

**LOCATION:** Archer Academy, Playing Fields, Stanley Road, London, N2

**REFERENCE:** F/04475/13 **Received:** 30 September 2013

**Accepted:** 30 September 2013

**WARD:** East Finchley **Expiry:** 30 December 2013

**Final  
Revisions:**

**APPLICANT:** The Archer Academy

**PROPOSAL:** Erection of a new three storey educational building, including a new 3-court sports hall, together with provision of a floodlit 3G all weather outdoor sports pitch, a new 2-court hard play area, new car parking provision, drop off zone, bicycle space, new circulatory access and pedestrian access, landscaping and ancillary works.

**APPROVE SUBJECT TO REFERRAL TO THE GREATER LONDON AUTHORITY (GLA) FOR CONSIDERATION BY THE MAYOR FOR LONDON.**

**SUBJECT TO A UNILATERAL UNDERTAKING**

**RECOMMENDATION I:**

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a unilateral undertaking for the purposes seeking to secure the following:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Highways Improvement (local to the site) £5000.00**  
A contribution towards local highway improvements within the vicinity of the development. Including the following:
  - £5,000 for a feasibility study to look at suitable improvements to the crossing on East End Road; and
  - Commitment to provide contributions to implement any measures identified following the feasibility to allow for a possible Zebra Crossing/Pelican crossing; guard rail; road marking etc up to a maximum of £70,000.
- 4 **Requirement to submit Travel Plan £5000.00**  
Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan.
- 5 **Monitoring of the Agreement £500.00**  
Contribution towards the Council's costs in monitoring the obligations of the agreement.

## **RECOMMENDATION II:**

That upon completion of the agreement the Assistant Director of Development Management and Building Control approve the planning application reference: F/04475/13 under delegated powers subject to the following conditions: -

### **Plans:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 2544-JW-001 P02, 2544-JW-002 P02, 2544-JW-102 P02, 2544-JW-110 P02, 2544-JW-111 P02, 2544-JW-112 P02, 2544-JW-120 P02, 2544-JW-200 P02, 2544-JW-201 P02, 2544-JW-300 P02, 2544-JW-301 P02, 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

### **Time Limit:**

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.

### **Pre-Commencement Conditions:**

3. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

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 DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

4. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

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.

5. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

6. Part 1

Before development commences other than for investigative work:

- a. A desktop study 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 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.
- b. 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.

- c. 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 policies DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012) and 5.21 of the London Plan 2011.

7. The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations; piling and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- Provides detail on all structures.
- Accommodates the location of the existing London underground structures.
- Demonstrates access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering London underground land.
- Demonstrate that there will at no time be any potential security risk to the Northern Line, Property or structures.
- Accommodate ground movement arising from the construction thereof.
- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied

Reason:

To ensure that the strategic rail network is not disrupted as a result of the construction of the development.

*Informative:*

*The applicant is also advised to contact LUL Infrastructure protection in advance of preparation of final design and associated method statements in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.*

**Construction:**

8. The hours of work for all contractors (including sub-contractors) for the duration of site development, shall be limited to; 8.00am to 6.00pm on Mondays to Fridays, 9.00am to 1.00pm on Saturdays, and no work shall be carried out on Sundays or Bank Holidays.

Reason:

In order to protect the amenities of neighbouring residents

9. The demolition and/or construction of the development hereby approved, shall be carried out in accordance with a method statement and construction management plan, which shall have been submitted to and approved in writing by the local planning authority 1 calendar month prior to commencement of development. Any demolition shall be carried out in complete accordance with the approved scheme.

Any details submitted in respect of the construction traffic management plan above shall control the hours, routes taken and security procedures for construction traffic to and from the site and the method 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; a community liaison contact and details of the screening for scaffolding to prevent overlooking of Holy Trinity School and Playground.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

**Highways, infrastructure, parking and servicing:**

10. Before development hereby permitted is occupied, turning space and parking spaces shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

11. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities. The

development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

12. Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

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, to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway and to provide acoustic screening to the residential properties adjacent to the access road and car parking area 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).

13. Before the development hereby permitted is occupied, shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason:

In the interests of promoting cycling as a mode of transport 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.

14. Existing vehicular parking spaces shown on drawing No. 3004 Rev. D shall be retained in accordance with the proposed planning application. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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.

15. 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.

16. The school start/finish times for Archer Academy shall be staggered internally between the years for the academy and with the school start/finish times of the neighbouring Holy Trinity Primary School.

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.

17. Before the development is approved Pedestrian Environment Review System (PERS) audit as requested by TfL is to be carried out and the outcome is to be submitted to the Local Planning Authority. The improvements identified in the PERS audit shall be carried out at the applicant's expense.

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.

18. Six months prior to first occupation a School Travel Plan Framework and School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. 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. Details of the start and finish times for pupils shall also be incorporated in order to minimise conflict on the local highways network. The scheme as submitted shall be approved in writing by the local planning authority and the use shall be carried out in accordance with the School Travel Plan as approved.

The School Travel Plan should include the appointment of a School Travel Plan Coordinator, measurable targets and a clear action plan for implementing any measures.

Reason:

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

19. An annual review of the School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in the Summer term of the first academic year of the school commencing and thereafter on an annual basis until the school becomes fully operational after which point a bi-annual review will be required. The review will need to revise targets and action plans in line with increases in the number of pupils. The use shall be carried out in accordance with the School Travel Plan as approved.

Reason:

To encourage the use of sustainable forms of transport to the site and in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

**Drainage:**

20. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system and the amenities of the area to comply with Policies 5.13 and 5.14 of the London Plan 2011.

**Landscaping:**

21. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

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

22. 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.

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.

23. 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.



### **Archaeology:**

24. a) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report of the evaluation has been submitted to the local planning authority.
- b) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than the demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secure the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.
- c) No development or demolition shall take place other than in accordance with the Written Scheme if Investigation approved under Part B.
- d) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part B and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

#### **Reason:**

Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with section 12 of the NPPF.

### **Floodlighting:**

25. No external lighting, floodlighting or other means of external illumination shall be affixed to the external elevations of the buildings, or placed/erected within the site without the prior written consent of the local planning authority pursuant to a planning application. Any external lighting, floodlighting or other means of external illumination shall be installed and thereafter retained in full accordance with the approved details.

#### **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.

26. A report detailing the proposed lux levels and lighting levels at the facade of the closest habitable room window of the nearest sensitive premises shall be submitted to and approved in writing by the Local Planning Authority and the lights installed shall comply with the agreed levels thereafter.

#### **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.

**Noise, Odour and Air Quality:**

27. Before the development hereby permitted is occupied, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

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.

28. The level of noise emitted from the site plant (to include new electrical sub station and any other 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.

29. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

**Sustainability:**

30. The non-residential development is required to meet the following generic environmental standard (BREEAM) and at a level specified in the adopted Sustainable Design and Construction Supplementary Planning Document (2013). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

**Reason:**

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (2013) and policies 5.2 and 5.3 of the London Plan (2011).

**Other:**

31. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority.

The agreement shall apply to the use of the all weather pitch; hard courts and sports hall outside of school hours and during school holidays and shall include details of pricing policy; hours of use; access by non educational establishment users; management responsibilities and mechanisms for review and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any other time other than in strict compliance with the approved agreement.

**Reason:**

To secure well managed safe community access to the sports and education facilities, to ensure sufficient benefit to the development of sport and to accord with the requirements of the NPPF and Local Plan policy.

32. Notwithstanding the provisions of Part 32, Class A to schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order) no extensions to the school hereby permitted shall be erected without express planning permission first being obtained.

**Reason:**

To enable the local planning authority to retain control over these matters in the interests of controlling the intensity of use.

33. The use of the main school buildings for the purposes hereby permitted shall only take place between the hours of 8.00am and 10.30pm on Saturdays and Sundays and between 7.30am and 10.30pm on all other days.

