

**LOCATION:** ETZ Chaim Primary School, 80 Daws Lane, NW7

**REFERENCE:** H/00434/12

**Received:** 31 January 2012

**Accepted:** 10 February 2012

**WARD(S):** Mill Hill

**Expiry:** 06 April 2012

**Final Revisions:**

**APPLICANT:** C/O Etz Chaim Primary School

**PROPOSAL:** Temporary change of use of ground floor of building to Class D1 (Education) including new temporary wc units to rear.

**RECOMMENDATION: Approve Subject to Conditions**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: General Arrangement as Existing Drawing number 001 Revision P2, General Site Arrangement as Proposed Drawing number 002 Revision P3 and General Site Arrangement as Proposed Drawing Number 003 Revision P2

For the avoidance of doubt and in the interests of proper planning.

2. The use hereby permitted shall be for a limited period only, expiring on 31st July 2013, when the use shall be discontinued and the temporary toilet buildings removed from the site.

Reason:

To enable the Local Planning Authority to monitor the impact of the use in order to protect the amenities of the area.

3. The premises, as shown on the approved plans, shall be used for a primary school nursery, reception and Year 1 Classes only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

4. Before the development hereby permitted is occupied the parking spaces shown on Plan Drawing NO. 003 Revision P2 showing the General Site Arrangement As Proposed shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

5. Two months prior to the first occupation by year 1 pupils an updated version of the School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority which reflects the additional pupils and staff. The document shall set out the school's transport policy to incorporate measures to reduce trips to school by private car and encourage non car modes such as walking, cycling and public transport. Details of the start and finish times for pupils shall also be incorporated in order to minimise conflict on the local highways network. The scheme as submitted shall be approved in writing by the local planning authority and the use shall be carried out in accordance with the School Travel Plan as approved.

The School Travel Plan should include the appointment of a School Travel Plan Champion, measurable targets and a clear action plan for implementing any measures. The School Travel Plan should be reviewed annually in accordance with the targets set out in the Plan.

Reason: To encourage the use of Sustainable forms of transport to the site in accordance with policies GSD and M3 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

6. The total number of children attending the nursery, reception and Year 1 classes operated at the premises, hereby approved, shall not at any time exceed 90 in total.

Reason: To ensure that the use does not prejudice the amenities of occupiers of neighbouring residential properties.

7. The use shall only be operated between the hours of 8.00am and 8.00pm on weekdays, and at no time on Saturdays, Sundays, bank or public holidays.

Reason:

To ensure that the use does not prejudice the amenities of occupiers of neighbouring residential properties.

## INFORMATIVE(S):

1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006): GSD, GBEnv1, GBEnv2, GBEnv3, GBEnv4, GRoadNet, GParking, GCS1, ENV12, ENV13, D1, D2, D3, D4, D5, D9, D10, D11, O1, O2, O3, O6, O8, M3, M11, M12, M13, M14, GCS1, CS1, CS4, CS5 and CS6

Core Strategy (Submission version) 2011: CS1, CS5, CS7, CS9, CS10, CS12

Development Management Policies (Submission version)2011: DM01, DM02, DM03, DM04, DM13, DM15, DM16, DM17

ii) The proposal is acceptable for the following reason(s): -

The proposal is considered to be acceptable with regard to development plan policies subject to appropriate planning conditions. It would provide the continuation of valuable education accommodation in the borough on a temporary basis, having an acceptable impact to the character and appearance of the site, wider locality and its greenbelt location. The proposal would have no appreciable impact to the amenities of neighbouring occupiers and would not be detrimental to local roads and the highway networks.

The proposal is therefore considered to be in accordance with relevant national planning policy guidance, the London Plan and the Adopted UDP.

