

Mrs Katharine Terry  
Sarah Wigglesworth Architects  
10 Stock Orchard Street  
London  
N7 9RW

Application Ref: **2017/1100/P**  
Please ask for: **Tania Skelli-Yaoz**  
Telephone: 020 7974 **6829**

27 June 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**Kingsgate Primary School**  
**Kingsgate Road**  
**LONDON**  
**NW6 4LB**

Proposal:

Demolition of existing single storey extensions and replacement with new single storey extensions to provide new school hall, library space, disabled WC and entrance space.

Drawing Nos: (As existing:) 596-E-000, 596-E-001, 596-E-002, 596-E-003, 596-E-004, 596-E-005, (as proposed:) 596-P-001, 596-P-002, 596-P-003/ A, 596-P-004/ A, 596-P-005/ A, 596\_A\_500/ T2.

Supporting documents:

596-P-006 Tree Impact Plan, Tree Constraints Assessment by Wharton Arboriculture dated 3.56.15 ref 030615 0369 TCA V1 003, 596-A-500/T2 trees, Proposed Drainage Plan, School Travel Plan and Design & Access Statement dated 23.3.2017 Rev A.

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: 596-P-001, 596-P-002, 596-P-003/ A, 596-P-004/ A, 596-P-005/ A, 596\_A\_500/ T2, 596-P-006 Tree Impact Plan, Tree Constraints Assessment by Wharton Arboriculture dated 3.56.15 ref 030615 0369 TCA V1 003, 596-A-500/T2 trees, Proposed Drainage Plan, School Travel Plan.

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

- 3 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage to the satisfaction of the Council. Details shall be submitted to and approved by the Council before any works commence on site (including demolition) to demonstrate how trees to be retained shall be protected during construction work: such details shall follow guidelines and standards set out in BS5837:2012 and should include details of appropriate working processes in the vicinity of trees, and details of an auditable system of site monitoring. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 4 Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved in writing by the local planning authority prior to commencement of any works (not including demolition) on site. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 5 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, louvres, external doors and gates;

b) Manufacturer's specification details of all new facing and roofing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Before the development commences (not including demolition), details of relocated (south-eastern corner of site) secure and covered cycle storage area for an additional 17 spaces (to the existing relocated 15) cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the extension and permanently retained thereafter. The area should accommodate the relocation of the existing scooter parking and retain it thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

9 \*Need for a legal agreement

No works shall be commenced on site until such time as any owners of the land with the legal locus to enter into a Section 106 Agreement have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions 10, 11 and 12 (and marked \*).

Reason: In order to define the permission and to secure development in accordance with policy CS19 of the London Borough of Camden Local Development Framework Core Strategy.

10 \* CMP 01 - Demolition Management Plan (DMP)

The demolition hereby approved shall be carried out in accordance with a DMP which shall be submitted to and approved in writing by the local planning authority prior to any works commencing on site. The approved DMP shall set out measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the demolition period. The measures contained in the DMP (pro-forma) shall at all times be complied with during the relevant demolition phase.

The approved DMP shall be kept on site. It shall be reviewed as necessary and all revisions shall be signed by authorised persons on behalf of the local planning authority and the applicant and dated in an addendum format forming part of the original DMP.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with Policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17, DP20 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

11 \*No part of the development hereby approved shall be constructed (excluding demolition) until arrangements are in place for the assessment and monitoring of the Construction Management Plan (or an agreement for a contribution of £3,840).

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with Policies CS5 (Managing the impact of growth and development) and CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP16 (The transport implications of development), DP17 (Walking, cycling and public transport) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework.

12 \*Highway works contribution

No construction works for the development hereby approved shall commence until the Council has confirmed in writing that it has received full payment for the cost of repaving the footways around the perimeter of the site on completion of the development (currently estimated at £3,690.45). The highway works would include the removal of all temporary features installed during the enabling and construction phases including temporary accesses and loading bays.

Reason: To ensure that the pedestrian environment is maintained and improved in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 and DP21 of the London Borough of Camden Local Development Framework Development Policies.

13 \* CMP 02 - Construction Management plan (CMP)

The development hereby approved shall be carried out in accordance with a CMP, which shall be submitted and approved in writing by the local planning authority prior to the commencement of the construction phase (excluding demolition, muck out and ground works). The approved CMP (pro-forma) shall set out measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the construction period. The measures contained in the CMP shall at all times be complied with during the relevant construction phase.

The approved CMP shall be kept on site. It shall be reviewed as necessary and all revisions shall be signed by authorised persons on behalf of the local planning authority and the applicant and dated in an addendum format forming part of the original CMP.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with Policies CS5 and CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17, DP20 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1 Reasons for granting permission: Part 1/3

The proposed part demolition (150sqm) and re-built and extension of the existing infant school building (250sqm GIA) on the north-east corner of the Kingsgate School site aims to convert the majority of this building as a flexible multi-use hall for the Junior School (KS2), following the planned move of the Infant School (KS1) to the Liddell Site new school. The proposal is 2-storey high and would add 100sqm to the existing school building. The development will add 8 additional pupil places and no additional staff. The re-built and extension will provide a new library, hall, improved entrance, accessible WC and storage, internal adaptations to

improve the support rooms for intervention teaching in groups and re-locating the music room. The access arrangements remain as existing.

