



PLANNING SERVICES

TOWN & COUNTRY PLANNING (DETERMINATION BY INSPECTORS) (INQUIRIES PROCEDURE) (ENGLAND) RULES 2000

RULE 6 STATEMENT OF CASE of the London Borough of Camden

APPEAL SITE

Former Hampstead Police Station
26 Rosslyn Hill
London
NW3 1PD

APPELLANT

The Department of Education and Anthem Schools Trust

SUBJECT OF APPEAL

Appeal Statement in Support of the Council's decision to refuse planning permission (ref: 2019/2375/P) and listed building consent (ref: 2019/2491/L) on 19th of December 2019 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.”

COUNCIL REFERENCE: 2019/2375/P and 2019/2491/L

**PLANNING INSPECTORATE REFERENCE: APP/X5210/Y/20/3248002 &
APP/X5210/W/20/3248002/3248003**

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1.0 SITE AND SURROUNDINGS

- 1.1 The application site is the vacant Former Hampstead Police Station at 26 Rosslyn Hill. The site is located on the northern side of Rosslyn Hill at the junction with Downshire Hill. The former police station is described as sui generis, being a use that does not fall within any defined use class. The building comprises a basement, ground floor and two upper storeys. Due to topographical changes (the site slopes down to the rear), the basement is at ground level at the rear. The building has two wings at the rear and forms a 'U' shape. The building has been vacant since 2013.
- 1.2 The application relates to the site of the former police station and the associated former stable block to the rear. The former police station includes a magistrates' court and some prison cells. There is a hardstanding area that was used for car parking at the rear. A Victorian residence (currently vacant) abuts the site to the South East and was formerly used by the Metropolitan Police. The residence does not form part of the application site.
- 1.3 The building is Grade II listed and sits within the Hampstead Conservation Area. The main building is three storeys, plus a basement, and constructed in red brick with stone dressings as designed by J Dixon Butler (1910-13).
- 1.4 The building is referred to in the Hampstead Conservation Area Statement as an imposing feature of the Rosslyn Hill and Downshire Hill streetscape character.
- 1.5 The site falls within the area covered by the Hampstead Neighbourhood Plan and the proposals are assessed against the policies within this plan as well as those of the Local Plan. The Hampstead Neighbourhood Plan designates this part of the conservation area as Character Area 3 – 19th Century expansion.

- 1.6 The main entrance is on Rosslyn Hill, with other entrances including the vehicular entrance on Downshire Hill. The Judges' Chamber area of the Magistrates' Court is accessed off Downshire Hill. To the rear, the slope of Downshire Hill results in level access to the lower ground floor. The building has two wings to the rear, at each end of the façade, forming a U-shaped building. There is a two-storey stable block to the eastern corner of the site, which was built at the same time as the main building.
- 1.7 The site has a PTAL rating of 4, which is a 'good' accessibility level and the site sits within a controlled parking zone.
- 1.8 It is believed that the building was occupied by the Metropolitan Police from 1913 until 2013. The site is currently owned by the Educational Funding Agency (EFA), who purchased it in 2013. The purchase was part of a wider scheme promoted by the Mayor of London, through which public land and property was to be freed up across Greater London to accommodate 11 free schools.
- 1.9 The area is predominantly residential. The site is bounded by the rear gardens of flats on Downshire Hill to the north-west and north, by the rear gardens of properties on Hampstead Hill Gardens to the north-east and borders the side of 24 Rosslyn Hill to the south-east.

2.0 THE PROPOSAL THE SUBJECT OF THIS APPEAL

- 2.1 The appeal proposal seeks the change of use of the site from a police station (*sui generis*) to a one-form entry school (Use Class D1) for use by Abacus and business/enterprise space (Class B1) including internal and external alterations and extensions to the rear.
- 2.2 The school would be a one-form entry free school for 210 pupils and 24 full time equivalent (FTE) staff members. The proposed school is intended to operate as a free school for a catchment area within the

Belsize Ward. The school would be open to children from the ages of 4-11.

- 2.3 The proposal would involve an extension of 122.5sqm at rear lower ground and ground floors – to create enough space for a hall. The accommodation would be arranged over four floors (lower ground – second).
- 2.4 The stable block in the south-east corner of the site is included in the application and would house two of the proposed classrooms. The application involves the removal of modern additions to the building at the rear and the erection of a canopy. The application also involves the provision of a ramp access above the front lightwell on Rosslyn Hill.
- 2.5 The school hours would be 08:50 to 15:30 Monday to Friday. The site would be open 08:00 to 18:00 to accommodate pre-school and after-school clubs. Conditions were suggested for the original application, limiting use of the playground to 120 minutes per weekday and to no more than four weekends per year.
- 2.6 The proposals also involve the provision of 231sqm of Class B1 employment use which would occupy the former Magistrates' Courtroom at ground and first floor levels, this is a physically separate area with its own access.

3.0 RELEVANT PLANNING HISTORY

Application site

- 3.1 **2016/1590/P and 2016/2042/L** A planning application and a listed building consent application were registered on 03/05/2019 for the “*Change of use from police station (sui generis) to school (Use Class D1) including the partial demolition and extension to the rear of the*

Grade II Listed Building and associated works". The applications were refused on 09/08/2016. The substantive reasons were:

- i) The scale, bulk, height and detailed design of the proposed rear extension and its harm on the listed building and conservation area
- ii) The additional trip generation and traffic congestion
- iii) Impact on amenity of neighbouring residents – scale and intensity of use
- iv) Failure to demonstrate no impact in terms of air quality
- v) Failure to demonstrate no impact on trees
- vi) Further amenity reason – noise.

Associated applications - Abacus School – Jubilee Waterside

Abacus School currently operates from a site on Camley Street, where it opened in September 2013. There have been three temporary permissions for use of the Jubilee Waterside Centre at 105 Camley Street as a school. The latest permission (2018/1444/P) is until 21/08/2020. There is a current application, seeking to extend the use (2020/1814/P).

4.0 PLANNING POLICY FRAMEWORK

4.1 In determining the planning application the Council had regard to the relevant legislation, government guidance, statutory development plans, supplementary planning guidance and the particular circumstances of the case. Set out below are the Local Plan policies that the proposals have primarily been assessed against. In making any decisions as part of the planning process, account must be taken of all relevant statutory duties including section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

National Planning Policy Framework (NPPF)

- 4.2 The NPPF was published in February 2019. It provides a national planning policy framework against which all planning applications and decisions must be made. It sets out a presumption in favour of sustainable development. The policies contained in the NPPF are material considerations which should be taken into account in determining planning applications. Paragraphs 91-92, 94, 102-104, 108-111, 184-185, 187, 189-192 are the most relevant.

National Planning Practice Guidance

- 4.3 Following the revised and updated NPPF, the Planning Practice Guidance was revised and updated with details of how these policies are expected to be applied.

