

6 November 2015

Former Acton Park Depot, Ark Bryon School

in the London Borough of Ealing

planning application no.PP/2015/4977

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Full planning permission for construction of a 2-storey, 2-form entry free primary school.

The applicant

The applicant is **London Borough of Ealing**, and the architect is **Scott Brownrigg**.

Strategic issues

Principle of land use: education facilities on Metropolitan Open Land, community use, urban design, access, sustainable development/energy, flooding and transport are the key strategic issues relevant to this planning application.

Recommendation

That Ealing Council be advised that while the application is generally acceptable in strategic planning terms, it does not fully comply with the London Plan, for the reasons set out in paragraph 84 of this report. However, the possible remedies set out in that paragraph could possibly lead to the application becoming compliant with the London Plan. The application does not need to be referred back to the Mayor if the Council resolves to refuse permission, but it must be referred back if the Council resolves to grant permission.

Context

1 On 29 September 2015 the Mayor of London received documents from Ealing 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 9 November 2015 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 Category 3D of the Schedule to the Order 2008: *"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 floor space of more than 1000 square metres or a material change in the use of such building."*

3 Once Ealing 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 or allow the Council to determine it itself, unless otherwise advised. In this instance if the 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.

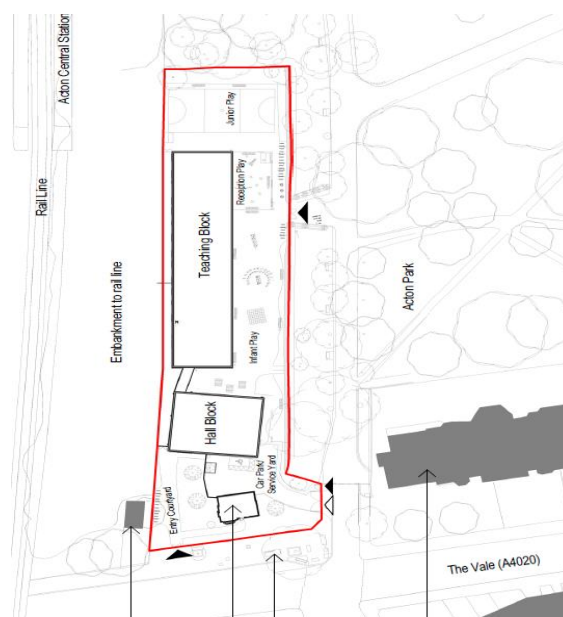
Site description

5 The application site has an area of 0.43 hectares and is located in the London Borough of Ealing and falls within Acton Park Conservation Area. The site is bounded by The Vale (the A4020) to the south, a railway line and embankment to the west, and land within Acton Park to the north and east. A vehicular access road leads from The Vale through the park's entrance gates to the east of the site, allowing vehicular access directly into the central part of the site.

6 The whole of Acton Park including the depot site (the application site) is designated as Metropolitan Open Land and Public Open Space on Ealing's Adopted Proposals Map. The railway track beside the site is designated as a Green Corridor. Acton Park and Acton Lane Sports Ground are designated as Sites of Local Importance for Nature Conservation.

7 The planning statement states that the site is currently occupied by employment uses. The majority of the site is occupied by Acton Park Depot Environmental Services, which is owned and run by Ealing Council, and the southern part of the site is occupied by the Council's Park Rangers who are based within Acton Park Lodge. The depot part of the site consists of hard standing and five single-storey buildings including two larger storage buildings giving a footprint of approximately 437sqm and nine metal storage containers consisting of some 170sqm, creating a total footprint of 607sqm.

8 At the southern end of the site the two-storey Victorian Acton Park Lodge fronts The Vale. This building is not locally listed but is recognised within the Acton Park Conservation Area Appraisal (2009) as a key unlisted building that makes a positive contribution towards the character of the conservation area. The applicant has confirmed this Lodge will be retained but its function will be decided at a later date. It is also noted that the Council has identified an alternative location for the existing depot function in the south Acton area (Roslin Road in an area designated for industrial use). A planning application is being prepared in relation to the relocation of Acton Park Depot to this site.



The existing and the proposed site, respectively, Source – applicant's design and access statement.

