

LOCATION: Menorah Foundation School, Abbots Road, Edgware, Middx, HA8 0QS

REFERENCE: H/02986/12

Received: 01 August 2012

Accepted: 17 August 2012

WARD: Burnt Oak

Expiry: 12 October 2012

Final Revisions:

APPLICANT: Menorah Foundation School

PROPOSAL: Demolition of single storey Nursery, construction of two storey school classrooms and resource area, and new external landscaping and boundary wall. In association with increase from a single form entry school to a two form entry school. Single storey extension to existing classrooms (AMENDED PLANS).

Approve Subject to S106

Subject to a Section 106 Agreement

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Highways Improvement (local to the site) £6,000.00**
towards provision of waiting restrictions and school keep clear markings in Orange Hill Road to facilitate the proposed school.
- 4 **Highways Improvement (local to the site) £20,000.00**
towards the feasibility and provision of a crossing facility across Orange Hill Road in the close proximity of the site. This includes £5,000 for the feasibility study that would be needed to be carried out to ensure that a crossing is feasible.
- 5 **Requirement to submit Travel Plan £5,000.00**
Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan.

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: H/02986/12 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 3302 Issue A, 2040 Issue A, 2700 Issue G, TPP_01, Conservation Area Report, 2001 Issue A, 2302 Issue A, 2300 Issue A, 2200 Issue B, 2105 Issue A, 2104 Issue C, 2200 Issue B, 2302 Issue A, 2013 Issue A, Travel Plan, 2012 Issue A, 2011 Issue A, 2010 Issue C, Tree Constraint Plan, 2041 Issue F.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 Before the development hereby permitted commences, 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 character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4 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.

- 5 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 6 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 7 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 DM01 of the Adopted Barnet Development Management Policies DPD

(2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 8 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 9 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 10 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 11 No development or other operations shall commence on site in connection with the [demolition and] development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 12 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 in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 13 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 14 The non-residential development is required to meet the following generic environmental standard (BREEAM) and at a level specified at Section 6.11 of the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 15 Before the development hereby permitted is occupied the parking spaces in accordance with drawing No. 1134/2700 issue C shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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.

- 16 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with drawing No. 1134/2700 issue C. Such spaces shall be permanently retained thereafter.

Reason:

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.

- 17 The building shall not be occupied until a means of access for vehicles and pedestrians has been constructed in accordance with the Drawing No. 1134/2700 issue C.

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.

- 18 Before the development hereby permitted is occupied the drop off and pick up facility proposed within the site in accordance with drawing No. 1134/2700 issue C shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason:

In the interests 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.

- 19 No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason:

In the interests 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.

- 20 Before the development is occupied a School Travel Plan shall be submitted to and approved by the Local Planning Authority that meets the criteria in the Transport for London's guidance booklet "What a School Travel Plan should contain" and should include the appointment of a Travel Plan Champion. The Travel plan should be reviewed annually in accordance with the target set out in the Travel Plan.

Reason:

To encourage the use of sustainable forms of transport to 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.

- 21 Before the development hereby permitted is occupied the applicant shall submit information to secure the provision of minibus services as proposed by way of section 106 agreements or unilateral undertaking.

Reason:

To ensure that the proposed development does not prejudice highway safety.

- 22 Before the development hereby permitted is occupied, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not harm neighbouring amenity and to ensure that it complies with policy DM01 of the Adopted Development Management Policies 2012.

- 23 The number of pupils on the school and nursery role together shall not exceed 480.

Reason:

To ensure the Local Planning Authority has control of the number of children on site, in the interests of neighbouring amenity, in order to comply with policy DM04.

- 24 A scheme for acoustic fencing to the west and south playground boundaries 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) in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 25 Before the development hereby permitted is occupied, a management plan for the use of the playground as a pick up area shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with these details in all respects.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies 2012.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Core Strategy (2012) and Development Management Policies DPD (2012). In particular the following policies are relevant:
Core Strategy (Adopted) 2012: CS5, CS9, CS10, CS15.

Development Management Policies (Adopted) 2012: DM01, DM02, DM04, DM06, DM13, DM17.

