

LOCATION: Site of former Inglis Barracks (Millbrook Park), Mill Hill East, NW7 1PZ

REFERENCE: H/04386/12 **Received:** 10 December 2012
Accepted: 10 December 2012

WARD: Mill Hill **Expiry:** 11 March 2013

APPLICANT: Corporate Programmes, London Borough of Barnet

PROPOSAL: Construction of a three storey primary school (3 forms of entry) with nursery, community facilities and associated works and landscaping, including staff parking, hard play and sports games area, retaining walls, drainage attenuation measures and provision of a temporary drop off car park.

RECOMMENDATION:

It is recommended that the Committee resolve to APPROVE the application subject to:

- 1) The application being referred to the Department for Communities and Local Government and no Direction being made by the Secretary of State to call in the application.
- 2) Subject to obtaining a decision from the Secretary of State's not to call in the application in accordance with sub-paragraph 1) above, the Assistant Director of Planning and Development Management be instructed to APPROVE application reference H/04386/12 under delegated powers and grant planning permission subject to the following conditions:

1. Time Limit

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. Approved Plans

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

497-L-001 (Rev C); 497-L-100 (Rev G); 497-L-110 (Rev E); 497-L-120 (Rev C); 497-L-200 (Rev D); 497-L-301 (Rev G); 497-L-302 (Rev C); 497-A-020 (Rev A); 497-A-021 (Rev A); 1037-001 (revision R); 1037-004 (revision F); 1037-010 (revision K); 1037-011 (revision J); 1037-013 (revision J); 1037-015 (revision D); 1037-016 (revision E); 1037-017 (revision B); 1037-019 (revision C); 1037-020 (revision B); 1037-030 (revision N); 1037-031 (revision H); 1037-033 (revision H); 1037-201 (revision C); and 1037-202 (revision B)

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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

3. Levels

Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence unless and until details of the levels of the proposed buildings, roads, footpaths, means of enclosure and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before the development is occupied.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

4. Materials

Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence unless and until details and appropriately sized samples of the materials to be used for the external surfaces of the buildings, means of enclosure, hard surfaced areas and other structures shall have been submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in accordance with such details as so approved before the development is occupied.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan 2012 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

5. Contaminated Land (Part 1)

Before development commences other than for investigative work:

- a. A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.-
- b. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
 - a risk assessment to be undertaken,
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

- c. If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policy DM04 of the Barnet Local Plan and policy 5.21 of the London Plan 2011.

6. Contaminated Land (Part 2)

Where remediation of contamination on the site is required (in accordance with condition 5 of this consent) completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policy DM04 of the Barnet Local Plan 2012 and policy 5.21 of the London Plan 2011.

7. Details of Ventilation and Extraction Equipment

Before the development hereby permitted is occupied details of all extraction and ventilation equipment to be installed at the development shall be submitted to and approved by the Local Planning Authority. Ventilation and extraction equipment shall be implemented at the development in full accordance with the approved details before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

8. Noise from Site Plant

The level of noise emitted from the plant installed as part of the development 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 constructed under reserved matters applications in relation to the outline planning permission granted for the Former Inglis Barracks site (with Barnet application reference number H/4017/09). 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 constructed under reserved matters applications in relation to the outline planning permission granted for the Former Inglis Barracks site (with Barnet application reference number H/4017/09).

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of future neighbouring properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

9. Noise Report

Before the development hereby permitted is occupied a report shall be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval that assesses the likely noise impacts from the ventilation and extraction plant to be installed as part of the development. The report shall also clearly outline mitigation measures proposed to reduce these noise impacts to acceptable levels. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before the development is occupied.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

10. Tree Protective Fencing

Before the development hereby permitted is commenced temporary fencing shall be erected around existing trees at the site which are to be retained in accordance with details that have been previously submitted to and agreed in writing by the Local Planning Authority. The details shall conform with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. This fencing 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 trees which represent an important amenity feature in accordance with policies DM01 of the Barnet Local Plan 2012 and policy 7.21 of the London Plan 2011.

11. Services in Relation to Trees

Prior to commencement of the works to implement the site drainage and buried services installations details of the location, extent and depth of all excavations for drainage and other services in relation to trees to be retained shall be submitted and approved by the Local Planning Authority and the development 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 Barnet Local Plan 2012 and policy 7.21 of the London Plan 2011.

12. Method Statement – Trees

No site works or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 of British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations* and a method statement detailing precautions to minimise damage to trees in accordance with

Section 6.1 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 Barnet Local Plan 2012 and policy 7.21 of the London Plan 2011.

13. Tree Works – Detailed Specification

Prior to the commencement of the development hereby approved 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 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 Barnet Local Plan 2012 and policy 7.21 of the London Plan 2011.

14. Landscaping - Details

Prior to the commencement of the development a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping submitted shall include but not be limited to the following:

- The position of any existing trees and hedges to be retained or removed;
- new tree, hedge and shrub planting including species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser;
- existing contours and any proposed alterations such as earth mounding;
- hard landscaping works and artificial surfaces to be created including details of proposed materials, samples and details of special techniques to be taken to minimise damage to retained trees and provide conditions appropriate for new plantings;
- timing of planting; and
- all proposed boundary treatments, fencing or other means of enclosure to be erected at the site.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

15. Landscaping - Implementation

All work comprised in the approved scheme of hard and soft landscaping (submitted under condition 14 of this consent) shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the development, whichever is sooner.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

16. Landscaping - Maintenance

Any existing tree or hedge shown to be retained or trees, hedges or shrubs to be planted as part of the approved landscaping scheme (submitted under condition 14 of this consent) 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 and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

17. Car Parking

Before the development hereby permitted is occupied parking spaces shall be provided at the school site (excluding the temporary car park) in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority. The parking spaces provided at the school site (excluding the temporary car park) shall not be used for any purpose other than the parking and turning of vehicles in connection with 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 policies CS9 and DM17 of the Barnet Local Plan.

18. Cycle Parking

Before the development hereby permitted is occupied cycle parking facilities shall be provided at the site in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities provided at the site shall not be used for any purpose other than the parking of cycles in connection with approved development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of cycles in accordance with policies CS9 and DM17 of the Barnet Local Plan.

19. Disabled Parking

Notwithstanding the details shown in the plans submitted and otherwise hereby approved, before the development is brought into use or occupied disabled parking spaces shall be provided at the site and clearly marked with a British Standard disabled symbol where appropriate in accordance with details that have previously been submitted to the Local Planning Authority and agreed in writing. The disabled parking spaces provided at the site shall not be used for any purpose other than the parking and turning of vehicles used by disabled persons in connection with approved development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of disabled vehicles in the interests of pedestrian and highway safety and the free flow of traffic and in accordance with policies CS9 and DM17 of the Barnet Local Plan.

20. Temporary Car Park Provision

Before the temporary car park hereby permitted is commenced details, plans (with a scale of not less than 1:200) and specifications for of the following aspects of the temporary car park hereby permitted shall have been submitted to the Local Planning Authority and approved in writing:

- All hard and soft surfaces and landscaped areas to be provided.
- The car parking capacity to be provided.
- All drainage infrastructure to be installed.
- All means of enclosure to be erected.

The temporary car park shall be implemented in full accordance with the details as so approved prior to the first occupation of the development and be retained in place until such times as details of suitable alternative transport measures to be provided and a timescale for their provision have been submitted to the Local Planning Authority and approved in writing.

Reason:

To ensure the temporary car park is safe and has an appropriate design and to make certain that suitable transport arrangements are provided for the school development in accordance with policies DM01, CS9 and DM17 of the Barnet Local Plan.

21. Vehicular and Pedestrian Access

Notwithstanding the details shown in the plans submitted and otherwise hereby approved, before the development hereby permitted is commenced a scheme showing details of the size, siting, dimensions and other relevant construction details of the roads, footways and pedestrian and vehicular access points provided as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to its first occupation.

Reason:

To ensure that satisfactory and safe pedestrian and vehicular access is provided for the development in accordance with policies DM01, CS9 and DM17 of the Barnet Local Plan.

22. Access to the Site

Before the development hereby permitted is occupied or brought into use the highway, road and footpath infrastructure to provide access to the site and connect it into the surrounding road network shall be provided in accordance with the details submitted and approved under application reference H/04606/12 or alternative details that have been previously submitted to the Local Planning Authority and approved in writing.

Reason:

To ensure that satisfactory and safe pedestrian and vehicular access is provided for the development in accordance with policies DM01, CS9 and DM17 of the Barnet Local Plan.

23. Refuse Indemnity Waiver

Prior to the first occupation of the development hereby permitted a Waiver of liability and indemnity agreement must be signed by the relevant parties and be submitted to and approved in writing by the Local Planning Authority. The Waiver of liability and indemnity agreement submitted shall indemnify the Council against any claims for consequential damage caused to private roads arising from and/or in connection with the collection of waste by the Council from the premises.

Reason:

To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with policies CS9 and DM17 of the Barnet Local Plan.

24. Delivery and Servicing Plan

Before the development hereby permitted is occupied a full Delivery and Servicing Plan (DSP) providing details of the delivery and servicing arrangements for the school shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in full accordance with the DSP as approved in perpetuity.

Reason:

In the interest of highway safety in accordance with policies CS9 and DM17 of the Barnet Local Plan.

25. Car Parking Management Plan

Prior to the occupation of the development hereby permitted a Car Parking Management Plan (CPMP) shall be submitted to and approved in writing by the Local Planning Authority. The CPMP submitted shall provide the following details for all parking facilities shown in the approved plans:

- The allocation of car parking facilities, including disabled parking spaces.
- On site parking controls to be used.
- Electric vehicle charging points to be provided.
- Measures for the enforcement of unauthorised car parking and cycle parking.

The development shall be implemented and occupied in full accordance with the approved Car Parking Management Plan or any subsequent revision of it submitted and approved under this condition following the removal of the temporary car park.

Reason:

To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with policies CS9 and DM17 of the Barnet Local Plan.

26. School Travel Plan

Three months prior to the first occupation of the development hereby approved a School Travel Plan (STP) that meets the most recent Transport for London School Travel Plan criteria, as detailed in the document 'What a School Travel Plan should contain', shall be submitted to and approved in writing by the Local Planning Authority. The document, and all subsequent revisions of it, shall adhere to the Section 106 Agreement, conditions and framework Travel Plan which formed part of application reference H/04017/09 (Barnet Local Planning Authority application reference number for the Former Inglis Barracks site planning application) and the previously submitted outline School Travel Plan. The STP will set out the school's transport policy to

incorporate measures to reduce trips to school by the private car and encourage non car modes such as walking, cycling and public transport. The School Travel Plan should include the appointment of a School Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The STP Champion shall be appointed at least 3 months prior to occupation of the development and a STP Champion shall remain in position for the life of the STP.

Monitoring of the approved STP shall be completed in line with Transport for London's 'standardised approach to monitoring' with consultation completed with pupils and their families, staff, Governors and other stakeholders within 6 months of the occupation of the development and an annual 'hands up' survey with staff and pupils completed within 3 months of occupation of the development and annually thereafter. The School Travel Plan shall be reviewed annually and the updated document submitted to and approved by the Local Planning Authority annually until at least 5 years after full occupation of the school. Following the annual STP reviews the STP shall be revised to incorporate any comments made by the Local Planning Authority within 6 weeks of these being provided. The STP shall attain at least Bronze (Sustainable) Level in the Transport for London STAR (Sustainable Travel Accredited and Recognised) accreditation scheme or its future replacement within 2 years of occupation and at least Silver (Higher Standards) level of STAR or its future replacement within 3 years of occupation, retaining at least Silver level for the lifetime of the STP.

Reason:

To encourage the use of sustainable forms of transport to the site in accordance with policies CS9 and DM17 of the Barnet Local Plan.

27. Community Travel Plan

Before the development hereby permitted is occupied a Community Travel Plan shall be submitted to and approved by the Local Planning Authority. The Community Travel Plan submitted shall include the appointment of a Travel Plan coordinator. The Community Travel plan shall be reviewed annually in accordance with the targets set out in the Community Travel Plan.

Reason:

To encourage the use of sustainable forms of transport to the site in accordance with policies CS9 and DM17 the Barnet Local Plan.

28. Hours of Use

The development hereby permitted shall only be occupied or in use between the hours of 7.00am and 9.00pm on a Monday, Tuesday, Wednesday, Thursday or Friday and between the hours of 9.am and 6.pm on a Saturday, Sunday or Bank Holiday or in accordance with other times previously specified in and agreed by the Local Planning Authority as part of the Community Use Agreement submitted under condition 29 of this consent.

Reason:

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

29. Community Use Agreement

Prior to first occupation of the school hereby permitted a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The

Community Use Agreement submitted shall include, but not be limited to, details of the following:

- (i) Hours of opening for the different sporting and community facilities provided at the site.
- (ii) Pricing policy on charging for use of the facilities provided at the site.
- (iii) Policy on access and availability to the sites facilities for non school users and non members.
- (iv) Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement.
- (v) Parking arrangements for users of the site.
- (vi) Code of conduct for users of the site.

The development shall be occupied in full accordance with the approved Community Use Agreement.

Reason:

To secure well managed access to the sports and community facilities provided by the scheme and to ensure sufficient benefit to the development of sport in accordance with policies CS7, CS10 And DM15 of the Barnet Local Plan and policy 3.19 of the London Plan.

30. Pitch and Multi Use Games Area Markings

Prior to the first occupation of the development hereby approved the All Weather Pitch and Multi Use Games Areas shown in the approved plans shall be provided at the site and marked out in accordance with details that have been previously submitted to the Local Planning Authority and approved in writing.

Reason:

To ensure sufficient benefit to the development of sport in accordance with policies CS7, CS10 And DM15 of the Barnet Local Plan and policy 3.19 of the London Plan.

31. BREEAM 'Very Good' standard

The development hereby approved shall be implemented to achieve not less than a standard of 'Very Good' using the BREEAM assessment of sustainability for development (or an equivalent standard in such measure of sustainability which may replaces that scheme). The development shall not be occupied until formal certification has been issued confirming that not less than a standard of BREEAM 'Very Good' has been achieved and this certification has been submitted to the Local Planning Authority.

Reason:

To ensure that the development is sustainable and in accordance with policy DM02 of the Barnet Local Plan 2012 and policy 5.3 of the London Plan 2011.

32. Photovoltaic Panels and Solar Thermal Technology

Before the development hereby permitted commences full details of the proposed photovoltaic panels and solar thermal technology to be installed as part of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved photovoltaic and solar thermal systems and technologies shall be installed in the development in accordance with the approved details and be fully operational prior to the occupation of the building and thereafter permanently maintained in accordance with the approved details.