9 The A4020 - The Vale forms part of the Strategic Road Network (SRN). Seven bus routes (70, 207, 266, 427, 440, 607, E3) serve the bus stops immediately adjacent to the site's frontage on The Vale, providing frequent connections to local destinations to West and North West London. Acton Central National Rail station is situated approximately 300m north-west from the site, and is served by London Overground on the North London line service, providing connections to stations between Richmond, Shepherds Bush, Willesden Junction and Stratford. As such, the site records good public transport access level (PTAL) of 4, out of 1 to 6 for which 1 is the lowest and 6 is the highest.

Details of the proposal

10 This full planning application is for the construction of 2-storey 2-form entry Free Primary School (Use class D1) with a total area of 2,200sqm (Following the demolition of depot buildings Use Class B2); Change of use of Park Lodge building from Park Rangers base (Use class D2) to educational use (Use class D1); Associated works including new pedestrian entrance from Acton Park, amended vehicular and pedestrian access from The Vale and landscape and boundary treatment works.

Case history

11 A pre-planning application meeting was held at City Hall on 30 April 2015 between the applicant/agent, the Council and GLA/TfL planning officers. Advice report in regard to strategic planning matters was issued on 14 May 2015.

Strategic planning issues and relevant policies and guidance

12 The relevant issues and corresponding policies are as follows:

- Education *London Plan; Mayor's Social Infrastructure SPG;*
- Metropolitan Open Land *London Plan;*
- Urban design *London Plan;*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG replacement;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy;*
- Flooding *London Plan;*
- Transport *London Plan; the Mayor's Transport Strategy;*

13 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plans in force for the area are the 2012 Ealing Core Strategy DPD and the 2013 Ealing Development Management DPD, and the 2015 London Plan (Consolidated with Alterations since 2011).

14 The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, the Mayor's Social Infrastructure SPG (2015) and the Minor Alteration to the London Plan (MALP,2015), and Ealing Council's Planning for Schools DPD (Submission Version) are also relevant material considerations.

Principle of land use: Provision of school on MOL

15 This proposal is a detailed planning application by Ealing Council to provide a 2-form entry (2FE) Free Primary School, known as the ARK Byron Primary Academy, with a total area of 2,200sqm on MOL, currently used as a Council depot within Acton Park, and fronting The Vale (also known as the A4020). The proposed new school will accommodate 420 pupils aged 4 to 11 years. During the first year of occupation (from September 2016) there will only be two year groups at the school and a total of 120 pupils, whilst the intake progresses.

16 In relation to the provision of educational facilities, policy 3.18 'Education facilities' of the London Plan states that *"Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes"*. The policy states, *'The Mayor will support provision of early years, primary and secondary school and further education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, particularly in parts of London with poor educational performance. ...Development proposals which enhance education provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes.'*

17 The Mayor's Social Infrastructure SPG provides guidance on planning for social infrastructure provision at strategic level starting with the GLA's own demographic projections and the ways in which these can be used to understand need for health, education and sports facilities. It sets out that the Mayor is keen to support the development of free schools in London, not only through increasing provision of places in areas where there is unmet demand but also in driving up the quality of provision.

18 Para 72 of the NPPF states *'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen the choice of education. They should give great weight to the need to create, expand or alter schools.'*

19 The application site is part of a larger area identified as MOL. The London Plan (policy 7.17) which gives the MOL the same level of protection as in the Green Belt and The National Planning Policy Framework (paragraph 89) set out that only development associated with agriculture, forestry, outdoor sport and recreation, limited infilling and redevelopment of existing sites is appropriate in the Green Belt. All other forms of development are, by definition, 'inappropriate'. In order for 'inappropriate' development to be acceptable in the Green Belt, very special circumstances must apply.

20 The NPPF in Para 87 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

21 The applicant, Ealing Council is the contracting Authority but the Education Funding Agency (EFA) is the funding body. The application site has been identified and short listed as a suitable and deliverable site for a new primary school in Ealing Council's 'Planning for Schools' Development Plan Document (February 2015), which is at its final publication version to be submitted to the Secretary of State.

22 The applicant has acknowledged that whilst the Council is proposing to designate the Acton Park Depot site for school use in a forthcoming Development Plan Document and therefore remove the MOL designation from this site, the current MOL designation means that the proposed development comprises 'inappropriate development' within MOL. Therefore, a report on very special circumstances that may justify the proposed school development on the MOL has been submitted. This report firstly seeks to establish the extent of any 'harm' that may be caused to the MOL, and also to demonstrate that 'very special circumstances' exist in this case, such as the need for a new school in this location, and that the benefits of the proposal far outweigh any potential adverse impacts.