Watling Estate Character Appraisal Statement.

ii) The proposal is acceptable for the following reason(s): -

The proposals would provide additional primary school places within the borough, and would not have a materially harmful impact on highway safety or trees of special amenity value. The proposals would preserve and enhance the character and appearance of the Watling Estate Conservation Area

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

iii) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

- 2 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway level by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Informative:

Orange Hill Road is part of Traffic Sensitive Route from 8.00am-9.30am and 4.30pm-6.30pm Monday-Friday.

- 3 For construction works adjacent to the public highways, the applicant must contact the council's First Contact on 0208 359 2000 for any necessary Highways Licenses.
- 4 The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section – Environment, Planning and Regeneration Directorate, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP

- 5 Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide 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.
- 6 The London Plan promotes electric vehicle charging points with 20% active and 10% passive provision and should be provided. The parking layout should include provision of electric charging points for all elements of the development.

RECOMMENDATION III

That if an agreement has not been completed by 05/05/2013, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application H/03017/12 under delegated powers for the following reason:

The development would require a legal undertaking to provide highway works in the vicinity of the development. In the absence of this, the development would harm highway and pedestrian safety, contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012.

1. MATERIAL CONSIDERATIONS

The Community Infrastructure Levy Regulations 2010

National Planning Policy Framework

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

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

The Core Strategy (CS) is now capable of adoption following receipt of the Inspector's Report in June 2012. The Inspector endorsed all the Council's modifications at EIP and found it sound and legally compliant. 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.

The Mayor's London Plan July 2011: 3.18, 5.3, 6.1, 7.4, 7.6

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.

Supplementary Planning Document: Sustainable Design and Construction

Watling Estate Conservation Area Character Appraisal Statement

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. 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).

The Core Strategy was adopted by the Council on September 11 2012.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15.

Development Management Policies (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. Therefore very significant weight should be given to the 18 policies in the DMP.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02, DM03, DM04, DM06, DM13, DM14, DM17.

Relevant Planning History:

Site Address: Menorah Grammar School Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566AA/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 05/11/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Second floor extension to provide offices ancillary to the first floor use as special needs classes.**
Case Officer: Deirdre Jackman

Site Address: MENORAH FOUNDATION SCHOOL 2 8 Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566Z/07
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 31/08/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Replacement of boundary fence and brick piers. Installation of electronic gates in place of existing manual gates.**
Case Officer: Deirdre Jackman

Site Address: MENORAH FOUNDATION PRIMARY SCHOOL 2 - 8 Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566Q/03
Application Type: Full Application
Decision: Withdrawn
Decision Date: 24/06/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Part single, part three-storey side extension to provide new entrance lobby and additional staff and classroom space.**
Case Officer:

Site Address: MENORAH FOUNDATION SCHOOL 2 8 Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566W/06
Application Type: To be confirmed
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **APPLICATION SUBMITTED IN ERROR. NFA**
Case Officer:

Site Address: MENORAH FOUNDATION SCHOOL 2- 8 Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566T/04
Application Type: Full Application
Decision: Withdrawn
Decision Date: 11/08/2004
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of single storey prefabricated classroom unit.**
Case Officer:

Site Address: Menorah Foundation Primary School Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566S/03
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/02/2004
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side extension, replacement windows, new access ramp and alterations to courtyard.**
Case Officer: Heidi Euzger

Site Address: Menorah Foundation School Abbots Road EDGWARE
Application Number: W03566J
Application Type: Full Application
Decision: Refuse
Decision Date: 22/10/1997
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey nursery building, parking for 2cars with access from Orange Hill Road.**
Case Officer:

Site Address: MENORAH FOUNDATION SCHOOL Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566X/06
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 08/11/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **First floor extension to create seminar/classroom space.**
Case Officer: Deirdre Jackman

Site Address: MENORAH FOUNDATION SCHOOL Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566P/02
Application Type: Retention/ Contin. Use
Decision: Refuse
Decision Date: 03/11/2003
Appeal Decision: Allow subject to conditions
Appeal Decision Date: 03/11/2003
Proposal: **Retention of extended fencing fronting Abbots Road and Orange Hill Road.**
Case Officer:

Site Address: MENORAH FOUNDATION SCHOOL Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566AC/07
Application Type: Conditions Application
Decision: Approve
Decision Date: 04/01/2008
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details for discharge of condition 4 (details of gates) of planning permission ref: W03566Y/07 dated 24.08.07.**
Case Officer: Louise Doran

Site Address: MENORAH FOUNDATION SCHOOL Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566R/03
Application Type: Retention/ Contin. Use
Decision: Finally disposed of
Decision Date: 21/11/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention of extended fencing fronting Abbots Road and Orange Hill Road.**
Case Officer:

Site Address: MENORAH FOUNDATION Abbots Road Edgware Middlesex HA8 0QS
Application Number: W03566Y/07
Application Type: Conservation Area Consent
Decision: Approve with conditions
Decision Date: 30/08/2007
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing front boundary fence and brick piers along Abbots Road**
Case Officer: Deirdre Jackman

Site Address: Menorah Foundation School, Abbots Road/ Orange Hill Road EDGWARE
Application Number: W03566K
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 16/01/1998
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Construction of single storey nurserybuilding with 2 off street parking spaces.**
Case Officer:

Site Address: Menorah Grammar School Abbots Road EDGWARE
Application Number: W03566L
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 01/07/1998
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Side extension at upper ground floor level.**
Case Officer:

Site Address: Menorah Foundation School Orange Hill Road EDGWARE
Application Number: W03566M

Application Type: Full Application
Decision: Approve with conditions
Decision Date: 24/03/1999
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Construction of single-storey nursery building with 2 off street parking spaces and relocation of vehicular access.**

Case Officer:

Site Address: Menorah Foundation School Orange Hill Road EDGWARE
Application Number: W03566N
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 29/06/1999
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey nursery building with 2 offstreet parking spaces with access from Orange Hill Road.**

Case Officer:

Site Address: Menorah Foundation School, Abbots Road, Edgware, Middx, HA8 0QS
Application Number: H/01978/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 27/07/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Installation of solar panels on roof of school. (Panels would be sited to the south-west of the roof of the building.)**

Case Officer: Graham Robinson

Site Address: Menorah Foundation School, 2-8 Abbots Road, Edgware, Middx, HA8 0QS
Application Number: 04341/08
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 12/01/2009
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Replacement of existing Crittall single glazed windows with new Crittall double glazed windows.**

Case Officer: Graham Robinson

Consultations and Views Expressed:

Neighbours Consulted: 153 Replies: 8
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- Traffic and parking - School does not properly manage this at present
- Can yellow lines be introduced?
- Noise pollution
- Will impact value of property
- How will emergency vehicles access?
- Removal of any grass verges and trees
- Building would be an eyesore

- Loss of privacy

Internal /Other Consultations:

- Traffic & Development - No objection subject to Section 106 agreement, comments within main report.

Date of Site Notice: 06 September 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is Menorah Foundation School, on Abbots Road.

To the east is Menorah Grammar School, which is part of the same building but forms a separate curtilage.

To the south, north and west are residential development, both are typical of the conservation area and also part of the former convent on Orange Hill Road.

The entire site is located within the Watling Estate Conservation Area.

Proposal:

The proposals are for demolition of single storey nursery, construction of two storey school classrooms and resource area, and new external landscaping and boundary wall. In association with increase from a single form entry school to a two form entry school. Single storey extension to existing classrooms.

The proposals would involve the relocation of the nursery further north towards the highway fronting Abbots Road. As part of these works, the grass verge fronting Abbots Road would be converted into a landscaped area forming part of the school. (This area is leased to the school from the Council.)

There would also be a single storey extension to the classrooms to the rear of the school.

Planning Considerations:

The main issues are considered to be:

- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would harm neighbouring amenity
- Whether the proposals would have an acceptable impact on trees of special amenity value
- Whether the proposals would preserve or enhance the character and appearance of the conservation area
- Whether the proposals would be acceptable in sustainability terms

In considering the application it should also be noted that the proposals would facilitate the extension of the school to take on an additional form entry. There is known demand for additional primary school places within the borough and this is an important benefit that needs to be weighed up against any harm caused by the development.

Policy context

Policy DM01: Protecting Barnet's character and amenity

- a. All development should represent high quality design which demonstrates high levels of environmental awareness and contributes to climate change mitigation and adaptation.
- b. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.
- c. Development proposals should ensure attractive, safe and, where appropriate, vibrant streets which provide visual interest, particularly at street level and avoid blank walls.
- d. Development proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime.
- e. Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.
- f. Development proposals for lighting schemes should not have a demonstrably harmful impact on residential amenity or biodiversity.
- g. Development proposals should retain outdoor amenity space having regard to its character.
- h. Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate
- i. Loss of houses in roads characterised by houses will not normally be appropriate
- j. Development proposals will be required to include hard and soft landscaping that:
 - i. Is well laid out in terms of access, car parking and landscaping
 - ii. Considers the impact of hardstandings on character
 - iii. Achieve a suitable visual setting for the building
 - iv. Provide an appropriate level of new habitat including tree and shrub planting
 - v. Make a positive contribution to the surrounding area
 - vi. Contributes to biodiversity including the retention of existing wildlife habitat and trees
 - vii. Adequately protects existing trees and their root systems
- k. 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

Policy DM02: Development standards

Where appropriate, development will be expected to demonstrate compliance with the following national and Londonwide standards supported by the guidance set out in the

council's suite of Supplementary Planning Documents:

1. By Design, the CABI urban design principles
2. Lifetime homes, the 16 design criteria required by the London Plan policy 3.8

3. Code for Sustainable Homes, the national standard for sustainable homes
4. BREEAM, the environmental assessment method for non residential development
5. Wheelchair accessibility, the London Plan policy 3.8
6. Minimum floor space, the London Plan policy 3.5
7. Outdoor amenity space, the Sustainable Design and Construction SPD
8. Secured by Design, the national Police initiative
9. Play space, the London Plan policy 3.6

Policy DM06: Barnet's Heritage and Conservation

- a. All heritage assets will be protected in line with their significance. All development will have regard to the local historic context.
- b. Development proposals must preserve or enhance the character and appearance of Conservation Areas in Barnet.
- c. Proposals involving or affecting Barnet's heritage assets set out in table should demonstrate the following:
 - the significance of the heritage asset
 - the impact of the proposal on the significance of the heritage asset
 - the impact of the proposal on the setting of the heritage asset
 - how the significance and/or setting of a heritage asset can be better revealed
 - the opportunities to mitigate or adapt to climate change
 - how the benefits outweigh any harm caused to the heritage asset
- d. There will be a presumption in favour of retaining all 1,600 locally listed buildings in Barnet and any buildings which makes a positive contribution to the character or appearance of the 16 conservation areas.
- e. Archaeological remains will be protected in particular in the 19 identified Local Areas of Special Archaeological Significance and elsewhere in Barnet. Any development that may affect archaeological remains will need to demonstrate the likely impact upon the remains and the proposed mitigation to reduce that impact.

Policy DM13 states that 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.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

The site currently operates a single form entry school. Menorah Foundation also has a separate Nursery building which is located to the west of the main building and has its own play area immediately adjacent.

Access for pupils and staff to the Primary School is achieved through a controlled entrance along the Abbots Road frontage. The school is at present a single form entry school with 278 pupils ranging in ages from 3 years to 11 years and 76 full and part time staff. The school also has a single class nursery provision with a separate access from Orange Hill.

The school currently has 15 parking spaces which are accessed from Abbots Road

which equates to 1 parking space for 5 members of staff.

Proposed Access Arrangement:

The proposed development consists of one new building added to the existing school. The new building will provide new classrooms while the existing building will largely remain as it is.

Proposed access on Orange Hill Road:

A new vehicle access point is created on Orange Hill Road. The access leads directly into a dedicated staff and visitor parking area with 13 parking spaces and also provides ramped access to the existing playground to the south. The playground will be modified to enable cars to collect in the playground at the end of the day for collection of pupils.

The main vehicle access to the site will be via Orange Hill Road with a secondary pedestrian access off Abbots Road which will also have limited car access and will provide a further 5 places. Cycle facilities will be provided at the Abbots Road access point.

