

LOCATION: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE

REFERENCE: F/02183/12 **Received:** 31 May 2012

Accepted: 09 July 2012

WARD(S): Woodhouse

Expiry: 03 September 2012

Final Revisions:

APPLICANT: Mr Davison

PROPOSAL: Part demolition of buildings ancillary to main hall and erection of new two storey extension to re-house existing kindergarten (including increasing children numbers from 42 to 60), function rooms and administration offices.

RECOMMENDATION: APPROVE SUBJECT TO S106

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1-361.001 rev A, 1-361.010, 1-361.011, 1-361.012, 1-361.020, 1-361.050, 1-361.051, 1-361.052, 1-361.060, 1-361.061, 1-361.099, 1-361.100, 1-361.101, 1-361.102, 1-361.200, 1-361.201, 1-361.210, 1-361.300, 1-361.301, Finchley Reform Synagogue Design and Access statement May 2012, Finchley Reform Synagogue Design and Access Statement - Appendices May 2012, Assessment of proposed redevelopment of Finchley Reform Synagogue in context of relevant planning policies ref CA/2661 (April 2012).

Reason:

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

3. Before the development hereby permitted is occupied the parking spaces/garages shown on Plan 1-361.100 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

4. Before the development hereby permitted commences onsite, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

5. The premises shall be used for a synagogue and its ancillary activities and for no other purpose (including any other purpose in Class D1) of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To 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.

6. 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.

7. No construction work resulting from the planning permission 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 on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

8. Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

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

9. Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to the public parts of the building shall have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

Reason:

To ensure adequate access levels within the development.

10. A noise assessment, by an approved acoustic consultant, shall be carried out that assesses the likely impacts of noise on the development. This report and any measure to be implemented by the developer to address its findings shall be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before the use commences.

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings.

11. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

12. All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development.

13. 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.

14. The building hereby approved shall be constructed so as to provide sufficient sound insulation against internally generated noise and provided with double glazing and additional means of ventilation so that the windows and other openings can be kept closed. A scheme for the necessary measures is to be provided to the LPA and agreed in writing before implementation.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

15. Before any development commences a Travel Plan shall be submitted setting out the synagogues transport policy to include the means of arrival and departure for users of the facility and details and means of transportation and car-pooling. The scheme as submitted shall be approved in writing by the local planning authority and the use shall be carried out in accordance with the Travel plan as approved.

Reason:

To ensure the minimum of vehicle movements into and out of the site in the interests of sustainability and highway safety.

16. The public use of the premises for the purposes hereby permitted (other than during the hours of shabbat for religious functions and the use of the site during High Holy days and on Jewish Festivals and other activities as described in the schedule below*) shall only take place between the hours of 8.00am and 10.30pm Saturdays and Sundays (plus 30 minutes for staff to clear up the site) and between 7.00am and 10.30pm (plus 30 minutes for staff to clear up the site) on all other days.

*Occasions	Duration
Rosh Hashana	(2 days)
Kol Nidre	(1 evening)
Yom Kippur	(1 Day)
Pessach	(4 days)
Shavout	(1 evening and 2 days)
Succot	(3 days)
Yom Hashoah	(1 day)
Chanuka	(1 day)
Purim	(1 day)
Simchat Torah	(1 day)
Shavuot	(1 night)
Selichot	(1 night)
Youth group overnight activities	4 times a year
Uses associated with "Together in Barnet Shelter"	1 December to 30 April each year

Reason:

In the interests of the amenity of occupiers of neighbouring residential properties.

17. No development shall take place 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. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

18. The development will be required to meet the 'Very Good' standard in the BREEAM (Building Research Establishment Environmental Assessment Method).

Reason:

To ensure that the development is sustainable and complies with strategic and local policies.

19. Prior to the occupation of the development an Activities Management Plan (AMP) shall be submitted to and approved in writing by the Local Planning Authority and the activities on the site shall be carried out in accordance with the approved AMP.

Reason:

In the interests of the amenity of occupiers of neighbouring residential properties.

20. There shall be no more than 60 children registered at the kindergarten at any one time. No children other than those registered shall be (looked after) at the kindergarten.

Reason:

To safeguard the residential amenity of neighbouring occupiers.

21. No child shall be on the premises for the purpose of the kindergarten use on any Saturday/Sunday or public holiday or any other day except between the hours of 8.30am-3.00pm.

