

MEETING

PLANNING COMMITTEE

DATE AND TIME

MONDAY 4TH JULY, 2016

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Melvin Cohen
Vice Chairman: Wendy Prentice

| | | |
|-----------------|----------------|-----------------|
| Maureen Braun | Claire Farrier | Eva Greenspan |
| Tim Roberts | Agnes Slocombe | Mark Shooter |
| Laurie Williams | Jim Tierney | Stephen Sowerby |

Substitute Members

| | | |
|-------------|-------------------|-------------|
| Anne Hutton | Dr Devra Kay | Sury Khatri |
| Reema Patel | Gabriel Rozenberg | Hugh Rayner |

Please note that the below agenda may not reflect the order in which items will be heard at the meeting.

Please also note that in line with the council's meeting procedure rules, no new information may be submitted by applicants and/or their representatives or objectors at the meeting. The only information that can be considered by the committee is information which helps to explain a point that the person wishes to refer to in order to explain their position. Any such information must be limited to one side of A4.

You are requested to attend the above meeting for which an agenda is attached.

Andrew Charlwood – Head of Governance

Governance Service contact: Jan Natynczyk jan.natynczyk@barnet.gov.uk 020 8359 5129

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

| Item No | Title of Report | Pages |
|---------|--|---------|
| 1. | Minutes of the last meeting | 1 - 6 |
| 2. | Absence of Members | |
| 3. | Declarations of Members' disclosable pecuniary interests and non-pecuniary interests | |
| 4. | Report of the Monitoring Officer (if any) | |
| 5. | Public Questions and Comments (if any) | |
| 6. | Members' Items (if any) | |
| 7. | Addendum (if applicable) | |
| 8. | Oak Lodge School Sprinkler Tank (East Finchley Ward) | 7 - 24 |
| 9. | Oak Lodge School Windows (East Finchley Ward) | 25 - 44 |
| 10. | Phase 4b Millbrook Park (Former Inglis Barracks) London, NW7 1PX (Mill Hill Ward) | 45 - 68 |
| 11. | The Compton School Summers Lane North Finchley London N12 0QG (Woodhouse Ward) | 69 - 80 |
| 12. | Motion to exclude the press and public | |
| 13. | Any item(s) that the Chairman decides are urgent | |

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Decisions of the Planning Committee

23 May 2016

Members Present:-

AGENDA ITEM 1

Councillor Melvin Cohen (Chairman)
Councillor Wendy Prentice (Vice-Chairman)

Councillor Maureen Braun
Councillor Claire Farrier
Councillor Tim Roberts
Councillor Agnes Slocombe
Councillor Stephen Sowerby

Councillor Mark Shooter
Councillor Jim Tierney
Councillor Laurie Williams
Councillor Sury Khatri (In place of
Councillor Eva Greenspan)

1. MINUTES OF THE LAST MEETING

RESOLVED – That the Minutes of the meeting held on 31 March 2016 be approved.

2. ABSENCE OF MEMBERS

None.

3. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Item 11 - Article 4 Direction Houses in Multiple Occupation

Councillor Melvin Cohen declared a non pecuniary interest as he is a private landlord of a property in the London Borough of Barnet but not a HMO. He added that the property had no relevance to an article 4 direction and a house in multiple occupation. Councillor Cohen took part in the consideration and voting process.

Item 13 - Premier Place

Councillor Melvin Cohen declared a pecuniary interest as his place of work was involved in the negotiation on the application. Cllr Melvin Cohen therefore withdrew from the meeting room for the duration of the item and therefore did not take part in the consideration or voting process.

Item 11 - Article 4 Direction Houses in Multiple Occupation

Councillor Tim Roberts declared a non pecuniary interest as he in a private landlord of a property in the London Borough of Barnet but not a HMO. He added that the property had no relevance to an article 4 direction and a house in multiple occupation. Councillor Roberts took part in the consideration and voting process.

Item 10 – Brookdene, 71 Holden Road

Councillor Stephen Sowerby declared a non pecuniary interest as he once lived near the location of the proposed development. He also stated that he was a member of the management committee of the building where he lived. Councillor Sowerbys took part in the consideration and voting process.

Item 10 – Brookdene, 71 Holden Road

During the consideration of the item Councillor Sury Khatri declared a non pecuniary interest as an objecting speaker was known to him. Councillor Khatri took part in the consideration and voting process.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

None.

6. MEMBERS' ITEMS (IF ANY)

None.

7. THE SPIRES SHOPPING CENTRE

The Planning Committee noted the addendum to the Officers report which was circulated.

The Committee heard oral representation from Ms Irene Nichols and Mr Gordon Nichols who spoke in objection to the application. The Committee also heard a representation from the applicant who spoke in favour of the application.

Following the consideration of the item the Planning Committee unanimously Resolved to:

Approved the application as outlined in the officers report and the addendum to the report.

The Committee requested that officers take into account the management of the disposal of glass.

8. 11 MIDDLETON ROAD, LONDON NW11 7NR

The Planning Committee noted the addendum to the Officers report which was circulated.

Following the consideration of the item the Planning Committee unanimously Resolved to:

Approved the application as outlined in the officer's report and the addendum to the report.

9. IMPERIAL HOUSE

The Planning Committee noted the addendum to the Officers report which was circulated.

The planning agent made an oral representation which the Planning Committee noted.

Following the consideration of the item the Planning Committee resolved to:

Approved the application as outlined in the officer's report and the addendum to the report.

Vote

For approval – 6

Against officers recommendations – 4

Abstain – 1

10. BROOKDENE 71 HOLDEN ROAD

The Planning Committee noted the addendum to the Officers report which was circulated.

The Committee heard oral representation from Mr Peter Pickering and Dianne Murphy who spoke in objection to the application. The Committee also heard a response from the applicant's representative.

Having considered the report and the information presented the Planning Committee resolved to:

Refused the application against the officers recommendation for the following reasons.

Refused – against the officers recommendation.

- 1 The proposed development by virtue of its height, size, scale, bulk and massing would constitute an overdevelopment of the site that would fail to relate to the immediate context of the site and would harm the character and appearance of the streetscene and the locality in general. As such, the proposed development would be contrary to policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (Adopted September 2012) and policies DM01 and DM02 of the Barnet Local Plan Development Management Policies DPD (2012).

Vote

For approval – 3

Against officers recommendations – 6

Abstain - 2

11. ARTICLE 4 DIRECTION – HOUSES IN MULTIPLE OCCUPATION

Following the consideration of the officer's report the Planning Committee:

Resolved to approve the item as outlined in the Officers report.

Vote

Approve – 10

Against – 1

12. WINSTON HOUSE S73

The Planning Committee having heard an oral representation from the applicant's agent and having consider the officer's report the Planning Committee unanimously resolved to:

Approved the application as outlined in the officer's report and the addendum to the report.

13. PREMIER PLACE

Before the start of the item Councillor Melvin Cohen left the room at 18:05 following a declaration of interest. Vice-Chairman Councillor Wendy Prentice chaired the meeting for this item alone.

The Planning Committee noted the addendum to the Officers report which was circulated.

The Committee heard oral representation form Mr Abe Hayeem, Mr Jack Welby and Mr Andrew Dismore AM, who spoke in objection to the application. The Committee also heard from Ward Councillor Brian Gordon and a response from the applicants' agent and resolved to:

Approved the application as outlined in the officer's report and the addendum to the report.

Vote

For approval – 5

Against officers recommendations – 5

The Chairman used her casting vote and therefore the application was approved.

Following the consideration and voting process of the application Councillor Melvin Cohen re-joined the meeting and regained the Chairmanship.

14. 112-132 CRICKLEWOOD LANE

The Planning Committee noted the addendum to the Officers report which was circulated.

The Committee heard oral representation form Ms Sandra Kyrianides, Mr Tony Coles and Ward Member Kathy Lavine who spoke in objection to the application. The Committee also heard a representation from the applicant who spoke in favour of the application.

Having considered the report the Committee resolved to:

Approved the application as outlined in the officers report and the addendum to the report.

Vote

For approval – 6

Against officers recommendations – 5

15. 16_2155_FUL LAND AT PAVILLION WAY, HA8 9YA

The Planning Committee noted the addendum to the Officers report which was circulated.

The Committee heard an oral representation from Mr Andrew Dismore AM, and a response from the applicant's agent.

Having considered the report the Committee resolved to:

Approved the application as outlined in the officer's report and the addendum to the report.

Vote

For approval – 6

Against officers recommendations – 3

Abstain 2

16. 16_2155_FUL LAND AT PAVILLION WAY, HA8 9YA

The Planning Committee noted the addendum to the Officers report which was circulated.

The Committee heard an oral representation from Mr Andrew Dismore AM, and a response from the applicant's agent.

Having considered the report the Committee resolved to:

Approved the application as outlined in the officer's report and the addendum to the report.

Vote

For approval – 6

Against officers recommendations – 3

Abstain 2

17. ASHMOLE SCHOOL

The Planning Committee noted the addendum to the Officers report which was circulated. In addition to this the committee noted that a further objection had been received and therefore this was circulated.

The Committee heard an oral representation from Mr Mario Michael, Ms Paddy Little who spoke in objection to the application. The Committee also heard from Ward Councillor Kathy Levine who also spoke in objection to the application and a response from the applicant's agent.

Having considered the report the Committee resolved to:

Approved the application as outlined in the officer's report and the addendum to the report including the following additional condition and amendment to Recommendation I 3 as outlined below:

- Notwithstanding the details submitted as part of this application, no site preparation works shall take place until a method statement detailing precautions to minimise damage to trees and expanding on the principles of the submitted document in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan

Amendment to Recommendation I 3:

“(f) Special Site-Specific Obligation

The submission of a Pick up/Drop Off Strategy within 30 days of the signing of this agreement.

Vote

For approval – 4

Against officers recommendations – 4

Abstain – 2

The Chairman used the cast vote to approve the application as amended.

Cllr Shooter left the meeting at 21:03 due to a Mayor function and therefore he did not take part in the decision making process.

18. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

There were no urgent items.

The meeting finished at 21:58

Location Oak Lodge School Heath View London N2 0QY

Reference: 16/2263/S73

Received: 6th April 2016

Accepted: 6th April 2016

Ward: East Finchley

Expiry 6th July 2016

Applicant: Alison Dawes

Proposal:

Variation of condition 1 (Plan numbers) of planning permission F/00422/14 dated 28/01/15 for `Demolition of the caretakers bungalow and construction of a new part single, part two storey stand- alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping.` Variation to include alteration to design of sprinkler tank and pump house location

AGENDA ITEM 8

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

L01 rev P03 General Arrangement
L02 rev P03 Tree Felling and Protection
L03 rev P03 Planting Proposals
L05 rev P03 Cross Sections
L08 rev P02 Detailed Cross Sections,
OL-CS-ZZ-000-3DM-AR-060001_P05
OL-CS-ZZ-G00-DFP-AR-061001_P07
OL-CS-ZZ-R01-DFP-AR-061003_P06
OL-CS-ZZ-ZZZ-DEL-AR-062001_P07
OL-CS-ZZ-ZZZ-DSC-AR-063001_P05
OL-CS-ZZ-ZZZ-DSC-AR-063002_P03
OL-CS-ZZ-ZZZ-DSC-AR-063003_P03
OL-CS-ZZ-U01-DFP-AR-061002_P06
OL-CS-SE- ZZZ-DEL-AR- 062501 P03
L11 rev P04
Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

2 The development must be begun before 28/01/2018.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

4 The development shall be implemented in accordance with the materials as approved under condition application reference 15/05717/CON.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown on submitted drawings shall be provided and the access to the parking spaces will be maintained hereinafter.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

6 The existing Oak Lodge School Travel Plan shall be updated and submitted for approval at least 3 months prior to occupation. The School Travel Plan shall be updated and submitted for approval annually for at least 5 years after occupation. The school shall achieve at least Bronze level STARS (Sustainable Travel; Active, Responsible, Safe) accreditation or equivalent for at least 5 years after occupation. School Travel Plan annual reviews should incorporate the increased number of staff and pupils. The documents shall set out the school's transport policy to incorporate measures to reduce trips to school by the private car and encourage non car modes such as walking, cycling and public transport where appropriate.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core

Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7 The number of pupils attending the school and nursery shall not exceed 200, and the number of staff shall not exceed 110.

Reason: To ensure the Local Planning Authority has control of the number of children on site, in the interests of neighbouring amenity.

- 8 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, including mature trees and replacements to any trees lost as part of the works, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 10 The development shall be implemented in accordance with the details of extraction and ventilation equipment as approved under condition application reference 15/07204/CON and permanently retained as such thereafter.

Reason: To safeguard neighbouring amenity.

