

Location **London Academy Spur Road Edgware HA8 8DE**

Reference: **15/03550/FUL**

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Ward: Edgware

Expiry 27th August 2015

Applicant: Alison Dawes

Proposal: Installation of temporary single storey classroom facilities to accommodate up to 60 reception children associated staff accommodation and outdoor hard play area. The classroom would be installed on the existing multi use games area (MUGA). The classrooms would be temporary for up to a year

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: P01, HH-4-001, General Arrangement Ground Floor Plan, Planning Statement, Arboricultural Method Statement, Tree Protection Plan.

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 This permission shall be for a limited period only expiring on the 29th July 2016. By the 29th July 2016 the use hereby permitted shall be discontinued and the buildings and works carried out under this permission shall be removed from the site and the land reinstated in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing.

Reason:

To ensure that the consent granted accords with the permission sought and considered and to protect the amenities of the area.

- 4 At no time shall the total number of reception pupils in the school hereby approved exceed 60.

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.

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

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

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 Your attention is drawn to the need to provide facilities for the disabled, as set out in Building Regulation Part M Access & Facilities for Disabled Persons. A copy of Part M is available via the Planning Portal at <http://www.planningportal.gov.uk/buildingregulations/>.

Officer's Assessment

1. Site Description

The site is the London Academy, sited on the south side of Spur Road (A410). The site is accessed from the westbound carriageway. There is an existing secondary school on the site.

The site area as outlined is approximately 0.5 hectares in size.

A number of trees to the south of the site are subject to tree preservation order.

2. Site History

H/03142/11 - Two storey annexe building to existing main school building to comprise of commercial training kitchen, overspill dining hall to relieve existing Academy dining hall, male, female and disabled WC's, 2no sixth form classrooms, informal learning resource area, tutorial room, office and open plan, exhibition space/examinations area – Approved – 06/10/2011

H/04945/11 - Erection of second floor above existing two storey annexe building to existing school, to accommodate sixth form classroom space. – Approved – 10/02/2012

H/04121/14 – Demolition of existing temporary buildings and construction of a part single, part two-storey, two form entry primary school and associated landscaping works including alterations to provide staff parking, hard and soft play areas and parent collection/drop-off point. – Approved subject to conditions – 29/10/2014

Stonegrove Regeneration

W13031/02 – Development of a building for education use (D1), ancillary facilities and caretakers dwelling (C3) on part of the Edgware School Playing Field on south side of Spur Road, together with access and egress points on Spur Road, provision of associated car parking, landscaping, servicing and linking footbridge across Spur Road to associated outdoor sports facilities and ancillary buildings on north side of Spur Road. (Outline application). Submission of additional information in relation to Environmental Impact Assessment. – Approved 18/03/2003

3. Proposal

Installation of temporary single storey classroom facilities to accommodate up to 60 reception children associated staff accommodation and outdoor hard play area. The classroom would be installed on the existing multi use games area (MUGA). The classrooms would be temporary for up to a year.

The proposed classroom would measure 17.8m wide and 8.6m deep and 3.6m in height.

4. Public Consultation

Consultation letters were sent to 323 neighbouring properties.

At the time of writing the report, no responses had been received. Any responses will be reported to the committee in the addendum to the report.

A site notice was put up on 02/07/2015.

Sport England has raised no objection to the proposals.
Environmental Health officers have raised no objection to the proposals.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 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 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The following London Plan Policies are considered relevant:

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM13, DM16, DM17.

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

development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The principle of temporary school development on the site
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would harm highway and pedestrian safety
- Whether the proposals would harm trees of special amenity value
- Sustainable Design and Construction Issues

5.3 Assessment of proposals

Principle of Development

This planning application follows the approval for a new primary school on the site on 29th October 2014. The proposals seek to accommodate up to 60 children within temporary classrooms on the site until the new school is constructed.

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 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 London Plan advocates that the Mayor is committed to ensuring equal life chances for all Londoners. Meeting the needs and expanding opportunities for all Londoners - 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

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'.

