

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

12 August, 2020
04
16/5244

SITE INFORMATION

RECEIVED	5 December, 2016
WARD	Welsh Harp
PLANNING AREA	Brent Connects Willesden
LOCATION	St Nicholas Preparatory School, 22 Salmon Street, London, NW9 8PN
PROPOSAL	Proposed part single storey and part double storey side and rear extensions to the existing preparatory school.
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_131529</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "16/5244" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

A. That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- To fund a 5 year period of travel plan monitoring (on the basis of a cost of £500 per travel plan survey), with travel plan surveys to take place on a termly basis during year 1 and, assuming sufficient progress, on a yearly basis in the following years.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Three year time limit
2. Approved plan
3. Materials to match existing
4. School attendance to not exceed 70 primary school pupils or 40 nursery pupils at any one time
5. Adhere to noise mitigation measures set out in Design and Access Statement
6. Details of cycle/scooter storage for staff and pupils to be submitted

Informatives


1. Party Wall Act
2. Building near boundary
3. London Living Wage
4. Fire Safety
5. Inclusive access

C. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

D. That, if by the "expiry date" of the planning application the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

E. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

	Planning Committee Map
Brent	Site address: St Nicholas Preparatory School, 22 Salmon Street, London, NW9 8PN
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Proposed part single storey and part double storey side and rear extensions to the existing preparatory school.

EXISTING

The subject site comprises a large detached two storey building which is used as a preparatory school. The surrounding area is residential in nature and is characterised by detached two storey dwellings. The site is not located within a conservation area nor does it contain a listed building.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

1. **Representations received:** Local consultation was carried out with 11 local households having submitted individual representations. These objections were, in one instance, also submitted on behalf of a local household by Barry Gardiner MP. In addition an objection was submitted by a consultant on behalf of 10 local households. Objections were generally made on grounds of: loss of daylight and sunlight, impact on views and local character, parents' disruptive road use when dropping off or picking up children along Salmon Street and the potential for this to increase with additional pupils and staff and a lack of incentives for the school to resolve this, potential noise disturbance from additional pupils and the timing of consultation.
2. **Principle:** The principle of the extension of a school to facilitate more pupils and staff is accepted and would provide additional primary school capacity and would be consistent with relevant planning policies promoting the provision and improvement of community infrastructure, including schools.
3. **Character and appearance:** The proposal's design is considered to have regard to the character of its parent building and its surroundings. The character of this property and that of its neighbour at no. 20 Salmon Street have a design coherence that is not shared with other houses along this part of Salmon Street and the proposed development would strengthen the design coherence between the pair.
4. **Impact on neighbouring amenity:** The proposal is not considered to result in a significant impact on the surrounding properties in terms of privacy, loss of light and outlook. The development complies with all design principles in respect of protecting neighbouring amenity set out in SPD1 and SPD2, aside from one instance in relation to the kitchen window at no. 20 Salmon Street, to which the proposed extension would marginally fall short of general guidance expectations within SPD1.
5. **Parking & highways impact:** At the initial stage of this application, highways officers were concerned about the disruption to Salmon Street during school drop-off and pick-up periods, owing to frequent disruptive driving by pupils' parents, and officers were not in a position to support the application at that stage. Nonetheless, the applicants submitted a revised travel plan which is positive in principle. The school has also demonstrated significant improvement in terms of disruption caused to Salmon Street. Officers now support the application on highways grounds, subject to the school's commitment to enter into a legal agreement to fund and be subjected to intensive travel plan performance monitoring for five years to help safeguard the continued improvement.
7. **Environmental health & noise:** The school has long been a site of education, including the long established use of the garden as a recreational space for pupils. Nonetheless, the school has set out a series of measures to reduce noise disturbance to surrounding properties which officers consider to be acceptable.

MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	285.3		0	73.4	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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RELEVANT SITE HISTORY

Relevant Planning History:

15/4298. Full Planning. Refused. 03/02/2016.

Part single storey and part double storey side and rear extensions to the existing preparatory school.

Reasons for refusal:

- The proposed first floor side extension is considered to relate poorly to the main building and would have a detrimental impact on the character and appearance of the property, street scene and locality. It's prominent siting means the disproportionate addition to the building would be clearly visible from the public realm, substantially changing its character and appearance to the detriment of the subject building and the locality. The first floor side extension is contrary to the provision of SPG5 'Altering and Extending Your Home' and Policies BE2, BE7 and BE9 of Brent's UDP 2004.
- The applicant has failed to provide sufficient information on proposed future staff and pupil numbers and associated travel patterns to allow a detailed assessment to be made regarding likely transport impact. In the absence of such information, the proposal is considered to be likely to increase vehicular journeys to the site and associated parking demand at opening and closing times that cannot be safely accommodated on site, to the detriment of the free and safe flow of traffic and pedestrians. The proposal fails to comply with Policies TRN3, TRN12, TRN23 and PS12 of Brent's UDP 2004.
- The proposal results in an intensification of the use of the site and fails to demonstrate that the increase in intensity will not result in an unduly detrimental impact on the amenities of adjoining occupiers by way of noise and disturbance. This is contrary to Policy EP2 of the Brent Unitary Development Plan 2004.