23 **The applicant's very special circumstances are summarised as follows:**

24 Impact on Purposes of MOL: The report states that the purpose of MOL is defined in London Plan policy 7.17D. This policy sets out the criteria to be considered by London Boroughs in seeking

to designate land as 'MOL'. Taking each of these criteria in turn, this section of the report assesses the extent to which the proposal conflicts with the criteria in policy 7.17D as follows:

- The current use of the site as a depot, as well as its clear boundary fence around the site and the various existing buildings and structures, limit the extent to which this part of Acton Park is distinguishable from the surrounding built up area. Added to this, some of the existing buildings abut the boundary fence on the park side of the site, and are therefore clearly visible from within the park. The new school will bring about a consolidation of the existing buildings and structures at the site, and although the new building will have a larger footprint and height than the existing buildings, it will sit further back from the boundary with the park. In this way, through the positioning and consolidation of buildings, it is considered that the proposed development will have a similar or only moderately greater 'presence' within the park as the existing depot.
- Whilst the wider park clearly provides open air facilities of this nature, Acton Park Depot does not contribute directly to these open air facilities, and therefore there would be no associated 'loss' of any such facilities if the site were to be occupied for a school use.
- It is considered that whilst the proposal for a school development at Acton Park Depot would impact on the landscape of the wider park, the impact would not be severe in the context of the existing depot buildings and structures (see paragraphs on 'impact on openness of MOL', below).
- It is noted that the depot forms part of the wider Park's green infrastructure and is adjacent to a green corridor close to the railway tracks. The majority of the existing site consists of hard standing associated with the depot and there is little soft landscaping within the existing site except around the lodge building. The school proposal will include landscaping enhancements and new planting, including landscaping around the lodge building and new boundary planting. The green corridor adjacent to the site will be preserved and protected, and will not be affected by the proposals. For the reasons noted above, any impacts on green infrastructure are expected to be minor in the context of the existing depot.

25 Impact on Openness of MOL: The footprint of the current depot buildings on the site is 437sqm. In addition there are existing metal containers across the site including some which have encroached onto land beyond the site boundary closer to the green corridor which total 170sqm. Together these existing buildings and structures amount to 607sqm of building footprint. This compares to the proposed footprint of 2,200sqm of the school. In terms of building heights, the two storey school would be higher than the existing single storey buildings at the site. Whilst the proposal represents an increase in building footprint and building heights at the site and therefore impacts on the openness of MOL in this location, in considering these impacts the following should be taken into account:

- The existing depot buildings will be consolidated into a single new school building;
- The existing buildings abut the site frontage facing the park and are clearly visible sitting adjacent to the front fence, whereas the new school building will be well set back from the site frontage and will sit neatly along the western boundary of the site, at the furthest edge of the site; and
- The containers which have encroached into land beyond the formal depot boundary (to the north-west of the site) will be removed and the original site boundary re-instated.

26 Taking these factors into account, whilst there will be impacts on the openness of the MOL, these are not considered to be severe in the context of the existing buildings and structures within the site; the siting of these; and in view of the proposed positioning of the new building. It is also relevant that the boundary of the depot site and the boundary of the proposed school site are the same therefore there is a neutral impact in this respect, as the school development would not encroach on land which is presently used as park.

27 Other Potential 'Harm' to MOL: Being greater in size than the existing depot buildings, the new school building will have visual impacts on the MOL. However the scheme has been designed to seek to minimise visual impacts in the following ways and therefore the visual impacts are not considered to be severe:

- The new school building will be physically separate and set back from the lodge building (which is to be retained), which forms an important gateway building at the entrance to the park;
- The siting of the new school along the western boundary of the site, will minimise impacts on views from the park entrance, and views of the building within and across the park;
- The proposals would bring visual benefits through consolidation of buildings and removal of the unsightly depot buildings and structures, and depot activities will cease in this part of the park;
- A landscaping strategy is proposed including retention of the existing soft landscaping to the boundaries to the site and further enhancement of these with new planting, including some new trees and new habitat areas for the school.

28 Need for Additional School Places: There is continuing pressure on Ealing primary schools with more than one third of all schools having already expanded or having taken at least one bulge class. Ealing has experienced an unprecedented rise in birth rates over the last decade. There has been a rise of 31% in the annual live births from 4,469 in 2002/03 to 5,843 in the 2010/11 academic year. The children born in 2010/11 also start primary school in September 2015. Furthermore, there has been an increase in the retention rate between the number of births and the number of children later appearing on reception class rolls in some key areas of the Borough, including Acton. A primary expansion programme in the Borough has provided additional permanent and temporary forms of entry for reception classes across the Borough. However, despite the Council facilitating an on-going programme of extensions since 2008, up to a further additional 3.5 primary forms of entry need to be provided by September 2016.

