

LOCATION Former Whetstone Police Station, 1170 High Road, London N20 0LW

REFERENCE: 15/01113/FUL **Received:** 23rd February 2015

Accepted: 19th March 2015

WARD: Totteridge **Expiry:** 18th June 2015

APPLICANT: Alma Primary School

PROPOSAL: The redevelopment of the Former Whetstone Police Station to form Primary School (D 1 Use Class), with new side extension incorporating hall and kitchen/serverey (new build floorspace 292 sqm), erection of security booth and creation of play area and associated works.

RECOMMENDATIONS:

To approve the application subject to:

Recommendation 1:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary 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. The applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of seeking to secure the following:
 - (a) **Legal Professional Costs Recovery**
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
 - (b) **Enforceability**
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
 - (c) **Special Site-Specific Obligation**
The submission of a Pick up/Drop Off Strategy within 30 days of the signing of this agreement.
 - (d) **Travel Plans**
A requirement that the applicant shall enter into Travel Plans that seek to reduce reliance on the use of the private car, promote sustainable means of transport and include the appointment of an appropriately qualified Travel

Plan Champion. A full School Travel Plan shall be entered into. The travel plan shall include the following contributions:

- (e) Zebra Crossing
Contribution of £35,000 for the provision of a Zebra Crossing including £5,000 for the feasibility to facilitate the pedestrian crossing for the increase in number of pupils walking to the school.
- (f) Travel Plan Monitoring
 - A contribution of £5,000 (index linked) towards the monitoring of the Travel Plans for the development.
 - Contribution of £7,500 for the provision of waiting restrictions to mitigate adverse impact on roads in the vicinity of the school as a result of vehicles parking injudiciously or stopping at the school frontage causing obstruction and affecting highway and pedestrian safety.

Recommendation 2:

That upon completion of the Agreement the Assistant Director of Development Management and Building Control approve the planning application under delegated powers subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Proposed site plan
 - Land Contamination Assessment
 - Lighting Assessment
 - Noise Impact assessment
 - Transport Assessment
 - Travel Plan
 - Building Deasibility Report
 - Ground Investigation Report
 - Phase 1 Survey and Bat Roost
 - Rigid Vehicle Swept Path
 - Planning Statement
 - Design and Access Statement
 - PL001 Rev B
 - PL006 Rev A
 - PL005 Rev B
 - PL004 Rev A

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

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

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

3. The level of noise emitted from the 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 Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

4. a) Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.
- b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and Policy 5.3 of the London Plan 2011.

5. a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall 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 content and recommendations.

- b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

6. a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the

development have been submitted to and approved in writing by the Local Planning Authority. The report shall 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 content and recommendations.

- b) The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 7. Notwithstanding the submitted information a revised dropping off and collection strategy must be submitted to and approved in writing by the Local at 75% school occupation. The Strategy shall thereafter be permanently employed unless otherwise agreed in writing by the Local Authority.

Reason: In the interests 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.

- 8. Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with submitted drawings (Drawing No PL00 Rev3). Thereafter, 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.

- 9. Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority. The Plan shall thereafter being permanently employed unless otherwise agreed in writing by the Local 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.

- 10. a) No development other than demolition works shall take place until details of the materials (Including samples) to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

11. No construction work in relation to the development hereby approved shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

12. Prior to the commencement of the development hereby approved a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved plan. The Demolition and Construction Management Plan submitted shall include, but not be limited to, the following information:

- details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- site preparation and construction stages of the development;
- details of provisions to be made for the recycling of materials;
- the provision on site of a storage and delivery area for any plant, site facilities, waste and materials;
- details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- noise mitigation measures for all plant and processors;
- details of contractors compound and car parking arrangements;
- details of interim car parking management arrangements for the duration of construction; and
- details of a community liaison contact for the duration of all works associated with the development.

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

13. Before the development hereby permitted is commenced temporary fencing shall be erected around existing trees at the site which are to be retained in accordance with details that have been previously submitted to and agreed in writing by the Local Planning Authority. The details shall conform with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations. This fencing shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policies DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

14. No tree felling or pruning of trees on the site shall be carried out in relation to the development hereby approved until a detailed tree felling and pruning specification has been submitted to and approved in writing by the Local Planning Authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and British Standard 3998: 2010 Recommendation for Tree Works (or as amended).

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policies DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

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

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

16. The development hereby permitted shall only be occupied or in use by pupils and visiting members of the public between the hours of 7.30am and 6.00pm on a Monday, Tuesday, Wednesday, Thursday or Friday and between the hours of 9.00am and 6.00pm on a Saturday, Sunday or Bank Holiday or in accordance with other times previously specified in and agreed by the Local Planning Authority as part of the Community Use Agreement submitted under condition 17 of this consent.

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

17. Prior to occupation of the school hereby permitted a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement submitted shall include, but not be limited to, details of the following:
- i. Hours of opening for the community facilities provided at the site.
 - ii. Pricing policy on charging for use of the facilities provided at the site.
 - iii. Policy on access and availability to the sites facilities for non-school users and non-members.
 - iv. Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement.
 - v. Parking arrangements for users of the site.

vi. Code of conduct for users of the site.

The development shall be occupied in full accordance with the approved Community Use Agreement.

Reason: To secure well managed access and appropriate availability to the community facilities provided by the scheme in accordance with policy CS10 of the Barnet Local Plan.

18. Notwithstanding the provisions of Part 7, Classes M and N to schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that order) no extensions or alterations to the development hereby permitted shall be carried out without express planning permission first being obtained.

Reason: To enable the local planning authority to retain control over the development in the interests of controlling the intensity of the use and safeguarding the amenities of the locality in accordance with policy DM01 of the Barnet Local Plan.

19. The level of noise emitted from any air conditioning or any other plant installed on the site in connection with the development 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 from the air conditioning or plant 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 policy DM04 of the Barnet Local Plan and policy 7.15 of the London Plan.

20. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, before this development is occupied full details of the ramps to be installed to provide access to the proposed school shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the details as approved under this condition prior to the occupation of the development.

Reason: To ensure that the development is accessible for all members of the community and to comply with policy 7.2 of the London Plan and policy DM01 of the Barnet Local Plan.

21. At no time shall the total number of pupils in the school hereby approved exceed 210 pupils.

Reason:

To ensure that the proposed development does not exceed the parameters assessed under this application or prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies in the Barnet Local Plan and London Plan.

Recommendation 3:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not include a formal undertaking to meet requirements of a Full School Travel Plan, monitoring thereof and a financial contribution for a pedestrian crossing. The proposal would therefore not address the impacts of the development, contrary to policy DM17 of the Barnet Development Management Policies (2012) and Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Informative(s):

1. In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
2. The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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.

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 (including CLR11 'Model Procedures for the Management of Land Contamination');

- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - 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;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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. The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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.

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 Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
6. The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant. This may involve relocation of any existing street furniture and would need to be done by the Highway Authority at the applicant's expense. Estimate for this and any associated work on public highway may be obtained from the Development and Regulatory Services, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP.

7. The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
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. The applicant is advised that High Road and Friern Barnet Lane are Traffic Sensitive Routes; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction and the Highways Authority should be consulted in this respect. The applicant must ensure that site and/ or delivery vehicles do not impede traffic on the public highway and that traffic flow on the High Road is maintained at all times.
10. The applicant is advised that for construction works adjacent or affecting the public highways, the Highways Authority should be contacted for any necessary Highways Licenses or any highway approvals deemed necessary.

Officer's Assessment

1. SITE DESCRIPTION

The application site comprises a broadly rectangular area of land, covering approximately 0.20 hectares in size, situated on the junction of the High Road N20 and Friern Barnet Lane. The site is occupied by a redundant 1970s police station and consists of a 3 storey building, with a tower and a cell block fronting Friern Barnet Lane that is linked to a rear garage block at the rear of the site. The site is accessed via Friern Barnet Lane

The immediate area is made up of a mix of predominantly residential and commercial uses. A terrace of two and three storey buildings in use as commercial units at groundfloor (cafes and restaurants) and residential on the upper floors can be found to the North of the site. Neighbouring properties across the street, located to the North-West and West of the site are occupied by a B&Q Superstore and a Public House, respectively. To the East of the site are residential properties accessed by Sweets Way and are screened from the subject site by mature trees. This group of trees are covered by a Group Tree Preservation Order (reference TRE/BA/86/AL). To the South of the site lies St John's Church Hall.