Reason:

To ensure that the development represents a sustainable form of development in accordance with policy DM04 of the Barnet Local Plan and policies 5.2 and 5.7 of the London Plan.

33. Site Wide District Energy Network Connection

Prior to the commencement of the development hereby approved details of the infrastructure that the scheme will provide on the site to allow a future connection to a possible district heating network constructed as part of development associated with that carried out under Barnet application reference H/04017/09 shall have been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to its first occupation.

Reason:

To ensure that the development represents a sustainable form of development in accordance with policy DM04 of the Barnet Local Plan.

34. Refuse Storage and Collection

Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:

- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. satisfactory points of collection; and
- iii. details of the refuse and recycling collection arrangements

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policy DM01 of the Barnet Local Plan.

35. Hours of Construction

No construction work in relation to the development hereby approved shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

36. Construction Management and Logistics Plan

Prior to the commencement of the development hereby approved a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- Details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- site preparation and construction stages of the development;
- a Site Waste Management Plan and details of provisions to be made for recycling of materials.
- The provision on site of a storage/delivery area for all plant, site huts, site facilities, waste and materials.
- details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- noise mitigation measures for all plant and processors;
- details of contractors compound and car parking arrangements;
- details of interim car parking management arrangements for the duration of construction; and
- details of a community liaison contact for the duration of all works associated with the development.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety a sustainable waste management in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

37. Removal of Permitted Development Rights

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

Reason:

To enable the local planning authority to retain control over these matters in the interests of controlling the intensity of use and safeguarding the appearance of the locality, in accordance with policy DM01 of the Barnet Local Plan 2012 and policies 7.4, 7.16 of the London Plan 2011.

38. Secure By Design

Prior to the first occupation of the development hereby approved a scheme of measures that the school (excluding the temporary car park) will incorporate to achieve the standards necessary for a proposal of this nature to achieve accreditation under the national Police initiative 'Secure By Design' shall have been submitted to the Local Planning Authority and approved in writing (in consultation with the Metropolitan Police). The development shall be implemented in full accordance with the approved scheme of measure prior to its occupation.

Reason:

To ensure that the development has a suitable design in respect of safety and security and to accord with policies DM01 and DM02 of the Barnet Local Plan.

39. Security Measures – Temporary Car Park

Prior to the first occupation of the development details of the safety and security measures to be installed at the temporary car park approved as part of this application shall have been submitted to the Local Planning Authority and approved in writing (in consultation with the Metropolitan Police). The development shall be implemented in full accordance with the approved details prior to its first occupation.

Reason:

To ensure that the development has a suitable design in respect of safety and security and to accord with policies DM01 and DM02 of the Barnet Local Plan.

40. Biodiversity Enhancement

Prior to the commencement of the development details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures relating specifically to bats, reptiles and great crested newts. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

Reason:

To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

41. Breeding Bird and Bat Mitigation

Prior to the commencement of the development or the carrying out of any site clearance works, details comprising a scheme of measures to be put in place to ensure that the clearance of the site and construction of the development hereby approved does not harm breeding birds or bats shall be submitted the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the approved scheme of measures.

Reason:

To ensure that the development meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policy 7.19 of the London Plan.

42. External Lighting

No temporary or permanent external lighting, floodlighting or other means of external illumination shall be erected in connection with the development hereby approved except in accordance with a detailed External Lighting Scheme that been previously submitted to the Local Planning Authority and approved in writing.

Reason:

To enable the local planning authority to retain control external lighting in the interests of the amenities of the adjoining properties and biodiversity in accordance with policy DM01 of the Barnet Local Plan.

43. No Telecommunications Equipment

Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority:

- The installation of any antenna, satellite dishes or other apparatus for purposes relating to telecommunications on any part the roof of the building hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason:

To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policy DM01 of the Barnet Local Plan.

44. Petrol and Oil Interceptors

Prior to the commencement of the development details of the petrol and oil interceptors to be provided in the temporary and permanent car parking areas or an explanation of why interceptors are not necessary in a particular instance shall have been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in accordance with the approved details prior to the first occupation of the school.

Reason:

To prevent pollution from oil and petrol in accordance with policies CS13 and DM04 of the Barnet Local Plan.

45. Drainage

No construction associated with drainage works on this development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme submitted shall demonstrate that the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The drainage scheme shall be implemented in accordance with the approved details before the development is completed. The surface water drainage scheme submitted shall include:

- 3000m³ storage underneath the school pitch to provide attenuation for the wider Millbrook Park development, but not the school, (as stated in the Technical Note reference: 5106655, dated 12 November 2012) and runoff from the tank is to be limited to 97.5l/s up to the 1 in 100 year plus climate change event (as stated in the Technical Note reference: 5106655, dated: 22 Jan 2012).
- The swale on the school site to provide attenuation for the application site (school) and runoff is to be limited to no greater than 13l/s/ha up to the 1 in 100 year plus climate change event.
- Details of how the scheme shall be maintained and managed after completion.

Reason:

To prevent the increased risk of on and off site flooding in accordance with Local Plan policy DM04.

INFORMATIVES:

The informatives that it is recommended be included on the decision notice in respect of this application are set out in **Appendix 3** of this report. These include (as the first informative) a summary of the reasons for granting planning permission for this development and the relevant development plan policies taken into account in making this decision.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (published July 2011) and the development plan level documents in the Barnet Local Plan. The relevant documents in the Barnet Local Plan with development plan status are the Core Strategy, Development Management Policies Document (both adopted September 2012) and the Mill East Area Action Plan (adopted January 2009). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

The London Plan

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.16

(Protection and Enhancement of Social Infrastructure); 3.18 (Education Facilities); and 3.19 (Sports Facilities)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.16 (Green Belt); 7.18 (Protecting Local Open Space and Addressing Local Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy, Development Management Policies documents (both adopted in September 2012) and the Mill East Area Action Plan (adopted January 2009). The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)
CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)
CS5 (Protecting and enhancing Barnet's character to create high quality places)
CS7 (Enhancing and protecting Barnet's open spaces)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive and integrated community facilities and uses)
CS11 (Improving health and well being in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)
DM06 (Barnet's Heritage and Conservation)
DM13 (Community and education uses)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Mill Hill East Area Action Plan (Adopted 2009):

MHE1 (Mill Hill East Area for Intensification)
MHE3 (Employment)
MHE4 (Community Facilities, Shops and Services)
MHE7 (Green Spaces)
MHE8 (Children's Play Space)
MHE9 (Protection of Green Belt & Biodiversity)
MHE10 (Making the Right Connections)
MHE11 (Improvements to the External Highways Network)
MHE12 (Sustainable Transport)
MHE13 (Parking)
MHE14 (Creating a Sustainable Development)
MHE15 (Design)
MHE16 (Delivering Design Quality)
MHE18 (Delivering the AAP)
MHE19 (Planning Obligations)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Contributions to Education from Development (February 2008)
Sustainable Design and Construction (June 2007)
Draft Sustainable Design and Construction (November 2012)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

1.2 Relevant Planning History and the Outline Planning Permission

The London Borough of Barnet (LBB) and the Mayor of London have designated the Mill Hill East area as an Area of Intensification in the London Plan and Barnet Local Plan respectively. The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; IBSA house; the Council Depot and recycling centre; Bittacy Court; the Scout Camp and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The site was first highlighted as an area appropriate for redevelopment in the London Plan in 2004. This was primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involved the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008. To support the redevelopment of the area the Mill Hill East Area Action Plan (AAP), focusing primarily on the former Inglis Barracks site, was produced. The aim of the AAP was to ensure that development would take place in a balanced and coordinated manner. To achieve this the AAP set out a comprehensive framework to guide the delivery of housing covering employment, community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

Policy MHE5 of the AAP identifies that a two form entry primary school with playing fields on a site of around 1.7 hectares in size will be required as a minimum as part of the comprehensive development of Mill Hill East. It also notes that this requirement may vary depending on the needs arising from the development.

A fuller summary of the key relevant planning application history for this site is set out in **Appendix 1** of this report. Of particular significance is the approval of outline planning permission for a new two form entry primary school on part of the land covered by the current application. This was granted consent in September 2011, as part of the proposals approved under the application (reference number H/04017/09) for the comprehensive redevelopment of the wider site. The reserved matters applications (application reference numbers H/04606/12 and H/00480/12) for the infrastructure which would support the development sought under this application are also relevant. These are discussed in greater detail below.

1.3 Consultation and Views Expressed

Public Consultation

A total of **750** local properties and other bodies were consulted on the application by letter and email in December 2012. The application was also advertised on site and in the local press at that time. Responses to the comments received are provided in the relevant section of the committee report.

Number of Responses from Residents

1 response objecting to the proposal was received. The objector did not request to speak at committee. **1** response was also received confirming that the respondent had no objection to the proposal. No responses supporting the proposal were received.

Comments from Residents

The comments made in the objection received to the application can be summarised as follows:

- The school should be located further to the north in the middle of the site and catchment area.

- The further south the site is located the further pupils will have to walk and the greater the likelihood that some will be driven to school. The school should be located where no parking journeys or parking need to take place.
- Frith Lane is impossible at school times and further traffic will make it worse.

Comments from Local Associations and Societies

Mill Hill Preservation Society:

Have responded to the consultation and **objected** to the application. The comments made can be summarised as follows:

- The school should follow the Design Code approved for the outline planning permission and fails to do so.
- The proposal should incorporate a green/brown roof.
- A bus route would need to pass the school with appropriate stopping points.
- The school playing fields are enclosed and as such do not provide accessible open space.
- Facilities, such as adult changing rooms, needed for community use of the playing fields have not been provided.
- The proposal does not exhibit the design qualities and landmark building features need to meet the requirements of the Design Code. Generally the design proposed shows little account has been taken of the suburban and Mill Hill context of the site.
- The materials (bricks and window frames) proposed are too dark and not in keeping with the palette of materials shown in the Design Code.
- The hours of use proposed are limiting given the use of the facilities by the community.
- There are no facilities for a caretaker or storage space for outdoor games equipment.
- Generally parking issues have not been adequately resolved and the associated car borne traffic will cause issues in the area.
- More specifically, the proposal has insufficient permanent car parking for staff, they are concerned about the change over point when the temporary car park is removed and the impact this will have on traffic and congestion and find the number of drop off points outside the school to be inadequate.
- The design of the cycle parking is inadequate and will cause safeguarding issues.
- The submission is not clear on the potential entry routes for pupils into the school and some options shown could cause issues.
- The head teacher and board of governors who will run the school should be involved in its design.
- The submission is inconsistent in places.
- The routes to some external areas are not clear and cross through other activity areas.
- Covered areas are required for the reception and nursery outdoor play areas and none are shown.
- The landscaping proposals for the retaining wall may be unrealistic and this is important as they are an essential part of the design.

Consultation Responses from Statutory Consultees and Other Bodies

Greater London Authority (GLA):

Have responded and stated that they conclude the proposal does not raise any new strategic planning issues over and above those considered with regard to the outline planning permission for the residential led mixed use development of the Inglis Barracks site. They have confirmed that the Mayor of London does not need to be consulted further on the application and that the Council may determine it without further reference to the GLA. The GLA have also noted that the concerns raised by Transport for London (set out below) should be taken into account by the Council when making its decision.

Transport for London (TfL):

Have responded to the consultation and **objected** to the application. The comments made can be summarised as follows:

- Need to review of modelling submitted to enable a like for like comparison between the consented and proposed scheme.
- The provision of a temporary car park for school pick-up and drop-off is not supported. Is considered that this would lead to an increase in traffic on the local highway network and that alternative travel arrangements for pupil should be sought which would restrain car based trips and minimise highway and traffic impacts to the local highway network.
- Concerned about the amount of vehicles to be parked on the perimeter road and adopted public highway post the removal of the temporary car park. This may cause disruption to buses and parking controls on adopted public highway are therefore requested.
- Details of walking routes and pedestrian facilities between the school and local amenities should be provided.
- Conditions or obligations should be used to secure appropriate Construction and Logistics Plan; Delivery and Servicing Plan; and Travel Plan.
- The cycle parking, disabled parking and electric vehicle charging point provision for the site should be confirmed.
- The applicant should address the issues raised to ensure that the proposal is London Plan compliant and would not result in significant impacts to the local highway network and public transport services.

A full response to the comments made by TfL is provided in section 2.8 of this report.

Sport England:

Have responded to the consultation and **objected** to the application. The reasons for their objection are set out below in section 2.2 of this report.

A full response to the comments made by Sport England is also provided in section 2.2 of this report.

Highways Agency:

Have responded and confirmed that they have no objection to the application.

Environment Agency:

Have responded to the consultation and have not raised any objections to the proposal. They have requested that a condition be placed on any consent requiring details of the surface water drainage scheme for the site to be submitted to the Local Planning Authority for approval.

London Fire and Emergency Planning Authority:

Have responded to the consultation and confirmed that they have no objections to the proposal.

Metropolitan Police Service:

Have responded to the consultation and confirmed that they have no objection to the application subject to the conditions recommended requiring the implementation of the development in accordance with the principles of Secured by Design.

Natural England:

Have responded to the consultation and have not raised any objections to the proposal. Natural England has recommended that biodiversity mitigation measures are sought for bats

and that biodiversity enhancement measures are sought for great crested newts and reptiles. Conditions requiring these measures have therefore been recommended.

Thames Water:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent.

National Grid:

Have responded to the consultation and confirmed that they have no objection to the proposal and would not ask that conditions are placed on any grant of consent.

Internal Consultation Responses

Traffic and Development Team:

The Traffic and Development Team response is set out in greater detail in section 2.8 of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions they have no objections to the development and find the proposal to be acceptable in respect of traffic, parking and highways related matters.

Children's Services:

The Children's Service supports the application. They have confirmed that the demand from new residential development across Mill Hill East, combined with the pressure on primary school places currently being experienced and projected to continue as a result of other factors, make them confident that there is the need for a three form entry primary school with a 39 place (full time equivalent) nursery in the area. More detailed information on the demand for school places is provided below.

Environmental Health Service:

The Environmental Health Service response is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions in respect of air quality, contaminated land and noise they raise no objection to the development.

Street Lighting Team:

Have confirmed that the area is not to be adopted by the Council and that this limits the scope of their remit to comment. However, they have indicated that on the basis of the information provided they would not anticipate problems with light spill impacting on residents and also that the lanterns proposed do limit light spill.

Highways Drainage Team:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed on any consent that is granted.

1.4 Referral to Secretary of State

The Town and Country Planning (Consultation) (England) Direction 2009 sets out when a Local Planning Authority in England is required to consult the Secretary of State before granting planning permission for certain types of development.