Reason:

To safeguard the residential amenity of neighbouring occupiers.

22. A scheme for acoustic fencing along the boundary with 99 Fallow Court Avenue shall be submitted in writing and approved by the Local Planning Authority prior to development. This scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason:

To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their home(s).

23. Phase 2 shall be commenced within three years of the commencement of Phase 1 and the retained kindergarten block and ancillary buildings shall be demolished.

Reason:

To ensure that sufficient parking is provided on site in the interests of pedestrian and highway safety and the free flow of traffic and to safeguard the residential amenity of the adjoining properties.

24. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

25. Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.

26. Sample panels of facing brickwork in the elevation fronting Fallow Court Avenue to form a feature wall showing the proposed colour, texture, facebond and pointing shall be provided on site and approved by the Local Planning Authority before the relevant works commence and the sample panels shall be retained on site until the work is completed and has been approved. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

27. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

28. Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
- i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011, the Adopted Barnet Unitary Development Plan (2006) and the Local Plan (2012). In particular the following polices are relevant:

National Policy:
National Planning Policy Framework

London Plan (2011):
1.1, 3.1, 3.16, 5.2, 5.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.15.

Adopted Barnet Unitary Development Plan (2006):
GSD, GBEnv1, GBEnv2, GBEnv3, GParking, GCS1, Env12, D1, D2, D4, D5, D6, D9, D11, M11, M12, M14 & CS1.

Local Development Framework:
Core Strategy (Adopted) 2012 – CS NPPF, CS1, CS5, CS6, CS7, CS9, CS10, CS12, CS13.
Development Management Policies (Adopted) 2012 – DM01, DM02, DM03, DM04, DM11, DM13, DM15.

ii) The proposal is acceptable for the following reason(s): -
Having taken all material considerations into account, it is considered that the proposal would enable the redevelopment of a previously developed brownfield site within close proximity of a town centre. The proposal would see the modernisation of a community facility in line with Policy CS1 of the adopted UDP and Policies CS10 and DM13 of the Local Plan. The proposal has been designed to provide a landmark building which reflects the use proposed whilst taking into account the adjoining residential properties.

2. The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development 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

You will be sent a 'Liability Notice' that will provide 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, this is also available from the Planning Portal website.

The Community Infrastructure Levy 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 statutory requirements, such requirements will all be set out in the Liability Notice you will receive.

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: cil@barnet.gov.uk.

3. A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

RECOMMENDATION III

That if an agreement has not been completed by 20/12/2012, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/02183/12 under delegated powers for the following reason:

1. The development would require a Unilateral Undertaking and no formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting the costs of monitoring the traffic assessment scheme contrary to Policy M11 of the adopted Unitary Development Plan; contrary to DM17 of the Local Plan Development Management Policies (Adopted) 2012; and contrary to Policies CS9 of the Local Plan Core Strategy (Adopted) 2012.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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 27th March 2012. This is a key part of the Governments reform to make the planning system less complex and more accessible and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

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".

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 Mayors London Plan July 2011

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 2031. It forms part of the development plan for Greater London.

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.

Relevant policies to this case are: 1.1, 3.1, 3.16, 5.2, 5.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.15.

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18th May 2006, replacing the original UDP adopted in 1991.

On 13th May 2009 the Secretary of State for communities and Local Government issued a direction "saving" 183 of the 234 policies within the UDP.

Relevant policies to this case are: GSD, GBEEnv1, GBEEnv2, GBEEnv3, GParking, GCS1, Env12, D1, D2, D4, D5, D6, D9, D11, M11, M12, M14 & CS1.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the "spatial vision" that will underpin the Local Development Framework.

The Council has also adopted (June 2007), following public consultation, an SPD "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the UDP, and sets out how sustainable development will be delivered in Barnet. Part 4 recognises that noise can be a significant nuisance, and can undermine quality of life. In order to meet standards for internal noise appropriate levels of insulation will be required. Paragraph 4.16 indicates that the Council requires the acoustic performance of party walls and floors between dwellings to be designed to exceed the minimum requirements set out in Part E of the Building Regulations. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan (Core Strategy and Development Management Policies documents) is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. The

National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS6, CS7, CS9, CS10, CS12, CS13.