19/3495. Full Planning. Refused – Appeal Lodged. 27/11/2019.

Retention of rear outbuilding used as teaching space of private school and premises.

CONSULTATIONS

Public consultation

Consultation with neighbouring properties was carried out on the 7th December 2016 and again on the 15th December 2016. The second round of consultation was carried out to accommodate revised plans for a larger extension. Officers could not support this larger development on design and visual amenity impact grounds and the revised plans were later superseded. The basis of the proposal has therefore returned to that shown within the original plans.

Following the submission of a revised travel plan by the applicant, a further consultation was carried out in May 2019.

Overall, objections were received from 11 individual households. An objection was also received from Barry Gardiner MP on behalf of one of these households, and a consultant submitted a joint objection on behalf of 10 households.

The objections received are summarised as follows:

Grounds of Objection	Officer Response
There will be a loss of light to surrounding properties, in particular to a kitchen and first floor bedroom window to no. 20 Salmon Street	This is addressed at paragraph 30 below
There will be a loss of sunlight to surrounding properties	This is addressed within the "Impact on neighbouring properties" section below
No quantitative daylight/sunlight analysis has been submitted	It is not considered necessary to require a full daylight and sunlight analysis to be submitted for a development of this scale. Nonetheless, some quantitative assessment of impact to surrounding properties, in line with SPD1 and SPD2 criteria, has been carried out and are detailed the "Impact on neighbouring properties" section below
There will be a loss of views	Protection of views is not a material planning consideration, The impact of the extensions upon outlook of neighbouring properties is discussed within the "Impact on neighbouring properties" section below.
The expansion of the school will worsen disruptive road use exhibited by parents dropping off and picking up their children from the school. This would also present an increased road safety concern.	This is addressed at paragraphs 40 to 46 below
There is no 'carrot or stick' to incentivise better behaviour for those who disrupt the local roads	The school has set out an appropriate scheme of incentives within their revised travel plan to discourage car use and to manage appropriate those who do arrive by car. The implementation of the travel plan is to be intensively monitored through a bespoke monitoring programme funded by the school
The school is a private school and there would be less expectation of improvement because of this	The school's agreement to fund a bespoke monitoring programme will assist the Local Authority in monitoring improvement even though the school is not managed by the Local Authority
Consultation was carried out over Christmas	The planning authority met its statutory duties in consulting following the submission of the application. Further consultation was carried out in May 2019.
The school's most recent Ofsted report	This is not a material planning

does not explicitly require the school to extend	consideration
The applicant has given no consideration to the option of selling the site and moving to an alternative location	The current scheme has been considered on the basis of its own merits. There is no requirement in planning terms for the school to relocate
The extension is larger than the one proposed in 2015	The extension is larger in some ways, mainly through the lack of a set down at the front elevation - however despite having a slightly larger massing from the front compared to the 2015 application, officers consider that the design is more in keeping with the character of the parent building and the surrounding area. This is addressed in more detail in the "design and impact on the subject property and street scene" section below.
The extension is out of character, with particular reference to the first floor extension which is too large to adhere to local character	The extension is larger in some ways, mainly through the lack of a set down at the front elevation - however despite having a slightly larger massing from the front compared to the 2015 application, officers consider that the design is more in keeping with the character of the parent building and the surrounding area. This is addressed in more detail in the "design and impact on the subject property and street scene" section below.
The site is too small and Salmon Street too narrow for a growing school	Whilst the size of the site and width of the road are understood, the school's revised travel plan sets out an appropriate means of managing school and travel to/from the school appropriately and could result in an acceptable arrangement when implemented effectively
School vehicles park on Queens Walk	The school has set out an appropriate scheme of incentives within their revised travel plan to discourage car use and to manage appropriate those who do arrive by car.
Previous works at the school have resulted in water leakage to neighbouring gardens	This is not a material planning consideration
There is a concern about noise disturbance from additional pupils. The noise mitigation measures set out in the submission do not provide detail on how they would be managed.	The application proposes a modest increase in pupil numbers and it is unlikely that this would materially increase noise disturbance to surrounding properties. Nevertheless, a condition is recommended to cover management arrangements to minimise noise.
The school must have a finite point to which it can be expected to grow	At present there is no planning restriction on how large the school can grow. This application presents an opportunity to impose a restriction on the size of the school, by means of planning condition.
There are currently light and noise pollution problems experienced from spotlights and the nursery facilities	The expansion of the nursery is discussed within paragraph 5 below. A condition on management arrangements to minimise noise is recommended as a condition. The scheme does not propose any external

