

LOCATION: Former 261, Hale Lane, Edgware, Middx, HA8 8NX
REFERENCE: H/04845/11 **Received:** 05 December 2011
Accepted: 12 December 2011
WARD(S): Edgware **Expiry:** 12 March 2012

Final Revisions:

APPLICANT: Jewish Secondary Schools Movement
PROPOSAL: Application for variation of plan numbers and landscaping details including new canopies at rear playground area. Relocation of plant equipment at roof level. Amendment of BREEAM rating to 'Good'. Alterations to landscaping details. (Amendment to planning applications H/03150/08 and H/02291/11). Amended plans received showing details of security hut and roof plant.

RECOMMENDATION: Approve Subject to Conditions

- 1 This development must be begun before 27/10/2011.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Before the development hereby permitted is occupied the parking spaces shown on Plan HL.673.07 (submitted with application H/03150/08) 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.
- 3 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
Reason:
To ensure a satisfactory appearance to the development.
- 4 Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.
Reason:
To ensure a satisfactory appearance to the development.
- 5 The non-residential development is required to meet 'Good' generic environmental standard (BREEAM). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.
Reason:
To ensure that the development is sustainable and complies with Strategic and Local Policies.
- 6 Within 3 months of this grant of permission, the applicant shall implement measures contained within the Emtec's Noise Test Report dated 17th April

2012 to reduce the level of noise from plant equipment.

Reason: To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties

- 7 The proposed renewable energy systems shown on the approved plans shall be installed within 6 months of the occupation of development and thereafter permanently maintained.

Reason: To ensure a sustainable form of development and to comply with the requirements of the London Plan.

- 8 Other than those shown on the approved plans, no additional external lighting, floodlighting or other means of external illumination shall be affixed to the external elevations of the buildings, or placed / erected within the site without the prior written consent of the local planning authority pursuant to a planning application.

Reason: To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties.

- 9 Other than the details shown on the approved plans, no CCTV cameras or equipment shall be affixed to the external elevations of the buildings, or placed/ erected within the site without the prior written consent of the local planning authority pursuant to a planning application. Any CCTV cameras or equipment shall be installed and thereafter retained in full accordance with the proposed details,

Reason: To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties.

- 10 Notwithstanding the provisions of Part 32, Class A to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order) no extensions to the school hereby permitted shall be erected without express planning permission first being obtained.

Reason: To enable the Local Planning Authority to retain control over these matters in the interests of controlling the intensity of use.

- 11 The development hereby permitted shall be carried out in accordance with the following approved plans: HL.673.12.01D, HL.673.02A, HL.673.12.03, HL.673.12.04, HL.673.12.05, HL.673.12.06A, HL.673.12.07C, HL.673.12.08A, 3584/TR/05, Noise impact assessment, Noise impact assessment addendum report 5194/NIA2, Arboricultural report AR/1704a/ap , Design and Access Statement, Habitat and Protected Species Assessment, BREEAM Pre-Assessment, Transport Assessment, Transport Assessment Addendum Report, 280/000, AS/SD/HA68/08/ROL Daylight and Sunlight Report.

HL.673.12.7 (phasing plan).

HL.673.86K, Letter from Matt Sugden dated 24/06/2011, Amended Design and Access Statement, HL.673.89A.

Design and Access Statement relating to application to amend approved scheme, HL.673.86P, HL.673.24B, HL.673.25F, HL.673.26D, HL.673.27F, HL.673.28E, HL.673.102A, Site Plan, 282/900.

Reason:

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

- 12 The use of the premises for the purposes hereby permitted shall only take place between the hours of 7.30am and 10.00pm Mondays to Fridays, 9.00am and 6.00pm on Saturdays, 9.00am and 3.00pm on Sundays and Public

Holidays, except on up to 30 occasions in total in any one calendar year when the premises can be used up until 11.00pm on a Friday, Saturday or Sunday.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.

- 13 The acoustic fencing shall be implemented in accordance with the details approved under this application, and those reference H/02291/11 and H/03409/10 in their entirety before the use is occupied.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

- 14 The premises shall be used as a primary school and associated ancillary community uses 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 ensure the Local Planning Authority has control of the use of the site, in the interests of neighbouring amenity.

- 15 The number of pupils attending the school and nursery shall not exceed 296.

Reason: To ensure the Local Planning Authority has control of the number of children on site, in the interests of neighbouring amenity.

- 16 The outdoor play areas including the area under the canopies shall not be used before 8.00am or after 4.30pm Monday to Friday or at any time on a Saturday, Sunday, Public Holiday or during school holidays, except on up to a total of 12 occasions in any calendar year when the play areas can be used up until 6pm on a weekday, Saturday or Sunday.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties.

