

PLANNING COMMITTEE 4th June 2015

ADDENDUM REPORT

This report contains additional information relating to agenda items not available at the time of publication of the main agenda.

Agenda Item 4 – Brent Lea Recreation Ground, London Road, Brentford

Public Meeting

A public meeting was arranged by the Council to give residents the opportunity to ask a variety of questions of Council officers from education, leisure, planning and traffic, and to ask questions of Members. The meeting was held last Thursday (28th May) at St Paul's Church Brentford and was well attended by members of the public as well as local ward councillors and MP Ruth Cadbury. A number of issues were debated, including the need for schools, loss of Metropolitan Open Land and a 'greenfield' site, potential of alternative 'brownfield' sites and traffic and access concerns.

Concern was expressed by residents that the Council had failed to deliver any new schools in the Brentford area for over 30 years, whilst other sites, such as the north end of Commerce Road, were identified as more appropriate sites for the proposal given its temporary nature. However, it was explained that all of these sites have been considered and that many of them were inappropriate due to size, ownership or deliverability issues.

An explanation of how the current system surrounding free schools can be set up was provided for residents, explaining that generally the local authorities have little control over the process but that the London Borough of Hounslow were being proactive and engaging with potential free schools as early as possible to help identify sites and target local need. Further explanation was given as to how over the past few years all schools have, or are being, expanded to their maximum capacity, at varying costs, depending on the suitability and site of their sites. The need for school places in the Brentford area was generally accepted at the meeting.

Residents also expressed concern over the 'temporary' nature of the proposed school, with a general lack of belief that the school's location on Brent Lea would or could be removed after the two year restriction. Residents were advised that a condition would be included on any approval requiring cessation of the use and the sites return to its previous state following expiry of the two years.

The Council's Head of Leisure and Preventative Health advised that a review of local open spaces had been undertaken which had suggested the Brent Lea Recreation Ground could benefit from improvements of some form. She re-iterated that a large part of the Recreation Ground would remain open to the public and that, in the longer-term, improvements would be sought if the site was granted permission for a permanent school in any subsequent planning application.

Concerns were raised by residents about where parents would park to drop-off and collect children or where teachers would park throughout the day. The Council's

Principal Transport Planner advised that Half Moon Close would not be appropriate for drop-offs/collections and that the Council would be securing measures to restrict this. He further advised that owing to the nature of the school, and based on similar schools in the Borough, approximately one quarter of children will be dropped off to the school by car. Alternative suggestions for parking drop-off, such as the Majestic car park, were being discussed and such issues would be covered in the School Travel Plan which would be a requirement of planning permission.

It was suggested by residents that there was no likelihood of this permission being implemented since it would need to be referred to both the Mayor of London and the Secretary of State, and that the time required for this would likely prevent the school being operation in time for September.

A concern was raised that the proposal would set an unacceptable precedent for the loss of 'MOL' and open green spaces. Residents were advised that this would not be the case as each application is assessed on its on individual merits and that in this instance 'very special circumstances' were being justified by the very specific need to deliver new school places within the local area to meet an identified need and that this site was the best opportunity to achieve that at this time.

Additional representations

Since publication of the committee report, a further 20 objections have been received including a petition with 181 signatures and 8 representations in support of the proposal.

Brentford Community Council – a letter of objection and comments on the committee report have been received since publication of the latter. The letter of objection (BCC 719) raises the following matters:

1. Metropolitan Open Land – any development of any kind on MOL must be regarded as appropriate in the same way as development in the Green Belt and that permission requires approval from both the Mayor of London and the Secretary of State of Communities and Local Government.

An assessment of the acceptability of the proposal in principle is provided in the committee report at paragraphs 7.1-7.25.

This application is not referable to the Mayor of London as it falls outside of the relevant requirements of the Town and Country Planning (Mayor of London) Order 2008, principally:

"Category 3C

1. 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.

2. In paragraph 1 “playing field” has the same meaning as in article 10(2)(l) of the GDPO (consultation before the grant of permission).

Category 3D

1. Development—

(a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and

(b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building.”

