

Location **St Michaels Catholic Grammar School Nether Street London N12 7NJ**

Reference: **18/0633/FUL** Received: 29th January 2018
Accepted: 21st February 2018

Ward: West Finchley Expiry 23rd May 2018

Applicant: Mr Chris Goodwill

Proposal: Erection of 2 no. single storey and 1 no. two storey temporary modular teaching buildings with decking and stairs/ramps, sited on the existing MUGA (Multi-Use Games Area) for a period of up to two years, in association with the redevelopment of the existing school (which is being assessed under application reference 17/8113/FUL)

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 This development must be begun within three years from the date of this permission. The buildings hereby permitted shall be in use for a limited period of 24 months, beginning from the date of the construction of the temporary teaching buildings on site, of which the local planning authority shall have been notified in writing beforehand.

On or before the end of this 24 month period the use hereby permitted shall be discontinued and the buildings and works carried out under this permission shall be removed from the site and the land reinstated in accordance with details that have been submitted to and approved by the Local Planning Authority.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and to ensure that the consent granted accords with the permission sought and considered, in the interest of the amenities of the area.

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

Site Location Plan (414-ALA-00-XX-DR-L-0008 S2 P05);
Site Plan (L170327-109 H);
Art Block (L170327-121 E);

Specialist Science Block (L170327-131 F);
Classroom Library and Science Block (L170327-171 D);
Site Elevations (L170327-309 A);
Library and Science Elevations (L170327-371 B);
Design and Access Statement;
Planning Statement;
Arboricultural Impact Assessment (Geosphere Environmental Ltd);
Landscape General Arrangement (414-ALA-00-XX-DR-L-0002 P05);
Tree Constraints Plan (2843,AR/002/Rev0);
Tree Removal Plan (2843,AR/003/Rev0);
Tree Protection Plan (2843,AR/004/Rev0)
Letter by GLL dated 16 March 2018;
Letter by the Deputy Headteacher of St Michaels Catholic Grammar School

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).

- 3 The external surfaces of the buildings shall be implemented in full accordance with the details specified under Condition 2 before the development is occupied or brought into use and retained as such until its removal from the site.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan 2012 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 4 The development hereby permitted shall only be occupied or in use by pupils, staff and visiting members of the public between the hours of 7.30am and 6.00pm on a Monday, Tuesday, Wednesday, Thursday or Friday and at no times on a Saturday, Sunday or Bank Holiday.

Reason: To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet's Local Plan 2012.

- 5 Before any lighting is installed onto any part of the hereby approved buildings, details shall be submitted to and approved in writing by the Local Planning Authority. Lighting fixtures shall be implemented as approved and retained as such thereafter.

Reason: To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet's Local Plan 2012.

- 6 Within three months of the removal of the temporary buildings hereby permitted from the site, the Multi-Use Games Area (MUGA) shall be returned to, at least, the same condition as it was immediately before the installation of the temporary units.

Reason: To ensure the quality of the Multi-Use Games Area is satisfactory for sport and is available for use once the temporary units are removed from site, in

accordance with Policy CS7 and DM15 of Barnet's Local Plan, London Plan Policy 3.19 and 7.18 and the principles of the NPPF (2012).

- 7 The level of noise emitted from any plants, ventilation, flues or refrigeration required shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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 a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

- 8 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (2016) and Policy 7.15 of the London Plan 2015.

- 9 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 Condition 2 of this decision 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 Condition 2 of this decision.

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.

- 10 No construction work resulting from the planning permission, including the installation of the temporary buildings hereby approved, shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

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

- 11 No development shall take place on site until details of the transportation arrangements of pupils between St Michaels Catholic Grammar School and Burnt Oak Leisure Centre, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, DM01, DM17 of the Barnet Local Plan, and to ensure continued access to sports facilities for the period of time that the school's MUGA is unusable, in accordance with Policy CS7 and DM15 of Barnet's Local Plan, London Plan Policy 3.19 and 7.18 and the principles of the NPPF (2012).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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 and the Applicant engaged with this prior to the submissions of this application. 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 applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community

Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

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- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 4 Transportation arrangements between St Michaels Catholic Grammar School and Burnt Oak Leisure Centre should include, but not be limited to, the following information:

- Day and times of travel;
- The number and frequency of coaches used to transport pupils;
- The size and capacity of these coaches;
- Access arrangements (i.e. entry, exit and parking) at both locations;
- The route proposed to be taken to and from both locations

Details should factor into consideration of where coaches will wait/dwell.

Officer's Assessment

1. Site Description

The application site comprises 0.79 hectares.

It is currently occupied by St Michael's Catholic Grammar School, which is a Voluntary Aided three-form entry secondary grammar school for girls (and boys at 6th form), located in West Finchley.

The school was established in 1908 and became a Voluntary Aided Grammar School in September 1958. The applicant advises there are currently 780 pupils on roll at the school.

The site is not located within a designated conservation area and there are no statutory listed buildings on site.

St Michael's Convent High School, which is within the Schools ownership on adjacent land, is a locally listed building.

There are Tree Preservation Orders on land adjacent to the application site and on land within the Schools ownership.

The site is in Flood Zone 1.

The site slopes towards the western boundary with a range of 4 metres.

The site is dominated by a number of school buildings and hardstanding. Small areas of managed amenity grassland and several shrub beds are located to the southern end of the site, fronting on to Nether Street. A number of trees are located around the peripheries of the site, predominantly along the southern boundary.

All boundaries are formed by fencing or hedge rows, with residential properties beyond.

The school has frontage on Nether Street to the south, with residential properties located on the opposite side of the road.

Residential properties form the sites northern, eastern and western boundaries. To the north there are properties on Grange Avenue; to the west there are properties on Nether Street and Netherfield Road, and to the east Chand House (27A Grange Avenue) and beyond this properties serving Coleridge Road.

School buildings lie at either end of the site, with outdoor play space to the North taking the form of a Multi Use Games Area ('MUGA'). Car parking is located sporadically to the South and amongst the school buildings.

The school has three pedestrian access points along Nether Street, with a further entrance to Coleridge Road. There are three points of vehicular access on Nether Street and a further one on Coleridge Road. All entrances fronting Nether Street are gated.

2. Site History

Reference: 17/8113/FUL

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Under consideration
Decision date: Under consideration
Description: Demolition of existing EFAC and EFAB buildings and new four storey building with reinstatement of bridge link. New green house and rationalisation of car parking provision, new plant room, associated hard and soft landscaping and infrastructure works. Internal works to existing building

Reference: F/01375/11
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 23 May 2011
Description: North and south single storey extensions to existing ground floor Music Room.

Reference: C02195Y/04
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Refused
Decision Date: 21 June 2004
Description: Construction of new pitched roof with dormer windows to provide a total of 10no. self-contained flats.

Reference: C02195BE/07
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved
Decision Date: 10 August 2007
Description: Submission of details of Condition 2 (Materials) pursuant to planning permission reference C02195BB/06 dated 25-05-2006.

Reference: C02195AV/03
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 4 July 2003
Description: Creation of hardstanding to provide an additional 8no. car parking spaces.

Reference: C02195AU/03
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 3 July 2003
Description: Erection of new 1.8m high railings on Nether Street frontage to replace existing fencing.

Reference: C02195BG/07
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved subject to conditions
Decision Date: 11 April 2008
Description: Amendments to planning application C02195BB/06 to include addition of covered walkway to path and access ramp and alterations to entrance foyer to include glazed entrance doors, windows to sides and 3 rooflights.

Reference: C02195BF/07
Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ
Decision: Approved
Decision Date: 20 August 2007

Description: Submission of details of Condition 3 (Trees - Protective fencing) pursuant to planning permission reference C02195BB/06 dated 25-05-2006.

Reference: C02195BA/06

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved following legal agreement

Decision Date: 10 April 2006

Description: Construction of new pitched roof with dormer windows and conversion of convent building to provide a total of 10 self-contained flats with associated off-street parking.