Historic England (Greater London Archaeological Advisory Service) has confirmed that the site lies just outside the Whetstone Archaeological Priority Area and is unlikely to affect significant archaeological remains as it lies away from the focus of the historic settlement around the crossroads.

2. SITE HISTORY

Reference: 14/07604/PND

Address: Whetstone Police Station, 1170 High Road, London, N20 0LW

Decision: Prior Approval Required and Approved

Decision Date: 8 January 2015

Description: Demolition of the cell block, rear stairs and front porch

Reference: 15/01265/PNT

Address: Whetstone Police Station, 1170 High Road, London, N20 0LW

Decision: Prior Approval Required and Refused

Decision Date: 10 April 2015

Description: Installation of a 15m high streetworks style telecommunications monopole with internally antennas with installation of 3no equipment cabinets and associated works

Reference: N01797C/06

Address: Whetstone Police Station, 1170 High Road, London, N20 0LW

Decision: Lawful

Decision Date: 25 July 2006

Description: Portacabin in rear yard.

3. PROPOSAL

The existing building would be refurbished, extended and converted into a primary school (Max 210 pupils) comprising:

Basement - Plant area, staff room, office care takers office, storage and staff lavatories

Ground Floor - Store, teaching space, reception, offices and lavatories),

First Floor: Teaching space and lavatories.

The new extension (L x D x H) (18.5m x 18.5m x 7.5m) will be located 25.5m from the Eastern boundary, 5m from the Western boundary (Friern Barnet Road)and will contained a varied separation of between 1m and 3.5m from the Northern Boundary. This extension will accommodate basement storage and a groundfloor kitchen and hall.

Existing hardsurface and former car park would be used as a playarea and pick up and drop off area at the beginning and ending of each day.

It is noteworthy that the overall works also include demolition of an existing cell block, however permission has been previously granted for this element of the scheme (Ref No 14/07604/PND - See site history)

The new prefabricated (2m x 2m) security hut will be constructed adjacent to the Southern Boundary 16.5m from the front boundary (Friern Barnet Lane)

A single tree (Lime) would be removed as part of the proposed works. This tree is not covered by a Tree Preservation Order and would facilitate the construction of the new multi-use block.

A plan showing the layout of the proposed development is provided at Appendix 1 of this report.

4. PUBLIC CONSULTATION

A total of 179 local properties and other bodies were consulted on the application by letter and email in April 2015. The application was also advertised on site and in the local press at that time. Responses to the comments received are provided in the relevant section of the committee report.

Number of Responses from Residents

26 responses objecting to the proposal were received. 97 responses supporting the proposal were received.

Objections

The comments made in the objection received to the application can be summarised as follows:

- The proposal would exacerbate the existing traffic and parking problems on Friern Barnet Lane and in the wider area.
- The drop off, pick up strategy proposed will not prevent people from parking on street during pick up and drop off times.
- Users of the school will not car share.
- Construction related traffic and parking would cause severe disruptions.
- No need for a school within the area

Response

The comments made by the resident are responded to in the relevant sections of the report below.

Support

- Whetstone is in desperate need for more schools, especially with the redevelopment of Sweets Way and other projects in the surrounding area that will increase demand further.
- The site is well located for a school.

- If approved the school will reduce pressure on other schools in the area.
- An excellent use of a former public building and it will benefit the local community.

Date of Site Notice: 16 April 2015

Response from Consultees

Natural England

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed on any consent that is granted.

Historic England (Archaeology)

Have responded and have not raised any objections to the application or requested that conditions are placed on any consent granted. Historic England conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Highways

The application is recommended for approval on highway grounds in conjunction with a Travel Plan, subject to conditions and contributions towards the monitoring of the School Travel Plan, and the proposed pedestrian and highway safety improvements.