The application is not referable to the Secretary of State of Communities and Local Government as it falls outside of the relevant requirements of the Town and Country Planning (Consultation) (England) Direction 2009, principally:

“3. This Direction shall apply in relation to any application for planning permission which – (a) is for Green Belt development, development outside town centres, World Heritage Site development, playing field development or flood risk area development; and (b) is received by a planning authority on or after 20 April 2009.

4. For the purposes of this Direction, “Green Belt development” means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes- (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

7. For the purposes of this Direction, “playing field development” means development of a description mentioned in paragraph (z) of the Table 2 in article 10 of the Order where – (a) the land (or any part of the land) which is the subject of the application – (i) is land of a local authority; or (ii) is currently used by an educational institution as a playing field; or (iii) has at any time in the five years before the application is received been used by an educational institution as a playing field; and (b) the English Sports Council (“Sport England”) has been consulted pursuant to article 10(1) of the Order, and has made representations objecting to the whole or part of the development on one or more of the following grounds – (i) that there is a deficiency in the provision of playing fields in the area of the local authority concerned; (ii) that the proposed development would result in such a deficiency; or 5 2 Paragraph Z was inserted by S.I. 1996/1817. (iii) that where the proposed development involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which would be lost.”

Consultation before the grant of planning permission

2.—(1) In the table in Article 10(1) of the 1995 Order (consultation before the grant of planning permission), after paragraph (y) insert—

“(z)Development which:

(i)is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field;

Definition of “playing field” and “playing pitch”

3. In article 10(2) of the 1995 Order—

(l) in paragraph (z)—

(i) “playing field” means the whole of a site which encompasses at least one playing pitch;

(ii) “playing pitch” means a delineated area which, together with any run-off area, is of 0.4 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.”

2. The Duke of Northumberland – the BCC understands that the land for the housing development at Brent Lea was passed to the London Borough of Hounslow in 1961 together with the recreation ground for the benefit of new residents. Their preliminary enquiries suggest that the consent of the trustees would be required and that consent should not be granted without confirmation that this would be acceptable to the trustees of the Duke of Northumberland

This would not be a planning consideration. The Council’s Corporate Property team have been in discussion with Northumberland Estates.

3. Context – the current application does not make clear where any permanent school buildings and playgrounds would be built (as is the applicant’s intention should the temporary consent be granted), nor whether the temporary buildings would be demolished. No suggestion as to what the ‘improvements’ to the recreation ground would be are provided in this application. Permission should not be granted without a plan showing the phased changes proposed and the access arrangements in each phase.

A ‘Temporary and permanent site phasing plan’ (drawing number 6APFS093/A/P006-P1) has been submitted with the application, which outlines the general position of where a permanent school could be located on the recreation ground at the same time as the temporary school and ensuring a portion of the recreation ground remained accessible to the public. A construction logistics plan would be required prior to commencement if approval were granted.

4. The need for Open Space – the need for the recreation ground to be retained as open space, as proposed in 1961, is now greater than ever as over 1,500 new flats close by are about to be built and occupied.

As outlined in the committee report at paras 7.23-7.25, the site is not in an area of publicly accessible open space deficiency. Also, the proposal is for a temporary period on a limited portion of the site, with the remainder of the recreation ground remaining open to the public.

5. Access – the access arrangements proposed are unsafe and should be reviewed since it is likely that a significant number of journeys to the school will be made by car and there is no road frontage for the school, meaning any vehicles delivering children would block London Road. The problems of access are likely to increase during the construction phase of the permanent school buildings.

A detailed School Travel plan would be subject to any consent outlining how the school would promote non-car based journeys to the school. Parents would be notified that there would not be any drop-off facilities on the site and that parking and waiting restrictions would be in force on the surrounding streets. A construction logistics plan would be subject of any consent ensuring conflict between construction vehicles and other road users, including pedestrians and cyclists would be minimised.

6. Precedent – this application should not form a precedent borough-wide making it easier to use precious open space for education or other purposes. The BCC feels that there are insufficient secure sites allocated in the emerging Local Plan to provide for nursery, primary, secondary and FE needs of an expanding population.

