

Application ref: 2024/5661/P
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Date: 26 February 2025

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Plustudios
100 Avebury Blvd
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MK9 1FH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Holy Trinity And St Silas Primary School
Hartland Road
London
NW1 8DE

Proposal:

Erection of outbuilding to school playground for primary use as SEN space.

Drawing Nos:

Supplementary Design Statement; 01.SITE LOCATION P02; 02.BLOCK PLAN P02;
03.1.EXISTING SITE PLAN P01; 03.2.PROPOSED SITE PLAN P01; 04.PLAN P02;
05.ELEVATIONS 1 P02; 06.ELEVATIONS 2 P02; 07.SECTIONS P02.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Supplementary Design Statement; 01.SITE LOCATION P02; 02.BLOCK PLAN P02; 03.1.EXISTING SITE PLAN P01; 03.2.PROPOSED SITE PLAN P01; 04.PLAN P02; 05.ELEVATIONS 1 P02; 06.ELEVATIONS 2 P02; 07.SECTIONS P02.

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

- 3 The building shall be finished in timber cladding and all new external work shall be carried out in materials as detailed in the approved drawings and documents.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 4 Following the implementation of the scheme hereby approved, the number of students on the roll of the school shall not be increased as a result of the development, without the prior approval of the local planning authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, C2, A1, T1, and T2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal is for the erection of an outbuilding to the eastern side of the school playground. The application site is the Holy Trinity and St Silas School, located on the west side of Hartland Road. The outbuilding would be used as an intervention pod for schoolchildren with special educational needs (SEN), and would therefore be ancillary to the main use of the school (Class F1). The original main school building is locally listed but the site is not within a conservation area.

The proposed outbuilding is a small 'pod' structure, constructed of timber cladding and with one aluminium door to the north-west elevation and no other windows. It would measure approximately 2.9m tall and cover 10.8 sqm of playground area. The structure would also include a small trellis and canopy to the entrance, which would cover an additional 2.4 sqm of the playground. It would be positioned close to the playground boundary with Hartland Road, immediately adjacent to the sports pitch/field. The outbuilding would have a modest size and a very small footprint relative to the rest of the playground, retaining a more than adequate amount of playground space for schoolchildren. The scale and location of the outbuilding is considered to maintain a subordinate relationship with the host buildings and wider site, and the structure would not be dominant in any views from the public realm; indeed, the visibility from the public realm would be very limited due to existing privacy

screening to the site. In summary, the proposed outbuilding would be considered to be appropriately designed and would preserve the character and appearance of the site and wider area and the locally listed building.

It is noted that the proposal would involve the relocation of some play equipment and a small tree within a planter. Given that the play equipment would be re-provided elsewhere in the playground, there is no objection to this. Additionally, the tree can easily be relocated due to it being situated within a planter rather than planted in the ground, so there is no requirement for supporting arboricultural documents and this part of the proposal is acceptable.

Due to the nature of the works, it is not considered that there would be any negative impact on the amenity of neighbours. The outbuilding is extremely modest in size and would be situated in such a way that there would be no overshadowing or impact on outlook. Additionally, the outbuilding would not include any windows and so would not create new opportunities for overlooking or impact on the privacy of residents.

The SEN space would be ancillary to the existing educational use and is not intended to support an increase in student numbers. A condition is included that would prevent the development from being used to increase student numbers, without prior approval of the local planning authority.

No objections were received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposal is in general accordance with policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the

Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:
- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available, this will not require the approval of a BGP before development is begun because it is below the de minimis threshold.

Summary of statutory exemptions for biodiversity gain condition:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

- 6 Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73(2D) of the Town and Country Planning Act 1990: If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

Phased development:

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer