

ADDRESS: Beis Malka Girls School, 93 Alkham Road, Hackney, London, N16 6XD	
WARD: Cazenove	REPORT AUTHOR: James Clark
APPLICATION NUMBER: 2022/2003	VALID DATE: 11-08-2022
DRAWING NUMBERS: 2170_20; 2170_21; 2170_22; 2170_23; 2170_24; 2170_25; 2170_26; 2170_27; 2170_28; 2170_29; 2170_30; 2170_31	
APPLICANT: Bleichfeld (Beis Malka Girls School)	AGENT: Barney Walker (John Stebbing Architects Ltd)
PROPOSAL: Construction of a single storey extension to existing teaching block along part of the southern boundary of the site.	
POST SUBMISSION REVISIONS: Amendment to the application form	
RECOMMENDATION SUMMARY: Grant planning permission, subject to conditions.	
NOTE TO MEMBERS: None.	

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:	
Major application	
Substantial level of objections received	Yes
Other (in accordance with the Planning Sub-Committee Terms of Reference)	

ANALYSIS INFORMATION

ZONING DESIGNATION

	Yes	No
CPZ	T	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Employment Area		X

LAND USE	Use Class	Use Description	Floorspace Sqm
Existing	F1	Religious girls school	540
Proposed	No Change	No Change	622

CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1. The application site is located within a block enclosed to the north by Lampard Grove, Alkham Road to the east, Margaret road to the west and Windus Road to the south.
- 1.2. The application site comprises the Beis Malka Girls School which features the main school building, multiple portacabins and a surrounding playground.
- 1.3. The surroundings are characterised primarily by residential uses with some religious buildings in the surrounding area.

2. RELEVANT HISTORY

- 2.1. **NORTH/245/95/FP:** retention of single storey portacabin classrooms and ancillary sanitary facilities **Decision: Granted**
- 2.2. **2001/2129:** Erection of a side/rear extension at ground and 1st floor level with external staircase and additional (2nd) floor to provide additional classroom to an existing school. **Decision: Refused**
- 2.3. **2017/4411:** Erection of two-storey detached building, to accommodate classroom space for the existing school. For the purposes of consultation only, planning permission for the proposed building is sought for a temporary period of five years, and it would replace an existing single-storey structure which would be removed from the site. **Decision: Granted**
- 2.4. **2014/3915:** Variation of condition 2 (hours of operation) of planning permission NORTH/245/95/FP dated 22/11/1995 for retention of single storey portacabin classrooms and ancillary sanitary facilities. To vary the hours of operation from Monday to Friday 09:00-18:00 to Monday-Friday 09:00-21:00, Saturdays 14:00-17:00 and Sundays 11:00 - 18:00. **Decision: Refused**
- 2.5. **2018/0868:** Erection of single-storey building and use for educational purposes **Decision: Withdrawn**
- 2.6. **2019/4033:** Submission of details pursuant to condition 4 (external lighting) attached to planning permission 2017/4411 dated 30/05/2019 **Decision: Granted**
- 2.7. **2021/2032:** Retrospective application for the retention of 9 portacabins within the ground of Beis Malka Girls School. **Decision: Granted**
- 2.8. **2021/0088/ENF:** Replacement portacabins without planning permission. **Outcome: closed, no action taken**

3. CONSULTATIONS

3.1.1. Date Statutory Consultation Period Started: 24/08/2022

3.1.2. Date Statutory Consultation Period Ended: 17/09/2022

3.1.3. Site Notice: Yes.

3.1.4. Press Advert: Not required.

3.2. **Neighbours**

3.3. Letters of consultation were sent to 84 adjoining owners/occupiers.

3.4. At the time of writing the report, objections in the form of fourteen written letters of objection had been received. This representation is summarised below:

- Disunity between the plans provided which show a single storey rear extension and the application form which states that the extension will be 2 storeys tall and will be 11.8 metres in height. Previously applications for multi storey extensions have been submitted on the site and have been refused. (Officers note: the applicant made a small error in one section of the application form however in other parts of the application form it is clear that the proposal will be a single storey extension, this is also clearly shown in the proposed plans and has been clarified by the development description used by officers.)
- Noise and artificial light disturbance from the increased proximity of the classroom to the neighbouring dwellings.
- Concerns about the location of the proposed toilets including ventilation and sewage systems, the toilets would be better located away from the surrounding neighbouring dwellings.
- Loss of natural light to neighbouring rear gardens and windows.
- Disturbance from construction noise
- Loss of privacy
- The proposed extension will contribute towards increased traffic in the surrounding areas
- Dwellinghouses at the back of the site are subdivided into separate flats with bedrooms and internal amenity spaces at the ground and first floor levels, therefore, the proposal will impact a larger number of dwellings than it would otherwise. (Officer note: This report will include an assessment on the most affected neighbouring residential properties, in line with the parameters of adopted policy and guidance)
- The design of the structure will have to be considered in relation to the character of the surrounding area.
- The school has been continually expanding over the past couple of years and student numbers have gradually grown, this extension will contribute towards that. This has resulted in the overdevelopment of the site from piecemeal planning applications. (Officers note: The scope of this application does not cover the wider site and the proposal will not provide

for increased student numbers but rather improve the existing standard of use.)

- Previously approved portacabins that were approved on a temporary basis have now been approved on a permanent basis further contributing towards the number of students and the associated disturbance to surrounding neighbouring dwellings. (Officers note: Most of the portacabins only benefit from temporary approval. Also the proposal relates to the addition of a single extension which aims to provide new facilities and a enlarged classroom to improve the standard of use not to increase student numbers)
- Plans are inaccurate as they show the rooms as being of various sizes. (Officers note: Officers have reviewed the plans and all of the existing and proposed floor plans appear to match where no changes to the floor plans are proposed.)
- The environmental impacts of such an extension should be considered. It is unclear from the plans if adequate energy efficiency strategies have been considered for this construction.
- The proposed extension creates very little extra teaching space. (Officers note: The extension is not just used to provide additional teaching space but also storage, toilet and amenity space. The lack of a specific amount of increased teaching space is not a material consideration as there are no policy requirements for the amount of teaching space required for private schools.)
- The proposal will impact upon neighbouring garden structure (Officers note: As the extension will be contained within the application site and will be located behind the neighbouring boundary wall it is unclear how it will impact upon neighbouring garden structures.)
- The boundary wall along which the extension is to be constructed is in a poor state of repair and the proposed construction works may result in its complete collapse and if the extension is approved then it will be impossible to maintain the wall in the future. (Officers note: This is not a material consideration for planning but is rather a civil matter between the school and the neighbouring dwellings.)
- A party wall would be needed (Officers note: This is not a material planning consideration)
- Unclear if the proposed extension will incorporate the existing boundary wall. (Officers note: It is shown on the plans that whilst it will adjoin the boundary wall it will not incorporate it.)
- Concern that the extension may later be extended to incorporate an additional storey. (Officers note: The application must be assessed based on the information provided and not on the potential for hypothetical future development.)
- Will reduce the value of the surrounding dwellinghouses (Officers note: This is not a material consideration)
- Concerns about the usage of the site outside of permitted hours (Officer note: This is conjecture and falls beyond the remit of this planning application)
- Concern has been raised about potential disturbance during the construction of the extension. (Officers note: This is a temporary, inevitable and unavoidable part of any development and is not a material consideration.)
- Concern about mentions of a major redevelopment of the school (Officers note: This is not relevant for this planning application)

- The boundary wall that runs along the back of 59 to 67 Windus Road is higher than stated in the plans
- Sceptical that the structure will be temporary (Officers note: The structure is not intended to be temporary and will remain in perpetuity if granted approval.)
- The use of prefabricated buildings is not an acceptable standard of accommodation for school children. (Officers note: The proposal will not comprise a prefabricated structure.)
- Kitchen in close proximity to neighbouring dwellings will create odour smells (Officers note: The proposed kitchen is ancillary to the staff room and is clearly not intended to act as the primary kitchen for the whole school)
- Concerns raised relating to fire safety. (Officers note: This is not a planning consideration but is rather covered by building control.)