29 Increases in birth rates have not risen equally across the Borough but have been concentrated in particular areas including Acton. In Acton, the pressure for places has been acute with 7 additional reception forms of entry above the 2008 base capacity agreed as permanent expansion of places. This has been provided through delivery of two new primary schools and either temporarily or permanently expanding every school in the area to capacity. One school has not been permanently expanded but plans are progressing for this. There is a clear, projected need for additional forms of entry in Acton, and provision needs to be made to respond to the acute demand for school places in the area.

30 Alternative Site Selection Process: That a sequential assessment of potential school sites has been commissioned by Ealing Council, which concludes that out of the six potential sites shortlisted, the Acton Park Depot site is considered to be the most deliverable site subject to the acceptance of a case for very special circumstances.

31 Emerging Local Policy: Following the above assessment, the Acton Park Depot site has been shortlisted as a school development site in the Planning for Schools Development Plan Document incorporating Minor Changes, July 2015 (DPD) which was submitted to the Secretary of State for examination on 8th July 2015. Adoption of the document is anticipated in the autumn of 2015. The reasons for the depot site being included in the shortlist of sites include the following:

- The site is Council-owned and therefore there is a low risk in relation to delivery;
- The site is located in an area of need for primary school places;
- Primary school provision could be delivered within the timescale required as EFA funding has been secured; and
- There is the potential to use the North Thames Gas Board Sports Ground adjacent to the site.

32 Other Benefits: That as well as providing new school places, the proposed school will bring other benefits including community use of the school outside of the school's core hours, removal of the unsightly depot buildings, and provision of a school in a highly sustainable location in terms of transport and access.

33 Finally, the report summarises the above very special circumstances as follows:

- The proposed new school on the site of Acton Park Depot represents 'inappropriate development' on MOL. The proposal involves an increase in building footprint and building heights at the site in comparison to the existing depot use, but these impacts are not considered to be severe, taking account of the removal of existing buildings and structures on the site and consolidation of these into one building, and the positioning of the new building on the site.
- The visual impact of the proposed school has been minimised through its siting, design and proposed landscaping strategy.
- The proposal responds to the urgent need for further primary schools places within Ealing and, in particular, in Acton. A sequential assessment of potential school sites was commissioned by Ealing Council, This concludes that, out of the six potential sites, the Acton Park Depot site is considered to be the most deliverable site subject to the acceptance of a case for very special circumstances.
- As well as providing new school places, the proposed school will bring other benefits including community use of the school outside of the school's core hours, removal of the unsightly depot buildings, and provision of a school in a highly sustainable location in terms of transport and access.
- It is considered that the above benefits, and in particular the way that the proposed development will respond to the acute need for primary school places in Acton, together with emerging local policy seeking to designate this site for school development, represent very special circumstances which justify the proposed development and clearly outweigh any impacts of the proposed development on MOL.

Site Comparison Table

	Existing Buildings and Structures	Proposed New School Building	Difference
<i>Height</i>	Approximately 7.1m	Teaching block = 8.1m Sports hall block = 7.4m	1.0m 0.3m
<i>Footprint</i>	storage buildings/sheds (single storey) = 437sqm approximately 9x metal storage containers = approximately 170sqm <u>total footprint</u> = approximately 607sqm	1,287sqm.	+680sqm.
<i>Floorspace (GEA)</i>	(as above) approximately 607sqm	2,288sqm.	+1,681 sqm.
<i>Spread of Development</i> <i>Number of buildings/structures (excluding Lodge)</i>	7 buildings and 9 metal storage containers	2x new buildings linked via glazed link corridor	Reduction in number of buildings from 7x buildings to 2x buildings
<i>Location of buildings across site</i>	Abutting eastern boundary fronting the park, and scattered across western and southern parts of site	Sited close to western site boundary (railway side of site) away from the main park	Consolidation of buildings away from boundary with main park
<i>% of site covered by buildings (excluding Lodge)</i>	approximately 14%	30%	+16%

34 **GLA officers' position on the very special circumstances put forward:**

35 Educational need: The Mayor supports the expansion of schools and acknowledges that there are various factors that limit potential sites and configurations to address the pressing need of school places in London. In this instance, the applicant had clearly set out the predicted demand for school places across the borough and the catchment area in Acton and how this is being met. This is acknowledged and accepted.