Development Management (Adopted) 2012:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM11, DM13, DM15.

Planning History:

Site Address: Rear of Granville Hall Montrose Crescent and Fallowcourt Avenue N12
Application Number: C00043
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 02/06/1965
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of temporary Synagogue and ancillary accommodation.**
Case Officer:

Site Address: Land at corner of Fallowcourt Avenue and Montrose Crescent N12
Application Number: C00043A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/01/1966
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Extension on to existing temporary synagogue.**
Case Officer:

Site Address: Junction of Fallowcourt Avenue and Montrose Crescent London N12
Application Number: C00043B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/04/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **renewal of permission for retention of existing temporary prefabricated timber building for syna gogue.**
Case Officer:

Site Address: Corner of Fallowcourt Avenue and Montrose Crescent Finchley London N12
Application Number: C00043C

Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/05/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Renewal of temporary consent for extension to synagogue**
Case Officer:

Site Address: Granville Hall Granville Road London N12
Application Number: C00043D
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/02/1971
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of Communal Hall and Synagogue and ancillary purposes**
Case Officer:

Site Address: Fallowcourt Avenue; Montrose Crescent; Granville N12
Application Number: C00043E
Application Type: Full Application
Decision: Refuse
Decision Date: 16/12/1970
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of new buildings for synagogue and ancillary uses**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043G
Application Type: Full Application
Decision: Approve
Decision Date: 26/01/1972
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **erection of a Communal Hall and Synagogue and ancillary purposes**
Case Officer:

Site Address: Granville Hall Granville Road N12
Application Number: C00043H
Application Type: Full Application
Decision: Approve
Decision Date: 30/05/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of Communal Hall and Synagogue and ancillary purposes**
Case Officer:

Site Address: Corner of; rear of Fallowcourt Avenue; Montrose Crescent Granville Hall North Finchley N12
Application Number: C00043J
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 10/07/1974
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Renewal of permission for prefabricated/timber all purposes building.**
Case Officer:

Site Address: REAR OF GRENVILLE HALL MONTROSE CRESCENT & FALLOWCOURT AVENUE LONDON N12
Application Number: C00043K
Application Type: Full Application

Decision: Approve with conditions
Decision Date: 22/09/1976
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Renewal of permission for prefabricated timber building.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043L
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/02/1979
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Part single, part two storey side extension and additional car parking spaces.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043M
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 18/03/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of youth centre as kindergarten for 25 children on Monday to Friday mornings between 9.00 a.m. and 12.00 noon**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043N
Application Type: Full Application
Decision: Approve
Decision Date: 14/05/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of single storey building:- renewal of planning permission C.43K dated 22nd September 1976.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043P
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/10/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of small hall as kindergarten**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043Q
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 25/02/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey link building between hall and synagogue, brick cladding on hall, and 1.4 m (4 ft. 9 ins.) high wire fence and gates.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043R

Application Type: Full Application
Decision: Approve
Decision Date: 22/07/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **CONTINUED USE OF SMALL HALL AS KINDERGARTEN**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043S
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/12/1991
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey side extension to main hall**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043T
Application Type: Full Application
Decision: Refuse
Decision Date: 20/04/1993
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Ground and first floor extensions. Externalstaircase.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043U
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 24/05/1994
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **First floor extension at the corner ofGranville Road and Montrose Crescent.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043V
Application Type: Material Minor Amendment/Vary Condition
Decision: Approve with conditions
Decision Date: 08/04/1997
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Variation to condition 2 & 3 of planningpermission Ref C43M to enable 26 children tobe at the kindergarten at any one time and toextend the hours of use until 3pm on Mondaysto Fridays.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE
Application Number: C00043W/00
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 05/09/2000
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Variation of condition 2 of planning permission C00043V to enable 42 children to be at the kindergarten at any one time.**
Case Officer:

Site Address: Finchley Reform Synagogue, 101 Fallow Court Avenue, London, N12 0BE

Application Number: C00043X/01
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 07/08/2002
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey extension between existing hall and 99 Fallow Court Avenue ancillary to existing use as a kindergarten.**

Case Officer:

Consultation and Views Expressed:

Neighbours Consulted: 121 Replies: 355

Neighbours Wishing To Speak 7

* Note that of the replies 223 are of support and 116 have objected to this application.

