



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 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 5 a) All work comprised in the hereby approved scheme of landscaping, as detailed on Drawing titled "Landscape Plan" by rbmp landscape Rev B dated 13th September 2018 and Landscape Specification Rev B by rbmp landscape dated 18th September 2018, 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.

b) 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 in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 6 The hereby approved Landscape Management Plan titled "Landscape Specification Rev B" by rbmp landscape dated 18th September 2018 shall be implemented in full in accordance.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2016.

- 7 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016).

- 8 The Arboricultural Method statement (Arboricultural Method Statement by rbmp landscape dated 27th September 2018) and plan (Tree Protection Plan Rev B by rbmp landscape dated 27th September 2018) submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, detailed in the Construction section of the report, by a suitably qualified tree specialist.

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 2016.

- 9 The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 9 shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

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 2016.

- 10 a) Prior to the first occupation of the hereby approved development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

- 11 The Beit-Midrash, dining hall and classrooms hereby permitted shall not be open to members of the public before 7am or after 10pm on Sunday to Friday and Saturdays or before 8am or after 10pm on Saturdays.

Students not sleeping at the premises shall vacate the premises by 9:15pm

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

- 12 There shall be no more than 90 students sleeping in the dormitory at any one time.

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area in accordance with Policy DM01 and DM04 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 13 There shall be no more than 250 people on the premises at any one time.

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area in accordance with Policy DM01 and DM04 of the Local Plan Development Management Policies DPD (adopted September 2012)

- 14 The building shall not be hired for private functions at any time.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy 7.15 of the London Plan 2016, Policy DM04 of the Development Management Policies DPD (adopted

September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

- 15 The premises shall be used for a study hall and its ancillary activities including for associated dormitories at first, second, and third floors and for no other purpose (including any other purpose in Class D1 or C3) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

- 16 The roof of the building hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 17 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8am or after 6pm on any other day.

Reason:

To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

- 18 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

19 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

20 Before development commences, an air quality neutral assessment report and an assessment of the air quality impact of construction shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved 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.

a) If the report shows that the site does not conform to the air quality neutral benchmark requirements then a scheme of offset measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

b) The approved measures shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policies 3.2, 5.3 and 7.14 of the London Plan 2016, Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

21 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

- 22 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to Policies 5.3 and 7.14 of the London Plan (2016)

- 23 The level of noise emitted from the the (AHU) 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 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 7.15 of the London Plan 2016, and Policies DM04 of the Development Management Policies DPD (adopted September 2012).

- 24 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 7.15 of the London Plan 2016, Policy DM04 of the Development Management Policies DPD (adopted

September 2012), and the Sustainable Design and Construction SPD (adopted October 2016).

- 25 The level of noise emitted from the use of any amplified music within the Unit 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.

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 2016.

- 26 Prior to the commencement of the development, a detailed drawing of the one way access arrangement with vehicular entrance at the side from Garrick Avenue of the site from public highway shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the proposed one way operation has been implemented and signed in accordance with the approved details. The access thereafter shall only be used as approved.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 27 Prior to commencement of the development details of the vehicular sight line to either side of the proposed site access with the Public highway shall be submitted to and approved in writing by the Local planning Authority. The access is thereafter is to be constructed in accordance with the approved details and be maintained free of all obstructions over a height of 0.6 metre above the level of the adjoining highway.

Reason: In the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 28 Prior to occupation of the development the vehicular access shall allow for 2.4 metre by 2.4 metre pedestrian visibility splays to the left and to the right of the access from 2m setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including Fencing of planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway.

Reason: In the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 29 Prior to the commencement of the development details of the pedestrian links through the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details before the site is occupied.



Reason: In the interests of pedestrian and highway safety for future occupiers and users of the site in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 30 Disabled parking space shall be provided and clearly marked with a British Standard disabled symbol where appropriate and permanently retained for the use of disabled persons and their vehicles and for no other purpose prior to the first occupation of the development and shall thereafter be kept available/ maintained for such use at all times.