The Direction applies to any application for planning permission which:

- (a) is for Green Belt development, development outside town centres, World Heritage Site development, playing field development or flood risk area development; and
- (b) is received by a planning authority on or after 20 April 2009.

Paragraph 7 of the Order states that for the purposes of the Direction, “playing field development” means development of a description where –

- (a) the land (or any part of the land) which is the subject of the application –
 - (i) is land of a local authority; or
 - (ii) is currently used by an educational institution as a playing field; or
 - (iii) has at any time in the five years before the application is received been used by an educational institution as a playing field; **and**

- (b) the English Sports Council (“Sport England”) has been consulted pursuant to article 10(1) of the Order, and has made representations objecting to the whole or part of the development on one or more of the following grounds –
 - (i) that there is a deficiency in the provision of playing fields in the area of the local authority concerned;
 - (ii) that the proposed development would result in such a deficiency; or
 - (iii) that where the proposed development involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which would be lost.

Assessment

The majority of the 2.19 hectares which makes up the application sites constitutes land which has formerly (within the last year) been used as playing field. The land is not presently owned by the Council outright. However, site is land in which the Council has a property interest, through its membership of the Inglis Consortium. This is the group which submitted the application (reference H/04017/09) to redevelop this site and the wider area (now known as ‘Millbrook Park’). The application site is considered to constitute ‘playing field development’ as specified under paragraph 7 of the Town and Country Planning (Consultation) (England) Direction 2009.

Sport England has been consulted on the application and they have responded raising objections to the application (set out in greater detail below). With a formal objection from Sport England the application is required to be referred to the Department for Communities and Local Government to enable the Secretary of State to decide whether or not they wish to call the application in for determination.

1.5 Demand for School Places in Mill Hill

The outline planning permission granted for the wider Mill Hill East development in 2011 (application reference H/04017/09) and the Mill Hill East Area Action Plan, both of which cover this area, envisaged the provision of a two form entry primary school and nursery on the site. However, in the time since the original negotiations on the appropriate number of school places for the outline planning permission took place in 2007 there has been a significant increase in the school rolls in the Mill Hill area. To date increasing demand in the area has been met through the provision of temporary classes. However, this is not a sustainable approach and the provision of permanent additional capacity is required to meet the existing demand and sustained growth in primary aged pupil numbers projected. Demand arises from two sources, demand from the new developments taking place in the area and demand from births and migration.

Depending on the approach used, the primary school aged child yield figures arising from the development supported by the Mill Hill East Area Action Plan range from 317 children (which is likely to be an underestimate) up to 640 children (which is the top end of what could

be expected). Projections of population growth in the Mill Hill Ward due to new development in the area estimate a growth of 600 primary school aged children by 2021.

In terms of births, there has been an overall increase across the Mill Hill area (post codes NW7 1, NW7 2, NW4 1 and N3 1), which has generated greater demand for school places over the recent years. As an example, 100 more children were born in this area over 2007/08 (cohort due to enter reception in 2012/12) than in 2002/03 (cohort which entered reception in 2007/08). This demand is expected to continue and 40 more children were born into the cohort due to enter reception in September 2014 than the cohort which entered reception in 2011.

In terms of school places specifically it is currently estimated that in the Mill Hill Ward there will be a deficiency of 90 reception places by 2018. This would equate to three forms of entry. It is also of note that demand is anticipated to rise to an extent that four forms of entry would be needed in the Ward. Because of its geographical location it is also relevant to consider the demand for primary school places across the Finchley Church End and West Finchley Wards. Mill Hill East is actually geographically closer to these two Finchley Wards than it is to many parts of Mill Hill. Taking these three Wards together there was a deficit of 30 reception aged places (1 form of entry) in 2012. This is projected to increase to a deficit of 120 reception aged places (4 forms of entry) by a time between 2016 and 2018. The proposed 1 form expansion of Moss Hall Infants and Junior School could meet part of this demand, but a further 3 forms of entry would still be required to meet anticipated demand across the 3 Wards.

In summary, the Council's Children's Service has confirmed that the demand from new residential development across Mill Hill East, combined with the pressure on primary school places currently being experienced and projected to continue as a result of other factors, make them confident that there is the need for a three form entry primary school with a 39 place (full time equivalent) nursery in the area. However, as such a school exceeds the parameters agreed for the outline planning permission granted under application reference H/04017/09, which only sought consent for a two form primary school, a new application for planning permission was necessary.

1.6 Description of Proposed Development

In summary the application seeks full planning permission for:

- A new three form entry (3FE) primary school with classrooms, shared teaching space and a nursery.
- External play areas and sports pitches for the school and nursery uses.
- Community facilities comprising multi-use halls, external pitches and games courts. These will be available for community use outside of their use by pupils.
- Facilities for cycle storage.
- Provision of staff car parking spaces within the school curtilage.
- Formation of a separate temporary drop off and pick up car park.
- The creation of a rapid drop off and collection area in front of the school.
- The formation of retaining walls in various locations across the site.
- Drainage measures for the application site and also those associated with the redevelopment of the wider site (under application reference H/04017/09).
- New hard and soft landscaping.

The proposed school would have capacity for 630 primary school aged children (3 forms of entry). This has increased by one form of primary school entry (110 additional places) from

the school previously proposed for the site as part of the outline consent for the wider area (under application H/04017/09). The current school would also have 39 full time equivalent (FTE) nursery places.

A plan showing the layout of the site is provided in **Appendix 3** of this report. The main school building proposed is located on the western part of the site, fronting onto the access road to the site. The all weather pitch and two games courts would be situated to the east of this. The site would be accessed from the west via a new road running to the south of the east-west link road (to the west of its junction with Frith Lane). The road would also be used to access the temporary drop off car park which forms part of this application. This infrastructure forms part of the outline consent for the wider area and detailed consent for this has been sought as part of the advanced infrastructure works proposed under application reference H/04606/12, which has been submitted concurrently with this application.

The main school building proposed is three storeys in height, arranged as a 'cranked' rectangle in plan and predominantly finished in brick. The maximum dimensions of the building are 73.4m long, 21m wide (predominantly 19.6m wide) and just under 12m in height (predominantly between 10.6m and 11.4m in height). The gross internal floor area of the main school building would be approximately 3437m². This would be comprised of ground, first and second floors of approximately 1262m², 1092m² and 1083m² respectively. Immediately to the west of the main school building is an area of landscaping which provides a break between the building and the new public footpath that will be formed. The playgrounds for the new primary school would be situated immediately to the east of the new building.

Two multi-use games areas (MUGA's) would be located to the south-east of the main building, in total these would cover approximately 1560m and be enclosed by 3m high weld mesh fence. These spaces would be marked out for netball, basketball, tennis and mini-football. A synthetic all weather playing pitch covering approximately 5940m² would be located to the north-east of the main building. This would be provided as a 'Third Generation' artificial surface with rubber crumb marked out for football and mini-soccer. These team playing facilities would cover a total of approximately 7500m².

The car parking provided on the school site itself, 24 spaces for staff would be situated to and accessed from a point to the north of the main school building. Parking facilities for 50 cycles would be located in a structure to the south of the school building. Maintenance vehicle access is provided in the south-west corner of the site. Vehicular and pedestrian accesses into the site are segregated to reduce un-necessary conflicts and pupils would enter the school either through the main entrance (at the apex of the crank in the building) or pedestrian accesses to the north and south of the main building.

The road to the front (west) of the school would provide a rapid drop off and collection area with 6 standard and 2 disabled parking spaces. In addition to this a temporary drop off and collection car park would be provided on the land to the north-west of the site. This would be used solely for parents and careers dropping off and picking up school children. The area would not be marked out and the space would be managed to ensure that sufficient parking was provided, whilst encouraging the use of sustainable modes of transport. However approximately 50 spaces could be provided in the space available. The temporary car park would be enclosed with 1.8m high weld mesh fence. This facility would be in place until such times as the road infrastructure for Phase 11 of the outline consent for the wider area had been constructed. At that point the temporary car park would be replaced by the provision of on-street car parking for traffic associated with the school use.

The layout of the site has been intentionally designed so that the main school building itself provides one edge of the secure site line needed. Due to the topography of the site much of the northern boundary of the school is in fact defined by a retaining wall (described further below). Beyond the school building itself the boundary of the site will be secured with a combination of predominantly weld mesh, brick and timber means of enclosure.

Changes to the levels across the site and in the wider area alongside the need for the creation of acceptable gradients for sports pitches within the site mean that retaining walls of varying heights are required in several locations. These include elements of the northern, southern and western parts of the site. From outside the school site the retaining walls would have a brick facing and be predominantly capped with a coping stone. At intervals the expanse of the wall would be broken by columns. The types and bonding of the brick used would also be varied and a hedge planted to assist further in this regard. The wall varies in height along its length, but externally the structure needs to be not less than 1.8m in height for safety reasons.

On the school side the retaining walls would be composed of a mixture of different blocks and gabion wall structures. The walls proposed vary in height and would be highest in the north corner of the all weather playing pitch. In this location the structure measures up to a maximum of 6.6m tall when viewed from this side. As with the external (to the school) side of the wall the internal retaining wall would have variations in the type of brick used to assist in breaking up the expanse of brick work. Graphics would also be affixed to parts of the wall to further assist in breaking up the structure from this side.

A swale with a capacity of not less than 500m³ would be situated to the east of the all weather pitch. This provides drainage infrastructure and attenuation for the application site itself and also provides a potential resource for educational and biodiversity purposes. The area underneath the all weather pitch would provide drainage infrastructure and attenuation of not less than 3000m³ for the wider development of the Inglis Barracks site as consented under application reference H/04606/12.

The proposals aim to retain as many areas of trees and vegetation on the site as possible. This includes areas along the eastern and southern boundaries of the site. It would be necessary to removal a number of trees (18 in total). However, no trees would be lost within the area identified as 'Woodland' (to the south of the site) on the parameter plans approved as part of the outline consent. The proposal also seeks consent for the creation of new areas of soft landscaping. These would include the planting of not less than 13 new trees and the formation of a partially vegetated wet grassland area that would form the swale.

Both the indoor and outdoor facilities at the site have been designed with their potential use by the wider community in mind. More generally, in light of the development of the school design in advance of the appointment of a Head Teacher or School Governors the facilities have been designed to be as flexible as practical. In terms of indoor spaces, the main school hall and two other smaller halls would all potentially be available for community use. The main hall is of sufficient size and height to accommodate a badminton court (to Sport England standards) and is supported by a kitchenette. Drama, dance and music related uses would also be feasible in this space. In addition to the various halls within the school an open plan resource area is located at the first floor of the building. This could be made available for uses such as adult learning community meetings.

In terms of external areas, the all weather pitch is suitable for potential football, mini-soccer, and rugby use and could potentially be used by the community outside of the use by pupils.

The two games courts (MUGA's) are the recommended size of two Sport England games courts and suitable for tennis, mini-football, netball and basketball. The outdoor areas have access to male, female and accessible WC facilities within the northern stair lobby (by routes that are accessible) and this area has been designed so that it can be secured separately from the remainder of the school.

1.7 Description of Site and Surrounding Area

The application site comprises two adjacent parcels of land (as described above), covering approximately 2.19 hectares in total, situated on south-east part of the former Inglis Barracks in the Mill Hill Ward. At present the area which makes up the site is not in use and there are no buildings on it. Historically the majority of the site was used as Ministry of Defence (MoD) playing fields, although a small part of the site to the north fell within the curtilage of the, now demolished, British Forces post office and warehouse. An element of the southern part of the site also contains an area of woodland which extends beyond the site boundary. The site was vacated by the MoD in 2007 and is presently under the ownership of VSM Estates.

The site on which the school would be situated is located to the west of Frith Lane and Finchley Golf Club; to the north of a Scouting Association campsite, an area of woodland (part which falls within the red line boundary of this application) and a depot; to the east of land historically used as Ministry of Defence (MOD) playing fields; and to the south of the, now demolished, British Forces post office and warehouse. The temporary drop of car park would be located to the west of the school site. Both parcels of land are currently access from a route running from the north site.

The application site falls within the area covered by the Mill Hill East Area Action Plan. Where relevant the policies of this document are discussed in greater detail in subsequent sections of the report. Other key planning policy designations include the land on the southern part of the site which is identified as Green Belt. The site is located within Flood Risk Zone 1 and has a low risk or less than 1 in 1000 annual probability of river or sea flooding.

Under the proposals approved as part of the outline consent (reference H/04017/09) for the wider Mill Hill East (Millbrook Park) area it is expected that the land surrounding the application site will change significantly over the coming years. Under this consent the site of the proposed school would be situated to the south of the new east-west link road and to the west of a more subsidiary road running approximately north-south. Once fully implemented the outline consent would result in new housing being located to the north, west and south-west of the school building in phases 1A, 11 and 8 of the outline consent respectively. The area of woodland to the south of the site would be retained as an open space. The temporary drop off car park specifically would be replaced in due course by housing as part of phase 11 of the development.

The majority of the application site comprises grassland bordered by a mixture of lines of trees, hedges and scrub. The southern most part of the site includes a small area of broadleaf woodland, which continues beyond the site boundary. Ecological surveys of the site have been carried out and these indicate that the habitats found on the site are common and widespread in nature. No bat roosts, reptiles, badger sett's or evidence of badgers was found to be present on the site. However, the site does contain habitats (mature trees and scrub) potentially suitable for breeding birds.

The site varies in height across its area, with a maximum elevation of 75m above Ordnance Datum (OD) in the north-west corner which drops to 71m OD in the south. The area of the

former playing fields is approximately level (at 72m OD), but overall the site slopes to the south with raised banks on the northern and southern edges.

1.8 Separate Application for Associated Advanced Infrastructure Works

A discrete application (reference number H/04606/12) for the infrastructure works which would support the development proposed under this submission has been made in parallel and is the subject of a separate committee report. The works included under the 'infrastructure' application comprise the construction of new roads to serve the school and temporary car park, ground re-profiling works and the installation of swales and new landscaping.

2. PLANNING APPRAISAL

2.1 Principle of an education use and temporary car park on the site

The Department for Communities and Local Government has published two documents which are of significance in the determination of planning applications for educational facilities such as this:

- Policy Statement - Planning for Schools Development (August 2011)
- National Planning Policy Framework (March 2012)

Each of these documents gives strong support to the provision of new, state funded educational facilities and they go as far as creating a presumption in favour of educational development.