Noise Policy Statement for England

- 4.4 Published in March 2010, this document sets out the long term vision of Government noise policy and whilst published under the 2005 to 2010 Labour Government, the document is still relied and heavily used today.

Development Plan

- 4.5 The development plan comprises of the London Plan, the London Plan (intend to publish), the Camden Local Plan 2017 and the Hampstead Neighbourhood Plan (2018).

London Plan (intend to publish)

- 4.6 The Examination in Public on the London Plan was held between 15th January and 22nd May 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019. On 9th December 2019, the Mayor issued the Secretary of State his intention to publish the London Plan. On 13th March 2020 the Secretary of State issued a response requesting inviting the Mayor to suggest alternative changes to the Plan. However,

no policies stated below are included within the Annex to the Letter requesting changes. The plan is anticipated to be adopted by the time of the Inquiry. The most relevant policies are listed below:

- Policy GG3 Creating a healthy city
- Policy GG5 Growing a good economy
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D13 Agent of Change
- Policy D14 Noise
- Policy S3 Education and childcare facilities
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy HC1 Heritage conservation and growth
- Policy S1 Improving air quality
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T6.2 Office Parking
- Policy T7 Deliveries, servicing and construction

Camden Local Plan 2017

4.7 The Local Plan was adopted by the Council on 03/07/2017. The relevant policies to be considered as part of the appeal process are listed below:

- G1 Delivery and location of growth
- C2 Community facilities
- C3 Cultural and leisure facilities
- C5 Safety and security
- C6 Access for all
- E1 Economic development
- E2 Employment premises and sites

- A1 Managing the impact of development
- A3 Biodiversity
- A4 Noise and vibration
- D1 Design
- D2 Heritage
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development
- T3 Transport infrastructure

Hampstead Neighbourhood Plan (HNP) (2018)

4.8 The HNP was adopted on 08/10/2018. The relevant policies to be considered as part of the appeal process are listed below:

- DH1 Design
- DH2 Conservation areas and listed buildings
- DH3 The urban realm
- NE2 Trees
- NE4 Supporting biodiversity
- BA3 Construction management plans
- TT1 Traffic volumes and vehicle size
- TT2 Pedestrian environments
- TT3 Public transport
- TT4 Cycle and car ownership
- HC2 Community facilities

Other Material Planning Considerations

Camden Planning Guidance (CPG)

4.9 The Camden Local Plan 2017 is supported by the Council's CPGs. These documents were created following extensive public consultation. The relevant documents, and sections of them, are listed below:

- CPG Access for all
- CPG Air quality
- CPG Amenity
- CPG Community uses, leisure and pubs
- CPG Design
- CPG Developer contributions
- CPG Employment sites and business premises
- CPG Energy efficiency and adaptation
- CPG Transport
- CPG Trees
- CPG Water and flooding
- CPG Planning for health and wellbeing

Hampstead Conservation Area Statement

4.10 The conservation area statement was adopted in 2001.

5.0 REASONS FOR REFUSAL

5.1 The Council determined the planning application and the listed building application at the 14 November 2019 Planning Committee, and issued the decision notices on 19 December 2019, refusing planning permission for the three reasons outlined below and refusing listed building consent for the one reason laid out below.

Planning Application

1. *The proposed development by virtue of its use, location and*

catchment area is likely to result in an increase in trips by private motor vehicles, increased traffic congestion and exacerbating air pollution and would fail to sufficiently prioritise sustainable modes of transport, contrary to policies T1 (Prioritising, walking, cycling and public transport) and C2 (Community facilities) of the Camden Local Plan 2017 and policies TT1 (Traffic volumes and vehicle size) and TT2 (Pedestrian environment) of the Hampstead Neighbourhood Plan.

- 2. The proposed development, by virtue of the proximity of its outdoor amenity space to neighbouring residential properties would result in an unacceptable increase in noise disturbance to the detriment of the amenity of neighbouring residents contrary to policy A1 (Managing the impact of development) of the Camden Local Plan 2017.*
- 3. The proposed development by virtue of its location on a main road with poor air quality, which could harm the health of pupils, would not be an appropriate location for a school, contrary to policies A1, (Managing the impact of development) and CC4 (Air quality) of the Camden Local Plan 2017 and policy S3 of the emerging London Plan December 2017.*

Listed Building Consent

- 1. The proposed internal works would result in the loss of plan form and original fabric including the fixtures and fittings of the magistrates court which would fail to preserve the special architectural and historic interest of the host building and less than substantially harm its significance (there being an absence of substantial public benefits that outweigh such harm), contrary to policy D2 (Heritage) of the London Borough of Camden Local Plan and policy DH2 (Conservation areas and listed buildings) of the Hampstead Neighbourhood Plan.*

5.2 The Council will work with the appellant to agree a section 106 agreement to be concluded before the forthcoming public inquiry is closed. The Council will endeavour to engage proactively with the appellant to narrow the issues of conflict with the appeal scheme. The heads of terms are as follows:

Land use

- Community Use Plan for the school facilities

Energy and sustainability

- Sustainability and energy measures for the whole development in accordance with approved statements

Transport

- Car free development for the school and the B1 use.
- School Travel Plan and associated monitoring and measures contribution of £9,618
- Annual review of the School Travel Plan
- Establish School Travel Plan Review Group to include a local resident representative
- Appoint a local resident representative as a Community Governor
- Servicing Management Plan
- Construction Management Plan and associated implementation support contribution of £7,564.50
- Financial contribution for highways works and Traffic Management Order changes - £22,451.59.
- PCE contribution including for the provision of off-site cycle parking - £51,478.65.

6.0 THE COUNCIL'S CASE

6.1 The main issues in this appeal are:

- Whether the proposals would lead to a materially harmful impact in terms of an increase in trips by private motor vehicles, increased traffic congestion and exacerbating air pollution and fail to sufficiently prioritise sustainable modes of transport.
- Whether the proposed development, by reason of the scale and intensity of use in close proximity to residential accommodation, would result in an unacceptable harm to the amenity of neighbouring residents by reason of noise
- Whether the proposed development would have an unacceptably detrimental impact on air quality on the surrounding area
- Whether proposed loss of original fabric would fail to preserve the special architectural and historic interest of the host building and less than substantially harm its significance without there being sufficient public benefit to outweigh such harm

6.2 These four main reasons are discussed in turn below.

Additional trip generation and traffic congestion would generate a materially harmful increase in traffic movements and fail to sufficiently prioritise sustainable modes of transport, (Reason for Refusal 1)

6.3 Local Plan policies T1 and C2 and Hampstead Neighbourhood Plan policies TT1 and TT2 are relevant with regard to transport issues.