- 11 The development shall thereafter be implemented in full accordance with the approved Construction Management and Logistics plan approved under condition application reference 15/05787/CON.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety a sustainable waste management in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 12 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under condition application reference 15/05722/CON has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under condition application reference 15/05722/CON.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 13 No temporary or permanent external lighting, floodlighting or other means of external illumination shall be erected in connection with the development hereby approved except in accordance with a detailed External Lighting Scheme that has been previously submitted to the Local Planning Authority and approved in writing under condition application reference 15/05719/CON.

Reason: To enable the local planning authority to retain control external lighting in the interests of the amenities of the adjoining properties and biodiversity in accordance with policy DM01 of the Barnet Local Plan.

- 14 The scheme making provision to be made for disabled people to gain access to the development approved under condition application reference 15/07857/CON shall be implemented in its entirety before the first occupation of the development or commencement of the use and retained as such thereafter.

Reason: To ensure adequate access levels within the development in accordance with Policy DM03 of the Development Management Policies DPD (adopted September 2012) and Policy 7.2 of the London Plan 2011.

- 15 The development shall be implemented in accordance with details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques under application reference 15/05582/CON and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 16 a) Before the development hereby permitted is first occupied, details of privacy screen to the terrace to be installed shall be submitted to and approved in writing by the Local Planning Authority.
b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 17 The drainage scheme shall be implemented in accordance with the approved details under condition application reference 15/06499/CON before the development is completed. The drainage scheme shall be permanently retained thereafter.

Reason: To prevent the increased risk of on and off site flooding in accordance with Local Plan policy DM04.

- 18 The development hereby approved shall be implemented to achieve not less than a standard of 'Very Good' using the BREEAM assessment of sustainability for development (or an equivalent standard in such measure of sustainability which may replace that scheme). The development shall not be occupied until formal certification has been issued confirming that not less than a standard of BREEAM 'Very Good' has been achieved and this certification has been submitted to the Local Planning Authority.

Reason: To ensure that the development is sustainable and in accordance with policy DM02 of the Barnet Local Plan 2012 and policy 5.3 of the London Plan 2011.

- 19 Before the development hereby permitted commences full details of the proposed photovoltaic panels and solar thermal technology to be installed as part of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved photovoltaic and solar thermal systems and technologies shall be installed in the development in accordance with the approved details and be fully operational prior to the occupation of the building and thereafter permanently maintained in accordance with the approved details.

Reason:

To ensure that the development represents a sustainable form of development in accordance with policy DM04 of the Barnet Local Plan and policies 5.2 and 5.7 of the London Plan.

- 20 Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:

- o Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
 - o satisfactory points of collection; and
 - o details of the refuse and recycling collection arrangements
- shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policy DM01 of the Barnet Local Plan.

- 21 The development hereby permitted shall only be occupied or in use between the hours of 7.30am and 6pm on a Monday, Tuesday, Wednesday, Thursday or Friday and at no time on a Saturday, Sunday or Bank Holiday.

Reason:

To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

- 22 Before development commences other than for investigative work:

A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 23 Before the building hereby permitted is first occupied the proposed window(s) in the south-west elevation facing shall be glazed with obscure glass only to a height of 1.7m from ground level and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 24 The proposed doors on the south-west elevation facing towards Heath View shall be used for emergency access only.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

Informative(s):

- 1 The plans accompanying this application are: Desk Study, Arboricultural Method Statement Consultation Statement, Eco-BREEAM Report , Stage 3 Acoustic Design Report,, Bat Survey, Planning Statement, Energy Sustainability Statement.
- 2 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

Officer's Assessment

1. Site Description

The site is Oak Lodge Special School. It is a special school maintained by the London Borough of Barnet that offers places for up to 165 students aged 11- 19 with a range of learning difficulties. The school was granted planning permission for the demolition of the existing caretakers bungalow and construction of a new part single, part two storey stand-alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping under reference F/00422/14 on 28/01/15.

The school is sited on the south-east side of Heath View. It is located opposite the Hampstead Garden Suburb Conservation Area.

At present the existing buildings on site are largely confined to the north of the site, with the south largely open including playing fields. To the north of the site is Nazareth House, with residential properties to the west on Hampstead Height, to the south Heath View, to the east on Pulham Avenue. In this way there are residential properties in close proximity.

2. Site History

F/00422/14 - Demolition of the caretakers bungalow and construction of a new part single, part two storey stand- alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping. - Approved - 28/01/2015

3. Proposal

The proposals are for a section 73 application for a material minor amendment to the originally approved planning application. This involves the installation of a new sprinkler tank to the front of the property.

The following plans would be substituted for originally approved plans:

L11 P04
OL-CS-SE-ZZZ-DEL-AR-062501 P03

The proposed changes involve the installation of a sprinkler tank to the front of the school. This would be partly excavated into the ground.

4. Public Consultation

Consultation letters were sent to 301 neighbouring properties.

7 responses have been received, comprising 1 letters of objection, 6 letters of support.

The objections received can be summarised as follows:

I dislike this proposal - it doesn't seem to me to be necessary - but I don't think there are planning grounds for objecting. This proposal is an improvement on the earlier application.

I trust it will be adequately sound-proofed. It is very close to residential property. If, now or in the future, it operates loudly, to top-up at night for example, it would be very disturbing.

The representations received can be summarised as follows:

This application relates to a new position regarding the design of a proposed sprinkler tank and pump house.

Our letter of 1st Feb 2016 objected to application ref 15/07858/FUL with regard to the design and location of a sprinkler tank and pump house. The revised application addresses our concerns by locating the structure partly below ground, in a less prominent position, and with less impact on traffic and parking.

We support the revised application and would like to express our thanks for the consideration you have given to our objection.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS8, CS10, CS11, CS13
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM07, DM13, DM15, DM16, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all

development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues are considered to be:

-Procedural Issues

-The principle of expanding the school in planning policy terms

-The loss of a dwelling (caretakers bungalow)

-Whether the proposed development would harm the character and appearance of the street scene or general locality

-Whether the proposal would harm neighbouring amenity

-Whether the proposal would harm trees of special amenity value

-Whether the proposal would harm highway or pedestrian safety

-Whether the proposal would harmfully increase local flood risk

-Whether the proposal would have an acceptable impact on biodiversity

-Whether the proposal would be acceptable in sustainability terms

-Whether the standard of accommodation is acceptable?

5.3 Assessment of proposals

Procedural Issues

Officers consider that when considered in relation to the approved scheme that the changes are material and that the section 73 process is applicable. It is therefore appropriate to assess the planning merits of the scheme.

In terms of consultation, The Local Planning Authority has complied in all respects with the General Development Management Procedure Order.

Consultation with residents over an area with a 100 metre radius measured from the perimeter of the site has taken place in accordance with Barnet's Statement of Community Involvement. Site and press notices have been advertised.

The principle of expanding the school in planning policy terms

The expansion of the school by 35 students was previously considered under the original report.

There is no change in respect of the numbers of pupils proposed, or the circumstances for expanding the school.

The need for new specialist school places, as well as the policy support for expanding the school are addressed in the previous committee report (Application reference F/00422/14).

The principle of expanding Oak Lodge School would help provide additional school spaces and would comply with the National Planning Policy Framework, and policy DM13 of the Development Management Policies and policy CS10 of the Core Strategy.

The loss of a dwelling (caretakers bungalow)

There is no change with regard to this issue, the proposals would involve the expansion of an existing school and it is considered that the proposals are therefore the loss of the bungalow is acceptable under policy DM07.

Whether the proposed development would harm the character and appearance of the street scene or general locality

The proposals involve the construction of a new sprinkler tank on the frontage of the school, close to the southern boundary with 1 & 3 Heath View.

The sprinkler tank would be 9.7m x 5m in area, and surrounded by a 1.8m high timber fence. The proposals would involve excavating the ground in the area so that the top of the sprinkler tank would be approximately at fence level.

Whilst the sprinkler tank would be forward of the main front building line of the school buildings, the sprinkler tank would be screened from the street view by the timber fence and intervening landscaping. It is therefore considered that the impact the sprinkler tank would have on the character and appearance of the streetscene would be one that is limited and in this context acceptable.

Whether the proposal would harm neighbouring amenity

Daylight/Sunlight

As the previous report notes, the proposed new building would be sited approximately 8.5m from the boundary with the nearest property to the south-west at 1&3 Heath View. The site is located to the north-east of these properties. This relationship is maintained along the southern boundary of the site.

It is not considered that a daylight/sunlight report needed to be submitted as part of the application because it is not considered possible for the proposal to result in a significant degree of overshadowing (loss of light and sunlight) of neighbouring gardens given the orientation of the proposed building and the distance between the proposed building and the boundary with neighbouring properties.

Furthermore, the retained tree screen would provide a degree of screening to the boundary which would further reduce any potential impact from any overshadowing caused by the development.

Loss of Outlook

As the previous report notes, the proposals would involve the creation of a building a distance of approximately 8.5m from the boundaries with properties on Heath View. The

relationship to properties on Heath View changes from east to west, in that no.1-11 Heath View have outlook west-east, and 13-45 Heath View have their outlook north-south.

The proposals show an increase in height to the land of approximately 1.4m maximum (1.2m under the building). In this way, the height of the building would be 9.2m above the level of the land adjoining the boundary with Heath View.

The length of the houses at 13-45 Heath View varies however these are generally relatively long, at 20m-30m. The proposals will result in a building of increased scale and massing in closer proximity to the boundary. The spacing of 8.5m between the building and the boundary with residential properties will allow some scope for planting to help soften the impact of the building. However, it should also be noted that there is a significant drop in levels from the site to the south that will make any development appear more visually dominating than would normally be the case. The majority of existing trees shall be retained between the boundary and additional planting be provided to mitigate the loss of any during the works. A condition is suggested to ensure that mature tree screening is provided.

Visual Appearance

The proposed sprinkler tank would be relatively low in height and has largely been sited alongside the side of 1 and 3 Heath View, but with some landscaping between the boundary. It would largely be outside of the view of neighbouring windows and gardens.

It is not considered that the proposed sprinkler tank would appear visually dominating or overbearing as viewed from neighbouring residential properties.

Overlooking

The proposed sprinkler tank would not cause overlooking to neighbouring residential windows and gardens given the nature of it's use.

Noise and Disturbance

The proposed sprinkler tank would not emit significant noise or vibration from it's operation. It is not considered that it would cause harmful noise or disturbance to neighbouring residents.

Whether the proposals would harm trees of special amenity value

There are a number of mature trees located in proximity to the boundary between the school and Heath View rear gardens. This is unchanged from the previous scheme. It is not considered that this has significant implications in terms of future pressures for tree works given their distance away.

It is not considered that the proposals have any implications for trees of special amenity value.

Whether the proposals would harm highway or pedestrian safety

Highways officers have confirmed that they are satisfied with the details of the proposed sprinkler tank, subject to a minor revision to allow access to the sprinkler tank as this is currently adjacent to the nearest parking bay.

Whether the proposals would harmfully increase flood risk

The size of buildings and drainage strategy are unchanged from the previously approved planning application. The areas of hardstanding would only have minor changes.

It is not considered that the proposals would harmfully increase flood risk on the site or cause harmful impacts to neighbouring occupiers.

Whether the proposals would have an acceptable impact on biodiversity

The site has been subject to an Ecological survey including a bat survey. The report concludes that the site is of low ecological value.

In assessing the application it is necessary to consider whether there are protected species on the site. Protected species are protected under the Wildlife and Countryside Act 1981 and the European Habitats Directive.

The applicant has considered the possibility of whether bats are on site given the nature of the existing buildings.

It is considered highly unlikely that any other protected species would be present on the site. A bat survey accompanies the application and provides emergence survey and dawn returning survey.

These found that there is evidence that the caretakers lodge and school site are used for commuting/foraging and possibly as a night /satellite roost by a low number of common pipistrelle bat/s, possibly lone males.

The ecological value of the caretakers lodge to bats is low as a roost site and there are a large number of buildings on site that offer similar alternative roosting opportunities for bats which are similar to those provided by the caretakers lodge.

A condition ensuring that adequate mitigation be provided during demolition in order to protect bats during works was attached to the original application and has subsequently been discharged.

It is recognised that the sprinkler tank would occupy a part of the site previously occupied by scrub. It is not considered that the construction of the proposed sprinkler tank would be likely to have significant implications for protected species.

Whether the development would be acceptable in sustainability terms

The Supplementary Planning Document on Sustainable Design and Construction states that for new major developments proposed developments should provide an Energy Statement which demonstrates

compliance with the London Plan energy hierarchy, the London Plan carbon dioxide requirements and where relevant decentralised energy.