The use of the external sports facilities shall only take place between 8.00am and 6.00pm on Sundays and 8.00am and 9.00pm on all other days. On Saturdays and Sundays the facilities shall not be used for more than 5 hours in any one day.

Reason:

In the interests of the amenity of occupiers of neighbouring residential properties in accordance with Policy DM04 of the adopted Local Plan.

34. Six months prior to occupation of the development a CCTV camera and equipment scheme detailing where CCTV cameras or equipment shall be affixed to the external elevations of the buildings, or placed/erected within the site shall be submitted to and approved in writing by the local planning authority. CCTV cameras shall be placed so as not to impact on the amenities of adjoining residential properties. Any CCTV cameras or equipment shall be installed and thereafter retained in full accordance with the approved details.

Reason: To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties.

35. The number of pupils based permanently at this site shall not exceed 450 and shall not include Year groups 12 and 13.

Reason:

In the interest of highway safety as the current scheme was assessed on the impact of the site being a lower school and accommodating 450 pupils in year groups 7 and 9 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.

36. Before the building hereby permitted is occupied the proposed window(s) in the east elevation facing New Ash Close shall be glazed with obscure glass only 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 Adopted Barnet Development Management Policies DPD (2012).

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

1.
  - i) 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.
  - ii) In this case, formal pre-application advice was sought prior to submission of the application.

2. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £0 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £0 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If affordable housing or charitable relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

3. In complying with the contaminated land condition parts 1 and 2:

Reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents;
- 2) Planning Policy Statement 23 (PPS 23) - England (2004);
- 3) BS10175:2001 Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

4. Written schemes of archeological investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archeology Guidelines. They must be approved by the planning authority before any on-site development related activity occurs.
5. If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway level by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Development and Regulatory Service, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
6. A1000 High Road East Finchley and East End Road are part of Traffic Sensitive Routes from 8.00am-9.30am and 4.30pm-6.30pm between Mondays to Friday.
7. For construction works affecting the public highways, the applicant must contact the council's First Contact on 0208 359 2000 to obtain any necessary Highways Licenses if required prior to commencing works.
8. 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.
9. In accordance with Transport for London's recommendations adequate shower and changing facilities should be provided for cyclists on site.

### **RECOMMENDATION III:**

That if an agreement has not been completed by 18/02/2014, that unless otherwise agreed in writing, the Director of Development Management and Building Control should REFUSE the application F/04475/13 under delegated powers for the following reasons:

1. The development would require a section 106 agreement and no formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting the costs for the feasibility study for suitable improvements to the crossing on East End Road and any measures that would have been identified within the study would be contrary to DM17 of the Local Plan Development Management Policies (Adopted) 2012; and contrary to Policies CS9 of the Local Plan Core Strategy (Adopted) 2012.
2. The development would require a section 106 agreement and no formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting the costs of monitoring the travel plan be contrary to DM17 of the Local Plan Development Management Policies (Adopted) 2012; and contrary to Policies CS9 of the Local Plan Core Strategy (Adopted) 2012.

## RECOMMENDATION IV:

That if after the submission of the revised/additional transport information Transport for London maintain their objection to the scheme then the application be brought back for further consideration by Members at the Planning and Environment Committee.

### 1. MATERIAL CONSIDERATIONS

#### National Planning Policy Framework

#### The Mayor's London Plan: July 2011

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS8, CS10, CS11, CS13

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM15, DM16, DM17

#### Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	F/03172/13
<b>Validated:</b>	23/07/2013	<b>Type:</b>	ESR
<b>Status:</b>	DEC	<b>Date:</b>	13/08/2013
<b>Summary:</b>	ESN	<b>Case Officer:</b>	Jo Dowling
<b>Description:</b>	Environmental impact assessment screening opinion.		

**Site Address:** Former Herbert Wilmot Youth Centre Eagans Close East Finchley London N2 8DD

**Application Number:** C06460A/07

**Application Type:** Full Application

**Decision:** Approve with conditions

**Decision Date:** 02/03/2007

**Appeal Decision:** No Appeal Decision Applies

**Appeal Decision Date:** No Appeal Decision Date exists

**Proposal:** **Temporary use of site by contractor for essential water main scheme. Office / storage of materials.**

**Case Officer:** Fabien Gaudin

**Site Address:** Land adjacent to Holy Trinity Church Of England Primary School, Eagans Close, London, N2

**Application Number:** F/01538/10

**Application Type:** Retention/ Contin. Use  
**Decision:** Approve with conditions  
**Decision Date:** 20/09/2010  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Continued use of temporary site offices and materials storage buildings.**  
**Case Officer:** Junior C. Moka

### Consultations and Views Expressed:

Neighbours Consulted: 538

Replies: 5 - responses objecting to the application  
9 - comments on the application  
82 - responses supporting the application

Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

- Parking in the surrounding roads is already oversubscribed with people parking for the tube station and shopping in East Finchley this will make the situation worse.
- Will lead to additional traffic on a residential road network that is already under strain from people using it as a cut through.
- The surrounding roads are residential and can not take commercial vehicles - how will construction vehicles be able to access the site?
- Whilst Kitchner Road is a two way road it tends to operate as a one way street most of the time, when it is used on a two way basis it causes congestion.
- Poor planning over the years has resulted in a 'land locked' site which is difficult to access without major disruption to existing users/residents of the area.
- During the war bombs were dropped in this area, concern that during construction there may be the possibility of uncovering an unexploded bomb which may be inadvertently detonated causing structural damage to surrounding properties of requiring them to be evacuated.
- Area is very quite particularly at night after the northern line shuts - this quite should be preserved.
- Concern about noise and disturbance from the sports pitches - request that the use stops at 9pm and is limited to only 5 hours use each day at the weekend.
- Concern about light spillage from lights left on at the school building.
- Concern from light pollution from the floodlights - request that they not be allowed to be lit after 9pm at night.
- Security concerns from those properties that back onto the site.
- Frontage of the building looks garish with a huge bright green sign on the roof - this is not necessary.
- Boundary fences to Holy Trinity should be improved as part of the proposals.
- Loss of view and request for additional tree screening along the boundary.
- Footpath link should be improved as a result of the proposals.
- Where possible trees should be kept and wildlife relocated.

The comments received stated that whilst they generally supported the application they had the following concerns:



- Parking in Stanley Road (both during construction and once the school is operational).
- Noise and disturbance.
- Light spillage from the floodlights on the sports pitches.
- Query why the sports pitches are located adjacent to the residential properties and the school buildings are adjacent to the railway line.
- Potential for overspill parking on Leslie Road.
- Request that the hours of construction be controlled.
- Welcome that the sports facilities will be made available to the wider community and request that a condition be attached to ensure this.
- Would it be possible to have a CPZ in the local area from 2-3pm Monday to Friday to limit overspill parking?
- Would it be possible to have a 4 court sports hall as opposed to 3 as this will provide more versatility.

The responses supporting the application made the following points:

- Proposal provides a much needed extra secondary school in Barnet.
- Effective use of land for the benefit of all in the area.
- Improve the area.
- Will help provide sports facilities for the wider community who currently have to go out of the area to play football.
- Community currently has very few mixed, non-selective, non faith schools.
- School is well thought out and will provide outstanding educational and community facilities for the local area.
- The proposal will result in the regeneration of a long neglected piece of land that would otherwise have been sold to housing developers.

#### Other Consultations:

**Sport East Finchley** advised that they support the application as they have been campaigning over the last twelve years to protect this site for sports provision. The proposal builds on the community led sports regeneration project led by Sport East Finchley to bring the field back into sporting use. This proposal will ensure that sports and recreational facilities at the school will be made available to the local community outside of normal school hours.

**Hendon and District Archeological Society (HADAS)** request a proper archeological investigation. The application documents state that an archeology report is not required for this site. However it does not mention a possible medieval hamlet and the proximity of the development to the historic centre of East Finchley. Two areas of archeological significance are adjacent to the site and it is therefore essential that a geophysical survey of the whole area is undertaken. HADAS request that an archeological condition be attached requiring this.