Reference: C02195AX/04

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 18 March 2004

Description: single storey front extension to main building.

Reference: C02195AR/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 11 June 2003

Description: Erection of 2 no. two storey temporary classroom blocks fronting onto Nether Street.

Reference: C02195AW/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 20 June 2003

Description: Submission of details of materials for external surface of roof and dormer windows pursuant to Condition 2 of planning permission reference C02195AQ/01 granted 25.01.02.

Reference: C02195AS/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 16 June 2003

Description: Submission of details of proposed dormers pursuant to Condition 3 of planning permission ref. C02195AQ/01 for enlargement of lower school building involving new second floor level in place of existing.

Reference: C02195AQ/01

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 25 January 2002

Description: Enlargement of lower school building involving new second floor level in place of existing.

3. Proposal

The application seeks permission for the erection of 2 no. single storey and 1 no. two storey temporary modular teaching buildings, to be sited on the existing outside MUGA (Multi-Use Games Area), which is located to the north of the school site, for a period of up to two years.

This is in association with the redevelopment of the existing school (which is being assessed by the Local Planning Authority under application reference 17/81113/FUL).

The temporary modular (demountable) buildings will be between one and two storeys in height and will incorporate decking and stairs/ramps to facilitate access, whilst access to the first floor level of the two storey blocks will be internal.

The existing hard play area (MUGA) on which the temporary units will be placed will not be in use during this time. When the temporary teaching units are removed, the play area will be resurfaced.

The 2 no. single storey modular buildings (B1 and B2) will be sited on the northern half of the MUGA, adjacent to the rear of the properties facing Grange Avenue.

The 1 no. two storey modular building (B3) will be sited on the southern half of the MUGA, adjacent to the other school buildings.

Building 1 (B1) will be a single storey and accommodate art classrooms and stores.

B1 will be 24.1 metres in width, 10.06 metres in depth and 3.4 metres in height with a flat roof.

B1 will be sited, at its closest point, 2.4 metres from the boundary adjacent to the rear of the properties facing Grange Avenue, to the north. It will be sited, at its closest point 5.3 metres from the boundary adjacent to Chand House (27A Grange Avenue) to the east. Chand House is a retirement housing development of up to 30 flats.

B2 will also be a single storey and accommodate specialist science rooms, prep areas and a cloakroom/lobby. B2 will be 24.1 metres in width, 10.06 metres in depth and 3.4 metres with a flat roof.

B2 will be sited, at its closest point, 2.4 metres from the boundary adjacent to the rear of the properties facing Grange Avenue (to the north). To the west of B2 is an area of open space, within the school site.

B1 and B2 will be separated from each other by a distance of 5.5 metres.

Building 3 (B3) will be two storeys in height, and accommodate office space, a library, WCs, a staff room and classrooms.

B3 will be 56 metres in width, 12.2 metres in depth and 6.9 metres in height with a flat roof.

B3 will be sited, at its closest point, 5.47 metres from the boundary adjacent to Chand House (27A Grange Avenue) to the east. B3 will be sited, at its closest point, 8.5 metres from the Main School Building to the south, and 3.2 metres from the existing Sports Hall to the west.

B3 will be sited 17.5 metres from the boundary adjacent to the properties facing Grange Avenue and will be sited in excess of 24.5 metres from the rear walls of these properties.

B3 will be separated from B1 and B2 by a distance of 5 metres.

4. Public Consultation

A site notice was erected on 01 March 2018.
A press notice was published on 01 March 2018.

Consultation letters were sent to 1275 neighbouring properties.
2 responses have been received, comprising 1 letter of objection and 1 letter of comment.

The representations received can be summarised as follows:

- Regarding the management of the traffic on-site during construction work, in addition to ensuring that traffic uses only Nether Street and Ballards Lane when entering or leaving the site, it should also be made a condition of approval that all personnel working on the site should park any private vehicles on site, and should not be given resident parking permits or visitor vouchers.
- Concerns regarding disruption construction will cause, particularly to traffic and parking in the area and surrounding streets. Will only worsen congestion.