Reason: To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

- 31 Prior to the occupation of the building hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. location and layout of car parking spaces,
- ii. the allocation of car parking spaces;
- iii. on site parking controls and charges;
- iv. the enforcement of unauthorised parking; and
- v. disabled parking spaces.
- vi. Locations of active and passive Electric Vehicle Charging Points and the monitoring of Electrical Vehicle Charging Points, including when additional spaces are required to be brought into operation. The Car Parking Management Plan shall thereafter be implemented in accordance with the approved details immediately following the first occupation of the development hereby approved.

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The parking management plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

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 in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

- 32 Prior to the commencement of the development, details of the junction(s) between the proposed service/access road(s) and the highway shall be submitted to and approved in writing by the Local Planning Authority; and the development hereby approved shall not be occupied until the junction(s) have been constructed in accordance with the approved details. The applicant will be expected to enter into an agreement under Section 278 of the Highways Act with the Highways Authority, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 33 Prior to the commencement of the development; a scheme showing details of access points (Pedestrian and Vehicular), estate road(s) and footways in accordance with the siting, size, dimensions and other details shown on the approved drawing shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 34 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 17.25% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2016) and the 2016 Mayors Housing SPG.

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

- 1 In accordance with paragraphs 38-57 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 Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health

developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 To evaluate the loss of publicly owned and managed trees the London Borough of Barnet, Green Spaces use the industry recognised system Capital Asset Value of Amenity Trees (CAVAT). Details of this system can be found on the London Tree Officers Association web site ([www.ltoa.org.uk](http://www.ltoa.org.uk)).

The London Borough of Barnet's Green Spaces has evaluated (T10) shown for removal on:- TREE PROTECTION PLAN NEW BEIT MIDRASH AND DORMITORY 200-210 GOLDERS GREEN ROAD, NW11 9AL 1816-04 - 2nd July 2018 Revision A, 26th July 2018 to be £2,994.00 plus VAT and all associated costs for removal and planting (£720.00 plus VAT).

- 4 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

- 5 If the development is carried out it will be necessary for a vehicular crossover to be constructed over the footway by the Highway Authority at the applicant's expense. An application will need to be submitted to the Highways Authority for the works on public highway. An estimate for this work can be obtained from the Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 6 The applicant is advised that the council will not adopt the estate road(s). However, if the councils refuse vehicles are required to enter the site, the estate road(s) must be constructed to adoptable standards. Details of the road construction requirements can be obtained from the Traffic and Development Section in Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 7 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance towards any damage to the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic related to the proposed development. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 8 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail [highways.development@barnet.gov.uk](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto:nrswa@barnet.gov.uk) at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 9 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 10 The applicant is advised that due to the large number of schools and school children in the area that site deliveries during the construction period should not take place between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must

also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

- 11 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements (ensure that deliveries do not coincide and vehicles are not kept waiting and parked up on public highway causing obstruction), means of access and security procedures including provision of Banksman where required for managing construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site where necessary on or adjacent to the site. The applicant is also advised that account needs to be taken of roads the traffic sensitive nature of any roads in the vicinity of the site and the number of schools in the vicinity of the site and needs to arrange deliveries outside the school pickup and drop off times if applicable.

The DCMP will take into account locations of any schools in the proximity of the proposed development that may be affected by the proposed development and the applicant shall ensure that construction related traffic and or deliveries shall be avoided during the school drop off and pickup times. The applicant may need to liaise with the affected school to ensure that measures are in place to ensure pedestrian safety.

- 12 The applicant is advised that any alteration to the public highway (including pavement) will require prior consent of the local highways authority. You may obtain an estimate for this work from Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, 4-6 weeks before the start of works on the public highways.

- 13 The applicant is advised that any works required on public highway to facilitate the development will be at the applicant's expense and will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

- 14 The applicant is advised that any alterations to on-street waiting and or loading restrictions will be subject to a statutory consultation period and amendment to Traffic Management Order (TMO). The Council cannot prejudge the outcome of the consultation process.