The National Planning Policy Framework states at section 72 that:

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

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

It goes on to identify that planning authorities should:

"only refuse planning permission for a new school if the adverse planning impacts on the local area outweigh the desirability of establishing a school in that area"

The policy statement 'Planning Schools Development' should be given weight in the making of planning decisions on relevant applications (such as this). It states that:

"The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools"

It goes on to identify that:

'There should be a presumption in favour of the development of state funded schools, as expressed in the National Planning Policy Framework'.

It is clear that national policy is strongly in favour of providing state funded schools, and this is a material consideration in the determination of this planning application.

In principle Barnet's Local Plan policies are generally supportive of new school development proposals. The Council as the Local Education Authority (LEA) has a statutory duty to provide primary and secondary school places for children aged from 5 to 16 years. In order to meet the educational needs of Barnet's growing population the Council will seek to ensure that there is an adequate provision of education facilities in the borough and encourages proposals for facilities which will help meet identified needs.

Barnet Core Strategy policy CS10 identifies that the Council will work with its partners to ensure that schools and facilities for older and younger people are provided for Barnet's communities. This policy identifies that development which increases the demand for schools will be expected to make appropriate contributions towards new and accessible facilities, particularly within development areas (such as Mill Hill East). The policy also promotes the role of schools as community hubs.

Policy DM13 of the Barnet Development Management Policies document identifies that new education and community uses:

- Should be located where they are accessible by public transport, walking and cycling, preferably in town centres.
- Should ensure that there are no significant impacts on the free flow of traffic and road safety.
- Will be expected to protect the amenity of residential properties.

Policies in the Mill Hill East AAP identify that the new residential development in the area will be supported by the provision of community facilities on site. More specifically it is identified (in policy MHE4) that a new two form entry primary school with playing fields on a site of around 1.7ha will be required as a minimum. It is also noted that this requirement may vary dependent on the needs arising from the development.

As set out above planning policies and guidance generally support the principle of new school development and in this instance there is specific development plan policy (in the AAP) which supports the principle of a new primary school being provided in the Mill Hill East area. While the policies anticipated that this would be a two form entry primary school, they also acknowledge that this may change depending on the needs arising from the development. As identified at section 1.5 of this report there is now a clear identified need for a three form entry primary school in this part of the borough.

The buildings proposed would not encroach onto land designated as green belt and it is considered that the design of the development is such that it would not have a detrimental impact on the visual amenity or character of the green belt and wider area. In broad terms the proposed location of the school is similar to that identified in the proposal map of the Mill Hill East AAP. The school currently proposed is also located in the same position as the primary school (two form) included as part of the outline planning permission granted for the wider site in 2011 (application reference H/04017/09).

Given the broad planning policy support for new school uses, the more specific development plan policy support for a new school in this part of the borough and the previous grant of outline permission for a for a new school on much of this site, it is considered that this is an acceptable and planning policy compliant location for a new three form primary school. In accordance with the objectives of policy the school would provide facilities for the wider community beyond the school use. Delivery of this would be ensured through the conditions recommended for similar hours of use to those provided at other schools in the London Borough of Barnet where community access is provided.

Matters relating to the acceptability of the school in other regards, including accessibility (by public transport, walking and cycling), impacts on the flow of traffic and road safety, the protection of the amenity of residential properties, loss of playing fields, design and character matters are addressed in detail in subsequent sections of this report. However, the proposal is considered to be acceptable and compliant with policies in all relevant regards.

In circumstances such as this, where there is clear demand for a new school that is acceptable and policy compliant in all relevant regards, the formation of a temporary ancillary drop off and pick up car park to meet the parking needs generated by the development is considered entirely appropriate and acceptable in principle. Where relevant this element of the scheme is discussed in greater detail in subsequent sections of this report.

It is noted that objections have been received in respect of the position of the school within the wider Mill Hill East area, suggesting that the school should be located further north. Notwithstanding the above analysis that the site is acceptable in principle, other parts of the Mill Hill East Opportunity Area have been identified and in many cases also granted outline or full planning permission for other uses.

2.2 Loss of playing fields

The majority of the application site, which covers an area of approximately 2.19ha in total, was formerly MOD owned grass playing pitches mainly used for football and cricket. The general thrust of national, regional and local planning policy is to resist the loss of open space and playing fields unless it can be demonstrated that they are surplus to requirements or equivalent or better provision can be made within the area.

Policy background

Paragraph 74 of the National Planning Policy Framework states that:

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

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

London Plan policy 3.19 states that development proposals which increase or enhance the provision of sports and recreation facilities will be supported. Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted. Policy 7.18 states that the loss of local protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.

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

- Meet increased demand for access to open space and opportunities for physical activity by tackling deficiencies and under provision.
- Secure additional on-site open space or other open space improvements in the identified growth areas, including 5.5ha of new provision at Mill Hill East.

- Improve access to open spaces particularly in areas of public open space deficiency.
- Securing improvements to open spaces including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space.

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

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

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

Policy MHE1 (Mill Hill East Area for Intensification) of the AAP identifies that the area will be a focus for the creation of new jobs and homes and the development of a sustainable community. This includes the provision of a total of around 2660 residential units (including 2000 new units), a two form entry school, a minimum of 500 jobs and open space. Policy MHE4 (Community facilities shops and services) of the AAP identifies that a two form entry primary school with playing fields on a site of 1.7ha will be needed as part of the development of the area. The policy also identifies that this may vary depending on the needs arising from the development. Policy MHE7 (Parks & public open space) identifies that around 5.5 hectares of public open space, including sports pitches and natural areas will be provided in the area covered by the AAP proposals map.

The Sport England document 'A Sporting Future for the Playing Fields of England' (1996) provides further guidance on development relating to playing fields. It identifies a number of exception tests under which the loss of playing fields may be considered acceptable. Exception test E4 states that the loss of a playing field may be acceptable if:

"The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development".

Sport England's position

Sport England has responded to the consultation and confirmed that they object to the application. They have acknowledged that outline consent for the wider site (including a school on much of the current application site) was granted, despite their objection to that application, and have stated that, as a result of this, they accept the principle of the development has been established. However, they have expressed concern that the scheme currently proposed offers significantly less playing field than was put forward under the scheme granted outline consent.

Sport England have noted that with the introduction of an all weather grass pitch (AGP) and multi use games areas (MUGA's) the site has the potential to offer something greater than the scheme previously consented in outline. However, they question the design and layout of the external areas proposed and suggest that the removal of the habitat area, the re-orientation of the AGP and the creation of new areas of usable grass playing field (in addition to the proposed MUGAs) would provide a scheme that is more acceptable to them. They

have specifically stated that their priority is 'to maximise the sporting potential of the site and the inclusion of a habitat area is contrary to this'.

They conclude that as they consider the current scheme to represent a reduction in the amount of playing field relative to that previously approved under the outline consent for the wider area, which is not completely offset by the facilities proposed in their current layout and believe there to be a more appropriate scheme in the interests of formal sport.

Sport England have also requested that should the Local Planning Authority be minded to approve the application, despite their objection, the following condition to be attached to the consent granted:

"Prior to the commencement of the use/development a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason:

To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport."

Sport England's comments are assessed and responded to in the following section of this report.

Assessment of the loss of the existing playing fields

The concerns raised by Sport England are noted. However, officers consider that there are material planning considerations which justify the grant of a planning permission in this particular instance. These matters and the reasons for reaching this conclusion are explained in detail below.

As identified above, policies in the Mill Hill East AAP broadly support the principle of the redevelopment of this part of the site. More specifically policy MHE4 identifies that a new two form entry primary school with playing fields on a site of around 1.7ha will be required as a minimum. In broad terms the proposed location of the school is similar to that identified in the proposal map of the Mill Hill East AAP. It is therefore considered that there is development plan policy support for the principle of the redevelopment of the site to provide a school with the associated facilities and infrastructure. It is also considered important to recognise that there is a clear need for a school of the size proposed under this application (as set out in section 1.5 of this report in greater detail).

Policy MHE7 identifies an appropriate level of public open space to be provided for the redevelopment of the area covered by the AAP as a whole of around 5.5 hectares. However, it does not specify a particular level of playing field that should be delivered. Instead it identifies generally that sports pitches will make up part of the 5.5ha of public open space provided. It is not considered that the current proposal would compromise the ability of the redevelopment of the area covered by the AAP to meet the requirements of policy MHE7.

In addition to the development plan policy support for redevelopment of this site it is also considered important to recognise that the development currently proposed is located in approximately the same position as the primary school (two form) approved under the outline planning permission granted for the wider site (application reference H/04017/09). A comparison of the mitigation provided by the outline consent (in respect of the loss of playing fields) relative to that which would be provided by this scheme is set out below. However,

more broadly it is a material consideration that there is an outline planning permission in place which allows the redevelopment of the site. Phases of the consent granted under application H/04017/09 are currently in the process of being implemented and under circumstances such as this, where there is a significant demand for school places (see section 1.5 of this report), it is considered reasonable to take the view that it is very likely that the school (and associated infrastructure) element of the outline consent granted would be pursued and implemented if this current application should fail. It is also noted that the site is not currently in use as a playing field and works associated with the implementation of the outline consent granted (and the associated conditions and reserved matters) have rendered part of the site unusable as a playing field.

As this is a separate application for full planning permission it is not essential for the proposal to fall within the parameters and requirements of the outline consent previously granted for the site (application H/04017/09). However, a comparison of the two schemes in terms of the sporting and open space facilities they would offer is a relevant consideration.

As it was an outline application the previous proposal did not specify the exact sizes of the various open spaces proposed. The landscape parameter plan (plan number A6157/21/04) approved under the outline consent showed an area of 'school/community sports pitch' associated with the school proposed which covered an area of approximately 1.35ha. With the definition used it cannot be certain if this space was intended to be 'playing pitch' (a delineated area which, together with any run off area, is of 0.2 hectares or more) or 'playing field' (the whole of a site which encompasses at least one playing pitch). However, the space shown is not square and therefore could never have been used entirely for formal sport. While it is only illustrative the masterplan submitted with the application shows a square playing pitch type space in the 'school/community sports pitch' area measuring approximately 4968m² (or 0.4968ha). In these circumstances to ensure that appropriate open space was provided across the site condition 15 of the outline consent required an overall provision of not less than 5.95ha of open space across the wider site and identified a target provision of 1.3ha of new playing field. There was no specific requirement made on the size of playing pitch required within the playing field provided.

The current application would provide a synthetic all weather 'playing pitch' covering approximately 5940m². This would be provided as a 'Third Generation' artificial surface with rubber crumb and has been designed to achieve the standards required under the School Premises Regulations. This pitch is larger in size than the square playing pitch type space shown on the masterplan submitted with the outline application (which measured approximately 4968m² in size). While it is accepted that the masterplan was only ever intended to be illustrative, the area of actual 'playing pitch' proposed under the current application is therefore larger in size than was indicated would be provided under the outline application. It is also the case that the outline consent did not secure that the pitch proposed would have an artificial surface. Such pitches provide a number of sporting benefits and can be suitable for more intensive use.

Although they are not technically 'playing pitches' (due to their size being under 0.2ha) the current application would also deliver two multi-use games areas (MUGA's) covering approximately 1560m² in total. Sport England has confirmed that these spaces would comply with their guidance on designing MUGA's for tennis, mini tennis and netball. In addition to these sports they would also be marked out to enable their use for basketball and mini-football. The outline application envisaged the provision of a MUGA at the school site covering an area of approximately 700m². The area of MUGA proposed at the school under the current application is therefore larger in size than was envisaged would be provided under the outline application.

Taking account of the playing pitch itself (which would cover 5940m²) and the parts of the site which would provide open space surrounding this (including other hard and soft play areas and areas of habitat), the current scheme would provide a 'playing field' slightly over 1.4 hectares in size. While the Sport England definition of 'playing field' states that this is the whole of a site which encompasses at least one playing pitch, officers have excluded parts of the application site which are not open space (such as the school buildings), areas of car park and areas of landscaping at the front (west) of the school building in calculating the area of playing field. As such the school would exceed the target provision of 1.3 hectares of school related playing field (as part of the overall requirement for the wider site to deliver 5.95ha of open space) envisaged under the outline consent previously granted.

In addition to the sizes of playing pitch and field provided by this scheme there are also other factors which are material to the assessment of the current application. Much of the mitigation provided for the loss of playing field associated with the outline consent granted for the wider site would still to be provided (under the terms of that consent) independently of this application as the outline planning permission is implemented. In addition to the other areas of public and private open space the outline application would provide these include the following sports facilities related mitigation:

- The provision of a rounders pitch in the new panoramic park proposed.
- The upgrading of two tennis courts at Bittacy Hill Park.
- The provision of a Multi Use Sports Area at Bittacy Hill Park
- A financial contribution of £100,000 towards other off site enhanced sports provision.

It is also recognised (as it was at the time of the outline application) that historically the playing fields at the site were generally inaccessible to the wider community and were used mainly by military personnel. Conversely the playing pitch and playing field facilities proposed under the current application would be available to the wider community outside of their use by the school (this point is discussed in greater detail below). As with the outline consent granted the current scheme would therefore provide facilities which are open to a much greater section of the community. They would also be designed to be accessible to less mobile users (which is an improvement over the historic position). Conditions have been recommended to ensure that the facilities are made available to the public in an appropriate manner.

As the consent previously granted for a school on this site was only ever developed to an outline stage it is hard to be certain about the range of different sports that the facilities would have provided for. However, when all known constraints and policy objectives are taken into account (set out in greater detail below) it is reasonable to conclude that the current proposal would be expected to offer playing fields of at least equivalent quality and management arrangements, relative to those that could have been provided under the outline consent granted. There are also reasons to suggest that what is currently proposed could offer a better quality playing field than was secured under the outline consent (for example the implementation of an artificial playing surface). It is known that historically the site was used for football, cricket and rugby training. The current application could provide outdoor facilities for a greater range of different sports than this. These would include football, rugby training, tennis, basketball and netball. It would also provide indoor facilities for badminton. It is understood that the playing fields at the site historically suffered from drainage issues and were not able to be used throughout the year. This would not be the case with the artificial surfaces provided under the current application, which would be usable throughout the year. Outside of school use the current scheme would also provided publically accessible changing facilities for users.

For the reasons set out above, taken in the round, officers consider that the proposal would deliver a better quality of playing field at the site relative to the current and historic positions. Particular benefits include the greater accessibility the scheme provides to the sporting facilities for the general public and the greater the range of facilities provided for different sports. It is also considered that the proposal would provide a greater quantity and at least equivalent quality of playing field than it was envisaged the school would deliver under the outline consent previously granted for the site and wider area. The benefits provided in these regards are considered to be sufficient for the scheme to be found compliant with the objectives of policy DM15 of the Barnet Local Plan (in the Development Management Policies Development Plan Document).