- 17 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of any neighbouring property which existed at the time of this decision notice.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of any existing neighbouring property at the time of this decision notice.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

- 18 The development shall not be occupied until details of the arrangements to meet the obligation for travel plan monitoring contributions and contributions towards measures to mitigate the impact of parking stress arising from the development by review of parking restrictions on surrounding streets have been submitted to and approved in writing by the local planning authority.

Reason: To ensure the impacts of the development on traffic generation and demand for on-street parking can be mitigated, in the interests of highway

safety, the free flow of traffic and to protect the residential amenities of neighbouring residents.

- 19 A School Travel Plan shall be submitted to and approved in writing by the local planning authority no later than 6 months from occupation of the development.
Reason: To ensure a sustainable form of development and ensure the impacts of the development on traffic generation and demand for on-street parking can be mitigated, in the interests of highway safety, the free flow of traffic and to protect the residential amenities of neighbouring residents.
- 20 The details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas including playground surfaces shall be as approved under this application and H/03409/10.
Reason: To safeguard the visual amenities of the locality.
- 21 The southern access to Peshurst Gardens shall not be used at any time apart from in emergencies.
Reason: To safeguard 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 policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GSD, GEnergy, GLand, GBEnv1, GBEnv2, GBEnv3, GBEnv5, GParking, GCS1, ENV2, ENV12, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, M1, M2, M3, M11, M12, M13, M14, CS1, CS3, CS4, CS5, CS6.

Core Strategy (Examination in Public version) 2012: CS5

Development Management Policies (Examination in Public version)2012: DM01, DM03, DM13

ii) The proposal is acceptable for the following reason(s): - The amendments to the originally approved scheme for the redevelopment of the site to form primary school are considered acceptable. The scheme would provide the additional benefit of a new primary school. It is considered that this would outweigh any harm caused from the visual appearance of the additional canopy. It is not considered that the additional canopy would unduly impact neighbouring residents through noise and disturbance. The proposed plant as amended would have an acceptable impact on the appearance of the locality and neighbouring amenity. The proposed security hut and landscaping details are considered acceptable in terms of their appearance. The variation of the condition to meet 'Good' environmental standard under BREEAM assessment is acceptable.

- 2 The additional information accompanying this application are:- Cobalt LED Circular Luminaries, VAN-2601VFHWH, Probe-XL LED, XPS036.

- 3 If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011 3.18, 5.4, 7.6

Relevant Unitary Development Plan Policies: GSD, GEnergy, GLand, GBEnv1, GBEnv2, GBEnv3, GBEnv5, GParking, GCS1, ENV2, ENV12, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, M1, M2, M3, M11, M12, M13, M14, CS1, CS3, CS4, CS5, CS6.

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

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 Local Plan 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.

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.

Relevant Core Strategy Policies: CS5

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.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM03, DM13.

Relevant Planning History:

Application:	Planning	Number:	H/03150/08
Validated:	20/08/2008	Type:	APF
Status:	DEC	Date:	11/11/2008
Summary:	APC	Case Officer:	Graham Robinson
Description:	Demolition of existing buildings and erection of part single, part two storey single form entry primary school and nursery.		

Site Address: 261 Hale Lane, Edgware, Middx, HA8 8NX
Application Number: H/02498/10
Application Type: Non-Material Amendment
Decision: Approve with conditions
Decision Date: 19/07/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Non-material minor amendment to planning permission H/03150/08 granted 27/10/08 to include reduction in size of the nursery building; reduction of depth of front block (Elevation E-E); omission of single storey lean-to to east side, central section and addition of single storey lean-to to internal courtyard (Elevation E-E); reduction in and alterations to glazing on elevations; omission of external playground WCs.**

Case Officer: Graham Robinson

Site Address: 261 Hale Lane, Edgware, Middx, HA8 8NX
Application Number: 03409/10
Application Type: Conditions Application
Decision: Approve
Decision Date: 01/10/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details of conditions (18) (Acoustic Fencing), Partial Discharge of Condition (25) (Services in Relation to Trees) in relation to foul and surface water drainage only, Condition (26) (Trees - Protective Fencing), Partial Discharge of Condition (27) (Method Statement-Trees) in relation to demolition of building only, Condition (28) (Tree Works-Detailed Specification), Condition (30) (Materials), pursuant planning permission (H/03150/08) dated (27th October 2008).**