The applicant is advised that a separate application would need to be made to the Council's Highway Authority. The amendments if approved will be carried out at the applicant's expense. Advice on amendments to waiting restrictions if required and the estimated cost for the works can be obtained from Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 15 The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular crossover in accordance with Manual for Streets (MfS).
- 16 As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 17 The submitted Construction Method Statement shall include as a minimum details of:
- Site hoarding
  - Wheel washing
  - Dust suppression methods and kit to be used
  - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
  - Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
  - Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are

8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

- For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 2017. Proof within the contractor's specification that all NRMM will be registered on the local government website



## **Officer's Assessment**

### **1. Site Description**

The application site lies to the rear of Sage Court, which is a nursing home located on the corner of Golders Green Road, Ambrose Avenue and Garrick Avenue. The site falls within the Golders Green Ward.

The property is not listed and does not lie within a conservation area.

The site is currently occupied by several structures and car parking to the rear of the main building on Golders Green Road. The structures include an ambulance store (located to the southeast of the site) and several structures including porta-cabins (to the west) which accommodate an office use. In addition, there is an existing electricity substation which would remain sited in its current location.

The existing refuse to SAGE is stored to the west of the site along the boundary with no. 212 Golders Green Road.

The property to the east and immediately abutting the site operates as a children's nursery. Due to the location of the plot, there are no residential properties immediately abutting the host site; residential properties are located on the other side of the roads (on Ambrose Avenue and Garrick Avenue).

There is existing parking to the west of the site, accessed from Ambrose Avenue serving the SAGE care home.

### **2. Site History**

Reference: C06177C

Address: 200-210 Golders Green Road London NW11

Decision: Approved subject to conditions

Decision Date: 04.01.1989

Description: Part five, part four, part three, storey building comprising a shared home (Class C2) of 30 units and ancillary accommodation and 38 sheltered flats, plus wardens flat with basement parking for 14 cars & ground floor

Reference: C06177D

Address: 200-210 Golders Green Road London NW11

Decision: Approved subject to conditions

Decision Date: 06.06.1990

Description: Part 3, part 4 storey building to provide a shared home (Class C2) of 30 units with ancillary accommodation. Parking with access from Ambrose Avenue and relocated EEB sub-station

Reference: C06177E

Address: 200-210 Golders Green Road London NW11

Decision: Approved subject to conditions

Decision Date: 07.08.1990

Description: Details of car parking, refuse storage area and landscaping pursuant to conditions 2, 3 & 4 of planning permission ref. C06177D for a part 3, part 4 storey building to form a 30 unit shared home.

Reference: C06177L

Address: R/O 208 Golders Green Road London NW11

Decision: Approved subject to conditions

Decision Date: 05.06.1998

Description: Erection of single storey garage building in car park area of nursing home to house an ambulance. Reduction in height of fencing along part of Ambrose Avenue.

Reference: C06177M

Address: R/O 208 Golders Green Road London NW11

Decision: Approved subject to conditions

Decision Date: 01.11.1999

Description: Alterations to elevations and retention of garage to house an ambulance, within car park at rear of nursing home.

Reference: F/03291/14

Address: Sage Court, 208 Golders Green Road, London, NW11 9AQ

Decision: Approved subject to conditions

Decision Date: 14.08.2014

Description: Installation of portacabin for office use during a twelve months period.

### **3. Proposal**

The proposed building consists of a part single, part two storey, part three storey and part four storey building on this large plot, to the rear of the existing care home known as SAGE.

The proposed development seeks to create a multi-functional facility, comprising of a Jewish study hall (Beit Midrash), and includes dormitory- style accommodation for up to 90 students at first, second and third floors over 24 bedrooms. The building would include a Main hall (for up to 230 people) which would be single storey in height, a dining room for up to 160 people, and three classrooms, as well as ancillary offices, meeting rooms and a library.

There are existing facilities on Finchley Road, however the building is inadequate for the users and the proposed building would cater for the existing facility. The building would be used by 16 to 18 year old male students. The activities would focus on teaching, reading and discussions of religious scriptures.

The proposal would include 24no cycle spaces for staff and students, 14no off-street parking spaces arranged across the perimeter of the site and shared between SAGE care home and the Beit Midrash, in addition to 2no disabled spaces and 1no space for deliveries only.

The proposed kitchen will not be used for the preparation of food but only for heating and serving meals provided by external caterers. The dining room is proposed to only serve meals to students and staff.