Assessment of the Proposed Changes to the Playing Fields Proposed by Sport England

It is noted that Sport England have stated that the site would provide less playing field than was provided by the outline consent granted. This is responded to above. Sport England have also suggested that changes could be made to the scheme to provide a (smaller) 79m x 52m artificial playing pitch and that by reorienting this an additional area of grass playing field to also be incorporated into the site. However, for the reason set out below this would mean that the scheme failed to achieve other planning policy objectives.

The changes proposed by Sport England would mean that the swale proposed under the application could not be provided as proposed. This feature acts as sustainable drainage infrastructure for the school site itself. It also provides new habitat with the associated biodiversity benefits. The loss of new habitat area and the biodiversity benefits that this provides would also be a very unfortunate consequence of the approach proposed by Sport England. The likely alternative approach to the swale would be to provide storm water attenuation in a flood plain over the playing pitch. Such an approach would compromise the approach of proposing an all weather pitch (with the loss of the associated sporting benefits) as they are not suited to being flooded. It could also mean that the playing pitch is not able to be used at times should flooding occur on it. The changes suggested would also require building over a service easement and would result in changes to the Storm Water Management Strategy agreed with the Environment Agency as part of the Outline Permission.

It is fully accepted that the drainage and biodiversity issues identified fall outside the remit of Sport England's considerations. However, in circumstances where the application is found to be acceptable in terms of development plan policy on playing fields and pitches (for the reasons set out above) officers do not consider that it would be appropriate to seek changes which would compromise the benefits provided by other aspects of the scheme.

Sport England have indicated that the scheme would benefit from the introduction of floodlights. However, floodlights are not available at the site currently and were not proposed for the new space provided under the outline consent. In this regard the scheme is therefore not showing a reduction in the ability to use the playing pitch facilities at the site as existing or as envisaged under the outline consent. As the scheme is found to be acceptable in other regards it is not considered that it would be appropriate to require the provision of floodlighting for the new playing pitches in this instance.

Community access to facilities within the school

Core Strategy policy CS10 states that the Council will: *'promote the role of schools as 'community hubs', providing a wide range of educational, advice, leisure and support services to children, families and the wider community'*.

Part of the vision for the proposed new school is that it can be used as community facility outside of school hours. Both the indoor and outdoor facilities at the site have been designed with their potential use by the wider community in mind. In addition to the outdoor facilities proposed (set out above) the main school hall and two other smaller halls would all potentially be available for community use. The main hall is of sufficient size and height to accommodate a badminton court (to Sport England standards) and is supported by a kitchenette. Drama, dance and music related uses would also be feasible in this space. In addition to the halls within the school an open plan resource area is located at the first floor of the building. This could be made available for uses such as adult learning and community meetings.

Prior to occupation of the site a community use agreement of, the nature requested by Sport England in their comments, is required under the conditions recommended. This document would identify pricing policy, hours of use, access by non-school users/non-members and management responsibilities for both indoor and outdoor facilities proposed at the site. Subject to the requirements of this condition the proposal is considered to be compliant with the objectives of policy CS10 of the Barnet Core Strategy.

Conclusion on the loss of playing fields

Sport England have accepted that the principle of the development of the site has been established by the outline consent previously granted (and now partially implemented) for it. Officers would concur with this position and also note the development plan policy support (in the Mill Hill East AAP) for the principle of redeveloping the site. Nonetheless Sport England object to the application and have suggest that proposed scheme offers significantly less playing field than that which was provided by the previous outline consent granted.

As it was an outline application the previous proposal did not specify the exact sizes of the various open spaces proposed. However, as set out above, officers find that the current application would provide a greater area of playing field than was being targeted for the school site under the conditions imposed on the outline consent. It is also considered that the current scheme would offer a larger playing pitch than was show in the illustrative material which accompanied the application for the outline consent. It is relevant that much of the on and off site mitigation provided for the loss of playing field associated with the outline consent granted for the wider site would still to be provided (under the terms of that consent) independently of this application as the outline planning permission is implemented.

As the consent previously granted for a school on this site only ever developed to an outline stage it is hard to be absolutely certain about the range of different sports that the facilities would have provided for. However, when all known constraints and policy objectives are taken into account (set out in greater detail below) it is reasonable to conclude that the current proposal would be expected to offer playing fields of at least equivalent quality and management arrangements, relative to those that could have been provided under the outline consent granted. It is certainly clear that the current application would provide facilities for a greater range of sports than were provided at the site historically and would make these available and accessible to a wider section of the community. Conditions have been recommended to ensure that both the outdoor and indoor sporting and other community facilities that the scheme would provide are made accessible to the community in an appropriate manner.

As both officers and Sport England accept the principle of the development of the site has been established it is relevant to compare the current and previous outline applications in terms of the playing field, playing pitch and wider sporting benefits they would offer. If the parameters found in exception test E4 of Sport England's 'A Sporting Future for the Playing

Fields of England' (1996) are used as a benchmark the scheme is found to be acceptable. Sport England have suggested changes to the design of the scheme. However, these would compromise other, non-sporting, elements and benefits of the scheme and (for the reasons outlined above) are not considered to be necessary.

For the reasons detailed above it is considered that the proposals would be compliant with the objectives of development plan policy and the National Planning Policy Framework in respect of its impacts on playing field facilities.

2.3 Relationship to the outline planning permission at Mill Hill East

As a separate application for full planning permission in its own right this proposal is not formally bound by the principles, parameters and conditions of the outline consent granted for the redevelopment of the wider former Inglis Barracks site (application reference H/04017/09). In practical terms this means, for example, that the building can be a three form entry primary school, rather than the two form one given outline consent and that the school proposed is not formally bound by the requirements of the design code or parameter plans linked to the outline consent.

Having acknowledged this, it also needs to be recognised that the school proposed in the current application is, in part, the delivery of the infrastructure needed to support the development permitted by the wider consent and is seeking to 'drop into' the site proposed for the school under the outline planning permission. Where possible the scheme therefore seeks to accord with the principles and parameters of the outline consent and this has been achieved in a number of important regards. This is discussed in more detail below. It is of particular significance that the scheme proposed would not compromise the ability to implement the outline planning permission for the wider site.

The part of the application site which would contain the primary school building is, as a use, in accordance with the use established under the outline consent for this section of the wider site. The part of the site which would form the temporary drop off and pick up car park is identified in the outline consent as land on which residential development would take place in phase 11 of the scheme. It is not considered that the provision of this temporary facility would prejudice the delivery of the housing granted outline consent at the appropriate stage of the development.

The scheme proposed is consistent with the open space requirements for the site under the outline consent and would not prejudice the phasing of the wider scheme. In the outline consent this part of the site was intended to provide drainage infrastructure for the wider scheme. Under this current application drainage infrastructure would still be provided for the wider site in accordance with the principles and parameters agreed at the time of the outline consent.

The school currently proposed would go beyond the parameters agreed for the outline consent in terms the scale of the school building. The school would have an additional storey (although it would still fall within the maximum height parameter agreed at the outline stage) of development and exceed the width of the school building (by approximately 1.6m for most of the buildings length). However, as discussed in greater detail below, the scale and other elements of the design proposed for the school are considered to be acceptable and compliant with planning policy. Similarly the school proposed breaches elements of the design code for the outline consent, for example by seeking a three form entry primary school and not including a green roof on the building. However, the scheme complies with the design code as far as is practical and adequate justification has been provided for the approach taken. The development proposed is found to be acceptable and compliant with

planning policy in all relevant regards. Where it is relevant the relationship of the proposal to the development coming forward on the wider site is discussed in further detail in subsequent sections of this report.

A number of conditions have been included in those recommended to ensure that, where appropriate, the development achieves the objectives of the outline consent. Examples of these include conditions relating to the requirement for a school travel plan and the implementation of appropriate drainage and landscaping.

2.4 Design and character

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document makes it clear that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The statement also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations. It then makes it clear that good design also involves integrating development into the natural, built and historic environment.

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

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

A thorough analysis of the site has been undertaken, including topographical, utilities, acoustic, habitat and tree assessments. Following this a number of options were explored and assessed for the design and layout of the school within the site. Key factors affecting the site and influencing the design and layout include:

- Changes in levels across the site of approximately 4m between the northern and southern parts.
- The requirements for open space and sports pitches in accordance with the outline planning permission and the regulations covering new schools.
- The requirement that the school be accessed from the new road being created to the west of the main building (formed as part of the wider scheme) and that an appropriate level of car parking is achieved on site.
- Requirements to provide the developments own drainage infrastructure and deliver drainage infrastructure for the wider site.
- Requirement to retain existing trees on site wherever practical and for no development to take place on the southern part of the site (designated as 'woodland' in Parameter plan 2 of the outline planning permission reference H/04017/09).
- Requirement that the play spaces provided be well lit.

- Practical and pedagogical requirements for the location of spaces and facilities provided by the scheme (including providing space for facilities management and outdoor games equipment storage).
- The desire to deliver a scheme which generally fell within the principles and parameters of the outline consent granted for the site as far as was practical.

The main school building proposed is located on the western part of the site (**see plans in Appendix 2**) with space provided for landscaping between the building and the public footpath. This approach allows the building to contribute to the new public realm which will come forward in this area, as the wider site is developed, and maximises the ability to create usable safe play and open space on the eastern side of the building. The area of landscaping to the west of the building also provides scope for the creation of an appropriate setting for the new building. The main school building is 'cranked' to reflect the inward curve of the western edge of the site to the south and this feature assists the design of the building in a number of regards, for example by emphasising and defining a key entry point into the site.

The layout responds to the site wide masterplan by focusing activity along the western edge of the site. As the operator of the site was not known at the time of the submission of the planning application the layout of the site and building has been designed to offer a degree of flexibility in terms of access options for pupils and other users. This will mean that the eventual operator will not be unduly restricted in how they occupy and use the building. However, to reduce conflicting movements pedestrian and vehicle accesses are segregated and the permanent on-site car park is located to the north of the main school building.

Rapid drop of and pick up facilities are located to the west of the school. These facilitate access to the main pedestrian entry points. Longer term parking is provided in the temporary car park on the opposite side of the new access road (sought under the advanced infrastructure application reference number H/04606/12) until the development in the areas around the school is implemented. The layout of the temporary drop of and pick up area itself is considered to be appropriate given the nature of the use.

Provision has been made for hard surface and soft play in accordance with The Education (School Premises) Regulations 1999 and to meet the open space requirements outline planning permission for the wider site. To provide the necessary safeguarding for users and maintain security the open spaces (games pitches and other play areas) on the site are enclosed by fencing. This is not unusual for schools. However, these areas will be made available for use by the community outside of their use by pupils. This will be ensured through the conditions recommended. Changing facilities for potential community users of these spaces are available in the school toilets and this is not an uncommon approach for primary schools that have community facilities to take.

The landscaping proposals are assessed more fully in subsequent sections of this report. However, the layout proposed enables the area of 'no development' woodland to the south of the site (stipulated under the outline consent) to be maintained, a new swale to be proposed (for drainage, ecological and educational purposes) on the eastern part of the site. The drainage infrastructure provided for the wider Inglis Barracks site is mainly situated under the sports pitch.

It is noted that a concern has been raised that dedicated access to certain outdoor areas has not been provided. This is because providing such routes would impact adversely on the ability to deliver appropriate areas of space for the playing pitches themselves. The layout has been designed so that a number of routes are potentially available to users of the outdoor spaces and a fully accessible route is provided. This is considered to be an

acceptable compromise in this instance. In any event it would be expected that staff would supervise the use of these areas to manage any possible issues.

In order that the level of internal accommodation and the quantity of open space needed for a 3 form entry primary school could be delivered on the site it is necessary to restrict the scale of the buildings footprint and have the building split over three floors of accommodation. The design approach to the three storey building proposed provides a structure that reads as a single entity when approach from the north and that has a strong presence in this key location within the wider site. The main entrance is located at the 'crank' in the building and acts as a focus for this key point. The outline consent allows for buildings of a scale of 3 and 4 storeys on the plots surrounding the school site. As such the three storey school building proposed would be expected to be of a similar scale or smaller than many of the buildings which would surround it. The use of a flat roof means that no further bulk is added by the addition of an additional roof structure to the building.

The main school building itself would be set back a distance of approximately 9m or more (usually greater) from the boundary of the site and it is considered that an adequate setting has been provided for the buildings proposed. A further buffer between the school and other future development coming forward in the surrounding area would be provided around the site by design elements such as new roads and footpaths and the landscaped settings of the new buildings themselves. To the north of the school site level changes between the school (lower) and phase 1A related development (higher) also assist in reducing any potential impacts arising from the school. The scale of the proposed school building is considered to be appropriate in relation to neighbouring properties bounding the site and expected to come forward in the surrounding area. It is also considered that the scale and design of the development proposed is such that it would not be detrimental to the visual amenity and character of the area of green belt which is adjacent the site.

In addition to these broader design points, the more detailed design of the buildings proposed is considered to take a robust approach. The predominant brick material proposed will provide a durable building that will stand the test of time and be expected to weather well. Responding to comments from the Mill Hill Preservation Society a single tone of lighter brick is now proposed for use. This is considered to be a positive change that creates a building which appears more suitable for the intended use. Large windows are positioned within brick reveals along the elevations and the use of these alongside areas of recessed brick and projecting canopies (around the classroom entrances) provide visual interest and break up the facades. Splashes of colour have been introduced in places on the façade in the form of coloured panels to assist further in giving the school an appearance reflective of its primary function. Conditions have been recommended to ensure that the quality of detailed design shown at this stage is carried on into the implementation of the scheme.

It is noted that the school currently proposed would go beyond the parameters agreed for the outline consent in terms the scale of the school building. The school would have an additional storey (although it would still fall within the maximum height parameter agreed at the outline stage) of development and exceed the width of the school building (by approximately 1.6m for most of the buildings length). However, for the reasons set out above the scale and other elements of the design proposed for the school are considered to be acceptable and compliant with planning policy. Ultimately this is a stand alone application. However, the scheme does comply with the design code as far as is practical and adequate justification has been provided for the approach taken where the development does not achieve compliance. Conditions have been recommended to ensure that the temporary car park delivered would be of a suitable design quality for a feature of this nature.

Changes to the levels across the site and in the wider area alongside the need for the creation of acceptable gradients for sports pitches within the site mean that retaining walls of varying heights are required in various locations. These include elements of the northern, southern and western parts of the site. On the school side the retaining walls would be composed of a mixture of different blocks and gabion wall structures. The walls proposed vary in height and would be highest in the north corner of the all weather playing pitch. In this location the structure measures up to a maximum of 6.6m tall when viewed from this side. The internal retaining wall would have variations in the type of brick used to assist in breaking up the expanse of brick work. Graphics would also be affixed to parts of the wall to further assist in breaking up the structure from this side. It is accepted that these retaining wall features are necessary to enable the school to come forward as proposed.