Case Officer: Graham Robinson

Site Address: 261 Hale Lane, Edgware, Middx, HA8 8NX
Application Number: H/03514/10
Application Type: Conditions Application
Decision: Approve
Decision Date: 01/10/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details of condition (5) (Hard & Soft Landscaping), and partial discharge of condition (10) (Acoustic Report) in relation to main school only, not the nursery building, pursuant to planning permission (H/03150/10) dated (27th October 2008)**

Case Officer: Graham Robinson

Site Address: Former 261 Hale Lane, Edgware, Middx, HA8 8NX
Application Number: H/02291/11
Application Type: Material Minor Amendment/Vary Condition
Decision: Approve with conditions
Decision Date: 09/09/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing building and erection of part single, part two storey single form entry primary school and nursery. Variation to approved scheme to include enlarged playground, amended materials, means of enclosure and environmental standard (Conditions 4,8,11,12,13, 16 and 30 pursuant to planning permission H/03150/08)**

Case Officer: Graham Robinson

Site Address: 261 HALE LANE, EDGWARE, MIDDX, HA8 8NX
Application Number: 01969/08
Application Type: Full Application
Decision: Withdrawn
Decision Date: 14/08/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing buildings and erection of part single, part two storey single form entry primary school and nursery.**
Case Officer: Graham Robinson

Consultations and Views Expressed:

Neighbours Consulted: 121 Replies: 26
Neighbours Wishing To Speak 2

13 Letters of objections were received, 23 letters of support were received.

The objections raised may be summarised as follows:

- Concern regarding appearance of ducting, black tape like appearance
- Appearance of roof plant
- Noise from roof plant
- Parking, traffic congestion
- Increase volume of noise due to larger canopies. This will negate sound information previously provided.
- Application is a considerable permanent increase to the size of the building and would be detrimental to amenities enjoyed by neighbouring residents
- Application claims the proposed canopy is a reinstatement of the canopies originally approved but has never been shown. Furthermore it is claimed that it will not be visible, this is untrue
- The siting of noise generating ventilation equipment is not clear.
- The letters of support can be summarised as follows:
- Appropriate measures have been incorporated into the scheme to minimise impact to neighbouring residents.
- The proposals would result in an improved learning environment

Internal /Other Consultations:

Traffic & Development - The site has a vehicular access via Hale Lane with a total of 15 car parking spaces. There are pedestrian accesses to the site from the main gate on Hale Lane and two other pedestrian accesses on Heather Walk and Penshurst Gardens respectively.

There is a one hour Controlled Parking Zone in the affecting Heather Walk, Golders Close, Penshurst Gardens and Hale Lane between 10am to 11am Monday to Friday

There are no changes to the highway details as approved under H/02291/11 and

H/03150/08.

No highways objections are raised.

- Environmental Health - Providing that the measures within the Emtec report for the ventilation/ducting are implemented, the proposals would be acceptable.

Date of Site Notice: 22 December 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is situated on the south side of Hale Lane between the junctions of Golders Close and Heather Walk. The site abuts the rear gardens of residential properties in Golders Close, Penshurst Gardens and Heather Walk and adjoins the boundaries with Kenlor Court and Hunters Lodge on Hale Lane. The site slopes upwards from east to west and also from south to north.

The site has an area of approximately 0.4 hectares and formerly consisted of a two-storey building and several large single storey buildings all of which are located to the front of the site. The rear of the site is open and trees have previously been removed from this area. Although these trees were not protected under the Tree Preservation Order, they provided a natural suburban green setting and some limited ecology value plus screening for the residents of the properties whose houses back onto the site.

A planning application for Demolition of existing buildings and erection of part single, part two storey single form entry primary school and nursery was approved on 27/10/2008.

A subsequent planning application for Variation to approved scheme to include enlarged playground, amended materials, means of enclosure and environmental standard was approved on 09/09/2012.

Proposal:

The proposals are for 'Application for variation of plan numbers and landscaping details including new canopies at rear playground area. Relocation of plant equipment at roof level. Amendment of BREEAM rating to 'Good'. Alterations to landscaping details. (Amendment to planning applications H/03150/08 and H/02291/11). Amended plans received showing details of security hut and roof plant.

The proposals consist of the following changes to the approved scheme:

- The increase to size of the canopy structure and increase to size of covered play area,
- The variation of condition requiring development to meet BREEAM 'Good' standard as opposed to 'Very Good' previously approved
- The re-painting and relocation of the proposed extractor equipment and ducting

- The retention of security hut and alterations to landscaping scheme approved

Planning Considerations:

Policy context

Policy ENV12 advises that Proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive developments will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted.