Internal and External Consultation responses:-

Ward Councillors - No representations received
West Finchley Residents Association - No representations received
The Council's Traffic and Development department - No objection
The Council's Trees department (Planning) - No objection subject to conditions
The Council's Environmental Health department - No objection subject conditions
The Council's Heritage department - No representations received
The Council's Street lighting department - No comment
The Council's Waste and recycling department - No representations received
The Council's Schools, Skills and Learning department - No representations received
Sports England - Initial objection. Later removed their objection
Lead Local Flood Authority - No objection
Fire and emergency services - No representations received
Natural England - No comment
Thames Water - No objection
Met Police - No representations received

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.

Paragraph 72 of the NPPF states that:

"The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- * give great weight to the need to create, expand or alter schools; and
- * work with schools promoters to identify and resolve key planning issues before applications are submitted."

Paragraph 74 of the NPPF states that:

"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- * an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- * the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- * the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."

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.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

The relevant planning policies of the current London Plan are: Policies 3.18; 3.19; 5.2; 5.3; 6.13; 7.4; 7.6; 7.8; 7.18

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 (National Planning Policy Framework - Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth - The three strands approach)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

Relevant Development Management Policies:

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM13 (Community and education uses)

DM17 (Travel impact and parking standards)

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the development is acceptable in principle
- Whether harm would be caused to the character and appearance of the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to parking and the local highways network;
- Whether harm would be caused to trees of special amenity value
- Any other relevant matters

5.3 Assessment of proposals

Principle of development

The temporary teaching buildings will be sited on the school's existing MUGA (Multi Use Games Area) for a period of up to two years.

The temporary units will ensure the school's ability to maintain functionality during the construction works for the new school building (which is being assessed under application reference 17/8113/FUL).

The application is supported by the Education & Skills Funding Agency (ESFA), an executive agency sponsored by the Department of Education. The replacement building is part of the ESFA's Priority School Building Programme 2 (PSBP2), which helps rebuild and refurbish school buildings across the country most in need of urgent repair.

Core Strategy Policy CS10 identifies that the Council will work with its partners to ensure that community facilities including schools are provided for Barnet's communities. Paragraph 15.7.6 of the Core Strategy (2012) states that the Council will continue to identify opportunities to improve the condition of secondary schools in Barnet.

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 great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted" (NPPF: para 72).

London Plan Policy 3.18 Education Facilities states that "development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes."

The submission advises that the MUGA was considered the most suitable location for the temporary teaching buildings due to the School's concerns that spreading temporary units across the site would result in them being too far removed from the rest of the school and would raise supervision issues.

Paragraph 74 of NPPF states:

"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- * an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- * the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- * the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."

The Sport England document 'Playing Field Policy and Guidance' (March 2018) provides further guidance on development relating to playing fields.

London Plan Policy 3.19 Sport facilities states: Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted. Temporary facilities may provide the means of mitigating any loss as part of proposals for permanent re-provision.

London Plan Policy 7.18 Protecting open space and addressing deficiency states that the loss of local protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.

Policy CS7 (Enhancing and protecting Barnet's open spaces) of the Barnet Core Strategy (2012) identifies that the council will:

- * Meet increased demand for access to open space and opportunities for physical activity by tackling deficiencies and under provision.
- * Secure additional on-site open space or other open space improvements in the identified growth areas.
- * Improve access to open spaces particularly in areas of public open space deficiency.
- * Secure improvements to open spaces including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space.

Policy DM15 of the Barnet Development Management Policies Document (2012) states that open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:

- (i) The development proposal is a small scale ancillary use which supports the use of the open space; or
- (ii) Equivalent or better quality open space provision can be made.

Any exception to this will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.

If approved, the proposal would result in the MUGA being built on. The MUGA would be unusable for a period of up to two years. It would therefore result in a net loss of open space and playing field.

Sports England, the non-departmental public body under the Department of Digital, Culture, Media and Sports, initially raised objection to the scheme until an agreement between the school and Burnt Oak Leisure Centre was submitted that sets out the facilities within Burnt Oak Leisure Centre that would be secured for use by school for the period that the schools' MUGA is unusable. They objected stating that they would review their position once documentation referred to above was produced by the applicant.