The proposed building would be comprised of a combination of zinc cladding (at roof level) and brickwork. Extensive landscaping is proposed to soften the appearance of the building. There would be entrances from Garrick Avenue (main entrance) and Ambrose Avenue (secondary entrance).

The proposed hours of use would be from 7am to 10pm Sundays to Fridays and 8am to 10pm on Saturdays. There would be 4no full time members of staff (1no. caretaker, 1no.

admin, 1no. security officer and 1no. staff looking after the students). The first prayer of the day would be scheduled at 7:40am every morning, followed by breakfast. Between 9am and 10pm studying would take place, only interrupted by other meals at 1pm and 7.30pm. The supporting information confirms that most students who are not staying overnight would leave by 9.15pm. Fridays and weekend hours would be reduced due to Shabbat.

The proposed building would be set 5.8m away from the SAGE (where the building would only be single storey in height). The building would be between 5m and 9.5m from the boundary with the pavement along Garrick Avenue. The building would be closer to the boundary at the junction of the Garrick Avenue and Ambrose Avenue.

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

Consultation letters were sent to 224 neighbouring properties.

114 responses have been received, comprising 13 letters of objection, 97 letters of support and 1 letters of comment.

The objections received can be summarised as follows:

- Noise and disturbance from use;
- Pollution from use;
- Loss of light;
- Parking pressures/ congestion;
- Four storey building is out of character;
- Impact of activity during religious festivals;
- Contrasting care home use in its nature;
- Inappropriate use for the area;
- Noise outside premises when people leave at unsocial hours/ this is a quiet area and not the main road;
- Overdevelopment of the site;
- Insufficient recreational space;
- Scale, appearance and impact on surrounding area;
- Loss of privacy/ overlooking;
- Impact on security due to increased number of young adult males in the area;
- Impact on house prices;

The representations received can be summarised as follows:

- Suitable establishment for the area;
- Existing building is not suitable for the needs of the students;
- Great community facility/ much needed resource for the area;
- Entire student body is local and therefore no impact on local highways;
- The site has been empty for years;
- Shortage of land for community facilities;
- Marginal increase in noise and traffic;
- Students of existing facility do not cause any problems;
- Site is easily accessible;
- This building will support the community for at least 50 years;
- Modern, larger and updated building;
- Community has a shortage of educational facilities;

The representation can be summarised as follows:

- Scope and timing of public consultation;
- Comments submitted are not from local residents;

- Use is supported however the scale/ size of the building would not;
- Should include underground parking;

UK power also commented as there is an existing substation on site; UK power initially raised an objection due to the width of the access. Amendments were provided to respond to the comments and increase the width of the access, and the objection was removed.

The Council's Highways, Environmental Health and Arboricultural officers have been consulted and all consider the proposal acceptable subject to conditions; discussed below in more detail.

A site notice was erected on the 9th August 2018.

## **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 24th July 2018. 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, creates better places in which to live and work and helps make development acceptable to communities... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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.

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

#### 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, CS6, CS8, CS9, CS10, CS15.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM09, DM13, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

#### 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:

- Principle of use
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents
- Future occupiers;
- Impact on local Highways;
- Arboricultural and Landscaping considerations;
- Sustainability;
- CIL.

### **5.3 Assessment of proposals**

#### Principle of Development

Paragraph 92 of the NPPF stipulates that planning decisions should "plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments". Similarly, Policy 4.8 of the London Plan specifies that decisions should prevent the loss of valued local community assets.

The Council recognise that there is a need for a range of community and religious facilities in Barnet to support the requirements of different ethnic, religious, social and interest groups in the borough. DM13 of the Development Management Policies DPD advocates that new community uses should be located where they are easily accessible to public transport. Policy DM13 states:

*"New community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres.*

*New community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties."*

The proposed use is considered to be acceptable in principle in this sustainable location and within close proximity to the Golders Green Town Centre. The site is considered to be standalone in the sense that it is to the rear of a large block and occupies a relatively large area. The supporting information clarifies how the use would operate, and the impact on neighbouring amenity and highways implications are discussed in more detail below.