6.4 The Council will demonstrate that the appeal proposal would lead to a materially harmful impact in terms of an increase in trips by private motor vehicles, increased traffic congestion and exacerbating air pollution. Furthermore, insufficient information has been provided by the appellant to demonstrate that their proposal won't have a significant air quality impact. Given the nature of the proposed use, its location and the catchment area of the school, the proposals would lead to a material rise

in private vehicle usage and consequent increase in air pollution in an area already suffering from poor air quality.



Source: Google Maps/PMA/Abacus Belsize Primary School

Figure 1 – the appeal site and the catchment area of the school

- 6.5 The original application for a two form entry school on this site was also refused on the grounds of additional trip generation and traffic congestion. It is acknowledged that the appeal proposal has a reduced pupil number (one form entry); however, given the location of the school, its catchment area and the lack of any absolute control over school-run traffic, the Council still considers this to be unacceptable.
- 6.6 The Council's traffic surveys show the area of the appeal is particularly overburdened with vehicle traffic, with one of the key contributors to this being the concentration of schools in Hampstead and Belsize Park with parents taking part in the "school run". The Council will show the number and disposition of schools in Hampstead and Belsize Wards. Policy A1 Managing the impact of development states that:

“The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity. We will:

- a. seek to ensure that the amenity of communities, occupiers and neighbours is protected;
- b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;
- c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and
- d. require mitigation measures where necessary. The factors we will consider include:
 - e. visual privacy, outlook;
 - f. sunlight, daylight and overshadowing;
 - g. artificial lighting levels;
 - h. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;
 - i. impacts of the construction phase, including the use of Construction Management Plans;
 - j. noise and vibration levels;”

Policy C2 requires a balance to be struck between the advantages of making provision for community facilities, including schools and impacts on residential amenity and transport infrastructure. With specific reference to the area in which the Appeal Site is located, the supporting text to the Policy specifically refers to traffic and to air quality as issues arising where there are concentrations of uses goes on to state that the Council will refuse applications for new schools or the expansion of existing schools in the Belsize and Hampstead area, unless it can be demonstrated that the number of traffic movements will not increase

- 6.7 Abacus School currently operates outside the catchment area at a site on Camley Street. The appeal site is also outside the catchment area –

250m to the north. Locating the school in the centre of its catchment area would make most sense in reducing private vehicle trips. The appeal site would be located 1.75km from the most south-easterly point of its catchment area (Chalk Farm) and 1.4km from the most south-westerly point (the junction of Adelaide Road and Avenue Road). These are considered significant distances to walk or cycle every day, taking into account the young age of the students at Abacus. The Council considers that the location of the appeal site in relation to the catchment area would materially increase private vehicle usage in the local area compared to the existing amount of traffic in the local area especially at pick up and drop off times, and also compared to other potential uses of the site, to the detriment of air quality. The Council does not agree with the appellant using Kentish Town Police Station as a baseline. The Council accepts that looking at trip generation from Kentish Town Police Station may be useful as a comparator to establish the historic trip generation from the former Hampstead Police Station, but we will provide evidence, which suggests that the Kentish Town Police station was and is significantly busier than the Hampstead Police station ever was. The estimated trip generation at Kentish Town Police Station would need to be proportioned down accordingly for it be considered as a baseline figure.

- 6.8 The appellant's own survey information of pupils and staff travelling to the bus pick up points showed that 4% were dropped off by car. This 4% would equate to approximately 8 private vehicle trips (or 16 two way trips) in the AM and PM peak for the 210 pupil capacity. The Council do not consider 16 extra vehicle trips a day insubstantial as it is a material increase in traffic. Furthermore, it is likely that this figure is the most conservative estimate given the amount of traffic schools tend to generate and the location of the school outside its catchment area, especially given that the 'hands up' survey is not considered scientific. These trips would be concentrated at school start and finishing times which are busy traffic periods due to rush hour. There is no way to enforce against parents driving and no way to stop private cars stopping

for brief periods, regardless of whether the school has a 'walk to school' ethos. Parents would be able to park for brief periods, regardless of whether there is a CPZ in operation. The Council have assessed all the schools in the Hampstead area and 4% car mode is well below the average. The steep gradients to the proposed site would discourage walking. The degree and extent of the gradients in the catchment area exceeds the recommendations of Manual for Streets for cycling and would restrict a child's ability to scoot or cycle to school. The terrain would also be a significant deterrent to walking and would induce parents to use public transport or drive. Therefore, the Council considered that there would be a material increase in vehicular trips. Relying on a walk to school ethos is insufficient to ensure against private car use. The Council considered that the impacts of traffic upon air quality and local amenity would be unacceptable, even allowing for the benefits that would flow from the school, though it should be noted that the school is not a new facility, rather, one that would be relocating

- 6.9 The appeal proposal is contrary to policy S3 paragraph 5.3.10 and paragraph 5.4.3 of the London Plan (intend to publish) (as well as the aforementioned Local Plan and HNP policies) which states that in regard to development proposal for education and childcare: "Facilities should be located away from busy roads, with traffic calming at entrances, to benefit from reduced levels of air pollution, noise and road danger". Rosslyn Hill is a London Distributor Road with 9,799 trips by motor vehicle during the day. The predicted pollutant concentrations on and near to the road are above the annual mean air quality objective for nitrogen dioxide. LAEI data indicates the entire site is in breach of the WHO guidelines for PM10 and PM2.5.
- 6.10 The development is marginal in terms of air quality neutral policy for transport impacts. The applicants own assessment demonstrates that they are at over 95% of the relevant transport emission benchmark. This assessment appears to be based on an optimistic assumption that no traffic uses the site during school holidays and if the number of trips

increase by just one vehicle, the benchmark would be breached.

- 6.11 The Council will expand and justify its concerns above during the appeal.

Harm to the Residential Amenities of neighbouring residents on Downshire Hill (Reason for Refusal 2)

- 6.12 Local Plan policy A1 seeks to ensure the amenity of communities, occupiers and neighbours is protected and Policy C2 also requires these considerations to be taken into account. This includes consideration of visual privacy, outlook, sunlight, daylight, overshadowing, artificial lighting levels (light pollution), noise and vibration, odour and fumes.

- 6.13 The Council will demonstrate that the appeal proposal would lead to a materially harmful impact on neighbouring occupiers by way of increased sense of enclosure and loss of outlook from the acoustic barrier which would be the only method to reduce the noise impact. In addition, it is considered that even with mitigation measures the increase in noise levels will give rise to significant adverse impacts on the neighbouring properties and their gardens. This would be caused through the proximity of windows and also gardens to the proposed playground on the appeal site. The neighbouring properties fronting Downshire Hill (50-52) are the closest to the application site and the proposed playground. These dwellings are separated from the site by their rear gardens, which vary in depth between 1m and 5m from the rear building line of these properties. Given their proximity to the playground, residents of 50-52 Downshire Hill were given the choice of acoustic screens, which would create a sense of enclosure and loss of light or, alternatively, not having any mitigation measures which would lead to significant noise impacts. The screens were proposed or omitted in response to residents' preferences. The Council has looked at this point from the perspective of public interest rather than that of forced choices.