Subsequently a letter by Jo Sheehy, Deputy Headteacher of St Michaels Catholic Grammar School, was produced stating:

"Dear Sports England,

We have been successful in our application for PSBP2 funding to replace one block of our school on the grounds of poor condition.

As a result we have been planning a new building with should be ready in January 2020. In the meantime, however, we will be using our outside PE space (MUGA) to house the temporary classrooms and offices.

Due to proposed curriculum changes meaning less PE classes we can accommodate most PE activities in our large (fairly new) Sports Hall and gym. However, for some outdoor activities (athletics and netball) we have come to agreement with Burnt Oak Leisure Centre that we can travel up to twice a week with between 30-48 girls to use their outside spaces from Easter 2018 until January 2020. They have indicated that we do not need to sign a contract for this use as the outdoor areas are very underused and rarely (if ever) booked.

I have asked the manager at Burnt Oak to add her own confirmation of this information and attach it here.

Kind regards"

This letter was also accompanied by a letter by Gillan Kelly, Partnership Manager at GLL dated 16 March 2018. GLL (known as 'Better') are a non-profit charitable Social Enterprise organisation which runs sports and leisure facilities, including the Burnt Oak Leisure Centre, on behalf of local authorities.

The letter states:

"Dear Mrs Sheehy,

Following our discussion with regards to the use of the MUGA facilities at Burnt Oak Leisure Centre, I would like to confirm our agreement with St Michael's Catholic Grammar School.

GLLA will provide use of the outside courts (MUGA's) for a maximum of two lots of 1 and ½ hours a week, with a maximum of 48. In addition I can confirm that GLL will provide parking for the school's coach to park during the agreed session times to enable transportation of the student."

Upon receipt of this information, Sports England stated in an email dated 19 March 2018:

"Although the letters do not represent a signed formal agreement/contract, they both set out the intention for the school to utilise Burnt Oak Leisure Centre for the entire period the school MUGA would be unavailable due to the temporary classroom units. Since this addresses the basis of Sport England's objection, albeit not as formal as Sport England would of liked, Sport England remove its objections to applications 17/8113/FUL and 18/0633/FUL provided that the MUGA is returned to, at least, its current condition once the temporary units are removed in January 2020."

Sports England have recommended a condition which will be attached to this recommendation.

Notwithstanding the above, in line with national guidance, the application has not been accompanied by an assessment which shows that open space, playing field and sporting facilities on the land are surplus to requirements. Although the loss resulting from the proposed development would be mitigated by certain measures (as explained above) it cannot be said that that these are equivalent or better provision in terms of quantity or quality. Furthermore, the development is not for alternative sports and recreational provision.

In light of these factors it is found that the proposal is contrary to national guidance and development plan policies on the protection, and loss of, open space, playing fields and sporting facilities.

Having acknowledged this position it needs to be evaluated whether there are material planning considerations which would outweigh the harm caused by this conflict to policy.

The temporary buildings will be built on the MUGA in order facilitate the redevelopment of part of the school which is in urgent need of refurbishment, as part of the Government's Priority School Building Programme (PSBP). As identified earlier in this report, it is clear that national, London and local policy is strongly in favour of improving school facilities. This is a material consideration that Officers attach significant weight to.

Furthermore, the applicant has only sought consent for a temporary period of up to two years. Following the expiration of this period the MUGA would be re-instated and returned to being used as a playing field. As such, this application does not preclude the future use of the site as open space with playing fields and sporting facilities. Furthermore, as discussed above, temporary measures will be put in place by the School for sports facilities during the time the MUGA is unusable.

Having evaluated the relevant development plan policies and material planning considerations, in this particular instance Planning Officers conclude that, on balance, the

temporary school buildings which will facilitate the redevelopment of part of the school in urgent need of refurbishment and will revert the land back to its original state after a period of two years, outweighs the harm of the temporary loss of this open space and playing field.

Design, appearance and character matters

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

Core Strategy CS5 states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design.