London Plan Policy 5.2 states that:

'Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy. The Mayor will seek to ensure that developments meet the following target for CO2 emissions, which is expressed as year improvements on the 2010 Building Regulations. Major development proposals should include a comprehensive and appropriately detailed energy assessment to demonstrate

how these targets are to be met within the framework of the energy hierarchy (Be lean, be clean, be green).'

An Energy Statement was submitted with the original planning application and was considered acceptable. A condition is suggested in order to ensure that the measures specified are followed through.

It is considered that the proposals would be acceptable in sustainability terms.

Whether the standard of accommodation is acceptable

The proposals would provide a new classroom block for an existing school. The design of the school has taken into account guidance published by the Government on primary and secondary school design. In relation to SEN schools the document states that

'All pupils, including those with special educational needs (SEN) and disabilities, should be able to access the full curriculum and be provided with appropriate support and intervention when necessary. Some of the issues to consider when designing a special school - or specially resourced provision at a mainstream school'

It goes on to states that account must be taken of accessibility issues, medical and therapy support, Sensory needs, Flexibility and adaptability, Health and well-being, and safety and security.

The existing building has narrow corridors, small classrooms and low ceilings, and the proposals offer scope to provide improved accommodation for teachers and pupils. It is considered that the proposed building would provide an acceptable level of additional school accommodation. The proposed building design would allow for adequate glazing and outlook for users of the building.

Conditions are attached ensuring suitable disabled access.

5.4 Response to Public Consultation

Generally addressed in main report.

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- "(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;

- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The proposed development would provide additional accommodation for children with special needs. In this way, it would provide additional educational facilities which are likely to improve the opportunities for children many of whom will have disabilities.

In terms of likely negative impacts, it is suggested that the majority of these can be mitigated through conditions and that any impacts are unlikely to disproportionately affect any one group with a protected characteristic. Whilst it is recognised that disabled and elderly road users could be more likely to be affected by proposals which result in an intensification of use it is considered that these impacts are adequately mitigated by the proposals. Furthermore planning permission has already been granted for the development in principle. The changes to the sprinkler tank would disadvantage any group with a protected characteristic.

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The development would therefore have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

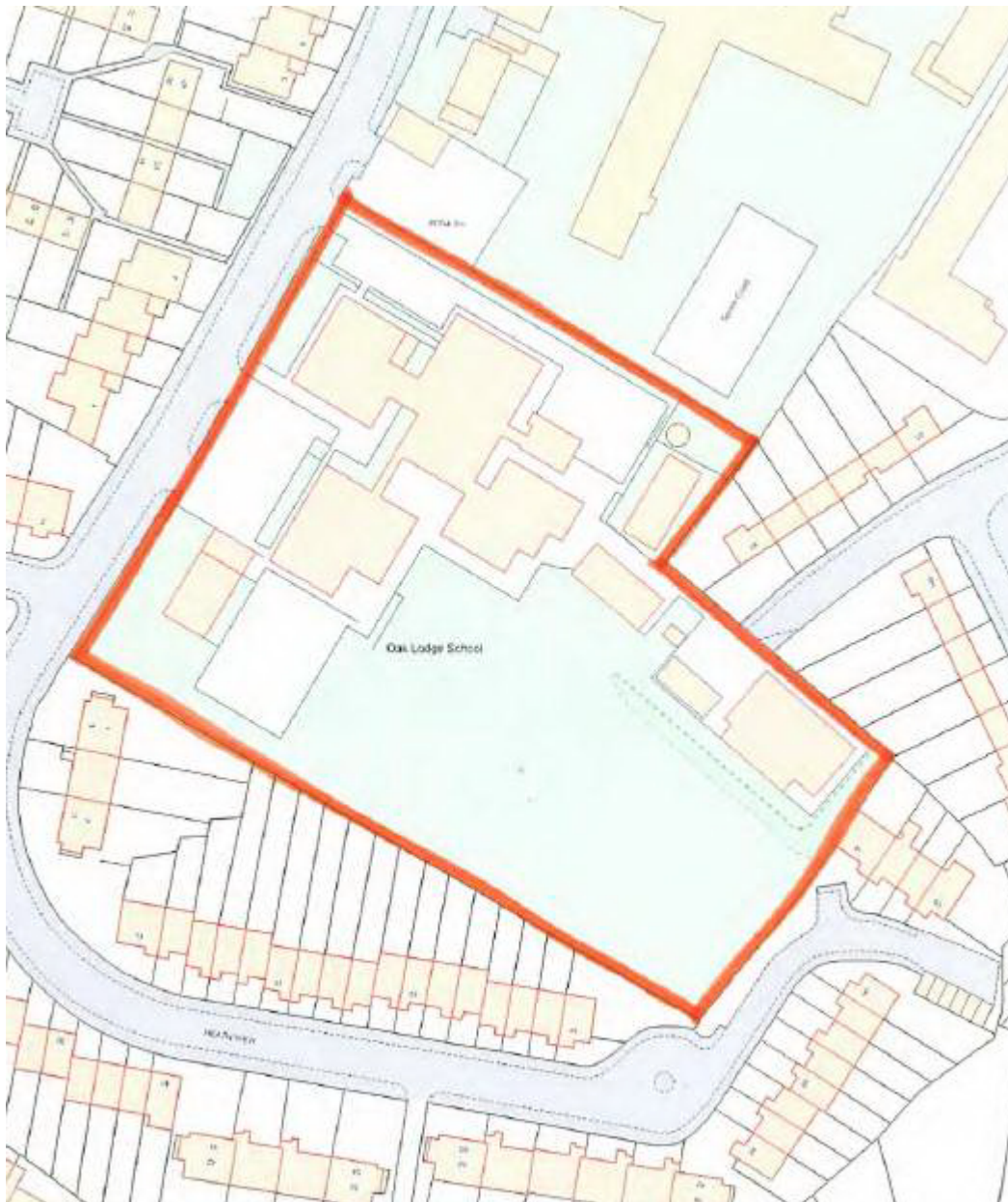
7. Conclusion

The following needs to be considered in reaching a conclusion:

- o The proposals would provide new school accommodation for which government guidance states should be given substantial weight in any planning application. It would provide modern accommodation that would improve upon the accommodation within the existing school.
- o The loss of the existing bungalow is justified in accordance with policy DM07 as the development is for new school accommodation
- o The proposed development is considered to fit acceptably in design terms with the character and appearance of the streetscene and area.
- o The development would cause some harm in terms of visual impact but any harm would be reduced by the retention of trees at the boundary which would be subject to tree preservation order.
- o The proposals would generate some additional activity. The effects of this will largely be mitigated by the layout of the new building

- o The proposals would result in the loss of some trees of amenity value to the boundary between the school and residential gardens on Heath View.
- o The development takes into account localised flood issues and conditions are suggested that will ensure that these are not exacerbated.
- o The development is considered acceptable on highway, sustainability and ecology grounds
- o The changes to provide a sprinkler tank would not cause any additional harm.

It is considered that the benefits of providing additional special school accommodation within the borough outweigh any harm caused in terms of loss of amenity and damage to trees of amenity value. Taking all relevant factors into account on balance, the application is recommended for APPROVAL.



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Location Oak Lodge School Heath View London N2 0QY

Reference: 16/2266/S73

Received: 6th April 2016

Accepted: 6th April 2016

Ward: East Finchley

Expiry 6th July 2016

Applicant: Alison Dawes

Proposal: Variation of condition 1 (Plan numbers) pursuant to planning permission F/00422/14 dated 28/01/15 for `Demolition of the caretakers bungalow and construction of a new part single, part two storey stand- alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping.` Variation to include change to flat window arrangement with all windows obscured up to 1.7m above floor level

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

L01 rev P03 General Arrangement
L02 rev P03 Tree Felling and Protection
L03 rev P03 Planting Proposals
L05 rev P03 Cross Sections
L08 rev P02 Detailed Cross Sections,
OL-CS-ZZ-000-3DM-AR-060001_P05
OL-CS-ZZ-G00-DFP-AR-061001_P07
OL-CS-ZZ-R01-DFP-AR-061003_P06
OL-CS-ZZ-ZZZ-DEL-AR-062001_P13
OL-CS-ZZ-ZZZ-DSC-AR-063001_P09
OL-CS-ZZ-ZZZ-DSC-AR-063002_P03
OL-CS-ZZ-ZZZ-DSC-AR-063003_P03
OL-CS-ZZ-U01-DFP-AR-061002_P06
OL-CS-SE-ZZZ-DEL-AR-062501_P02
OL-CS-ZZ-U01-DFP-AR-061002_P10
Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans

as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 The development must be begun before 28/01/2018.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 4 The development shall be implemented in accordance with the materials as approved under condition application reference 15/05717/CON.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 5 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown on submitted drawings shall be provided and the access to the parking spaces will be maintained hereinafter.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

- 6 The existing Oak Lodge School Travel Plan shall be updated and submitted for approval at least 3 months prior to occupation. The School Travel Plan shall be updated and submitted for approval annually for at least 5 years after occupation. The school shall achieve at least Bronze level STARS (Sustainable Travel; Active, Responsible, Safe) accreditation or equivalent for at least 5 years after occupation. School Travel Plan annual reviews should incorporate the increased number of staff and pupils. The documents shall set out the school's transport policy to incorporate measures to reduce trips to school by the private car and encourage non car modes such as walking, cycling and public transport where appropriate.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7 The number of pupils attending the school and nursery shall not exceed 200, and the number of staff shall not exceed 110.

Reason: To ensure the Local Planning Authority has control of the number of children on site, in the interests of neighbouring amenity.

- 8 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, including mature trees and replacements to any trees lost as part of the works, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 10 The development shall be implemented in accordance with the details of extraction and ventilation equipment as approved under condition application reference 15/07204/CON and permanently retained as such thereafter.

Reason: To safeguard neighbouring amenity.

- 11 The development shall thereafter be implemented in full accordance with the approved Construction Management and Logistics plan approved under condition application reference 15/05787/CON.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety a sustainable waste management in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 12 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under condition application reference 15/05722/CON has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under condition application reference 15/05722/CON.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 13 No temporary or permanent external lighting, floodlighting or other means of external illumination shall be erected in connection with the development hereby approved except in accordance with a detailed External Lighting Scheme that has been previously submitted to the Local Planning Authority and approved in writing under condition application reference 15/05719/CON.

Reason: To enable the local planning authority to retain control external lighting in the interests of the amenities of the adjoining properties and biodiversity in accordance with policy DM01 of the Barnet Local Plan.

- 14 The scheme making provision to be made for disabled people to gain access to the development approved under condition application reference 15/07857/CON shall be implemented in its entirety before the first occupation of the development or commencement of the use and retained as such thereafter.

Reason: To ensure adequate access levels within the development in accordance with Policy DM03 of the Development Management Policies DPD (adopted September 2012) and Policy 7.2 of the London Plan 2011.

- 15 The development shall be implemented in accordance with details of the protective measures to be implemented for the wildlife species protected by law and details of

any mitigation measures including the timing of development works and special techniques under application reference 15/05582/CON and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 16 a) Before the development hereby permitted is first occupied, details of privacy screen to the terrace to be installed shall be submitted to and approved in writing by the Local Planning Authority.
b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 17 The drainage scheme shall be implemented in accordance with the approved details under condition application reference 15/06499/CON before the development is completed and permanently retained thereafter.

Reason: To prevent the increased risk of on and off site flooding in accordance with Local Plan policy DM04.

- 18 The development hereby approved shall be implemented to achieve not less than a standard of 'Very Good' using the BREEAM assessment of sustainability for development (or an equivalent standard in such measure of sustainability which may replace that scheme). The development shall not be occupied until formal certification has been issued confirming that not less than a standard of BREEAM 'Very Good' has been achieved and this certification has been submitted to the Local Planning Authority.

Reason: To ensure that the development is sustainable and in accordance with policy DM02 of the Barnet Local Plan 2012 and policy 5.3 of the London Plan 2011.

- 19 Before the development hereby permitted commences full details of the proposed photovoltaic panels and solar thermal technology to be installed as part of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved photovoltaic and solar thermal systems and technologies shall be installed in the development in accordance with the approved details and be fully operational prior to the occupation of the building and thereafter permanently maintained in accordance with the approved details.

Reason:

To ensure that the development represents a sustainable form of development in accordance with policy DM04 of the Barnet Local Plan and policies 5.2 and 5.7 of the London Plan.

- 20 Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:
- o Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
 - o satisfactory points of collection; and
 - o details of the refuse and recycling collection arrangements
- shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policy DM01 of the Barnet Local Plan.

- 21 The development hereby permitted shall only be occupied or in use between the hours of 7.30am and 6pm on a Monday, Tuesday, Wednesday, Thursday or Friday and at no time on a Saturday, Sunday or Bank Holiday.