Furthermore, the Chief Planning Officer for England has produced the following guidance on new school development.

'It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes". 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, and that the following principles should apply with immediate effect:

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

Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support

for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

This statement applies to both change of use development and operational development necessary to the operational needs of the school. '

The temporary classrooms would be permitted for 1 year.

The classrooms would be sited on part of the existing Multi Use Games Area (MUGA). Consultation has taken place with Sport England and they have no objection to the proposals. The proposals make provision for an open play area to the north of the building. It is acknowledged that this would be a reduction in part of the MUGA area available for the existing London Academy Secondary School, however in this instance it is acceptable given that it is only for a year.

In this way there is strong policy support for new school proposals within the borough, and this needs to be weighed against any material harm caused by the scheme.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

The proposed temporary classrooms would be single storey in height. They would be constructed in plastisol coated steel cladding in mushroom colour, with black steel fascias and insulated roof sheet panels and white UPVC windows.

The proposed buildings would be sited within the existing MUGA. It would be sited approximately 40m from the south-west boundary of the site, where houses are to be constructed as part of the Stonegrove Regeneration Scheme. There are also existing blocks of flats further to the south to be redeveloped as part of a later phase. The site is located 80m from the north-east boundary of the site and 35m to the southern boundary with Lindisfarne Court.

Given the temporary nature of the building, the use of such materials is considered acceptable.

- Whether harm would be caused to the living conditions of neighbouring residents.

Given the single storey nature of the building, and its distance from neighbouring residential development, it is not considered that it would be likely to cause harmful loss of light, outlook or overlooking.

Furthermore, given it's siting centrally within the school complex, there is unlikely to be a harmful increase in noise and disturbance to neighbouring residents of the development, given that the site is an existing school and that the building and play area are located centrally within it. It is not considered that any harm would arise cumulatively from the existing London Academy school and the proposals.

It is not considered that the proposals would harm the visual or residential amenities of neighbouring occupiers.

- Whether the proposals would harm highway and pedestrian safety

The existing school benefits from 122 car parking spaces currently. This would be unchanged as a result of the proposals. The proposed temporary classrooms would make use of existing vehicular and pedestrian access points.

The proposals involve 2 additional full time and one additional part time member of staff.

No additional parking is provided for staff however it is not considered that, given the relatively small increase that there would be harmful additional parking pressures as a result of the proposals.

Similarly, it is not considered that there would be harmful impact as a result of the additional reception classes in terms of pick up and drop off, given that this will make use of existing arrangements and is for a limited period. The arrangements are considered adequate for this purpose.

It should be noted that planning permission has already been granted for a new primary school on the site, that makes provision for 14 additional car parking spaces. The approved scheme is subject to highway improvements and travel plan requirements.

It is not considered that the proposals would harm highway or pedestrian safety.

- Whether the proposals would harm trees of special amenity value

An arboricultural method statement and tree survey accompanies the application. The site of the proposed temporary classroom is located some 50m from the nearest protected tree. The site is located on an existing MUGA. It is not considered that the proposals would be likely to cause harm to trees of special amenity value.

- Sustainable Design and Construction Issues

The proposals are not subject to any specific requirements given their minor and temporary nature.

The site is located within Flood Zone 1 which is the area of lowest risk.

The proposals would make use of existing drainage on the Multi Use Games Area.

5.4 Response to Public Consultation

No comments have been received at the time of writing the report. Any comments will be contained within the addendum to the report.

6. Equality and Diversity Issues

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

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

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

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

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

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

The proposed development would provide additional accommodation for children. In this way, it would provide additional educational facilities which are likely to improve the opportunities for children.

In terms of likely negative impacts, it is suggested that the majority of these can be mitigated through conditions and that any impacts are unlikely to disproportionately affect any one group with a protected characteristic. Whilst it is recognised that disabled and elderly road users are more likely to be affected by proposals which result in an intensification of use it is considered that these impacts are adequately mitigated by the proposals.

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

7. Conclusion

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

