

<b>LDC (Proposed) Report</b>		<b>Application number</b>	2024/2665/P
<b>Officer</b>		<b>Expiry date</b>	
Leela Muthoora		23/08/2024	
<b>Application Address</b>			
Hampstead School, Westbere Road, London, NW2 3RT			
<b>Conservation Area</b>		<b>Article 4</b>	
N/A		Basements	
<b>Proposal</b>			
Installation of solar photovoltaics to sports centre roof, air source heat pumps and water source heat pumps to main building, and replacement windows to science building.			
<b>Recommendation:</b>	Grant Lawful Development Certificate		
<b>Site</b>			
<p>The site is a community secondary school comprising of seven buildings. The three original buildings fronting Westbere Road date from the early 20th century, of differing architectural styles but forming a strong group which contributes positively to the streetscape and have been included in Camden's Local List. The main building has a modern extension (built in the early 2000's) and two new buildings including a sports centre to the rear of the site were built in the last decade.</p> <p>The school is in the north-west of the borough fronting Westbere Road. It located on one site, between the rear gardens of the houses on Menelik Road to the south and Horton Avenue to the north which forms the borough boundary with L.B. Barnet.</p> <p>It is not designated as a heritage asset, that is, it is not a listed building, not in a conservation area, and this development is not restricted by an Article 4 direction.</p>			
<b>Schedule 2, PART 7 Non-domestic extensions, alterations etc</b>			
M. The erection, extension or alteration of a school, college, university, prison or hospital building.			
<b>Development not permitted</b> If <b>yes</b> to any of the questions below the proposal is not permitted development			<b>Yes/No</b>
M.1 (a)	if the cumulative gross floor space of any buildings erected, extended or altered would exceed— (i) 25% of the gross floor space of the original school, college, university, prison or hospital buildings; or (ii) 100 square metres,		No  No

	whichever is the lesser;	
M.1 (b)	if any part of the development would be within 5 metres of a boundary of the curtilage of the premises; in the case of a school, where any land adjacent to the site is used for a purpose within Part C of the Schedule to the Use Classes Order (residential purposes), if any part of the proposed development is within 5 metres of the boundary of the curtilage of that residential land;	No
M.1 (c)	if, as a result of the development, any land used as a playing field at any time in the 5 years before the development commenced and remaining in this use could no longer be so used;	No
M.1 (d)	if the height of any new building erected would exceed— (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or (ii) in all other cases, 6 metres	No
M.1 (e)	if the height of the building as extended or altered would exceed— (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or (ii) in all other cases, the height of the building being extended or altered;	No  No
M.1 (f)	if the development would be within the curtilage of a listed building; or	No
M.1 (g)	unless— (i) in the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education; (ii) in the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services. (iii) in the case of prison buildings (aa) the predominant use of the existing buildings on the premises is for the confinement of prisoners (bb) in the case of a closed prison, the development does not involve the erection, extension or alteration of any building beyond the perimeter as it stood on the relevant date.	N/A Not listed buildings  N/A  N/A
<b>Conditions</b> M.2 Development is permitted by Class M subject to the following conditions		<b>Yes /no</b>
M.2 (a)	the development is within the curtilage of an existing school, college, university, prison or hospital;	Yes
M.2 (b)	the development is only used as part of, or for a purpose incidental to, the use of that school, college, university, prison or hospital;	Yes
M.2 (c)	any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the original school, college, university, prison or hospital buildings	N/A
M.2 (d)	any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered	N/A

M.2 (e)	where proposed development under Class M relates to the erection, extension or alteration of a school building that results in an increase in the school's published admission number, the developer must, within a period of six months starting with the date the development is completed, submit to the local planning authority a travel plan for the site;	N/A
M.2 (f)	Condition M.2 (f) sets out requirements related to the erection, extension or alteration of a university building	N/A
M.2 (g)	Conditions M.2 (g) sets out procedure for development under M.2 (f) is to (university) (M.2A)	N/A
M.2 (h)	Conditions M.2 (h) sets out time limit for development under M.2 (f) (university)	N/A
M.2 (i)	Condition M.2. (i) sets out requirements related to the erection, extension or alteration of an open prison building	N/A
M.2 (j)	Condition M.2 (j) sets out the documents and information specified in subparagraph M.2 (i) (open prison)	N/A
M.2A. M.2B.	Sets out the procedure for applications for prior approval under Class M Sets out the procedure for prior consultation under Class M	N/A N/A

### **Interpretation of Class M**

M.3 For the purposes of Class M—

- “original school, college, university, prison or hospital building” means original building which is a school, college, university, prison or hospital building, as the case may be, other than any building erected at any time under Class M;
- “school” does not include a building which changed use by virtue of Class S of Part 3 (changes of use), or which was erected by virtue of Class CA of Part 4 (temporary buildings and uses); and;
- where 2 or more original buildings are within the same curtilage and are used for the same institution, they are to be treated as a single original building in making any measurement.

### **Schedule 2, Part 12, Class A - Development by local authorities**

Development by local authorities allows for permitted development for the erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—

Complies with all parts		Yes/no
(a)	any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;	Yes
(b)	lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.	Yes

Interpretation of Class A		
A.1 For the purposes of Class A, “urban development corporation” has the same meaning as in Part 16 of the Local Government, Planning and Land Act 1980 (urban development)(a).		
A.2 The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.		
<b>Schedule 2, Part 14, Class J - Renewable energy –</b>		
The installation or alteration etc of solar equipment on non-domestic premises		
<u>Permitted development</u>		
J. The installation, alteration or replacement of—		
(a) microgeneration solar thermal equipment on a building;		
(b) microgeneration solar PV equipment on a building; or		
(c) other solar PV equipment on the roof of a building,		
other than a dwellinghouse or a block of flats.		
<b>Development not permitted</b> If <b>yes</b> to any of the questions below the proposal is not permitted development		<b>Yes/No</b>
J.1 (a)	the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;	N/A
J.1 (b)	the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);	No
J.1 (c)	the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;	No
J.1 (d)	in the case of a building on article 2(3) land*, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;	N/A
J.1 (e)	the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or	N/A
J.1 (f)	the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.	N/A
J.2 Development is not permitted by Class J(a) or (b) if—		
J.2 (a)	the solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;	No
J.2 (b)	the solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or	No
J.2 (c)	in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway.	N/A

J.3 Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt.

J.3	J. c) other solar PV equipment on the roof of a building, more than 1 megawatt	No
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J.4—(1) In accordance with condition J.4 (1) Class J development is permitted subject to the following conditions—

J.4.1 (a)	the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and	Yes
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J.4.1 (b)	the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.	Yes
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J.4.2	Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development.	N/A
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\* The land referred to as article 2(3) land is the land described in Part 1 of Schedule 1 to Town and Country Planning (General Permitted Development) (England) Order 2015/596 (National Parks, areas of outstanding natural beauty and conservation areas etc).

#### **Assessment:**

The proposals meet all the limitations and conditions of Schedule 2, Part 7 Class M, for the erection, extension or alteration of a school, college, university or hospital building; Schedule 2, Part 12 Class A, for the erection or construction and the maintenance, improvement or other alteration by a local authority; and, of Schedule 2, Part 14, Class J for installation of solar equipment on non-domestic premises. Therefore, a certificate of lawful development (proposed) should be granted.