

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 11 June 2024	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Abbey Road	
Subject of Report	Beachcroft School, 35 Finchley Road, London, NW8 0NW		
Proposal	Variation of condition 6 of planning permission dated 30 October 2015 (RN: 15/07257/FULL) for the: External alterations including creation of a new double door entrance within the existing eastern facade and formation of a new pedestrian only double gate entrance within the existing site boundary railings. Alterations to the existing external garden area; installation of a new steel framed canopy structure along the building line facing into the existing garden area to create an area of covered play and external teaching area. Re-landscaping of an area of land to the south of the current Beachcroft AP curtilage currently part of George Eliot School) to create additional play space for the AP school. NAMELY, to allow an increased capacity of pupils from 50 to 73.		
Agent	Mr Tim Waters, Renew Planning Ltd		
On behalf of	Mr Fabrice Vinson, Ormiston Academies Trust		
Registered Number	24/00622/FULL	Date amended/ completed	31 January 2024
Date Application Received	31 January 2024		
Historic Building Grade	Unlisted		
Conservation Area	Not applicable		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

The application relates to Ormiston Beachcroft Academy School (previously known as Beachcroft School), an Alternative Provision Centre (APC) for secondary school students who have been

excluded from mainstream schools. The site lies south of George Eliot Primary School, on the corner of Marlborough Place and Finchley Road. The site is not listed, nor is it within a conservation area.

Permission was first granted for an APC on this site in March 2011, under application 10/05869/COFUL which allowed the redevelopment of the southern part of the Quintin Kynaston School to provide a new infants and junior school (George Eliot) and a Pupil Referral Unit/Alternative Provision Centre (for secondary pupils excluded from main stream schools).

Permission was then granted in October 2015 under application 15/07257/FULL for various internal and external alterations in relation to the new George Eliot primary school and allocated a small amount of play space originally allocated for the primary school, to the APC facility. This permission, although relating primarily to the primary school, secured pupil numbers and the requirement for an updated management plan for the APC unit, under condition 6 (and concurrently with Condition 36 of permission 10/05869/COFUL) in certain scenarios.

The school is now operated by the Ormiston Academy Trust (OAT), on behalf of the City Council and has been since September 2021 (prior to this it was a different operator) and permission is now sought for the:

"Variation of condition 6 of planning permission dated 30 October 2015 (RN: 15/07257/FULL), to allow an increased capacity of pupils from 50 to 73".

The applicant confirms that the school is currently operating at an increased capacity of 73 pupils to cater for an unexpected increase in demand for alternative provision (AP places) and has been since the OAT took over in September 2021. An updated management plan has been submitted with the application to support the increase in pupil numbers. In addition, the applicant has said that the staff number have been increased from 22 to 30.

