



Wednesday 21<sup>st</sup> July 2021

**Re: Serious safeguarding issue with a neighbouring property development**

Dear Parents/Carers of Children at Benthal,

I am writing to inform you that since the start of the Summer term the School Business Manager and I have been dealing with a very serious safeguarding issue with a new site development next door to the school, in particular the football pitch/playground.

I have held off from sharing this serious issue for as long as possible, hoping that it would resolve itself but unfortunately this has not happened and it is my duty as Head Teacher to inform you of the serious problem that the school is facing.

I am sure you have seen that on the corner of Maury Road and Rendlesham Road the old betting shop has been demolished and building works have begun, albeit very slowly. The school was informed in **April 2021** that a six-storey building was replacing the old two-storey betting shop. I immediately began an investigation into this to find out more as the school was totally unaware.

**Here are my findings so far:**

- The school is now in dispute with Hackney Planning Department as **the school was not consulted** back in February 2020 as part of the Planning Consultation Process
- Hackney Planning Department cannot produce evidence that the school was informed by letter. They claim that the school was informed and that they cannot produce evidence because of the cyber-attack on the council
- However, the letter is **not** part of the planning application documents pack on the Hackney Planning Department portal, which is in the public domain, which would have been uploaded prior to the cyber-attack, and it should be alongside all the other design drawings and concepts
- Despite the school being Hackney Council property and the neighbouring site development having serious safeguarding implications, **no effort** was made to contact the school directly from the council to alert us to the consultation period
- The Hackney Design Review Panel **did not take place** before permission was granted as well as the Hackney Planning Department not picking up on or noticing that the building design has balconies and windows directly overlooking the school playground and they approved this application design
- Hackney Planning Department granted planning permission to the site developers in June 2020
- The design concepts for the six-storey development mentions the school name three times in the 40 page document all other reference is made to a 'playground'. It implies a general public green space, not a school playground
- Goldrose Sharpe, the name of the site developers, are requesting access to the school to knock down the boundary wall for them to begin physical building, I have told them no while this matter is being dealt with
- Goldrose Sharpe have now threatened the school with legal action

**What is the problem?**

**The principal issue:**

- the ground floor wall will become the boundary wall with the playground on council property
- each apartment in the building has open balconies directly overlooking the playground
- all the windows directly open onto the playground

**BENTHAL PRIMARY SCHOOL**  
Benthal Road, London N16 7AU  
Tel: 020 8985 9310 [office@benthal.hackney.sch.uk](mailto:office@benthal.hackney.sch.uk)  
Headteacher: Ms L Drew  
[www.benthal.hackney.sch.uk](http://www.benthal.hackney.sch.uk)





Not only is this a serious child protection and safeguarding issue but also a health & safety one with items potentially falling into the playground.

#### **What has the school done so far?**

Once I learned of this information in April 2021, I immediately informed Benthal's Chair of Governors and the Director of Education for Hackney, Annie Gammon, about the schools safeguarding concerns. She is giving her full support in the approach the school is taking. She has reported this serious matter to various borough councillors and has liaised with Hackney Planning Department as well as the Legal Department in order to find a solution. The School Business Manager, Benthal Chair of Governors and I have met her and other colleagues from the council on several occasions.

On 24<sup>th</sup> May 2021; the school wrote a detailed 4-page complaint letter to Hackney Planning Department outlining our serious concerns with the design of the site development:

1. That Hackney Planning Department did not follow due process at the consultation stage back in February 2020 and after it, including not holding a Design Review Panel
2. Education Land Ownership including the Boundary Line
3. The current site design has very serious safeguarding implications for the children in the school

On the 15<sup>th</sup> June 2021 I received an email response from Natalie Broughton the Head of Hackney Planning Department which did **not** adequately address the issues in our complaint. The school has not accepted the response and is moving the complaint to the next stage following the council's complaints procedures.

On the 12<sup>th</sup> July 2021, the site developers made a proposal to make minor changes to the site development design, suggesting a 3 metre canopy coming away from a newly built boundary wall to shield the children being seen from the first and second floor balconies. The school has not accepted these minor changes as it does not mitigate the safeguarding concerns regarding the children at Benthal in any way. The school has responded with a proposal to the site developers in what needs to be done to remove the risk completely.

It is with regret that the site developers have refused our suggestions citing a loss of money on their part due to the delay and not accepting the safeguarding risks "as a member of the public could talk to a child through the fence". They will only offer the canopy and not a removal of balconies. From their point of view they are following their design that was approved and granted from Hackney Planning Department. I am now concerned that they will begin building during the summer holiday.

I am very angry that the school and Benthal's children have been put into this position when it is clear that due process was not followed at Hackney Planning Department before planning permission was granted.

During the midst of a pandemic health & safety has been paramount for the staff and children and ensuring that high quality teaching and learning has continued. I am very upset that an extreme amount of my time has been taken away from me to deal with this.

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### What can you do to help?

I need your help and support now more than ever as I **do not agree** with strange adults living in apartments being able to lean over their balconies to talk to and engage our children, potentially putting the children at risk, regardless of there being a canopy in place. This is clearly not the same as someone walking by on the street. I am not going to allow this to happen. Reluctantly I am now forced to seek individuals to share this information with.

I feel that now I need you all and the powers that you have as parents and carers to get **the message across and out there** that this is not acceptable, you will also not allow this to happen to the school and the children and that due process was not followed by Hackney Planning Department.

I would also be very happy to hear from any parents/carers who may be able to offer any particular kind of assistance in this matter, for example, if you have any legal or planning experience.

I truly hope that I can count on your support in this matter as this is a fight I cannot win without you.

Yours sincerely,

Ms Drew

Head Teacher

Benthal Primary School

Please find below details of the site development and a list of Hackney Council staff directly aware of this issue:

#### **Site Application: 2020/0385 of 91-93 Rendlesham Road, Hackney, London E5 8PJ**

Natalie Broughton, Head of Hackney Planning Department, London Borough of Hackney  
Chris Dunn, Senior Administration Officer Hackney Planning Service, London Borough of Hackney  
Peter Burt, Senior Asset Management Advisor, London Borough of Hackney  
Ginevra Davies, Education Property Advisor, London Borough of Hackney  
Gurpaje Singh Property Strategy and Project Development, London Borough of Hackney

Annie Gammon, Director of Education, Hackney Education  
Cllr Anntoinette Bramble, Deputy Mayor of Hackney

Paresh Chandegra and Daniel Goldsmith Directors Goldrose Sharpe Developments

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