Parking Provision:

The new parking arrangement provides 6 parking spaces off Abbots Road and 13 spaces off Orange Hill Road, totalling 19 car parking spaces. One of the spaces off Abbots Road will be allocated for disabled access.

The afternoon use of the south playground for collection will enable a further 40 cars to be brought onto site for the collection of pupils. The arrangement for this will be as follows.

The Proposal:

The proposal is to double the school's capacity from a Single Form Entry school to a Two Form Entry school.

The proposed expansion of the school will increase the school roll (including nursery) from 278 pupils to 480 pupils and 79 full and part time staff.

The analysis of the admissions for the last 3 years provided below by the school show that majority of the pupils came from post code areas NW4 and HA8 as indicated in the following table showing the nursery intake of sibling and non-siblings.

Menorah Foundation School

Location of applications for nursery for siblings and non-siblings

Postcode	2009				2010				2011			
	Number of siblings	Number of non-siblings	Total Number of applicants		Number of siblings	Number of non-siblings	Total Number of applicants		Number of siblings	Number of non-siblings	Total Number of applicants	
NW4	11	21	32	48%	13	19	32	56%	13	26	39	55%
NW11	3	9	12	18%	4	6	10	18%	1	4	5	7%
HA8	7	14	21	31%	3	6	9	16%	6	18	24	34%
N3	1	1	1	1%	0	1	1	2%	0	1	1	1%
WD6	0	2	2	3%	0	5	5	9%	2	0	2	3%
Total	22	47	67		20	37	57		22	49	71	

It is therefore likely that the future pupils will be from these catchment areas.

The school has proposed as part of the expansion the following arrangement to ensure that the impact on public highway is minimised.

1. The school will adopt measures to manage on street parking at drop off time in the morning. The school will continue to provide a member of staff to patrol both Abbots Road and Orange Hill Road to ensure no inconsiderate parking occurs. Though the “warden” will not have any statutory powers but if parents continue to park inappropriately or out-wait their stay then the school will be notified and take appropriate action.
2. The afternoon use of the south playground for collection will enable a further 40 cars to be brought onto site for the collection of pupils. The arrangement for this will be as follows. The procedure will be organised by the travel champion and staff and parent volunteers will administer the procedure on a daily basis.
3. The school has proposed staggered start times for pupils; the earliest start time will be 8.45 and the latest 9.15. This is to ensure that congestion is reduced and has minimum impact during the peak hours. Appropriate provision will be made for siblings whose start time is staggered.
4. The school has confirmed that it will continue to provide a member of staff to patrol both Abbots Road and Orange Hill Road to ensure no inconsiderate parking occurs.
5. Staff car sharing is currently in place. The school encourages car sharing and it is expected that with school expansion the opportunities for car sharing will increase.

6. Currently the school operates 3 minibus routes to Hendon NW4. The school proposes that as pupil numbers increase the school will target the pupils in the HA8 area. It is expected that the school will provide at least 6 minibuses each carrying 16 pupils once the school reaches its full size, resulting in almost 20% of pupils attending school by minibus.

Public Transport Accessibility (PTAL):

The PTAL Score for the site is calculated using Transport for London model as 3 which is considered a medium public accessibility level.

Observation on site shows that there may be a need for a crossing facility across Orange Hill to assist the parents and children to cross the road. At present this activity is taking place at various points and could result in danger to pedestrians.

Vehicles were also observed parked across the crossover to the school in Orange Hill Road. Therefore contributions are required in case there is a need to provide either a School Keep Clear markings across the proposed access point in Orange Hill Road or provision of waiting restrictions to ensure free flow of traffic.

Travel Plan:

A full Travel Plan will need to be provided. A contribution of £5,000 will need to be provided for the monitoring of the objectives of the Travel Plan.

Conclusion:

As the proposal is for expansion of the existing 1 form entry school to 2 form entry, it is likely that this may result in the intensification of use and therefore is likely to have the following detrimental impact on Orange Hill.

- The impacts of drop off/pick up activity taking place on public highway.
- Parents queuing up to turn into the site during drop off and pick up times may lead to congestion on Orange Hill Road.
- There is a lack of formal pedestrian crossing facility on Orange Hill Road in the vicinity of the site which may affect have a safety impact on road users.