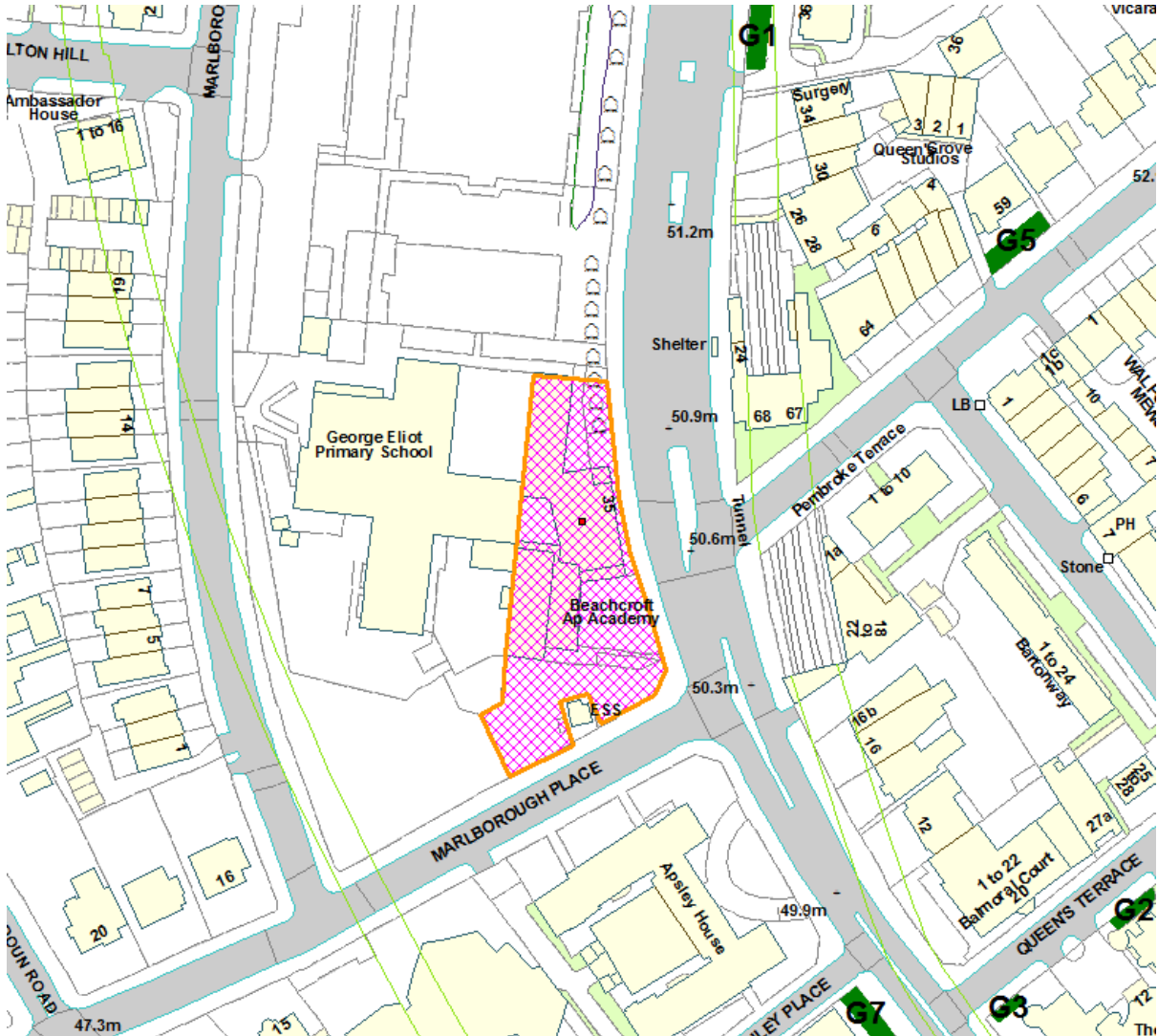
Objections and comments from local councillors and two neighbours have been received to the proposals.

The key issues in the consideration of the application are:

- the impact of the proposed increase in pupil numbers has upon the amenity of nearby residents
- the impact of the proposed increase in pupil numbers has upon and the surrounding transport network.

For the reasons set out within the report, the proposals are considered to comply with Council policies 24 (Sustainable Transport); 25 Walking and Cycling; 26 (Public Transport); 28 (Highway access and management), 7 (Managing Development for Westminster's People) and 33 (Local Environmental Impacts) and the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Image of Ormiston Academy from corner of Finchley Road and Marlborough Place (image taken from Google Streetview)

5. CONSULTATIONS

5.1 Application Consultations

COUNCILLOR SARGENT - ABBEY ROAD WARD

Objection raised on the grounds as to whether there is sufficient resourcing to accommodate the additional 23 pupils, given limited staff members and supervision capacity. The application should not be determined until 1) it can be determined if the supervision steps as set out in condition 6 of the revised management report plan indeed go 'far in improving the relationship of the school and the behaviour of pupils with neighbouring properties' and 2) the school can demonstrate it can increase number of supervising staff and the duration of supervision of pupils leaving at the end of the day.

Asks for application to be presented to the planning committee.