Local Plan Policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The teaching buildings would be single and two storey flat roofed structures sited in an existing open space. The units will have insulated metal PPC external wall surfaces, with a single ply membrane roofs and white u-PVC windows and doors.

It is acknowledged that, in this sense, the modular structures would be fairly functional in form and design. The mass and height of the buildings are considered acceptable and proportionate to the need and nature for temporary teaching accommodation and the scale of the surrounding buildings.

Although the units would encroach on the openness that the MUGA currently provides, the buildings are not planned as permanent installations and will be removed after a period of two years. After this time, the MUGA will be reinstated and the area will return to open space. The temporary buildings would also be located to the north of the site, and therefore would not be visible from Nether Street.

Officers consider the above to be an acceptable and policy compliant approach to design and layout, given the planning constraints of the site and need for teaching accommodation whilst the school is being redeveloped.

On balance, it is not considered the temporary school buildings would significantly harm the character and appearance of the street scene or surrounding area, in accordance with Local Plan Policies CS5 and DM01; and the principles of the NPPF.

The building's impact on the visual amenity of neighbouring residential occupiers is discussed below.

Impact on the amenities of neighbours

Local Plan Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

The design and layout of the proposals takes into consideration the residential and visual amenities of the neighbouring occupiers, which are located to the northern and eastern boundaries of the MUGA.

The two single storey modular buildings (B1 and B2) will be sited on the northern half of the MUGA, adjacent to the rear of the properties facing Grange Avenue.

B1 and B2 will both be 24.1 metres in width, 10.06 metres in depth and 3.4 metres in height with a flat roof.

B1 and B2 will be sited, at their closest points, 2.4 metres from the boundary adjacent to the rear of the properties facing Grange Avenue, to the north.

It was observed on site there is close board fencing of the permitted height along the boundary adjacent to the properties of Grange Avenue. The single storey units would therefore be 1.4 metres greater in height than this boundary fence and would be sited over 2 metres away from the boundary fence. Mature trees are also planted at regular intervals along this boundary, which would provide a degree of screening in the summer months. As such, it is not considered the single storey units would detrimentally impact the visual or residential amenities of neighbouring occupiers along Grange Avenue.

B1 will be sited, at its closest point, 5.3 metres from the boundary adjacent to Chand House to the east. B3 will be sited, at its closest point, 5.47 metres from the boundary adjacent to Chand House to the east. The eastern elevation of Chand House has habitable windows facing the school's MUGA.

Although the temporary units would be visible from these windows, the building at Chand House is set in excess of 7.2 metres from the boundary adjacent to the MUGA. By reason of the separation distance, it is not considered the temporary buildings would detrimentally impact the residential or visual amenities enjoyed by occupiers at Chand House.

As existing, there is mutual overlooking between Chand House and the School playing fields. This would not alter under this proposal.

B3 would be two storeys in height and would have classroom windows facing the rear windows of the properties along Grange Avenue.

Barnet's Sustainable Design and Construction SPD (2016) states in Table 2.4 that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden. Although this guidance is in reference to residential uses, it is a useful benchmark to establish suitable overlooking distances.

B3 will be sited in excess of 24.5 metres from the rear windows of the properties facing Grange Avenue and will be sited 17.5 metres from their garden areas. B3 would therefore exceed the distances set out in Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016), and, for this reason, is not considered to cause harmful overlooking or loss of privacy.

As an educational use, classrooms would be vacated in the evenings. Therefore no nuisance will arise from lighting during night time hours. A condition will be attached to secure hours of use. No external lighting is proposed.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

Noise Impacts and Environmental Health matters

Policy DM04 of Barnet's Development Management Policies Document (2012) states that proposals to locate noise sensitive developments (such as schools) in areas with existing high levels of noise will not normally be permitted.

Officers in the Council's Environmental Health Department have assessed the submission. Officers acknowledge that the proposal brings a noise source closer to residential buildings. There will be general breakout noise from pupils within the classrooms and comings and goings to the classrooms.