Policy D5 advises that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Policy CS1 states that '*Development proposals for community and religious facilities will be permitted where they:*

- *Are easily accessible by public transport, walking and cycling;*
- *If in a town centre location, would not be sited within the primary retail frontage;*
- *Would not have a demonstrably harmful impact on the character of the surrounding area and the amenities of nearby residential properties and other uses; and*
- *Are designed to be accessible to people with disabilities.'*

Policy CS4 states that '*Proposals for the development of educational facilities will be permitted where they:*

- *Are easily accessible by public transport, walking and cycling;*
- *Would not have a demonstrably harmful impact on the character of the surrounding area and amenities of nearby residential properties and other uses; and*
- *Are designed to be accessible by people with disabilities.'*

Whether the proposed covered play canopy would have an acceptable impact on the character of the locality and neighbouring amenity

It is acknowledged that the proposals are for a canopy of significantly larger size than previously approved under the terms of the original permission. The rear playground area is surrounded by residential properties to all sides, with dwellings on Heather Walk to the west, Golders Close and Hale Lane to the east and Penshurst Gardens to the south.

The structure would be steel with a polycarbonate roof.

It is not considered that any noise or disturbance from the use of the canopy would materially harm the amenities of neighbouring residents from surrounding properties. A covered outdoor play area was approved as part of the original planning permission.

Whilst largely screened from the views of neighbouring properties at ground floor

level, the structure would be visible from the first floor and loft windows of surrounding properties. The bulk of the structure would be greatest on the side facing Golders Close and flats on Hale Lane. It would be further from these properties than to the properties on Heather Walk, where the structure would be less deep.

The structure would add some bulk to the appearance of the building, and the impact that this would have on the character and appearance of the area needs to be considered against the benefits the school would provide. On balance, given the educational benefits that the school would provide, it is considered that the impact that the canopy would have on the character and appearance of the general locality would be acceptable.

Whether the proposed amendment to BREEAM rating of good would be acceptable

Approval has already been granted for the proposals to meet 'Very Good' BREEAM rating as opposed to 'Excellent'. Due to budgetary pressures the applicant advises that they may not be able to meet this standard and seeks to vary the condition to meet 'Good' standard. The school do still hope to attain Very Good however there is a chance that this may not be achieved. The variation of the condition is considered acceptable.

Whether the amended plant siting would be acceptable in terms of its impact on the character and appearance of the locality and streetscene and whether this would be acceptable in terms of its impact on neighbouring residents.

Plant equipment has been installed on site. This has been installed with a rather unattractive black finish and it is proposed to paint this in RAL 04C37 autumn brown colour. It is considered that this would have an acceptable appearance.

The applicant has submitted recommendations and specification for insulation proposed for the Air Handling Unit and the kitchen extract fan respectively which is to be installed by the contractor. A condition would need to be attached to any grant of permission to ensure that the equipment adheres to these recommendations.

It is considered that the proposals would be acceptable in terms of their impact on the character and appearance of the streetscene and locality

Whether the proposed changes to landscaping and security hut would be acceptable.

The landscaping details have changed since the originally approved scheme and the increase to the playground under reference H/02291/11 and a condition was attached to this grant of permission requiring further details of landscaping. This was as there was a discrepancy between plans regarding trees to the front of the site and further details were considered necessary, the committee considered that the details were otherwise acceptable.

Since this time, works to the front of the front of the site have been carried out, and security hut installed. Whilst it is regrettable that the works have been done without

the necessary consent they appear to have been done without causing significant damage to trees to the front of the site protected under Tree Preservation Order.

The security hut is considered acceptable in terms of its impact on the character and appearance of the streetscene and general locality.

The amended landscaping details are shown on plan 282/900. These show a different arrangement than the previously approved scheme with denser planting particularly to the eastern boundary with properties on Golders Close. The plans also show that the area originally to be occupied by the nursery building would now be soft and hard landscaped, given that the nursery part of the scheme is not to be implemented at this time.

The amended details of landscaping are considered acceptable.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Generally addressed in main report.

- Concern regarding appearance of ducting, black tape like appearance - *It is noted that this is unsightly however this would be painted as part of the proposals.*
- Appearance of roof plant - *The plant would be repainted as part of the proposals.*
- Noise from roof plant - The applicant has submitted a noise report for the equipment
- Parking, traffic congestion - It is not considered
- Application claims the proposed canopy is a reinstatement of the canopies originally approved but has never been shown. Furthermore it is claimed that it will not be visible, this is untrue - *This is acknowledged in the report.*
- The siting of noise generating ventilation equipment is not clear. - *This was not initially shown on the plans, but the information has now been added and consulted on.*

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

The application is recommended for **APPROVAL**

**SITE LOCATION PLAN:
8NX**

Former 261, Hale Lane, Edgware, Middx, HA8

REFERENCE:

H/04845/11



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