COUNCILLOR RIGBY - ON BEHALF OF REGENT'S PARK WARD COUNCILLORS, AS NEIGHBOURS TO ABBEY ROAD WARD

It is disappointing to see this is a retrospective application in relation to increasing the pupil capacity from 50 to 73. There has been and continues to be an increase in ASB in the surrounding area and therefore there is concern raised to an increase in 23 pupils, on the grounds of impact to amenity of residents living near by. The CCTV referred to in the recently approved management plan should be expanded outside of the school and the school should contribute to the CCTV cameras being installed in the area.

ST JOHN'S WOOD SOCIETY:

An initial response was received raising queries and concerns with regards to the proposals. A second response was received further to the Society meeting the head of the school and now no objections are raised.

SCHOOLS AND CHILDRENS SERVICES:

"The increase in pupil numbers from 50 to 72 was approved by Schools Forum. in 2022 the Forum noted that Beachcroft transferred from TBAP to Ormiston in September 2021 and states that funding for places, reviewed on an annual basis, will remain unchanged from September 2022 at 63, broken down into 28 for p/ex and 39 for managed moves. Para 3.2 says they will be commissioned for 10 SEMH places. OAT assumed responsibility for Beachcroft after the additional places had been created.

The larger school is appropriately staffed to manage the number of pupils at the school.

Similarly, the external area for Beachcroft was increased several years ago by transferring some space from George Eliot School, which exceeded its needs. It has proved an invaluable asset and is well managed by Beachcroft with no known issues for either George Eliot School or the wider community. The Council has made a number of investments at the school for the primary classrooms and for external spaces making improvement to the playground. These investments have facilitated additional pupil spaces.

OAT are also making additional arrangements to manage the dispersal of pupils at the end of the school day, by increasing staff supervision particularly in regard to public transport. Senior representatives of OAT would be happy to meet with the St John's

Wood Society or other community forums to explain the rationale for the proposals.

Children's Services supports the application by OAT, which is the current provider on behalf of the Council. We trust the application will receive approval".

TRANSPORT FOR LONDON:

No additional cycle parking has been proposed. TfL recommends that additional cycle parking is included to cater for uplift in students and staff. TfL recommends the applicant provides a minimum of 13 long-stay and 1 short-stay cycle parking spaces in line with London Plan policy T5 part A.

Due to the increase in students and staff the applicant should submit a Travel Plan addressing the increased number of trips in line with London Plan policy T1.

HIGHWAYS PLANNING MANAGER:

No objection.

ENVIRONMENTAL HEALTH:

No response.

DESIGNING OUT CRIME OFFICERS:

No response.

ADJOINING OWNERS/OCCUPIERS:

Total No. Consulted: 253; Total No. Responses:2

One objection received from a local neighbour on the grounds that there are enough schools in the area without adding anymore secondary school pupils and that George Eliot school should not lose any part of its playground.

One response received from The American School on the grounds that pupils of Beachcroft School have targeted and badly affected the local community.

5.2 Applicant's Pre-Application Community Engagement

The submission does not indicate that any formal community engagement has been undertaken.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (December 2023) and should be afforded full weight in accordance with paragraph 225 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 City Plan Partial Review

The council published its draft City Plan Partial Review for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 on 14 March 2024. The consultation continues until 25 April 2024. The Partial Review includes updated policies for affordable housing, retrofitting and site allocations.

An emerging local plan is not included within the definition of “development plan” within s.38 of the Planning and Compulsory Purchase Act 2004. However, paragraph 48 of the NPPF provides that a local authority may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Footnote 22 to paragraph 48 states that during the transitional period for emerging plans consistency should be tested against the version of the Framework, as applicable, as set out in Annex 1 (paragraph 230). This means that the consistency of the policies in the City Plan Partial Review must be tested for consistency for the purposes of paragraph 48(c) against the September 2023 version of the NPPF.

Accordingly, at the current time, as the Partial Review of the City Plan remains at a pre-submission stage, the policies within it will generally attract limited if any weight at all.

