

PLANNING COMMITTEE

22 FEBRUARY 2017

ADDENDUM TO THE OFFICER'S REPORT

16/6662/FUL – Hasmonian High School, Page Street, EN5 2DN

Pages 9 – 107

Late Representations - Public Comments

One letter of support

Received from Cllr Marshall on the following Grounds:

'In 1987, shortly after my election as MP for Hendon South, David Marriott and other governors of Hasmonian High School came to see me. Their message was simple: there was a pressing need to relocate the boys school. The site they then earmarked was in the north of the borough and proved unacceptable to parents.

The Hasmonian High School Act 1990, a private act sponsored by the school, presaged another unsuccessful attempt to agree on a new site.

The school then adopted a 'sticking plaster' solution funded in part by government and in part by donations. However, this involved an increase in the scale of the school buildings and a consequential reduction in the size of the playground, which has been described as a 'joke'. Given the need for children to have more exercise this is very important.

The situation is now very clear. The school has outgrown the Holders Hill Road site. It needs to meet the increased demand for single sex placers – a pattern that is not unique to the Jewish community – but a demand that only Hasmonian can meet. Although the proposal would result in the loss of some Green Belt land this is permissible. The School will allow community use of its sporting facilities – a clear benefit for local residents.

I realise that on occasions such as this the Committee has to weigh up many factors. However, as this Green belt land is little used, I hope the Committee will recognise the need to help one of the Borough's outstanding schools'

Officer Comment: The letter of support is noted and does not raise any additional significant issues over and above comments received during the consideration of the Planning Application. In relation to the Hasmonian High School Act, Hansard records this has having received royal assent in 1990, although Legislation.com does not contain a copy of the Act. An email enquiry to the website was replied to on the lines that not all acts of this time period are online and there are insufficient resources to respond to ad hoc requests. Due to this it is not possible for Officers to provide any further clarification in this regard.

One letter of Objection

Forwarded from Dr Mathew Offord MP from a constituent on the following grounds

'A friend's elderly mother lives in Page Street and walks these fields for exercise.

Once this land it taken it is gone forever and to allow a school to build there is disgraceful. This greenbelt is available to every single person in the Borough of Barnet and has been all my life. If the council is disrespectful enough to take this away from us and allow development then that development whatever it would be should be accessible to all.

All around us land it being taken for more and more building - usually flats. So green spaces are essential and this is the biggest green area we have locally and is well used. There are historic hedgerows and trees as well as an abundance of wildlife that can be enjoyed by all and should be protected for us.'

One additional letter of objection received on the following grounds:

- Restrictive Covenants that should have ensured the land be left for the purpose of 'public
- Colindale Area Action Plan requires a minimum of 10,000 new homes which are located a short distance from Copthall South.(AAP)
- Impact on air quality and Health as result of loss of green lungs and area of green and wild space
- Impact on nature conservation, historic records dating back to `862 show trees and hedgerows being located in situ. As such some of these would date from the 1750's.
- The school will replace the wild open natural habitat with a built environment and some scraps of landscaped land, they are not the same, and for residents - one is not a replacement for the other.
- The scraps of land left will have been disturbed, too limited in size and the wild life lost never to return.
- Hedgehogs have been found in gardens which come from this site.
- Loss of last remaining wild open space in Copthall.
- Nuisance, noise and congestion as a result of increased traffic and other activities such as Synagogue, Sunday School and weddings (which current take place on the Girl's school site.
- Proposed continued use as a car park for Saracens is inappropriate.
- Community use agreement will be of limited benefit for local residents
- In relation to Alternative Sites the Jewish Chronicle has advised that the application is a fulfilment of a 50 year plan. Not unusual to operate on two campuses, i.e. Hendon comprehensive operated on two sites and used off site sporting facilities in Copthall, before moving to a significantly smaller brownfield site in Golders Rise.

Four additional letters of support received in summary the grounds of support were:

- Poor condition of the Boys School

- Proposal would provide a high class education centre
- New school would provide significantly enhanced accommodation and outdoor space
- Greater use of the land by the school in comparison to use as public open space
- Community use outside hours is considered to provide appropriate mitigation for open space loss.

Officer Comment – The above comments both for and against the proposal are noted and are do not raise any significant issues which haven't already been considered in the main Planning Committee Report.