Figure 2 – plan showing the close proximity of the playground to the rear of 50-52 Downshire Hill.

- 6.14 The proposed acoustic screen would be erected along the boundary with 50 Downshire Hill, not 51, 52a or 52, whose residents opted not to have the screen, given the loss of light and enclosure. The current enclosures to these properties are around 2m high from the appeal site, but there is a drop in levels on the other side of about 0.5m. The screen would be 3-4m high and would be constructed of timber, with a galvanised metal grid attached to allow climber plants on the inside (appeal site).
- 6.15 The playground would be the main source of noise from the proposed use. This would be located at rear ground floor level. The playground would be adjacent to properties on Downshire Hill, Rosslyn Hill and Hampstead Hill Gardens. The neighbouring properties fronting Downshire Hill (50-52) are the closest to the application site and the proposed playground. These dwellings are separated from the site by their rear gardens, which vary in depth between just 1m and 5m from the rear building line of these properties.
- 6.16 Given the small area of external space and the number of pupils (210), the school proposed staggered break times. They stated that they would need the playground for a combined maximum time of 120 minutes per

day, during the week. The applicant also stated the playground would be used for some occasions at weekends – e.g. Summer fairs and Winter festivals. The applicant stated that the site would be in use approximately 183 days per year (i.e. 50.1% of days in a non-leap year).



Figure 3 – acoustic barrier and rear of Downshire Hill properties (application drawings)

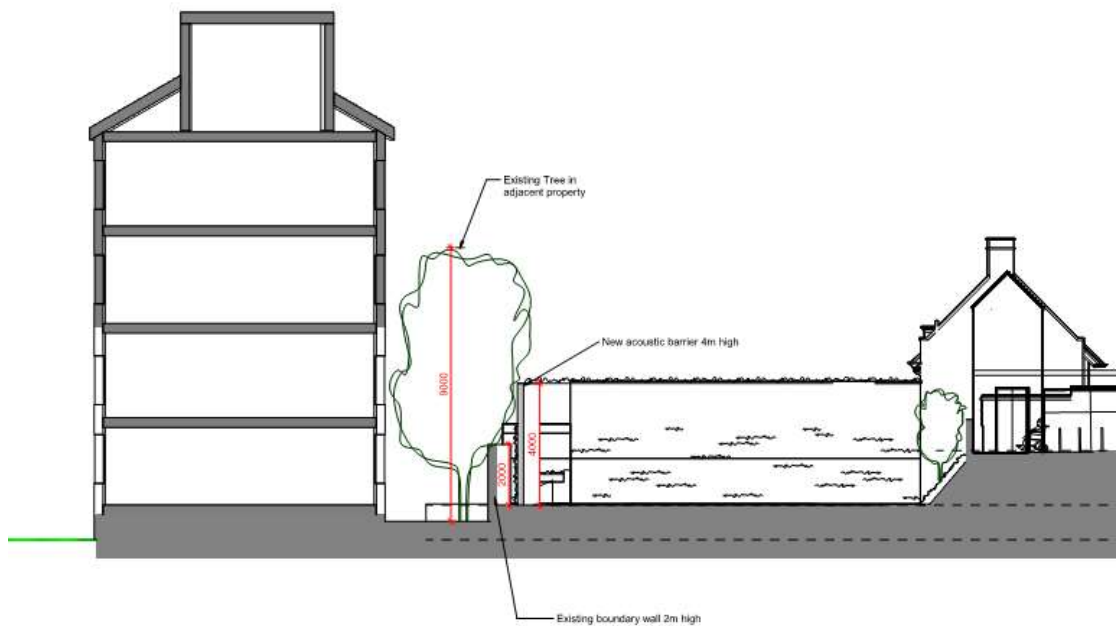


Figure 4 – section showing acoustic barrier, proposed playground and rear of Downshire Hill properties (application drawings)

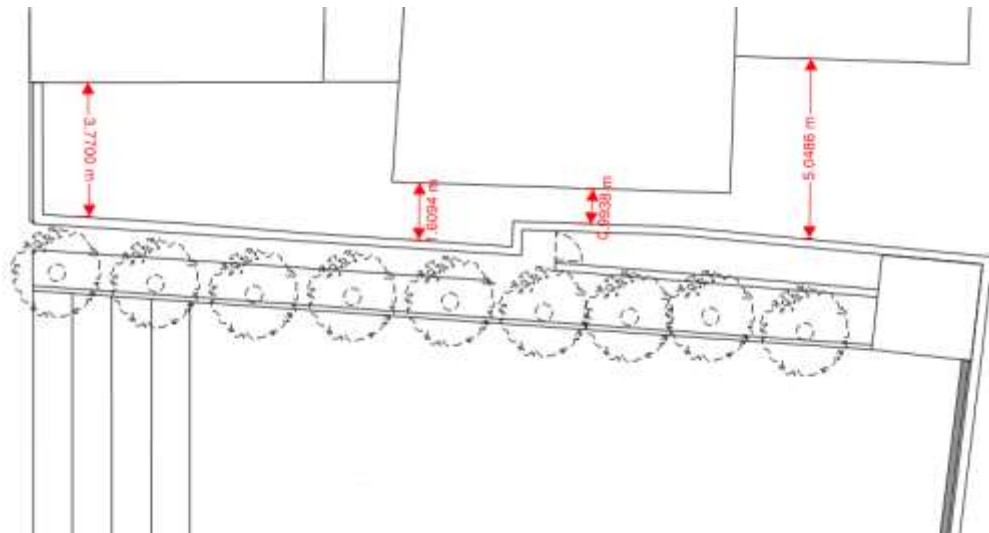


Figure 5 – plan showing distances between site boundary and rear of Downshire Hill properties (application drawings)

- 6.17 Given the extremely close proximity between noise sources and sensitive receptors and the limited effectiveness of the proposed mitigation measures, it is clear that the increase in noise would give rise to a significant adverse impact on these residents when the playground is in use. Indeed the appellant’s report demonstrated that there would be a significant noise impact. There is of course no way to limit the noise in terms of conditions on children playing.
- 6.18 The Council will argue that the degree of disruption to amenity would be harmful and significantly worse than the lawful use of the rear area as a vehicle parking area. The appellant states that the ‘level of harm would not be unacceptable’. It is clear the appellant agrees there would be harm in terms of amenity, but argues that it would offset by public benefits – which the Council disputes.
- 6.19 The Council are concerned that the methodology used by the appellant to derive predictions of the noise from the playground may have underestimated the levels likely in nearby gardens and amenity spaces, and at the facades of residential premises. Also, that the appellant’s noise report potentially overestimates the benefit of a boundary noise barrier.
- 6.20 In addition, it is considered that the criteria used to assess the impact of

the noise from the playground are not suitable for the nature and character of this type of noise.

