

**LOCATION:** Finchley Catholic High School, Woodside Lane, London, N12 8TA  
**REFERENCE:** B/01263/13      **Received:** 26 March 2013  
   **Accepted:** 04 April 2013  
**WARD(S):** Totteridge      **Expiry:** 30 May 2013

**Final  
Revisions:**

**APPLICANT:** Finchley Catholic High School

**PROPOSAL:** Variation of Condition 1 (approved plans condition) attached to planning permission B/00120/10 for Erection of a two-storey 6th form building including associated external works and the creation of a new pedestrian access from Woodside Grange Road. Variation to include additional accommodation at first floor level to south eastern side

**RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS**

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

Drawing Nos. 1254 200, 201, 202, 204, 210, 215.

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. The development hereby approved shall be finished in the materials approved in the Council's decision dated 27 March 2013 in respect of conditions submission B/00285/13, and with Michelmersh Freshfield Lane bricks 'selected light facing' and Blockleys 'urban dark blend'.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

3. 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 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 Adopted Barnet Development Management Policies DPD (2012).

4. The boundary treatments and enclosures shall be installed and completed in accordance with the details approved in the Council's decision dated 27 March 2013 in relation to conditions submission B/00285/13 and maintained 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 Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

5. The building hereby approved shall be used as a sixth form centre as described in the application, and in association with Finchley Catholic High School.

Reason:

To safeguard the amenities of neighbouring residents in accordance with Policy DM01 of the Development Management Policies DPD.

6. All ventilation and extraction equipment shall be installed in accordance with the details approved in the Council's decision dated 27 March 2013 in relation to conditions submission B/00285/13 and maintained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

7. The level of noise emitted from the school plant (ventilation/extraction, kitchen plant, heating plant and air conditioning plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

8. All work comprised in the approved scheme of landscaping as shown on Drawing No. 607.1/02D 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.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

9. 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

10. Temporary tree protection shall be maintained around existing trees in accordance with the approved plans. 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.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

11. All excavations for drainage and other services shall be carried out in accordance with the approved plans.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

12. The ramp and associated hand rails/balustrades shall be installed and completed in accordance with the details approved in the Council's decision dated 27 March 2013 in relation to conditions submission B/00285/13 and in accordance with the materials set out on the agent's letter dated 28 June 2013 prior to the first occupation of the building hereby approved, and shall be maintained as such thereafter.

Reason:

To safeguard the character and appearance of the development and general locality, in accordance with policy DM01 of the Development Management Policies DPD.

### **INFORMATIVE(S):**

1. In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
2. Wildlife and Countryside Act 1981 Obligations etc: TIN/TPO  
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.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

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 July 2011:

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 2031. 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.

### Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01.

### Supplementary Planning Documents and Guidance

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

### Relevant Planning History:

**Site Address:** Finchley Catholic High School, Woodside Lane, London, N12 8TA  
**Application Number:** B/00120/10  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 09/04/2010  
**Proposal:** **Demolition of existing 'Bamfield House' building and the erection of a two-storey 6th form building including associated external works and the creation of a new pedestrian access from Woodside Grange Road.**

**Site Address:** Finchley Catholic High School, Woodside Lane, London, N12 8TA  
**Application Number:** B/00269/13  
**Application Type:** Non-Material Amendment  
**Decision:** Approve with conditions  
**Decision Date:** 19/02/2013  
**Proposal:** **Non material amendment to previously approved Planning Permission Ref: B/00120/10 dated: 7/4/2010 for "Demolition of existing 'Bamfield House' building and the erection of a two-storey 6th form building including associated external works and the creation of a new pedestrian access from Woodside Grange Road. Amendments to include: "ventilation inlet grilles shown on drawings; photovoltaic panels in valley of roofs; layout of rooflights; omission of solar protection louvers; rainscreen cladding above louvers instead of glazing;".**

### Consultations and Views Expressed:

Neighbours Consulted: 64 Replies: 6 letters of objection received (including one joint letter of objection received from the owners of five neighbouring properties).