**The Governing Body of Holy Trinity C.E. Primary School** wrote in advising that whilst they support the proposal they have concerns for the security and safety of pupils at Holy Trinity School during construction and once the development has been completed. These area as follows:

- The school will be overlooked during construction and as a result request that any scaffolding should be covered in monarflex protective sheeting to prevent overlooking.

- Concern over vehicles using the pavement for parking on a short term basis thereby restricting pedestrian access and as a result request that hard railings or bollards are put in place on the pavements to prevent cars mounting the pavement and to protect pedestrians.
- Concerns that access for the Holy Trinity mini bus and for deliveries will be impeded during construction and once the new school is 'live'.

#### External Statutory Consultations:

**Sport England** advised that the site forms part of a defined playing field. The aim of Sport England policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. Sport England visited the site in July 2013. Whilst the site has previously been used for playing sport it currently is not in use. The proposal would bring the site back into use with a 3G pitch and 3 court sports hall, whilst Sport England would prefer to see a 4 court sports hall, there is a need for additional sports hall provision in Barnet and a three court hall st provides a welcome addition locally. The site has only ever accommodated a single pitch with no changing/ancillary facilities and has therefore been fairly limited in its ability to offer a high quality sporting offer to the local community. Sport England is satisfied that the application retains a football pitch element, whilst providing a sports hall and changing/ancillary facilities which delivers a site with real sporting benefits to community sport. Sport England are therefore fully satisfied that the sporting benefits of the development outweigh the loss of a grass playing field and that the application significantly enhances the sporting potential of the site. Therefore subject to a condition requiring the submission of a community use agreement they have **no objection** to the proposal.

The **Greater London Authority (GLA)** at the time of writing the committee report had not provided their comments as the application is due to be reported to the Mayor at a meeting on the 12th December after which they will issue their Stage 1 report. Initial discussions with the case officer have indicated that there are no significantly strategic issues and that any comments will be on minor matters. As the application is a referable application ie the Mayor has to be consulted on the proposal and agree the recommendation of the Council, in order to expedite matters it is proposed that the Mayors comments will be reported in an addendum at the meeting and any changes/additional information required would be sought from the applicant prior to referring the application back to the Mayor.

**English Heritage - Archeology** advised that although the application lies outside the borough's Archeological Priority Areas it involves a substantial development of open land. The site falls between the two part of the EAst End/Park Gate historic settlement in what appears to have been an area of 'old enclosures' associated with the settlement. Appraisal of this application using the Greater London Historic Environment REcord and information submitted with the application indicates the need for field evaluation to determine the application. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archeological interest and/or practical constraints are such that English Heritage consider that a condition would provide an acceptable safeguard and therefore have **no objection**.

**Transport for London (TfL)** made the following comments:

- While TfL welcomes that the start and finish times at the Academy will be different from the primary school, it is considered that the Academy should

stagger its start/finish time to minimise highway and traffic impact but this could be secured through condition.

- The London Plan does not identify set standards for car parking provision at schools and TfL have asked for further justification of the number of parking spaces proposed.
- TfL encourages the provision of electric charging points in line with London Plan Policy 6.13 and have requested that this be delivered through condition.
- TfL have requested that the number of cycle parking spaces be increased to encourage pupils to cycle to school and that this be secured through condition.
- Concerns regarding the viability of the proposed walking route between the two school sites. TfL have requested a pedestrian (PERS) audit for the proposed route and that the Council consider securing any necessary pedestrian realm upgrades (including new pedestrian crossing facilities) through the section 278 agreement in line with London Plan policy 6.10.
- The Transport Assessment (TA) does not include a full mode share assessment. TfL have therefore requested a revised assessment.
- As bus route 263 is currently running close to capacity TfL have requested further information on pupil mode share although, given the availability of DfE grant funding toward bus service improvements for free schools they will not be seeking a financial contribution to bus service upgrades through the planning process.
- Due to the proximity of the site to railway infrastructure (the Northern Line) London Underground have requested a number of conditions to ensure that the railway embankment and other infrastructure is not damaged as a result of the proposal.

The applicant is in the process of revising the Transport Assessment and providing the additional information requested by TfL. As the application is a proposal that is referable to the Mayor it is proposed that if Members are minded to approve the application the Council will not start the Stage 2 referral until the amendments/additional information has been received and TfL have been reconsulted. If after being reconsulted TfL maintain their objection then the application will be reported back to Committee for further consideration by Members.

#### Internal Consultations:

The Council's Policy Officers advised that the area is within an area of deficiency for good quality playing pitches. The pitch has not been used since 2003 and the planning application provides the opportunity for the provision of a better quality, publicly accessible pitch. The proposal complies with policy DM15b and there is no planning policy objection to the outdoor recreational aspect of the proposal.

The Council's Environmental Health Officers have advised that they have no objection to the proposal subject to a number of conditions.

The Traffic and Development Section advised that the application should be recommended for approval on highways grounds subject to a number of conditions; informatives and a Section 106 agreement. Full details of their comments are included in the appraisal section of this report.

Date of Site Notice: 17 October 2013

## **2. PLANNING APPRAISAL**

### Background Information:

The Archer Academy is a new parent led free school that has been set up in East Finchley. The school opened in September 2013 and will offer secondary school from years 7-11. There will be a 150 pupils per year group and the school will grow on a year by year capacity until full capacity (750 pupils) is reached in September 2017. The school is a non-denominational, non-selective, mixed secondary school where the majority of pupils are taken on the basis of catchment. The school was over subscribed for 2013 (its first year of entry) showing a strong demand for places.

The school is based in East Finchley and currently operates out of a site that was previously occupied by the Hampstead Garden Suburb Institute in Beaumont Close. Subject to planning, it is proposed that the school will operate on a split site basis with the Upper School (years 10 and 11) being located at the Beaumont Close site and the Lower School (years 7 to 9) being located at the Stanley Road site. It is proposed that each site will be self sufficient (ie in addition to classroom facilities they will each have their own cafeteria and other ancillary uses) with the exception of sport where pupils based at Beaumont Close will need to travel to the Stanley Road site.

### Site Description and Surroundings:

The site at Stanley Road consists of two parcels of land that will be combined and reconfigured to create a new school site for the Archer Academy. To the north is an area of land that was formerly a public playing field and to the south is an area of land that was formerly used by the Herbert Willmott Youth Centre and is currently leased to Apollo Construction as a storage depot. Together they form the application site which is approximately 1.3 hectares in size.

The site is bounded to the west by the Northern Line (High Barnet Branch) and residential developments (Leslie Road and Oakridge Drive) surround the northern and eastern edges of the site. An existing public footpath runs along the southern edge of the site and currently between the playing field and the Herbert Willmott site. To the south of the footpath is Holy Trinity Primary School and Nursery.

Vehicular access to the site is provided via Eagans Close a cul-de-sac which is accessed via Park Road. Pedestrian access to the site can be achieved via Eagans Close and via a pedestrian bridge over the Northern Line from Stanley Road. The site has a PTAL of 3 (PTAL scores range from 1(lowest)-6(highest)).

The site is generally flat but the ground does drop very gently from +95m OD in the southern corner (adjacent to Holy Trinity) to +93m OD in the northern corner (adjacent to Leslie Road).

The surrounding area is suburban being predominantly residential with a mix of housing styles and types ranging from the Edwardian terraces found in Leslie Road and Kitchiner Road to the 1960's local authority housing in Park Road; Oakridge Road and New Ash Drive.

The Beaumont Close site is 770m to the south of the application site.

## Proposal:

The application is for the provision of a new 3 storey school building and associated external facilities which would comprise of the following:

- A new school building of 3,710sqm (GIA);
- a new external two-court hard court games area;
- a new outdoor flood-lit 3G synthetic turf playing pitch;
- hard and soft play and social areas; and
- new car parking provision, circulatory access and pedestrian access.