## 1. MATERIAL CONSIDERATIONS

### Relevant Planning Policy

#### National Planning Policy Framework 2012

Educational uses have been highlighted by the Secretary of State for Communities and Local Government as a priority. National policy states that "Local planning authorities should: give weight to the need to create, expand or alter schools; and

work with school promoters to identify and resolve key planning issues before applications are submitted" (NPPF: paragraphs 72)

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

Policies:- 3.1 (ensuring equal life chances for all), 3.16 (protection and enhancement of social infrastructure), 3.18 (educational facilities), 5.1 (climate change mitigation), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.4 (retrofitting), 5.7 (renewable energy), 5.10 (urban greening), 5.13 (sustainable drainage), 5.17 (waste capacity), 6.3 (assessing transport capacity), 6.9 (cycling), 6.10 (walking), 6.11 (smooth traffic flow and tackling congestion), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.2 (inclusive environment), 7.4 (local character), 7.14 (air quality), 7.16 (green belt) and 7.19 (biodiversity and access to nature) and 7.21 (trees and woodlands).

The London Plan is generally supportive of proposals for new schools and the text supporting policy 3.18 states (page 108);

" Access to a high quality school education is a fundamental determinant of the future opportunities and life chances of London's children and young people. London's population will continue to be younger than elsewhere in England and Wales and by 2031, its school age population is projected to increase by almost 17 per cent. At the same time, national education policy favours greater diversity in the nature of supply through Academies Act 2012 and the setting up of the Free Schools, alongside greater devolution of responsibilities from local authorities to schools. Local authorities' strategic role in the new system will be to promote a good supply of strong schools and to encourage the development of Academies and Free Schools. Local Authorities will still be required to fulfil their statutory duty to secure sufficient places within their areas."

### Relevant Unitary Development Plan Policies:

GS (sustainable development), GBEnv1 (character), GBEnv2 (design), GBEnv3 (safe environment), GBEnv4 (special area), GRoadNet (road network), GParking (parking), GCS1 (community facilities), ENV12 (noise generating development), ENV13 (minimising noise disturbance), D1 (design), D2 (character), D3 (spaces), D4 (overdevelopment), D5 (outlook), D9 (designing out crime), D10 (improving community safety), D11 (landscaping), O1 (green belt), O2 (green belt - new buildings and uses), O3 (extensions to buildings), O6 (reuse of buildings), M3 (travel plans), M11 (safety of road users), M12 (safety), M13 (safe access), M14 (parking standards), CS1 (Community Facilities), CS4 (educational facilities), CS5 (shared use), CS6 (new school sites).

### Relevant Supplementary Planning Guidance (SPG) and other corporate documents:

- Planning for Schools Development; Greater London Authority; October 2010
- Mayor of London SPG: Sustainable Design and Construction (May 2006)
- Barnet's Sustainable Construction and Design Supplementary Planning Document (SPD) (Approved May 2007)
- Barnet's Three Strands Approach
- A Sustainable Community Strategy for Barnet 2010 - 2020
- London Borough of Barnet Corporate Plan 2011- 2013
- Cabinet report "Investment strategy to meet demand for primary school places" dated 6 September 2010
- Cabinet Report " Proposed phasing of primary school expansions and investment strategy to meet demand for secondary school places" dated 3 November 2011

### Core Strategy (Submission version) 2011

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted unitary Development plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

Barnet's Local Plan is at an advanced stage following submission in August/September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Pre Submission amendments extract:- 15.7.4

Edgware Jewish Primary School entered the maintained sector in January 2011, increasing the number of places available to Barnet's Jewish community. Jewish provision will be further increased as part of the free schools programme, with Jewish primary school Etz Chaim on track to open in September 2011 as one of the first wave of free schools in the country.

### Relevant Core Strategy Policies:

CS1, CS5, CS7, CS9, CS10, CS12.

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

The Council submitted its Local Plan Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies:

Policies DM01, DM02, DM03, DM04, DM13, DM15, DM16, DM17

**Relevant Planning History:**

W05631 – Additional use of first floor for the operation of a Wilson market one day per week – Refused - 7/12/77

W05631A – Change of use of part of premises to municipal purposes – Approved 8/5/85

W05631C – Change of use of part of ground floor from training centre to parking office and shop – Approved – 21/11/1994

H/01226/11 - Temporary change of use of part of ground floor of building to Class D1 (Education). Including new temporary WC's to rear. Approved 11 May 2011. A copy of the Officer report and decision notice are attached as an appendix.

Wyevale Garden Centre, Daws Lane, NW7.