	lighting.
Only 'lip service' will be paid to the travel plan following the grant of planning permission	An intensive monitoring regime of the school's travel plan is being secured as part of the recommendation for approval, funded by the school.
Since submission of the application in 2016, the school also now runs a nursery which means that both school and nursery drop off periods, putting further strain on travel and parking.	This is discussed in paragraph 5.
The school offers parking on Wembley Event days yet doesn't provide parking for drop offs and pick ups.	This is not relevant to the application. Any parking that is offered on a commercial basis during Wembley Event days would require planning permission and should be referred to Brent's planning enforcement team.
Local public transport access is poor, meaning the school is very reliant on car use which increases traffic and pollution.	Whilst this is true in an area of low public transport accessibility, park and stride measures can be used to good effect, enabling a low impact spread of parking on nearby streets.
There are no facilities for cycling racks.	These will be required and will be secured by condition.
There is no car pooling used by parents.	The introduction of a car sharing programme is one of the initiatives forming part of the school's travel plan and the school will be monitored on this.
There are no bins for public use and no road crossings for safety.	The transportation team have not identified the need to provide any crossing facilities to support the expansion of the school. The school will contain it refuse facilities within the school site.
Traffic enforcement camera vehicles should be provided in the mornings to ensure that parents do not park in a way which causes disruption to residents.	The school will be monitored more intensively than usual to ensure compliance with its travel plan.
The school should actively manage its traffic issues before the Council's planners consider an extension.	There has been evidence of improvement on this aspect. This is detailed in paragraph 43 below.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies DPD, and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

London Plan March 2016

3.18 – Education Facilities

Core Strategy 2010

CP 17 – Protecting and Enhancing the Suburban Character of Brent
 CP 23 – Protection of Existing and Provision of New Community Facilities

Brent Development Management Policies 2016

DMP 1 Development Management General Policy
 DMP 12 Parking
 DMP 13 Movement of Goods and Materials

The following are also relevant planning considerations:

The National Planning Policy Framework 2019
SPD1 Brent Design Guide 2018
SPD2 Brent Domestic Extensions Guide 2018

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

The Regulation 19 consultation for Brent's draft Local Plan has also recently completed and comments of the policies have been assessed. It can only be given limited weight at this stage of its preparation.

Key relevant policies from these documents include:

Draft London Plan 2019 (Intend to Publish Version)

Key policies include:

S3: Education and Childcare Facilities

Brent's Draft Local Plan

Key policies include:

DMP1: Development Management General Policy

BP2: East

BD1: Leading the Way in Good Urban Design

BS1: Social Infrastructure and Community Facilities

BT1: Sustainable Travel Choice

BT2: Parking and Car Free Development

BT3: Freight and Servicing, Provision and Protection of Freight Facilities

DETAILED CONSIDERATIONS

Principle of Development

1. The planning policy context for the application, including the London Plan and relevant Brent DMP and Core Strategy policies as outlined above, is that there should be a general presumption in favour of extensions and improvement of existing schools and education facilities, unless these would have significantly adverse impacts on residential amenity or local transportation without mitigation.
2. St Nicholas School is a small independent preparatory school and nursery for boys and girls for children upto the age of eleven.
3. The school was established in 1937 and is mainly a preparatory school but also has a nursery incorporated within the premises. On the ground floor, there are two classrooms that serve the preparatory school; with a further three class rooms serving the nursery. The existing first floor houses two classrooms. Two entrances exist, with one to the school and the other to the nursery.
4. There is a playground the rear, which serves as pupils' outdoor recreations space.
5. The property has been extended a number of times since its creation, with the most recent records indicating the addition of a side and rear extension to the north side of the school in 2000 (ref: 00/0078) and the infilling of a small rear element and replacement of the roof of this extension in summer 2014. As part of these 2014 works, the building was rearranged to reflect the existing floor plans in this application, which includes an increase in size to the two nursery rooms and a baby room. The changes undertaken at this time were not undertaken with the benefit of planning permission and would have likely facilitated an increase in the number of pupils on site and intensified the nature of the educational use around this period. Whilst, owing to the works having been undertaken more than four years ago, the external alterations are immune from enforcement action, the intensification facilitated by the internal alterations would not have required planning permission as the intensification does not alter the use class of the building and there have not been any planning restrictions in place limiting the number of pupils/children that can attend the school.

6. The applicants advise that the school can no longer sustain its intake demands and requires updating and expanding and allowing the school to serve as a better equipped and more efficient education establishment. At present, classrooms are shared between two year groups, applying to the pairings of years 1 & 2, 3 & 4 and 5 & 6. The application sets out that the school extensions would accommodate a dedicated classroom for each year group and would also accommodate an overall increase in the pupil body capacity of the school by 20 pupils.
7. The applicant sets out that the following details, confirming the existing and proposed operation of the school and nursery:
 - The school has a current capacity for up to 50 pupils and 40 nursery children to attend. However, the school is currently operating under capacity with 34 pupils, 8 full time staff and 2 additional part time staff working one day per week in attendance at the school at present. Likewise, the nursery has 46 children on roll although they do not all attend every day and the number of nursery children in attendance at any one time does not exceed 40.
8. The school extensions would accommodate an increase in the capacity of the school by 20 primary school pupils (from 50 to 70). The extensions would not increase the size of the nursery component of the building and no increase in the nursery capacity is sought as part of this application.
9. The applicant has confirmed that the school has a partially staggered arrival and departure schedule for its pupils and children as follows:
 - 8:00am – 8:30am: Nursery children arrive
 - 8:30am – 8:45am: School pupils arrive
 - 1:00pm: Some nursery children are collected
 - 3:15pm: School finishes for pupils in the Reception class
 - 3:30pm: School finishes for pupils in year groups 1-6
 - 4:30pm: 30% of school pupils attend after school clubs and depart school at this time
 - 5:00pm – 6:00pm: The remaining nursery children are collected
10. The principle of the extension is therefore considered acceptable, and in compliance with Core Strategy policy CP23, adopted London Plan policy 3.18, draft Local Plan policy BS11 and emerging London Plan policy S3, all of which encourage the provision and improvement of community infrastructure including schools.