Reason:

To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

- 22 Before development commences other than for investigative work:

A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 23 Before the building hereby permitted is first occupied the proposed window(s) in the south-west facing elevation shall be glazed with obscure glass only to a height of 1.7m from ground level and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 24 The proposed doors on the south-west elevation facing towards Heath View shall be used for emergency access only.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

Officer's Assessment

1. Site Description

The site is Oak Lodge Special School. It is a special school maintained by the London Borough of Barnet that offers places for up to 165 students aged 11- 19 with a range of learning difficulties. The school was granted planning permission for the demolition of the existing caretakers bungalow and construction of a new part single, part two storey stand-alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping under reference F/00422/14 on 28/01/15.

The school is sited on the south-east side of Heath View. It is located opposite the Hampstead Garden Suburb Conservation Area.

At present the existing buildings on site are largely confined to the north of the site, with the south largely open including playing fields. To the north of the site is Nazareth House, with residential properties to the west on Hampstead Height, to the south Heath View, to the east on Pulham Avenue. In this way there are residential properties in close proximity.

2. Site History

F/00422/14 - Demolition of the caretakers bungalow and construction of a new part single, part two storey stand- alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping. - Approved - 28/01/2015

3. Proposal

The proposals are for a section 73 application for a material minor amendment to the originally approved planning application. The proposed changes involve replacing the previously approved windows on the first floor south elevation angled towards the south-west with flat facing windows facing south.

The following plans would be substituted for originally approved plans:

OL-CS-ZZ-ZZZ-DEL-AR-062001 P13

OL-CS-ZZ-ZZZ-DSC-AR-063001 P09

OL-CS-ZZ-U01-DFP-AR-061002 P10

4. Public Consultation

Consultation letters were sent to 301 neighbouring properties.

9 responses have been received, comprising 9 letters of objection

The objections received can be summarised as follows:

Outlook was previously splayed to prevent overlooking.

Windows would look out directly to flats and garden, if they are obscured only up to 1.7m (the height of a short adult) above floor level they provide property and garden inadequate privacy.

Anyone taller than 1.7m, looking out from these windows, would see directly into my garden and through the windows of flat.

If the windows are to be flat under the proposed new design they should be obscured on each floor up to 1.9m.

Garden is very short.

There is no screening and both windows will overlook garden and back bedroom window.

Proposals will needlessly detract from the attractions of the internal environment designed for, and experienced by, students and staff.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

Policies 3.1, 3.2, 3.16, 3.17, 3.18, 3.19, 5.2, 6.13, 7.1, 7.4

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS8, CS10, CS11, CS13
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM07, DM13, DM15, DM16, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Procedural Issues
- The principle of expanding the school in planning policy terms
- The loss of a dwelling (caretakers bungalow)
- Whether the proposed development would harm the character and appearance of the street scene or general locality
- Whether the proposal would harm neighbouring amenity
- Whether the proposal would harm trees of special amenity value
- Whether the proposal would harm highway or pedestrian safety
- Whether the proposal would harmfully increase local flood risk
- Whether the proposal would have an acceptable impact on biodiversity
- Whether the proposal would be acceptable in sustainability terms
- whether the standard of accommodation is acceptable?

5.3 Assessment of proposals

Procedural Issues

Officers consider that when considered in relation to the approved scheme that the changes are material and that the section 73 process is applicable. It is therefore appropriate to assess the planning merits of the scheme.

In terms of consultation, The Local Planning Authority has complied in all respects with the General Development Management Procedure Order. Consultation with residents over an area with a 100 metre radius measured from the perimeter of the site has taken place in accordance with Barnet's Statement of Community Involvement. Site and press notices have been advertised.

The principle of expanding the school in planning policy terms

The expansion of the school by 35 students was previously considered under the original report.

There is no change in respect of the numbers of pupils proposed, or the circumstances for expanding the school.

The need for new specialist school places, as well as the policy support for expanding the school are addressed in the previous committee report (Application reference F/00422/14).

The principle of expanding Oak Lodge School would help provide additional school spaces and would comply with the National Planning Policy Framework, and policy DM13 of the Development Management Policies and policy CS10 of the Core Strategy.

The loss of a dwelling (caretakers bungalow)

There is no change with regard to this issue, the proposals would involve the expansion of an existing school and it is considered that the loss of the bungalow is acceptable under policy DM07.

Whether the proposed development would harm the character and appearance of the street scene or general locality

The proposed appearance of the school building would alter to some extent as a result of the proposals. Essentially, the first floor south facing windows would now be flat in line with the building rather than angled. This would look somewhat different from long distance views from properties to the south on Heath View. Views from the street are likely to be limited given intervening trees and the distance and angle involved.

It is not considered that the changes to the south elevation of the building would cause any sort of harm in respect of the appearance of the building. The massing remains almost exactly the same as the previously approved scheme. It is considered that the development would have an acceptable impact on the character and appearance of the streetscene and general locality.

Whether the proposal would harm neighbouring amenity

Daylight/Sunlight

As the previous report notes, the proposed new building would be sited approximately 8.5m from the boundary with the nearest property to the south-west at 1&3 Heath View. The site is located to the north-east of these properties. This relationship is maintained along the southern boundary of the site.

It is not considered that a daylight/sunlight report needed to be submitted as part of the application because it is not considered possible for the proposal to result in a significant degree of overshadowing (loss of light and sunlight) of neighbouring gardens given the orientation of the proposed building and the distance between the proposed building and the boundary with neighbouring properties.

Furthermore, the retained tree screen would provide a degree of screening to the boundary which would further reduce any potential impact from any overshadowing caused by the development.

The changes to the scheme involve the replacement of angled windows at first floor with flat windows. Any impact in respect of daylight or sunlight is considered by officers to be negligible given the minor change in the shape of the building.

Outlook

As the previous report notes, the proposals would involve the creation of a building a distance of approximately 8.5m from the boundaries with properties on Heath View. The relationship to properties on Heath View changes from east to west, in that no.1-11 Heath View have their outlook west-east, and 13-45 Heath View have their outlook north-south.

The proposals show an increase in height to the land of approximately 1.4m maximum (1.2m under the building). In this way, the height of the building would be 9.2m above the level of the land adjoining the boundary with Heath View.

The length of the houses at 13-45 Heath View varies however these are generally relatively long, at 20m-30m. The proposals will result in a building of increased scale and massing in closer proximity to the boundary. The spacing of 8.5m between the building and the boundary with residential properties will allow some scope for planting to help soften the impact of the building. However, it should also be noted that there is a significant drop in levels from the site to the south that will make any development appear more visually dominating than would normally be the case. The majority of existing trees shall be retained between the boundary and additional planting be provided to mitigate the loss of any during the works. A condition is suggested to ensure that mature tree screening is provided.

The proposed classroom building would be sited in the same location as that previously approved, with only minor changes to the south elevation. It is not considered that the changes to the elevation of the building would result in a materially greater loss of outlook than the previously approved scheme.

Visual Impact

The previous report notes that the palette of building materials used would be consistent with prevailing materials in the area and this would help the proposed building to fit in with the surrounding area. Nevertheless, the building will have some impact as perceived from neighbouring residents given the additional height and this needs to be given weight.

The proposals involve the replacement of angled windows with flat windows. Whilst this may look somewhat different to the approved scheme as perceived from the rear windows and gardens of residential properties on Heath View, it is not considered that any greater harm would arise from the previously approved scheme.

Overlooking

The previous report notes that the proposed new classroom block would be sited approximately 8.5m from the south-west boundary. It would be sited at right angles to the rear outlook of no.1 and 3 Heath View. In this way, any views from the school would be into the rear part of the gardens of these properties. The proposals make provision for mature landscaping which would help prevent views into the gardens of these properties. The proposed terrace area would be screened to prevent overlooking into neighbouring gardens.

The proposed changes involve the replacement of angled windows on the first floor of the building with flat facing windows. The windows would remain obscure glazed to a floor height of 1.7m.

It is recognised that the angled nature of the windows would have helped mitigate to some extent against perceived overlooking as windows would have been orientated away from

rear gardens and windows. In this way, it is necessary to consider whether there would be a harmful impact in this respect by having flat facing windows.

It remains the case that the windows would be obscured to a height of 1.7m. This would prevent any actual overlooking as the obscure glazing would be high enough to prevent any views outside from children or staff. This is because 1.7m height would exceed eye level.

Furthermore, it must be noted that there would be some boundary screening retained between the windows and the rear gardens and windows of properties on Heath View.

Therefore taking all these matters into account it is considered that there would not be any harmful actual or perceived overlooking from the amended windows to the residential windows and gardens of residential properties on Heath View.

Noise/Disturbance

The previous report states that it is recognised that the expansion of the school to provide an additional teaching block for 35 pupils is likely to increase the general activity on site and create potential for additional noise. However, it needs to be considered that the existing area to the boundary is at present used as a pedestrian/cycle access which already generates a degree of noise and disturbance. In this way, the new school building will provide a partial barrier for noise from the existing playground to residents in Heath View. Noise escape from the new building would be limited as the windows would only be partially openable by a fanlight opening.

Furthermore following concerns from residents the scheme has been designed so that the areas immediately to the south would not be used as break-out areas by pupils.

The proposed terrace would be sited sufficient distance from the boundary to prevent harmful noise and disturbance to neighbouring occupiers. The terrace would be used as spaces for informal small group work and as spaces for individuals to withdraw to for relaxation and fresh air.

A condition is suggested to ensure that the buildings are not used at anti-social hours and that the proposals do not prejudice residents' enjoyment of their properties.

There are no proposed changes to the size of the school extension or its siting. The proposed windows would have a fan-light opening as per the approved scheme and the location of windows is similar. It is therefore not considered that the proposals would have a materially greater impact than the approved scheme in respect of harmful noise and disturbance.

Whether the proposals would harm trees of special amenity value

There are a number of mature trees located in proximity to the boundary between the school and Heath View rear gardens. This is unchanged from the previous scheme. The proposals involve changing angled windows to flat windows. It is not considered that this has significant implications in terms of future pressures for tree works given their distance away.

It is not considered that the proposals have any implications for trees of special amenity value.

Whether the proposals would harm highway or pedestrian safety

The size of the school, location of access points and parking spaces are unchanged from the previously approved scheme. It is therefore considered that the proposals would have an acceptable impact on highway and pedestrian safety.

Whether the proposals would harmfully increase flood risk

The extent of hardstanding, size of buildings and drainage strategy are unchanged from the previously approved planning application.

It is not considered that the proposals would harmfully increase flood risk on the site or cause harmful impacts to neighbouring occupiers.

Whether the proposals would have an acceptable impact on Biodiversity

The site has been subject to an Ecological survey including a bat survey. The report concludes that the site is of low ecological value.

In assessing the application it is necessary to consider whether there are protected species on the site. Protected species are protected under the Wildlife and Countryside Act 1981 and the European Habitats Directive.

The applicant has considered the possibility of whether bats are on site given the nature of the existing buildings.

It is considered highly unlikely that any other protected species would be present on the site. A bat survey accompanies the application and provides emergence survey and dawn returning survey.

These found that there is evidence that the caretakers lodge and school site are used for commuting/foraging and possibly as a night /satellite roost by a low number of common pipistrelle bat/s, possibly lone males.

The ecological value of the caretakers lodge to bats is low as a roost site and there are a large number of buildings on site that offer similar alternative roosting opportunities for bats which are similar to those provided by the caretakers lodge.

A condition ensuring that adequate mitigation be provided during demolition in order to protect bats during works was attached to the original application and has subsequently been discharged.

Whether the development would be acceptable in sustainability terms

The Supplementary Planning Document on Sustainable Design and Construction states that for new major developments proposed developments should provide an Energy Statement which demonstrates

compliance with the London Plan energy hierarchy, the London Plan carbon dioxide requirements and where relevant decentralised energy.

London Plan Policy 5.2 states that

'Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy. The Mayor will seek to ensure that developments meet the following target for CO2 emissions, which is expressed as year improvements on the 2010 Building Regulations. Major development proposals should include a comprehensive and appropriately detailed energy assessment to demonstrate how these targets are to be met within the framework of the energy hierarchy (Be lean, be clean, be green).'

An Energy Statement was submitted with the original planning application and was considered acceptable. A condition is suggested in order to ensure that these are followed through.

It is considered that the proposals would be acceptable in sustainability terms

Whether the standard of accommodation is acceptable

The proposals would provide a new classroom block for an existing school. The design of the school has taken into account guidance published by the Government on primary and secondary school design. In relation to SEN schools the document states that

'All pupils, including those with special educational needs (SEN) and disabilities, should be able to access the full curriculum and be provided with appropriate support and intervention when necessary. Some of the issues to consider when designing a special school - or specially resourced provision at a mainstream school'

It goes on to states that account must be taken of accessibility issues, medical and therapy support, Sensory needs, Flexibility and adaptability, Health and well-being, and safety and security.

