

Planning Committee - 13 October 2015

- In summary, the officer advised that the opinions and advice of English Heritage as a national decision making body were material considerations even if they contradicted officers' advice at that time (2005); the curtain walling was the primary interest, not the plan form or setting; the deterioration of the curtain walling was a significant factor in assessing the building's quality and its fitness for purpose as a school had to be taken into consideration. Given that the English Heritage letter confirmed that the building was failing, it was officers' advice that this should be given considerable weight as a deciding factor.
- The planning officer clarified that officers had not concluded that the buildings only interest lay in its cladding system, but that its most striking claim to significance lay in that cladding system, as per English Heritage advice. Officers still recognised that the loss of the building would cause harm to the conservation area, but that the degree of harm was thus reduced from substantial harm (Design and Conservation view) to less than substantial harm. If members felt that the loss of the building would cause substantial harm, then the test would still be "that the substantial harm was necessary to achieve substantial public benefits that outweighed that harm of loss" (NPPF paragraph 133).
- The planning officer confirmed that it was assumed that the school would manage the community use (as they would be party to the Section 106 agreement) but if an alternative manager was proposed, the detail would be secured in the community use agreement.
- The Inclusive Design Officer's comments were considered.
- It was noted that the application had twice been considered by the Design Review Panel during the design process.
- The building was locally listed but not listed by English Heritage.
- There were 31 trees on the site. 9 TPO trees would be removed plus 6 non-TPO trees (but protected by virtue of being within a conservation area) and 28 would be planted.
- In response to a suggestion that the school's circulation areas could be larger to avoid congestion, the headteacher stated that the school had prioritised having as large as possible teaching spaces and this was also partly due to the constrained site area.
- The Chair advised that there was a need to balance the loss of a building of architectural significance against the building of a new school with modern and high quality teaching spaces. The government had required a school to be built on the site and the council had plans to use another part of the site for social housing. The proposal would result in the intensification of the use of the site.
- The metal cockerel would be retained.

Councillor Spall proposed a motion to restrict the hours of use of the rooftop playground to between 8am and 8pm. This was seconded by Councillor Fletcher and carried.

RESOLVED:

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in the case officer's report and subject to the conditions set out in the case officer's report with conditions 14 and 22 amended as above plus an additional condition to restrict the hours of use of the rooftop playground to between 8am and 8pm, the wording of which was delegated to officers.

WORDING DELEGATED TO OFFICERS

This wording has been provided by officers following the meeting and is included here for completeness.

MINUTE 140

WHITEHALL PARK SCHOOL, ASHMOUNT ROAD, LONDON, N19 3BH

CONDITION: The two rooftop playground areas hereby approved shall only be used between the hours of 8am and 8pm on any day.

REASON: In the interests of balancing making the optimum use of the play areas within the site for children and wider community benefit against the need to protect nearby residential amenity to an appropriate level.

The meeting ended at 8.30 pm

CHAIR