However the site is already in use as a school and the portion of the site in question is a playing field where noise of this nature already exists. A condition has been recommended limiting the hours of use of the temporary buildings. This would ensure that their use is kept within reasonable hours.

Environmental Health Officers note that art and science blocks may require extra ventilation/fume cupboards/refrigeration plants. A condition has therefore been included to ensure that any noise from plants installed on the site is kept within acceptable parameters, in accordance with Table 2.14.3 of Barnet's Sustainable Design and Construction SPD (2016). Subject to the imposition of the conditions recommended, Environmental Health officers have confirmed that they do not object to the proposal.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to noise and impact on the amenities of neighbouring and surrounding occupiers.

Highways and Parking

Highways matters have been assessed under application reference 17/8113/FUL. A Highways Officer has reviewed the application and has raised no objection to the development.

Impact on heritage asset

St Michael's Convent High School, which is within the Schools ownership on adjacent land, is a locally listed building.

The proposed temporary buildings are sited some distance away from the locally listed building. Furthermore, the buildings will be removed after a period of two years.

Therefore, no harm to the heritage arises.

Trees and Landscaping

Policy DM01 of the Adopted Barnet Development Management Policies (2012) advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area.

The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

There is a Tree Preservation Order on the site- TPO/CA/137 made in 1982.

The following trees are shown to be in proximity to the development: G1 x2 wellingtonia x1 cedar; G2 x 2 chilean pine x 1 cedar x 1 yew x1 holly; G3 x3 lime and T4 weeping ash.

The Tree Officer has reviewed the information submitted for both this application and 17/8113/FUL and commented:

"This application requires the demolition of existing buildings and re-construction in a new format.

To facilitate this proposal temporary buildings are required to accommodate pupils until complete. These temporary buildings will be sited on the existing MUGA which is close to a row of lime trees and trees protected by a TPO. The existing hard surface will protect tree roots no impact is foreseen.

Some activities will take place within the RPA of protected trees and the submitted arboricultural method statement must be fully implemented to avoid harm to trees.

The front entrance is being altered which will impact on G12 (applicants plan) a small group of trees valued as category C. As these trees are located at the front of the school they have prominence, high amenity value and must be replaced with large nursery stock trees. For example 35cm girth trees which will replace the visual amenity within a few years.

The landscape strategy plan 414-ALA-00-XX-DR-L-0011 show the general strategy for landscaping. The broad approach is acceptable with the addition of trees to be planted between buildings and new plantings at the front gates.

The planting palette should generally favour native trees and shrubs."

The Officer has therefore recommended approval subject to conditions.

Drainage

A Sustainable Drainage Review has been undertaken by a relevant qualified expert at the Local Authority. They have raised no objection on the basis that there will be no increase in hard-standing/impermeable areas as a result of the temporary accommodation and surface water flows will discharge at the same location prior to the construction of the temporary accommodation.

The agent has confirmed in writing that this is the case,

Thames Water have also been consulted and raised no objection.

5.4 Response to Public Consultation

- Regarding the management of the traffic on-site during construction work, in addition to ensuring that traffic uses only Nether Street and Ballards Lane when entering or leaving the site, it should also be made a condition of approval that all personnel working on the site should park any private vehicles on site, and should not be given resident parking permits or visitor vouchers.

The requirement to submit a Demolition and Construction Management Statement and Logistics Plan to the Council before work begins on site has been attached as condition to the recommendation for the permanent school building. This would confirm matters regarding the management of traffic and parking during construction work.

Paragraph 206 of the NPPF states that planning conditions should only be imposed where they are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects

To explicitly condition that vehicles cannot access or use Birkbeck Road and Dale Grove would not meet the 6 tests stated above. A Demolition and Construction Management Statement and Logistics Plan is considered suffice by Planners.

- Concerns regarding disruption construction will cause, particularly to traffic and parking in the area and surrounding streets. Will only worsen congestion.

A condition requiring the submission of a Construction Management Plan has been included in the recommendation for the permanent school building. This would ensure that the construction of the development did not have an unacceptable impact on the amenities neighbouring properties in terms of highways and parking, as well as noise.

