

LDC Report		29/02/2008
Officer		Application Number
Sharon O Connell		2008/0197/P
Application Address		Drawing Numbers
1 Holly Bush Vale Hampstead Parochial School London NW3 6TX		See decision notice
PO 3/4	Area Team Signature	Authorised Officer Signature
Proposal		
The use of the Curates house for education purposes ancillary to the school (Class D1).		
Recommendation: Refer to Draft Decision Notice		
Assessment		
Evidence submitted to the Council:		
<p>Site location plan, showing the location of the Curate's house within the grounds of Hampstead Parochial school;</p> <p>Existing ground, first floor and second floor plans showing the layout of the property. The property consists of a kitchen, lounge, wc, 2 bedrooms, a study and a bathroom;</p> <p>Proposed floor plans of the property. This includes an extended schools room, kitchen and wc on the ground floor; Community link/PTA meeting room and store on the first floor and an office, storage and wc/shower on the second floor;</p> <p>Photographs of the property;</p> <p>A letter from the Headteacher of the school listing the role of the curates residing in the houses which are placed with the playground of the school. The duties are:</p> <ul style="list-style-type: none"> • Planning weekly assemblies; • Taking an assembly once a week; • Meeting with head teacher to plan religious education throughout both key stage 1 and key stage 2; • Involved in class work in Key stage 1 and 2; 		

- Daily interaction with the children;
- Planning, working and involving the children for the Easter service;
- Taking the Easter Service in conjunction with the vicar;
- Planning, working and involving the children for Harvest Festival;
- Taking Harvest Festival service in conjunction with the vicar;
- Planning, working and involving the children for Leavers Service;
- Taking leavers service in conjunction with the vicar;
- Planning, working and involving the children for Christmas Carol Service; and
- Taking Christmas Carol Service.

Title deeds for the school. This states "Upon trust to permit the said premises and all buildings erected or to be erected on the said piece of land to be for ever appropriated and used as and for a school for the education of children and adults or children only of the labouring manufacturing and other poorer classes in the said Parish of Saint John Hampstead and for no other purpose."

Cover letter dated 21st December 2007 stating the following:

- No external alterations to the property are proposed;
- It is proposed to use the building for "Extended schools". Extended schools provides facilities for the school to look after children before and after school (8am to 6pm) to enable parents to drop their children off and have time to collect them after either a full day/s work or re-training. The aim being to increase the potential for mothers/father to return to work/study after having children. In addition a room on the first floor would be used for the parent teacher's association.
- The premises have in the past been used as school accommodation for the headteacher and also at various times the Caretaker. When the caretaker chose to live off site, the school at the time did not have sufficient funding/demand to use the vacated premises for extended schools. The school chose to use the premises to provide accommodation for one of the Curates. This is because any use of the premises needs to be integral to the use of the school and also there are certain important factors associated with the location of the premises which meant that the premises has to be linked to the school.

Assessment:

The evidence submitted with the application as detailed above showed that the property known as 1 Holly Bush Vale has historically been used for purposes ancillary to the running of the school. These uses included housing for the head teacher and caretaker. In recent years the property has been used to house the curates. The letter from the school head teacher showed that the Curate plays an integral role in the running of the school. It is therefore considered that the use of the property to house the Curate was ancillary to the use of the school (Class D1), as it was when the caretaker and head teacher resided at the property. Therefore no change of use from the lawful D1 use of the property occurred. The use of the property for extended schools

and for parent/teacher meetings can be considered to be ancillary to the Class D1 use of the school and is not classified as development as defined in of the Town and Country Planning Act 1990.

Recommendation:

Grant the proposed Certificate of Lawfulness.

Objection from the Heath and Hampstead Society: The society requested that any permission be conditioned to impose a limit on pupil numbers, in addition to a green travel plan being submitted. **(Response: This Certificate of Lawfulness is making a decision on a point of law and not making an assessment on the planning implications of the use of the building. As shown in the assessment above, it is considered that the use of the building for purposes ancillary to the use of the school would not constitute development requiring planning permission. Therefore conditions cannot be attached to the Certificate of Lawfulness for proposed use.)**