

*Jones Lang LaSalle**18th August 2020*

Summary Proof of Evidence

Section 78 Town and Country Planning Act 1990

London Borough of Camden Planning Application Nos: 2019/2375/P (Planning Permission) & 2019/2491/L (Listed Building Consent)

Tim Byrne BRTP (Hons) BBusMan MRTPI MRICS

In Respect of an Appeal under Section 78 of the Town & Country Planning Act 1990 for:

Change of use of the site from a police station (sui generis) to a one-form entry school (Use Class D1) for 210 pupils and business/enterprise space (Class B1) including alterations and extensions to the rear and associated works at the Former Hampstead Police Station, 26 Rosslyn Hill, London, NW3 1PD.

In relation to:

Planning Issues

Prepared for

Department for Education

Summary

This proposal is to provide Abacus Belsize Primary School with a permanent school site. The school is an existing mixed 1FE (210 pupils) primary school that opened in September 2013 under the Free Schools Programme.

Key Planning Benefits of the Proposal

This proposal provides significant public benefits including:

- **Bringing a vacant public building back into beneficial community use.**

The former Police Station will be reinstated back into the public use and restored as a focal point for the local community.

- **Permanent location for an ‘Outstanding’ secular state school.**

This 1FE primary is included within LBC’s school places illustrating it is needed within the borough and provides the choice of a non-independent and secular school within walking distance of the Belsize catchment area.

- **Protecting and enhancing the Grade II Listed Building in the Hampstead Conservation Area.**

The school has been carefully designed to ensure that the areas of significant historical merit and character of the conservation area are preserved and enhanced whilst providing a modern fit for purpose school. The school is a reliable occupant to ensure that the maintenance of the building is upheld.

- **Car free development**

No car parking provision is proposed on the site. The Travel Plan promotes sustainable modes of transport, in addition to the school’s own car-free policy. The majority of students live within a 15 minute walk of the proposed site. The School Travel Plan Review Group will include a local resident representative who will participate in an annual review of the travel plan to ensure that it is being adhered to.

- **Community use of facilities out of hours**

Provision for community access and use of the school facilities (main hall, small hall) outside of core hours delivers a substantial public benefit.

- **Local business & enterprise space**

The Magistrates Court is surplus to the floorspace requirements for a 1FE school. Therefore, flexible office accommodation is proposed, providing a facility for Small to Medium Enterprises within the local area and creating a valuable co-working space.

Key Planning Matters

Heritage: The proposed development will preserve and enhance the character and appearance of the Hampstead Conservation Area by bringing the Grade II Listed Building, a key landmark within the surroundings, into a beneficial use through continued occupation. The design has been carefully developed to ensure that any alterations to the historic building fabric have been kept to a minimum and areas of historical significance have been preserved and enhanced such as the main facades, removal of the modern accretions to the rear of the building, the restoration of the ceiling to the magistrates court and removal of modern additions to the Stable block. The preservation and enhancement to the Grade II Listed Building and Hampstead Conservation Area

should be given significant weight in the balancing the development as a whole. The proposal accords with CLP Policy D2 Heritage and HNP DH2 Conservation areas and listed buildings.

Air Quality: The annual mean Air Quality Objective for NO₂ was predicted to be exceeded across the lower ground floor and ground floor level of the site. The building has included mitigation through mechanical ventilation. The annual mean Air Quality Objective for PM10 and PM2.5 was not exceeded at any location across the site. The levels of air pollution would not make the external environment unsuitable for outdoor play and other outdoor school activities. The Air Quality Assessment therefore establishes that air quality is not considered a constraint to granting planning permission for the proposed development, subject to the inclusion of mitigation. The proposal would not conflict with CLP Policy CC4 Air quality.

Noise: Noise levels at some neighbouring residences will have an adverse impact. A 4m acoustic barrier was offered as part of the mitigation measures. Noise effects will arise from the playground for a limited time period Monday - Friday during the school term. Although the noise levels experienced by the local residents as a result of the school's operation needs to be given weight, they would not be an unacceptable adverse impact. Further, such impact would not outweigh the public benefits of the proposals. The proposal would not conflict with CLP Policy A1 Managing the impact of development.

Transport: The proposed development will target 0% private car use amongst pupils, staff and business users through a range of physical, promotional and educational measures which will be included in the Travel Plan which would be secured by condition on planning permission and s106 legal agreement. The proposal accords with CLP Policy T1 Prioritising walking, cycling and public transport; HNP Policies TT1 (Traffic volumes and vehicle size) and HNP Policy T2 Parking and car-free development.

Amenity: The proposed development would result in a loss of amenity in terms of overlooking and privacy for adjoining neighbours compared to the current vacant site, (though that is not a point of comparison that should carry much weight). The level of harm, if any, is not considered to be unacceptable. Further, it is appropriate to balance this lesser degree of harm against the public benefits of the school for those attending it and the community as a whole; and the significant weight to the Government's commitment to state-funded schools. The proposal would not conflict with Policy A1 (Managing the impact of development).

The planning application and appeals submissions clearly establish and demonstrate that the overall public benefits of this proposal outweigh any harm that is caused as a consequence of the development.

The appeal accords with the Development Plan and must be granted planning permission without delay to deliver a permanent site for Abacus Belsize Primary School.