6. Equality and Diversity Issues

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

- "(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;

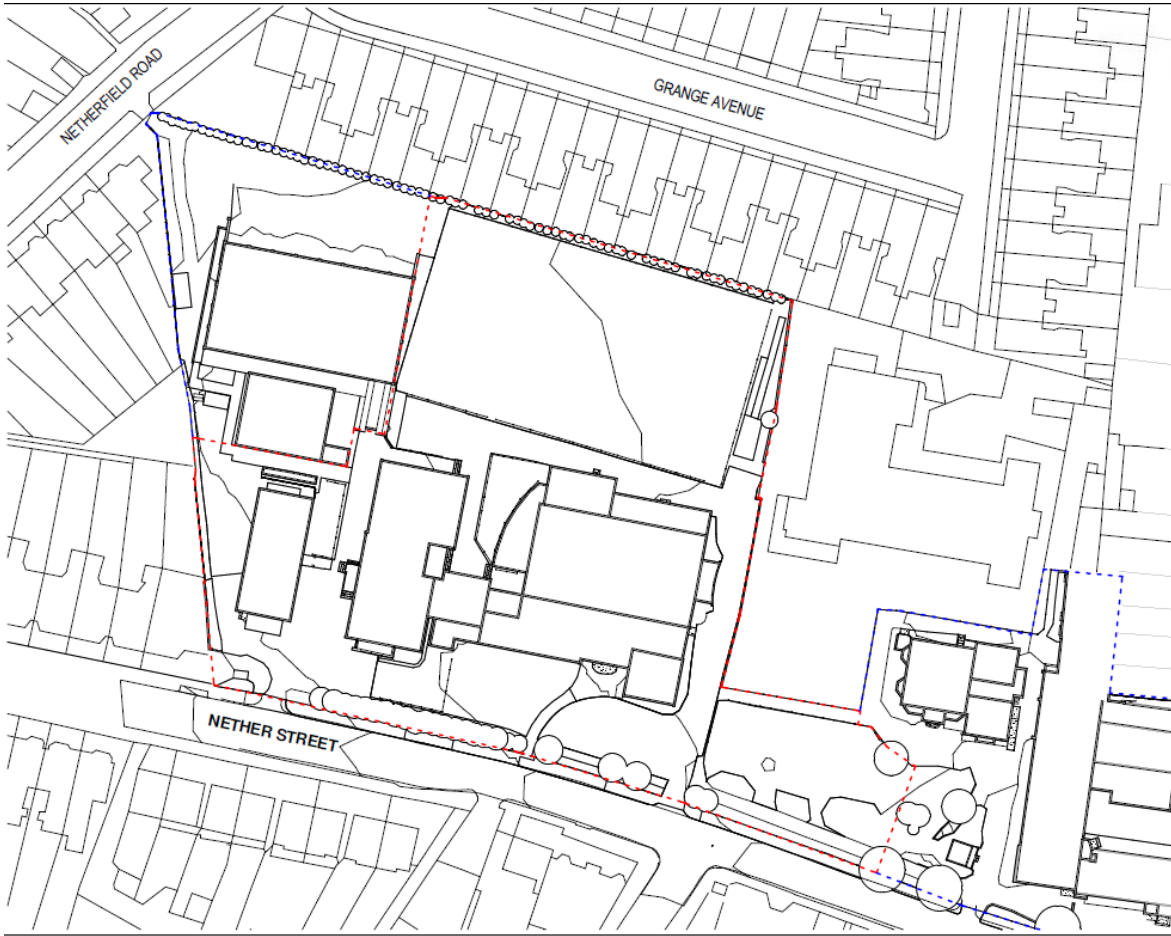
- sex;
- sexual orientation.

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

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

7. Conclusion

In conclusion, although the proposal is not considered to accord with the requirements of the Development Plan and National Planning Policy Framework, for the reasons set out in the main body of the report, the temporary loss of open space and sports facilities is considered, on balance, acceptable. The application is therefore recommended for approval.



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 Date: 01/10/11
 Scale: 1:1000

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