An ambulance station/ store is currently located on the site; this was approved by a historic planning permission. While there is no directly related policy in Barnet's Local Plan, there may be some overlap with community uses policy (DM13). In addition, Policy 3.16 of the London Plan identifies facilities such as health provision and community safety facilities as social infrastructure. The supporting information confirms that this use would be relocated to a neighbouring site, where the ambulance station is currently located.

There is an existing employment use on the site located within the porta-cabins. As the proposal would generate its own level of employment, the Local Planning Authority does not consider that there would be a loss of employment.

Finally, the electricity company has confirmed that following the amendments, there would be no objection to the proposal.

#### Impact on the character of the area

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

Policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The site was historically occupied by the Golders Green Cinema. In addition, there are two relevant planning approvals on the site for a structure of a similar height and siting compared to that proposed. Application reference C06177C approved a 3 to 5 storey building for a care home (approved and built at the fronting Golders Green Road) and 38 sheltered flats at the rear. Application reference C06177D was similar and included ancillary accommodation to the care home and indicated a second stage to the development, however this was indicated outside the red line of the site.

Notwithstanding that the historic approval is no longer extant, the proposal is considered to be appropriate for this site due to its relative stand-alone nature. The building would be partial single storey nearest to the SAGE building, and the bulk and main building would be located centrally on the site up to four storeys in height. The gap between the existing care home and the proposed building would offer visual relief along Ambrose Avenue, although it is noted that section of the building closest to this is single storey. There is also a considerable distance from the pavement along Garrick Avenue which would reduce the prominence of the building and its height. It is recognised that efforts have been made to design a building which breaks down the bulk and massing with a combination of inverted and protruding features. There are recessed and elements of a lighter material which contribute to breaking down the massing on the Ambrose Avenue and Garrick Avenue facades. In addition, at the highway junction, the building width is not considered to be excessive and appropriate to reduce the visual impact from a townscape perspective.

The development proposed is modern in design and finishing materials, and officers do not have an in principle objection to this approach given that this is a standalone site and a building with a specific use. The success of new development relies heavily on the quality and detailing of the building; the proposed elevations include precedent of the proposed materials. The indicate materials and detailing is generally attractive and of a high quality, however details would be obtained by a condition. The proposed design includes ornamental brickwork to ensure that blank facades are limited and to add visual interest from a townscape perspective.

Discussions regarding landscaping are covered in a separate section, however officers are satisfied that the proposed landscaping scheme would soften the visual impact of the building. It is considered that the building would make a positive contribution to the local area.

The refuse store is proposed to be sited along the Garrick Avenue frontage behind an enclosure so that these are not highly visible from the streetscene.

It is considered that the proposals would have an acceptable impact on the character and appearance of the streetscene and general locality.

#### Impact on the amenities of neighbours

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites. New development should therefore have due regard to the amenity of existing occupiers in neighbouring buildings.

The site visit indicated that the ground floor rear windows of the care home fronting the site did not serve any habitable rooms that required a protection of amenity. In addition, the existing care-home does not benefit from any outdoor amenity space which would be lost as a result of the proposal.

Whilst there is no objection to the proposed use and the number of students, the Local Planning Authority considers that it would be important to restrict the level of activity later in the night and that the use should cease at 10pm. Suitable conditions have been added to restrict the hours of use, the number of people at any given time and the levels of noise from plant or music (if applicable during religious holidays/ seminars). It is considered that the

compliance with these restrictions and given the distance to neighbouring residences, there would not be an adverse or unacceptable impact on neighbouring amenity.

Environmental Health officers have reviewed the proposal and confirmed that there is no evidence of contaminated land on the site. EH officers have recommended conditions including limits on noise from mechanical equipment to protect the amenity of neighbouring residents including those in the care-home.

The Residential Design Guidance SPD states that to mitigate overlooking between residential units, the minimum distance between windows serving habitable rooms should be 21 metres and there should be a distance of 10.5 metres between a new development and a neighbouring garden. The proposal is not for residential use, although bedrooms would be located at upper floor levels the use is not defined as a C3 use class and therefore this standard does not apply. Notwithstanding this, the building would be separated by the adjoining roads which act as a natural barrier and the relationship between windows is not dissimilar to properties fronting each other. In addition, the building would be sited in excess of the 21m distance.