Each application is assessed on its own merits. It is not considered that approval of this application would set a borough-wide precedent owing to the very site specific justifications presented.

The comments made on the committee report build on the issues outlined above and are as follows:

Details - The report says that “The site would be returned to its previous state (i.e. recreation ground) upon cessation of the proposed use on September 30 2018”. The application is for 2 years only: 2015 to 2017.

It is accepted that this is a typographical error in the report and that paragraph 4.6 should have referred to 30th September 20017.

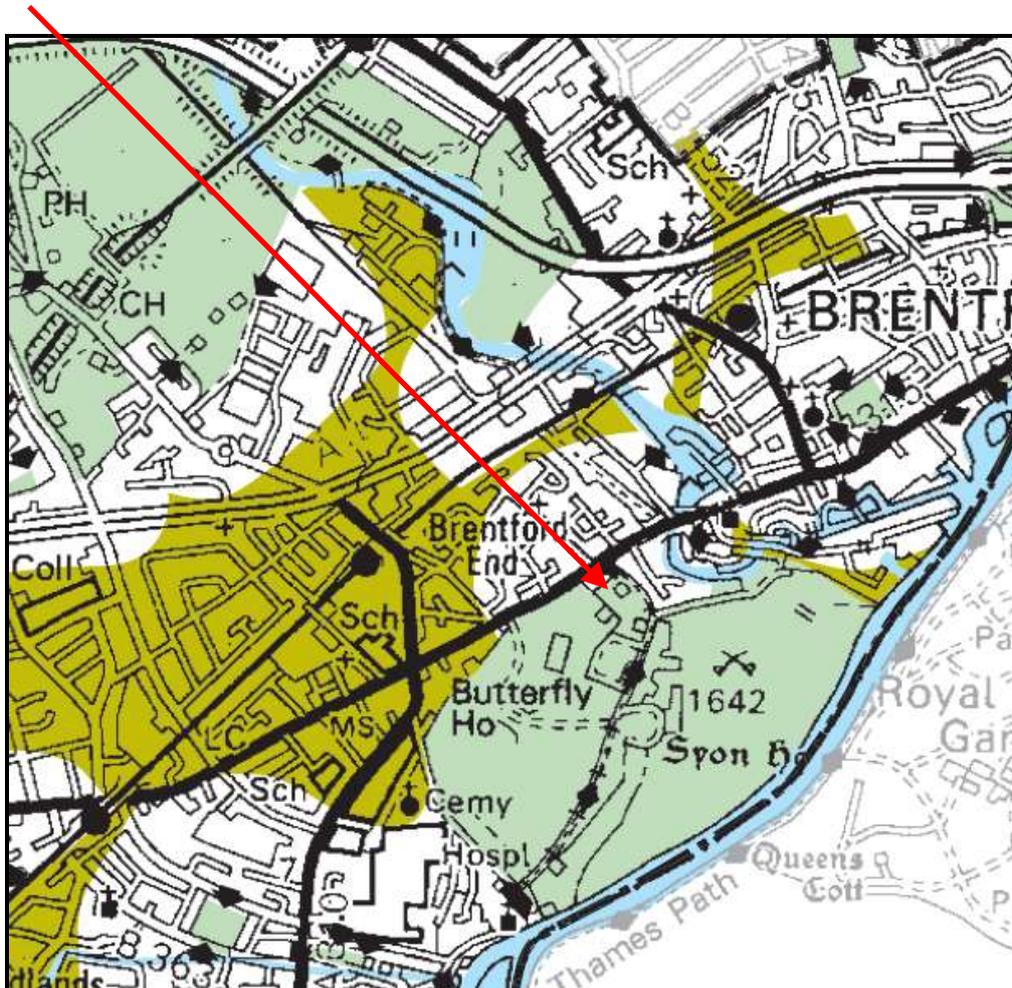
Policy/Planning Issues - Brent Lea is MOL. MOL Land has the same protection as Green Belt. While a temporary building, which was removed after 2 years, may be acceptable, constructing a permanent school would be a significant departure. A letter from Chris Hern has been provided to Members separately setting this out.