Dealing with each of these elements in turn:

**New School Building:** The new school building would be located in the southwestern corner of the site fronting onto the existing pedestrian footpath that runs between the site and Holy Trinity Primary School. The building would be 'L' shaped and three storeys in height. The building would provide 3,710sqm of floorspace and accommodate 450 pupils. The building would include a new three court indoor sports hall which would form the bottom part of the 'L' and would run along the western boundary with the Northern Line. Access to the building would be through a new entrance plaza on the south eastern side of the site accessed via the existing public footpath and via Egans Close. The building would have a frontage of 69m and a depth of 13.7m. The sports hall which would be located to the rear of the building would have a depth of 32m and a width of 19m this would form the bottom of the 'L'. The building would be 12m high and have a flat roof on top of which would be located 1.5m high lettering spelling out the name of the school on the southern elevation and some plant located centrally within the roof.

The building would be set between 6.2m-10m off the boundary with the Northern Line; 3.4m-4.9m back from the back edge of the public footpath and 13.5m from the eastern boundary of the site. The nearest residential properties are in New Ash Close which would be 16.2m from the flank elevation of the proposed new school. To the rear of the school buildings would be playgrounds; tennis courts and the football pitch. As a result the building would be located approximately 61m to the south of the rear elevations of the Leslie Road properties.

The building would be of a modern design built of brick (at ground floor) and coloured render (predominantly grey and broken up with areas of lime green). Windows would be grey powder coated aluminium. The schools logo (3 longbows) has been incorporated into the design on the public elevations. The sports hall would be 1.5m lower than the main building and would be constructed of brick at ground floor level with composite metal paneling above and for the roof. At ground floor level a small undercroft would be created on the southeastern corner of the building which is where the main entrance to the building would be located. A secondary smaller entrance would be located 11m in from the southwestern corner of the building which would provide out of hours access to the sports hall.

**New external two court hard court games area:** The proposed hard courts would be located behind the proposed school building close to the eastern boundary of the site. They would be marked out so as to provide 2 x tennis courts and 2 x netball courts. The courts would be hardsurfaced and be enclosed by 2m high ball stop fencing. The proposed courts would be 17.7m wide and 17m long and would be set 2.2m off the eastern boundary of the site. The nearest residential property would be between 4.5-5.5m away in New Ash Close.

**New outdoor floodlit 3G synthetic turf playing pitch:** The proposed new synthetic pitch would be located at the rear of the site adjacent to the northern boundary which is formed by the rear gardens of properties in Leslie Road. The proposed pitch would be 73m x 46m with a 3m run off which complies with the FA requirements for playing 9 v 9 (Under 13/Under 14) football. The pitch will also include additional marking for 5 v 5 (U7 and U8) and 7 v 7 (U9/U10). The pitch would be enclosed by 4.5m high ball stop fencing. The pitch would be floodlit, details of the floodlighting - location, column height, design, lux values etc have not been provided. However, the electrical services plan (2601049/HL/XX/XX/GA/U/900/0001/P4) indicates that 6 floodlights are proposed and would be located at each corner of the pitch and at the centre line.

**Hard and soft play and social areas:** The intention is to use the whole site as an educational resource therefore wherever possible the connection between the internal and external areas will be as direct as possible. The school views external spaces as learning environments in themselves this includes an area of informal soft social area that would be located between the rear of the new school building and the proposed all weather pitch. An area of informal hard social area would be located between the side elevation of the proposed new school building and the eastern boundary of the site. This area would include the covered cycle areas and enclosed bin store. The remaining areas of land around the periphery of the site and between the proposed new facilities would be soft landscaped to create habitat areas to enhance the bio-diversity of the site. where possible the majority of the existing vegetation and trees located along the site boundaries will be retained.

**New car parking provision, circulatory access and pedestrian access:** The proposed parking would be located on the Herbert Willmott site that projects to the south west edge of the site and would be accessed directly from Eagans Close. The staff/visitor car park would be a surface car park providing spaces for 21 vehicles, 2 of which would be for blue badge holders and two of which would be oversized to enable the parking of mini-buses. The parking would be surrounded by soft landscaping. In addition to a new vehicular access a separate 4m wide access would be created off Eagans Close at the start and end of the school day this would be pedestrian only to ensure the safety of pupils and staff. However, it has the ability to accommodate vehicles and would be used for deliveries and maintenance vehicles. The access points have been designed to segregate as much as possible the pedestrian and cycle entrances from cars and service vehicles. The existing public footpath running west to east is retained and would enable pedestrians to access the site from both Stanley Road and Park Road.

#### Planning Considerations:

- Principle of development
- Loss of playing fields
- Intensification of use
- Highway safety and parking provision
- Impact on the street scene
- Impact on the residential amenity of adjoining properties
- Sustainable design and construction
- Section 106 contributions

## **Principle of development**

The Government issued the 'Planning for schools development' policy statement in August 2011. In this statement the Government pledged its support for the development of schools it stated that the creation and development of state funded schools is strongly in the national interest and that planning-decision makers can and should support the objective, in a manner consistent with their statutory obligations.

The statement outlines the Government's belief that the planning system should operate in a positive manner to schools. The statement requires Local Authorities to apply a presumption in favour of development of state-funded schools. This is further reinforced by para 72 of the NPPF which states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It tasks Local Planning Authorities to take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen the choice in education. Specifically it states that Local Authorities should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

The Council has worked collaboratively with the Archer Academy to help with the provision of a site (the Council own the site) and have supported the applicant through the provision of pre-application advice in order to frontload the planning application process.

The NPPF outlines that suitable infrastructure and services are needed in order to support new and existing economic development and to promote strong, stable and productive economies. In addition both the London Plan and the Local Plan recognise that the provision of education facilities are required in order to accommodate growth in a sustainable manner.

The proposals therefore would result in the provision of new education and sports facilities to cater for the needs of current and future populations which is consistent with adopted policy which seeks to ensure that an adequate supply of buildings are available for health facilities to meet the needs of the residents in the borough.

## **Loss of Playing Fields**

The NPPF advocates that local authorities should give careful consideration to any planning applications involving development on playing fields. This is further built upon at a strategic level with Policy 7.18 of the London Plan. At a local level Policies CS7 and DM15 of the adopted Local Plan which seek to protect playing fields in accordance with government policy. The development proposal involves the construction of a new school on existing playing fields. However, as part of the scheme a new all weather pitch, 3 court sports hall and hard courts would be provided at the site which are considered to significantly enhance the quality and accessibility of all year round sports provision at the site.

The proposal will result in the reduction of the quantum of existing grass playing fields through the footprint of the building and the new access drive. The former playing fields consist of approximately 1 hectare whilst the proposed development compromises a footprint of 1,553sqm which would leave approx 0.8 hectares of

open space i.e. a 20% reduction in provision. However, it is considered that the proposals will result in an enhancement of sports provision at the site which have been designed in consultation with local sports groups and in accordance with Sport England and Football Association guidance. The facilities have been designed to be available for use by the wider community outside of school hours and would provide full disabled access.

The proposals have been designed in such a way that the playing pitches and wildlife garden would be easily accessible from the school building, thereby enhancing the access to sporting facilities and opportunities for outdoor learning.

The proposed development will enable the creation of a range of publicly accessible open spaces in an area where currently there is no access to the playing fields in their existing format. The open space provision is seen to form a fundamental part of the creation of the new school and a focal point for the local community. The external spaces created in particular the habitat areas will be used to enhance the learning opportunities for pupils.

To maximise potential community access a Sport England condition requiring a community access management plan is recommended. It is therefore considered that the new facilities will result in significant increase in access to sports facilities by the local community supporting the objectives of Sport England for wider access for all. It is therefore considered that the improvements to the quality of provision outweigh the harm that would result from the loss of total quantity thereby meeting the criteria of NPPF and Policies CS7 and DM15 of the adopted Local Plan.