5. PLANNING CONSIDERATIONS

5.1 Policy context

National Planning Policy Framework and National Planning Practice Guidance (NPPF)

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

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

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

The Mayor's London Plan July 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 25-35 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

Relevant Core Strategy Policies:

CS NPPF (National Planning Policy Framework - Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth - the three strands approach)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Relevant Development Management Policies:

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM13 (Community and education uses)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance

Sustainable Design and Construction Supplementary Planning Document (2013)

Strategic Supplementary Planning Documents and Guidance

Accessible London: Achieving an Inclusive Environment (2004)

Planning for Equality and Diversity in London (2007)

All London Green Grid (2012)

Shaping Neighbourhoods: Play and Informal Recreation (2012)

Sustainable Design and Construction (2014)

Accessible London: Achieving an Inclusive Environment (2014)

5.2 Assessment of proposals

Planning Considerations

Principle of development

The Alma school was established in 2012 and serves a total of 60 pupils currently. This number is expected to rise to approximately 90 pupils in September 2015, and reach a maximum capacity of 210 pupils by September 2020.

The Alma Primary School currently operates from temporary accommodation at 37 Moss Hall Grove, London, N12 8PE. Given future projections, a permanent school is required to provide much needed school places. The subject site has been identified as the best opportunity to deliver this target within the community it serves.

As previous sections of this report have identified the application site comprises of a redundant police station. The thrust of national, regional and local planning policy contains no policy to retain such uses as a matter of principle. The discussion therefore falls to the need of schools within the Borough. In this instance the clear and strong support given by planning policies to new schools. These matters are therefore explored further below.

The Department for Communities and Local Government has published two documents which are of significance in the determination of planning applications for educational facilities such as this:

- Policy Statement Planning for Schools Development (August 2011)
- National Planning Policy Framework (March 2012)

Each of these documents gives strong support to the provision of new, state funded educational facilities and they go as far as creating a presumption in favour of educational development.

The National Planning Policy Framework states at section 72 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. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They 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."

It goes on to identify that planning authorities should:

"only refuse planning permission for a new school if the adverse planning impacts on the local area outweigh the desirability of establishing a school in that area"

The policy statement 'Planning Schools Development' should be given weight in the making of planning decisions on relevant applications (such as this). It states that:

"The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools"

It then identifies that:

'There should be a presumption in favour of the development of state funded schools, as expressed in the National Planning Policy Framework'.

It is clear that national policy is strongly in favour of providing state funded schools, and this is a material consideration in the determination of this planning application.

In principle Barnet's Local Plan policies are generally supportive of new school development proposals. The Council as the Local Education Authority (LEA) has a

statutory duty to provide primary and secondary school places for children aged from 5 to 16 years. In order to meet the educational needs of Barnet's growing population the Council will seek to ensure that there is an adequate provision of education facilities in the borough and supports proposals for education facilities which will help meet an identified need.

Barnet Core Strategy policy CS10 identifies that the Council will work with its partners to ensure that schools and facilities for older and younger people are provided for Barnet's communities. It also promotes the role of schools as community hubs. The policy goes on to state that in addressing educational needs in Barnet the Council will support proposals for parent promoted or free schools that:

- Conform with Department for Education guidance on becoming a new school; and
- Meet parental demand for school places; and
- Provide educational facilities that conform with basic school requirements as set out in relevant Department for Education guidance.

Policy DM13 of the Barnet Development Management Policies document identifies that new education and community uses:

- Should be located where they are accessible by public transport, walking and cycling, preferably in town centres.
- Should ensure that there are no significant impacts on the free flow of traffic and road safety.
- Will be expected to protect the amenity of residential properties.

This policy also states that the loss of community or educational uses will only be acceptable in exceptional circumstances where:

- * New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or
- * There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

Viewing the existing facilities at the site specifically as a community facility, it is considered that the proposal would provide replacement educational facilities of far better quality than the existing redundant police station at the site and that the development would therefore be acceptable and meets the objectives of development plan policy in this regard.

The existing Alma Primary School accommodates 60 pupils in school years Reception and Year 1. The number of pupils will increase by 30 each year, accommodating a total of 210 pupils, 30 within each year group, at full occupation. The school currently has 12 members of staff and at full occupation it is expected that 24 members of staff will be employed by the school, 12 full time and 12 part time.

On the basis of the above information and the strength of support from local residents, it is accepted that there is a clear local need for the places this school would provide.

In accordance with the objectives of policy CS10 it has been agreed that the new school would be available to provide facilities for the wider community outside of the hours of school use. Delivery of this would be ensured through the conditions recommended. This wider community benefit is considered to be a material planning consideration which weighs in support of the proposal.