The existing building has narrow corridors, small classrooms and low ceilings, and the proposals offer scope to provide improved accommodation for teachers and pupils. It is considered that the proposed building would provide an acceptable level of additional school accommodation. The proposed building design would allow for adequate glazing and outlook for users of the building.

It is not considered that the use of flat windows, as opposed to angled windows would provide a harmfully poor level of accommodation for staff and pupils of the school.

A condition has been attached ensuring suitable disabled access.

5.4 Response to Public Consultation

Generally addressed in main report. Whilst it is acknowledged that people may exceed 1.7m height, they are unlikely to be taller than this to eye level. 1.7m is a generally recognised figure as being satisfactory to address overlooking. The issue of the tree canopy is unchanged from the previous planning application and it is not considered that the changes would result in harmful further pressures for treeworks to protected trees.

Furthermore it is considered that the partly obscured outlook would provide an acceptable level of accommodation for pupils and teachers. The school has also confirmed that windows obscured to 1.7m height are suitable for their needs.

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- "(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The proposed development would provide additional accommodation for children with special needs. In this way, it would provide additional educational facilities which are likely to improve the opportunities for children many of whom will have disabilities.

In terms of likely negative impacts, it is suggested that the majority of these can be mitigated through conditions and that any impacts are unlikely to disproportionately affect any one group with a protected characteristic. Whilst it is recognised that disabled and elderly road users could be more likely to be affected by proposals which result in an intensification of use it is considered that these impacts are adequately mitigated by the proposals. Furthermore planning permission has already been granted for the development in principle. The changes to the windows would disadvantage any group with a protected characteristic.

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The development would therefore have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

The following needs to be considered in reaching a conclusion:

- o The proposals would provide new school accommodation for which government guidance states should be given substantial weight in any planning application. It would provide modern accommodation that would improve upon the accommodation within the existing school.
- o The loss of the existing bungalow is justified in accordance with policy DM07 as the development is for new school accommodation
- o The proposed development is considered to fit acceptably in design terms with the character and appearance of the streetscene and area.
- o The development would cause some harm in terms of visual impact but any harm would be reduced by the retention of trees at the boundary which would be subject to tree preservation order.
- o The proposals would generate some additional activity. The effects of this will largely be mitigated by the layout of the new building
- o The proposals would result in the loss of some trees of amenity value to the boundary between the school and residential gardens on Heath View.
- o The development takes into account localised flood issues and conditions are suggested that will ensure that these are not exacerbated.
- o The development is considered acceptable on highway, sustainability and ecology grounds
- o The changes to remove the angled windows and replace them with flat facing windows would not cause any additional harm.

It is considered that the benefits of providing additional special school accommodation within the borough outweigh any harm caused in terms of loss of amenity and damage to trees of amenity value. Taking all relevant factors into account on balance, the application is recommended for APPROVAL.



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LOCATION: Phase 4b Millbrook Park (Former Inglis Barracks) London, NW7
1PX

REFERENCE: 16/2719/RMA

WARD(S): Mill Hill

Received: 25 April 2016
Accepted: 5 May 2016
Expiry: 25 July 2016

APPLICANT: Prime Place (Millbrook) LLP

PROPOSAL: Reserved matters application seeking approval for advance infrastructure works in relation to Phase 4b of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated 22/9/2011.

RECOMMENDATION: Approve Subject to Conditions

- 1 This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Design Capacity Statement – Highway (ref: 5147601-ATK-ZZ-00-TN-C-0203.P1);

Design Capacity Statement – Services (ref: 5147601-ATK-ZZ-00-TN-0202.P1);

Drainage Strategy (ref: 5147601-ATK-ZZ-00-TN-C-0200.P2);

Street Lighting Specification (ref: 5147601_ATK_HLG_SP_LE_001_P01);

Outdoor Lighting Report (ref: 5147601_AATK_HLG_CA_LE-001-P01);

Remediation & Reclamation Strategy (ref: 5147601-ATK-ZZ-00-RPT-C-0101 Rev3);

Archaeology WSI (ref: PRHMHE-RPT-X-0007);

Bat Survey and Protection Technical Note (ref: 5147601-ATK-ZZ-00-RPT-C-0104);

Written Scheme of Investigation (ref: PRHMHE-RPT-X-0007);

Planning Statement; and

Construction Management Plan (ref: 5147601 - ATK - ZZ - 00 - RPT - C – 0103 Rev 2)

5147601 - ATK - ZZ - 00 - DR - C - AIW: Existing Block Plan
0101

| | |
|---|--|
| 5147601 - ATK - ZZ - 00 - DR - C - 0104 | AIW: Site Location Plan |
| 5147601 - ATK - ZZ - 00 - DR - C - 0501 | AIW: Drainage General Arrangement |
| 5147601 - ATK - ZZ - 00 - DR - C - 0601 | AIW: Existing Levels |
| 5147601 - ATK - ZZ - 00 - DR - C - 0603 | AIW: Proposed Levels |
| 5147601 - ATK - ZZ - 00 - DR - C - 0701 | AIW: Highway General Arrangement |
| 5147601 - ATK - ZZ - 00 - DR - C - 0702 | AIW: Proposed Swept Path Analysis (Sheet 1 of 3) |
| 5147601 - ATK - ZZ - 00 - DR - C - 0703 | AIW: Proposed Swept Path Analysis (Sheet 2 of 2) |
| 5147601 - ATK - ZZ - 00 - DR - C - 0705 | AIW: Proposed Highway Long Section |
| 5147601 - ATK - ZZ - 00 - DR - C - 0706 | AIW: Proposed Highway Cross Section |
| 5147601 - ATK - ZZ - 00 - DR C - 1301 | AIW: Proposed Utilities |
| 5147601 - ATK - ZZ - 00 - DR C - 1303 | AIW: Proposed Lighting Plan |
| 23096 | _T_AREA 1 Topographical Survey |
| 5147601-ATK-ZZ-00-DR-C-0600 | Existing Site Levels. |
| 5147601-ATK-ZZ-00-DR-G-0002 | Exploratory Hole Location Plan. |
| 5147601-ATK-ZZ-00-DR-G-0003 | Exploratory Hole Location Plan & Masterplan. |
| 5147601-ATK-ZZ-00-DR-G-0004 | Plan Showing Contaminants that Exceed Soil Screening Values (SGVs). |
| 5147601-ATK-ZZ-00-DR-C-0602 | Proposed Basement and Ground Levels. |
| 5147601-ATK-ZZ-00-DR-C-0604 | Isopachyte between Topographical Survey Levels and Basement Ground Levels. |
| 5106655/REM/106 | Radiological Features. |
| 5147601-ATK-ZZ-00-DR-G-0006 | Depth of Influence of Trees |
| 5147601-ATK-ZZ-00-DR-G-0007 | Geological Section 1 |

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet

Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2. Prior to the first occupation of any dwellings in subsequent phases of development which would directly adjoin this application site approved under Reserved Matters applications linked to the outline planning permission granted the under Barnet application reference H/04017/09 plans, specifications and other relevant details shall be submitted to the Local Planning Authority and approved in writing (to the Local planning Authorities Satisfaction) either:

1. Demonstrating that the street lighting on the road implemented under the consent hereby granted would not be detrimental to the amenities of the occupiers of nearby residential properties in terms of light spill.

Or

2. Proposing a suitable alternative scheme of street lighting that would not be detrimental to the amenities of the occupiers of nearby residential properties in terms of light spill.

If an alternative street lighting scheme is submitted and approved under this condition the existing street lighting shall be removed (where this is shown in the approved scheme) and the alternative scheme of street lighting installed in full prior to the first occupation of any dwellings in subsequent phases of development which would directly adjoin this application site approved under Reserved Matters applications linked to the outline planning permission granted the under Barnet application reference H/04017/09.

Reason:

To protect the amenities of the future occupiers of adjacent sites in accordance with policy DM01 of the Barnet Local Plan.

3. Contaminated Land Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted

September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

4. The development shall accord with the provisions contained within the submitted Construction Management Plan by Prime Place dated April 2016, except as otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard residential amenity in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan 2015.

INFORMATIVE(S):

- 1 The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
- 2 The applicant is reminded that Condition 63 (iv) and Condition 65 of the outline consent requires the submission and approval of a contamination remediation verification report, which will require the developer to demonstrate completion of the works set out in the approved remediation strategy.
- 3 The costs of any associated works to the public highway, including temporary traffic order making and related implementation works and reinstatement works will be borne by the applicants and carried out either under rechargeable works Agreement or may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Section – Environment, Planning and Regeneration Directorate.

SUMMARY

Outline planning consent was granted on 22nd September 2011 for the redevelopment of Inglis Barracks situated in Mill Hill East. Consent was granted for a residential-led mixed use development, involving the demolition of all existing buildings (excluding the Officers' Mess building) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP surgery, 1,100sqm of 'High Street' (Class A1, A2, A3, A4 and A5) uses, 3,470sqm of employment (Class B1) uses, a district energy centre and associated open space, means of access, car parking and infrastructure.

The application site extends to 1.14ha and comprises a parcel of land in the southern section of the MP site (refer to Location Plan ref 5147601-ATK-ZZ-00-DR-C-0104 P1). The proposed infrastructure will connect the Primary (east-west) Link Road (approved under permission ref: H/00480/12) to the Primary Residential Street (north south link road).

The extent of the site is determined by the location of infrastructure works necessary to serve future development on land identified as 'Phase 4b' on the MP Overarching Phasing Plan, approved pursuant to Condition 7 of planning permission ref. H/04017/09. The proposed 'advanced infrastructure works' for which approval is sought comprise:

- Site clearance/preparation;
- Ground re-profiling;
- Construction of access roads; and
- Utilities and drainage infrastructure.

The application is submitted by Prime Place (Millbrook) LLP (the applicant), a phase developer of MP, who intend to undertake the proposed works in order to service/provide access to the Phase 4b land. Phase 4b will provide 188 residential units, subject to a separate reserved matters application which has recently been submitted under application 16/3111/RMA.

1. BACKGROUND TO THE CURRENT APPLICATION

1.1 The Mill Hill East Area Action Plan

Mill Hill East is designated as an Area of Intensification in the London Plan (2011) and as a key growth area in the Barnet Core Strategy (2012). The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; International Bible Students Association (IBSA House); the Council Depot and recycling centre; Bittacy Court; the Scout Camp and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The area was first highlighted as an area which could be redeveloped in the London Plan in 2004. This is primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involves the consolidation and sale of surplus MoD properties

around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008 thereby providing an opportunity for redevelopment. The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2009 adopted an Area Action Plan (AAP) which covered an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP is to seek to ensure that development takes place in a balanced and coordinated manner by setting out a comprehensive framework to guide the delivery of housing, employment, leisure and associated community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

A partnership comprising of a number of the key landowners and developers (the Inglis Consortium) prepared and submitted the outline application in 2009 for the comprehensive redevelopment of most of the area covered by the AAP.

1.2 The outline planning permission

In September 2011 outline planning permission was granted for the redevelopment of Mill Hill East regeneration site (now also known as Millbrook Park). This site covers an area of approximately 33.6 hectares (83 acres) and is located within the Mill Hill ward. The site is bounded to the east by Frith Lane, to the north by Partingdale Lane and to the west by Bittacy Hill (B552). Bittacy Business Park is immediately to the south of the site and Mill Hill East Underground station (Northern Line) lies to the south west.

The site is divided into a number of Development Land Parcels (DLP) or otherwise known as phases. Following approval of the site wide pre-commencement requirements, reserved matters applications will be brought forward for all detailed elements of the development for each phase, which would deal with all matters not fully addressed within the outline consent (layout, design, appearance and landscaping).

Each phase is to be brought forward in 2 stages (which can be subject to separate reserved matters approvals):

- Firstly, a programme of advance infrastructure works (AiW) to serve the phase; and
- Secondly, the development of the phase itself.

This is controlled by Conditions 5b and 5 respectively of the outline permission (ref H/04017/09, dated 22nd Sept 2011).