Letter of support:

Partnerships for Jewish Schools

One letter of support received from Rabbi David Meyer on the grounds of identified Jewish Need and the specific needs of the strictly orthodox Jewish community. It is noted that this advice is based on current provision which may change over the next couple of years.

A copy of a JPR report which was previously given to Hasmonean to assess school demand was also included in the correspondence. In relation to assessing school need. The report advises that it is not sufficient to merely compare first applications to spaces as some applications will also apply to private schools as their genuine first choice and other pupils would be reasonably content to accept a place in their second or third preference school which may or may not be Jewish. The report recommends that Hasmonean should try to identify the number of truly disappointed applications potentially by researching failed applicants and their feedback on the rejection.

Officer Comment – The above comments are noted, the comments raised in the JPR report in relation to the inadequacy of merely measuring the number of unsuccessful applicants and the Council would concur the concerns expressed in the Planning Officer Committee Report

Page 9

Under Ward replace **Burnt Oak** with **Mill Hill**

Reason 1

Replace **(paragraphs 88-90)** with **(paragraphs 87-90)**

Page 20

Under Consultation responses from neighbouring associations other non-statutory bodies the following text should be added:

Barnet Society

'The Barnet Society objects on principle to building on Green Belt land, and therefore to this proposal'.

While sympathetic to the Hasmorean School's objectives, we do not accept that they amount to the 'very exceptional circumstances' that alone would justify breaching existing Council planning policy.

We were founded to protect the Green Belt around Chipping Barnet, where a somewhat similar application for Ark Pioneer Academy is under consideration.

The land take for Hasmorean's 1,400-place school is almost double the area per pupil proposed for Ark. The latter would offer 1,680 places on a site of 4.17ha, i.e. 24.8m² per pupil. Hasmorean, in contrast, would occupy 6.19ha at 44.2m² per pupil. This is excessive for such a sensitive site.

Even if 'very exceptional circumstances' could be demonstrated, we believe the design falls short of the exceptional quality that might compensate for such a gross intrusion into the Green Belt. Neither its architecture nor its landscape are anything special; and in terms of sustainability, Hasmorean's target of BREEAM 'Very Good', aspiring to 'Excellent', is lower than many other recent London schools.

In view of the Council's interest in the existing Hasmorean Boys site, we are also very concerned that both Officers and Committee should treat this application with scrupulous impartiality and integrity.'

Page 28

Under GLA delete **Text**: (insert relevant paragraph number from the Conclusion)

Page 29

Under Site Description and Surroundings

After Tree Preservation Order replace text 2016 with 2017

Page 60

Under The locational need to stay within the local community add text:

As such it is considered that a low to medium weight should be attached in this regard.

Pages 60-62

Under The lack of any suitable and deliverable alternative sites add text:

As such it is considered that a low to weight should be attached in this regard due to the concerns expressed above.

Under Conclusion add text between first and second paragraph.

“The Council has outlined above that the Council consider that in relation to the ‘Very Special Circumstances’ outlined by the applicant that the issues raised should be considered as low and medium weighted considerations and do not either individually or cumulatively overcome the substantial harm which the development has been development has been found to result in”.

Applicant Rebuttal

The applicant has submitted a statement with accompanying appendices in relation to the applicant’s response in relation to the Officer Report to Committee. The summary grounds raised by the applicant are listed below with officer comment.

1. There is a clear and compelling need for school provision in Barnet, accepted both by the Education department, and the Council itself. As recently as at last month’s Committee, officers confirmed that there was clear need for growth in secondary education places (The Ark school proposal).

Officer Comment: The application at the Ark Academy was refused by members at the Planning Committee Meeting on the 25th January. It is also noted that members during discussions cast doubts on the reports conclusions in relation to site preference. The siting of the school was on Previously Development Land and as such in planning policy terms was a sequentially preferable site and also result in a reduction in harm. It is also noted that the school would have provided an additional 1680 spaces towards borough need in comparison with the Hasmorean application which would provide for an additional 150 spaces. As such the benefit was greater and the harm less. It is also noted that the Ark Academy scheme involved a smaller site providing more pupils.

2. In this context, Councillors have to consider whether this compelling need, and, the absence of suitable alternative sites, as “Very Special Circumstances” (VSC), outweigh the harm to the Green Belt / MOL / SLINC (taking into account the site characteristics context) , and, by the overall benefits of the proposal.