H/01702/11 - Change of use from current A1 use (Garden Centre) to proposed D1 use (Education). Proposals involve the retention and conversion of the existing building, additional windows on front elevation and modifications to existing facades. Removal of the existing central glass roof and glazed conservatory on the eastern side, followed by single storey extension. Opening up rear of the site to form an open courtyard, play area and soft landscaping. New front boundary treatment, additional planting and security hut, provision of 17 car parking spaces. Planning permission granted but deemed unlawful following a legal challenge.

H/04210/11 - Change of use from current A1 use (Garden Centre) to proposed D1 use (Education). Proposals involve the retention and conversion of the existing building, additional windows on front elevation and modifications to existing facades. Removal of the existing central glass roof and glazed conservatory on the eastern side, followed by single storey extension. Opening up rear of the site to form an open courtyard, play area and soft landscaping. New front boundary treatment, additional planting and security hut, provision of 17 car parking spaces. Approved following referral to the Mayor of London and the Secretary of State and completion of a Section 106 legal agreement. Decision issued on 30/3/12.

## Consultations and Views Expressed:

Neighbours Consulted: 1025

Replies: 96 responses were made to the proposal 38 against and 58 in favour

Neighbours Wishing To Speak 12 (support)  
2 (objecting)

The objections raised may be summarised as follows:

- Increased traffic congestion in already congested road
- The proposed entrance and exit route to the car park is already overcrowded with vehicles
- The Green Travel Plan is not being adhered to.
- The area cannot cope at peak times with traffic
- The additional volume of traffic will make the area more dangerous
- The available parking requires parents and children to cross Daws Lane. Daws Lane is considered to be dangerous to cross.
- During the time this temporary use is required there will be trucks associated with the Bedford House site increasing traffic congestion
- At what point are WCs plumbed into the main sewers temporary?
- Adverse impact on air quality from increased traffic
- Poor air quality will have an adverse impact on children's health. No assessment of this site.
- Sea Cadets have been given notice. What proposals are there for the first floor?
- There is a purpose built vacant school on Mays Lane which could be an alternative site
- An equalities assessment should have been undertaken in terms of the best way to make access to information easy for the elderly and disabled local residents
- The stench of WCs for the Sea Cadets will affect ground floor use
- Less than half the applications for this academic year are within NW7 and the number of children who are local is 3, proximity has no bearing.
- Access
- Daws Lane is dangerous to cross
- Lack of proper and reasonable consultation
- Poor vehicular access and egress to and from site
- Objection to loss of garden centre
- The garden centre provided for shopping and was a social benefit
- The impact on local park and environs is unsightly
- Wrong place for a school, unsuitable location

- The application site at 80 Daws Lane will mean a foothold in order to develop the garden centre into a much larger school.
- Existing car park is already overcrowded
- In the summer time when children are playing outside the noise level will be uncomfortably horrendous, particularly for the elderly
- The former civil defence building was built with the proviso that it would be raised to the ground- the building should be demolished
- Negative impact on aesthetics and access to park
- Deprives local community of garden centre
- Overdevelopment of the site
- Contrary to Green belt policy, empty buildings are in huge supply and an alternative should be used
- Need Safe Transport in this area
- Right of privacy lost given use of security cameras photographed by CST security and the school security guard
- The building should contain equipment suitable for sport and recreational use associated with the park
- Objection to the extension of the building based on incomplete documents, inaccurate documents and the existence of a covenant on the building.
- If the school goes ahead at the Garden Centre there will be a high fence blocking views
- There should be a community use for everyone
- Single faith schools do not promote integration
- Security measures detrimental to character
- Objection to encroachment of school on the park land
- Objection to any alteration to the usage of any part of the building
- The proposal does not benefit the whole community
- Problems with consultation on the application
- The application cannot be approved until the scheme for the main school is given approval
- Most of the pupils live outside of the catchment area as defined by the school
- In terms of localism views of local people should take precedence.