The objections raised may be summarised as follows:

1. Loss of light and privacy;
2. Increase in noise and disturbance;
3. Consultation occurred during the summer holiday period making it difficult for residents to comment.
4. Traffic and congestion currently experienced will get worse;
5. On-street parking is over subscribed and expansion will put further pressure on this;
6. Insufficient parking provided on site to meet the needs of the use. Proposal will result in loss of parking space on site;
7. Increase in noise and disturbance from children playing;
8. Refuse bins are to be located adjacent to a residential boundary which will impact on amenity of adjoining residents;
9. The building will be out of character with the adjoining residential street scene;
10. The buildings are not community uses as they only serve the Synagogue community and are not available to the wider local community;
11. The synagogue should relocate to a more appropriate site in a less residential area;
12. Loss of trees;
13. Design of the building and proposed materials are out of character;
14. The proposal will result in an increase in membership and therefore an increased impact on the surrounding area;
15. The building work will happen in a phased way as and when funds are raised which will mean that local residents will have the disruption of building works for a long period of time;
16. Loss of value to surrounding properties;
17. There is no transport statement provided;
18. The site would be enclosed by a 2m high fence which is unnecessary and would be visually obtrusive;
19. Concern over how lorries will access the site during construction;
20. The synagogue is planning to increase the capacity of the site by 50%;
21. The kindergarten operates in breach of planning conditions.

The Finchley Society objected for the following reasons:

- The design is almost brutalist and has no relationship to the surroundings contrary to Policy DM01a.

Date of Site Notice: 09 August 2012

Internal/Other Consultations:

Traffic and Development

No objection subject to s106 and conditions

Environmental Health

No comment

Trees and Landscaping

No comment

The application was withdrawn from the October East Committee Planning Sub-Committee to enable to enable sufficient time for officers to review a request from the applicant to amend conditions contained in the recommendation to committee and to give sufficient time for objectors to review those amended conditions.

Discussions with the applicant concluded and the agreed conditions are included in the published agenda for objectors to consider.

2. PLANNING APPRAISAL

Site Description and Surroundings:

Finchley Reform Synagogue is located at the corner of Granville Road, Montrose Crescent and Fallow Court Avenue in a predominantly residential area.

The site consists of a collection of interlocking buildings that form the Synagogue. These spaces include a large main hall; a kindergarten – including a temporary building; a small multi-use hall; offices; kitchen and ancillary spaces. The building heights vary between one and two storeys across the site. The roof form is predominantly flat.

The current buildings on site lack a coherent appearance as the style varies reflecting the ad-hoc development of the site, the main materials are brick, render and metal cladding.

The site is located on a corner junction and has two access points; the main entrance is located off Fallow Court Avenue, this services pedestrian and vehicular access while deliveries are made via Granville Road. Due to its prominent corner location the site is very visible within the street scene, providing a local landmark.

The surrounding area is predominantly residential and is characterised to the north and south by Edwardian housing to the west is a three storey block of purpose built flats.

Proposal:

Planning permission is sought for *“part demolition of buildings ancillary to the main hall and erection of new two storey extension to rehouse existing kindergarten, function rooms and administration offices”*.

There are three key elements to the proposal:

1. The Main Hall

The proposal would see the demolition of all buildings on the site with the exception of the main hall. This building would be modified by raising the parapet wall to screen the existing roof form and the building would be rendered to blend with the new elements. The building would increase in height by approx 2m.

A new parking area would be created to the south west of the hall providing 5 parking spaces (one of which would be for the use of blue badge holders). A new vehicular entrance from Granville Road would be created to access this area.

2. The Main entrance

Adjacent to the main hall a new entrance/foyer area is proposed, this would be a single storey structure, 4.2m high. It would project forward of the existing main hall by 2.2m and would form the main pedestrian access to the building accessed from Granville Road. The main entrance would be of a render construction with large glazed floor to ceiling panels. The building would wrap around the corner of the site and link into the third element of the scheme.

3. Part single/part two storey extension.

The third element of the scheme would consist of a part single, part two storey structure that would front onto Montrose Crescent and Fallow Court Avenue wrapping around the perimeter of the site. The building would be set 1.6m off the boundary with Montrose Crescent, pulling back a further 0.6m as the building turns into Fallow Court Avenue to give a 2.2m set off along this boundary.

