

**Location**                    **The Sternberg Centre For Judaism 80 East End Road London N3 2SY**

**Reference:**                **16/2455/FUL**                    Received: 14th April 2016  
Accepted: 14th April 2016

Ward:                        Finchley Church End                    Expiry 9th June 2016

Applicant:                 Daniel Rosenfelder

Proposal:                    Rebuilding of boundary walls. Installation and replacement of existing fences and gates

**Recommendation:** Approve subject to conditions

- 1    The development hereby permitted shall be carried out in accordance with the following approved plans:

898.01 F (Site Works- Key Drawing)  
898.30 (Contractors Site Access and Compound)  
898.31 (Existing Elevation to Basing Way Flats)  
898.32 (Proposed Elevation to Basing Way Flats)  
898.BW.33 (Woodland Walk Wall Existing Elevation)  
898.BW.34 (Woodland Walk Wall Proposed Elevation)  
898.35 (Woodland Walk Wall - Details)  
898.36 A (Replacement Fence to Site Boundary with St Theresa's School; New Door to Front Wall)  
898.37 A (New Wall behind Akiva School)  
898.38 (Elevation to Pavilion Mews)

R10494/102 B  
18940/301 A

Design and Access Statement.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies 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    No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or

development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

- 4 Prior to the commencement of any works hereby approved, a method statement for the demolition, reinstatement and making good of the historic, listed wall shall be submitted to and approved by the Local Planning Authority.

Reason: To protect the special interest, character appearance and integrity of the listed wall.

- 5 Prior to the commencement of works hereby approved, full and proper survey drawings, including a photographic record shall be undertaken of the sections of historic listed wall proposed for demolition and shall be submitted to the Local Planning Authority for approval and record.

Reason: To protect the special interest, character appearance and integrity of the listed wall.

- 6 Prior to the commencement of any works hereby approved, details of the location, design and measures for the storage of the bricks shall be submitted to and approved in writing by the Local Planning Authority. All bricks, including half batts are to be cleaned, numbered and stored for re-use.

Reason: To protect the special interest, character appearance and integrity of the listed wall.

- 7 The wall shall be rebuilt using the stored bricks. All other bricks needed should be second hand stocks of a similar nature and date, and shall be agreed in advance by the Local Planning Authority.

Reason: To protect the special interest, character appearance and integrity of the listed wall.

- 8 Prior to the rebuilding of the brick walls, a sample panel of the brickwork proposed for the re-built wall, including expansion joint, shall be prepared for assessment and approval by the Local Planning Authority.

Reason: To protect the special interest, character appearance and integrity of the listed wall.

- 9 The development shall be carried out in full accordance with the submitted arboricultural method statement 170331-SC-MS-03 and tree protection plan 170403-1.2 NLS-TPP-NC and strictly adhered to throughout all phases of development.

Reason: To protect visual tree amenity in the local area.

- 10 a) No site works or development shall take place until a landscape design/proposal and maintenance programme has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the document and programme 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.

#### **Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **Officer's Assessment**

### **1. Site Description**

The Sternberg Centre is located on the south west side of East End Road opposite the junction with Manor View. It occupies a site of approximately 3.03 hectares and comprises (amongst other buildings) an 18th Century moated site which is designated as a Scheduled Ancient Monument and a 18th Century three storey Manor House which is designated as a Grade II\* Listed Building. The site is surrounded on all four sides by brick walls of varying heights and architectural detailing, including a number of openings to neighbouring gardens.

### **2. Site History**

There is an extensive site history on the site consisting of planning applications, listed building consents, conditions applications and tree works.

Reference: 16/2456/LBC

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Rebuilding of boundary walls. Installation and replacement of existing fences and gates

Reference: 14/07798/S73

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Refused

Decision Date: 27 January 2017

Description: Variation of condition 18 (Hours of Use) pursuant to planning permission reference F/00690/08 dated 24/07/2008 for 'Erection of synagogue (Variation of planning permission C00403CL/05 dated 30-09-2005 for demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavilion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House). Variations to include relaxation of restricted hours of use to allow extension of opening hours of premises between 8.00am and Midnight Fridays and Saturdays and between 7.30am and Midnight on all other days

Reference: F/04726/10

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved subject to conditions

Decision Date: 8 February 2011

Description: Use of vacant building (Stables block) as a Jewish Military Museum (Use class D1). Internal alterations including extension to existing Mezzanine (25m<sup>2</sup>). Alterations to roof including insertion of 4 dormer windows facing courtyard. Replacement of all windows and doors with new double glazed windows and doors.