In addition to the plan drawings submitted, the following information was also submitted in support of the application and forms the supporting information:

- Design Capacity Statement – Highway (ref: 5147601-ATK-ZZ-00-TN-C-0203.P1);

- Design Capacity Statement – Services (ref: 5147601-ATK-ZZ-00-TN-0202.P1);
- Drainage Strategy (ref: 5147601-ATK-ZZ-00-TN-C-0200.P2);
- Street Lighting Specification (ref: 5147601_ATK_HLG_SP_LE_001_P01);
- Outdoor Lighting Report (ref: 5147601_AATK_HLG_CA_LE-001-P01);
- Remediation & Reclamation Strategy (ref: 5147601-ATK-ZZ-00-RPT-C-0101 Rev3);
- Archaeology WSI (ref: PRHMHE-RPT-X-0007);
- Bat Survey and Protection Technical Note (ref: 5147601-ATK-ZZ-00-RPT-C-0104);
- Written Scheme of Investigation (ref: PRHMHE-RPT-X-0007);
- Planning Statement; and

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy

National Planning Policy Guidance / Statements: The National Planning Policy Framework (NPPF)

On March 27th 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF replaces 44 planning documents, primarily Planning Policy Statements (PPS's) and Planning Policy Guidance (PPG's), which previously formed Government policy towards planning.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan: July 2011 2.13 (Opportunity Areas and Intensification Areas), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.8 (Heritage Assets and Archaeology), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Core Strategy (Adoption version) 2012
Development Management Policies (Adoption version) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources)

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM15 (Green Belt and Open Spaces), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE18 (Delivering the AAP).

Approved Design Code

The approved Design Code pursuant to Condition 4 of the outline consent (ref H/04565/11, 21st Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.

2.2 Relevant Planning History:

| | |
|-------------------------------|---|
| Application Reference: | H/04017/09 |
| Case Officer: | Jo Dowling |
| Proposal: | Outline application for the comprehensive |

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| | redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses. |
| Stat Start Date | 30/10/2009 |
| Application Type | EIAO |
| Decision | APL |
| Decision Date | 22/09/2011 |

| | |
|-------------------------------|--|
| Application Reference: | H/00480/12 |
| Case Officer: | Colin Leadbeatter |
| Proposal: | Reserved matters application seeking approval for advance infrastructure works in relation to Phase 1A of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated: 22/9/2011. |
| Stat Start Date | 07/02/2012 |
| Application Type | APD |
| Decision | APC |
| Decision Date | 08/05/2012 |
| | |

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|-------------------------------|---|
| Application Reference: | H/00642/12 |
| Case Officer: | Colin Leadbeatter |
| Proposal: | Reserved matters application seeking approval for advance infrastructure works in relation to Phase 2 of Millbrook Park (Mill Hill East), pursuant to outline planning permission H/04017/09 dated 22/09/2011 |
| Stat Start Date | 20/02/2012 |
| Application Type | APD |
| Decision | APC |
| Decision Date | 20/04/2012 |
| | |

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|-------------------------------|---|
| Application Reference: | H/04338/11 |
| Case Officer: | Colin Leadbeatter |
| Proposal: | Submission of details for condition 6 (Overarching Phasing Plan) pursuant to planning permission H/04017/09 dated 22/09/11. |
| Stat Start Date | 24/10/2011 |
| Application Type | APD |
| Decision | Approve |
| Decision Date | 15/12/2011 |

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|-------------------------------|---|
| Application Reference: | H/04337/11 |
| Case Officer: | Colin Leadbeatter |
| Proposal: | Submission of details for Condition 9 (Open Space Strategy) pursuant to planning permission H/04017/09 dated 22/09/11 |
| Stat Start Date | 24/10/2011 |
| Application Type | APD |
| Decision | Approve with conditions |
| Decision Date | 03/01/2012 |

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|-------------------------------|--|
| Application Reference: | H/00670/13 |
| Case Officer: | Wing Lau |
| Proposal: | Environmental impact assessment screening opinion for infrastructure works for Phase 3, 4a, 4b, 5,10 and 11 of the Mill Hill East development. |
| Stat Start Date | 12/02/2013 |
| Application Type | ES Screening |
| Decision | ES not required |
| Decision Date | 12/03/2013 |

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| Application Reference: | H/00668/13 |
| Case Officer: | Wing Lau |
| Proposal: | Reserved matters application seeking approval for construction of associated advanced infrastructure works and landscaping associated with Phase 3 (public open space OS4) of Mill Hill East development to create 'Panoramic Park' and advance infrastructure works in relation to Phases 3, 4a, 4b and 5, pursuant |

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| | to Conditions 5 and 5b of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space). Ground re-profiling works to Phases 10, 11 and part of Phase 7. |
| Stat Start Date | 25/02/2013 |
| Application Type | APD |
| Decision | APC |
| Decision Date | 22/04/2013 |

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|-------------------------------|---|
| Application Reference: | H/00668/13 |
| Case Officer: | Andrew Dillon |
| Proposal: | Reserved matters application seeking approval for Phase 3a (Central Community Park) and advanced infrastructure works in relation to phases 3a, 8, 9, 10 and 11 of Millbrook Park (Mill Hill East) pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirement of condition 5 (Reserved matter details), 25 (East-West and North-South links), 26 (Pedestrian and vehicular access points), 48 (Design of open spaces) and 52 (Children's play spaces). |
| Stat Start Date | 23/07/2013 |
| Application Type | APD |
| Decision | APC |
| Decision Date | 13/02/2014 |

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|-------------------------------|--|
| Application Reference: | 16/3111/RMA |
| Case Officer: | Andrew Dillon |
| Proposal: | Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4b of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 188 units in the form of 88 x 1 bedroom flats, 89 x 2 bedroom flats, 12 x 3 bedroom flats, 3 x 3 bedroom house and 4 x 4 bedroom houses, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 58,63, 69, 70, 80, 83 and 85 |
| Stat Start Date | 03/05/2016 |

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|-------------------------|-----|
| Application Type | APD |
| Decision | |
| Decision Date | |

2.3 Consultations and Views Expressed:

Public Consultation

Neighbours Consulted: 52

Replies: 0

Neighbours Wishing 0

To Speak

At the time of writing no responses from neighbouring residents have been received.

Internal /external and Other Consultations:

Environment Agency

'We have no objections to this reserved matters application, however, please note the following:

Flood Risk

As the surface water drainage condition that we recommended under the original planning reference, H/04017/09, has already been discharged, from our perspective, we are satisfied that the drainage scheme for the development is satisfactory. As we are no longer the competent authority on surface water drainage matters, we recommend that your authority in its capacity as Lead Local Flood Authority should ensure that the proposals under this application are acceptable.

Risks to Controlled Waters

We have recently revised our approach to focus our efforts on those development sites with the greatest environmental sensitivity. As such we are unable to provide specific comments on this reserved matters application. We recommend that you seek the views of your Environmental Health / Environmental Protection Department, as appropriate, for further advice.

The developer should continue to address any further risks to controlled waters from contamination at the site following the requirements of the National Planning Policy Framework and our Guiding Principles for Land Contamination. Our previous correspondence provides site-specific advice regarding land contamination issues in this location.'

Thames Water

Thames Water have reviewed the documentation provided and agree to the reserve matters as outlined in the Drainage statement Document Reference: 5147601-ATK-ZZ-00-TN-C-0200 dated April2016.

Environmental Health

No objections subject to the attachment of appropriate conditions.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings:

Site in relation to the outline consent:

The site to which this reserved matters application relates covers an area 1.14ha and comprises a parcel of land in the southern section of the Millbrook Park site. The proposed infrastructure will connect the Primary (east-west) Link Road (approved under permission ref: H/00480/12) to the Primary Residential Street (north south link road).

The extent of the site is determined by the location of infrastructure works necessary to serve future development on land identified as 'Phase 4b' on the MP Overarching Phasing Plan, approved pursuant to Condition 7 of planning permission ref. H/04017/09.

3.2 Proposal

The Advanced Infrastructure Works (AiW)

The Advanced Infrastructure Works comprises the following works:

- Site clearance/ preparation;
- Ground re-profiling;
- Construction of access roads; and
- Utilities and drainage infrastructure.

(i) Site Preparation

There are no permanent buildings within the Phase 4B are and therefore no demolition works are required under this application.

(ii) Ground Re-profiling and Remediation Works

The area of site the subject of this application has previously been partially remediated and reclamation works were carried out between 2013 and 2016. These works will in accordance with the site-wide remediation strategy approved under the discharge of Condition 63 of the outline consent (permission ref: H/00643/12).

The current application proposes further ground re-profiling in order to form the basement car parks and development plateau. The proposed finished site levels are proposed to be in accordance with the approved levels strategy as set out in Parameter Plan 6 approved as part of the Outline Planning Approval and the approved Design Code.

(iii) Construction of Access Roads

The approved outline parameter plans define 'development zones' within which new buildings can be built, which in turn frame 'corridors' within which new access roads can be laid out and 'spaces' for public open space. The proposed development comprises the construction of a new road which connects the Primary (east-west) Link Road to the west to the Primary Residential (north-south) Street to the east. Associated utilities infrastructure will be installed beneath, within the spatial parameters or 'corridors' approved by these plans.

Section of 'Secondary Street'

The OPP (Design Code figure 3.2) requires the construction of a secondary street to the south of the Phase 4b land. Pursuant to this the application proposes a section of 'secondary street' to the south of the Phase 4b land, running from a junction with the East-West Link Road to the west of Phase 4b, to a junction with the north-south Primary Residential Street to the east of Phase 4b. The 'secondary street' will provide two vehicular access points to the basement car park.

In accordance with the OPP, the proposed highway specification will be as follows:

- Designated as a 20mph road;
- Carriageway width of 3.7-5m; and
- 2.0m wide footpath along part of the road.

In accordance with the Design Code, it is anticipated that direct vehicular access to individual houses/plots will be provided. However, this level of details is not proposed under this AiW reserved matters application. The layout details of the phase will be brought forward under the separate main reserved matters application (Reference: 16/3111/RMA) which is likely to be reported to Planning Committee Meeting at the end of July..

In order to facilitate an appropriate access to the secondary street to the south of Phase 4B, the existing access to Walden Way will be revised so that access is gained from the secondary street opposite the entrance to the car park, rather than Ingliss Way. The relocation of this temporary access is necessary until such time as the properties in Walden Way are vacated.

(iv) Utilities and Drainage Infrastructure

Street Lighting

The applicant has submitted a proposed Road Lighting Plan which identifies the proposed locations of lighting columns. The purpose of the street lights is to ensure the safety of vehicle drivers/pedestrians/cyclists using the road.

In contrast to other phases, the detailed plans for the development to the north of the of the proposed secondary street were known at the time of the submission of the application allowing for the proposed lighting to be designed to avoid impacting on the amenities of these residential properties.

The potential impact of the proposed street lights on light-sensitive receptors is also further assessed in an accompanying Outdoor Lighting Report. This concludes that the proposals have been designed to ensure that light spill can be controlled to ensure that it is maintained at an acceptable level to nearby sensitive receptors.

Drainage Strategy

The submitted Drainage plan provides details of surface water and foul water drainage. Further details are set out in the enclosed Drainage Strategy Technical Note), which supports the application and which is consistent with the site-wide drainage strategy approved under discharged Conditions 43, 44 and 46 (permission ref: H/04340/12) attached to the OPP.

SUDS Infrastructure

The submitted Drainage Strategy also sets out the available SUDS techniques and identifies the ones that are considered appropriate for the development site. The identified suitable SUDS techniques for the site include attenuation storage tanks, green roofs, gravity rainwater harvesting (waterbutts) and proprietary treatment systems.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

Advanced infrastructure works

The principle of an access road and the construction/landscaping of a public open space is established by the outline planning consent. Condition 5 and 5b (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance and in the case of the AiW details of drainage, ecology and contamination strategy) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The outline planning permission consists of a series of parameter plans which establish a series of parameters and principles to create a clear framework of planning control and fix the quantum of development, land uses, levels and access arrangements.

The key parameter plans of relevance to the consideration of this application are:

- Parameter Plan 1: Access and Movement
Establishes the main vehicular and pedestrian access points and vehicular movement hierarchy.
- Parameter Plan 2: Landscape
Establishes the location and extent of areas of public open space.
- Parameter Plan 3: Land use
Establishes the location and distribution of land uses and open spaces.
- Parameter Plan 4: Scale
Establishes the maximum height permissible across the whole Millbrook Park site.
- Parameter Plan 5: Character Areas
Establishes the extent and disposition of the strategic character areas.
- Parameter Plan 6: Levels Strategy
Establishes the proposed spot levels at street junctions and maximum permissible gradients along each of the streets.