6.3 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.4 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (December 2023) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

The site is a two storey school, an APC for secondary school students who have been excluded from main stream school, lying to the south of George Eliot Primary School, on the corner of Marlborough Place and Finchley Road.

7.2 Recent Relevant History

Original permission 10/05869/COFUL of 14 March 2011 granted:
Demolition of the southern part of the existing school buildings to provide a replacement George Eliot Infants and Junior Schools in buildings of two storeys. The provision of a two storey Alternative Provision Centre (APC) building (50 pupils) fronting onto Finchley Road. Pedestrian and vehicular access to the new infants/junior school to be via Marlborough Hill, and pedestrian access to the APC from Finchley Road. Associated external alterations including car parking, refuse storage, substation and landscaping.

Condition 36 of permission 10/05869/COFUL stated:

"Details of a management plan in respect of the Alternative Provision Centre (APC) shall be submitted to and approved by the City Council as local planning authority at least 6 months prior to the occupation of the building.

The Management Plan shall cover:

- a) the continual supervision and accompanying of the APC students throughout the school day including lunch/break times and when they enter and leave the APC school premises,
- b) a transportation plan for APC students to ensure adequate full and adequate supervision and staff attendance of all journeys between the APC unit to public transport and elsewhere off the APC site and including the journey of each APC student to and from their place of residence each day,
- c) the funding /provision of police resources to complement such supervision,
- d) the provision of CCTV cameras in the vicinity of the APC entrance,
- e) details of staggered opening and closing times,
- f) agreement to attend Safer Neighbourhood Team Abbey Road Neighbourhood Meetings (as required)
- g) a formal procedure to permit incidents of anti-social behaviour to be reported and actioned by the school including parking and construction issues.

The applicants shall review the Management Plan six months after the commencement of the APC shall submit the Management Plan to the City Council for further approval. Thereafter, the applicants shall review the Management Plan annually following commencement of the use of the APC to the City Council for further approval, unless otherwise agreed in writing by the City Council. No more than 50 pupils shall be taught in the APC at any one time.

The APC shall be operated in accordance with the approved Management Plan and any other subsequent approval under this condition".

This management plan was agreed under 12/04954/COGADF, approved 7 December 2012.

Permission 15/07257/COFUL (dated 30 October 2015) then granted permission for:
External alterations including creation of a new double door entrance within the existing eastern facade and formation of a new pedestrian only double gate entrance within the

existing site boundary railings. Alterations to the existing external garden area; installation of a new steel framed canopy structure along the building line facing into the existing garden area to create an area of covered play and external teaching area. Re-landscaping of an area of land to the south of the current Beachcroft AP curtilage (currently part of George Eliot School) to create additional play space for the AP school.

When permission 15/07257/FULL was granted, a condition, Condition 6 was imposed, stating:

"No more than 50 pupils shall be taught in the Beachcroft School AP (Alternative Provision) at any one time (including primary and secondary pupils). Prior to the primary entrance being used, a revised management plan shall be submitted to and approved by the City Council. This revised Management Plan shall include additional security measures and CCTV cameras to the primary entrance, and the supervision of the pupils entering and leaving the school by staff and you will need to update the existing Management Plan which was agreed under Condition 36 attached to the planning permission dated 14 March 2011. The AP use shall be carried out in accordance with the approved management plan."

The reason for this was:

"In order to safeguard the amenities of neighbouring residents and the area generally and also ensure that the primary pupils are adequately safeguarded, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013".

Further to this, in December 2023, application 23/08484/ADFULL to allow for a revised management plan was submitted to the City Council. This application was submitted as a result of enforcement investigations into the operation of Ormiston Academy, following some incidents of anti-social behaviour from the pupils there in the Autumn of 2023 (as reported to the City Council's Planning Enforcement Department by Councillor Sargent). Further to these investigations, it transpired that the condition requiring a revised management plan referred to above, had not been discharged. The management plan was approved in February 2024. This still allowed for 50 pupils on site but revised the way in which pupils were monitored leaving the school at the end of the school day as a result of increased complaints to the school of pupil behaviour.