Reference: F/00730/08

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved subject to conditions

Decision Date: 24 July 2008

Description: Erection of synagogue (Variation of Listed Building consent C00403CM/05 dated 30-09-05 for demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavilion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House) (LISTED BUILDING CONSENT)

Reference: F/00690/08

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved following legal agreement

Decision Date: 24 July 2008

Description: Erection of synagogue (Variation of planning permission C00403CL/05 dated 30-09-2005 for demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavilion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House).

Reference: C00403CG/04

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Refused

Decision Date: 29 July 2004

Description: Demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new partially submerged Akiva School block adjacent Windermere Avenue, new synagogue adjacent St. Theresa's Primary School and extension of existing stable block/Biet Limmud including an auditorium partially positioned below ground level, together with associated changes to landscaping, car-parking and alterations to Manor House.

Reference: C00403CF/04

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Refused

Decision Date: 29 July 2004

Description: Demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new partially submerged Akiva School block adjacent Windermere Avenue, new synagogue adjacent St. Theresa's Primary School and extension of existing stable block/Biet Limmud including an auditorium partially positioned below ground level, together with associated changes to landscaping, car-parking and alterations to Manor House.

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partially positioned below ground level, together with associated changes to landscaping, car-parking and alterations to Manor House.

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Reference: C00403CM/05

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved subject to conditions

Decision Date: 30 September 2005

Description: Demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavilion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car parking spaces, single storey refuse store and alterations to Manor House.

Reference: C00403CL/05

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved following legal agreement

Decision Date: 30 September 2005

Description: Demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavilion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car parking spaces, single storey refuse store and alterations to Manor House.

Reference: C00403BW/02

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Withdrawn

Decision Date: 28 April 2004

Description: Demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue, new synagogue adjacent St. Theresa's Primary School and extension of existing stable block/Biet Limmud including a 310 seater auditorium, together with associated changes to landscaping, car-parking and alterations to Manor House.

### **3. Proposal**

The application seeks consent for the following works:

- Demolition of lengths of unstable wall adjacent to the collapsed section on the northwest site boundary and rebuilding using piled foundations and the existing salvaged bricks, the shortfall being made up with bricks of similar age, size and mortar. Rebuilding a length of the upper part of the southeast boundary wall that has collapsed.
- Stabilisation of the southwest and southeast wall sections that have been defined to be at risk of collapse by means of purpose designed free-standing supporting 'buttress ties'.
- Upgrading of dilapidated fencing and increasing the height of existing fencing in areas of perceived ease of access and upgrading site access doors.
- Removal of trees which are adjacent to the site boundary wall or deemed to put it at risk through root growth and/or leaning trunk.

The mesh fence originally proposed within the application has been omitted from the proposed development.

#### **4. Public Consultation**

Consultation letters were sent to 165 neighbouring properties.

8 responses have been received, comprising 8 letters of objection.

The objections received can be summarised as follows:

- Proposed mesh fencing and high trellis fencing is out of character and harmful to the setting of the listed building;
- Loss of trees;
- Impact on wildlife;
- Details submitted are vague;
- No comments from English Heritage; and
- Errors within the plans;

#### Internal and External Consultation

GLAAS: No objection subject to an archaeology condition being attached.

Trees: No objection subject to conditions

The Council's Heritage team and Historic England have been consulted as part of the listed building consent (reference 16/2456/LBC). In summary there are no objections from either consultee.

#### **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 2016

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.

### 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, CS7.
- Relevant Development Management Policies: DM01, DM06, DM16

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Impact of the proposals on the character of the listed wall;
- Impact on the amenity of neighbouring occupiers; and
- Impact on existing trees and wildlife.