6.21 Furthermore the appellant's noise report does not consider how the type of noise source or the nature of the change, or how any of a range of qualitative factors recognised as influence the impact of noise, might influence the assessment of the effects of changes in the local soundscape due to introduction of noise from the playground. The importance of looking beyond simply comparing predicted noise level with guidelines or standards, especially when they are applicable to the type of noise being assessed, is highlighted by the NPPG at Paragraph:004 which specifically advises that "*Although the word 'level' is used here, this does not mean that the effects can only be defined in terms of a single value of noise exposure. In some circumstances adverse effects are defined in terms of a combination of more than one factor such as noise exposure, the number of occurrences of the noise in a given time period, the duration of the noise and the time of day the noise occurs.*" This substantially undermines confidence in the outcomes of the appellant's noise assessment. In particular, the assessment does not consider how the nature of the noise source, the frequency of occurrence and the spectral characteristics may influence the subjective impact of the noise from the play area.

6.22 The need to go beyond simply considering noise levels is endorsed by the Noise Policy Statement for England which a paragraph 2.9 states that "*Noise management is a complex issue and at times requires complex solutions. Unlike air quality, there are currently no European or national noise limits which have to be met, although there can be specific local limits for specific developments. Furthermore, sound only becomes noise (often defined as "unwanted sound") when it exists in the wrong place or at the wrong time such that it causes or contributes to some harmful or otherwise unwanted effect, like annoyance or sleep disturbance. Unlike many other pollutants, noise pollution depends not just on the physical aspects of the sound itself, but also the human*

reaction to it. Consequently, the NPSE provides a clear description of desired outcome from the noise management of a particular situation.”

6.23 The concept of Soundscaping is defined as the “*acoustic environment as perceived or experienced and/or understood by a person or people, in context*”. This allows the assessment of noise to go beyond the limitations of only considering the physical aspects by incorporating the human reaction to it. The Mayor of London recognises the importance of protecting good soundscapes in his Environmental Strategy which states at “*Proposal 9.3.3.a The London Plan promotes the use of good acoustic design and the protection of soundscapes*”

6.24 The Council has commissioned an independent review of the noise report which concludes the following:

- The report uses noise assessment criteria that are not appropriate to the main problem of noise from children in the playground.
- The report does not follow the advice of the NPPG that the subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected, and that this will depend on how various factors combine in any particular situation. Instead the report largely ignores the various factors the NPPG says are important to the assessment of noise and seeks to simply compare the predicted noise from the playground to benchmarks that are not appropriate for the assessment of noise from children.
- The baseline noise levels used in the report are based on a single survey over a relatively short period. This undermines confidence that the reported levels are representative or typical conditions in the neighbourhood.

- The assumptions used in the modelling of the prediction of noise from the playground are not reported. This makes it impossible to audit the outcomes and have confidence that the predictions can be relied upon.
- Notwithstanding the concerns regarding the reliability of the baseline data and the noise predictions the report shows that the use of the playground will result in noticeable to major increases in noise levels at neighbouring residential premises depending on the spatial relationship to the playground and whether a noise barrier will intervene. When these increases in noise level occur, there will be a substantial change in the acoustic character of the neighbourhood and the noise from the playground will be very different in nature and character to the sounds that prevail at the moment.
- Furthermore, the report shows that the criteria erroneously chosen for assessment of the impact of playground noise inside nearby homes will be breached when windows are open for ventilation.
- The report shows but does not take account of, that the nature and character of the playground noise i.e. mid to high frequency noise of children's voices will be very different compared to the existing soundscape of lower frequency dominated road traffic sound, which are below typical values for residential areas in the North of the Borough. This will mean that the noise from the playground will be more readily noticeable and therefore disruptive, compared to the existing soundscape than suggested by just comparing the increase in noise level alone.
- An issue with the approach taken in the report is that it does not consider the context in which the noise from the playground will

be introduced to the existing soundscape at the nearby residential properties. Existing acoustic conditions at nearby residential properties are relatively quiet for an urban location and many residents regard them as tranquil and calm. The introduction of noise from the playground with a very different temporal pattern and frequency content from the current rather anonymous soundscape, and with readily identifiable speech and emotional content, will have a detrimental effect on this perception. When making assessments and arriving at decisions, therefore, it is essential to place the new noises in context of the local soundscape, No consideration of how the introduction of the noise from the playground will be perceived in the context of the existing noise conditions is presented.

- The report fails to establish that the proposed scheme will be likely to comply with the requirements of National, London Plan and LB Camden Local Plan policies and guidance in relation to noise.

6.25 A Daylight/Sunlight Study was submitted as part of the application that found no impact on dwellings, but did find an impact for the garden at 50 Downshire Hill – due to the 3m-4m high acoustic screen. This garden is relatively small and faces south-east. Under the proposals, this garden would receive 0.76 against a target of 0.8, which contravenes BRE guidelines. The other residents in these properties at Downshire Hill chose not to have the acoustic screen given the impact on loss of light and outlook. The Council considers that the impact on these properties and their gardens would be significant, were a 3m-4m high acoustic screen erected, which would be the only way to effectively mitigate the noise impact.

6.26 The Council considers it unacceptable to expect residents to suffer the impacts of a 3m-4m high screen at distances between 1m and 5m from windows serving residential properties. Not having the acoustic barrier would result in significant noise impacts at neighbouring properties

external areas. In addition, residents on the upper floors would be required to keep their windows closed when the playground is in use. The above shows that the site cannot accommodate a playground for 210 pupils without a material impact on these residents.

- 6.27 Condition 6 (which was suggested by officers at committee), limiting noise from the premises, is not considered enforceable given that noise from a playground cannot be conditioned. The Council considers this should not be included should the appeal be allowed. The Council do not agree that the scheme will deliver public benefits which outweigh the harm to the amenity of neighbouring residents

Poor air quality and inappropriate location for a school (Reason for Refusal 3)

- 6.28 Camden Local Plan policy CC4 seeks to protect occupants of developments from exposure to poor air quality. Camden Local Plan policy A1 seeks to ensure the amenity of communities, occupiers and neighbours is protected, including with regard to odour and fumes. Emerging London Plan Policy S3 states that new schools should be located away from busy roads.
- 6.29 Road transport is a significant source of air pollution in London, primarily from vehicle exhaust and tyre and brake wear. The site is located in an Air Quality Management Area (AQMA) and Haverstock Hill is a busy road with much traffic. Air pollution is therefore already over the UK Objective for annual mean nitrogen dioxide concentrations and there is evidence concentrations are close to, or exceed the World Health Organisation standard for PM₁₀.
- 6.30 The applicant's own air quality report notes that the UK Objective for annual mean nitrogen dioxide concentrations is exceeded at the lower floors at the front of the building. The same report considers that concentrations are lower at the higher levels of the building but this conclusion is uncertain given the modelling cannot take into account the

complex dispersion of pollutants in a built up urban area. Mitigation is proposed through mechanical ventilation with heat recovery with the air intake at the first floor, further away from the busy roads. Whilst the children once within the school could benefit from filtered air, they would be exposed to poor air quality travelling to and from the site. There is of course no way to mitigate against this. Indeed, the proposals would increase private vehicle usage to the detriment of local air quality. When the children are traveling to and from the school or are in the playground they will be exposed to air pollution without the protection of filtered air.