Officer Comment: It is noted that the NPPF requires any ‘Very Special Circumstances’ to Clearly outweigh any identified harm (Paragraph 88)

3. The Secretary of State in a recovered decision dated August 2016 (concerning a school proposal on the Windsor & Maidenhead Green Belt) stated that “*the educational need for the school on the appeal site is compelling and should be given substantial weight*”, and concluded that “*the weight of the other material 4 considerations clearly outweighs the totality of the harm caused by the development so that very special circumstances [do] exist to justify the construction of the appeal scheme in the Green Belt*”

Officer Comment: There are significant difference between the Windsor and Maidenhead application and the Hasmonean proposals namely in so far as the specific nature of this scheme, namely that it was a small specialist facility dealing with special needs, due to the nature of the school requiring a rural setting to aid in thereby in having access to animals and wildlife and the fact that the school was housed in temporary accommodation and would cease to exist if the proposal was not granted. It is also noted that in relation to the harm, the siting of the proposal was on low grade agricultural land for which the public had no right of access, and due to a consideration that the buildings proposed were not dissimilar in scale and appearance to agricultural buildings which could be constructed under permitted development.

4. There is an equally compelling need for this development. Hasmonean is unique in that there is no other secondary school level single sex Orthodox educational provision. Hasmonean cannot be compared to other Jewish pluralist provision excess demand for places at Hasmonean cannot be met by mixed institutions such as JFS or JCOSS.

Officer Comment: Members attention is drawn to the note given to the Hasmonean by the Partnerships for Jewish Schools. This advice notes that it is not sufficient to merely compare first applications to spaces as some applications will also apply to private schools as their genuine first choice and other pupils would be reasonably content to accept a place in their second or third preference school which may or may not be Jewish. The report recommends that Hasmonean should try to identify the number of truly disappointed applications potentially by researching failed applicants and their feedback on the rejection.

No such evidence has been provided pursuant to the current application.

5. The proposal is not to construct a single school, but to develop two schools side by side under a multi-Academy Trust. Each of these Academies has to be constructed in accordance with Department for Education (DfE) mandatory guidance on floor space. The floor space proposed is no more than that which secures compliance with DfE requirements.

Officer Comment: It is noted that applicant has specifically mentioned that the application is for a multi academy trust. This is discussed in length in the Planning Committee report and the application proposals are above the maximum standards. From a Green Belt perspective it would be more normal to work to the minimum standards in order to minimise impact.

6. Hasmonean have been searching to provide two schools on a combined site for nearly 40 years. Indeed, in 1992 an application was promoted at this very site. The fact that the School has continued to expand and continue to provide OFSTED rated 'outstanding' education is to their credit on two inadequate sites and should not be used against the case for education modernisation. Indeed, in the Windsor & Maidenhead decision referred to above, the Secretary of State stated that "*the argument for considering a split-site for the new school is unconvincing having regard to the inefficiencies and costs inherent in operating split-site schools*".

Officer Comment: *The Windsor and Maidenhead decision was in relation to a small school of 22 pupils, and 10 staff . 10 full time staff, 6 sessional staff and 4 therapeutic staff. The children all had a diagnosis of one or more special educational needs; over half have been fostered/adopted and have attachment difficulties and atypical emotional and social development. Some have specific learning difficulties, speech and language needs, autistic spectrum disorder, obsessive compulsive disorder or sensory processing difficulties.*

It is understandable that due these factors the Inspector considered a dual site inappropriate. Non of these factors relate to the current application.

7. The need case is now reaching **crisis point**; there is no more capacity to meet increased demand. Furthermore, Barnet is the fastest growing London Borough and the infrastructure needs must be upgraded to accommodate that growth.

Officer Comment: It is agreed that infrastructure needs to be provided to accommodate growth, however this does not need to be at the expense of green space and it is noted that Barnet has managed to achieve one of the highest house building rates in London without building on green spaces. In relation to increases in population, the provision and retention of green open spaces is also considered an essential infrastructure need, which would be adversely affected by the current application involving the loss of approximately 10% of the District Park.

8. The application site is quite simply the only appropriate one for the proposed development. Full and robust alternative searches have been carried out which have concluded that that there are no suitable sites capable of accommodating the needs of the Hasmorean School which are commercially available and deliverable in appropriate timescales. A letter commenting on specific issues raised in the Officers' Report is appended.