It is concluded that there is a clear local need for the places which this school would deliver and that, having considered the relevant elements of planning policy and guidance,

the principle of developing the site for an educational use is acceptable and compliant with development plan policies.

Matters relating to the acceptability of the school in respect of accessibility, impacts on the flow of traffic and road safety, the protection of the amenity of residential properties, biodiversity impacts and design and character matters are addressed in subsequent sections of this report. However, the proposal is considered to be acceptable and compliant with policies in all these regards.

Impact on plot and on the character and appearance of the area

The NPPF makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document makes it clear that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The statement also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations. It then makes it clear that good design also involves integrating development into the natural, built and historic environment.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

In general terms the site is currently in a dilapidated state. The proposal would repair and refurbish several elements of the site, including the the existing building, hard surfaces and boundary treatments. It considered that these works would represent a positive contribution to the character and appearance of the area. Tree matters are considered more fully in subsequent sections of this report. However, the proposals would retain a group of trees located along the sites eastern edge. This is considered beneficial for the natural screening of the site that it would achieve for dwellings to the east of the site.

It is acknowledged that the new multi-use structure proposed for the main school building is functional in form and design. The extension will however be set forward of the main building by 2m, however when viewed from the public realm against the new boundary treatment (1.8m high hedge and 1m high dwarf wall) and the existing building which is higher and wider, on balance the addition is not considered to result in a detrimental impact on the street. This is found to be of an appropriate scale in relation to neighbouring buildings and, subject to the conditions recommended, is also considered to be of a sufficient design quality for the circumstances of the site and scheme. The more minor elements of the development proposed (as detailed in earlier sections of this report) are

also all considered be acceptable in terms of their design quality. It is found that the new school building would be provided with an adequate setting and the hard and soft landscaping proposed is considered to be acceptable and compliant with the objectives of planning policies more widely (subject to the imposition of the conditions recommended). The refuse and recycling facilities proposed are also considered to be acceptable subject to the conditions recommended.

Parking, access and highway safety matters are addressed more fully in subsequent sections of this report. However, the design approach is found to be acceptable in all these respects.

The application is found to deliver an appropriate design solution in all regards which, subject to the conditions recommended, is found to be acceptable and compliant with development plan policies as they relate to design and character matters. Landscaping matters are addressed below.

Impacts on amenities of neighbouring and surrounding occupiers and users

Local Plan policies, such as policies DM01 and DM13, seek broadly to create quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design and the appropriate management of new development. For the reasons set out below the development is found to be compliant with the objectives of these policies, subject to the imposition of the conditions recommended.

Privacy, Outlook, Daylight and Sunlight

Policy DM01 of the Local Plan states that developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

The site is bounded to the East by trees, the Church Hall to the South, Friern Barnet Road to the West and a combination of retail at groundfloor with residential on the upperfloors to the North of the site. Play areas would be located to the South East and North East of the main building. As no changes in scale or mass to the existing building are proposed no additional harm is considered to occur.

The new multipurpose building proposed would be circa 1m away from residential properties and it is considered that the design, size, orientation, layout and siting of the proposed school building and associated spaces are such that they would not have an unacceptable impact in terms of outlook, privacy, light and overshadowing at the uses surrounding the site. The application is therefore considered to be acceptable and compliant with development plan policy in these respects.

Noise Impacts

Development plan policies state that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

It is anticipated that a level of noise would be generated from the development during the hours of use of the school. However, noise from children generated during the day is expected from primary schools and in this instance it is not considered to be such that it would be detrimental to the amenities of surrounding occupiers and users (subject to the imposition of the conditions recommended) and would not justify a refusal of planning permission.

A condition has been recommended limiting the hours of use of the new facility. This would ensure that their use is kept within reasonable hours. A condition has also been included to ensure that any noise from plant installed on the site is kept within acceptable parameters. Subject to the imposition of the conditions recommended Environmental Health officers have confirmed that they do not object to the proposal.

A condition requiring the submission of a Construction Management Plan has been included in those recommended. This would ensure that the construction of the development did not have an unacceptable impact on the amenities neighbouring properties in terms of noise matters.

Lighting Impacts

Local Plan Policy DM04 states that lighting proposals for developments should not have a demonstrably harmful impact on residential amenity. In this instance no new lighting has been proposed as part of the development sought.