Neighbours Wishing To Speak: 0

The objections raised may be summarised as follows:

- The bulk of the proposed development is not in keeping with the local area.
- New trees will make the car park darker during daylight hours.
- There will be overlooking to the car parking area.
- The additional use of the area along Woodside Grange Road will be a danger to pedestrians and people driving vehicles in and out of the car park at Cavendish House.

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site contains a school, set between Woodside Lane and Woodside Grange Road. Planning permission has been granted for a sixth form building in the southern area of the site (fronting Woodside Grange Road).

### Proposal:

This application seeks to vary condition 1 attached to planning permission B/00120/10, which approved the construction of a new sixth form building to the school. Condition 1 require the development approved to be implemented in accordance with the submitted plans. This current application proposes to substitute the approved plans for amended plans, in order to allow for the following alterations to the originally approved scheme:

- Addition of a first floor side projection to the south-eastern side of the approved building (Woodside Grange Road end). The first floor side projection would accommodate a 'careers room' and be located above the existing plant room. The width of the plant room element is not proposed to be changed. However, its depth would increase from 5.9 metres to 7.6 metres. The proposed first floor extension would represent an increase in height to the approved projection from 1.8 metres to 5 metres. It would have a flat roof, set slightly above the eaves height to the main building.

### Planning Considerations:

Guidance published by the Department for Communities and Local Government sets out that a minor material amendment may be defined as 'one whose scale and nature results in a development which is not substantially different from the one which has been approved'. The guidance states that when dealing with such applications, the Local Planning Authority should focus on national or local policies or other material considerations which may have changed significantly since the original grant of permission, as well as the changes sought.

In this instance, both local and national planning policies have changed. The National Planning Policy Framework has replaced all previous Planning Policy Guidance Notes and Planning Policy Statements. In addition, the Unitary Development Plan has been replaced by the Local Plan Core Strategy and Development Management Policies DPD. Whilst the policies have changed, the aims and spirit of the policies has not substantially changed. The relevant planning policies continue to seek to ensure that development does not cause harm to the character and appearance of the area, or to the amenities of neighbours.

The main sixth form building has previously been judged acceptable. That grant of planning permission has since been implemented, and works are underway on the construction of the new building. Therefore, it is only necessary to assess whether the proposed changes are acceptable in the context of current planning policy.

The proposed first floor side projection would be constructed of facing materials which match those approved for use in the main building. It would be stepped 0.8 metres back from the main front elevation of the building, and 9 metres from the front boundary of the site. It would be approximately 5 metres from the common boundary with the car park serving the flats to the north east of the site. The side projection would be subservient to the approved building. Whilst the proposed flat roof would

be different to the roof of the main building, it would nevertheless not be detrimental to the character and appearance of the area. The built form would remain set away from the boundaries of the site, and would not result in the building appearing cramped within its plot. The proposal would result in a development whose scale and nature is not substantially different from the one that has been approved. The proposal would not detract from the character and appearance of the street scene or the wider locality.

The proposed first floor addition would be set some 23 metres from the nearest residential properties to the north east (Cavendish House) and 23 metres from the neighbouring properties on the opposite side of Woodside Grange Road. It would be largely read against the massing of the approved building which is under construction. As a result, it is considered that the proposed first floor side extension to the approved building would not appear overbearing or visually intrusive when viewed from any neighbouring property, and would not adversely affect the amenities of any neighbouring property.

### **Other Matters**

The applicant's agent has submitted details of the bricks to be used for the retaining wall around the ramp and the courtyard. These are considered acceptable.

Works have commenced on site, with groundworks underway at the time of the Officer's site visit. The proposed extension would not result in any additional impact on trees when compared to the previously approved scheme.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

The principle of this development has previously been approved, and no alterations are changed to the means of pedestrian access.

### **4. EQUALITIES AND DIVERSITY ISSUES**

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.