From outside the school site the retaining walls would have a brick facing and be predominantly capped with a coping stone. At intervals the expanse of the wall would be broken by columns. The types and bonding of the brick used would also be varied and a hedge planted to assist further in this regard. The wall varies in height along its length, but externally the structure needs to be not less than 1.8m in height for safety reasons.

The application is found to deliver an appropriate design solution in all regards which, subject to the conditions recommended, is found to be acceptable and compliant with development plan policies as they relate to design and character matters. Landscaping matters are addressed in section 2.6 of this report.

2.5 Impacts on amenities of neighbouring and surrounding occupiers and users

Local Plan policies, such as policy DM13, seek broadly to create quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design and the appropriate management of new development.

Privacy, Outlook, Daylight and Sunlight

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

The site on which the school would be situated is located to the west of Frith Lane and Finchley Golf Club; to the north of a Scouting Association campsite, an area of woodland and a depot. The remaining land surrounding the development proposed under this application is currently vacant or undergoing construction works associated with the redevelopment of the wider Mill Hill East site (outline consent reference H/04017/09).

Under this consent the site of the proposed school would be situated to the south of the new east-west link road and to the west of a more subsidiary road running approximately north-south. Once fully implemented the outline consent would result in new housing being located to the north, west and south-west of the school building in phases 1A, 11 and 8 of the outline consent respectively. The area of woodland to the south of the site would be retained as an open space. The temporary drop off car park specifically would be replaced in due course by housing as part of phase 11 of the development.

The Council has recently approved 58 new dwellings as a reserved matters application for Phase 1A (reference H/03548/12). Proposals for phases 8 and 11 will come forward subsequently. However, any proposals under the outline consent will need to be designed in accordance with the parameters and principles agreed at the outline stage, (unless new applications are submitted and granted consent). This understanding of what could come forward in the surrounding area enables the school and associated development to be designed and managed to ensure that it will not impact adversely on the amenities of future

occupiers and users of the surrounding development. In this regard it is of note that a school building was proposed for this site under the outline consent granted.

The outline consent allows for buildings of a scale of 3 and 4 storeys on the plots surrounding the school site. As such the three storey school building proposed would be expected to be of a similar scale or smaller than many of the buildings which would surround it. The main school building itself would be set back a distance of approximately 9m or more (usually greater) from the boundary of the site. A further buffer between the school and other future development coming forward in the surrounding area would be provided around the site by design elements such as new roads and footpaths and the landscaped settings of the new buildings themselves. To the north of the school site level changes between the school (lower) and phase 1A related development (higher) also assist in reducing any potential impacts arising from the school. The new main school building would be located to the north of the closest residential buildings which would come forward in the surrounding area (phase 8). This approach to layout would reduce possible impacts on light and in terms of overshadowing. As designed the development proposed would not prejudice the delivery of development within the parameters of the outline consent coming forward.

It is considered that the design, layout and siting of the proposed school building and associated spaces is such that they would not have an unacceptable impact in terms of outlook, privacy, light and overshadowing at either the existing uses surrounding the site or the development which would be expected to come forward within the parameters of the outline consent granted for the wider area. The design and siting of the temporary car park is such that it would also not result in any unacceptable impacts on the amenities of neighbouring occupiers and users in these regards. The application is therefore considered to be acceptable and compliant with development plan policy in these respects.

Noise Impacts

Development plan policies state that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. It would be expected that a level of noise would be generated from the development during the hours of use of the school and also the use of the facilities provided by the development outside of school hours, by pupils and the community.

In assessing the impacts of noise from the scheme it is important to recognise that the site was envisaged as a school (albeit a two form primary school) under the outline consent for the wider area. It is also the case that the school is very likely to be constructed and in use before much of the housing in the surrounding area is delivered. As such the potential occupiers of new dwellings in the surrounding area should be aware that a school was proposed or is actually in existence on this site.

Noise from children generated during the day is expected from primary schools and is not considered to be of a nature in this instance that it would be detrimental to the amenities of surrounding occupiers and users or would justify a refusal of planning permission. A condition has been recommended requiring the submission of an Activities Management Plan to control the hours of use of the sports pitches and other facilities within the school (such as the sports hall) out of school hours. This would ensure that the use of these facilities is kept within reasonable hours and any events at the school will be managed appropriately. A condition has also been included in those recommended to ensure that any noise from plant installed on the site is kept to a minimum and within acceptable parameters.

A condition requiring the submission of a Construction Management Plan has been included in those recommended. This would ensure that the construction of the development did not

have an unacceptable impact on the amenities neighbouring properties in terms of noise matters (and in other regards).

Lighting Impacts

Local Plan Policy DM04 states that lighting proposals for developments should not have a demonstrably harmful impact on residential amenity. It is not currently proposed that the sports pitches provided as part of the school would be flood lit, although it is envisaged that the temporary car park would be lit. Conditions have been included in those recommended to ensure that any lighting proposed as part of the scheme is designed and operated to comply with the objectives of development plan policy. Subject to these conditions the scheme is considered to be acceptable and compliant with policy.

2.6 Trees, landscaping and biodiversity

Trees and Landscaping

Policy DM01 identifies that proposals will be required to include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

The policy also states that trees should be safeguarded and when protected trees are to be felled the council will, where appropriate, require replanting with trees of an appropriate size and species. There are a number of trees on the site and an Arboricultural Implications Assessment, prepared by The Urban Forest Consultancy, has been submitted with the application.

The development proposed would result in the removal of a total of 18 trees from the site. However, in assessing the impact of this it should be recognised that the loss of 13 of these trees has previously been accepted under the outline consent granted for the wider Inglis Barracks site. None of the trees proposed for removal are covered by a Tree Preservation Order and no trees would be lost within the area identified as 'Woodland' (to the south of the site) on the parameter plans approved as part of the outline consent (a specific condition was placed on the outline consent to protect these). The scheme proposed includes the planting of not less than 13 new trees and the formation of a partially vegetated wet grassland area (that would form the swale) to mitigate the trees which would be lost through the works and also as part of providing suitable landscaping for the development more widely.

Officers consider that the new trees and landscaping proposed as part of the development provide adequate mitigation for the trees which would be lost in this instance. Conditions have been recommended to ensure that the trees and wider landscaping implemented would be of a sufficient quality. Officers take the view that appropriate consideration has been given to trees and the desire to retain as many trees as possible. Conditions have been recommended to ensure that all appropriate measures are taken to protect the trees proposed for retention.

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, including new areas of grass, hedge and shrub planting,

and provides an appropriate setting for the buildings proposed. Conditions have been recommended to ensure that the landscaping installed is of an appropriate quality and makes a positive contribution to the area.

Matters relating to access, parking, biodiversity and habitat provision are addressed in other sections of this report in full. However, in each of these regards the landscaping proposed is found to be acceptable.

It is concluded that the scheme provides adequate mitigation for the trees and other landscaping features which would be lost as part of the works proposed and that the proposal is acceptable and compliant with policy in respect of tree, hedge and landscaping matters.

It is noted that a query has been raised as to whether sufficient growing medium has been allowed for the landscaping that is proposed to act as a setting for the retaining wall which forms part of this development (and that this landscaping is important to this feature being adequate). It can be confirmed that sufficient volume of growing medium has been allowed for this area of hedge (and other landscaping proposed) and that conditions have been recommended to ensure that this aspect of the scheme is implemented in an acceptable manner.

Biodiversity

Policy DM16 of the Barnet Local Plan states that when considering development proposals the Council will seek the retention and enhancement, or the creation of biodiversity. Planning authorities are obliged by law (Natural Environment and Rural Communities (NERC) Act 2006) to make sure that they have all the information on the presence of protected species on site before they make a decision on the Planning Permission.

A desk top study, Phase 1 Habitat Survey, Protected Species Assessment (including a survey of the suitability of the trees on the site for supporting bats) and specific surveys for bats and reptiles were carried out by JFA Environmental Planning in respect of the site. A report setting out the result of these has been submitted with the application. The report concludes that:

- A check for active nests of breeding birds should be conducted by a suitably qualified ecologist prior to any vegetation clearance, if work is carried out during the bird breeding season.
- No signs of badgers or suitable Great Crest Newt habitat were found on the site.
- The site has the theoretical potential to support reptiles and bats. As these are protected under legislation specific surveys were carried out to ascertain if they were present. Both surveys had negative results and found that these species were not using the site.

Natural England has responded to the consultation and they have not raised any objections to the proposal. However, they have recommended that biodiversity mitigation measures are sought for bats and that biodiversity enhancement measures are sought for great crested newts and reptiles. Conditions requiring these measures have therefore been included in those recommended.

The submission identifies biodiversity enhancements that the scheme could provide. These include the formation of a swale, new tree planting and landscaping and the installation of bat and bird boxes. Conditions have been recommended to ensure that appropriate biodiversity enhancement measures are taken forward when the development is implemented.

Although it was not raised as an issue by Natural England the assessments submitted with the application note that the existing site contains suitable habitats for nesting birds. A condition has therefore been recommended to ensure that suitable measures are taken to prevent unacceptable impacts on nesting birds during the construction phase of the development.

The tree and wider landscaping conditions recommended (both in respect of the protection of existing features and the requirement for acceptable new planting) are considered sufficient to ensure that these aspects of the scheme make appropriate contributions to biodiversity and provides suitable levels of habitat.

Subject to the controls in place under the conditions recommended and the requirements in place under other legislation the proposal is found to be acceptable and compliant with policy on biodiversity and nature conservation matters.

2.7 Noise and air quality impacts

Air Quality Impacts

The borough has been designated an Air Quality Management Area (AQMA). This relates to exceedences of the annual mean nitrogen dioxide objective, however, it does not mean that the objective is exceeded across the entire borough. Local Plan policy DM04 requires that development proposals ensure they are not contributing to poor air quality. It also identifies that where there is a localised source of air pollution buildings should be designed and sited to reduce exposure to air pollutants. Proposals should include air quality assessments where appropriate. An air quality assessment, prepared by MLM Environmental, has been submitted with the application.

The air quality assessment submitted and the proposals more widely have been evaluated by officers in the Council's Environmental Health Service. Officers conclude that the proposal would have a negligible impact on local air quality. It is also found that in this location the school itself would not be expected to be exposed poor air quality. In light of these findings the proposal is deemed to be acceptable and compliant with the objectives of development plan policy in these respects.

Noise Impacts

Local Plan policy DM04 identifies that proposals to locate noise sensitive developments (such as schools) in areas with existing high levels of noise will not normally be permitted. The application is accompanied by a noise report prepared by HRS Services Ltd. Officers in the Council's Environmental Health Service have assessed the submission, including this report, and find that the development would not be subject to unacceptable levels of noise impacts from the surrounding area. The proposal is therefore considered to be acceptable and compliant with the objectives of planning policy in this regard. Matters relating to the noise impacts arising from this development have been assessed earlier in this report (section 2.5).

2.8 Transport, parking and highways matters

Policy Context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network, take a comprehensive approach to tackling the school run, ensure that development is matched to capacity, deliver high quality transport systems in regeneration areas and town

centres, seek more environmentally friendly transport networks and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan Document sets out the parking standards that the Council will apply when assessing new developments.

Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Major development proposals with the potential for significant trip generation, such as this application, will be expected to be in locations which are, or will be made, highly accessible by a range of modes of transport and supported by a Transport Assessment that fully assesses the transport implications of the development across all modes. The occupiers of new schemes are also required to develop, implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Policy DM13 (Community and education uses) specifically identifies that new education uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres, and should ensure that they do not result in significant adverse impacts on the free flow of traffic and road safety.

Introduction

The primary school approved under the outline planning consent for the Mill Hill East regeneration area, now known as Millbrook Park (MP), proposed a two forms of entry (2FE). The Council, as the highway authority, requested that the proposed increase in the school to three forms of entry (3FE) be examined, so that any additional impact on the local highway network could be fully assessed, and a Transport Assessment (TA) and outline School Travel Plan (STP) have been submitted to support the application.

To illustrate the differences, the likely phasing of children that would be on the site for both the 2FE and 3FE primary schools is shown in the table below.

	Academic Year	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Anticipated total number of children	3 FE & Nursery	75	170	265	390	519	679	669
	2 FE & Nursery	75	160	245	330	386	416	446

It can be seen that in the early years the difference between the 2FE and 3FE school pupil numbers is small, but by the time the currently proposed 3FE school is fully occupied in 2021 there would be over 200 additional pupils compared to the 2FE school.

The TA submitted with the application assesses the impact of the 3FE school. This has been carried out generally in accordance with Transport for London’s “Transport Assessment Best Practice” guidance document (published in April 2010). Some additional sensitivity testing has also been undertaken.

The proposed 3FE school at MP is intended to serve the local community. The additional form of entry from the 2FE school given outline consent is required to accommodate children

already in the local area or anticipated to be in the local area in the coming years due to births and migration. In this context local area means within the school catchment area (two miles walking distance), including the wider MP area.

The Council has a statutory duty to ensure there are sufficient school places for children in the area. Primary aged children under eight should be offered a primary school place within two miles walking distance of their home address. Existing local primary schools in the area are experiencing a high demand for places, which is expected to continue in the future, and the new school is needed to accommodate the excess demand from these, particularly in the early years prior to the rolling out of the MP development. However, once the new estate is completed (anticipated after 2022) most of the pupils attending the school are expected to live in MP itself, with there being a strong focus on walking to and from school.

Baseline Conditions

At present the wider MP site hinders transport connections by its disaggregated nature. The proposed redevelopment of the wider site will, as a whole, create a new community with improved walking, cycling and public transport links to Mill Hill East London Underground station. This will improve the accessibility of the area for all and help facilitate a shift in travel patterns towards more sustainable means of transport.

Surveys at Existing Local Primary Schools

At the request of officers observational surveys were undertaken at two local primary schools during drop off and collection times, to quantify the number of vehicles dropping off and collecting pupils. The surveys were undertaken on Thursday 24th May, 2012 at Frith Manor and St Mary's schools. These two schools were chosen as they are the nearest to the proposed school site and are broadly comparable to it in size (with Frith Manor being a 3FE primary school with 709 pupils and St Mary's a 2FE primary with 483 pupils). The survey findings were used in the assessment of likely impacts at the proposed 3FE school at the application site.