It should be noted that at the time of determination of the management plan, planning officers were unaware that the pupil numbers had increased from the allowed 50, to 73.

8. THE PROPOSAL

Permission is sought to vary condition 6 of planning permission dated 30 October 2015 (RN: 15/07257/FULL), to allow an increased capacity of pupils from 50 to 73.

As noted in the summary section of this report, the school has been operating at an increased capacity of 73 pupils since Ormiston Academy took over the operation of the school in September 2021. This increase in pupil numbers was considered necessary and is as agreed with the City Council's School's and Children's Services. This application seeks to regularise the situation.

9. DETAILED CONSIDERATIONS

There are three main considerations in the determination of this application – land use implications; the impact of increased pupil numbers of the amenity of neighbours including pupils in other nearby schools and the highways and transport implications of such an increase, and therefore it is proposed that this report focuses solely on these three matters.

9.1 Land Use

One of the objections received argues that there are enough schools in the immediate vicinity and that local residents do not want any more secondary school pupils in the area given the anti social behaviour that occurs. The objector argues that education services need to be spread out within the borough.

The provision of new and improved education infrastructure is encouraged at all levels of planning policy in the interests of ensuring there is a sufficient choice of school places available to meet the needs of existing and new communities. Accordingly, local planning authorities are expected to take a proactive, positive, and collaborative approach in meeting this requirement and to development that would widen education choice. To this end, local planning authorities are expected to ensure that: a) great weight is given to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted (NPPF).

These objectives are also reinforced at a strategic (London) level under Policy S3 of the London Plan, which supports the sufficient supply of good quality education and childcare facilities to meet demand and offer educational choice, and locally under Policy 18 of the Westminster City Plan, outlining (at Part A) the Council's support for the provision of new or expanded primary and secondary schools, including further education facilities, to meet the needs of a changing population, and enhance education provision generally.

The school has historically been the subject of a planning condition restricting the number of pupils to no more than 50 at any one time, as this was what was considered necessary at the time to safeguard the amenities of neighbouring residents and the area generally and to also ensure that the pupils of both the AP school and the adjacent primary school were adequately safeguarded. However, the need for additional AP places has increased significantly in Westminster in recent years and it is this increased demand which has resulted in the school operating at an increased capacity of 73 pupils.

The increasing challenges of responding to this increased demand was outlined in a Council Report by the Assistant Director, Special Education Needs and Educational Psychology to the Schools Forum in November 2023, which stated that the Council undertook 162 statutory assessments in 2022, which was the highest annual number of statutory assessments, representing a 10% increase in volume compared to the previous peak (148) in 2020.

The report also advised:

“All commissioned places in Beachcroft, part Ormiston Academy Trust (OAT) were fully occupied in 2022/23, compared with 73% in 2021/22 and 62% in 2019/2020. This increase in occupation has coincided with rising suspensions rates and an increase in schools seeking behaviour support”.

The need for the school to continue operating at this increased capacity is therefore compliant with the Council’s education provision policies and supported in principle however, this is subject to assessment of amenity and highways implications also.

9.2 Amenity

The objections received are mainly concerned with the behaviour of current pupils and any increase in pupil numbers and the impact this has on the amenity of neighbouring residents and community, notably when arriving and leaving the school. The ward councillors who have responded to this application raise concerns that the levels of anti-social behaviour have risen in recent years also.

On the matter of anti-social behaviour it is noted, from an email from Councillor Sargent to the City Council's Planning Enforcement Department that there some incident in Autumn 2023 of pupils from Ormiston Academy mugging students from other local schools. According to Councillor Sargent, the pupils from Ormiston Academy were later arrested for these crimes. It is unclear whether these were isolated incidents or that the anti-social behaviour is a common occurrence. The Designing Out Crime Officer has not responded to the application consultation and no evidence of this behaviour has been provided by objectors or the applicant.

The applicant has submitted a management plan with this application, and this in general repeats what was recently approved under application 23/08484/ADFULL. In addition, a transport assessment and a noise assessment has been submitted which is, in part, to be read in conjunction with the management plan as it details how pupils arrive and leave the site.

