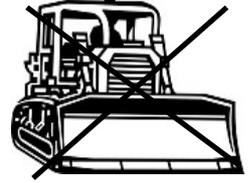




KEEP OSTERLEY GREEN!

For the protection of our green spaces & appropriate sustainable development

Newsletter No.7, 13th November 2015



Is this Politics or Planning?

The Nishkam School application is set to be determined by the **Planning Committee at its meeting on 3rd December 2015**. It was intended to consider the application on 5th November. **We warned that this would be suspect on legal grounds.** The Council's legal advice confirmed that we were right.

This ends the first round of our campaign against building the school on Metropolitan Open Land. That siting requires “special circumstances” to apply. We have proved beyond reasonable doubt that they do not.

How should the Planning Committee decide? Planning decisions should, by law, be made strictly on planning grounds. Political pressures for solutions to a council's failure to plan adequately for school places, which override planning considerations' should be rejected and are legally dubious.

To justify very special circumstances the applicant (the Educational Funding Agency/Nishkam School Trust, EFA/NST) would have had to explore all other possibilities as they were advised by the planning officers at the outset.

The Officers made clear that among the issues which would have to be considered would be building the school higher (and even the Nishkam site assessments admits they could consider going up to

four storeys) and disaggregating the primary and secondary parts of the school. **There is no evidence that they have ever considered these things.**

Not only that but the area size used for the site search was clearly incorrect. **It included a nursery which is not part of the application.** Therefore sites which could have been considered (we have the details) were rejected out of hand for being too small.

We can show that other sites were and are available if Nishkam were prepared to accept the flexibility recommended by the officers at the outset.

This is just the beginning of the planning shortcomings of this application but it is sufficient for any planning officer working purely according to planning considerations – as opposed to political pressures – to recommend refusal.

It is also sufficient reason for members of the Planning Committee to recommend refusal even if the officers do not give appropriate advice. It is ultimately *advice* and the Planning Committee members are still supposed to use their own judgement and weigh the *planning* arguments.

In this case it is an open and shut case. **This application cannot be approved if it is to be determined on planning grounds.**

“But we need the school places”

A couple of councillors (fortunately not on the Planning Committee) have responded to our detailed planning arguments against this application by saying “But we need the school places”.

We would like to respectfully point out that this is a response that amounts to a complete rejection of the planning system.

A planning application has been put in for this school. From the start we have responded in the only effective way that residents can respond, namely by looking at the application from the point of view of planning guidelines and planning law.

Residents' personal preferences are not what counts and we have always understood that. We therefore worked very hard to understand all the relevant planning considerations in terms of guidelines and

law. We stopped two attempted demolitions of existing buildings on the site on legal grounds.

So, after all that effort, it is extremely disconcerting to find councillors (one of whom is a lead member) responding with “But we need the school places” **as if that overrides all planning considerations.**

These councillors appear not to understand that planning determinations must, by law, be made on planning and not political grounds? We hope that Planning Committee members are better informed.

Besides which we have never questioned that school places are needed. **We have even shown how those places can be provided.** So the provision of school places is not the issue. **The issue is the unwillingness of the EFA and the NST to show any flexibility in how those school places are provided.**

Come to the Planning Committee meeting

The Planning Committee meeting to determine the Nishkam application will be held on **Thursday, 3rd December 2015 at 7:30 pm**. It will be a single item meeting so only that application will be discussed. **We need as many local residents as possible to go to show their support for our campaign and our arguments.**

Please email us to let us know if you will attend the

meeting. We need to have an approximate idea of attendance in advance.

The meeting will be held at **Committee Rooms 1 & 2, Civic Centre, Lampton Road**, Hounslow. If you need help to get there or can share a car with someone else then please let us know so that we can make arrangements. Some parking is available at the Civic Centre. Details will be put on our website.

One Week Left for Final Objections

All objections need to be in by 20th November. If you haven't written yet then please do so. If you have not got the time to write individual objections then just write to say that you support the objections of Keep Osterley Green.

If you have written already then it would be helpful if you sent a short note to say that despite the changes

in the travel documents you still think that your original objections hold up. That is all you need to do.

Full details of where to write to and how to announce your objection are in earlier Newsletters and on our website. Please contact us if you have any doubts on the matter.

KOG in the National Press

The **Guardian** printed an article dealing with the role of the **Educational Funding Agency** and the way it spends its money on Tuesday 10th November. You can view it on our website or on the **Guardian** website.

HIP School Proposal Imminent

Launch date 24th of November at 7pm location **Grasshoppers Rugby Football Club**. We expect that large numbers of residents will be concerned to hear about another large school along Syon Lane.

Park & Stride Problems

We raised issues about child safety with the Park & Stride arrangements for leaving and picking children up at the **Osterley Hotel**. Independently from that Transport from London has objected to the arrangement because of the Hotel's proximity to the Great West Road. Nishkam therefore had to withdraw the proposal. This leaves only one P&S agreement in place (**Wyvale Guarden Centre**). **TESCO** is reserving its position.

Plant Sales a Success

Great value plant sale from £3 per plant on Sunday 22nd November from 10am till 1pm at Wycombe House. Proceeds to KOG. Plants donated by KOG member.

Why We Need Money

We have so far spent around £5000 pounds on our campaign. A large part of this was due to the generous support of the **Osterley and Wyke Green Residents' Association** but many residents have also given generously. Materials and professional advice costs. We hope that you agree that we have done well with the money. There have been no jollies! We are all volunteers and pay our own expenses.

We now need high-level legal advice to convince the planning officers, or more to the point, their political masters, that our arguments have a solid legal basis. We suspect that the officers are fully aware of the strength of our case but that they are also under pressure to produce the results that lead members are demanding from them.

Our bank account details:

Account name: **Keep Osterley Green**
Sort Code: **08-92-99**, Account: **65770728**

Thanks are due to:

- the **Wyke Green Golf Club** for its generous donation;
- **OWGRA** for its financial support as this was crucial in getting **KOG** started and in doing its work;
- the **Osterley Bookshop**, **The Park Café** and **Alcombe Veterinary Surgery** on Thornbury Road;
- **Wycombe House Cricket Club** for being our home. Thanks to **The Friends of Jersey Gardens**;
- all the residents who made donations since we have announced our bank details;
- all the volunteers who helped fold/deliver our newsletters and went door to door with our petition.