## **5.3 Assessment of proposals**

### Impact on character of the listed wall and setting of listed building

The Manor House which sits at the front of the site is designated as a Grade II\* Listed Building and is acknowledged originated from the early 18th century and is noted as a fine 3 storey, 7 bay brown brick house. A large area of the rear of the site is also designated as a Scheduled Ancient Monument and within an Archaeological Priority Area.



Within the submitted design and access statement, it is stated that the proposed works are required as two sections of the wall to the south-east and north-west collapsed in 2015 and also the need for upgraded security. Following the collapse, a detailed survey of the entire length of site boundary was undertaken and revealed several unstable lengths of wall which are deemed liable to collapse at any time.

In terms of the need for improved security, the Council has received confirmation that the Community Services Trust (CST) has advised of the need to have improved security on site and the justification in principle for this need is accepted subject to appropriate design of the proposed measures.

In terms of rebuilding the lengths of walls, it is proposed to re-use existing bricks that have been salvaged from the site and any additional bricks required will be carefully sourced for their colour and size. In principle this would appear to be most appropriate method but where additional bricks are required, careful consideration will need to be taken to ensure that it closely matches the appearance of the existing historic wall. A condition will be attached seeking a sample panel to be approved by the Planning Authority. The 16no stabilisation buttresses are proposed along the south-eastern and south-western boundaries. Officers acknowledge that the proposed columns do not represent the most aesthetically pleasing impact; however, the overall impact is not considered to be significant but considered necessary to allow the wall to be retained in-situ and prevent the likelihood of further collapse.

It is proposed to replace a number of existing fences in poor condition around the site boundary. Along the south-eastern boundary with St Theresa's School, it is proposed to erect a 1.8m feather-edge timber fencing with a 600mm trellis on top. The fence would be finished with a dark green preservative. The existing fencing measures 2.4m high and the proposed total height of the replacement fencing would be 2.7. This is considered to be acceptable.

Along the south-eastern side, it is proposed to replace the existing chain link fence with a new 1.35m fence with 450mm trellis on top. This will be located 3m from the listed wall. Officers have no objection to the construction of this fence. The restoration of wrought iron railings on the south-east elevation is welcomed by officers.

Overall, in discussions with the Council's Conservation officers, the proposed works are considered to be acceptable and would not have an adverse impact on the listed wall and setting of the building.

#### Impact on neighbouring occupiers

The proposal involves the rebuilding of the existing walls or the replacement of existing fencing. While there may be an increase of the overall height of the proposed new fencing through additional trellis, the overall increase in height is not considered to have a detrimental impact on the amenity of neighbouring occupiers.

#### Trees

An Arboricultural Method Statement has been submitted which sets out some of the details proposed to repair the wall. This will include the use of pile and beam foundations to bridge roots, remote supporting pillars with steel cable anchors, raft and strip foundations. The report has been assessed by the Council's Arboriculturalist. Overall, there are 10 trees identified for removal - 7 required to facilitate the development and 3 for arboricultural

reasons. Their location in very close or in contact with the boundary wall are considered partially responsible for the walls condition and is why they are proposed for removal. In addition to these, 78 young self-seeded trees have been identified on both sides of the wall that pose a significant future risk to the wall and prevent repair. This has been reviewed by the Council's Arboriculturalist and assessed that the overall impact of the loss of these self-seeded trees is low to medium. However, due to the low significance of the proposed trees for removal, the loss can be adequately mitigated through off-set planting in the region of 10 extra heavy standards and 50 saplings. This will be secured via a landscape and maintenance condition. The proposed tree protection plan is considered to be acceptable. Overall the impact on trees is considered to be acceptable and the method statement and mitigation measures proposed are considered to mitigate any adverse impacts.

## **Conclusion**

The proposals have now been revised following earlier comments and are now considered to be acceptable for this important historic wall and Scheduled Ancient Monument, subject to a number of conditions.

### **5.4 Response to Public Consultation**

*Harm to the character of the area and listed building* - The proposals have been discussed with the Council's Urban Design and Heritage Team and following amendments, the proposal is considered to be acceptable and not unduly harm the significance or setting of the heritage assets.

*Impact on wildlife* - Through negotiations with the applicant the total number of trees to be removed has been reduced to 7 individual trees to facilitate the development. The other 3 trees are being for arboricultural reasons and considered reasonable. The overall loss of the self-seeded trees is considered to be low to medium and as such is considered unlikely to impact on local wildlife to such an extent so as to warrant refusal of the application on these grounds alone.