See response below to the letter from Chris Hern

Policy/Planning Issues – the report does not show that Brent Lea is on the edge of an area of Open Space Deficiency. That deficiency has been made worse by granting Planning consents to 1,500+ flats on Commerce Road and on the South Side of the High Street as both depend on Brent Lea for recreation. The reference to borough averages of open space deficiency is not relevant. The London Plan calls for small

open spaces (such as Brent Lea) being within easy distance of small children so that those living in flats can play together outdoors without constant adult supervision.

An extract of Unitary Development Plan Map ENV-N1 is provided below indicating that the site is not within an area defined as Publicly Accessible Open Space Deficiency.



Given that this application is seeking a temporary consent on only a small portion of the site, it is not considered the proposal would have a long-lasting, significant impact on the availability of publicly accessible open space in the local area. The remainder of the site would remain open and available to members of the public throughout the lifetime of this application.

Planning issues - Contrary to the report there clearly are “demonstrable negative local impacts” if the MOL is bisected by these buildings and even more so if Floreat do build a school at Brent Lea permanently occupying recreation space which will be increasingly required as more flats are built nearby.

It is considered that paragraphs 7.19-7.22 adequately cover the issue regarding the impact on the Metropolitan Open Land. This application seeks only a temporary consent and must be assessed as such. Any application for a permanent school building must be assessed on its own merits.

Parking impact – If 24% of children are driven to school, parents would need to stop on London Road to drop off children causing delays. From the BCC’s experiences, parents will likely ignore any new or existing restrictions along Half Moon Close in order to wait for children as close to the school as possible.

As detailed in the committee report, a parking survey identified around 40 free parking spaces within the vicinity of the site that parents and teachers could use. The school would be encouraged, through the School Travel Plan, to advise parents not to drive to school due to the lack of drop-off/collection facilities on or close to the site and the potential for disruption to London Road. Parents ignoring on-street parking or waiting restrictions would do so at their own risk and would be liable to any relevant enforcement action from parking attendants, etc.

A letter from Chris Hern has been sent to the Chair and committee Members under the heading “Brent Lea Recreation Ground- siting of school buildings for a temporary period P/2015/1467”. This letter refers to the site as being publicly accessible and as such NPPF paragraph 74 is relevant, as well as policy 7.18 of the London Plan and GB2 of the emerging Local Plan, but such issues were not adequately address in the committee report, and highlights misleading information in relation to open space deficiency in the Brentford area.

Whilst it is acknowledged that paragraph 74 of the NPPF is relevant and that this should stand independent of, and not pre-empt, other parts of the NPPF (e.g. para 72 which places great weight on the need to create, expand or alter schools), the current application is for only a temporary use of part of the site for a period of two years. As indicated in the committee report (para 7.21) a large proportion of the recreation ground would remain open and accessible to the public during this period and there would be no long-term loss of open space as a result of this application.

In respect of the assertion made that misleading information has been presented related to open space deficiency in the Brentford area, it should be highlighted that adopted Unitary Development Plan Map ENV-N1 (Publicly Accessible Open Space Deficiency) does not show the site as being in an area of publicly accessible open space deficiency, nor the immediate vicinity. Given that a large portion of the site would remain as publicly accessible open space throughout the lifetime of the application currently being determined, it is not considered that the proposals would put significant pressure on the availability of publicly accessible open space in the wider Brentford Area. It should also be noted that in the ‘Supporting facts’ of emerging Local Plan policy GB2, the quantity of open space is indicated as being low in relation to their population in Chiswick, Central Hounslow and Heston and Cranford, the most significant deficiency areas are in Isleworth, Central Hounslow and Cranford and Heston and the lowest quality areas are towards the west of the borough, followed by Cranford and Heston and Chiswick. As detailed in the committee report at para 7.24, the Brentford area ‘performed’ well in the ‘Open Space Background Paper’ April 2013 which formed the evidence base for the emerging Local Plan.