Officer Comment: The fundamental flaw with the site search criteria, is the refusal to consider a search for smaller sites serving the boys school only. The Council would also disagree with the Cushman supplementary letter conclusion that the Watchtower site is sequentially preferable as in Green Belt terms a previously developed site with no public access would be preferable to a greenfield green belt site, which forms part of a public park, contains numerous mature trees of valuable amenity value and is located in a Site for Nature Conservation Importance.

9. In terms of the loss of Open Space, the applicant is willing for the existing Boys' school site to be re-allocated as a replacement area of Public Open Space.

However, Council officers have declined this offer in favour of the site retained for other educational use. However, the Public Open Space offer remains open; and Committee members should see it as bringing significant public benefit to local residents.

Officer Comment: This cannot be taken as a valid offer as the Boy's school site is entirely covered by hard standing and does not form part or attach to any areas of

public open space. The proposals at Hasmorean would result in the permanent loss of over 6 hectares of public open space.

10. This application site is in the optimum location to serve its Barnet pupils that form of the bulk of the School's catchment area. Transport sustainability is a very important factor – children should not need to travel longer distances than absolutely necessary.

Officer Comment: It is worth noting that Distance from School does not form part of the selection criteria for the school, while the majority of pupils come from Barnet, they are on the whole not from Mill Hill where the application is proposed and in some cases come from further afield such as Stamford Hill and the London Borough of Redbridge.

11. Sport England's comments, highways, drainage, implementation etc. are all technical matters well capable of being secured by conditions and form no suggested reasons for refusal. In addition, agreed Heads of Terms were discussed with the applicants, and a full S106 will be concluded upon a resolution to grant consent.

Officer Comment: These matters do not form part of the reasons for refusal. It is noted that the Sport England objection is a holding objection to the scheme. Resolving this objection could result in the loss of additional areas of woodland.

12. On the basis of proven educational need, alongside overwhelming planning benefits of the scheme it is submitted that VSC have been demonstrated and that permission should be granted for the proposals.

Officer Comment: This is the applicant's opinion and differs from that of Council Officers.

13. We say, firmly, that the Officers' Report has made entirely the wrong recommendation in these circumstances.

Officer Comment: This is the applicant's opinion and differs from that of Council Officers.

16/4545/FUL - National Institute for Medical Research, The Ridgeway, London, NW7 1AA

Page 32

Amend bullet point 1 of 'Proposed uses' to:

The applicant has made an offer to the Council of 20% of units to be intermediate housing in the form of **shared ownership**. This will comprise of 92 units. In

addition, the applicant is willing to also offer £4.56M towards an off-site cash payment towards social rented accommodation within Barnet. The Council instructed GL Hearn to carry out an independent review of this offer submitted. They have confirmed that this offer is viable.

Page 74

Amend second paragraph of 'Affordable Housing' section to:

The application was accompanied by an 'Affordable Housing and Economic Viability Assessment' produced by BNP Paribas (BNPP) which stated that it would be unviable to provide any affordable housing on site. However, the applicant has made an offer to the Council of 20% of units to be intermediate housing in the form of **shared ownership**. This will comprise of 92 units. The split of these affordable units is detailed below:

Amendments on pages 32 and 74 are in line with the Affordable Housing section on page 1 of the Committee report.

16/7489/CON – Brent Cross Cricklewood Regeneration Area NW9
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Page 4

Paragraph 2 of page 4 lists a number of other applications which have been made alongside this phasing application, to make necessary amendments to the Section 73 Permission and the approved Reserved Matters for Phase 1A (North), bullet point 5 has been amended and should read as follows:

- "A Deed of Variation to the s73 Permission S.106 Legal agreement to address consequential amendments to be made to the existing **S106 Agreement.**"

Page 13

Final Paragraph of page 13

- Approval of the phasing application would result in necessary consequential amendments to be made to the existing S106 Agreement attached to the s73 Permission. A draft deed of variation has been prepared and agreed with lawyers and is ready to be executed subject to the decision of the Committee and to Agreement from TFL to the amendments.

Page 22

Paragraph 1 of page 22, under subheading 'Plots 53 and 54' of Section 6 'Planning Assessment' has been amended and should read as follows:

“When the application to re-phase Plots 53 and 54 (the Brent Terrace Triangles) was considered (**Ref: 15/00720/RMA**) concerns were raised relating to the early loss of these informal open spaces.”