*Details submitted are vague* - The details submitted clearly show the proposed changes and considered acceptable.

*No comments from English Heritage* - English Heritage were consulted as part of the listed building consent and in summary consider that the details of the application would not result in undue harm being caused to the significance of the designated heritage asset.

*Errors within the plans* - A site visit was carried out and any errors within the plans were amended accordingly.

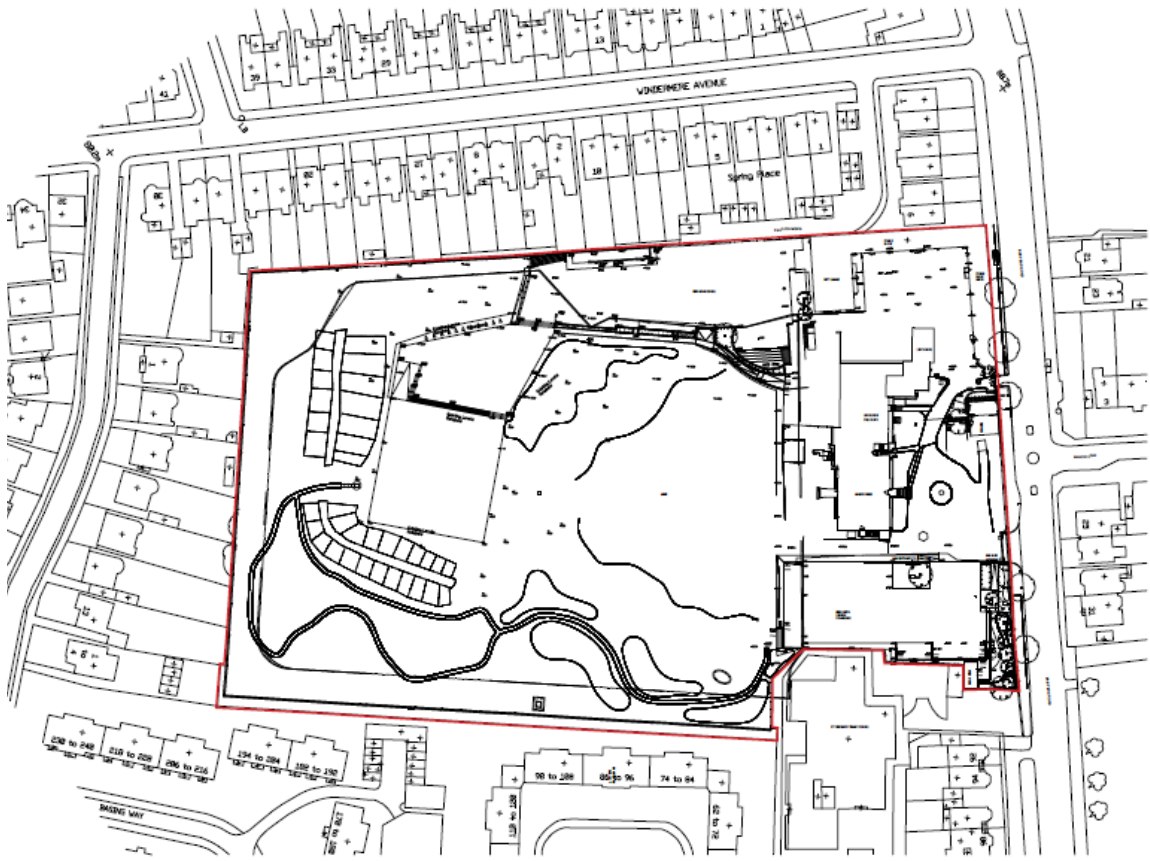
*Loss of trees* - The proposed impacts on trees has been assessed by the Council's Arboriculturalist and no objections have been raised.

## **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

Having taken all material considerations into account, it is considered that the proposed works would not have any significant adverse impacts on the designated heritage assets. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. The application is therefore recommended for approval.



FOR INFORMATION ONLY  
THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION  
OR AS A BASIS FOR ANY OTHER ACTION

BOUNDARY OF THE PROPOSED LAND



For Information Only