The building would be two storey (approx 7m) along the Montrose Crescent frontage. As the building turns the corner into Fallow Court Avenue it would remain two storey for a further 16m before stepping down to 3.6m in height for a further 7.4m.

This main accommodation that this building would provide is a new hall space at ground floor level. Although linked to the Main Hall and Foyer the hall would have a separate pedestrian entrance on Fallow Court Avenue enabling it to operate separately from the rest of the building.

The two storey element of the building would be constructed of buff brick with a decorative brick work panel proposed for the corner of the building adjacent to Granville Road/Montrose Crescent. The single storey element would be rendered. Both elements would have a flat roof.

The existing vehicular access on Fallow Court Avenue would be relocated 12m further along the Fallow Court Avenue frontage to provide access to a new parking area for 6 cars which would be located along the boundary with 99 Fallow Court Avenue

A single storey (2.6m high) brick structure would be located to the front of the proposed parking area adjacent to the boundary with 99 Fallow Court Avenue effectively screening the parking area from the street scene. This building would

provide an external store and refuse storage area.

To the rear of all three elements would be a garden area which would provide outdoor play space for the kindergarten function during the week and an outside space for synagogue users at other times.

Cycle storage is provided adjacent to the main pedestrian entrance and within the site adjacent to the Fallow Court Avenue parking area.

The proposal would result in the removal of the existing boundary treatment which in the main consists of a mature hedge and a number of trees and replacement with a dwarf brick wall with metal railings to a height of 2.1m from pavement level. Planting is proposed behind this.

Planning Considerations:

The main issues in this case are considered to be:

- i. Principle of development
- ii. Intensification of use
- iii. Highway safety and parking provision
- iv. Impact on the street scene
- v. Impact on the residential amenity of adjoining properties
- vi. Sustainable design and construction
- vii. Section 106 contributions

General Policy GBEnv1 of the Unitary Development Plan (2006) aims to maintain and improve the character and quality of the environment.

Policy Env12 states that Proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive developments will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted.

Policies D1 and D2 of the Unitary Development Plan (2006) aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Policy D3 states that the size, shape, position and detailing of spaces created within or around new buildings should enhance the development of which they are part, and should be in keeping with the overall character and quality of the area.

Policy D4 states that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Part of policy D5 of the Unitary Development Plan (2006) requires new development to safeguard outlook and light of neighbouring residential occupiers.

Policy DM01 of the Development Management Policies (Adopted) 2012 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.

Principle of development

The NPPF outlines that social infrastructure and services are needed in order to support new and existing economic development and to promote strong, stable and productive economies and communities. In addition both the London Plan and the UDP recognise that the provision of community facilities are required to support community needs and contribute to making an area more than just a place to live. Social infrastructure has a major role to play in supporting London's expected growth.

The existing buildings have developed in an ad hoc manner and no longer meet the needs of the organisation.

The proposals therefore would result in new modern facilities to cater for the needs of the current and future community which is consistent with Policies GCS1 of the adopted UDP and CS10 of the Local Plan (Core Strategy) which seek to ensure that an adequate supply of buildings are available for community facilities to meet the needs of the residents in the borough.

The principle of a community use in this location is well established with a synagogue existing on the site since the early 1970s.

Intensification of the use

The London Plan recognises that social infrastructure has a major role to play in supporting London's expected growth making residential areas more attractive and turning them into sustainable neighbourhoods and communities. The London Plan highlights the need to safeguard existing provision.

Policy 3.16 of the London Plan states:

"London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population."

A key guiding principle of the adopted UDP and the Boroughs corporate plan is to sustain the boroughs communities. Para 2.2.1 of the UDP states 'Adequate provision of education, health and welfare services will be needed to meet the requirements of Barnet's diverse communities.'

Policy CS1 of the adopted UDP advocates that proposals to develop or expand community and religious facilities will be permitted where they:

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

The use of this site as a synagogue is well established with a purpose built facility

existing on the site since the 1970's. It is therefore considered that the principle of a religious facility in this location is well established.

The site is not in a town centre location and therefore not within a primary retail frontage.

Due to the existing building the noise and disturbance generated by its activities already form part of the character of the area. The current proposal would see the erection of new buildings in such a way as to minimise impact upon adjoining residential properties by placing the noise generating activities further within the site. The building would be of high quality and be suitably insulated so as to minimise noise transference for those within the building and conversely neighbouring properties.