The transport assessment identifies:

- The school is situated within an area of 'good' defined public transport accessibility (PTAL5) where PTAL 0 is poor and 6b is excellent. Accordingly, the school is located within a sustainable location with a high level of connectivity to the public transport network. Most pupils are residents within Westminster Council and some are residents of the Royal Borough of Kensington & Chelsea and attend this school as part of Bi-Borough provision. Most pupils travel to school via public transport utilising the local bus services on Finchley Road with the nearest stops being Queen’s Grove, (of approximately 45-50m away from the entrance). For those that use the underground, St John’s Wood, this is a few minutes walk away, some 260m. The applicant advises that 6 pupils are currently dependent on local planning authority taxi support with drop-offs/pick-ups occurring on Marlborough Hill (which has continued to be the case).

- The existing pupil and staff arrival and departure times have remain unchanged from the earlier approved management plan.

- The school day typically operates between 09:15-15:00. The school closing time is staggered with those at St John's Wood Academy who currently leave at 15:50.
- Pupils arrive between 08:30-09:30 and typically on the following basis:
 - Approximately 30% of pupils arrive between 08:30-09:00, attending a Breakfast Club.
 - Approximately 20% of pupils arrive after 09:15.
 - Approximately 20% of pupils arrive after 09:30.
- Pupils depart the school between 15:00-15:20, except on Thursdays when pupils depart between 12:50-13:10. In the event of an After School Club, such as media, drama, and sports), pupils would leave the site no later than 16:30. School clubs last no longer than one hour and pupils are supervised by staff when leaving the school along Finchley Road (with 6 members of staff normally on duty). Based on existing data, around 2-6 pupils attend an After School Club.
- Staff arrive between 08:30-09:00 and depart between 15:00-17:00 on weekdays.
- The school operates during school term time only.

The management plan (as included in the background papers) sets out detailed measures relating to:

- A) The continual supervision and accompanying of the Beachcroft's students throughout the school day including lunch/break times and when they enter and leave the site;
- B) A transportation plan for day students to ensure adequate full and adequate supervision and staff attendance of all school journeys the Beachcroft unit and public transport and elsewhere off the Beachcroft site and including Beachcroft student to and from their place of residence each day.
- C) The funding and provision of police resources to compliment such supervision.
- D) The provision of CCTV cameras in the vicinity of Beachcroft's entrance.
- E) Details of staggered opening and closing times.
- F) Agreement to attend Safer Neighbourhood Team Abbey Road meetings.
- G) A formal procedure to permit incidents of anti-social behaviour to be reported and actioned by the school including parking and construction issues.

Councillor Sargeant in their consultation response to the earlier approved management plan application (23/08484/ADFULL) requested a 30 minute supervision of the children to/ and at the bus stop instead of the proposed 15minutes (as set out in Section A of the plan). The applicant responded to the request with the following:

- "1) in the main, support staff supervise pupils leaving the school at the end of the day. There are a limited number of support staff who carry out these duties;
- 2) 15 mins is adequate supervision of pupils onto buses etc. 30 mins would be excessive and inadvertently label these children as 'different'.
- 3) these pupils are children of this borough and previously all attended a mainstream school in this borough;
- 4) Beachcroft is commissioned by the LA to support these pupils but this is a shared responsibility with all partners and services;
- 5) partnership working with local schools is strong. The previous head at the American School in London was the chair of governors at Beachcroft for example;
- 6) support staff are not contracted to work longer hours and carry out duties not in their job description;
- 7) we feel that 15 mins supervision is adequate and enables the team to support pupils

to make their way home safely;

8) we have coordinated staggered departure times with other surrounding schools in the area so that there is limited crossover between the pupils".

Officers considered that the revised plan and the applicant's rebuttal to Councillor Sargeant's request to be acceptable and considered that the plan will go as far as reasonably practicable in improving the relationship of the school and the behaviour of pupils with neighbouring school pupils and residents.