Section 106 contributions as shown below will need to be secured to ensure that fund are available to implement any measures to mitigate the above issues if necessary.

S106 Contributions:

Contributions under S106 Agreement on commencement of development need to be provided as follows:

- A contribution of £6,000 towards provision of waiting restrictions and school keep clear markings in Orange Hill Road to facilitate the proposed school.

- A contribution of £20,000 towards the feasibility and provision of a crossing facility across Orange Hill Road in the close proximity of the site. This includes £5,000 for the feasibility study that would be need to carried out to ensure that a crossing is feasible.
- A sum of £5,000 will be required towards the monitoring of the proposed Travel Plan.

A total contribution of £31,000 would be required.

Whether the proposals would harm neighbouring amenity:

The proposals involve converting the school from a single form entry to a two form entry school.

The school is bounded by Orange Hill road which is a relatively busy road. The school site is bounded by residential properties to the south and west.

The existing use of the site as a school will generate a certain degree of noise and disturbance, through its general activity, comings and goings, and the use of play areas. With entrances and exits these are sited to the north, so properties on Abbots Road itself are most likely to be affected.

The playground is moderately sized and the boundary to residential properties offers some scope for boundary treatment.

The playground would be used by parents to pick up children after school. This would have the impact of reducing the number of cars waiting on surrounding roads. Given that it is only for a relatively short time during working hours it is not considered that any harm to neighbouring amenity would be material.

There is an existing school on the site, and whilst this would be used somewhat increased in intensity. The use of the playground during lunch hours would be staggered.

The use of the playground during lunch hours would be staggered as follows:

Activity	Play Start Time	Play End Time	Duration
Group ONE			
Start Lunch Break	12:00		
Eat Lunch in Hall	12:00 – 12:20		20 mins
Clear for Group Two	12:20 – 12:30		10 mins
Playtime		12:25 – 13:00	35 mins

		13:00	
Group TWO			
Start Lunch Break	12:30		
Eat Lunch in Hall	12:30 – 12:50		20 mins
Clear for Group Three	12:50 – 13:00		10 mins
Playtime		12:50 – 13:20	30 mins
Group THREE			
Start Lunch Break	12:30		
Eat Lunch in Hall	13:00 – 13:20		20 mins
Playtime		12:30 – 13:00	30 mins

Environmental Health officers consider that a condition for acoustic fencing, to cover the area around the pick up area, is justified due to the noise from the cars and from the increase of school children using the playground. It is also considered that a condition for a management plan to formally restrict the hours of use for the pick up area and to prevent car idling would help to minimise any noise and air quality issues regarding nearby residential premises.

Overall, whilst there may be some increase in terms of noise and disturbance through use of the playground, it is considered that this would not warrant refusal of the application.

Whether the proposals would have an acceptable impact on trees of special amenity value:

The proposals involve some works to the north-west corner of the site to create the new building. This area is close to the highway facing Abbots Road. There are 2no. trees under tree preservation order, and it also needs to be considered that all trees are within the conservation area and subject to protection. As a result of the works there would be some trees removed however these are not considered to be of great merit. However, the applicant has amended the proposals to try to ensure that minimal damage is caused to the two most notable trees (T3 Ash and T10 Hornbeam). Details will need to be provided including ground protection, tree protective fencing and additional planting.

Further details will be sought by condition but it is considered that it is unlikely that trees of special amenity value will be harmed as a result of the proposals.

Whether the proposals would preserve or enhance the character and appearance of the conservation area

As part of the proposals, a new building would be constructed to the north-west corner of the site.

There has been negotiations with the agent regarding the siting of window openings and the choice of materials. Initially there has been concern regarding the choice of terracotta cladding, that this would look somewhat bland. Having discussed this with the applicant, they have suggested that the materials could be customised to the Local Authorities satisfaction as a range of products are available. It is therefore suggested that a more appropriate mix of colour would be sought, and further details would be required by condition.

On the basis that the materials and colours shown on the plans are for illustrative purposes only, these details are considered acceptable.

It is considered that the proposals would preserve the character and appearance of the Watling Estate Conservation Area.