Support summarised as follows:

- School meets demand for educational facilities in the area
- Good community use/asset
- Current school causes no disruption to the community
- Strong demographic need
- The use creates employment and demand for goods and services in the local community
- Excellent resource for Mill Hill
- The school has been operating for 6 months without road incident
- Traffic flows freely now the Garden Centre has closed
- The site is ideally located on this short term basis



- There is a desperate need for primary school places

#### Internal /Other Consultations:

- Environmental Health - No comments for this temporary change of use
- Traffic & Development - No objection subject to conditions. Comments on the proposal are included below within the main report.

#### Mill Hill Preservation Society -

- The enlarged toilet block is a further intrusion into the Green Belt.
- The temporary permission was made for the previous permission. There is concern that the temporary permission could be repeated long term and a much larger school established.
- The purpose of the original building was for uses ancillary to the park and for recreation. The use as a school is in contravention of this.
- The application states that car parking is available on site for staff however this not is defined nor number of vehicles stated.

Date of Site Notice: 23 February 2012

## **2. PLANNING APPRAISAL**

#### Site Description and Surroundings:

The application site is located on the south side of Daws Lane. Daws Lane is a classified road which links Hammers Lane to the east and Watford Way to the west. The building is two storey with a flat roof. There is parking on site for 4 cars, 2 of these are for the disabled.

Part of the ground floor of the premises is currently used for educational purposes on a temporary basis expiring on 31st July 2012 when the use shall be discontinued and the temporary toilet removed. The toilets measure 2.8m in height, 11m in length and 3.2m in depth. The first floor of the building is in use by the Sea Cadets and their occupation will not be affected by the proposals.

The site is enveloped by Mill Hill Park (including children's play area, bowling greens, tennis courts and cricket field) to the south. The site in question is within identified Green Belt land and is adjacent to an area of public open space. The Daws Lane car park lies to the west. Directly opposite the site are residential properties within Daws Lane.

#### Proposal:

A previous temporary consent exists for the occupation of the eastern end of the building which expires in July 2012. The current proposal is for the extension of the temporary time period to 31st July 2013 and also the expansion of the use into the

remainder of the ground floor for educational uses. This part of the building is currently unoccupied. The resulting gross internal floorspace on the ground floor would be 287sq m.

Currently the nursery and reception class would hold a maximum of 60 children in total (currently 26 - nursery and 28 Reception). At any one time there would be approx 6 adults on site. The proposed arrangement would result in an additional 30 children (Year 1) and between 5 and 10 adults comprising 2 teachers, 2 assistants, 1 head, 1 part time administrator, 1 full time security guard and 1 part time peripatetic visiting teacher.

The existing WC block will be retained.

The existing authorised educational use is for the one reception class and one nursery class which uses part of the ground floor (approximately) 250sq m. This temporary school use opened September 2011. The Etz Chaim School (Mill Hill Jewish free School) has occupied the site on a temporary basis in advance of the main school site being developed at the former Garden Centre (planning reference H/04210/11). That application was for a "change of use from Garden Centre to Education (D1). That proposal involved the retention and conversion of the existing building, additional windows on front elevation and modifications to existing facades. Removal of the existing central glass roof and glazed conservatory on the eastern side, followed by single storey extension. Opening up rear of the site to form an open courtyard, play area and soft landscaping. New front boundary treatment, additional planting and security hut, provision of 17 car parking spaces". This application was approved at the Planning and Environment Committee Tuesday 31 January 2012 (subject to referral to the Mayor of London and the Secretary of State and to a Section 106 legal agreement). It is intended that the school will be available for use by the wider community, principally outside school hours.

The current application being considered would allow the school to continue on this temporary site at 80 Daws Lane for a further year until permanent premises are available.

#### Planning Considerations:

The principle of the need for the new Free School in the locality was established when the temporary permission was granted in relation to this site in May 2011 (planning ref. H/01226/11) and the full permission for the main school site at the Former Wyevale Garden Centre, Daws Lane (planning ref.H04210/11).

The main issues in this case are considered to be -

- Green Belt
- The impact on the amenities of the occupiers of neighbouring properties arising from intensification of the existing school use

- Transport issues

### Green Belt

The building falls within identified Green Belt land. National Government advice on land within the Green Belt was provided through Planning Policy Guidance Note 2 (PPG2) and is now contained within the NPPF. Within that it states that there are five reasons for including land in the Green Belt. These are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The previous uses in the building (prior to the school opening) are not typically associated with appropriate Green Belt functions. The proposed use of the ground floor would not result in any greater intensification causing harm to the green belt than existing or previous uses. The educational use would be for a temporary period of time until the main school site is developed for the permanent school.

