travel plans. TFL would be pleased to provide more advice on what is required.

56 In summary, there are a number of transport issues which require further attention to ensure compliance with London Plan policy.

Climate change adaptation and mitigation
The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply, and incorporating renewable energy technologies with a target of 20% carbon reductions from on-site renewable energy. The policies set out ways in which developers must address mitigation of and adaptation to the effects of climate change.

Policies 4A.2 to 4A.8 of the London Plan focus on how to mitigate climate change, and the carbon dioxide reduction targets that are necessary across London to achieve this.

The applicant has submitted an energy strategy that sets out the applicant’s main energy and carbon dioxide reduction measures. The scheme will exceed the minimum requirements of building regulations by 28% and 34% for the primary and secondary schools respectively. However, it is not clear whether these calculations cover all the uses proposed within the planning application. The use of CHP is feasible and could substantially limit carbon dioxide emissions, however, it appears to have been rejected on the grounds that it is not a renewable technology. The applicant appears to propose a combination of ground source heat pumps and solar water heating panels but the energy statement is limited in the amount of information presented and how it relates directly to the school design. The estimated savings from these two technologies is 24% but it is not clear how these calculations have been arrived at. At present the scheme is not consistent with London Plan policy on energy, particularly on decentralised energy and the applicant should address the detailed points below.

Be lean

The baseline emissions, at 2006 building regulations standard and taking account of energy use not covered by building regulations, are 349 tonnes of carbon dioxide per year. The applicant states it has used a specific model developed for schools by government that is based on the Simplified Building Energy Model, however the detailed output from this has not been provided. The applicant states its intentions to use energy efficiency measures to reduce carbon dioxide emissions but the extent of this commitment and the estimated savings are not clear either. To meet the requirements of policy 4A.4, the applicant should address this by providing the modelling work that has been undertaken and the Council should secure the proposed strategy and savings by planning condition.

Be clean

The applicant has briefly considered a communal heat network as part of considering Combined Heat and Power (CHP). CHP is considered feasible and is claimed to reduce carbon dioxide emissions by 49% against building regulations 2006. The applicant also states that there is the potential to provide heat to a nearby elderly persons' home, however this is not explored in any depth. Despite this, CHP appears to have been rejected on the grounds that it is not a renewable energy technology. This is not consistent with the London Plan energy hierarchy, in particular policy 4A.6. The scheme appears to be designed to enable significant community, particularly sports use outside of normal school hours. Whilst CHP may not always be suitable for schools, in this instance it appears that it could be of substantial benefit and the scheme should be revisited.

Be green

The applicant has undertaken a desk-top assessment of renewable energy technologies. According to the Design and Access statement a combination of ground source heat pumps, for heating and cooling, and solar hot water panels are proposed to reduce CO2 emissions by an
estimated 24% which exceeds the target in policy 4A.7. However, for these technologies to be suitable, the applicant should demonstrate why CHP is not suitable for this particular scheme, to be consistent with the energy hierarchy in policy 4A.1 of the London Plan and with the power, heating and cooling order of preference in policy 4A.6. If CHP is suitable it should be incorporated with complementary technologies.

63 If the current strategy is retained, the applicant should demonstrate how these technologies are integrated into the school design and how remaining energy demands will be met, and it should ensure that there is a back up strategy for the ground source heat pumps. The actual savings will be dependent on site-specific conditions and it is not clear how specific the analysis for ground source heat pumps has been, so there remains a risk that the claimed savings will not be achieved.

Sustainable design and construction

64 The application does not identify whether or not it meets the Mayor’s essential and preferred standards for sustainable design and construction (as set out in the Sustainable design and construction SPG). Further evidence must be provided demonstrating how these standards are met, relating not only to energy efficiency but also water efficiency, waste, biodiversity and other issues.

65 The flood risk assessment proposes use of sustainable drainage systems. This is welcomed and should be in line with the hierarchy in London Plan Policy 4A.14. The commitment to SUDS should be secured by planning condition or S106 agreement.

Local planning authority’s position

66 Brent Council has indicated that it supports the scheme, given the educational need in the borough.

Legal considerations

67 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

68 There are no financial considerations at this stage.

Conclusion

69 London Plan policies on open space, education and community facilities, urban design, access and inclusion, biodiversity, transport and climate change are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:
• **Loss of playing fields/open space:** There is some loss of open space but ongoing and enhanced community use of the sports facilities is proposed as part of the new development in line with London Plan policy 3D.8.

• **Education and community facilities:** The educational use is compliant with London Plan policy 3A.24, but further information should be provided on the educational need for an academy in this location and the site selection process to justify the loss of open character. The wider community use is compliant with London Plan policies 3A.24 and 3A.18 although some further detail is required in relation to the terms of use.

• **Biodiversity:** The proposals comply with London Plan policy 3A.14, subject to the imposition of relevant planning conditions.

• **Urban design:** The proximity of the building to Forty Avenue (the primary school entrance) is constrained and requires further consideration (4B.1). The proposals include a number of level changes across the site, which result in a number of significant barriers to a range of potential future users (4B.5). The quantity and location of cycle parking requires should be consistent with TfL minimum standards (see also Transport comments).

• **Access and equal opportunities:** The proposals have not adequately considered issues relating to accessibility and inclusion and do not comply with London Plan policies 3A.17 or 4B.5.

• **Transport/parking:** There are a number of issues which require further consideration and submission of more detailed information before the proposals can be considered to comply with London Plan policies 3C.1, 3C.3, 3C.20, 3C.21 and 3C.22 relating to transport.

• **Climate change adaptation and mitigation:** The energy strategy requires further consideration to ensure compliance with London Plan policies 4A.1 to 4A.9 relating to climate change adaptation. The proposals do not comply with London Plan policies 4A.10 to 4A.22 relating to climate change mitigation.

70 On balance, the application does not comply with the London Plan.

71 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

• **Loss of playing fields/open space:** Justification for the loss of open space/impact on the open character should be provided. The issues raised by Sport England in relation to the ongoing use of the playing fields should also be addressed.

• **Education and community facilities:** A robust argument setting out educational need is required. The selection process for this site should also be clarified in detail. The terms of the wider community use should also be established and secured through a relevant planning condition or section 106 agreement (as requested by Sport England).

• **Biodiversity:** The relevant planning conditions should be attached to the planning permission to ensure compliance.

• **Urban design:** Further work on layout arrangements to the primary school entrance, creating an inclusive environment, quantity and location of cycle parking (see also TfL comments), and accurate images of the massing and perspectives of the proposals, is required in order for the proposals to be consistent with London Plan policy 4B.1 and 4B.5.

• **Access and equal opportunities:** A full and detailed accessibility statement should be submitted to detail how the proposed academy will be designed to meet the needs of all future users.
• **Transport/parking:** There are a number of issues which require further consideration in relation to the trip generation, bus layover stand, pedestrian environment and travel plans before the application is submitted back to the Mayor.

• **Climate change adaptation and mitigation:** The energy strategy should be revisited to include provision for CHP and a checklist detailing how the application meets the Mayor’s preferred and essential standards as set out in the sustainable design and construction SPG should be submitted.

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