36 Alternative site analysis & emerging School DPD: The fact that the site has been identified and shortlisted as a suitable and deliverable site for primary schools in the Council's Planning for Schools DPD remains a strong point as the applicant's very special case. In the preparation of the DPD the Council (the applicant) has made robust and sound site analysis and the GLA has accepted the justifications for the site to be shortlisted as school site. Subject to the results of the inspector's report (which is expected early next year), this can be accepted as a very special circumstance.

37 Impact on the openness of the MOL: As advised in the pre-application meeting, in order to make a quantitative impact assessment of the proposed school redevelopment on the openness of the MOL the applicant has submitted the comparison table as shown above in regard to the dimensional increases/decreases in comparison with the existing buildings: height, footprint, floor space and the spread of development.

38 The consolidation of buildings into one building and the positioning of the new building on the site mitigate impact on the openness. However, as acknowledged by the applicant and as shown above, the proposals result in a substantial increase in built form development in the MOL. Therefore, in order to fully assess the impact of the development on the openness of the MOL, the applicant is required to submit a more detailed visual impact assessment of the development from different vantage points. (For further details see the design section below.)

39 Other considerations: The applicant's other points for very special circumstances cannot be accepted. For example, the additional benefits the proposal brings forward such as community use, removal of unsightly depot buildings, etc., cannot justify the inappropriateness of the development on MOL as most developments provide these benefits.

40 In conclusion, GLA officers consider that very special circumstances would have been demonstrated based on the accepted points above (mainly the educational need and the site analysis are the strong points), subject to the submission of detailed visual impact assessment of the development on the openness of the MOL.

Community use

41 The London Plan policy (3.18E) expects community use of educational facilities to be maximised. The applicant submitted a community use plan as part of the planning statement. The plan states that the school will move into a new building on The Vale in 2016 and that the plan will therefore come into effect soon after the school's occupation of its new buildings.

42 The plan sets out that the Academy will make available the main hall and the toilets and the other facilities at the Academy's discretion, outside of the school's core hours. It states that Ark Byron Primary Academy will a) arrange for the local governing body to oversee the use, management and pricing of the facilities, b) and apply a non-profit charging policy to local non-profit groups and organisations (including schools), c) allocate facilities available fairly between different users and types of user, and d) review this policy including the schedules below in consultation with facility users and Ealing Council after the first and third years of occupation of the new buildings and thereafter at least once every three years.

43 Whilst this is welcomed, as the site is a designated Public Open Space, and as discussed at the pre-application meeting, the applicant should continue its early engagement with the local community, nearby schools and sport clubs in the implementation of its community use plan, to extend the use of other facilities (such as the sport pitches), in a form that can be secured by the Council to ensure delivery.

Urban design

44 Good design is central to all objectives of the London Plan (2015) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London.

45 The proposal demonstrates a simple layout and massing response to the site and its context. The linear building form responds successfully to the site and is aligned to provide enclosure from the railway line while optimising the amount of play space and giving teaching spaces an east facing outlook towards the park. Positioning the block along the western edge of the site also enables the retention of mature trees running along the eastern site boundary. These layout principles are welcomed.

46 It was discussed at pre-application stage that the removal of the lodge would have provided the opportunity to shift the school building frontage closer to the street to form better defined public facing frontage and a more consistent and legible streetscape. It would have also allowed for a clearer access arrangement into the school for both pupils/staff and visitors and deliveries. Notwithstanding this, the townscape merit of the lodge is recognised and it is noted that the building is locally listed and included within the Council's Acton Park Conservation Area Appraisal (2009) as bringing a positive contribution towards the character of the conservation area.

47 The applicant has also worked to optimise the legibility of the main school entrance and submitted few visuals, as shown below that indicate that a high quality and welcoming entrance route into the school can be secured and this has been successfully integrated into the scheme's landscaping strategy. Furthermore, utilising the existing access area to the rear of the lodge for servicing/disabled car parking access is broadly supported and its physical separation from the main pedestrian access along the western site edge is welcomed.

48 It is understood that internal layouts, including teaching areas, circulation areas and ancillary spaces have been sized and designed to accord with relevant government design guidance for schools. It is also acknowledged that the shallow and linear building footprint will assist in achieving good levels of daylight penetration and means of natural ventilation. This is welcomed.