Page 1 of Appendix 4

The heading for Appendix 4 should read as follows:

“~~APPENDIX 2~~ **APPENDIX 4** S.96A Decoupling application condition changes”

Page 3 of Appendix 4

Appendix 4 lists the changes to the conditions as a result of the Section 96a Application, subheading ‘2) Changes to Reserved Matters Approved Ref: 15/03312/RMA’ lists those plans which are proposed to be superseded by the drawings submitted under the amend Reserved Matters Application: 15/06571/RMA and should read as follows:

“2) Changes to Reserved Matters Approval Ref: 15/03312/RMA

The development (save for Claremont Avenue, Claremont Road Junction North, Orchard Lane and High Street South (East Works)) hereby permitted shall be carried out in accordance with the following approved plans unless minor variations are agreed in writing after the date of this reserved matters consent with the Local Planning Authority:... It is proposed to delete the following plans from Condition 1 as they are to be superseded by the drawings submitted under the amended RMA 15/06571/RMA:

- Tempelhof Bridge (B1) - Tempelhof Avenue Level General Arrangement - BXCRURS- B1-HS-AP-SE-00001 P05
- Tempelhof Bridge (B1) - North Abutment Details BXCR-URS-B1-HS-AP-SE-00002 P04
- Tempelhof Bridge (B1) - Pier 1 Details - BXCR-URS-B1-HS-AP-SE-00003 P04
- Tempelhof Bridge (B1) - Pier 2 Details - BXCR-URS-B1-HS-AP-SE-00004 P04
- Tempelhof Bridge (B1) - Pier 3 Details - BXCR-URS-B1-HS-AP-SE-00005 P04
- Tempelhof Bridge (B1) - South Abutment Details - BXCR-URS-B1-HS-AP-SE-00006 P04
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 1 of 3) BXCR-URS-B1-HS-AP-SE-01001P03
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 2 of 3) BXCR-URS-B1-HS-AP-SE-01002P03
- Tempelhof Bridge (B1) - South Approach Embankment & Tempelhof Link (Sheet 3 of 3) BXCR-URS-B1-HS-AP-SE-01003P03

- Tempelhof Bridge - General Arrangement - North Approach Embankment - BXCRURS- B1-HS-AP-SE-02001 P04
- Highways Alignment - General Arrangement Phase 1A North - Sheet 7 - BXCR-URS-AH-RM-DR-CE-00007 P09
- Highways Alignment - General Arrangement Phase 1A North - Sheet 8 - BXCR-URS-AH-RM-DR-CE-00008 P08
- Highways Alignment - General Arrangement Phase 1A North - Sheet 14 - BXC-URS-AH-RM-DR-CE-00014 P08
- Highways Alignment - General Arrangement Phase 1A North - Sheet 15 - BXC-URS-AH-RM-DR-CE-00015 P08”

15/06571/RMA- Bridge Structure B1 (Replacement A406 Tempelhof Bridge), Brent Cross Cricklewood Regeneration Area, London NW2

Appendix 1 – Conditions

The list of Approved plans and Informative(s) have been amended and the Appendix should read as follows:

1	Approved plans		
	<p>The term “development” in this condition and the conditions below means the development for which details of reserved matters are hereby permitted.</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans unless minor variations are agreed in writing after the date of this reserved matters consent with the Local Planning Authority:</p>		
	Title	Reference	Revision
	HIGHWAY ALIGNMENT GENERAL ARRANGEMENT PHASE 1A NORTH SHEET 7	BXCR-URS-AH-RM-DR-CE-00007	P14
	HIGHWAY ALIGNMENT GENERAL ARRANGEMENT PHASE 1A NORTH SHEET 8	BXCR-URS-AH-RM-DR-CE-00008	P13
	HIGHWAY ALIGNMENT GENERAL ARRANGEMENT PHASE 1A NORTH SHEET 14	BXCR-URS-AH-RM-DR-CE-00014	P12
	BRENT CROSS PHASE 1A NORTH ASSOCIATED HIGHWAY RMA BRIDGE STRUCTURE B1 AND SITE LOCATION PLAN	BXCR-URS-AH-RM-SK-CE-00010	P03
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT PLAN	BXCR-URS-B1-HS-AP-SE-00001	P15
	TEMPELHOF BRIDGE GENERAL ARRANGEMENT NORTH ABUTMENT DETAILS	BXCR-URS-B1-HS-AP-SE-00002	P09