Understandably, Councillor Sargent in their response to this current application then asked how, if there weren't enough staff to deal with 30 minute supervision times, can there be enough staff to deal with the increase in 23 pupils? The applicant has responded, and this is supported by Children's Services, to say that "as the number of pupils increases, so does funding as this is required to pay for the increase teachers that teach these pupils. The funding supports the curriculum delivery for these pupils as they would in any school in Westminster. The school is not resourced to supervise pupils beyond the normal school day but includes the reasonable supervision at the end of the day".

A noise report has been submitted which details that a noise survey was undertaken on 17 & 18 January 2024 (a Wednesday and Thursday when the school was open). This determined that the ambient and background noise levels at 4 monitoring locations around the school and concluded that these were dominated by road traffic noise along Finchley Road and other traffic passing on Queens Grove and Marlborough Place. The assessment did monitor arrival and departure times of pupils and the play ground times of both this school and George Eliot Primary School. Given the site is operating with 73 pupils, what the assessment could not do was assess the comings and goings of 50 pupils, compared to the 'proposed' 73 pupils. The assessment therefore adopted a worst-case scenario of the school operating with no other background noise levels and determined that the resultant increase in noise arising from an expanded school would be very minimal, a little over being just perceptible according to established noise guidance.

In weighing up the amenity implications of the proposals, it is considered that with the minimal increase in noise levels from an additional 23 pupils arriving and leaving the school and using the outside play space during break and lunch times; and with the supervision measures put in place by the school as set out in the management plan, whilst undoubtedly there will be some additional noise (a shout; calling out; chatter amongst groups etc) and disturbance along the pavements with the pupils arriving at the school or leaving to the bus stop/ underground station, this is to be expected as with any school. Given this will occur for such short periods of time in the morning and the afternoon, the impact of an additional 23 pupils, on neighbouring residential amenity is considered, on balance to be acceptable.

9.3 Transport and Highways Implications

The proposals have raised no objections from the City Council's Highways Planning Manager, however Transport for London has recommended that additional cycle parking is provided to cater for uplift in students and staff and that due to the increase in students and staff the applicant should submit a Travel Plan addressing the increased

number of trips in line with London Plan policy.

As noted above, the school is situated within an area of 'good' defined public transport accessibility (PTAL5) where PTAL 0 is poor and 6b is excellent. Accordingly, the school is located within a sustainable location with a high level of connectivity to the public transport network. Most pupils are residents within Westminster Council and some are residents of the Royal Borough of Kensington & Chelsea and attend this school as part of Bi-Borough provision. Most pupils travel to school via public transport utilising the local bus services on Finchley Road with the nearest stops being Queen's Grove, (of approximately 45-50m away from the entrance). For those that use the underground, St John's Wood, this is a few minutes walk away, some 260m. The applicant advises that 6 pupils are currently dependent on local planning authority taxi support with drop-offs/pick-ups occurring on Marlborough Hill (which has continued to be the case). In addition the existing pupil and staff arrival and departure times will remain unchanged since the management plan was first agreed.

The school has been operating at the extended capacity of 73 pupils without any adverse parking, access and transportation arising. The existing parking, access and servicing arrangements remain unchanged.

The trip generation analysis undertaken of the extended school shows an additional 6 two-way vehicle trips for pupils in the morning peak (08:00-09:00) and an additional 10 two-way vehicle trips during the afternoon peak (15:00-16:00) for pick-ups. There would be no additional vehicle trips during the afternoon network peak (17:00-18:00). The increased level of traffic would not have a significant impact on the operation of the local highway network.

There are not anticipated to be any increased cycle parking demands from students, as most arrive by public transport or staff and so it is not proposed to provide any additional cycle parking. This has attracted an objection from Transport for London but given the school has been operating for a number of years with 73 pupils and given its location, it is not considered reasonable to request the school provides additional cycle parking.