Creating inclusive environments for all members of the community

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Statements should be submitted with proposals explaining how the principles of inclusive design have been integrated into the development for which consent is sought.

The documents provided with the application identify a number of ways in which the design of the proposed development has been influenced by the desire to make it accessible for all members of the community. This includes the use of the hall for community use, provision of features such as suitably ramped accesses to and from the building and the inclusion of two disabled standard parking spaces. Generally the design of the development would be undertaken with reference to Part M of the Building Regulations.

Conditions have been recommended to ensure that the development provides appropriate facilities for all members of the community in variety of regards. Subject to these controls and the requirements in place under other legislation officers conclude that the design, use and layout of the proposal is such that it is acceptable in terms of creating a development that is accessible, useable and inclusive for all members of the community.

Trees, landscaping and biodiversity matters

Trees and Landscaping

Policy DM01 identifies that proposals will be required to include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

The policy also states that trees should be safeguarded and when protected trees are to be felled the council will, where appropriate, require replanting with trees of an appropriate size and species.

There are a number of trees on and adjacent to the site and since the submission of the original application documents an Arboricultural Impact Appraisal and Method Statement have been provided to the Local Planning Authority in respect of the scheme.

The development proposed would result in the removal 1 tree from the site. This tree is not covered by a Tree Preservation Order. It is considered that the landscaping which would occur as part of the development provides adequate mitigation for the tree which would be lost in this instance. Conditions have been recommended to ensure that the landscaping implemented under the consent would be of a sufficient quality and would include the planting of at least a 1.5m high hedge that is 1m wide (to replace the tree lost). Conditions have been recommended to ensure that appropriate measures are taken to protect the trees proposed for retention during works to implement the scheme. More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces and provides an appropriate setting for the buildings proposed.

Ecology

The Phase 1 Survey & Bat Roost Assessment that accompanies this application concludes that the application site supports habitats that are common and widespread and that are of limited value to wildlife.

Bat Roost Assessment discovered no evidence of roosting, or potential to support roosting bats. Overall, it is the conclusion of the Phase 1 Survey & Bat Roost Assessment that the proposed development of the application site will have no adverse ecological impact. However, in each of these regards the landscaping proposed is found to be acceptable.

It is concluded that the scheme provides adequate mitigation for the landscaping features which would be lost as part of the works proposed and that the development is acceptable and compliant with policy in respect of tree and landscaping matters.

Noise and air quality impacts

Air Quality Impacts

The borough has been designated an Air Quality Management Area (AQMA). This relates to exceedences of the annual mean nitrogen dioxide objective, however, it does not mean that the objective is exceeded across the entire borough. Local Plan policy DM04 requires that development proposals ensure they are not contributing to poor air quality. It also identifies that where there is a localised source of air pollution buildings should be designed and sited to reduce exposure to air pollutants. Proposals should include air quality assessments where appropriate.

The air quality assessment submitted has been evaluated by officers in the Council's Environmental Health Service. Officers conclude that the proposal would have a negligible impact on local air quality. It is also found that in this location the school itself would not be expected to be exposed poor air quality. In light of these findings the proposal is deemed to be acceptable and compliant with the objectives of development plan policy in these respects.

Noise Impacts

Local Plan policy DM04 identifies that proposals to locate noise sensitive developments (such as schools) in areas with existing high levels of noise will not normally be permitted. Officers in the Council's Environmental Health Service have assessed the submission, including this report. It is found that the development would not be subject to unacceptable levels of noise impacts from the surrounding area. The proposal is therefore

considered to be acceptable and compliant with the objectives of planning policy in this regard. Matters relating to the noise impacts arising from this development have been assessed earlier in this report.

Transport, parking and highways matters

Policy Context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network, take a comprehensive approach to tackling the school run, ensure that development is matched to capacity, deliver high quality transport systems in regeneration areas and town centres, seek more environmentally friendly transport networks and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan Document sets out the parking standards that the Council will apply when assessing new developments.

Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Proposals with the potential for significant transport implications will be expected to be in locations which are, or will be made, accessible by a range of modes of transport and supported by a Transport Assessment that fully assesses the transport implications of the development across all modes. The occupiers of new schemes are also required to develop, implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Policy DM13 (Community and education uses) specifically identifies that new education uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres, and should ensure that they do not result in significant adverse impacts on the free flow of traffic and road safety.

Existing Conditions

The Public Transport Accessibility Level for the site using Transport for London model is calculated as 4. This would be considered a medium accessibility level. Bus routes 34, 251, 125, 234, 263, 234, 383 are within walking distance of the site. Several waiting restrictions operate in the vicinity of the site, however uncontrolled parking is also available in the area including sections of Friern Barnet Lane and Swan Lane. The site is not within a Controlled Parking Zone (CPZ). The frontage of the property is governed by single yellow lines which restricts parking Mon - Sat 7am to 7pm.

The Proposal

Key highway, access and parking related elements of the proposal comprise:

- New zebra crossing
- Vehicular access provided from Friern Barnet Lane.
- The inclusion of 2 of the on-site parking spaces as disabled standard parking spaces.
- The provision of 23 cycle parking spaces and scooter parking facilities on the site.
- The formation of a pedestrian access from Friern Barnet Lane. which is segregated from the vehicular access (in the interests of safety). This route also leads to the cycle and scooter parking facilities proposed.

A dropping off and collection strategy is also proposed within the school in form of a loop drive in arrangement, which can accommodate 16 vehicles within the site. Staff will collect pupils from the cars and escort them to school without the need for parents to park and get out of the car. At collection times staff will bring pupils to vehicles. The collection arrangement will operate via time slot permits issued to parents. A 10 minute slot is proposed for vehicles collecting children from the school.

It is anticipated that the expected number of vehicles can be accommodated within the school, considering that vehicle arrivals are expected to be distributed within a period of time.

However a condition has been placed to submit a revised dropping off and collection strategy when the school reaches 75% occupation, so any issues arising from the proposed strategy can be addressed.

In addition, in order to reduce the number of vehicle trips to the site, the future potential for provision of a mini bus and a walking bus should be considered within the Travel Plan reviews

On-site facilities

The development would provide an on-site drop off and pick up area that is able to accommodate 16 queuing cars. Two parking spaces proposed would be provided as disabled standard spaces. The car parking and drop off and pick up facilities proposed are considered to be acceptable and sufficient to meet the car parking and trip generation demands generated by this proposal.

23 cycle parking spaces are proposed. This quantum of cycle parking is in accordance with the London Plan cycle parking standards and is found to be acceptable.

Conditions have been recommended to ensure that the car and cycle parking facilities proposed are implemented prior to the school being brought into use. Subject to these the proposal is considered to be acceptable and compliant with the objectives of development plan policies in terms of the parking facilities proposed.

Trip Generation, Highway and Pedestrian Safety and Accessibility

The proposed development is predicted to generate approximately 36 vehicular drop offs associated with parents and pupils in the Peak Period (08:00-09:00 and 17:00-18:00). 11-12 staff arrivals (including 4 members of staff car sharing) are predicted to occur as a result of the development during this period. The majority of the staff would arrive at school before 8 am missing the AM, with the remaining 3 members of staff arriving after 8 am and therefore they were included in the net impact calculations.

The additional traffic generation compared to the estimated previous use traffic generation would create an additional 36 children arrivals associated in the AM peak hour (08:00-09:00) resulting from 36 children arrivals and 3 staff arrivals.

The 36 dropping off and departure trips to the site are expected to occur between 8:15 and 8:45 with approximately 20 trips between 8:15 and 8:30 and 16 trips between 8:30 and 8:45.

A Pedestrian Environment Review System (PERS) audit was conducted for an agreed area in the vicinity of the site. Taking into consideration the predicted walking movements in the vicinity of the site, it is considered that crossing facilities would need an additional

Zebra Crossing. The estimated cost of providing the Zebra Crossing Facility is £35,000, including £5,000 feasibility study. A contribution of £35,000 will be required towards the feasibility and implementation of a pedestrian crossing. These sums have been accepted by the applicant. Details of which will be secure by a legal agreement if Members are minded to approve.