Road Safety Records at Existing Local Primary Schools

Personal injury accident data for the 3 year period leading up to December 2011 was obtained from TfL for highway areas within 200m of the Primary Schools local to the site; St Vincent's RC, Frith Manor and St Mary's.

There were no accidents adjacent to St Mary's, 1 slight accident adjacent to St Vincent's and 3 slight accidents adjacent to Frith Manor. Only one of these accidents occurred during school drop-off and collection times; which was at Frith Manor. In general there appears to be a good accident record for these local schools, despite perceived safety issues with traffic congestion at school drop off and collection times.

Proposed School Access Arrangements

The proposed site layout provides the following transport facilities:

- A 24 space staff car park.
- 6 on street parking bay and 2 additional disabled spaces adjacent to the school in a lay-by area directly off the main access road.
- 50 off street parking spaces, provided during a transitional period, located in a temporary car park opposite (to the west) the school access road.
- Cycle parking for 50 bicycles.

As part of the wider MP proposals a bus turning facility would be constructed on the northern side of the site between the staff car park and the new East-West Link Road connecting Frith Lane with Bittacy Hill. This facility would be used by the extended 382 bus service from Mill

Hill East Station and would be controlled (signed and lined) to prevent general public vehicular use.

The northbound bus stop lay-by directly opposite the bus turning area would be used by bus service 240, which would be diverted from Bittacy Hill via the east-west link road and the proposed north-south road when the southern phases of the MP are built out (anticipated around 2021). The construction of the new East-West Link Road (as part of the wider MP scheme) is due to be completed in 2014.

The wider transport network across the new MP area has been established as part of the approved outline scheme, and the detailed layouts for highways, footpaths and cycleways are subject to reserved matter applications and highway approval processes. They are also controlled through the approved design code.

With reference to the immediately adjacent highway areas, the school access road is a 5m wide carriageway with a 2.7m wide drop-off/collection lay-by. A minimum 2.5m footway has been provided adjacent to the school. On the opposite side of the carriageway there is a 4m wide verge/urban swale and a 2m wide footpath. There would be two dedicated crossing points along this access road, one adjacent to the school's site north-west corner and one next to the school's reception entrance. This secondary road will eventually continue southwards to serve Phase 8 of the MP site but before that phase is built (anticipated 2017-2020) the road will terminate adjacent to the proposed emergency/maintenance access and be provided with a temporary turning head. The TA has demonstrated that vehicles can access and use the road safely and includes swept path diagrams for an HGV.

Due to the constraints of the site, it has not been possible to provide a car park for the drop-off and pick-up of children on the school site itself. The only vehicular access on to the site is the staff car park to the north west corner of the site and the emergency maintenance access at the south west corner, both taken from the school access road.

The drop-off and collection lay-by adjacent to the school provides 6 spaces for parked cars and also has two designated disabled staff parking spaces at its southern end. This area will be for parents and carers to drop off and collect children without having to leave their vehicle or stop more than very briefly. Children would then be escorted by school staff between the lay-by and the main reception entrance. The lay-by would be exclusively used for this purpose at the beginning and end of the school day (expected to be 08:00 to 09:00 and 15:00 to 15:30, but exact times to be agreed with the school provider in due course), with a possible general parking use at midday for nursery collections (anticipated to be 11:30-12:30). This area would need to be signed and lined accordingly (which will be required by the School Car Parking Management Plan condition recommended). It is envisaged that a parking marshal or caretaker from the school would help ensure this area is used as intended. The lay-by will be implemented from the opening of the school and its correct use firmly established as the school grows. Any visitor parking during school hours can also be accommodated in these spaces.

Many parents or guardians, especially of reception and infant children, will not be comfortable using such a facility, preferring to escort children themselves into and out of the school grounds at the beginning and end of the school day. However, those that are comfortable should get the benefit of accessing the school quickly. This facility would help alleviate congestion, with its main benefit seen in the AM drop-off period rather than the PM collection period, which will have more logistical issues as it is likely that vehicles will need to wait longer in the lay-by for children to be escorted to cars. Should the lay-by fill up then

subsequent arriving vehicles would have to continue to the temporary car park or park on-street. However, this effect will be reduced by some pupils staying on at after school clubs.

Temporary Car park and Off-Site Parking Before Phases 8 and 11 of the Wider Scheme

Opportunities to provide car parking off the main school site are set out in the TA and include the provision of a temporary car park. When the school is planned to open in September 2014 the adjacent phases of the MP development (Phases 8 to 11) will not have started and a temporary car park can be provided and accessed from the southern end of the school access road. At this time MP will not be fully built out and it is anticipated that the school will be accommodating the excess demand from the other local primary schools. Consequently, it is expected that a relatively high proportion of children may be driven to school in the first few years.

The car park will be an informal unmarked car park for the sole purpose of accommodating parents and carers dropping off and collecting children to and from the school who are not able to or do not want to use the drop-off lay-by adjacent to the school. The area would be surfaced and will be accessible only at the beginning and end of the school day, possibly with an additional midday use.

The temporary car park will have spaces for about 50 cars, which is expected to be sufficient to satisfactorily meet the predicted TA demand, based on various assumptions and data from the two nearby schools in the area that were surveyed, together with information supplied by Children's Services on the likely demand from the local area, including the closest wards.

Having a car park of this size available from the school opening could encourage car travel to and from the school and a Temporary Car Park Parking Management Plan will need to be put in place (included in the conditions recommended) by the school to control its use, particularly as the car parking will be removed in the future. Agreement has been reached with the developers of the wider site, the Inglis Consortium, that the car park can remain in place for a least 3 years, although the car park site is not currently envisaged under the existing phasing plan to be built on until 2019 to 2022 (phase 11). STP initiatives will be needed alongside the controls on the management and use of this facility, so that reliance on the parking it provides is minimised. It is concluded that, subject to the controls in place through the conditions recommended, the parking available for the school before the construction of phases 8 and 11 would be acceptable.

Off-Site Parking Post Phases 8 and 11 of the Wider Scheme

The construction of Phase 8 is planned for the period 2017 to 2020. This would include the construction of the road around the southern land parcel of Phase 11 to complete the North - South bus route from the East - West Link Road to the Mill Hill East tube station on Bittacy Hill. Currently this is the earliest time when the removal of the temporary car parking would be expected to occur. Phase 11 starts in approximately 2019 to 2022 and is currently the last phase to start construction in the wider MP development. The implementation of this phase will definitely result in the removal of the temporary car park. By this time it is anticipated that the estate will be almost fully developed and MP itself is expected to be the main source of pupils for the school. As such, with the use of STP initiatives, travel will be strongly focused on non-car modes, particularly walking.

The detailed design of the (to be adopted) North – South link road is yet to be undertaken, but this could not include any additional parking over that already permitted as part of the Outline permission. Other streets within the development may in practice be available to park in temporarily, although they are not being explicitly designed to accommodate on-street parking and some congestion could be expected. These roads are all un-adopted and if local

residents experience inconvenience due to parent and carer parking activity, they may, through the EMC, seek for private parking enforcement to be introduced.

The local adopted roads (Frith Lane, East - West and North - South link roads) are all expected to have parking restrictions (including double yellow lines) introduced as necessary to ensure the safety and free flow of traffic, as will the adjacent 382 bus facility, so any disruption to buses will be kept to an absolute minimum. On balance it is concluded that, subject to the controls in place through the conditions recommended, the parking available for the school post the construction of phases 8 and 11 would be acceptable.

Delivery and Service Vehicles

Delivery and refuse vehicles would serve the site from the school access road. The refuse store is located adjacent to the staff car park access, and delivery access is adjacent to the KS1 and KS2 entrance, with a separate ramped entry. Deliveries are to be restricted to between 09:30 and 14:00, to avoid the beginning and end of the school day and a Delivery and Servicing Plan (D&SP) will need to be submitted (conditions to this effect have been recommended).

Refuse vehicles would park at the kerb side and, as the access road is 5 metres wide this may block the road for a short period of time. As part of the D&SP required the applicant will need to consult with the Council's Refuse Service to confirm that collections can be made at appropriate times and would not cause any significant issues at school pick up and drop off. A refuse waiver indemnity agreement is appropriate, as the vehicles will use privately owned and maintained highway, and a condition requiring this has been recommended.

Construction Vehicles

The conditions recommended include requirements for the submission of a Construction Management Plan (CMP) and a Construction Method Statement, in order to ensure that construction logistical issues and impacts are adequately addressed.

On-Site Parking (the Main School Site)

The permanent layout of the staff parking areas shows the provision of a total of 26 spaces, 24 spaces in the northern car park and 2 additional disabled spaces at the southern end of the drop-off lay-by, located conveniently to the school's main reception entrance. This provision has been derived from the parking ratio of 1 space per 2.5 staff agreed as part of the 2FE primary school granted outline consent under the plans for the wider site. For the 60 staff anticipated this equates to a total of 24 spaces. Electric vehicle charging points are proposed in accordance with the London Plan standards (5 active spaces, and 3 with passive charging facilities) and their provision is subject to a condition recommended.

The cycling parking provision for the school is 50 cycle spaces, which meets the London Plan cycle parking standards of 1 space per 10 staff. These spaces are in two areas, with 34 spaces being provided adjacent to the school's main reception area and the remaining 16 (covered and secure) spaces located within the nursery external learning space. A condition requiring the provision of the 50 cycle parking proposed has been recommended. Changing facilities and a shower are available for staff if required.

The cycle parking proposed does not meet the London Plan standard of 1 space per 10 pupils, nevertheless it is considered acceptable in this instance, as additional cycle parking spaces can be made available if demand later increases, and use will be monitored annually through the STP. In the meantime the predicted mode split, discussed further below, indicates there will be a low level of cycling, and further demonstrates that a provision of 50 spaces will be sufficient. Under the circumstances the 72 cycle parking spaces necessary to

meet the London Plan standard is considered excessive and would also have a detrimental impact on other aspects of the design and school facilities provided.

Trip Attraction

The trips attracted to the proposed school development in the weekday peak periods has been assessed by using data contained in the TA from the outline consent for the primary school proposed as part of the wider MP development. This is summarised in the table below. For pupils this is supported by more recent STP data obtained from ‘hands up’ surveys supplied by the Council. Based on this information, and the observational surveys at the other local schools, the average mode split used in the outline TA is still deemed representative.

Primary school mode share summary

Mode of travel	Pupils %	Staff %
Car – driver	0	61
Car - passenger	39	3
Bus	5	10
Rail	0	1
Underground	0	15
Walking	41	6
Cycling	1	0
Taxi / other	0	4
Park & Stride	14	0
Total	100	100

The school day is expected to start at 9am, although the school is anticipated to be open from about 8am for a breakfast club, as per the existing schools in the area. Information from Frith Manor suggests that up to 60 pupils attend the breakfast club (about 10% of pupils) with the majority of these being dropped off by car between 08:00 to 08:30. The development is also expected to be used for after school clubs.

The predicted traffic attraction figures for the proposed school are summarised in the table below. This shows the number of trips attracted by the site’s proposed use for the weekday morning peak hour and the AM peak period respectively.

Predicted AM peak car movements for the proposed 3FE School

	AM peak hour (8-9am)		AM peak period (0840-0900)	
	arrivals	departures	arrivals	departures
No of car trips by staff	21	0	0	0
No of car trips by parents / carers	150	150	135	135
Total	171	150	135	135

It is expected that the afternoon peak period at the end of the school day is likely to show a similar amount of vehicle trips as the morning peak. However, some children are dropped off in the morning as parents go to work, but then walk home in the PM. There are also after school clubs which will spread out the afternoon movements associated with the development. The school pickup times (approximately 3.00-3.30pm) are outside of the local highway network’s PM peak hour and will not affect traffic flows on the highway network at this time. However, any vehicles waiting to pick up pupils will congregate at the end of the school day, rather than be spread over a longer time period before the school day starts. On

road parking would be more prevalent as a result although more street parking space could also be available.

Trip Distribution and Assignment

Trip distribution and assignment has been based on the transportation work undertaken for the 2FE school granted outline consent under the plans for the wider site. Under that outline application the proportion of trips externally to and from the MP site, including neighbouring wards such as West Finchley, travelling to and from the school is predicted to be 43%. The other 57% of trips are predicted to originate from the Millbrook Park site itself. Trips from the site associated with dropping off children before carrying on to a place of work or shopping equates to 25% of the total school trips, whilst 32% of the school trips immediately return home.

Trips attracted by the full 3FE school proposed, assuming that the MP development has been completed, have been simply assigned to the local highway network as set out below. For robustness in assessing the junction to the East-West Link Road, adjacent to the Transport for London bus facility, all school traffic associated with the extra 1FE has been routed through this junction despite an alternative route being available to the west (via an additional junction on the East-West Link road). This also takes into account the scenario of the school expanding to 3FE before Phases 9, 10 and 11 are completed, along with the secondary access roads linking to this additional junction:-

- 50/50 split on E–W Link Road to/from Frith Lane and Bittacy Hill
- 50/50 split on Frith Lane to/from E-W Link Road
- 75/25 split on Bittacy Hill (majority north) to/from E-W Link Road.

The modelling work also assumes all the trips are from other wards in the area, not from the MP site. Using this approach the traffic generation input to the junction models will overestimate by up to 32%.

Impact Assessment

Impact on all modes has been assessed, with a particular focus on the impact of trips in the AM peak on the highway network associated with the 3FE school, utilising the data summarised in the tables above. A degree of sensitivity testing has been undertaken to assess the range of potential impacts of varying levels of parking activity and demand.

Pupil numbers are predicted to start at 75 in 2014, increasing to a maximum of 669 by 2020. Car usage is predicted to be about 70% at opening year but gradually reduce to 39% over the same time period. Factoring is also applied to account for car sharing amongst pupils, parking survey data derived from the Frith Manor surveys and for breakfast club early arrivals. A car parking requirement ranging from 18 spaces to 55 is estimated in the TA. This makes no allowance for the impact of the STP and assumes that all trips pass through the gateway junctions in the area (whereas it can be expected that a proportion will be from the MP site itself). The lay-by parking provision (6 spaces) is also factored in and applying a sensitivity of plus or minus 15% a range of between 10 and 56 'on road' parking spaces may be required for short stay parking so that parents and guardians can collect children. This is mitigated through the provision of the temporary car park discussed above, and increasingly as time goes on through the STP, by the introduction of measures such as 'walking buses'.