The proposals would result in the development of a new building which would need to comply with Part M of the Building Regulations and be compliant with the Disability Discrimination Act 1995(DDA). The majority of the public facilities are at ground floor level and a lift is proposed to provide access to the second floor.

The concerns regarding intensification therefore focus on the issue of the use of the building. Concerns have been raised by local residents that given the improved facilities there is the potential that the building may be used more intensively and the impact of visitors travelling to the site how this would impact on the local highways network.

The site is currently home to a Synagogue use and the list below details the services currently delivered at the premises:

- Religious worship, weekly on Friday evening and Saturday morning but also at other festival days throughout the year;
- Kindergarten for 60 children which runs from 9.15 to 12.15 Monday to Friday. A breakfast session is offered from 8.15 for children of working parents. When children reach the Swans Class they are given the opportunity to stay until 2.30pm three days a week to prepare them for school;
- Mother and Toddler group on Tuesdays from 9.30-11.30;
- Kochavim – religion school from 9.30-12.10 on Sundays (term time only);
- Youth Club from 4.30-6pm on Thursdays (term time only);
- Non-residential holiday courses during the summer holidays and February half term;
- Bridge Club from 2-4pm on Thursdays; and
- Friendship Club from 1.30-3.30pm on Wednesdays.

From the information submitted with the application it is advocated that services delivered from the new building would remain as above. This has been challenged by objectors as part of the public consultation and clarifications were sought and provided by the applicant as part of the determination of the application.

However, the proposal would result in an overall increase in the net floor area on the site from 606sqm to 708sqm (an increase of 102sqm or 16.8% of floor area). Documentation submitted with the application advises that the increase in floor area is wholly from the increase in foyer, lobbies and circulation space (which will increase from 47sqm to 137sqm). The synagogue floor area will not change. Whilst the internal breakdown of space alters the overall uses and intensity of use on the site will remain the same.

The current building has the benefit of an unrestricted use. Given the predominantly residential nature of the surrounding area it is recommended that should Members be minded to approve the application a condition be attached restricting the hours of use. It is therefore considered that the impact of any change in activity or intensification of use would be mitigated and would not adversely effect the amenity of surrounding residents.

The next issue that therefore needs to be considered is whether there are any measures that can be taken to mitigate against the impact of trips to and from the site. The main mechanism for delivering this would be reducing the need for car borne travel and the means for achieving this is via a Travel Plan (TP). If Members are minded to approve the application a condition requiring the submission of a detailed TP is recommended.

As part of the redevelopment of Finchley Memorial Hospital a number of off site measures to improve the access to the hospital by non-car modes particularly the provision of pedestrian links; links from the public transport network and restrictions on movements into and out of the site and across the network are being implemented. These measures include:

- A contribution towards the enhancement of the bus stops to make them DDA compliant; provision of new bus shelters and ibus (countdown) displays
- A contribution towards the improvement of the pedestrian environment including upgrading the tactile paving at the junction of Granville Road and Bow Lane.

It is considered, given the proximity of this site to the hospital, that these measures will also benefit non-car access to the application site.

The site has a PTAL score of 1/2 indicating limited accessibility to public transport facilities. However, given the above the proposal is considered to comply with policy CS10 of the adopted UDP and CS1 of the Local Plan (Core Strategy) the potential of any intensification of use within the site is considered when balanced against the wider community needs for the Borough to be acceptable subject to an hours of use condition and satisfactory Travel Plan.

Highway safety and parking provision

The existing main access to the site is in Montrose Crescent in a predominantly residential road with a constrained capacity.

The current proposals would relocate the main access onto Granville Road which is considered to offer a better solution as this produces the least vehicular/pedestrian conflicts and minimises the impact upon adjoining residential properties.

Locating the main access on Granville Road optimises the opportunity for dispersing traffic that would be generated as a result of the proposal into the local road and junction network, thereby dissipating its impact. The Councils Highways Group has indicated that they consider that the network has the capacity to take these movements.

The site currently has 13 spaces marked out for parking. These are accessed via a dropped kerb and gate from Montrose Crescent. The current proposal would provide

parking for 11 cars in two parking areas, one adjacent to the main hall and accessed via Granville Road and the second adjacent to the boundary with 99 Fallow Court Avenue accessed from Fallow Court Avenue. Both areas would include one parking space for blue badge holders.