### **Intensification of use**

The site is currently playing fields with the benefit of floodlighting and therefore the established use of the site is for outdoor sport albeit that they have not been used for a number of years.

The proposal would result in the creation of a new secondary school for 450 pupils including the provision of sports (indoor and outdoor) facilities that would be available to the wider community outside of school hours.

The London Plan advocates that the Mayor is committed to ensuring equal life chances for all Londoner's. Meeting the needs and expanding opportunities for all Londoner's - and where appropriate addressing the barriers to meeting the needs of particular groups and communities (Policy 3.1). Furthermore Policy 3.18 states that the Mayor strongly supports the establishment of new schools and steps to enable local people and communities to do this. The London Plan highlights the need to safeguard sports facilities and that new sites need to be identified to meet additional demands and changes in provision for education.

Policy 3.18 of the London Plan states:

- Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or changes of use to educational purposes.
- In particular, proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or



obligations.

- Development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged.

In terms of sports facilities the Mayors Sports Legacy Plan aims to increase participation in and tackle inequality of access to, sport and physical activity in London. Policy 3.19 of the London Plan states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. However proposal that result in the net loss of sports facilities, including playing fields should be resisted.

A key guiding principle of the adopted London Plan and the Boroughs corporate plan is to sustain the boroughs communities. Policy CS10 of the Local plan states that 'the council will work with our partners to ensure that community facilities including schools and community meeting places and facilities for younger and older people are provided for Barnet's communities'.

Policy DM13 advocates that proposals to develop new community or educational uses will be permitted where they:

- are easily accessible by public transport, walking and cycling, preferably in town centres or local centres;
- would not have a significant impact on the free flow of traffic and road safety; and
- protect the amenity of residential properties

The use of this site for playing sport is well established since the 1960s when Middlesex County Council purchased the sports fields which were then rented to various local clubs and groups. Furthermore, the adjoining site has been occupied by Holy Trinity Primary School since 1975. It is therefore considered that the principle of sports and education provision in this location is well established.

Due to the existing primary school the noise and disturbance generated by its activities already form part of the character of the area. The current proposal would see the erection of new buildings in such a way as to minimise impact upon adjoining residential properties by placing the noise generating activities further within the site. The building would be of high quality and be suitably insulated so as to minimise noise transference for those within the building (in particular in classrooms) and conversely neighbouring properties. However the site is not in a town centre location.

The proposals would result in the development of a new building which would need to comply with Part M of the Building Regulations and be compliant with the Disability Discrimination Act 1995(DDA).

The concerns regarding intensification therefore focus on the issue of accessibility of the site. Concerns have been raised by local residents regarding the impact of pupils travelling to the site and in particular how this would impact on the local highways network.

A Transport Assessment (TA) was submitted in support of the application which details the proposed trip generation and traffic impact of the development on the surrounding highway network. The TA accepts that there will be an increase in overall trips to the development as a result of the proposal. The key issues therefore is whether there is capacity within the surrounding road network to absorb these trips and are there any measures that can be taken to mitigate against the impact of these trips.

The applicant considered a number of options for accessing the site for both future occupation and construction given the acknowledged increase in trips that would be generated by the time the development would be fully operational. However, options are severely limited given the 'land locked' nature of the site.

Two new accesses would be created off Eagans Close, one for vehicles and one for pedestrians however this would result in concentrating vehicular movements in one area of the network.

The next issue that therefore needs to be considered is whether there are any measures that can be taken to mitigate against the impact of these trips. The main mechanism for delivering this would be reducing the need for car borne travel and the means for achieving this is via a Travel Plan (TP). As the school has only just opened a travel plan framework has been submitted at this stage. It is considered to be of a good standard and that the applicant has shown sufficient dedication towards supporting sustainable travel at the site amongst staff, pupils and visitors. If Members are minded to approve the application a condition requiring the submission of a detailed TP and future monitoring and updating is recommended. In particular the TP needs to incorporate robust measures to discourage parents dropping off pupils by car and promote walking and cycling as the preferable modes of transport for both pupils, staff and visitors.

The Councils Traffic and Development Section have also recommended a number of off site measures to improve the access to the site by non-car modes particularly the provision of pedestrian links; links from the public transport network and restrictions on movements into and out of the site and across the network. These measures would include:

- £5,000 for a feasibility study to look at suitable improvements to the crossing on East End Road;
- Commitment to provide contributions to implement any measures identified following the feasibility to allow for a possible Zebra Crossing/Pelican crossing; guard rail; road marking etc up to a maximum of £70,000 (the full cost of a Pelican crossing).
- Submission of a full school travel plan meeting the TfL criteria in 'What a school travel plan should contain' and based on and extending the pre-existing Archer Academy STP to be submitted 3 months prior to the new school being occupied; and
- Monitoring of the Travel Plan

It is considered that if these measures can be put in place, on balance, the impact of the trips generated by the development can be accommodated on the existing highway network.

The site has a PTAL score of 3 indicating limited accessibility to public transport facilities. However, the applicant has indicated how they intend to maximise use of public transport and other non car modes as a result the proposal is considered to comply with policy CS10 of the adopted Local Plan and the intensification of this use within the site is considered when balanced against the wider educational and sports needs for the Borough to be acceptable subject to the proposed mitigation measures and a satisfactory Travel Plan.

It is considered that the impact of construction traffic can be mitigated through the imposition of a Construction Management Plan condition which would control the hours of working/deliveries; routes and times of delivery vehicles and contractors parking.

Finally, this site would provide for the lower school (school years 7-9) although the Archer Academy provides education for school years 7-11. Furthermore, the school currently has no sixth form but proposes to open one by 2018. However, the impact of the proposal has been considered on the basis of the school building accommodating the lower school only (450 pupils). Whilst it may be possible to accommodate additional pupils on the site the impact of this in-particular in terms of impact on the surrounding highways network and on the amenity of adjoining residents would need to be carefully assessed. As a result if Members are minded to approve the application a condition restricting the number and age of the pupils at the school (with the exception of use for sporting activities) is recommended.

## **Highway Safety and Parking Provision**

### **Proposed Vehicular Access to the site:**

The access to the proposed school is via Kitchener Road which is a two way road, from a priority junction with the A1000. Kitchener Road joins Market Place. Market Place operates as a one way street in the South East direction between its junction with Kitchener Road and East End Road and in North West direction from its junction with Park Road. The proposed vehicular access to the site is from Eigans Close which is off Market Place to the North West of its junction with Kitchener Road.

It is proposed that access to the new school will be by a new road off the turning head in Eigans Close which will pass though the existing compound, cross the Stanley Fields path and terminate in the Stanley Road site itself.

It is proposed that the parents will not be permitted to drive their children along this road but will allow access to students cycling to school. The road will have demountable bollards to allow access by emergency, delivery and maintenance vehicles. The Stanley Fields path will give pedestrian access direct to the school.

It is proposed that the school will actively discourage parents from using Eigans Close as a setting down and picking up point.

Eigans Close also serves as an access for the existing Holy Trinity Primary School to the southeast of the site. It is a local authority maintained school with 246 pupils aged 3 to 11. The access to the school is also from Eigans Close.

### Access for coaches:

The applicant has stated that the established practice for coaches serving Holy Trinity School is to wait at the end of Eigans Close as they are unable to negotiate the turning circle at its end. It is intended that coaches serving the Stanley Road site will do the same and Archer Academy will aim to co-ordinate coach travel arrangements with Holy Trinity.

### Access between the sites:

This will involve service vehicles transferring goods including school meals between sites, Staff including teachers based at Beaumont Close moving between sites and students based at Beaumont Close who travel to and from Stanley Road site, mainly for PE lessons. Therefore one dedicated “transient” parking space is provided for vehicles offering transfer facilities between the sites, and for a minibus.