The wider area consists of Kilburn Grange Park to the north and west of the school and largely residential area to the east and south. The site consists of the main 2-storey high Victorian Board School building with a collection of ancillary buildings of various styles and heights. The northern boundary of the school is directly facing Kilburn Grange Park and is bounded by metal railings with controlled access to a wildlife garden in the south-east corner of the park. The building is not listed and does not lie within a conservation area. The demolition area consists of the flat roofed part of the northern hall.

The main alterations will be made to the north elevation and will have minimal visibility from the central playground area or the other historic brick buildings in the main part of the site. The north elevation is of less architectural character and interest than others on this building, however it does contain two quite interesting and decorative canopies above the doors. Although it is considered regrettable that the canopies will be lost as a result of the proposals, the proposal in principle is considered acceptable. The existing architectural elements of the building will be retained and remain the focus of its character and appearance. The proposed form, mass, design and materials will compliment and sit subservient rather than competing with the existing. Due to the location of the new sections they will remain largely invisible from the central playground area. The main new façade will be seen from within Kilburn Grange Park and will replace one which is relatively plain and utilitarian. The timber cladding will allow linkages with the park and create interest in this area along with the reveals, details, varying size of openings and projections and manifestations to the windows for privacy. Some of the materials will include timber and metal cladding, standing seam metal roof, powder coated aluminium window frames, metal powder coated louvres (light grey to match window frames) and fibre cement panels (low level weatherproofing details). The full details of materials are recommended to be conditioned upon approval.

4no. natural vent cowls are proposed on either side of the raised walkable gutter between the existing and re-built pitched roofs to accommodate a new sustainable ventilation system. These have been minimised in number during the course of the application and have been located discreetly between the two halls. They are likely to be visible from limited vantage points (east and west) and are not considered detrimental to the appearance of the proposal and surroundings. They are designed to be lower than the existing and proposed pitched roofs. A green roof was not considered feasible at present due to the lightweight timber panel structure however, photovoltaic panels are proposed to the new flat roof and other environmental friendly measures include passive solar daylighting design with excellent levels of natural daylight, rainwater collection, new recycling area, use of renewable and natural materials for external cladding.

## 2 Reasons for granting permission: Part 2/3

No concerns are raised over the increased proximity of the school to the public park to the north. The proposal involves the loss of some of the existing outdoor play area, however, this is considered of a minor nature and therefore acceptable.

The re-design and re-built on this part of the school by way of increased fenestration to the north elevation is considered to increase the link to the natural assets of Grange Park and thereby contribute to improved health and wellbeing.

The outlook from the rear windows of the existing terrace at nos. 80-96 Kingsgate Road would be altered with a new gable and pitched roof beyond at 2nd floor level as a result on the new extension to the northern hall and library. However, as the footprint and siting of the existing building is not altered at this location and the roof sloping away from the terrace, the additional bulk at 1st floor level is not considered to result in a significant departure from the established character of this corner and its relationship to the residential terrace. The proposed new dormer window facing the terrace is not considered to raise concerns over loss of privacy as it serves a double height room (library) and therefore no outlook will be enabled from it.

Due to the orientation of the site and the addition of a single storey over the existing building no loss of daylight and sunlight is considered likely to the residential windows within the above terrace. Therefore, due to the development's size and location, it would not significantly harm the amenity of any adjoining residential occupiers in terms of privacy, outlook, daylight and sunlight. No noise concerns are raised over the proposed vents as they are natural ventilation systems and not mechanically driven.

The development is considered acceptable in transport terms, subject to a condition for the provision of cycle storage in the relocated dedicated area within the south eastern corner of the site to include provision for the retention of the existing scooter storage. A legal agreement is recommended to secure a Construction Management Plan and financial contributions towards highway works for the remediation of the highway.

No trees are proposed to be removed to facilitate development. The scheme involves some degree of encroachment into the root protection area (RPA) of three offsite trees (T15, T17 and T18) located within Kilburn Grange Park, immediately to the north. It is considered likely that the boundary wall will have acted to some degree as a root barrier inhibiting rooting ingress into the application site. In addition, the onsite area of the affected RPAs is made up of hard standing making it less conducive to rooting activity than the area of the same RPAs that are within the park. It is considered that provided tree protection details including an arboricultural method statement are submitted and implemented and details of foundations that are designed to minimise root severance are submitted, the scheme can be implemented without adversely affecting the trees.

No objections have been received prior to making this decision. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

### 3 Reasons for granting permission: Part 3/3

As such, the proposed development is in general accordance with policies CS5 and CS11, CS14, CS17 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP15, DP16, DP17, DP20,

DP21, DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016 policies and the NPPF 2012. The proposal also complies with the emerging Local Plan 2016 policies G1 (Delivery and location of growth), C1 (Health and wellbeing), C2 (Community facilities, culture and leisure), C6 (Access for all), A1 (Managing the impact of development), D1 (Design), T1 (Prioritising walking, cycling and public transport), CC1 (Climate change mitigation) and CC3 (Water and flooding).

- 4 The matters covered by conditions 10, 11 and 12 (also marked with an \*) are matters which would usually be incorporated into a Section 106 Agreement. On Council own schemes because the Council cannot enter into an agreement with itself the usual practice would for the permission to reference the Section 106 requirements for information. If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of an interest in the Application Site the incoming owner will be required to enter into a Section 106 giving effect to those requirements which will then become a legally binding document. This reflects the terms of condition 9 on the planning permission.
- 5 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 6 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 7 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

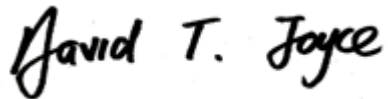


In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive style with a large 'D' and 'J'.

David Joyce  
Director of Regeneration and Planning