Officers consider that the transport assessment undertaken demonstrates that there would be a minimal increase of activity and that this does not result in an unacceptable impact on highway safety and nor would there be any severe impact on the local road network. Whilst the concerns from TFL are noted, it is considered that the trip generation analysis submitted, identifies quite clearly the expected increase in journey's to and from the school and that a Travel Plan for an increase in 23 pupils is not reasonable or necessary.

The proposals are considered to comply with Council policies 24 (Sustainable Transport); 25 Walking and Cycling; 26 (Public Transport) and 28 (Highway access and management).

9.3 Other Considerations

Loss of Play space to George Eliot Playground

Two of the objections also refer to the works to include an area of George Elliott playground into Beachcroft Schools outdoors area. It is believed that these respondents

are misreading the description of development. Works to the playgrounds were approved under the 2015 permission and have been carried out.

9.4 Planning Obligations & Pre-Commencement Conditions

Planning obligations are not relevant in the determination of this application.

10. Conclusion

Accordingly, the proposal is considered acceptable and would be consistent with the relevant policies in the City Plan 2019-2040 and London Plan 2021. It is recommended that planning permission is granted, subject the conditions listed at the end of this report.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk

DRAFT DECISION LETTER

Address: Beachcroft School, 35 Finchley Road, London, NW8 0NW

Proposal: Variation of condition 6 of planning permission dated 30 October 2015 (RN: 15/07257/FULL) for the: External alterations including creation of a new double door entrance within the existing eastern facade and formation of a new pedestrian only double gate entrance within the existing site boundary railings. Alterations to the existing external garden area; installation of a new steel framed canopy structure along the building line facing into the existing garden area to create an area of covered play and external teaching area. Re-landscaping of an area of land to the south of the current Beachcroft AP curtilage currently part of George Eliot School) to create additional play space for the AP school. NAMELY, to allow an increased capacity of pupils from 50 to 73.

Reference: 24/00622/FULL

Plan Nos: PLN-101; PLN-105 B; Planning Statement dated January 2024; Noise Report dated 26 January 2024; Transport Statement dated 25 January 2024; Management Plan dated January 2024, Email from Tim Waters dated 13 March 2024.

Case Officer: Kimberley Davies

Direct Tel. No. 020 7641
07866036948

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only:, , * between 08.00 and 18.00 Monday to Friday;, * between 08.00 and 13.00 on Saturday; and, * not at all on Sundays, bank holidays and public holidays., , Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 3 The footway and carriageway on Finchley Road must not be blocked during the installation of the works. Any temporary construction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the free flow of traffic. All vehicles associated with the installation must only park/stop at permitted locations and within time periods permitted by existing on-street restrictions .

Reason:

As requested by Transport for London to ensure no unacceptable impact on Transport for London Road Network (TLRN) and pedestrian safety Policy 25 of the City Plan 2019 - 2040 (April 2021).

- 4 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 5 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 6 No more than 73 pupils shall be taught in the Beachcroft School AP (Alternative Provision) at any one time (including primary and secondary pupils). The school must operate in accordance with the management plan hereby approved (previously approved under application 23/08484/ADFULL) at all times, unless an alternative management plan is submitted to and approved by the City Council.

Reason:

In order to safeguard the amenities of neighbouring residents and the area generally and also to ensure that the primary pupils are adequately safeguarded, as set out in Policies 7 and 33 of Westminster's City Plan, adopted April 2021.

- 7 The tree protection measures as set out in the Arboricultural Baseline Assessment shall be erected prior to any works starting on site and shall be retained during the construction works .

Reason:

To make sure that the trees on the site are adequately protected during building works.

This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021).
(R31AD)

- 8 You must apply to us for approval of detailed drawings of three replacement trees to compensate for the three trees being lost as part of the temporary access showing the size, species and position of trees. You must not start work on the landscaping until we have approved what you have sent us. You must then carry out the tree planting within one planting season of completing the development (or within any other time limit we agree to in writing)., , If you remove any trees or find that they are dying, severely damaged or diseased within 3 years of planting them, you must replace them with trees of a similar size and species.

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021).
(R30AD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.