Relevant planning history

11. This application follows a previous application to extend the school, submitted in 2015 (with reference 15/4298). That application was refused for a number of reasons:
 - The first floor side extension related poorly to the main building and would have a detrimental impact on local character.
 - The applicant had failed to provide sufficient information on proposed staff and pupils and travel patterns to allow a detailed transport impact assessment.
 - The applicant had failed to demonstrate that the increase in intensity of the use would not result in an unduly detrimental impact on the amenities of adjoining occupiers by way of noise and disturbance.
12. The first floor side extension design has been altered within this application to now become acceptable. This will be detailed in the below sections.
13. It is also important to note that the local policy context within which the previous application was determined is different to that which is relevant now, with the previous scheme having being refused on the basis of policies BE2, BE7 and BE9 of Brent's Unitary Development Plan (2004) instead of policy DMP1 of Brent's Development Management Policies (2016). The overarching principles of these policies are largely similar across both documents, with the policies seeking visually appropriate and subordinately designed development.

Design and impact on the subject property and street scene

14. The proposed extensions are formed of three elements, firstly a first floor side extension on the northern side of the property, secondly, a further ground floor rear extension centrally and thirdly a first floor rear extension across the full width of the rear of the property.
15. As set out above, the previous application for extensions at this site was assessed under Brent's 2002 Domestic Extensions Guidance (SPG5) whereas the relevant guidance for this assessment would be the Brent Design Guide (SPD1). Regard has been given to the Brent SPD2 (Residential Extensions & Alterations) given the suburban setting and the form of the existing building. Whilst the overarching principles of these guidance documents are similar, there are some specific differences to guidance parameters between these documents which alter the considerations of this proposal compared to the previous application to a minor extent. These will be discussed below at the relevant points.
16. The proposed extensions have been principally be assessed in accordance with SPD2 guidance, Whilst the application site is not in use as a residential property, the building is residential in character and appearance and sits within a residential context along a suburban street. As such, the application of SPD2 guidance for domestic scale extensions is considered to be the most appropriate basis of assessment in this context, despite the use class of the building not strictly according with the domestic properties for which the guidance was designed.

First floor side extension

17. The proposed first floor side extension would be 2.8 metres wide and would be set back from the front wall of the school building by 1.8 metres and would have a façade which is largely formed of sloping roof, in keeping with the existing building's catslide roof feature and low eaves. The extension would be set in from the side boundary with no. 24 by 1.7 metres. SPD2 guidance stipulates that first floor extensions to domestic properties should be setback from the front wall of the property by at least 1.5 metres where a separation to the side boundary of more than a metre can be retained or by at least 2.5 metres where a separation to the side boundary of less than a metre is retained, As such, the 1.8 metre set back from the front wall with 1.7 metre set in from the side boundary proposed meets the requirements of SPD2.
18. The main feature of the extension would be a modest front dormer window. Whilst there are only a few examples of front dormer windows along this part of Salmon Street, it is acknowledged that the character of the detached dwellings along this part of Salmon Street is quite varied and some nearby buildings do have them, including no. 17 across the road and no. 20, the immediate neighbour to the south. Moreover, since the extension is largely comprised of roof tile, so as to appear in keeping with the character of the original building, the extension does not have any particular features to animate the facade that would normally be expected on a first floor extension (i.e. a first floor window). The provision of this modest dormer window therefore helps to animate the extension whilst also ensuring it remains subservient to the parent building, whose distinctive front gable with mock Tudor timbering would ensure that this remains the visually prominent part of the building as seen from the street. The dormer window would include timbering within its gable above the window opening, as well as a window with a traditional square leaded design; both of these features are in keeping with the traditional character presented at the original host property and are welcomed.
19. The extension's roof ridge would sit at the same height as the original building's roof ridge. Given that the extension is set back from the front of the building farther than the minimum generally advised by Brent's SPD2 guidance and given that the neighbouring building at no. 20 (which has a similar composition to the subject property) has an extension of very similar design - also without a set down, the proposed ridge level is considered to appear acceptable and would retain a suitable sense of subservience to the parent building in this instance.
20. The extension would mainly have a hipped roof form, in keeping with the pitch of the parent building, although part of the roof form would be formed of a vertical flank wall, at the points below the roof eaves of the parent dwelling. This design would ensure that the appearance of the extension accords appropriately with the parent building's design and would match with the appearance of the neighbouring dwelling at no. 20.
21. The extension would include a modest crown roof. This would only be easily visible from above and would not easily read as a crown roof from the street.
22. Overall, the appearance of the first floor side extension is not considered to harm the character and

appearance of its parent property or the street scene.