3.5. **Statutory / Local Group Consultees**

3.5.1. **SUDs:** No objection subject to flood mitigation and resilience conditions.

4. **RELEVANT PLANNING POLICIES**

4.1. **Hackney Local Plan 2033 2020 (LP33)**

LP1 – Design quality and local character
LP2 – Development and Amenity
LP8 - Social and Community Infrastructure
LP43 – Transport and development
LP45 – Parking and car free development
LP46 – Protection and enhancement of green infrastructure
LP47 – Biodiversity and Sites of Importance of Nature Conservation
LP51 – Tree management and landscaping
LP53 – Water and flooding
LP54 – Overheating And Adapting To Climate Change
LP55 – Mitigating Climate Change
LP57 – Waste
LP58 – Improving The Environment - Pollution

4.2. **London Plan 2021**

D3 – Optimising site capacity through the design-led approach
D4 – Delivering good design
D5 – Inclusive design
D6 – Housing quality and standards
D12 – Fire safety
D14 – Noise
H9 – Ensuring the best use of stock
G1 – Green infrastructure
G5 – Urban greening
G6 – Biodiversity and access to nature
S3 - Education and childcare facilities
SI 1 – Improving air quality
SI 2 – Minimising greenhouse gas emissions
SI 4 – Managing heat risk

- SI 5 – Water infrastructure
- SI 12 – Flood risk management
- SI 13 – Sustainable drainage
- T4 – Assessing and mitigating transport impacts
- T5 – Cycling
- T6 – Car parking
- T7 – Deliveries, servicing and construction

- 4.3. **National Planning Policies/Guidance**
National Planning Policy Framework (NPPF)
Planning Practice Guidance (NPPG)

- 4.4. **Legislation**
Town and Country Planning Act 1990

5. **Comment**

- 5.1. The proposal relates to the construction of a single storey, ground floor, rear extension that will provide internal space for an enlarged classroom, additional toilet facilities, a kitchenette for the staff room and storage space. The intention of this application is to improve the standard of accommodation and not to provide additional space for more students.
- 5.2. The main considerations relevant to this application are:
Principle
Design
Neighbouring amenity
Transport
Drainage
Sustainability
Biodiversity
- 5.3. Each of these considerations is discussed in turn below.

6. **Principle**

- 6.1. S3 of the London plan states that development proposals for education and childcare facilities should locate facilities in areas of identified need and in accessible locations, with good public transport accessibility and access by walking and cycling. Furthermore, proposals should maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures and ensure that facilities incorporate suitable, accessible outdoor space. LP8 states that proposals for social and community infrastructure will be permitted where they meet all of the following criteria:
i. meet the current or future identified need; and
ii. are of a high quality and inclusive design providing access for all; and
iii. provide flexible, affordable and adaptable buildings and, where possible, provide mixed used development, co-located with other social infrastructure uses and maximise use of buildings in evenings and at weekends.
- 6.2. The principle of extending the school is considered to be acceptable as it will provide an improved standard of accommodation to an established

school by developing an area that is currently just used for storage and not for recreation space.

7. Design

- 7.1. London plan policy D4 'Delivering Good Design' requires developments to provide high-quality design whilst, local plan policy LP1 Design 'Quality and Local Character' requires developments to be of a high design quality.
- 7.2. The proposed single storey extension will be a non intrusive element that will be largely contained within a gap at the rear of the site and will therefore not be visually prominent from the surrounding area. It will also be a subservient element being shorter than the neighbouring boundary wall and being set down from the cills of the first floor windows, therefore reducing any prospective townscape impact.
- 7.3. In terms of materiality, the proposed extension will be covered externally in render to match the existing school building and feature double glazed UPVC framed windows, rooflights and doors. The use of these materials is deemed acceptable, given the small size and screened location of the extension, coupled with the matching materiality present on the existing site.
- 7.4. A condition will be attached requiring the render to be smooth to match the existing white render on the host building. Furthermore, details of the roof covering will also be required in the event of approval. . The proposed development is therefore deemed acceptable in terms of design, visual appearance and townscape impact and accords with London Plan policy D4 and LP33 policy LP1.

