



Appeal Decision

Site visit made on 23 October 2017

by Helen Cassini BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 November 2017

Appeal Ref: APP/T5150/W/17/3179892

Maple Walk School, Crownhill Road, London NW10 4EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Peter Meyer of The Craigmyle Charitable Trust against the decision of the Council of the London Borough of Brent.
 - The application Ref: 17/0835, dated 23 February 2017, was refused by notice dated 27 April 2017.
 - The application sought planning permission for the construction of additional floor to existing detached single storey classroom building (south block), and first floor extension to single storey section of main school building (north block), to provide additional accommodation for education use without complying with a condition attached to planning permission Ref: 16/1560, dated 20 September 2016.
 - The condition in dispute is No 4 which states that: The school shall be limited to a two form entry Primary school and no additional forms of entry whatsoever, including bulge classes, shall be added without the prior written approval of the local planning authority.
 - The reason given for the condition is: To limit the capacity of the school premises in terms of numbers of pupils in the interests of highway safety having regard to the limitations of the vehicular access and the nature of the surrounding highway network.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Planning permission for the extension of the school, in order to provide additional accommodation for education use, was granted in 2016¹. The planning permission included a condition restricting the school to a two form entry per year into the primary school, in order to ensure adequate highway safety. The appellant seeks a variation of the condition due to fluctuating demand for school places from year to year. The proposed condition would allow for 14 classes across the school, but without defining the number of classes per year.
3. Taking the above background into account, the main issue of the appeal is therefore the effect of varying the condition on highway safety.

¹ Council reference 16/1560

Reasons

4. The appeal site is a primary school operated by The New Model School Company, located to the rear of terraced dwellings fronting Crownhill Road, Harlesden Gardens and St John's Avenue. Access for both pedestrians and vehicles at the school is from Crownhill Road between the flank boundary of 62 Crownhill Road and the rear boundaries of 64-74 Harlesden Gardens. A parking and turning area is located to within the school premises. This space is modest in scale and not available to parents or carers for morning and afternoon drop off and pick up.
5. The appeal site is located within a Controlled Parking Zone, which provides both residents parking bays and short-term visitor parking. Although the site visit was undertaken during the October half term holiday period, from observations made it is evident that a considerable degree of parking stress exists within the locality and there was no availability for parking close to the school. Whilst such observations are only a snapshot of a particular day, there is no substantive evidence before me to suggest it is not representative of parking issues.
6. The current wording of condition 4 allows for a total of 14 classes split over the 7 year groups, thereby restricting the school to having no more than 2 classes in any year group. Due to variation in the numbers of places filled in the Reception year group the school is required to make more offers than there are places to ensure the 2 classes are filled. However, as a result there may be the possibility of needing to split the Reception year group into 3 classes if uptake of offered places is high.
7. The appellant contends that due to children leaving the school, the Reception year group would not have 3 classes in subsequent years. Furthermore, the school has stated that they do not wish to have more than 14 classes in total. The school also has no further plans to extend the school beyond that which was permitted in 2016. Given the relatively modest plot size, it was evident from the site visit that it is unlikely any further expansion on site would be feasible.
8. The proposed variation would result in the school still having a total of 14 classes across the 7 year groups. However, the main change would be that the number of classes in any one year group would not be fixed. Due to the flexibility this would offer, the school considers that this would provide the best educational outcome for the children.
9. Although the character of the surrounding area is predominately residential, in addition to the appeal site, the Keble Church of England School and The Convent of Jesus & Mary Language College are also sited on Crownhill Road. It is accepted that not all pupils will be driven to and picked up from school in cars. Nonetheless, the area has to manage the arrival and departure of approximately 1000 pupils twice a day.
10. Concern has been raised by the Council that by allowing more than 2 classes per year group, pressure will occur to accommodate additional classes in subsequent year groups. As a consequence, the potential increase in additional children and staff would lead to the need for additional parking in the immediate locality. The Council consider that the lack of available parking in the school grounds, combined with the shortage of on-street parking in the

area, would in turn result in additional traffic congestion and would be detrimental to highway safety.

11. It is noted that the appellant states that by Year 6 only approximately 33% of pupils who joined the school in Reception are still in attendance at the school. Furthermore, a high number of pupils who attend the school reside within NW10 and NW6 Brent postcodes, which experience high levels of inward and outward migration. Due to this the appellant states that each year group reduces in number as it progresses through the school.
12. Despite this, no substantive evidence has been provided confirming the patterns of uptake at Reception or the levels of reduction in pupil numbers in later year groups. It is accepted that due to the status of the school, it is possible to select the numbers of pupils admitted and therefore inward migration to the area could be adequately managed. Nevertheless, no detailed information has been provided to confirm how class numbers would be managed if a high take up level occurred over a period of a number of years or if numbers do not reduce in subsequent years.
13. It is noted that the school has instigated a School Travel Plan to encourage sustainable travel, including a walking bus initiative. However, the use of such initiatives is non-compulsory and therefore use cannot be guaranteed.
14. Accordingly, due to a lack of substantive evidence regarding the management of the potential for overprovision, it is considered that the proposed amendment to the condition would lead to an increased number of pupils and staff. This would result in a greater number of car journeys and additional parking stress within the locality. As a consequence, the proposal would have a harmful effect on the safe and efficient operation of the highway network in the vicinity of the appeal site. The proposal therefore fails to comply with Policy DM12 of the London Borough of Brent Local Plan Development Management Policies 2016 and Policy 6.12 of The London Plan 2016. These policies when taken together seek, amongst other things, to ensure that development does not adversely affect road safety.

Conclusion

15. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed and the condition retained in its present form.

Helen Cassini

INSPECTOR