23. The previous application from 2015 was partially refused on the basis of the appearance of this first floor side extension element. The extension within the previous proposal had a significant section of flat roof which was considered overly prominent and awkward in appearance. This flat roofed section has been significantly reduced in size within this proposal by increasing the height and the sloping extent of the roof so that it sits at the same height as the ridge of the parent building. Whilst contravening a section of SPD2 guidance which generally stipulates 0.5 metre set downs from the parent building's roof for a subordinate appearance, the overall appearance in the current application context is considered to be more in keeping with the character of the original property than the alternative, partly due to the reduction in the flat roof element and partly due to the closer adherence of this design to that of the neighbouring property at no. 20. The appearance of the extension has been further improved since the 2015 application through the extension of roofing so as to match the low level eaves of the parent property, resulting in a closer match with the roof form and design of the parent property, which is stipulated as a requirement within both SPD2 and SPG5 (superseded) guidance. In achieving this design, the first floor window has been replaced by a modest front dormer window, the merits of which have been discussed above.

Ground floor rear extension

24. The existing property has an existing single storey side to rear extension which extends 5.8 metres in depth on the northern side of the property and an existing single storey rear extension which extends 14.2 metres in depth on the southern side of the property. The existing extensions have a flat roof that is 3.4m high. The proposal seeks to extend a part of the existing 5.8 metre deep single storey rear extension further to the rear by 4.25 metres. The extension would occupy an area in the central part of the site that is largely formed of a stepped access between the rear playground area of the school and the school building at present and as such would not result in a significant loss of rear garden/playground space.
25. SPD2 guidance generally would advise that a single storey rear extension to a detached house should not exceed 8 metres in depth, in order to respect the character and scale of the host dwelling. In this instance, it is noted that part of the school has long been extended to a greater depth than this (more than 14 metres) and that this has significantly changed the character of the property from within the rear garden. In addition, SPD2 guidance applies specifically to residential properties, so a balanced application of the guidance should consider that the building is not used for residential purposes despite the domestic appearance of the building. The proposed additional extension at ground floor is considered to result in a relatively modest addition when considered alongside the larger extensions already present on the southern side of the school site. Given this judgement, alongside a consideration that the rear extension would not be visible from the street and that the extension would largely occupy an existing stepped access, the ground floor rear extension is considered to be acceptable in design terms. This same extension was also deemed acceptable during the previous application for extension at the property under reference 15/4298.

First floor rear extension

26. The proposed rear extension to the east side of the property would extend across the full width of the original building, including the area behind the proposed first floor side extension. The extension would not be easily visible from the street scene and would extend rearwards from the parent building's existing catslide roof on its southern side to an additional depth of 3.8 metres. The extension would have a dual pitched roof and would incorporate existing design features of the property. Even though it would mask the whole rear elevation of the original subject property, it is on balance considered to be acceptable and the same extension was deemed acceptable during the previous application for extensions at the property under reference 15/4298.
27. The assessment of this particular element, which formed part of both the 2015 application and the current application, is affected by changes made to Brent's domestic extensions guidance between the 2002 (SPG5) version and 2016 (SPD2) version. SPG5 (2002) did not stipulate any particular limits for first floor extension depths in relation to character and appearance. However, SPD2 (2016) stipulates a maximum extension depth of 3 metres from the original rear wall of a property in the context of a first floor rear extension, in order for that extension to appear appropriately in keeping with the scale of the parent building. This guidance criterion is now of relevance to this extension proposal where it was not previously. Whilst the extension would exceed the general first floor extension limit stipulated in SPD2 by

0.8 metres, it is noted that the neighbouring buildings expand rearwards at first floor level to a similar or greater extent than the 3.8 metre projection proposed at this property, so the 3.8 metre depth would be consistent with the form of development along this side of Salmon Street. In addition, the design features of this extension would match the existing form of the building, including adherence to the gently sloping cat slide roof feature, therefore continuing to read as subservient to the parent building.

28. The extension is therefore considered to be acceptable despite contravening the general guidance parameters for first floor rear extensions in this instance.

Impact on neighbouring properties

20 Salmon Street

29. The first floor rear extension will project approximately 0.2m rearward of the first floor of No. 20 Salmon Street. The first floor extension is set in from the boundary with No. 20 by 3.2m and therefore would comply with the 1:2 rule from the nearest rear habitable room window.
30. No. 20 Salmon Street's northern side wall (facing the application site) has five windows within it. Four of these are located towards the front of the property, alongside the existing building at the subject site and would not be affected by the rearward extension proposed. Nonetheless, cross referencing with previous plans from 2007 (ref: 07/3810) indicates that these four windows either serve bathrooms or a hallway (non habitable rooms). The fifth window serves as the primary source of light to the kitchen at no. 20 and is located alongside where the first floor rear extension would be built under the proposal. The plans show that the edge of the eaves of the proposed rear extension would sit 2.7 metres away from this window and that the extension's form would follow the gentle gradient of the existing cat slide roof form away from no. 20 on the south side of the property. Relevant guidance to apply in this scenario would be that contained within SPD1 (Brent's general design guide), which includes guidance parameters for ensuring that good levels of daylight are retained to habitable rooms which would directly face new development. The relevant guidance criterion is the 30 degree guidance set out within Principle 5.1 of Brent's SPD1 document. When tested against this guidance, the proposed kitchen window would mostly comply aside from a small 1 metre section near the top the roof of the extension. Furthermore, it is noted that the kitchen window is already partly affected by the school's single storey side extension, which is located closer to this window, along the boundary with no. 20. It is also noted that no. 20 was extended during the 1980s and that, as part of the planning permission for this extension, obscurely glazed side windows was required by condition. Given that the approved plans for this application are no longer held on file it is not possible to ascertain which windows this would have directly related to, however it is possible that the affected kitchen window would have been subject to this restriction. Finally, it is acknowledged that the kitchen at no. 20 would have likely formed the back room of the house prior to the house being extended and that it would have, in its original composition, benefitted from both side and rear outlook. On balance, it is considered that the side window serving the kitchen at no. 20 Salmon Street would not be unduly affected by this proposal.
31. The single storey rear extension would not affect no. 20 Salmon Street as it would be completely buffered from view by the deeper extension which already sits alongside the boundary with this property.
32. In summary, the proposed extensions are not considered to result in significant harm to the amenities of no. 20 Salmon Street in terms of loss of outlook, overbearing appearance or loss of daylight and sunlight. The extensions are considered to accord with the guidance set out in Brent's SPD2 guidance.