Similarly, in terms of loss of light, it is accepted that the building is larger than the buildings on Garrick Avenue and Ambrose Avenue, however given the distances, it is not considered that the building would have an overbearing impact or result in loss of light.

It is not considered that the proposed use, subject to recommended conditions, would harm neighbouring amenity through associated noise and disturbance from additional activity to an unacceptable level to warrant refusal.

#### Impact on future occupiers

As the proposal is for a use which would have a communal element with ancillary bedrooms although not as self-contained flats (use class C3 dwellings), London Plan standards on the minimum internal space for new dwellings do not need to be strictly applied.

Nonetheless, the sleeping accommodation is considered to be of a suitable size. 24 bedrooms are proposed, each accommodating between 4 and 5 students each. The students would eat their meals in the dining room at ground floor. There would be a regular exchange of students and this would not be their permanent residence.

As the use is not residential, there are no standards for outdoor amenity space external recreational areas.

It is considered that suitable amenity would be provided to future users of the sleeping quarters.

#### Impact on Highways

The Council's Highways officers have reviewed the submitted information and provided the following comments:

##### *Trip Generation/ Modal Split*

The PTAL is 3 (average) with only bus and tube available within the PTAL calculation area. Estimated modal split for the development proposes that the high proportion of students will



access the development by public and sustainable mode. Ambitious modal shift targets for staff and students should be set within the travel plan, secured through a S106 agreement. There is suitable capacity on the surrounding public transport network to cater for the proposed level of public transport usage associated with the development.

The College has used its existing campus travel data located on Finchley Road, within a CPZ however does have a PTAL of 5. While the campus on Finchley Road is in a PTAL of 5 as opposed to the developments PTAL of 3, the PTAL surrounding the development increases up to a PTAL of 5 within 400m of the development. Both campuses are within a similar distance from the Golders Green transport hub, therefore the purpose of comparison the existing data is suitable in this instance. The expected modal split is as follows:

- Car 10%
- Bus 10%
- Underground 10%
- Rail 0%
- Walk 65%
- Cycle/ Scooter 5%

It should be noted that the campus these figures were taken from does not have a residential aspect. Rail has been omitted from the survey data, due to the nearest stations considerable proximity from the development, and reassigned to car travel. These factors give an absolute worse-case scenario.

Information has been submitted to suggest that future students of the study hall will be from the local community (NW11, N16, NW4, N15, HA8, HA6).

Maximum residential stays are approximately 5-7 days and arranged on an individual basis. Given this individual, short term residential nature the likelihood of trip generation by the residential aspect will be not of a significant level which would not impact on the surround highway network or increase the need for off street car parking for drop off or students. A parking management plan will be required to be conditioned, this document should include information to fully mitigate the impact associated with the likelihood of vehicles dropping students off for their residential stay.

### Parking

The development is located in the Brent Cross controlled parking zone.

The development proposes a total of 14 parking spaces, a number of these are provided for the use of the development to the boundary of the property (the existing SAGE care home), the rest are for the proposed use. Seven of these parking spaces are for the sole use of the development (5 general use spaces and two disabled). The parking spaces are to be used by members of staff, not future students of the study hall, a vast number of the students attending the proposed facility are not of driving age. It is thought that the proposed level of parking associated with this development is reasonable. There are no parking standards for the proposed type of use covered by either Barnet or London Plan policies. Therefore, each case is assessed on its own merits.

The development proposes fourteen staff modal split for staff travel predicts that 50% of staff will travel to the site via private car, therefore the provision of car parking will not generate any over spill parking from staff associated with the development.

The proposed cycle parking provision is in line with London Plan minimum standards for students associated with an educational use. It is thought the given the close proximity, many of the students are likely to live close to the development, thus cycles would be a suitable mode of transport. The demand for staff cycling should be monitored via the travel plan and cycle parking provided in line with the required demand.

### Servicing

An off-street loading space has been provided which has been located to the southern end of the property, vehicles will enter from Garrick Avenue and exit on to Ambrose Avenue. Swept paths have been provided to show that the vehicles associated with the servicing of the development can enter and exit the development in a forward gear. A service management plan should be conditioned to mitigate the impact of service vehicles associated with the development.