Photomontages/3D views of the proposed development: Source – applicant's design and access statement.

49 As discussed at pre-application, the principal urban design issue in strategic planning terms is the need to protect the open quality of surrounding MOL. The form and massing strategy is broadly consistent with the scale of neighbouring development and the spatial constraints of the site mean that there are limited layout/massing options available that would meet the accommodation needs of a school of this type and scale. The application includes some visuals of the scheme in context from both the perspective of The Vale and from the park edge and these indicate that the proposal has the potential to respond successfully to the character of its immediate context.

50 As advised at pre-application stage, the applicant should however submit a more detailed visual assessment that demonstrates the likely visual impact the massing and appearance of the school block will have on the open quality of the MOL. This assessment should include 'before and after' visuals from key viewpoints to enable officers to make an informed judgement on the degree of visual impact.

51 At pre-application stage, the applicant was advised to explore the use of high quality facing materials that would provide a suitably refined appearance in the context of the green and open setting of the neighbouring MOL and parkland.

52 In response, the applicant proposes a vertical timber cladding system for the park facing elevations. This is supported as it will provide a soft and recessive background in views from the park while giving the potential to blend into its environment over time. A more robust and darker finish to the railway edge is supported as this will not be visible from the public realm and will assist in ease of maintenance to this edge. The use of coloured fibre-cement boards along the main school frontage raises some concern as this likely to be prone to deterioration over time and would be at risk of appearing as substandard in comparison to the build quality of the lodge building. While budget constraints for a scheme of this nature are acknowledged, the applicant is encouraged to explore the use of higher quality facing materials to the main school frontage. As a minimum, the Council should secure key details of the cladding system to ensure the best possible build quality is delivered and ease of maintenance is prioritised.

Access

53 The design and access statement discusses about the need of designing the building, internal and external landscaping to create an inclusive environment as follows: Level access is provided to all external doors to the school and within the building to all outdoor areas. Visual and tactile signage will be employed throughout the building.

54 The statement states that horizontal access has been designed to avoid physical or visual barriers and vertical access is supported by a platform lift. Acoustic treatment to all classrooms and workrooms meets the Department of Education output specification and WC provision suitable for wheelchair users is distributed across the two floors.

55 There is no staff parking on site. However, the applicant has proposed a single disabled parking bay which can be used by disabled visitors, which is welcomed. A controlled pedestrian gate leads from the delivery yard to the main visitor entrance to enable someone using this disabled parking bay to get safely and directly into the building. Disabled drop-off for visitors and taxis will also be provided close to the main entrance gate.

56 As such, the proposed development complies with inclusive design policy (7.2) of the London Plan. However, justification is required why platform lift is preferred instead of passenger lift.

Sustainable development/energy

Energy efficiency standards

57 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. The applicant has stated that a dynamic overheating assessment using CIBSE TM52 has been undertaken. The applicant is required to provide the overheating assessment and to also outline the measures taken to avoid overheating and minimise cooling demand in line with Policy 5.9.

58 The development is estimated to achieve a 19% reduction in regulated CO₂ emissions compared to a 2013 Building Regulations compliant development. The applicant should provide the total Part L 2013 carbon emission figure in tonnes per annum for each stage of the energy hierarchy (rather than per square metre).

See Table 1 and Table 2 in the latest GLA assessment guidance for the required format: <https://www.london.gov.uk/sites/default/files/GLA%20guidance%20on%20preparing%20energy%20assessments%20April%202015.pdf>

59 The BRUKL sheet including efficiency measures alone should be provided to support the savings claimed.

District heating

60 The applicant has confirmed that there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant should, however, provide a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available.

61 A site heat network is proposed. However, the applicant should confirm that all of the new school buildings will be connected to the site heat network. A drawing showing the route of the heat network linking all buildings on the site should be provided. The site heat network will be supplied from a single energy centre to be located on the first floor. The applicant should provide the details of the floor area and also a plan of the energy centre.

Combined Heat and Power (CHP)

62 Due to the intermittent nature of the heat load, CHP is not proposed. This is accepted in this instance.

Renewable energy technologies

63 The applicant is proposing to install 40sqm, roof-mounted Photovoltaic (PV) panels. A reduction of 6% in regulated CO₂ emissions will be achieved through this third element of the energy hierarchy. The applicant should provide further information on the available roof area for PV, including whether there is potential to increase the size of the PV array in order to maximise the on-site carbon emission savings. The applicant has stated that due to budget constraints the proposed building is unable to meet the carbon emission target of the London Plan. The applicant is therefore required to provide a detailed cost analysis of the additional PV (that could be accommodated on the roof) in order to support any viability claims.