### **Proposed Pedestrian Access:**

Pedestrian access to the proposed site is from Eagans Close, Market Place and Kitchener Road to A1000 high Road. Pedestrian access to East End Road is via Market Place. A pedestrian footpath links with Market Place and Park Road in the East. To the west it crosses the railway and links with Stanley Road, a cul de sac that leads to a junction with the A504 East End Road. Stanley Road has a hammerhead at its eastern end where vehicles can turn. The footpath is surfaced, has lighting and is approximately two metres wide at its narrowest point. It also gives access to Holy Trinity Primary School via an entry gate direct into its premises just east of the railway bridge.

### **Cycle Parking Provision:**

Initially 40 secure storage spaces are proposed which increase to 50 spaces to meet the cycle parking standards.

### **Parking:**

#### Parking Provision:

Parking provision of 21 car parking spaces for staff and visitors are proposed on land currently is used by Herbert Willmott with access of Eagans Close turning head. One space will be reserved for a transient vehicle to provide a link with the Beaumont Close site and for one minibus.

#### Parking Controls:

The site is within the East Finchley Controlled Parking Zone (CPZ) which is in operation for one hour from Monday to Friday 2pm – 3pm. There are various waiting restrictions in place on Market Place including ‘No Waiting at any time’ at its junctions with Eagans Close and at other junctions such as Kitchener Road and Park Road.

### **Traffic Assessment:**

The Transport Assessment (TA) was prepared by Fairhurst GGA for Archer Academy and the assessment on likely trip generation is based TRICS Database which is an industry standard database used for predicting trip rates.

### **Trip Generation:**

The table below shows the likely trips for the proposed school. Considering that there is a lack of space in Eagans Close for setting down and waiting it is likely to discourage parents from using Eagans Close for this purpose.

<b>AM Trips</b>	<b>In</b>	<b>Out</b>
07:00 - 08:00	8	2
08:00 - 09:00	39	18
<b>PM Trips</b>		
15:00 - 16:00	9	21
16:00 - 17:00	3	14

The exiting peak hour traffic flows on the A1000 High Road, East Finchley is as follows:

Two Way Flows	A1000 High Road East Finchley	East End Road
AM Peak(08:00 - 09:00)	1441	742
PM Peak(15:30 - 16:30)	1350	645

### **Highway impact Assessment:**

Based on the information provided, most parents either setting down or picking up students in Eagans Close would approach it from Kitchener Road. Two thirds of the parents would have come from northwest along A1000 and one third from southeast.

When leaving Eagans Close, the two third of vehicles that had approached from the northwest along A1000 would leave via Park Road and turn left at the junction with A1000. The remaining one third would go via Kitchener Road or via Market Place and East End Road to reach A1000.

The typical travel pattern for a secondary school is that students in the close proximity of the school are likely to walk to school. Some are dropped off by parents on their journey to work in the mornings. However, these students may walk home or go by bus in the afternoon.

The junction count carried out by the consultants at the junction of A1000 and Kitchener Road indicated that there was a heavy flow of vehicles turning right into Kitchener Road from the southbound A1000 between 08:00 and 09:00 and even between 15:30 and 16:30. It appears that this may be due to vehicles wishing to access East End Road avoiding the queues on A1000 and creating the 'rat run'.

The queue length surveys under taken by the consultants at the A1000/Kitchener Road junction over the period of traffic counts were as follows:

**Morning Peak:** The average queue was 11 vehicles. At times there were no vehicle queues. The maximum queue observed was 25 vehicles.

**Afternoon Peak:** No queues were observed during the afternoon peak.

Taking into consideration the proposed 39 trips resulting from the Academy is unlikely to have any additional impact on the queue lengths and delays on A1000 High Road Finchley and East End Road.

### Times of operation:

The start and finish times at Holy Trinity School are 08:50 – 15:30. Archer Academy has proposed times for both sites as 08:30 – 16:00 on Mondays, Wednesdays and Fridays and 08:30 – 17:15 on Tuesdays and Thursdays. This is to prevent clash during the dropping off and pick up times between the Academy and Holy Trinity Primary School. If Members are minded to approve the application then a condition is recommended to ensure that start and finish times are staggered as there is no spare capacity in Eagans Close so drop off and pick up times from Holy Trinity need to be avoided.

### **Personal Injury Accidents:**

The consultants obtained personal injury data from Transport for London for the period 1<sup>st</sup> March 2008 to 28<sup>th</sup> February 2013. The personal injury accidents were analysed in order to identify accident hotspots and any local accident trends which might affect the safety of children attending Archer Academy.

115 personal injury accidents were recorded during this period of which 22 accidents occurred at school travel times, between 08:00 - 09:00 or 15:00 – 16:30. Only 3 of the 115 accidents involved children of school age and two of these were on Saturdays.

Therefore, no accident trends or patterns were observed in the vicinity of the school which are likely to be exacerbated by the proposal of new school in the area.

### **School Travel Plan:**

The Councils Travel Plan Co-ordinator has advised that it will be necessary for the crossing point on East End Road by the junction with Market Place to be looked at once the Stanley Road site is open as this will be on the route between the 2 sites. The current island on East End Road is narrow so has limited capacity. There is also a strong desire line to and from the tube station so school staff and pupils arriving by tube will also use that route. Therefore it is recommended that a feasibility study be undertaken to look at what measures could be put in place to ensure the safe passage of students between the two sites and that once the study has been undertaken that its recommendations be implemented. As this involves off-site highways works this would need to be secured through a S106 agreement.

Highways Officers consider that the walking route identified in the Outline School Travel Plan (OSTP) seems to be the most appropriate having been out on site but there may be issues as it passes through the station, station car park and a private housing estate. A PERS audit would be very valuable and should provide weight for the need to improve the crossing facilities at East End Road and if Members are minded to approve the application a condition requiring this to be undertaken is recommended.

As the school only opened in September 2013 a full School Travel Plan will need to be provided. A contribution of £5,000 will need to be provided for the monitoring of the objectives of the Travel Plan.

## TfL Comments:

As outlined at the beginning of this report TfL have requested further information/revisions which are in the process of being undertaken. The Council has considered the points that they raised and made the following responses:

- While TfL welcomes that the start and finish times at the Academy will be different from the primary school, it is considered that the Academy should stagger its start/finish time to minimise highway and traffic impact but this could be secured through condition.  
*Officers consider that this can be addressed by a condition and one is recommended should Members be minded to approve the application.*
- The London Plan does not identify set standards for car parking provision at schools and TfL have asked for further justification of the number of parking spaces proposed.  
*Officers consider that the level of parking proposed is appropriate for the proposed use and in accordance with Local Plan Policy DM17.*
- TfL encourages the provision of electric charging points in line with London Plan Policy 6.13 and have requested that this be delivered through condition.  
*Officers consider that this can be addressed by a condition and one is recommended should Members be minded to approve the application.*
- TfL have requested that the number of cycle parking spaces be increased to encourage pupils to cycle to school and that this be secured through condition.  
*Officers consider that the level of cycle parking provision is appropriate for the proposed use and in accordance with Local Plan Policy DM17. However, it is noted that there is sufficient space on the site for the proposed cycle parking area to be extended should this be required by TfL.*
- Concerns regarding the viability of the proposed walking route between the two school sites. TfL have requested a pedestrian (PERS) audit for the proposed route and that the Council consider securing any necessary pedestrian realm upgrades (including new pedestrian crossing facilities) through the section 278 agreement in line with London Plan policy 6.10.  
*Officers consider that the request for a PERS audit can be addressed by a condition and one is recommended should Members be minded to approve the application. A Section 106 agreement is recommended that would deliver the pedestrian realm upgrades - namely how pupils will cross East End Road safely.*
- The Transport Assessment (TA) does not include a full mode share assessment. TfL have therefore requested a revised assessment.  
*The applicant is in the process of revising the Transport Assessment and providing the additional information requested by TfL. As the application is a proposal that is referable to the Mayor it is proposed that if Members are minded to approve the application the Council will not start the Stage 2 referral until the amendments/additional information has been received and TfL have been reconsulted. If after being reconsulted TfL maintain their objection then the application will be reported back to Committee for further consideration by Members in light of TfL's objection.*

- As bus route 263 is currently running close to capacity TfL have requested further information on pupil mode share although, given the availability of DfE grant funding toward bus service improvements for free schools they will not be seeking a financial contribution to bus service upgrades through the planning process.