8. Neighbouring Amenity

- 8.1. The application is subject to the requirements of LP33 LP2 'development and amenity' which states that all development must have regard to the amenity of occupiers and neighbours. These individual and cumulative impacts will be assessed and weighed against the merits of the proposal. The potential impacts of the proposal on the amenity of neighbouring properties relate to;
 - Visual privacy and overlooking;
 - Overshadowing and outlook;
 - Sunlight and daylight, and artificial light, levels;
 - Vibration, noise, fumes and odour, and other forms of pollution;
 - Microclimate conditions;
 - Safety of highway users
- 8.2. The proposal will result in no loss of light or outlook to any of the neighbouring dwellings, as the proposed extension will not exceed the height of the existing boundary wall along the southern boundary of the site. Also no new lines of sight will be created that could invade neighbouring privacy, as the only additional windows proposed are north facing, which face towards the existing school site.

- 8.3. The proposal is not expected to result in any exacerbated noise or light disturbance impacts beyond existing levels. As previously mentioned, the proposed extension's primary openings will be in the north face away from the surrounding dwellings with the only openings within the vicinity of surrounding dwellings being the rooflights. These will be small and will not produce a significantly greater impact than the existing windows in the south elevation of the host building. It will also not result in any increased light disturbance as the rooflights in the roof of the extension are small and will be obscured behind the boundary wall. The applicant has confirmed there will no additional staff or pupils numbers at the school, which also safeguards against additional noise and disturbance impacts
- 8.4. Concern has been raised about odour from the toilet block and kitchenette within the proposed extension, given the small size of these spaces ventilation will not produce significant odour to an extent that would harm residential amenity.
- 8.5. The proposed single storey extension is deemed acceptable in terms of amenity impacts and accords with LP33 LP2 'development and amenity'.

9. Transport

- 9.1. LP33 LP43 'Transport and Development' requires any significant negative impact on the operation of transport infrastructure must be satisfactorily mitigated.
- 9.2. The proposal will provide additional internal facilities and a larger classroom however this has been done in order to improve the existing standard of accommodation rather than provide more space for increased student numbers as confirmed by the applicant. Accordingly, Officers do not expect the proposed development to result in any additional transport impacts.
- 9.3. Despite this, in the event of approval, a construction management plan will be added to ensure that the proposal will not have any impact upon the surrounding highways during construction.

10. Drainage

- 10.1. London Plan policy SI 12 states that development proposals must comply with the flood risk assessment and management requirements over the lifetime of the development and have regard to measures proposed in flood management plans. Policy SI 13 of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 10.2. The site is shown to have a 'high' risk of surface water flooding as stated on the 'Long Term Flood Risk Map for England' and the proposal will increase the developed footprint of the site. To mitigate potential drainage and flood

impacts arising from the development, drainage layout and surface water flood conditions are recommended

11. Sustainability

- 11.1. All new developments need to consider statutory requirements to reduce pollution, energy and carbon emissions, and should incorporate best practice design principles and guidance where appropriate.
- 11.2. Policy SI 4 of the London Plan and LP54 of LP33 requires all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change. LP33 LP55 states that development including the re-use or extension of existing buildings should achieve the maximum feasible reductions in carbon emissions and support in achieving the strategic carbon reductions target in the London Plan, while protecting the heritage and character of the buildings.
- 11.3. The applicant has provided a sustainability statement which outlines how the proposal will seek to achieve the maximum feasible reductions for the site. Energy and fabric efficiency measures such as passive design, insulated walls and floors, glazing with Building Regulation compliant U and G values and the use of energy efficient lighting will all be used. Other options have been explored to improve the efficiency of the overall site such as connecting to a decentralised energy network or producing clean energy on site. Whilst options for this are limited, there is potential to use heat pumps and install solar panels on the site in the future.
- 11.4. Finally the report outlines measures to ensure that the materials used in construction, the construction methods themselves and water efficiency measures will be used to enhance BREEAM credentials. The proposal is considered to achieve a high level of sustainability for a small scale extension and is therefore considered to be acceptable.