Refuse will be collected by a vehicle waiting on street, refuse bins will be located, on private land, within an immediate proximity of the highway to reduce the dwell time of the refuse vehicle on the highway. Further details of how this will be managed have been conditioned.

### Highway Works/ S278

Six crossovers are required to facilitate to proposed development, as a result six on street parking bays will need to be moved. Parking surveys show that parking is approximately at 50 % stress there for the removal of the 6 parking bays will have no impact on the operation of the surrounding highway network or existing residents parking amenity.

The crossovers will need to be delivered via a S278 agreement. Highways officers suggest that the entry and exit crossovers which serve the internal areas of the development should be built to heavy duty standards whereas the crossovers which serve the "staff" parking bays will be suitable to be constructed in the normal manor. As part of the S278 the applicant will be expected to replace any defect on the footway. Applicants are urged to engage with the highways DC team at the earliest opportunity and log a full S278 application to ensure that works do not hinder the construction or occupation of the development.

A construction management plan will be required to mitigate the impact of the construction phase associated with the proposed development. In this instance particular consideration should be given to the impact of construction vehicles on the surrounding residents (on Garrick Avenue and Ambrose Avenue).

### Summary

The above applications for the construction of a residential learning facility will generate no significant impact on the performance and safety of the surrounding highway network or its users, as such a recommendation for approval is supported for the following reasons;

- Cycle parking is in line with London plan standards.
- The proposed level of car parking will mitigate the likelihood of over spill parking by staff.
- Parking surveys show that the loss of parking bays to provide access to the development will not impact on existing residents parking amenity.

- Modal split shows Public and sustainable transport modes likely to be used extensively used by students.
- Off Street Servicing facilities provided.
- A travel plan would be secured through a S106 agreement to further increase modal shift toward sustainable and public modes of transport by staff and students. The applicant has agreed to enter into a legal agreement.

### Arboricultural Impact and Landscaping

The NPPF (2018) stipulates that Planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Policy DM01 of the Adopted Barnet Development Management Policies 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.

The Council's Arboriculturalist has reviewed the scheme and discussed the proposed works extensively with the applicant/ agent; the officer's comments are below.

The proposal seeks to retain as many trees as possible in this area by providing engineering solutions to minimise impacts. The majority are feasible if undertaken with extreme care. Therefore, if the scheme is considered suitable in all other policy areas then retaining the tree screen will be essential to minimise the visual impact of the building.

There is no objection to the loss of the street tree from Green Spaces (T10) if the CAVAT (Capital Asset Valuation of Amenity Trees) is paid £2,994.00 plus VAT and all associated costs for removal and planting (£720.00 plus VAT). This would be secured via a S106 agreement.

Detailed landscape plans have been drawn up and submitted for the scheme. These plans will provide high quality amenity space for the users of the development. The submitted specifications, if fully implemented, will ensure the success of the scheme; this would be secured by a condition.

Ecological enhancements have been specified to improve bio-diversity on the site and include green and brown roofs which is supported.

The scheme seeks to retain all but three trees on the site and will maintain the important visual screening between the site and the residential properties opposite on Garrick Avenue. Sufficient information has been provided to evaluate the impact of the proposal on trees which is considered in accordance with local policy DM01. The proposal is therefore considered to be acceptable on Arboricultural grounds subject to conditions.

## Accessibility and Sustainability

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 17.25% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

## Community Infrastructure Levy

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm (index related) on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm (index related).

The proposal has been calculated to be liable for both Barnet CIL and Mayor's CIL for the residential use and for Mayor's CIL only for the community use.

## **5.4 Response to Public Consultation**

It is considered that the planning related objections have been addressed in the report above.

With regards to the impact on house prices, this is not a material planning consideration.

During the course of the application, reconsultation was carried out with neighbouring occupiers to reflect the updated plans and clarification of the development description. In addition, there was a site notice erected. It is therefore considered that neighbouring occupiers were given adequate notice of the application.

## **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**

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



Site Location Map  
Scale 1:1,250