In order to support the detail contained within the parameter plans the outline consent has a number of additional documents that form a 'strategic development framework' in accordance with the requirements of Policy MHE18 of the AAP. The 'framework' establishes a series of development principles that will be used to guide detailed elements and the preparation of reserved matter applications. Of relevance to the consideration of this application are the following documents:

- Design Principles Document;
- Revised Transport Assessment
- Phasing and Delivery Strategy
- Technical/Infrastructure Strategy
- Revised Public Realm and Open Space Strategy (MHE/OPA/5.1)
- Technical and Infrastructure Strategy (MHE/OPA/6)
- Revised Phasing and Delivery Strategy (MHE/OPA/10.2) which includes phasing plan ref Figure 4.1

Design Code

In addition to the above a site wide design code has been approved in the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application is therefore considered within the framework of established broad development principles, Parameter Plans, and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates general compliance with the outline planning permission.

The proposals comply with the approved Parameter plans in terms of location of the proposed road and levels.

For the reasons set out above it is considered that the principle of the AiW development is acceptable and in accordance with the relevant parameters and principles of the outline consent to which it relates.

4.2 Transport, Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure efficient use of the local road network, require that development is matched to capacity, seek more environmentally friendly transport networks and promote the delivery of appropriate transport infrastructure. Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately and require acceptable facilities for pedestrians and cyclists.

A hierarchy of street types are set out in Parameter Plan 1 and is further detailed in the Design Code. Its objective is to create streets that have distinctive characters but also fit together to create a coherent development. It is anticipated that direct vehicle access to individual homes/plots could be provided in the future. However, this level of detail is not proposed under this application and will be provided in the reserved matters application for the development of the houses within Phase 4B.

In relation to Materials the application proposes that carriageways and footways will be finished in a Bituminous construction (black) with precast concrete kerbs. Tactile paving will be provided at the kerb of the two accesses to the basement car park at the eastern and western ends of the proposed road. A footpath is proposed on the north side of the road, as is required by the developer of this phase. Further footpaths will be provided in line with the provisions of the OPP and the Design Code as part of future reserved matters applications as they come forward for adjoining phases of the MP development. The proposed materials are considered acceptable in this location.

This is considered acceptable, and the proposed AIW works are in accordance with the approved parameters of the outline planning approval.

4.3 Design, Character and Amenity

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides safe, secure and attractive streets and spaces respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. It also states that proposals for lighting schemes should not have a demonstrable impact on residential amenity and seeks generally to protect the amenities of adjoining and potential occupiers and users.

Design matters relating to the hard landscaped areas proposed are considered in the Transport, Highways and Parking section of this report. Multi-media and utilities infrastructure would be provided in a 'utilities trench' beneath the proposed footpath and this is considered to be an acceptable approach that accords with the objectives of the Design Code.

Visual impact

No buildings are proposed in this application, which falls within the remit of a separate reserved matters application (16/3111/RMA) which will be reported to the Council's Planning Committee in due course. The works proposed under this application are not considered to result in any significant visual impact representing enabling works to ease the facilitation of the main development proposals for this phase.

This application also proposes the installation of street lighting columns (street lights) and the proposed locations of these are shown in the plans submitted. It is accepted that the street lights are needed to provide a safe environment for users of the roads proposed. It is recognised however that while detailed proposals to the north of the proposal have been submitted no detailed discussions have yet taken place concerning the plots to the south. A condition is therefore attached requiring the street lighting positions to be revisited once the detailed design and layout of future phases are known. Similar conditions were attached to earlier Advanced Infrastructure Permissions within the Millbrook Park Site.

Landscaping

No soft landscaping is proposed under this application however significant areas of soft landscaping are proposed under the accompanying reserved matters approval reference 16/3111/RMA including landscaping fronting the roads and internal podium deck communal gardens. Given this the proposal is considered acceptable in this context in accordance with the Design Code.

Trees

There are no existing trees contained within the application site boundary and no trees are affected by the current application.

Overall, the layout, appearance and landscaping are considered acceptable in principle and it is considered that the design approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

4.4 Drainage and Flooding

Drainage information for the wider site covered by the outline planning permission to which this application relates was submitted (under application ref H/04340/11) under conditions 43, 44 and 46 of that consent. The current application includes a plan providing details of surface and foul water drainage and a Drainage Strategy technical note. These documents set out how the drainage infrastructure proposed would be consistent with the site wide approach to drainage.

The application proposes that a surface water and foul water drainage network will be installed along the peripheries of the site under existing and proposed roads and pedestrian footpaths and also through the site. Underground attenuation tanks will also be provided to limit output flows to approved levels. These connections will feed into the wider within the site wide drainage networks which will eventually discharge into the existing Thames Water drainage network in Bittacy Hill. Both Thames Water and the Environment Agency have not raised any objections to the application.

The proposal is considered to be acceptable and compliant with the principles and objectives of the outline consent to which this application relates in terms of drainage and flooding matters.

4.5 Biodiversity and Nature Conservation

Policy DM16 of the Barnet Local Plan states that when considering development proposals the Council will seek the retention and enhancement, or the creation of biodiversity. Policy DM01 states that proposals for lighting schemes should not have a demonstrably harmful impact on biodiversity. Policy MHE9 of the AAP states that ecological surveys will be required before development can commence, to ensure appropriate mitigation measures are undertaken.

The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place. It is acknowledged by the AAP that the site is of limited nature conservation importance and it is considered that the development provides the opportunity to enhance the diversity of habitats across the site through the planting of native species.

An Ecological Mitigation and Management Plan (EMMP) was approved in order to discharge Condition 60 of the outline planning consent under application reference H/04184/11 (24th November 2011). The purpose of the EMMP was to set out a management programme for the enabling phases of works to safeguard and enhance the features of importance to nature conservation present within the wider application site.

The application site the subject of this application does not contain any areas of public open space, although it does front the Central Park to the North. Given the limited scope of works proposed under this application concerning ground re-profiling and single road no specific biodiversity measures are contained within the current application. Rather it is anticipated that such measures will be incorporated within the separate reserved matters application for the development of this phase.

4.6 Contaminated land issues

Following demolition works, the site is to be subject to remediation works, which is in accordance with Condition 63 (Contaminated Land) of the outline consent. A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy and part iv) requires a verification to be submitted for each phase.

The applicant has submitted a Contamination Assessment Report dated April 2016 which provides the findings of ground investigation and the approach to dealing with contamination.

The information submitted is for Condition 63 (iii) of the outline consent. Part iv) of the Condition 63 and Condition 65 of the outline consent would require a contamination remediation verification report to demonstrate completion of the works set out in the approved remediation strategy. The Council's Environmental Health Service has confirmed that the report is comprehensive and recommends that the submitted details are considered acceptable subject to a condition requiring a final verification report following the completion of works.

4.7 Construction Management and Site Waste Management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matters application. The Construction Management Plan submitted for this reserved matters application sets out the arrangements that will be implemented to ensure the environmental issues are managed and minimum impact on the surrounding environment by this development including noise disturbances, vibration, dust, smoke, plant emissions and traffic.

The submitted report follows the principle set out in the site-wide Construction Management Plan and addresses the requirements of the actions including details of contractor parking, wheel washing and methods to control dust. All construction traffic entering and exiting the site will have to use the existing Bittacy Hill entrance down to Holders Hill Circus and then the A1. The application is therefore found to be acceptable in this regard.

4.8 Archaeology

Policy DM06 of the Barnet Local Plan states that any development which may affect archaeological remains will need to demonstrate the likely impact upon the remains and the mitigation proposed to reduce the impact.

When the outline planning application (H/04017/09) was considered an archaeological assessment established that no physical archaeological remains are known to be present in the site but that the potential exists for such remains to be present. The potential adverse impacts identified by the assessment would arise from the loss of physical remains.

Details relating to Condition 61 (Written Scheme of Archaeological Investigation) attached to the outline planning permission was approved under application reference H/04189/11 on 23rd November 2011. Details were submitted that cover a written scheme of investigation for trial trenching on the site. In consultation with Greater London Archaeological Advisory Service (GLAAS) the applicants proposed a series of trial trenches to be dug on the site to evaluate the potential for archaeological finds.

An informative was added to the consent H/04189/11 to ensure any heritage assets of significant archaeological interest that may be uncovered during the course of initial trial trenching, further mitigation may be required, although English Heritage have been advised that they do not want to be formally consulted on future submissions.

It is considered that there would be no adverse impacts in relation to archaeology that will arise from the proposal and that it therefore complies with the relevant national, regional and local policies.

5. EQUALITIES AND DIVERSITY ISSUES

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

“(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

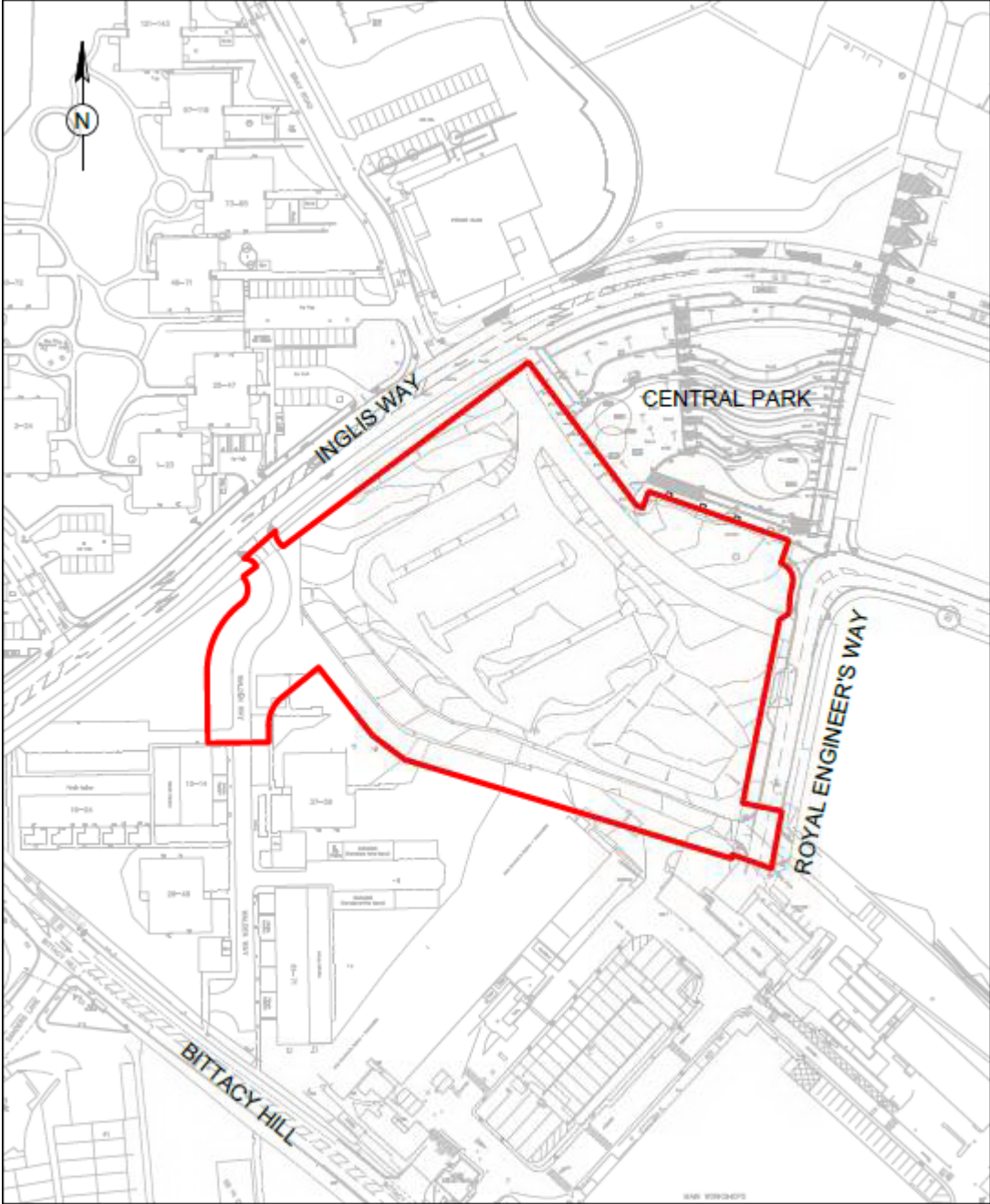
6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code. The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds.

It is recommended that the application be **Approved** subject to discharging the attached conditions.