12. Biodiversity

- 12.1. Policy G5 of the London Plan and LP46 of Local Plan 33 requires that all development should enhance the network of green infrastructure and seek to improve access to open space. The proposal will not alter the existing green infrastructure of the site.
- 12.2. Policy G6 of the London Plan states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. Policy LP47 of LP33 reinforces this policy, stating that all development should protect and where possible enhance biodiversity leading to a net gain. LPP33 LP47(D) states that all development schemes involving buildings with an eaves height or a roof commencement height of 5 metres and above are required to provide nesting boxes for wildlife.

- 12.3. The proposed extension will be located on an existing area of hardstanding which features no ecological habitat. The extension is not of a size whereby a green roof can be requested by policy and is not of a height to provide meaningful bird nesting habitat. Consequently the opportunity for genuine biodiversity improvements are limited. Given the proposal will provide improved educational facilities and accommodation, the lack of improved + biodiversity is, on balance, deemed acceptable. .

13. Conclusion

- 13.1. The proposed rear extension to provide additional education accommodation is deemed acceptable as it provides an improved standard of accommodation to the pupils and staff of the school site. The proposal is deemed acceptable in terms of its design impact and will not give rise to adverse amenity or transport impacts. The development is therefore recommended for approval subject to conditions.

14. RECOMMENDATIONS

Recommendation A

- 14.1. **That planning permission be GRANTED, subject to the following conditions:**

14.2. **Commencement within three years**

The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 (as amended).

14.3. **Development in accordance with plans**

The Development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

14.4. **Design Details**

All new external facing render in respect of the works hereby approved shall match those of the existing building in respect of colour and texture.

REASON: In order to preserve the character and uniformity of the building

14.5. **SUDs**

Prior to superstructure works, detailed specification, a drainage layout and a management & maintenance plan (where applicable) of at least one suitable sustainable drainage system (i.e. water butt with overflow, raingarden, bioretention planter box, living roof (substrate depth of

80-150mm excluding the vegetative mat), permeable paving etc.) shall be submitted to, and approved by the LPA, in consultation with the LLFA. If soakaways i.e. plastic modules and soakaway rings are used, an infiltration test must be carried out to ensure that the capacity of the soil is suitable for infiltration. It must be demonstrated that there will be no increase in surface water flow being discharged offsite and an overall reduction in peak flow rate and volume.

REASON: In order to ensure that the proposal does not contribute to local flood risk.

14.6. Flood resilience

A scheme for the provision and implementation of flood resilient and resistant construction details and measures for the extension against surface water flood risk shall be submitted to and agreed, in writing with the LPA in consultation with the LLFA prior to the construction of the measures. The scheme shall be carried out in its entirety before the extension is occupied and; constructed and completed in accordance with the approved plans in line with current best practices.

REASON: To ensure that the proposal is resilient to potential flood risk.

14.7. Construction management plan

No development shall take place until a detailed Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the construction of the proposal will not cause undue disturbance on neighbouring occupiers and unnecessary disruption on the nearby highways.

14.8 Equalities Considerations

14.8. The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

14.9. Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise any equality issues.

Recommendation B

14.10. That the Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team

Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

15. INFORMATIVES

The following informatives should be added:

- SI.1 Building Control
- SI.7 Hours of Building Works
- NPPF Applicant/Agent Engagement

Signed..... **Date**.....

Aled Richards - Director, Public Realm

No.	Background Papers	Name, Designation & Telephone Extension of Original Copy	Location Contact Officer
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	<p>James Clark Planning Officer x1453</p>	<p>2 Hillman Street London E8 1FB</p>