TEMPELHOF BRIDGE GENERAL ARRANGEMENT PIER 1 DETAILS	BXCR-URS-B1-HS-AP-SE-00003	P11	
TEMPELHOF BRIDGE GENERAL ARRANGEMENT PIER 2 DETAILS	BXCR-URS-B1-HS-AP-SE-00004	P09	
TEMPELHOF BRIDGE GENERAL ARRANGEMENT PIER 3 DETAILS	BXCR-URS-B1-HS-AP-SE-00005	P09	
TEMPELHOF BRIDGE GENERAL ARRANGEMENT SOUTH ABUTMENT DETAILS	BXCR-URS-B1-HS-AP-SE-00006	P09	
TEMPELHOF BRIDGE GENERAL ARRANGEMENT NORTH APPROACH EMBANKMENT	BXCR-URS-B1-HS-AP-SE-02001	P12	
TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 1 OF 4	BXCR-URS-B1-HS-SK-SE-01001	P04	
TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 2 OF 4	BXCR-URS-B1-HS-SK-SE-01002	P04	
TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 3 OF 4	BXCR-URS-B1-HS-SK-SE-01003	P03	
TEMPELHOF BRIDGE (B1) SOUTH APPROACH EMBANKMENT AND 2-WAY TEMPELHOF LINK SHEET 4 OF 4	BXCR-URS-B1-HS-SK-SE-01004	P04	
<p>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 application as assessed in accordance with policies CS1, CS4, CS5, of the Barnet Local Plan and policy 1.1 of the London Plan.</p>			

Informative(s):

1	The following drawings are supporting documents and should be referred to for information:		
	Title	Reference	Revision
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VISIBILITY SPLAYS SHEET 7	BXCR-URS-AH-01-DR-CE-02007	P15
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VISIBILITY SPLAYS SHEET 8	<i>BXCR-URS-AH-01-DR-CE-02008</i>	<i>P11</i>
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VISIBILITY SPLAYS SHEET 14	BXCR-URS-AH-01-DR-CE-02014	P11
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VEHICLE TRACKING SHEET 7	BXCR-URS-AH-01-DR-CE-03007	P13
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VEHICLE TRACKING SHEET 8	BXCR-URS-AH-01-DR-CE-03008	P11
	BRENT CROSS PHASE 1A NORTH GENERAL ARRANGEMENT VEHICLE TRACKING SHEET 14	BXCR-URS-AH-01-DR-CE-03014	P11
	<u>BRENT CROSS PHASE 1A NORTH ASSOCIATED HIGHWAY RMA BRIDGE STRUCTURE B1 AND SITE LOCATION PLAN</u>	<u>BXCR-URS-AH-RM-SK-CE-00010</u>	<u>P03</u>
2	<p>The applicant is advised that the costs of any works including reinstatement works to existing public highway associated with the approved development, or new roads proposed for adoption as public highway, will be borne by the applicants and may require entering into a Section 278 Agreement or Section 38 Agreement under the Highways Act 1980. Detailed design and construction of the associated highways works will have to be approved by the Traffic & Development Team prior to entering into the necessary Highway Agreements. For further information contact Traffic and Development Section, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.</p>		

Amend Plan Numbers:

HR-AGE01

HR-G-AG01 E

HR-G-AG02 D

HR-G-AG03 D

~~HR-G-AG04 E~~

~~HR-G-AG05 D~~

HR-G-AGP01 G

HR-G-AGP02 E

HR-G-AGP03 D

HR-G-AGP04 E

HR-G-AGP05 E

HR-G-AE01 D

HR-G-AE02 B

HR-G-AE03 C

HR-G-AE04 B

HR-G-AE05 C

HR-G-AE06 D

HR-G-AE07 C

HR-G-AE08 B

HR-G-AE09 A

HR-G-AE10 B

HR-G-AE11 B

Additional comments regarding Highways Issues:

The plans show a flushed kerb rather than an up stand that will aid a turning movement. The swept path movements show that a 4x4 vehicle can turn within the space. A swept path is the worst case as this doesn't allow a vehicle to turn the wheel while stationary that can be done in practise. If a transit van was to gain access although a width of 7 metres is not to standard it can effectively turn within the space as if 5.6 metres long as would have 1.4 metres manoeuvrability to make a turn. It would take a number of point turns but it can be done.