64 The applicant should provide the total Part L 2013 carbon emission figures in tonnes per annum for the 'Be Green' stage of the energy hierarchy.

Overall carbon savings

65 A reduction of 25% of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected. The carbon dioxide savings fall short of the target within Policy 5.2 of the London Plan. The applicant should consider the scope for additional PV panels aimed at achieving further carbon reductions. The applicant should provide the total Part L 2013 carbon emission figure in tonnes per annum for each stage of the energy hierarchy (rather than per square metre).

Flooding

66 The proposals are acceptable in terms of London Plan 5:12 (Flood Risk) however the applicant should revisit the drainage proposals for the school with respect to the hierarchy contained within London Plan Policy 5:13.

Flood risk

67 The site is within Flood Zone 1 and although there are some areas of surface water flood risk indicted on the site, the Flood Risk Assessment undertaken by Elliott Wood indicates that the surrounding land levels are unlikely to lead to significant risks on this site. Therefore the principle of the proposals is acceptable.

Drainage

68 There are areas of significant surface water flood risk in the local vicinity of the proposed school. Therefore London Plan Policy 5:13 will be an important consideration to this site. This has been highlighted to the applicant at the pre-application stage with the GLA.

69 The applicant proposes to reduce existing surface water run-off rates 5 litres/second by the use of a sub-surface attenuation tank. This approach ignores advice given at the pre-application

stage and the Drainage Assessment by Elliott Wood has stated inconsistent reasons for not pursuing more sustainable options. The drainage assessment has demonstrated that suitable permeability is available for infiltration but has dismissed infiltration on the basis of unspecified contamination. The drainage assessment does not appear to have investigated utilising green roofs, the boundary screen planting areas and other landscaped areas for discharge, nor to have considered using parts of the playground/car parking as design for exceedance areas for longer return period events – say 1 in 10 years.

70 Taken together the approach represents several missed opportunities to manage rainwater near to the top of the London Plan Policy 5:13 hierarchy and is therefore not an acceptable approach. It is also notable that the GLA has experience of retrofitting SUDS for schools projects. This has demonstrated that even in premises with limited outside space rainwater can be diverted into landscape features for absorption/attenuation and that these features can be used to demonstrate aspects of the curriculum related to the water cycle.

71 The applicant should reconsider the approach prior to any Stage 2 referral to the Mayor.

Transport for London's Comments

72 The proposal includes a segregated vehicular access from The Vale for access by servicing vehicles as well as the disabled car parking space. Pedestrian access will be provided from Acton Park to the eastern boundary of the site. TfL supports in principle the segregated access arrangement for vehicles and pedestrians. A Road Safety Audit should nevertheless be carried out to demonstrate this arrangement is acceptable in safety terms.

73 The proposal does not include any car parking, with the exception of the only disabled parking space and servicing bay referred to above; TfL is content with this arrangement in recognition of the good PTAL. TfL also welcomes that the proposal does not include any car pick up/drop off facilities; instead, parents who are driving are expected to park/wait on East Churchfield Road, which is within a controlled parking zone to the north of the site, where there is sufficient spare on-street parking capacity to accommodate the expected demand. Pupils will access the school via the existing footpath across Acton Park.

74 In line with London Plan policy 6.10, a pedestrian or PERS audit was carried out and revealed that conditions of links and crossings are generally good. However, a lack of lighting was identified on the path within Acton Park linking to East Churchfield Road; TfL therefore requests that this route be well lit during the winter darker hours ensuring it is safe and secure.

75 The proposal include 64 cycle parking spaces in the form of 32 stands, this is in line with the latest London Plan cycle parking standards and London Plan policy 6.9, and is therefore welcomed. TfL however requests that this facility be secured, covered and easily accessible.

76 Trip generation and modal split assessment have been based on the existing school travel plan and survey data for schools in the vicinity; this is accepted by TfL and is in line with London Plan policy 6.3. Based on the limited level of vehicular trips generated, TfL does not consider that this would give rise to any significant impact on the Strategic Road Network (SRN). However, Ealing Council should carry out enforcement action against vehicles wait/park illegally at bus stops or locations near the pedestrian crossings to ensure the safe and smooth flow of traffic on the A4020.