SITE LOCATION PLAN: Phase 4b, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: 16/2719/RMA



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|-------------------|---|---------------------------|
| Location | The Compton School Summers Lane North Finchley London N12 0QG | |
| Reference: | 16/2239/FUL | Received: 7th April 2016 |
| | | Accepted: 27th April 2016 |
| Ward: | Woodhouse | Expiry 22nd June 2016 |
| Applicant: | The Compton School | |
| Proposal: | Two-storey extension to provide classrooms and associated rooms. The proposals seek to provide additional school accommodation for expansion to existing sixth form | |

AGENDA ITEM 11

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, FL/2016/0579196-1 Rev1, P)100, P) 200 C, P) 300 D

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) Before the development hereby permitted is first occupied or brought into use, a School Travel Plan incorporating measures to reduce trips to the school by the private car and encourage non-car modes such as walking, cycling and public transport shall be submitted to and approved by the Local Planning Authority. This should include reference to the changes made to the school building/s and the impact this will have on travel and access, the contact details of the School Travel Plan Champion and appropriate actions to ensure that the STP will meet at least Bronze level in the Transport for London STARS (Sustainable Travel Active Responsible Safe) accreditation scheme for the following 3 years.

The School Travel Plan shall include SMART targets and a clear action plan for implementing the measures. The School Travel Plan shall be monitored, reviewed and resubmitted in writing annually, for approval by the local planning authority, in

accordance with the targets set out in the Plan and the associated S106 agreement.

b) The measures set out in the Travel Plan approved under this condition shall be implemented and retained until such time as the site is no longer in use or occupied.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM17 of the Development Management Policies DPD (adopted September 2012).

- 4 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. **** shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 5 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 6 The premises shall be used for purposes incidental to educational purposes at the Compton School and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 7 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 8 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 9 The total number of pupils attending the sixth form shall not exceed 300.
Reason: To ensure the Local Planning Authority has control of the number of children on site, in the interests of neighbouring amenity.

- 10 The vehicular access from Fallowfields Drive shall be gated and kept locked at all times and shall only be used by the emergency services and maintenance vehicles.

Reason: To ensure that the permitted point of access does not prejudice the free flow of traffic or conditions of general safety on the public highway in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 11 Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.
Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 12 No construction work in relation to the development hereby approved shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.
Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan. Prior to the commencement of the development hereby approved a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- o Details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- o site preparation and construction stages of the development;
- o a Site Waste Management Plan and details of provisions to be made for recycling of materials.
- o The provision on site of a storage/delivery area for all plant, site huts, site facilities, waste and materials.
- o details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- o the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- o a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- o noise mitigation measures for all plant and processors;

- o details of contractors compound and car parking arrangements;
- o details of interim car parking management arrangements for the duration of construction; and
- o details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety a sustainable waste management in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 3 The applicant is advised that any alteration to the public highway if necessary will require prior consent of the local highways authority. The costs of any associated works to the public highway including any fees or costs associated with the legal agreement; will be borne by the applicants. The Applicant may also be required to enter into Section 184 or 278 Agreement under the Highways Act 1980 for the proposed works on the public highway. You may obtain an estimate for this work from the Director of Environment and Transport, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Summers Lane is part of Traffic Sensitive Route from 8.00am-9.30am and 4.30pm-6.30pm Monday-Friday.

For construction works adjacent to the public highways, the applicant must contact the council's First Contact on 0208 359 2000 for any necessary Highways Licenses.

Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition,

excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

In accordance with Transport for London's recommendations adequate shower and changing facilities should be provided for cyclists on site.

Officer's Assessment

1. Site Description

The site is the Compton School, located on Summers Lane in the Woodhouse ward. There are no specific planning restrictions affecting the site.

2. Site History

F/04511/12 - Demolition of two existing teaching blocks (single & two storeys) and erection of replacement three storey teaching Block with associated external works. - Approved - 13/02/2013

F/05817/13 - Erection of temporary "Portakabin" unit for a period of ten years for flexible use in association with the operation of the school sports pitches. - Approved - 04/03/2014

14/07524/FUL - To permanently retain the temporary (site) vehicular access to the rear of the school site from Fallowfields Drive, including the pavement crossover, for the purpose of emergency and occasional maintenance access - Approved - 27.01.2015

3. Proposal

The proposals are for a two-storey extension to provide classrooms and associated rooms.

The proposed extension would provide a new sixth form block of 830 square metres area.

As part of the proposals the applicant seeks to provide an additional 8 parking spaces.

4. Public Consultation

Consultation letters were sent to 148 neighbouring properties.
3 responses have been received, comprising 3 letters of objection.

The objections received can be summarised as follows:

The school only finished previous work recently and caused a lot of disruption.

Concern about the heavy lorries entering the building site from Fallowfields Drive.

The access from Fallowfields Drive is only permitted for emergency purposes (according to planning permission).

Parking and access on Porters Way can be very difficult at the end of the school day most days and on open evening for prospective new starters and parents evenings. If the new buildings means an increase in the capacity of the school then we can only see this situation becoming more difficult/dangerous.

Noise and disturbance from resulting issues.

Some parents already stop on the roundabout to pick up and many park too close to the roundabout to allow proper access/exit to/from Porters Way.

Litter

Congestion

Mud during construction.

Parking situation on Fallowfields Drive, cars park along the whole length of the road making it very difficult to enter and exit the estate, also it is very dangerous for the children crossing the road at the school entrance on Fallowfields Drive.

Access for emergency services.

Parents picking up and dropping off children park on the pavement and block the road.

Statutory Consultation

Sport England have been consulted on the proposals and have no objections.

Highways officers raise no objections their comments are contained within the body of the report.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM13, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The principle of the development
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Sustainability Issues

5.3 Assessment of proposals

The principle of the development

The site is an existing secondary school. The proposals seek to extend the building to form a new sixth form block, on a former playground area within the site.

Policy DM13 of the Adopted Barnet Development Management Policies 2012 states that:

New community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. New community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties.

Core Strategy policy CS10 is generally supportive of new educational development to meet demand.

The Department for Communities and Local Government has published a ministerial statement outlining that *It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers*

can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".....There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Highways officers have assessed the proposals and have the following observations:

The Compton School is an 11-18 mixed, non-selective, non-denominational secondary school.

In 2014 the school received Department for Education approval to extend their curriculum delivery and provide 6th form provision from September 2015 due to parental demand and success of the school.

The Design and Access statement submitted with the application has stated that the initial intake of Year 12 6th form pupils in September 2015 was 112. In September 2016 pupil numbers is to rise to 262 once the second Year 12 is introduced. Total pupil numbers are then expected to reach a maximum of 300 from September 2017.

The proposed building new building is to be used for delivering the curriculum for 11-18 and will accommodate 8no. new classrooms, an additional flexible classroom, common room, study space, printer and photocopier area, a meeting room, 3 small staff office spaces, WCs on both levels, disabled WC, the existing lift, a fire escape stair and a central access corridor linking to the existing corridors at ground and first floor level.

4 new members of staff were introduced in September 2015 to ensure the curriculum can be delivered. 4 more new staff members will be introduced in September 2016.

The school currently accommodates 88 car parking spaces. A further 8 spaces will be created from September 2016 by reconfiguring the existing parking provision to cater for the additional demand for parking.

School Travel Plan:

A School Travel Plan will need to be updated to account for the proposed new intake. The Travel Plan will need to achieve at least a Bronze Level Stars accreditation.

A condition will be attached to planning permission to ensure that the school complies with the Travel Plan requirements

Impact on the character of the area

The proposed new school building would be two storeys in height and would adjoin the main school building. It would be of similar scale and massing to the existing buildings on site, and consistent with the design of existing buildings on the site.

Some views into the site are possible from properties on Agnesfield Close to the east. The proposed building would be sited within the school complex and some 30m from the east boundary.

It is considered that the extension would have an acceptable impact on the character and appearance of the wider locality.

Impact on the amenities of neighbours

The proposed extension would be sited some 30m from the eastern boundary. It is not considered that there would be a harmful visual impact on the amenities of the occupiers of surrounding residential properties.

There are an existing 112 6th form pupils at the school as the school has already accepted a first intake of 6th form pupils in Sept 2015. As a result of this proposal it is anticipated that total number of pupils would increase up to a maximum of 300 pupils by September 2017.

It is appreciated that the proposals would result in the increased use of the site which undoubtedly would generate noise and disturbance from the increased comings and goings to a degree. However, the harm in comparison to the existing use of the site is considered to be minimal to the surrounding residential amenity . Furthermore, consideration should be given to the fact that the proposals would make better use of an existing school site. There are residential properties on Agnesfield Close which are located some 6m from the east boundary. The extended building would be further from these windows than some of the existing buildings on site.

It is not considered that the proposals would result in a materially harmful impact on neighbouring residential amenity through noise and disturbance arising from increased activity and number of pupils on the site.

Sustainability Issues

The scheme is for minor development within an existing school site . There is no requirement for such an extension to meet a particular environmental performance standard, though the proposals would need to comply with the Building Regulations.

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

5.4 Response to Public Consultation

The school only finished previous work recently and caused a lot of disruption. - Noise and disturbance during construction are not material planning considerations. Nevertheless some conditions are attached to ensure that any disruption during the construction are minimised.

Concern about the heavy lorries entering the building site from Fallowfields Drive. - Conditions requiring a construction management plan and delivery and servicing plan are required in order to minimise disturbance. Subject to these conditions it is not considered that harm would arise.

The access from Fallowfields Drive is only permitted for emergency purposes (according to planning permission). - *Noted and this shall not be used during construction.*

Parking and access on Porters Way can be very difficult at the end of the school day most days and on open evening for prospective new starters and parents evenings. If the new buildings means an increase in the capacity of the school then we can only see this situation becoming more difficult/dangerous. Some parents already stop on the roundabout to pick up and many park too close to the roundabout to allow proper access/exit to/from Porters Way. Parents picking up and dropping off children park on the pavement and block the road.- *This is addressed in the main report*

Litter - *This is addressed in the main report*

Mud during construction. - *A condition is attached to ensure that this is addressed,*

Access for emergency services. *Emergency access is provided from a separate access to Fallowfields Drive*

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- "(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

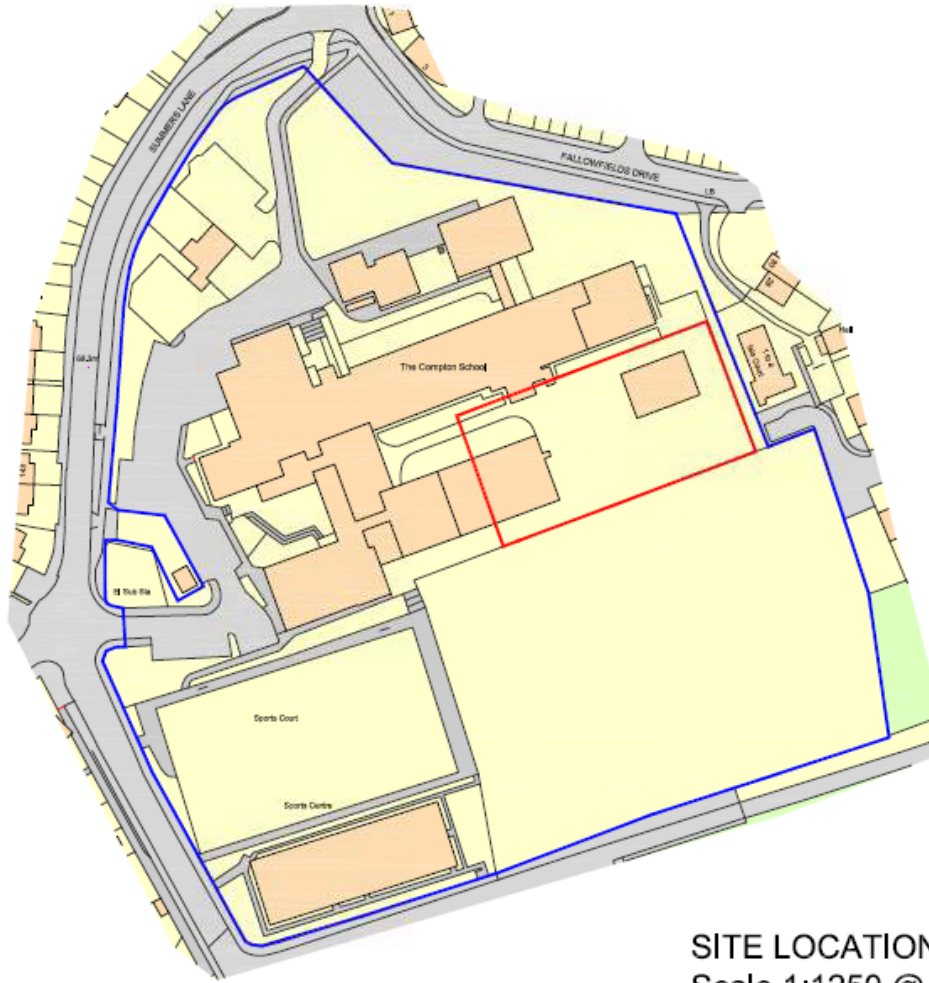
- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



SITE LOCATION PLAN
Scale 1:1250 @ A3