Two areas of cycle parking are proposed. One adjacent to the proposed new pedestrian entrance on Granville Road and the other adjacent to the rear of the main hall adjacent to the Fallow Court Avenue car park area.

There is unrestricted on-street parking in the surrounding road network.

The Council's highways officers have no objections subject to conditions including the submission of a Travel Plan and an Activities Management Plan.

Impact on street scene

Policies in both the adopted UDP and emerging Local Plan advocate that new development should represent high quality design. However, proposals should be based on an understanding of local characteristics and should represent the appearance, scale, bulk, height and pattern of surrounding buildings, surrounding street and movement patterns and the overall character and quality of the area.

The application site is very prominent within the street scene partly due to the existing buildings use, design and materials. Given the sites prominent location and the type of building (a place of religious worship) proposed a landmark building of high quality design is considered appropriate.

The current proposals would see a building of individual design which would reflect the proposed use. It would sit well within the street scene echoing the existing bulk and mass of the buildings currently on the site.

The building through changes in height, massing and material has been broken up to provide visual diversity. The building has been set off the boundary to reflect established building lines and reduce its visual prominence by giving the opportunity to provide a soft landscape setting for the building. Given the amount of brickworks, details of brickwork to the main elevation facing Fallow Court Avenue are required by way of condition to ensure that the quality of the finished building is of a high standard.

Site enclosure details are required by condition.

The organisation of the buildings massing and disposition has regard to the adjoining buildings in respect of scale and boundaries. A variety of features and materials are proposed which are considered to help break up the building whilst creating a harmonious and symmetrical approach to its appearance. The proposal is therefore considered to comply with policies D1, D2, D3, D4, D5, D6, D9 and D11 of the adopted UDP and policies DM01, DM02, DM11 and DM15 of the Barnet's Local Plan (Development Management Policies) DPD.

Impact on trees / landscaping

There are currently trees on site close to the boundary with Fallow Court Avenue. Although those trees have public visibility, they are of poor quality and have been

pruned / reduced in the past. Those trees have no particular protection and are not considered to warrant protection. A planning condition is required to obtain and approved details of site-wide landscaping before works start on site. The proposed landscaping will be expected to include semi-mature planting and significant hedging to provide a green and soft setting for the new buildings, particularly along Fallow Court Avenue.

On Saturday 27th October 2012 an e-mail was sent by a local resident to the Council's Planning Enquiry mailbox requesting that trees be assessed for possible inclusion in a Tree Preservation Order, the resident also e-mailed a number of photographs of the trees.

Whilst the vegetation is clearly visible from public locations and provides some softening of the otherwise harsh built form, it is considered that the trees are not appropriate for inclusion in a Tree Preservation Order because of their previous treatment, poor form, and/or proximity to existing building.

Impact on the residential amenity of adjoining properties

Due to the triangular nature of the site the proposals would have a back to side relationship with the adjoining residential properties in Fallow Court Avenue and Granville Road and as a result the proposal is not considered to result in overlooking to these properties. The proposal will result in the current kindergarten building being removed from the boundary with 99 Fallow Court Avenue and the buildings pulled back further within the site.

The proposal would result in an increase in the height of the building adjacent to Glowhill Court as the mono pitch roof will be increased by between 0.1 and 2m to bring it level with the existing main flat roof. Those changes and their impact on the windows in the side elevation are not considered to warrant refusal for the application. Given the existing outlook from these properties onto a number of different roof forms the proposal to screen the roof by the erection of a parapet wall is considered to improve the outlook.

The current buildings have developed in an ad hoc manner over a period of time as a result with some of the uses of the building this has given rise to noise and disturbance to adjoining residential properties. The buildings have now been designed so that the noise generating uses such as the kindergarten are located away from the residential boundaries. It is also considered that measures could be put in place internally to minimise further any impact. Therefore a number of conditions restricting hours of use and requiring sound insulation measures are recommended to minimise the potential noise and disturbance from people using the site.

Sustainable design and construction

The current proposals have been designed to maximise the natural benefits of the site and reduce energy consumption through numerous measures including solar shading, intelligent building and lighting controls, natural ventilation etc.