24 Salmon Street

33. The first floor side extension will maintain a gap of about 2.3 metres to the side boundary with No. 24 Salmon Street, which is a residential property. The extension will not project beyond the rear wall of no. 24, terminating about 2.5 metres short of the rear wall. Given that the extension would not project beyond the rear wall of the neighbouring dwelling, the extension would comply with the 1:2 rule set out within Brent's SPD2 guidance.
34. No. 24 Salmon Street's southern side wall has two side windows (one serving a utility room at ground floor and one serving a bathroom at first floor) and two side facing velux windows (serving a storage space and as a secondary source of light to the loft bedroom respectively). These side windows do not serve as primary sources of light to habitable rooms and this has been confirmed through cross reference with the planning application for the construction of this house in 1996 (ref: 96/0544).

35. The single storey rear extension would extend about 4 metres beyond the rear wall of no. 24 and would be 3.4 metres high. Whilst the depth does comply with SPD2, the height exceeds SPD2 criteria by 0.4m. However, the extension would also be set in from the joint boundary between the properties by 3 metres which would significantly mitigate impact that would otherwise be experienced at this property.
36. In summary, the proposed extensions are not considered to result in significant harm to the amenities of no. 24 Salmon Street in terms of loss of outlook, overbearing appearance or loss of daylight and sunlight. The extensions are considered to accord with the guidance set out in Brent's SPD2 guidance.

37 Queens Walk

37. 37 Queens Walk is the property that borders the school to the rear of the garden/playground space. The depth of garden separating the proposed extensions and the boundary with no. 37 would be about 27 metres. At this distance there is no concern that any general criteria protecting visual amenity within SPD1 or SPD2 guidance would be contravened by this development in the context of no. 37 Queens Walk.

Transportation

Parking Standards

38. The proposed D1 use is permitted 1 car parking space per 5 staff as per Brent's DMP parking standards. The travel plan states that the school currently has capacity for 110 pupils and 15 staff members and therefore 3 spaces are permitted for the existing site. The existing driveway is capable of accommodating 2-3 independently accessible parking spaces, which does comply with standards, although there is not space within the site to allow cars to enter and leave the site in a forward gear.
39. The proposal will result in a further 20 pupils and therefore the parking allowance will remain the same.

Transport Impact

40. Following the submission of this application in December 2016, Brent's highways and transportation team advised that complaints had been received about disruptive parking, with it having been noted that parents drop off and pick up pupils by parking on the 'SCHOOL KEEP CLEAR' markings outside of the site. The highways team also advised that the school had not developed an effective travel plan that it would employ to help manage highways issues associated with this and to encourage uptake of more sustainable transport modes for those who attend the school and their parents. Further to the above comments, Brent's highways and transportation team carried out a survey of a morning drop off period at the school in late April 2017 and surveyed a high reliance on car use from parents with significant instances of illegal parking on Salmon Street. Given the nature of the advice provided by highways, officers were not in a position to support this application on highways grounds and officers instead sought to work proactively with the applicants to resolve the issues raised by highways.
41. The applicants submitted a revised travel plan in November 2018, which indicated significantly improved targets for non-car based journeys to and from the school, compared to the one provided at submission. Officers met with representatives of the school in January 2019 to discuss the travel plan measures. The revised travel plan was considered to be acceptable in principle, indicating that vehicle journeys to and from the school have reduced significantly (now 1 in 3 journeys) and setting out a series of measures for reducing this further, including:
- Sponsored walks
 - Providing information about which bus routes serve the school on the school's website
 - Awarding cyclist of the month certificates
 - Providing cycle parking facilities
 - Introducing a car sharing programme
 - Introducing a travelcard reduction programme
 - Setting up free cycle training
42. The travel plan is considered to be positive in principle, outlining positive schemes which would help to promote modal shift away from car use. The travel plan is therefore consistent with the aims of Brent's draft Local Plan policy BT1, which promotes sustainable travel choice and states that the Council will

prioritise active and sustainable travel over private motor vehicles. Some evidence that these measures are being implemented has also been observed, for instance, the School's Twitter feed includes a post of its pupils partaking in cycle training on May 13th 2019. Nonetheless, transport officers considered that an additional survey needed to be carried out to confirm that the performance had improved and was effectively targeting the travel plan improvements. Following a reasonable implementation period an additional unannounced survey was carried out in late January 2020, during a school pick-up period. Transport officers did not observe any significant highway safety concerns relating to the school. It was also observed that most of the parents park and stride from Queens Walk to the school although some may have walked all the way. Minimal uptake of scooter or cycle use was noted, although it is possible that this was lower than usual due to the cold weather during January.