77 TfL considers that the existing level of bus and rail service should be able to accommodate the estimated increase in demand generated by the school; therefore no further contribution is sought.

78 TfL welcomes the applicant's commitment to provide a school travel plan taking into account of the proposal. TfL specifically requests that the travel plan should include measures to direct parents picking up/dropping off pupils by cars to do so from East Churchfield Road in addition to staggering arriving time as suggested by the applicant. The travel plan should nevertheless be secured by condition/s106 obligation; and be accredited by the TfL School Travel Plan Accreditation Scheme (STAR) in line with London plan policy 6.3.

79 In line with London Plan policy 6.14, TfL would have expected that a framework delivery and servicing plan (DSP) and a construction logistics plan (CLP) should have been submitted. Unfortunately this was not the case; however TfL is content that the submission of the detailed DSP and CLP would be conditioned by Ealing Council.

80 In accordance with London Plan policy 8.3 '*Community Infrastructure Levy*', the Mayor has agreed a CIL Charging Schedule which came into operation on 1 April 2012. As the proposed development is for a school as defined by the Education Acts, no CIL will be chargeable for this development.

Local planning authority's position

81 Ealing Council planning officers have yet to confirm their position, though it's anticipated they are bound to support the scheme.

Legal considerations

82 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

83 There are no financial considerations at this stage.

Conclusion

84 London Plan policies on principle of land use: provision of school on MOL, community use, urban design, access, sustainable development/energy, flooding and transport are the key strategic issues relevant to this planning application. Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Principle of land use - provision of school on MOL:** The proposed free primary school on the site is supported as the scheme not only contributes through increasing provision of places in areas where there is unmet demand, but also in driving up the quality of provision and choices for parents.
- **Very special circumstances:** These would have been demonstrated (mainly the educational need and the site analysis are strong points), subject to the submission of detailed visual impact assessment of the development on the openness of the MOL.
- **Community use:** The community use plan which makes available some of the facilities in the school for community use outside the school's core hour is welcomed. However, as the site is a designated Public Open Space, the applicant should continue its engagement with the local community, nearby schools and sport clubs to extend the availability to include the use of sport facilities.
- **Urban design:** There is no strategic design concern. However, the applicant is encouraged to explore the use of higher quality facing materials to the main school frontage. As a minimum, the Council should secure key details of the cladding system to ensure the best possible build quality is delivered and ease of maintenance is prioritised. The applicant

should also submit a detailed visual assessment that demonstrates the likely visual impact the massing and appearance of the school block will have on the open quality of the MOL.

- **Access:** The proposed development complies with inclusive design policy (7.2) of the London Plan. However, justification is required why platform lift is preferred instead of passenger lift.
- **Sustainable development/energy:** Further information is required on overheating. The total Part L 2013 carbon emission figure in tonnes per annum for each stage of the energy hierarchy (rather than per square metre), and BRUKL sheet including efficiency measures alone should be provided. A commitment is required for future proofing. Confirmation is required that all of the new school buildings will be connected to the site heat network. A drawing showing the route of the heat network linking all buildings on the site should be provided. The carbon dioxide savings fall short of the target within Policy 5.2 of the London Plan. The applicant should consider the scope for additional PV panels aimed at achieving further carbon reductions.
- **Flooding:** There are areas of significant surface water flood risk in the local vicinity of the proposed school. The approach to reduce existing surface water run-off represents several missed opportunities to manage rainwater near to the top of the London Plan Policy 5:13 hierarchy and is therefore not an acceptable approach. GLA has experience of retrofitting SUDS for schools projects and even in premises with limited outside space rainwater can be diverted into landscape features for absorption/attenuation and that these features can be used to demonstrate aspects of the curriculum related to the water cycle. The applicant is required to reconsider the approach to reduce surface water run-off, prior to any Stage 2 referral to the Mayor.
- **Transport:** Road Safety Audit should be carried out; the proposed route to East Churchfield Road should be well lit during the winter darker hours ensuring it is safe and secure; the cycle parking spaces should be secured, covered and easily accessible; the Council should carry out enforcement action against vehicles wait/park illegally at bus stops or locations near the pedestrian crossings to ensure the safe and smooth flow of traffic on the A4020; the travel plan should be secured by condition/s106 obligation; and be accredited by the TfL School Travel Plan Accreditation Scheme (STAR) in line with London plan policy 6.3, the submission of CLP and DSP should also be secured.

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