Whether the proposals would be acceptable in sustainability terms

The existing school has lift access and the bridge link would extend into the new area. The new building would provide an appropriate level of lighting and ventilation. There would be habitat trail to the south west of the playground as part of the new works.

The works are an extension to the school. It is considered that the proposals would be acceptable in sustainability terms.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Traffic and parking - School does not properly manage this at present - *The school would be required to legally enter into a travel plan in order to do this properly.*

Can yellow lines be introduced? - *This has been looked at by highway officers and is not considered justifiable. However other improvements are sought.*

Noise pollution - *This is addressed in the main report*

Will impact value of property - *This is not a material planning consideration.*

Generally issues raised have been addressed in the main report.

4. EQUALITIES AND DIVERSITY ISSUES

Under section 149 of the equalities act 2010, the Council has a duty to ensure that it behaves as follows:

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.

(b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

(c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic:

(b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

(c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

(a) Tackle prejudice

(b) Promote understanding

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

(7) The relevant protected characteristics are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

(8) A reference to conduct that is prohibited by or under this Act includes a reference to:

(a) a breach of an equality clause or rule;

(b) a breach of a non-discrimination rule.

(9) schedule 18 (exceptions) has effect.”

The likely equalities impacts of the development are as follows:

The site is an existing school and the proposals would provide additional form entry.

The school would provide additional places for the Jewish community. Existing pupils attending the school are principally from the Hendon, Golders Green and Edgware areas within the London Borough of Barnet.

Whilst the proposals are likely to result in additional vehicular movements, the scheme plans to mitigate these through management and highway improvements. Consequently, it is not considered that less able road users would be harmfully affected by the scheme.

The proposals would provide for additional pupils and there is known demand within the borough. It is not considered that other groups with protected characteristics would be disadvantaged as a result of the proposals.

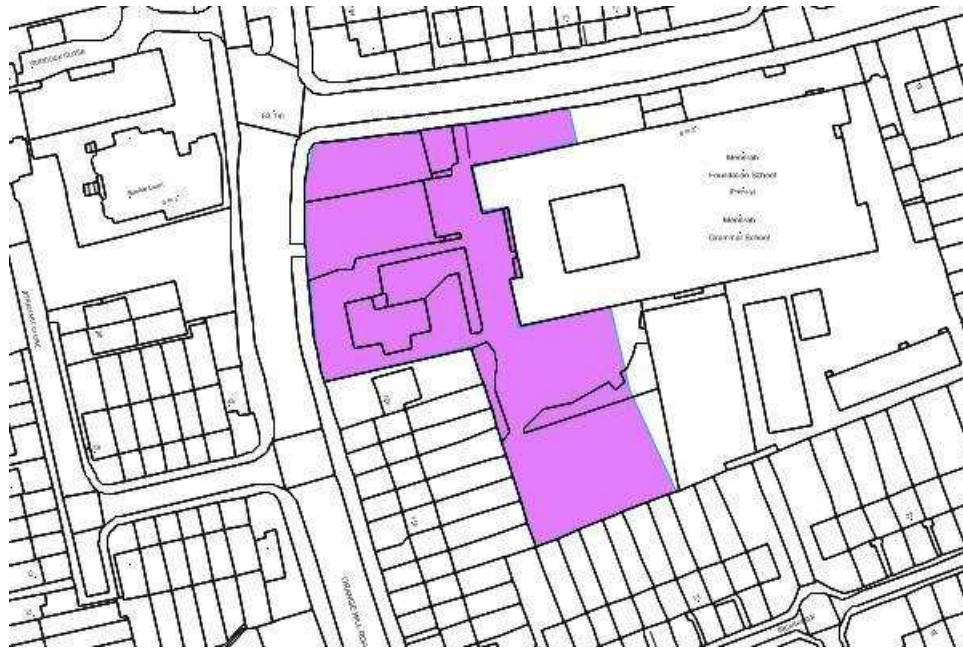
5. CONCLUSION

In weighing up the above considerations it should be noted that existing school facilities are deficient in terms of classroom areas and there would be benefits in terms of providing improvement classroom accommodation.

The application is recommended for **APPROVAL**.

**SITE LOCATION PLAN: Menorah Foundation School, Abbots Road,
Edgware, Middx, HA8 0QS**

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