### **5. CONCLUSION**

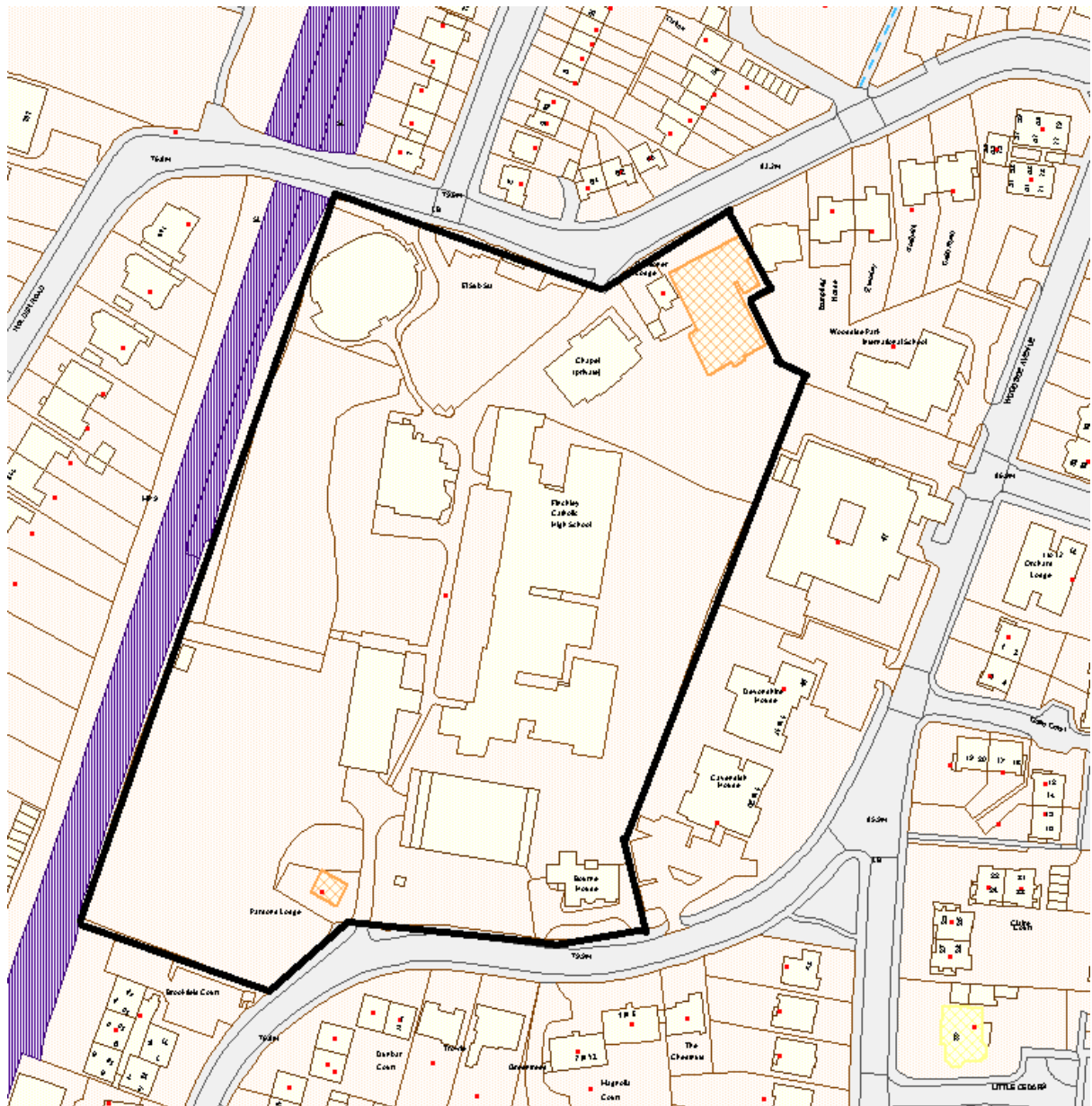
Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site and the general street scene. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

**SITE LOCATION PLAN:**  
London, N12 8TA

**Finchley Catholic High School, Woodside Lane,**

**REFERENCE:**

**B/01263/13**



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