- 6.31 The appellant's air quality assessment has not considered uncertainty for modelling and monitoring within their assessment. Their assessment has not followed guidance in terms of air quality monitoring and model verification and this exacerbates the uncertainty within the assessment.
- 6.32 Given the above, the proposals would expose the children to the poor air quality, contrary to London Plan policy S3 and Local Plan policies CC4 and A1.
- 6.33 An additional condition should be attached should the appeal be allowed, requiring details of a ventilation system and a monitoring scheme, to ensure that the internal air quality would be acceptable.

Harm to the special architectural and historic interest of the host building and less than substantially harm its significance (Reason for Refusal 1 – listed building consent)

- 6.34 Camden Local Plan policy D2 (Heritage) and Hampstead neighbourhood Plan policy DH2 (Conservation areas and listed buildings) seek to preserve and enhance listed buildings.
- 6.35 Whilst most of the interior of the building had been stripped of details of significance and interest, the original purpose built courtroom is still fully fitted out with the original furniture and layout. This is a rare example of a courtroom being combined with a police station and has social as well

as heritage significance. Given this is the most significant room within the listed building, it is considered to be of great importance. Whilst most of the rest of the building has been stripped out, the original plan form of the police station largely exists. Under the proposals, this would be significantly altered, causing harm to the character of the listed building.

6.36 The committee report stated that the ‘removal of the Magistrates Court fittings and furniture is disappointing’. It was proposed that the wall panelling and magistrates bench would be retained – although not in situ, along with the magistrates’ doors and private staircase. Best practice would be to retain the elements in situ. Outside their context, these elements become architectural salvage. Once these elements are detached from their original location, it is not possible to enforce their reuse elsewhere. Nevertheless, a condition was suggested for the retention of these elements, which the Council still suggests, should the appeal be allowed. It is clear that removing these features from their original position would cause harm to the building. The Council considers that the impact of the loss of (the fittings and features from their original location in the courtroom to be of ‘less than substantial harm’ to the significance of the building. Officers acknowledge that a police station or a court is not going to move into the premises again. However, officers consider that this is not a justification for removing the original furniture and fittings. These could be retained with other uses.

6.37 Given the above, there would be ‘less than substantial harm’ from the proposals. The Council does not consider there to be public benefits that outweigh this harm. Heritage benefits of the scheme comprise of the Downshire Hill entrance being put back into use, the opening-up of a walled-off staircase, above which is the court waiting room. The false ceiling of the court room is proposed to be removed and to be refurbished, exposing a cornice characteristic of Dixon. Externally, the building is proposed to be restored, and at the back various accretions are to be removed. . It is considered that the harms, the loss of most of

the plan form of the police station and, most notably, the loss of the fittings of the courtroom, are not outweighed by the benefits.

7.0 CONCLUSION

7.1 The appeal proposal is not in accordance with a large number of national, regional and local policies as outlined in this statement. Each of the reasons for refusal are considered to be sufficient to justify the refusal of the appeal proposal in their own right, and together represent an appeal scheme that would not represent sustainable development as defined within the NPPF.

7.2 The merits of the appeal proposal are recognised and include that the development would provide a permanent home for Abacus School. It would also provide some employment space. The Council acknowledges that doing these things is capable of being in line with national and plan policy, but only if the environmental and heritage impacts and balance are acceptable. Although officers thought that they were and it was, members disagreed and the Council's case is that this is not sustainable development. The benefits of the scheme would not outweigh the harm caused through the increase in private vehicular trips in the local area, the amenity impact on residents of Downshire Hill, the air quality impact and the less than substantial harm to the significance of the listed building. Regard has been had to the development plan, as required under Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004, and other material considerations. The NPPF has a presumption in favour of sustainable development and the benefits of the scheme have been weighed against the economic, social, heritage and environmental dimensions as specified in the NPPF. The appeal proposal does not accord with the development plan (for the reasons addressed within the Council's case) and this, together with the negative conclusion as to the balance under heritage legislation and policy means that the presumption is rebutted in this case. In terms of s.38(6) Planning and Compulsory Purchase Act 2004, the proposals are contrary to the

development plan and there are no other material planning considerations that indicate that planning permission should be granted. With regard to ss. 16(2) and 66 Listed Building Act 1990, the Council submits that there is harm, so the statutory presumption is engaged and caselaw (Barnwell Manor) tells us that this harm should be given “considerable importance and weight” in the planning balance, confirmed by NPPF 193. NPPF para. 194 says that there should be ‘clear and convincing justification’ for that harm. In this case, the harm is less than substantial to a grade II listed building, so para 195 tells us to weigh the harm against the public benefit including securing optimum viable use. B1 office use is proposed for the courthouse and the proposal is to remove original fittings. This is harmful and not justified. B1 office use was chosen, essentially, to try and calm fears about the school expanding in the future, rather than in response to a demonstrated need for office space in the area. This is not a proper approach to the justification of harm to a designated heritage asset of national significance.

7.3 The Inspector will respectfully be invited to dismiss the appeals against the refusal of planning permission 2019/2375/P and listed building application 2019/2491/L.

7.4 However, should the Inspector be minded to allow the appeals, the Council would suggest that planning permission be granted subject to the proposed conditions listed in Appendix 1.