The orientation of the new hall to face north east through south west optimises day light from both aspects while being able to more easily control and limit solar gain. The use of natural day lighting across the buildings will result in a reduction in energy

consumption within the building as well as delivering a high quality of light, making the spaces feel more uplifting.

The general form of the buildings allows for natural ventilation of the majority of the space which as well as resulting in energy savings will place less demand on plant and helps minimise the impact on the amenity of local residents.

Heating is proposed to be provided by air source heat pumps. Hot water demands are not constant and very low and as a result local electric point of use boilers are proposed which removes the storage and circulation losses associated with central systems

The inclusion of these initiatives as part of the proposals would reduce carbon emissions associated with the operation of the building and enhance the future of renewable energy resulting in a more sustainable form of development in accordance with adopted policy and the Three Strands Approach. It is recommended that these sustainability measures to be secured by planning condition.

Section 106 contributions

A £5000 contribution towards the monitoring of the Travel Plan and the submission of an Activities Management Plan are required and secured by way of a section 106 agreement.

3. COMMENTS ON GROUNDS OF OBJECTIONS

In relation to point 1, when the Local Planning Authority approve planning applications there may be cases where there is some element of a loss of light to neighbouring properties. It is for the Local Planning Authority to determine whether the loss of light that could occur would be sufficient a reason to refuse the application. The Local Planning Authority consider that this application has an acceptable impact on the amenities of the neighbouring occupiers.

In relation to points 2 and 7, it is considered that the proposal has been designed to respect the amenities of neighbouring occupiers. It is considered that, as conditioned, the proposal would have an acceptable impact on the amenity of neighbouring occupiers.

In relation to point 3, the LPA can't put on hold an application because its the Summer holidays. Residents are consulted as soon as the application is registered. The residents have been consulted in accordance with this procedure.

In relation to points 4, 5 and 6 after having discussions with the council's Highway team, it is considered that this proposal would comply with Council policies.

In relation to point 8, the attachment of condition 27 to this recommendation is considered to safeguard this position.

In relation to points 9 and 13, it is considered that the proposal complies with

National, London Plan and Council policies. It is considered the design of the proposed contemporary building would compliment the design of neighbouring existing buildings and is not would not have any adverse visual effect on the character of the locality or the street scene generally. The success of the building will depend on the quality of the materials to be used and the materials to be used in the construction of the dwelling will have a conditioned to this recommendation to ensure that the proposed materials are acceptable.

In relation to point 10, it is considered that the proposal complies with National, London Plan and Council policies in relation to the provision of a community facility.

In relation to point 11, it is considered that the proposal complies with National, London Plan and Council policies.

in relation to point 12, as noted in the body of the report, whilst the vegetation is clearly visible from public locations and provides some softening of the otherwise harsh built form, it is considered that the trees are not appropriate for inclusion in a Tree Preservation Order because of their previous treatment, poor form, and/or proximity to existing building. It should be noted that the attachment of condition 11 to this recommendation to ensure landscaping is introduced along the boundaries to the public highway.

In relation to points 14 and 20, this is considered to have been covered in depth under the 'Intensification of the use' section of the main body of the report.

In relation to point 15, the attachment of condition 23 to this recommendation is considered to safeguard this position.

In relation to point 16, this is a civil matter and not a material planning consideration.

In relation to point 17, there is a Transport Statement included within the Design & Access Statement under 'Appendix B'.

In relation to point 18, this is not the case and it should be noted that the attachment of condition 25 to this recommendation is considered to safeguard this position regarding the details of the boundary treatment.

In relation to point 19, the attachment of condition 17 to this recommendation is considered to safeguard this position requiring a 'Demolition & Construction Method Statement'.

In relation to point 21, residents have been reconsulted regarding this matter.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, it is considered that the proposal would enable the redevelopment of a previously developed brownfield site within close proximity of a town centre. The proposal would see the modernisation of a community facility in line with Policy CS1 of the adopted UDP and Policies CS10 and DM13 of the Local Plan. The proposal has been designed to provide a landmark building which reflects the use proposed whilst taking into account the adjoining residential properties.

SITE LOCATION PLAN:
Avenue, London, N12 0BE

Finchley Reform Synagogue, 101 Fallow Court

REFERENCE:

F/02183/12



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