43. Following the visit, Brent's transport officers have some comfort that the school's performance against its travel plan is improving. Whilst officers consider this to be a positive development, significant weight is still afforded to concerns that have been raised by objectors and the fact that a second survey has not been carried out owing to school closures associated with COVID-19. It is also understood that the school needs to continually improve its travel plan performance and that, critically, the need to ensure that the increase in pupils and staff does not unduly worsen this improvement. In order to mitigate these concerns, officers have required the school to enter into a legal agreement with the Council which would require the school to fund a five year travel plan monitoring regime, with the first year of this programme subject to intensive monitoring on a termly basis (in general instances, travel plan monitoring is undertaken yearly). If the school does not show sufficient improvement within its first year of monitoring, intensive monitoring will continue beyond the first year and will incur additional fees to the school in order to enable the Council to recover the costs of this process.
44. The submitted travel plan also sets out that the school will provide 8 cycle parking spaces and 15 scooter parking spaces, which would exceed minimum standards as set out the emerging London Plan. The emerging London Plan would require 15 to 16 cycle or scooter parking spaces. A condition will be applied requiring details of this cycle parking to be submitted and approved by the Local Planning Authority.
45. Given the potential for the growth of the school to put more pressure on Salmon Street and surrounding roads, a condition will require that no further increase in the size of the pupil numbers, beyond that which has been applied for, occurs at the school, unless further written permission is received from the Council. Referring back to paragraph 5 above, it is reiterated that the school does not currently have any restrictions on its pupil capacity in planning terms. The only previous planning application which approved an expansion of the school building (ref: 00/0078) did not include a planning condition which restricted the number of pupils which could attend the school. The opportunity to apply a condition which would limit the school's capacity through this application presents a significant benefit as it would bring this aspect of the school use (which has significant external implications) within planning control for the first time.
46. In summary, whilst officers were not in a position to support the application on highways grounds early in the application process for the reasons discussed above, the submission of a revised travel plan with highly positive targets and the observation by highways officers of improvement in terms of disruption caused to Salmon Street since the initial submission has resulted in officers now recommending support for the application on highways grounds. However, this support is conditional on the school's commitment to enter into a legal agreement to fund and be subjected to intensive travel plan performance monitoring for five years to help safeguard the continued improvement. Any forthcoming planning consent is also conditional on the increase in pupil numbers being formally restricted going forward.

Environmental Health

47. The previous application for expansion at the site was refused on the basis that a potential increase in noise from additional pupils had not been adequately addressed or mitigated.
48. It is understood that the school has operated in this location for more than 80 years and that the rear garden space has long been used for outdoor play. Officers do recognise that there will be intermittent periods throughout the day when noise levels are high (i.e. recreation / play periods or P.E. lessons), however this is noise that would be typically expected of any school environment. It is noted that there are no large outdoor facilities such as playing pitches or multi-use games areas (MUGAs) that could enable an intensity of outdoor school activities beyond normal school hours (i.e. through after school clubs / local hire) which could otherwise be detrimental to the neighbouring amenity. If any such features were

proposed, planning permission would first be required which may not be approved.

49. Despite the above, the applicant has set out a plan for minimising noise disruption upon neighbouring occupiers which could be attributable to an increase in pupils. Adherence to this management plan will be required as a planning condition. The measures within the management plan (contained within the applicant's Design and Access statement) are as follows:
50. Limiting the number of children playing in the garden at any one time to the same or less number than existing
- Reducing the number of children at each location
 - Placing Tennis Balls under the chair legs and modifying the choice of activities and toys
 - Adding absorbent acoustic materials to walls and ceilings
 - Changing children behaviours and consequently, in the childcare workers, who begin to speak more quietly in a less noisy environment
 - Providing natural screening along the site boundary to minimise noise impact
 - Supervising the children when using the rear garden to ensure that noise levels are to a minimum
- In addition to the above measures, it is also noted that the revised Travel Plan assists with noise mitigation given that it promotes walking, cycling and public transport and would be subject to intensive monitoring to ensure effective implementation.
51. The Local Planning Authority consider that an appreciation for the school's long established use at this site, alongside the applicant's assurance that the above noise reduction measures would be introduced (and their securing through condition) would reasonably mitigate noise disturbance to the surrounding homes and should reasonably be supported on this basis. A condition is recommended for these measures consistently maintained unless prior written permission is first obtained.