There is sideways movement space in front of the parking bays to manoeuvre. A delivery driver can also reverse into the access and will have an early warning reversing system and a 2nd person to make sure it is clear.

A swept path movement has been provided to show that a vehicle can turn within the space in accordance with the Manual for Streets guidance. There is no defined guidance in Manual for Streets for inter-visibility between pedestrians and vehicles at an access as larger splays make a poor built environment and reduced visibility creates lower speeds. A 2 metre x 2 metre splay is achieved to the south, to the north the existing visibility is unchanged to the present and the vehicle movements will be greatly reduced. There are warning signs for vehicles as shown attached and no collisions have occurred.

Additional comments regarding Amenity Issues:

The distances to houses to the rear from block B are clarified below would as follows:

		Distance to Closest point	Distance to rear Two storey outrigger
9 Ingram Road	Ground floor	18.7m to extension of no.9 but this does not extend across full width of property.	20.3m
	First floor	18.7m to extension of no.9 but this does not extend across full width of property.	20.3m
	Second floor	20m to extension of no.9	
	Third Floor	23m to extension of no.9	
11 Ingram Road	Ground & first floor & second floor		20.3m
	Third floor		23m
13 Ingram Road	Ground & first floor		20.9m
	Third floor		22.8m

It should be noted that the properties on Ingram Road are L shaped with a two storey outrigger.

It is considered that though there are some minor contraventions of the 21m distance within the Supplementary Planning Guidance, there would not be harmful overlooking taking into account proximity to the town centre, and the lack of continuous façade at upper floors. It should be noted that this is guidance and breach does not automatically mean that any application should be refused.

Tree Preservation Order

The Yew tree to the front of the adjacent Council-owned Park House, relatively close to the boundary with the application site, has now been included in a Tree Preservation Order. It is a material consideration and would allow the Council to impose conditions, if appropriate, for the protection of the tree or replacement planting to mitigate its loss.

Condition to Add:

1) a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

Car Club

The applicant has provided the following additional information on car clubs:

*'Within the immediate vicinity of 12-18 High Road the majority of the car clubs are operated with **HiyaCar** and **ZipCar**.*

HiyaCar and EasyCar are peer-to-peer car sharing platforms whereby car owners who may not require the use of their vehicle on a daily basis can rent it out to vetted drivers.

- *The vehicle is listed on the website by the owner, with information on the cars availability, rental cost and any photographs.*
- *Drivers can search their local area for the appropriate vehicle and make booking requests, when the request is made, a suitable location for pick-up and drop-off is agreed with the owner and driver.*

- *The Driver and Sharer meet at the time and place agreed at the time of making the Booking and the Driver shall confirm the Booking reference and make their driving licence available for inspection by the Sharer. The keys are exchanged and the car's owner is paid directly from the car sharing company.*
- *The Driver shall return the Car at the scheduled end of the Hire Period to the location agreed at the time of the Booking.*
- *Promptly following the return of the Car, the Sharer and the Driver shall record the Car's fuel level and inspect it for any new damage in the agreement. Drivers are responsible for refuelling any fuel used during the hire, using the appropriate fuel (i.e. regular, premium or diesel.)*

With ZipCar and DriveNow, the vehicles are owned by the company and follow a more automated approach.

- *After the initial registration, membership cards will be sent out. The location of the nearest car and the booking process can be accomplished via the mobile app, website or by phone.*
- *Once the booking has been made, the car can be opened by holding the membership card or mobile phone up to a sensor on the car's windscreen which prompts the doors to automatically unlock. In the case of DriveNow the car can be started via a PIN entered on the dashboard, with ZipCar the keys are accessible in the glovebox.*
- *Fuel, insurance and congestion charges are included in the price of the hire, which can vary from 1 hour to 7 days. If the car requires refuelling, there is a fuel card in the hire car which is to be used.*
- *For ZipCar when the hire is complete, the car is returned to its 'home' location and locked with the card or mobile phone. In select cities there are ongoing trials in regard to one-way trips or changes in drop-off location. However in the case of DriveNow, the car can be left at any location'.*