The proposed toilet accommodation would be for a temporary period only and would be located to the rear of the site, without harming the openness of the area. The location of the block is such that it is largely screened by existing boundary treatment and is noticeable from outside the site. Views across the park and in and around the site would remain undisturbed. Given the size, scale, appearance and temporary nature of the toilet block, it is considered not to be a disproportionate extension to the building nor would it have any appreciable impact on the character and appearance of the green belt land or be detrimental to its openness.

### *The impact on the amenities of the occupiers of neighbouring properties arising from intensification of the existing school use*

The principle of the school on this site was established when the temporary permission was granted in May 2011 (planning ref. H/01226/11).

With regards the intensification of use arising from the increase in the numbers of pupils and staff, the school currently has 26 places for the nursery class and 28 places for the reception class. The proposal would facilitate a maximum of an additional 30 children to start reception in September 2012. It is anticipated that there will be between 5 and 10 adults, comprised of 3 teachers, 3 assistants, 1 head, 1 part time administrator, 1 full time security guard and 1 part time peripatetic visiting.

It is considered that the scale of development with respect to noise and disturbance would only be marginally greater than that experienced currently. The application site

is enveloped by Mill Hill Park to the south and east. Daws Lane car park and the former garden centre lies to the west of the site. There are no neighbouring residential occupiers directly abutting the site which would be affected. The nearest residential occupiers are within properties opposite the site in Daws Lane some 30m from the front elevation of the application property. Noise outbreak would be kept to a minimum and largely be screened by the existing building when children are in classes. The existing courtyard to the rear will continue to be used as a playground on a temporary basis. This play area is well set back from the road and behind the existing building and is adjacent to the Mill Hill Park. Officers consider that the proposal would not result in any appreciable increase in noise and disturbance that would harm the amenities of residential occupiers. Conditions 6 and 7 attached to the permission restricts the hours of use and maximum numbers of children attending the site.

### Highway Issues

The proposal is for an additional class of up to 30 pupils. The school has a pupil intake of 26 places for the nursery class and 28 places for the reception class. In addition there are up to 10 full time equivalent staff. On-site parking for four cars including 2 disabled spaces is proposed at the front of the building and has been agreed as part of the previous application.

The parking standards set out in the London Borough of Barnet Adopted Unitary Development Plan 2006 refer to Annex 4 of the London Plan. Parking provision for a D1 use (Non-residential Institution) should be assessed on an individual basis and should take account of the nature of the institution in line with the London Plan 2011. Having taken this into account it is considered that the site is proposing a level of parking in accordance with its usage and number of staff.

Daws Lane lies adjacent to Mill Hill Park and has junctions to Hammers Lane to the east and A1 / A41 Watford Way to the west. Part of Daws Lane between the junction with A1 / A41 Watford Way and no. 45 Daws Lane is a controlled parking zone (CPZ) which comprises a mixture of business and residential bays. There are no waiting restrictions along the frontage of this site. Daws Lane is served by bus route number 240 which provides a service every 10 - 12 minutes during the morning and afternoon peaks from Golders Green station and Edgware Station.

The site has a shared vehicular and pedestrian access and a separate pedestrian route that connects to Daws Lane car park. At present only disabled users are allowed to park on the site and access for all visitors is controlled by security personnel throughout the day.

### School Travel Plan

Schools with new developments or extensions or redevelopments of existing sites are required to produce a School Travel Plan (STP) which should incorporate measures to reduce car trips to the school by the private car and encourage non car modes such as walking, cycling and public transport. An STP has already been approved for this school as part of the previous approval and is currently being implemented. The Council's Travel Plan Officer liaises with the school and monitors the progress of targets and measures contained in the Plan. The STP is due to be updated in July 2012.

### Pedestrian Routes and Crossing Movements

Pupils arrive at the school from several directions. For example, some park or walk along Daws Lane on the same side as Mill Hill Park, others cross Daws Lane to the school after parking in streets opposite the school and others park in the Daws Lane car park adjacent to the school.