8.0 List of documents

The Council may refer to all or part of the following list of legislation, national planning guidance, and documents and any other it considers relevant, having regard to the Appellant’s case to be identified in its

Statement of Case or any other relevant circumstances:

- Acts of Parliament and Statutory Instruments
- Government policy and guidance, including but not restricted to the following:
 - National Planning Policy Framework 2019
 - National Planning Practice Guidance 2019
 - Noise Policy Statement for England
 - Government's statements on free schools, air quality and noise.
- Mayor of London, London Plan (intend to publish)
- London Borough of Camden Local Plan 2017
- Correspondence, survey plans and notes in connection with the application and previous applications (by London Borough of Camden, the applicants, their agents and third parties)
- Relevant Secretary of State's and Inspectors' appeal decisions and court judgments
- IHT. (2000) Providing for journeys on foot;
- CIHT. (2015) Planning for Walking
- DfT. (2007). Manual for Streets
- London Borough of Camden Infrastructure Study June 2019
- BS ISO 12913-1:2014 Acoustics – Soundscape Part 1; PD ISO/TS 12913-2:2019 and Acoustics. Soundscape PD ISO/TS 12913-3:2019 Acoustics. Soundscape
- IEMA Guidelines for Environmental Noise Impact Assessment 2014
- Environmental noise monitoring in Camden. BRE, Client Report 235 468, 2007.
- The London Noise Survey. BRE, Client Report 215080, 2004.
- Symonds Group, Definition, Identification and preservation of

urban and rural quiet Areas, Final report under Service Contract ENV, C 1/SER/2002/0104R of the European Union, East Grinstead, UK (2003)

- London Environment Strategy, The Greater London Authority, May 2018
- DfT (2019). Road Lengths in Great Britain Statistics: Notes and Definitions
- Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) “Land-Use Planning & Development Control: Planning for Air Quality” (2017)
- Defra “Local Air Quality Management, Technical Guidance, TG16 (2018)
- Greater London Authority "The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance" (2016)
- Air Quality Consultants Ltd in association with ENVIRON UK Ltd’s “Air Quality Neutral Planning Support: GLA 80371” (2014)
- Greater London Authority’s “London Local Air Quality Management Technical Guidance” (2016)
- London Council’s London Councils “Air Quality and Planning Guidance” (2007).

The Council reserves the right to refer to other documents in response to the Appellant's case should it prove necessary to do so.

Documents will be made available for inspection online, using the planning application reference 2019/2375/P.

9.0 APPENDICES

Appendix 1 – Proposed Planning Conditions

Appendix 2 – Proposed Listed Building Application Conditions

Appendix 1 – Proposed Planning Conditions

1	<p>Three years from the date of this permission</p> <p>This development must be begun not later than three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>Approved drawings</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing drawings: E - 1732 - 000 A, E - 1732 - 100 C, E - 1732 - 101 C, E - 1732 - 102 C, E - 1732 - 103 C, E - 1732 - 104 C, E - 1732 - 105 C, E - 1732 - 106 B, E - 1732 - 107 B, E - 1732 - 108 B, E - 1732 - 109 B, E - 1732 - 110 B, E - 1732 - 111 B, E - 1732 – 112 D.</p> <p>Proposed drawings: P - 1703 - 252 B, P - 1732 - 301 A, P - 1732 - 302 C, P - 1732 - 304 B, P - 1732 - 305 C, P - 1732 - 307 B, P-1732-9001B,, P - 1732 309 C, P - 1732 – 310 A, Arbtech AIA 01, Arbtech TPP 01, P - 1732 - 001 B, P - 1732 – 100 H, P - 1732 – 101 E, P - 1732 - 102 G, P - 1732 – 103 G, P - 1732 – 104 C, P - 1732 - 105, P - 1732 - 106, P - 1732 - 107, P - 1732 - 108, P - 1732 -200 C, P - 1732 – 201 D, P - 1732 – 202 D, P - 1732 – 203 C, P - 1732 – 204 F, P - 1732 – 250 B, P - 1732 – 251 F, D - 1732 - 100 E, D - 1732 - 101 E, D - 1732 - 102 E, D - 1732 - 103 D, D -1732 – 105A 100P4, 101P5, 102P4, 103P4, 104P4, 300P4, 301P4, 500P4, 501P4, 502P4, 700P4, 5004713-RDG-XX-00-PL-E-0101D, 5004713-RDG-XX-00-PL-E-0201E, 5004713-RDG-XX-00-PL-E-0601C, 5004713-RGF-XX-01-PL-E-0101D, 5004713-RGF-XX-01-PL-E-0201D, 5004713-RDG-XX-01-PL-E-0601C, 5004713-RDG-XX-02-PL-E-0601C, 5004713-RDG-XX-02-PL-E-0101D, 5004713-RDG-XX-02-PL-E-0201D, 5004713-RDG-XX-LG-PL-E-0601C, 500413-RDG-XX-LG-PL-E-0101F, 5004713-RDG-XX-LG-PL-E-0201E, 5004713-RDG-XX-LG-PL-E-0601C, 5004713-RDG-XX-RF-PL-E-0101C, 5004713-RDG-XX-RF-PL-ME-8301A, 5004713-RDG-XX-00-PL-M-4501C, 5004713-RDG-XX-01-PL-M-4501C, 5004713-RDG-XX-02-PL-M-4501C, 5004713-RDG-XX-LG-PL-M-4501C, 5004713-RDG-XX-00-PL-M-4401E, 5004713-RDG-XX-01-PL-M-4401C, 5004713-RDG-XX-02-PL-M-4401C, 5004713-RDG-XX-LG-PL-M-4401C, 5004713-RDG-XX-00-PL-M-4101E, 5004713-RDG-XX-01-PL-M-4101C, 5004713-RDG-XX-02-PL-M-4101C, 5004713-RDG-XX-LG-PL-M-4101C, 5004713-RDG-XX-01-PL-M-4301G, 5004713-RDG-XX-02-PL-M-4301F, 5004713-RDG-XX-LG-PL-M-4301F, 5004713-RDG-XX-XX-EL-M-4300B, 5004713-RDG-XX-00-PL-M-4301G, 5004713-RDG-XX-XX-SC-M-4001F, 5004713-RDG-XX-XX-XX-M-4301, 5004713-RDG-XX-ST-PL-E-0901A, 5004713-RDG-XX-XX-DT-</p>