Other matters

52. Whilst not of direct relevance to the application, the school erected an outdoor classroom last year without the benefit of planning permission. Planning permission was subsequently applied for (ref: 19/3495). Within their application, the school set out that the outdoor classroom has not facilitated an increase in the number of pupils or staff at the school. The additional teaching space was accepted in principle by officers; nonetheless the application was ultimately refused under delegated authority for the following reasons:
- When taken cumulatively in the context of the other outbuildings on site, the existing outbuilding used as a teaching space, by virtue of its size, unacceptably erodes the local suburban character and unduly dominates the suburban rear garden setting and its open character. The development is therefore contrary to Policy CP17 within Brent's Core Strategy (2010), Policy DMP1 within Brent's Development Management Policies (2016) and the guidance contained within Brent's SPD2 document (2017).
 - The existing outbuilding used as a teaching space, by virtue of its height and proximity to the boundaries, results in an unduly detrimental and unacceptable loss of outlook and overbearing impact on the neighbouring dwellinghouse and their garden at 24 Salmon Street. The development is therefore contrary to Policy DMP1 within Brent's Development Management Policies (2016) and the guidance contained within Brent's SPD1 and SPD2 documents (2017).
53. The school has subsequently lodged an appeal to this application.
- 54.** In the event that the appeal is allowed, Brent Council would strongly advise the Planning Inspectorate that any overturned decision should be subject to a planning condition that prevents the number of pupils and staff at the school increasing (aside from any such increases approved through other planning applications [such as this one]), and this would be consistent with the school's submissions. Assuming this recommendation is taken on board by the Planning Inspectorate, this application could not facilitate any further increase in pupil and staff numbers beyond that which is proposed within this application. However, in the event that the planning inspector does not deem a limit on pupil numbers through condition to be necessary, the planning condition restricting pupil numbers secured through this consent would be worded such that the restriction would extend to any subsequent grant of planning permission for outbuildings or other additions to the existing school building.

Equalities

55. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

56. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of legal agreement.
57. It is considered that this submission has sufficiently overcome the concerns raised in the previous 2015 application to warrant officer support. The extension proposed now relates acceptably to its host building in visual terms, and the extension largely complies with relevant guidance for acceptable amenity impact to surrounding properties, aside from a marginal failure in terms of compliance with SPD1 criteria in relation to a side window at no. 20 Salmon Street.
58. Whilst the proposal does have the potential to have a detrimental impact on the local highway network, such an impact is considered to be sufficiently mitigated by the condition preventing further expansion of the school's pupil body without planning permission and through measures proposed within the Travel Plan and its intensive monitoring regime which is to be funded by the school through a legal agreement. The limited policy conflict is substantially outweighed by the considerable benefits of the proposed development. It is also noted that a condition will require the full implementation of the noise mitigation measures that have been set out by the school to limit, to limit noise disturbance to surrounding properties.
59. Approval of this application is recommended, subject to conditions and completion of legal agreement as set out above.



Application No: 16/5244

To: Mr Ruparelia
Juttla Architects
Joel Street
Argyle House
Northwood Hills
Middlesex
HA6 1NW

I refer to your application dated **05/12/2016** proposing the following:

Proposed part single storey and part double storey side and rear extensions to the existing preparatory school.

and accompanied by plans or documents listed here:
Refer to condition 2.

at **St Nicholas Preparatory School, 22 Salmon Street, London, NW9 8PN**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 04/08/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

SUMMARY OF REASONS FOR APPROVAL

1 The development hereby approved is in general accordance with the following:

- National Planning Policy Framework 2019
- The London Plan 2016
- Development Management policies 2016
- Supplementary Planning Document 1 - Design Guide for New Development 2018
- Supplementary Planning Document 2 –Residential Extensions Design Guide 2018

1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

P101 – Location Plan

P102 – Existing Block Plan

P103 – Proposed Block Plan

P201 – Existing Plans and Elevations

P202 – Proposed Plans and Elevations

P301 – Proposed Ground Floor Plan

P302 – Proposed First Floor Plan

P303 – Proposed Roof Plan

Supporting information

Design and Access Statement

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

3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

4 The attendance at the premises shall not exceed the following limits at any one time:

- 70 pupils in the primary school
- 40 children in the nursery

Unless otherwise agreed to in writing, these limits shall be adhered to for the lifetime of the school use on site. This restriction shall continue to be adhered to in the event that any outbuilding or other addition to the school is subsequently granted planning permission, and shall not be exceeded unless expressly agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not give rise to undue nuisance to surrounding properties.

- 5 The details of the noise mitigation measures set out within the Design and Access Statement shall be implemented in full prior to any increase in the number of pupils and/or staff attending the school hereby approved.

Reason: To ensure the development appropriately mitigates potential noise disturbance to surrounding properties attributable to the increase in staff and pupil numbers approved within this application.

- 6 Within six months of the commencement of the development hereby approved, details of on site cycle and scooter parking infrastructure, indicating eight fully secure and weatherproof cycle parking spaces and fifteen scooter parking spaces shall be submitted to and approved in writing by the Local Planning Authority:

The details shall thereafter be implemented in full prior to any increase in the number of pupils and/or staff attending the school hereby approved.

Reason: To ensure the development appropriately facilitates a sustainable modal shift away from car use in minimising both noise and air pollution.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 4 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 5 The Council encourages the provision of inclusive access within the Borough. While the provision of level access and inclusive access facilities within the school is not considered to be a planning policy requirement in this particular instance due to the scale and nature of the proposed development, the applicant is strongly encouraged to evaluate the potential to provide such facilities for staff and students when undertaking the works to the building.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903