Parents assist the safe movement of the children by escorting them to and from the school gate. This practice is expected to continue for the additional classroom.

It is not considered that the volume of movement expected to cross Daws Lane to the temporary school site justifies a new crossing. However, it is intended that 'School Keep Clear' markings will be implemented in the location of the school entrance to maintain visibility and promote safe crossing.

### Transport Statement

The applicants have submitted a Transport Statement (TS) which considers the additional impact of traffic associated with the proposed extra 30 pupils on the public highway. It confirms that the catchment area for the additional pupils will remain the same as for the existing intake. This will also apply to the proportion of trips expected by car.

The school conducted a parental questionnaire in November 2011. Taking into consideration those results, it can be reasonably expected that approximately 13 cars will be generated by the additional intake. It is estimated that this class will have a sibling representation of up to 9 pupils. This will have a positive effect in limiting the numbers of new trips. The times for the pick-up and drop-off will be the same as for the existing school. It is envisaged that the streets in the vicinity of the site and adjacent Daws Lane car park will have the capacity to cater for the level of expected trips associated with the additional class.

It is recognised that the addition of one extra class is an intensification of use and there will be an impact on-street during school drop off and pick-up times. However, in conjunction with the School Travel Plan and the high incidence of sibling numbers for this class which is likely to limit the number of extra trips, it is considered that the traffic impact can be accommodated on the existing highway network.

### 3. COMMENTS ON GROUNDS OF OBJECTIONS

- Highway related issues – addressed in the main report
- The impact of construction traffic from other sites can be managed, where this is considered to be necessary
- The catchment area details have been updated to address the current intake and the officers' comments have been made on that basis. The addresses of pupils who will join the school in September is not yet known, although the school have indicated that there are likely to be approximately 9 siblings
- The WCs will need to be removed at the expiration of the temporary permission
- The current proposal does not involve any alteration to or use of the first floor of 80 Daws Lane
- The need for the school has already been addressed in the previous application for the temporary use of 80 Daws Lane and the permanent site at the former Wyevale garden centre site
- The site meets air quality standards in accordance with the Council's guidelines concerning protection of residents from poor air quality. Officers consider that an assessment is not therefore required in connection with potential effects of air quality on children's health in relation to this proposal.
- Consultation was carried out and information made available to the public in accordance with the Council's normal standards
- Officers consider the application does not conflict with the Council's duty of equality or duty of care
- The application will benefit some members of the local community. The ground floor of the building was previously used as council offices and the proposals do not result in loss of a building previously used by the wider community
- There will be no encroachment on to the park arising from this development
- The site is well screened and the development will not have an adverse impact on the appearance of the area
- The level of noise generated from children in the playground is unlikely to be significant, particularly given that the site is close to the established children's playground in the park
- The security measures used by the school are considered to be appropriate for the location and not unduly obtrusive
- The building is of permanent construction and its reuse for a school on a temporary basis is not considered inappropriate in the Green Belt
- The toilet block is to be retained and is considered not to constitute inappropriate development in the Green Belt
- The proposal is for temporary permission expiring on the 31st July 2013 (Condition 2). A fresh application would be required to extend this period.
- The grant of planning permission does not override any other legal restriction that may exist concerning the use of the site

- It is noted that a number of the objections raised relate to proposals for the garden centre site. This has been granted planning permission.

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

The proposals do not conflict with either Barnet Councils Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities. The proposal would extend the time period relating to the temporary use and extend the capability of the ground floor to accommodate pupils in year 1 and associated staff.

#### **5. CONCLUSION**

The proposal is considered to accord to aforementioned national, regional and local planning policy, and would allow for an extension of the time period for the temporary accommodation for a new Free School prior to the move to a permanent location. Officers consider the proposal relating to this educational facility would have an acceptable impact on the Green Belt, wider character of the area and the amenities currently enjoyed by neighbouring occupiers and the proposal can be accommodated on the existing highway network.

The application is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN: ETZ Chaim Primary School, 80 Daws Lane, NW7**

**REFERENCE: H/00434/12**



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