*The applicant is in the process of submitting this information as part of the revised Transport Assessment. As this information is only required by TfL for investment in the bus network it is not material to the determination of this application.*

The proposal is therefore considered to be in accordance with the requirements of Policy DM17 of the adopted Local Plan.

### **Impact on the streetscene**

Chapter 7 of the London Plan sets out the strategic framework when considering the issue of design. Policy 7.1 advocates that Boroughs should seek to ensure development that:

- b. is designed so that the layout, tenure, and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces);
- c. enables people to live healthy, active lives; maximise the opportunity for community diversity, inclusion and cohesion; and should contribute to peoples sense of place safety and security. Places of work and leisure, streets, neighbourhoods, parks and open spaces should be designed to meet the needs of community at all stages of people's lives, and should meet the principles of lifetime neighbourhoods;and
- d. the design of new buildings and the spaces that they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood

Policy 7.4 states that development proposals should have regard to the form, function and structure of an area. In areas of poor or ill-defined character development should build on the positive elements that can contribute to establishing an enhanced character for the future of the area. This is further reinforced by policy 7.6 which advocates that development should be of the highest architectural quality.

At a local level the policies within the Local Plan seek high quality design in all new development which is in keeping with the councils objectives of sustainable development and ensures community safety (policies CS1, DM01 and DM02).

The site is surrounded on three sides by residential properties. Due to the current use as playing fields the current boundary treatment offers little street presence.

One key driver was to establish the new school as being within the community for the community. The Archer Academy consider that they are not just about educating local children; they are also a new community facility bringing together opportunities for the wider community.

The proposed new school has been well thought out; sits well on the site and will have a distinctive character/identity. The analysis of the spaces needed for the school is considered to have resulted in a highly legible building which should be easy to use and will provide light/airy spaces. The form of the building with its



central corridor would give the building an identity. The building will be part two/part three storey at its closest point to the adjoining residential properties.

The proposals are therefore considered to provide a unique stand alone development that reflects the educational use of the building. The bulk and massing of the proposals reflect the surrounding two storey suburban character of the adjoining residential properties. The siting of the building on the edge of the site adjacent to the adjoining school buildings and as far as possible from the adjoining residential properties provides the opportunity to set and integrate the building within the landscape. With the exception of views from Eagans Close the majority of views of the buildings would be 'glimpsed' between existing residential properties.

The design of the new building whilst contemporary is not considered, given the individuality of the site and the adjoining institutional buildings on the site, to be out of character in the street scene. The design of the building is considered to reflect its use. The proposal is therefore considered to comply with the advice contained within NPPF, the London Plan and Policies CS1, DM01 and DM02 of the adopted UDP.

### **Impact on the residential amenity of adjoining properties**

The issues of the intensification of the use and impact on the local road network have already been considered. This section is therefore considering the impact of the building and the sports pitches on residential amenity.

**Visual Impact:** The impact of the building on neighbouring properties is not likely to be appreciable as the buildings would be located at the furthest point from adjoining residential properties. The existing residential properties would have a back to side relationship with the proposed buildings, however given that the windows in the side elevation facing New Ash Close would be obscure glazed it is not considered that overlooking/loss of privacy would occur. Furthermore, where possible existing boundary landscaping is to be retained and enhanced to mitigate the impact of the proposal on the outlook from adjoining properties. Given the location of the buildings it is considered that they are sufficiently distant from neighbouring properties to ensure that there is no loss of sunlight and daylight or overshadowing to these residents.

The proposed pitches would be floodlit. However, details of the proposed design and location of the floodlights have not been provided. Historically the current playing pitches have been floodlit and therefore it is considered that the use of floodlights subject to the submission of further details is acceptable in this area. A condition is recommended requiring the submission of floodlighting details and restricting their hours of use. The proposals indicate the use of low level lighting within the car park and external areas and conditions restricting the lighting of the building and controlling the detailed design and hours of use of the lighting on the site in general are recommended.

**Noise and Disturbance:** The site has the potential to generate a noise nuisance to adjoining residents both from activities carried out within the site and from people entering/exiting the site and dispersing into the surrounding area. However, as already highlighted this must be balanced against the noise and disturbance generated by the existing playing fields and the adjoining primary school and its activities which already form part of the character of the area.

The Council's Environmental Health section have advised that the new buildings

should have appropriate sound insulating properties to prevent nuisance from internally generated noise. A condition requiring this is recommended if Members are minded to approve the application.

It is therefore considered that subject to the imposition of these conditions that on balance the proposal would not result in a level of noise and disturbance to adjoining properties to such a level as to warrant a refusal.

The proposals are therefore not considered to detrimentally harm the amenity of existing residents in accordance with national and strategic guidance and Policy DM04 of the adopted Local Plan.

### **Sustainable design and construction**

The NPPF underpins the Government's approach to the planning system through sustainable development, mixed use and design. The NPPF promotes and encourages the use of renewable energy. The concept of sustainable design is further built upon at a strategic level with the policies contained within the London Plan and the Mayors Energy strategy. At a local level there are a number of policies within the adopted Local Plan which seek to ensure that development and growth within the borough is sustainable which has been further enhanced by the Supplementary Planning Document (SPD) on Sustainable Design and Construction which sets out essential and preferred environmental design standards against which planning applications will be considered.

An Energy Strategy and BREEAM Pre-Assessment report accompanied the application taking into consideration these national, regional and local sustainability policies and guidelines.

The proposed development is therefore considered to have taken into account sustainable design, construction and development issues whilst balancing the requirements of social, economic and environmental factors. In preliminary testing it has been indicated that the building would achieve an educational BREEAM rating of 'Very Good' and a condition is recommended to ensure that this is achieved.

The two key ways of reducing carbon emissions are by using less energy and using renewable energy. The proposal would provide the majority of Carbon Dioxide emissions savings by being energy efficient.

The general form of the building allows for natural ventilation of the majority of the space which as well as resulting in energy savings will place less demand on plant and helps minimise the impact on the amenity of local residents.

A full Building Energy Management System (BEMS) is proposed to enable automatic control of internal temperatures, ventilation plant, boilers, pumps and lighting systems.

A number of energy technologies have been considered in terms of their ability to make sufficient reductions to carbon emissions. The proposed combination of a combined heat and power system and solar panels would result in CO2 annual savings.

The proposed measures would give a total contribution from renewable energy sources of approximately 25% which is in conformity with the Mayor of London's policy. Furthermore, it is considered that the proposal would contribute significantly

to sustainable development in Barnet by localising and enhancing access to education and sports facilities thereby reducing the need for residents to travel. As the application was submitted prior to the 1st October 2013 when considering Policy 5.2 of the London Plan the lower requirement of 25% reduction in carbon dioxide emissions applies.

The proposal is therefore considered to be in accordance with national guidance; the Mayors Energy Strategy and Policies 5.2 and 5.3 of the London Plan; policies DM02 and DM04 of the adopted Local Plan and the guidance contained within the Boroughs SPD on Sustainable Design and Construction.

#### The Three Strands Approach (PEG)

In 2005 the Council developed the Three Strands Strategy (PEG) to protect all that is excellent about Barnet whilst enabling the Council to respond to the needs of the community. The Three Strands approach is based around the three strands of protection, enhancement and growth. The application site falls within the remit of all three strands. For the reasons outlined above the proposal is not considered to adversely impact upon the character and appearance of the surrounding residential (strand one [protection]); the proposal would result in the provision of a high quality, well designed educational establishment (strand two[enhancement]) and provide expanded facilities (strand three [growth]). The proposal is therefore considered to accord with the Three Strands Approach and the priorities of the corporate plan.