	<p>M-4300A, 5004713-RDG-XX-XX-SM-E-0001B, 5004713-RDG-XX-ST_PL-E-0901.</p> <p>Supporting documents: Design and Access Statement (SA) May 2019, Planning Statement (JLL) May 2019, Statement of Community Involvement (JLL) May 2019, Arboricultural Method Statement (Arbtech) 5 February 2019, Heritage Statement (JLL) March 2019, Stage 3 Structural Report (Blue Engineering) May 2019, Window Survey Report Rev. A (Stride Treglown) 15.04.19, Photo Schedule – lower ground floor, ground floor, first floor, second floor, annex, Transport Assessment (Paul Mew Associates) April 2019, Highways Technical Note (Paul Mew Associates) September 2019, Draft Green Travel Plan (Paul Mew Associates) May 2019, Servicing and Refuse Strategy/Management Plan (Paul Mew Associates) April 2019, Air Quality Assessment (Ridge and Partners) May 2019, Air Quality Monitoring Report V2 AQ106285-2 (Rec) June 2019, Planning Noise Assessment 19/0084/R1 Revision 1(Cole Jarman) 25 September 2019, Energy Strategy Report 2.7 (Ridge) 28 October 2019, BREAAAM Pre-Assessment Feasibility Report (Ridge) 6 September 2019, Preliminary Ecological Appraisal Survey 1.3 (Arbtech) 18/04/2019, Draft Construction Management (Paul Mew Associates) May 2019, Community Use Lettings Policy (CfBT Schools Trust) September 2018, Daylight & Sunlight Amenity (Neighbouring) Study (Rapleys) October 2019, Building Services Statement (Ridge) 21st March 2019, Bat Emergence and Re-entry Surveys (Arbtech) 11/07/2019, Technical Note CL5602/dm/21rp (A Jensen Hughes Company) 10th September 2019, Jane Simpson Access 2nd September 2019. BREAAAM UK Refurbishment and Fit-out 2014 Pre-assessment (BRE) 06 September 2019.</p>
3	<p>Detailed drawings/samples</p> <p>Detailed drawings, and/or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:</p> <ul style="list-style-type: none"> a) Detailed drawings (at a scale of 1:20) of the extended front steps and the accessible gate, along with the ramp handrail and railings (new railings should match the existing railings) shall be submitted to and approved in writing by the Council before the relevant part of the work is begun. b) A sample of the proposed acoustic timber screen, which should include a galvanised metal grid attached to allow climber plants. <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Hampstead Neighbourhood Plan policies DH1 and DH2.</p>

4	<p>New windows</p> <p>All new windows to the main elevations should follow the historic fenestration form with details and typical sections to match existing. Detailed drawings of new external windows shall be submitted to and approved in writing by the Council before the relevant part of the work is begun.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Hampstead Neighbourhood Plan policies DH1 and DH2.</p>
5	<p>External fixtures</p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Hampstead Neighbourhood Plan policies DH1 and DH2.</p>
6	<p>Noise</p> <p>The design of the development shall be of such a standard that it will protect residents in adjoining buildings from noise from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
7	<p>Acoustic screen</p> <p>The approved acoustic screen shall be erected, retained and maintained in its entirety, prior to the first operation of the school.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
8	<p>Mechanical ventilation/plant</p> <p>The external noise level emitted from plant, machinery or equipment at the development hereby approved shall meet the minimum green noise</p>

	<p>criteria set in The Camden Local Plan, Table C at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.</p>
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	<p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
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Appendix 2 – Listed Building Application Conditions

1	<p>Three years from the date of this permission</p> <p>This development must be begun not later than three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>Approved drawings</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing drawings: E - 1732 - 000 A, E - 1732 - 100 E, E - 1732 - 101 C, E - 1732 - 101 B, E - 1732 - 102 C, E - 1732 - 103 C, E - 1732 - 104 C, E - 1732 - 105 C, E - 1732 - 106 B, E - 1732 - 107 B, E - 1732 - 108 B, E - 1732 - 109 B, E - 1732 - 110 B, E - 1732 - 111 B, E - 1732 - 112 D.</p> <p>Proposed drawings: P - 1703 - 252 B, P - 1732 - 301 A, P - 1732 - 302 C, P - 1732 - 304 B, P - 1732 - 305 C, P - 1732 - 307 B, P - 1732 - 308 A, P - 1732 - 309 C, P - 1732 - 310 A, Arbtech AIA 01, Arbtech TPP 01, DT M 4300 A, EL M 4300 B, EL M 4301, SC M 4001 F, SM E 0001 B, P - 1732 - 001 B, P - 1732 - 100 H, P - 1732 - 101 E, P - 1732 - 102 G, P - 1732 - 103 G, P - 1732 - 104 C, P - 1732 - 105, P - 1732 - 106, P - 1732 - 107, P - 1732 - 108, P - 1732 - 200 C, P - 1732 - 201 D, P - 1732 - 202 D, P - 1732 - 203 C, P - 1732 - 204 F, P - 1732 - 250 B, P - 1732 - 251 D, PL E 0101 F, PL E 0201 E, PL E 0601 D, PL M 4101 E, PL M 4301 F, PL M 4401 E, PL M 4501 C, PL ME 8301 A, PL E 0901 A, D - 1732 - 100 C, D - 1732 - 101 C, D - 1732 - 102 C, D - 1732 - 103 C, L 8696/1 2D, L 8696/2.</p> <p>Supporting documents: Design and Access Statement (SA) May 2019, Planning Statement (JLL) May 2019, Statement of Community Involvement (JLL) May 2019, Arboricultural Method Statement (Arbtech) 5 February 2019, Heritage Statement (JLL) March 2019, Stage 3 Structural Report (Blue Engineering) May 2019, Window Survey Report Rev. A (Stride Treglown) 15.04.19, Photo Schedule – lower ground floor, ground floor, first floor, second floor, annex, Transport Assessment (Paul Mew Associates) April 2019, Draft Green Travel Plan (Paul Mew Associates) May 2019, Servicing and Refuse Strategy/Management Plan (Paul Mew Associates) May 2019, Air Quality Assessment (Ridge and Partners) May 2019, Air Quality Monitoring Report V2 AQ106285-2 (Rec) June 2019, Planning Noise Assessment 19/0084/R1 (Cole Jarman) 11 April 2019, Energy Strategy Report (Ridge) 17th April 2019, BREAAAM Pre-Assessment Feasibility Report (Ridge) April 2019, Preliminary Ecological Appraisal Survey 1.3</p>

	<p>(Arbtech) 18/04/2019, Draft Construction Management (Paul Mew Associates) May 2019, Community Use Lettings Policy (CfBT Schools Trust) September 2019, Daylight & Sunlight Amenity (Neighbouring) Study (Rapleys) April 2019, Building Services Statement (Ridge) 21st March 2019, Bat Emergence and Re-entry Surveys (Arbtech) 11/07/2019.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Detailed drawings/samples</p> <p>Detailed drawings (at a scale of 1:20) of the extended front steps and the accessible gate, along with the ramp hand rail and railings (new railings should match the existing railings) shall be submitted to and approved in writing by the Council before the relevant part of the work is begun.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Hampstead Neighbourhood Plan policies DH1 and DH2.</p>
4	<p>Salvaging and retention</p> <p>All removed items shall be salvaged with a view to incorporating them into the scheme. This shall include:</p> <ul style="list-style-type: none"> • The glazed dado tiles • Magistrates' Court fittings and furniture • Two cell doors. • Any doors of architectural interest, along with any associated architraves and door furniture, which are to be removed during the course of this scheme, this should include but is not limited to, doors within the Magistrates Court and public waiting area on the first floor. <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Hampstead Neighbourhood Plan policies DH1 and DH2.</p>
5	<p>Making good</p> <p>All repair and making good to the brick elevations shall be in matching brick, bond and mortar joint detail.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1 and D2 and Hampstead Neighbourhood Plan policies DH1 and DH2.</p>