The Isleworth Society – a letter of objection was received subsequent to the committee report being published supporting the objections submitted by the Brentford Community Council. A further letter has been sent to officers and Members with the Society’s own objections and concerns, and can be summarised as:

Building on Metropolitan Open Land – there is no school on the site at present and there is no school adjacent to the site. This is a proposed school so should not be building on MOL (the Metropolitan Open Land Background Paper – July 2014 suggests that expansion of existing schools in or adjacent to MOL should be looked at in a positive manner). No mention is made as to whether the school will be located after the two year period the application covers.

The acceptability of the proposal in principal is adequately addressed in the committee report at paras 7.1-7.25. Any further consent for a school use on the site, permanent or otherwise, after the expiry of the temporary permission would require a new planning permission.

There is no mention that equivalent or better quality local open space provision will be made within the local catchment area if this application is approved.

The application is seeking temporary consent and therefore there would not be a long-term impact on the availability of publicly accessible open space in the local area. Also, a significant area of the recreation ground would remain accessible to the public.

The Isleworth Society does not consider that the proposed application for a school on the site is an appropriate development in respect of London Plan policy 7.17 (Metropolitan Open Land).

The impact of the proposal on the openness of the MOL is adequately addressed in paras 7.19-7.22 of the committee report.

In respect of the four criteria of adopted UDP policy C.2.1 (paragraph 7.9 of the committee report):

- i) The scale and design of any resulting building would harm the character and amenity of the adjacent and local area by the loss of vital green open space used by the public and would fail to preserve the openness of the MOL by having a detrimental impact on its visual amenity;

The impact of the proposal on the character and appearance of the area is adequately addressed in paras 7.26-7.31 of the committee report.

- ii) Traffic accessing Half Moon Close to drop off/collect pupils would cause a significant disturbance in terms of traffic movement leaving and entering from London Road. Car parking in local residential roads would have an unwelcome impact on the residents of those roads;

The impact of the proposal on parking in the vicinity of the site is adequately addressed in paras 7.50-7.54 of the committee report.

- iii) No car parking would be available on site or adjacent to the site. The School Travel Plan states that '**agreement is being sought with the Northumberland Estate**' to allow school staff, parents and visitors to use the large car park in Syon Park. This is too vague and there is no indication given in the School Travel Plan

as to what alternative arrangements are being considered if the Northumberland Estate fails to grant permission. If agreement given access to the Syon Park car-park would be via Park Road, Isleworth which is heavily trafficked throughout the day by drivers attempting to avoid congestion on Twickenham Road;

A detailed School Travel Plan would be subject to any consent and would provide these details.

iv) The development would result in the loss of existing green open space which is used for various activities.

The site does not form an existing playing field as defined by the 1995 Order (consultation before the grant of planning permission). The loss of open space has been adequately addressed in paras 7.23-7.25 of the committee report.

The letter of objection also raised other considerations:

- use of Acton Lodge as an alternative site and its suitability (addressed in para 7.18 of the committee report) and
- whether rent will be paid to the London Borough of Hounslow by Floreat for the use of the recreation ground (this would not be a planning consideration).

Brentford Community Council – historic comments

In a letter dated 24.07.09 (BCC 468) to the Director of Children’s Services (and copied to Hounslow Strategic Planning Team), the BCC raised the issue of finding sites suitable for education uses, recognising that the Council are caught in a ‘double bind’ with a rising birth rate and new developments on the one hand and insufficient resources and lack of allocated sites for new schools.

A number of sites were suggested (e.g. Commerce Road and Alfa Laval, Griffin Park, Fountains Centre, etc) in passing and the potential of alternatively taking land from Open Space was explored in more detail, including the potential for Gunnersbury Park. The letter concludes by suggest Brent Lea as a possible Primary School site, stating that *“the recreation ground near the Brent Lea flats appears to be run down and under-used”*. The BCC went on to suggest *“whether it would be possible to build a school on part of the site with playgrounds which could be used by the school and by all children out of school hours”*.

A full copy of this letter is available on the BCC website at:

http://www.brentfordcc.org.uk/index.php/document-library/doc_download/2-bcc468-schools-in-brentford