It is noteworthy that as no onsite parking facilities except disabled spaces have been provided, staff will not enter the loop driveway but rather park with the locality. The submitted parking survey has demonstrated adequate parking for staff and parents that miss their drop slots and require a waiting area. It is also pertinent to note that the staggered drop approach will be monitored. If the approach is found to be unsound it will be amended accordingly. Monitoring will be secured by a Legal agreement. A site drop off/collection Strategy and review will form a part of the legal agreement.

The afternoon traffic generation would not coincide with the PM peak (17:00-18:00), and therefore not result in additional impact.

The development is expected to generate a total of 19 public transport (rail and bus) trips during the peak period. When viewed in the context of the current public transport facilities available in the vicinity of the site it is not considered that the proposal would have a material impact on public transport services. The application is therefore found to be acceptable in this regard. It is also concluded that the site is sufficiently accessible by public transport, walking and cycling to meet the objectives of development plan policy in this regard.

It is considered that the design and layout of the development proposed are such that it would provide suitable access arrangements for pedestrians and vehicles and that it would not raise any specific concerns from a highway and pedestrian safety perspective, subject to the conditions recommended. The application is therefore found to be acceptable and compliant with the objectives of development plan policy in these regards.

Delivery and Servicing Management

Servicing is proposed to take place on-site within the hard play/drop off area accessed from Friern Barnet Lane. All deliveries are to be scheduled outside school start and end times to minimise conflict with pedestrians and with peak pick-up and drop-off activity. Refuse and recycling collection activity for the school will take place from Friern Barnet Lane. It is understood that the arrangements have been agreed with the Council's Waste Collection service.

The conditions recommended include a requirement for the operation of the site in accordance with a Servicing and Delivery Plan that has previously been agreed with the Local Planning Authority. Subject to this condition the proposal is found to be acceptable in this regard.

Construction Vehicles

The conditions recommended include requirements for the submission and implementation of a Construction Management Plan, in order to ensure that potential construction logistical issues and highways impacts are adequately addressed. Subject to this the proposal is found to be acceptable in this regard.

School Travel Plan

In accordance with the requirements of planning policies an appropriate School Travel Plan will need to be provided and implemented in respect of the development to

encourage shifts to more sustainable modes of transport. A condition securing this has therefore been recommended. Details of which will be secured by a Legal Agreement.

Sustainable design and construction matters

London Plan policies state that applications should demonstrate that sustainable design standards are integral to a proposal, including its construction and operation, and that they are considered from the beginning of the design process. Barnet Local Plan policy DM01 states that developments should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation.

The documents submitted with the application identify a number of ways in which the proposal would be constructed and operated in a sustainable way. These are discussed in more detail in the various relevant sections of this report, but include elements such as the creation of new education facilities for the community, the retention of trees, the provision of appropriate recycling storage equipment and the installation of facilities for cyclists.

The approach proposed is found to be acceptable and reasonable for the permission that is sought in this instance. It is considered that the details provided in the submission are acceptable and policy compliant in respect of sustainable design and construction matters and that, taken in the round, the application would result in a development which reaches an appropriate standard in respect of sustainable design and construction matters.

Archaeological matters

The application is accompanied by a desk based Archaeological Assessment. Historic England Archaeology has responded to the consultation on the application and, having reviewed the submitted assessment, they have not raised any objection to the proposal or request that any pre or post application determination archaeological assessment or evaluation of the site is carried out.

6. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

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

The development proposed as part of the application would be required to comply with current legislative requirements in respect of equality and diversity related matters, for example access for the disabled under Part M of the Building Regulations. In addition to this the proposal, as controlled by the conditions recommended, would ensure that in several regards the development constructed would exceed the minimum requirements of such legislation. An example of this is the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report). With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development.

It is acknowledged that the scheme would result in the loss of Police Station, however, due to the poor state of the existing site it is considered that the school proposed under this application would represent a community facility which goes further towards meeting equality and diversity objectives than the current facilities on the land achieve. In this regard the development proposed would have a positive effect in terms of equalities and diversity matters.

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

7. CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material planning considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

For the reasons set out in detail in the previous sections of this report Officers conclude that the proposed development accords with the relevant development plan policies and planning guidance. As such it is considered that there are material planning considerations which justify the recommendation to grant planning permission in this instance. The application is therefore recommend for APPROVAL subject to conditions and a Legal Agreement as set out in the Recommendations section at the beginning of this report.