#### The Corporate Plan

Barnet Council's vision and strategy is to create and deliver successful suburbs for a world class city. The provision of access to quality education is a key component of this strategy. To this end the Corporate Plan highlights as a key priorities to create better life chances for children and young people across the borough and to promote family and community well being and encourage engaged, cohesive and safe communities. The proposal provides Barnet with a significant opportunity to help deliver improved educational and sports facilities for residents, contribute to the borough's social, economic and environmental well-being and deliver sustainable development and a public sector exemplar building of quality.

#### Environmental Impact Regulations (EIA 2011)

The application proposals have been assessed against the environmental impact of the development in accordance with the Environmental Impact Assessment Regulations 1999 as EIA development. The screening opinion concluded that a full Environmental Impact Assessment was not required.

#### **Unilateral undertaking:**

In order to improve the access to the site by non-car modes and to ensure pupil safety particularly pedestrian links and links from the public transport network a number of off site mitigation measures are required. Delivery of these measures would be through a Unilateral Undertaking which would deliver the following:

- £5,000 for a feasibility study to look at suitable improvements to the crossing on East End Road;
- Commitment to provide contributions to implement any measures identified following the feasibility to allow for a possible Zebra Crossing/Pelican crossing; guard rail; road marking etc up to a maximum of £70,000 (the cost of a pelican crossing);
- Submission of a full school travel plan meeting the TfL criteria in 'What a

school travel plan should contain' and based on and extending the pre-existing Archer Academy STP to be submitted 3 months prior to the new school being occupied; and

- £5,000 for monitoring of the Travel Plan

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore seeks the payment of a financial obligation towards the costs of undertaking the work relating to securing the planning obligations. In September 2006 Cabinet approved a Supplementary Planning Document (SPD) for Planning Obligations on the basis of the formula contained within the Councils SPD the contributions highlighted above are sought.

It is considered that both these amounts meet the policy tests set out in circular 05/2005 necessary to deliver sustainable development.

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

The majority of these have been considered in the main report. However, the following additional specific responses can be made:

- The Councils Traffic and Development Officers are satisfied that there would be sufficient parking on the site to meet the needs of the use.
- The Councils Traffic and Development Officers are satisfied that the Transport Assessment demonstrates that the proposal would not adversely impact traffic flows on the surrounding road network.
- A Construction Management Plan is recommended that will control the routes and times for delivery vehicles.
- Whilst access to the site is constrained the Councils Traffic and Development Officers are satisfied that the site could be adequately accessed.
- An unexploded ordinance survey accompanied the application which highlighted that the site is at medium risk of encountering unexploded bombs during construction and sets out a series of risk mitigation measures that would be put in place to minimise this risk during construction.
- An hours of use condition is recommended to ensure that the amenity of residents is maintained in the evening.
- The sports pitch currently has the benefit of an unfettered use (ie no restriction on hours of use). However, given the proximity of adjoining residential properties Officers consider that an hours of use condition restricting the use of the playing pitches in the late evening is reasonable.
- The building will have a Building Energy Management System that will include timers/motion sensors on the lights so that it should not be possible for them to be left on when the building is not in use.
- Conditions requiring further details of the proposed floodlighting and restricting the hours of use are recommended.
- Due to the security measures necessary to protect children the site will be secure and therefore it would not be possible for unauthorised users to enter the none public areas (ie the area to the rear of the school buildings).
- The design of the building is considered to be appropriate given its educational use and the fact that it is a community use.
- The boundary fence for HolyTrinity is outside of the application site and therefore

it is not considered reasonable to require improvements to this fence as a result of the current application.

- The footpath link will be improved as a result of the proposals by virtue of opening up the boundary of the site and the proposed soft landscaping/public realm improvements to this area.
- A condition requiring the submission and implementation of a landscaping strategy is recommended. The documentation submitted with the application indicates that where possible existing trees will be retained and additional trees planted. The ecology survey submitted with the application shows the site to be of low ecological value with no protected species present.

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

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies is set out in Section 149 of the Act. The duty requires the Council to have due regard to the need to eliminate discrimination and promote equality in relation to those with protected characteristics such as race, disability, and gender including gender reassignment, religion or belief, sex, pregnancy or maternity and foster good relations between different groups when discharging its functions.

The council have considered the above act but do not believe that the application would have a significant impact on any of the groups as noted in the Act.

#### **5. CONCLUSION**

The development proposes the erection of a new secondary school that would specialise in providing high quality educational facilities to meet an identified national and borough need. Whilst it is acknowledged that the development would result in the loss of playing fields it is considered given the re-provision of enhanced sporting facilities and the overriding community benefits in providing the new school the proposal would be in accordance with current national, strategic and local policy.

Furthermore, the proposal is considered to accord with other relevant planning policies and guidance at national, strategic and local levels. In particular:

- It would deliver the objectives of sustainable development through the use of good design and renewable energies and could contribute significantly to the objectives of sustainable development in Barnet;
- Re-utilises an underused playing field for educational purposes to provide educational and sporting opportunities for the local community;
- Delivers new and accessible facilities that can be used by the wider community;
- Minimises the visual impact of the proposal on adjoining land by the careful use of design and landscaping;
- Enhances the quality of sport and playing pitch provision at the site; and
- Can be accessed in a way as to minimise disruption to the local road network.

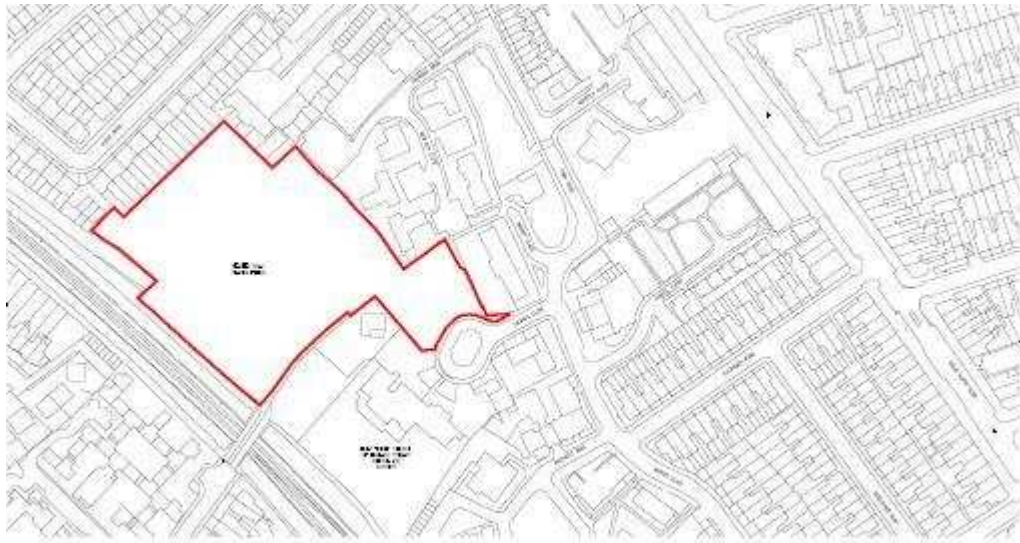
The proposal will enable the Council to control how the site is used in order to minimise the impact on the amenity of adjoining residents. Details of how the site is to be managed and measures to be provided to minimise the potential disruption from activities at the site will be required to be submitted and reviewed on a regular basis.

The proposal is therefore considered to be in line with current national and strategic legislation and subsequently the policies contained within the adopted Local Plan.

Accordingly, subject to the signing of a Section 106 and satisfactorily addressing TfL requests for additional/amended information and the conditions contained within recommendation II of this report, Approval is recommended.

**SITE LOCATION PLAN:** Archer Academy, Playing Fields, Stanley Road, London, N2

**REFERENCE:** F/04475/13



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