Traffic Impact

Junction capacity assessments were undertaken for the AM peak for the same year as for the outline application assessments, 2023, and utilise much of the data from these previous assessments. The PM peak of 5-6pm was not assessed, as it is after the 'school' afternoon

peak. The 2023 forecasts from the TA submitted with the outline application assumed a significant level of traffic growth, in addition to that from the development itself, and did not include the impact of travel planning across the site. They are therefore considered very robust. The following junctions were assessed:-

- East – west link road / Frith Lane give-way junction
- East – west link road / Bittacy Hill mini roundabout
- East – west link road / north – south route (which leads to the school access road) give-way junction
- Bittacy Hill / Frith Lane mini roundabout.

The junctions have been assessed using nationally recognised and approved computer programmes, which provide predictions of maximum vehicle queue lengths during the modelled time period as well as predictions of the ratio of flow to capacity (RFC) for each turning movement at the junction. An RFC has a maximum value of 1, but junctions are typically expected to have queuing when the RFC is more than 0.85.

An adjustment was made to the proportion of heavy goods vehicles (HGVs), previously input as 10%, based on more recent traffic surveys undertaken in 2010, where the HGV proportion was on average around 3%. Otherwise the modified traffic flows were simply input to the existing junction models. The results are summarised in the table below.

Junction	Turning movement	Maximum RFC	Maximum Queue length (vehicles)
East – west link road / Frith Lane	East – west link road to Frith Lane	0.865	5.4
	Frith Lane (north) to east – west link road	0.873	5.8
Bittacy Hill / East – west link road	Bittacy Hill (north)	0.66	2.0
	East – west link road	0.7	2.3
	Bittacy Hill (south)	0.4	0.7
East – west link road / North – south route (school access road)	School access road to east – west link road	0.841	4.2
	East – west link road (west) to school access road	0.272	0.4
Bittacy Hill / Frith Lane*	Bittacy Hill (north)	0.76	3.0
	Frith Lane	0.735	2.7
	Bittacy Hill (south)	0.703	2.3

* The Bittacy Hill / Frith Lane results are for the outline scheme, and were not re-run for the school application due to the low level of predicted queuing and as the location is more remote from the school site

In all cases the RFC and queue lengths were very similar between those for the outline application with the 2 FE school (and 10% HGVs) and the current detailed application for the 3FE school (and 3% HGVs). This demonstrates that the junctions are able to accommodate

the larger size school. For the east – west link road / Frith Lane junction where the RFCs are over 0.85 a further test was carried out assuming that the additional trips associated with the school are internal to MP and so do not travel through the junction. This resulted in slightly lower RFC values (0.833 to 0.861). Overall, the junction can be expected to work within reasonable tolerances, but there is likely to be some limited queuing at the busiest times.

Community Uses

There is potential for the school to be used for community uses during weekday evenings and perhaps at the weekend. At present details for this are limited. However, any impacts can be expected to be small. To ensure that this aspect of the scheme is monitored and mitigated appropriately a condition for a Community Use Travel Plan has been recommended.

Mitigation

In addition to the various measures already being planned for as part of the outline permission for the wider MP scheme, the following school specific mitigation measures are proposed in the TA:

- Staggered school start and finish times.
- The School Travel Plan (discussed further below). The submission includes an outline STP which will be updated and reviewed over time, and controlled by way of a planning condition.
- Walking buses.
- Possible implementation of a school minibus service, which would be targeted towards pick-up and drop-off locations where pupils would otherwise be driven.
- Drop-off and pick-up lay-bys located immediately adjacent to the school
- Provision of a temporary car park with up to 50 spaces.

These measures are discussed further in earlier and subsequent sections of the report.

School Travel Plan

An outline STP has been submitted as part of the application. This is intended to be consistent with the Framework Travel Plan for the wider MP site, as well as being reflective of national, London and Barnet policy. This can be considered to be a draft document at this stage, and will require a number of changes before it can be approved (as required under the conditions recommended) as a full STP. A TP Champion will be appointed by the school to monitor the delivery of the STP objectives. Targets for increased percentages of pupils walking and cycling by years 3 and 5, together with less car use are set out, although these are intended to be indicative at this stage. A draft STP Action Plan is contained in an Appendix to the outline STP submitted.

The draft submitted STP contains a significant number of initial measures intended to influence the mode of travel and in particular encourage non-car travel in support of the target mode splits. These include physical measures such as pedestrian friendly road designs; new facilities (for example cycle parking); education and training initiatives (such as walk to school training); information provision (such as a parents and carers car sharing database); risk assessments of school routes; partnership working and liaison activities (including with the other local schools and the site-wide Travel Plan Champion); campaigns (such as walk to school week); school policies (such as those on start and finish times); and finally management activities (such as the annual review of the STP by the Board of Governors).

The draft submitted STP also identifies that bespoke measures will be developed in due course and therefore the STP should be considered as a live document that will grow and evolve as the school fills up, the wider MP site develops out and the transport provision and requirements change.

In due course the full STP provided will need to meet all of the criteria in the relevant TfL guidance and should seek to meet the requirements of the planning obligations, conditions and framework TP for the wider MP scheme (where they are relevant) and reflect the inter-relationship and future coordination with the other site Travel Plans and TP Champions. The full STP will also need to reflect all travel related to the school site, including staff, pupils, families, visitors, servicing and deliveries and community use of the site (notwithstanding that there are separate conditions relating to the last two of these).

The full STP will need to reflect the fact that the school would be a 3 FE primary school with a nursery that would start with the youngest pupils, who will go up a year group each year, until all year groups have pupils. It should also reflect the likely (and in due course, actual) impact of changes to the area pupils travel from, distance travelled and therefore travel patterns. The full STP needs to be in place prior to the school opening so that measures are in place to influence travel choices for new families and staff and school policies and procedures from the outset.

Standard methodology for monitoring STPs is the use of hands up surveys which demonstrate mode split per pupil and modal shift. It will be expected that hands up surveys will be completed annually, starting within 3 months of 1st occupation, and that full consultation with all of the school community will take place within 6 months of occupation, when the STP will need to be updated and completed, and then every 3rd year onwards).

The STP itself will need to be resubmitted within 6 months of the school opening and then reviewed and submitted for approval annually. Once the STP is approved by the Local Planning Authority (LPA) for that year, with agreed initiatives and targets, these would be monitored and the results incorporated into the next years report (that is required to be submitted to the LPA). It is expected that monitoring of the STP activities will be done for at least the next 5 years after the full occupation, which is planned in year 2021, or until it is considered that the school impact is as per agreed initial targets (whichever is the earliest). Barnet Council's travel plan representative will work closely with the school to oversee the monitoring and help support the STP and the STP Champion.

Transport, Parking and Highways Conclusions

Car parking is clearly a significant issue with respect to this application and there is a risk that vehicle movements on local roads will be affected by school related queuing traffic and parked cars. However, it is considered that a robust set of measures, including both 'carrots' and 'sticks', are being provided in order to effectively manage the local transport network. In particular the local adopted main roads will have yellow line parking restrictions and in the early years of the school, when excess pupil demand from other local schools will form a significant proportion of the school intake and driving to school may therefore be more prevalent, a temporary car park is available. Later, when the wider MP site is fully developed and the temporary car park is built over, the school intake is expected to be predominantly from within wider MP itself, and consequently there is expected to be a strong focus on walking to and from school.

Many complementary mitigation measures are proposed in the TA and outline STP submitted and these can expect to be progressed, subject to the findings of the monitoring, through the development of a full STP and the activities of the STP Champion, overseen by

the Council's travel plan representative. A comprehensive set of conditions are set out to ensure there is robust framework of control in place.

The Council Traffic and Development Team have assessed the application and, on balance, the proposed development is found to be acceptable and compliant with the objectives of planning policy on transport, parking and highway matters, subject to the controls in place under the conditions recommended.

2.9 Flooding and water infrastructure matters

The scheme proposes to provide a swale with a capacity of not less than 500m³, situated to the east of the all weather pitch. This would provide drainage infrastructure and attenuation for the application site itself and also provides a potential resource for educational and biodiversity purposes. In addition to this the area underneath the all weather pitch would provide drainage infrastructure and attenuation of not less than 3000m³ for the wider development of the Inglis Barracks site (as consented under application reference H/04606/12).

The application site does not fall within an area identified as being at risk of flooding. However, as the area land that the site covers exceeds 1 hectare a Flood Risk Assessment has been submitted as part of the application. The Environment Agency has responded to the consultation and has not raised any objection to the proposal. However, they have requested that a condition be placed on any consent requiring details of the surface water drainage scheme for the site to be submitted to the Local Planning Authority for approval. As such a condition has been recommended to ensure that the necessary mitigation is achieved at implementation.

Thames Water have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent. Thames Water has made a number of points in respect of drainage, pipe infrastructure and waste water matters. These have been included as informatives. Both businesses potentially supplying water to the development (Veolia and Thames Water) have been consulted on the application and neither has raised any objections to the development in relation to water supply matters.

The proposal is considered to be acceptable and compliant with planning policies on flooding and water infrastructure matters, subject to the conditions recommended.

2.10 Energy, climate change and sustainable construction matters

Policy Context

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean - use less energy
2. Be clean - supply energy efficiently
3. Be green - use renewable energy

Non-domestic buildings should achieve a 25% reduction in carbon dioxide emissions compared to a building which complies with the 2010 Building Regulations. The reduction in carbon dioxide emissions is required to be achieved through a combination of improved building efficiency and the inclusion of Low and Zero carbon (LZC) technologies. Policy 5.3 goes on to set out the sustainable design and construction measures required in major

developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

Carbon Dioxide Emissions and the Proposed Energy Strategy

An Outline Energy and Sustainability Report, prepared by Multidisciplinary Consulting, has been submitted with the planning application. The report details a number of measures and features that the proposal would use to achieve the requirements of development plan policy on minimising carbon dioxide emissions with a strong emphasis on creating a building that uses less energy (be lean). The measures identified are set out further below.

The submission identifies that the scheme would include the following 'be lean' measures to enable it to use less energy than a scheme which was only compliant with the 2010 Building Regulations:

- The building has been oriented approximately north to south and designed with a layout that will maximise the receipt of natural daylight to occupied spaces while minimising unwanted solar gain.
- The building fabric would achieve 'U Values' which are a significant improvement over those required under Part L of the Building Regulations. The following elements of the building are expected to achieve the percentage improvements specified over the a notional building constructed to meet the requirements of the Building Regulations:
 - Ground floor:- 54.5% improvement
 - External walls:- 53.8% improvement
 - Roof:- 44.4% improvement
 - Glazing:- 18.3% improvement
- The building would be designed, detailed and constructed to seek to achieve an air permeability of $5\text{m}^3 \text{h.m}^2$ or better. This represents an approximate 50% improvement over the minimum Building Regulations requirement.
- Where installed the energy efficiency of the mechanical ventilation systems will exceed the minimum requirements of guidance on this (in the Department for Communities and Local Government document Non-Domestic Building Services Compliance Guide) by at least 20%.
- Installing space heating plant with a seasonal efficiency of greater than 95%.
- Installing hot water heating plant with a seasonal efficiency of greater than 90%.
- The installation of lighting systems that optimise energy efficiency including the use of daylight dimming fittings, automatic absence detection and timed clock control as appropriate.
- The use of a centralised computer based building management system to manage and control the building services.
- The use of separately metered building services which are reported by the building management system.

In terms of measures to use energy efficiently (be clean), there is currently no existing low carbon energy supply near enough to the development for a connection to be possible. However, a suitably sized and district heating network is proposed as part of the redevelopment of the wider Millbrook Park site and this is currently anticipated for completion in approximately 2018. Once completed it is predicted that this network could serve 100% of

the schools heating and domestic hot water requirements. At such a time the boilers installed in the school to meet requirements until that point would be used as a back up heat source and maintenance. In light of this expected infrastructure the school has been designed and constructed to accommodate a future connection to the proposed district heating network and a condition has been recommended requiring this provision. However, as the district heating network is not currently in place the energy and carbon savings this would provide have not been taken into account in the achievement of the 25% reduction beyond the requirements of Part L of the Building Regulations needed for the application to comply with development plan policy in this regard.

In terms of the use of renewable energy (be green) the application states that the following low and zero carbon technologies would be incorporated in the development:

- Photovoltaic cells mounted on the roof to generate electricity.
- Solar thermal technology mounted on the roof to provide a supplementary source of heat for hot water.

The photovoltaic cells and solar thermal technology are anticipated to respectively contribute 21480kWh of renewable electricity and 9630 kWh of renewable heat per annum. This is estimated to involve the installation of a 200m² array of photovoltaic cells and a 40m² panel of solar thermal technology. Conditions have been recommended to ensure that appropriate renewable energy infrastructure is installed in the development.

Taking account of only the measures proposed in the submission to use less energy and renewable energy sources the scheme is predicted (using approved software) to achieve the 25% reduction in carbon dioxide emissions required to comply with development plan policy. With the inclusion of the benefits derived from a potential future connection to a district heating network the scheme is anticipated to achieve a 34.2% improvement over the requirements of the 2010 Building Regulations. Subject to the requirements of the conditions recommended, the proposal is found to be acceptable and compliant with development plan policy on the reduction of carbon dioxide emissions and mitigation of climate change.

Other aspects of sustainable design and construction

The documents submitted with the application identify a number of features that the proposal would incorporate to develop in a sustainable way, mitigate and adapt to climate change, conserve resources and minimise pollution. These are discussed in more detail in the various relevant sections of this report but include elements such as the creation of new facilities for the community, the formation of areas of soft landscaping and a swale, the provision of appropriate recycling storage equipment, the inclusion of energy efficiency measures and the installation of facilities for cyclists.

The submission includes a BREEAM Pre-Assessment report prepared by Multidisciplinary Consulting. This makes it clear that the current scheme would aim to achieve a BREEAM rating of 'Very Good' under the BREEAM 2011 New Construction Scheme and identifies that the projected score for the building allows for this standard to be achieved (once sufficient and compliant evidence is received). The current targeted score under the assessment process is 57.26%, with a score of 55% being needed to achieve a 'Very Good' rating. To ensure that the commitment to reaching a 'Very Good' standard is carried through to implementation a condition on this aspects of the proposal has been recommended. Such an approach allows a degree of flexibility as to the precise sustainable design and construction measures to be incorporated in the development, while ensuring that, taken in the round, the scheme achieves an appropriate level of sustainability. It is considered that the details provided in the submission are acceptable in this regard and that the application would result

in a development which reaches an appropriate standard in respect of sustainable design and construction matters.

To address policies on urban greening specifically the development includes areas of new planting and soft landscaping at a ground level, including the formation of a swale. Conditions have been recommended to ensure that the site is appropriately landscaped at the implementation stage of the development (landscaping is addressed in greater detail in other sections of this report). It is noted that the application does not propose that the main school building be constructed with a green or brown roof. Instead the opportunity has been taken to provide renewable energy infrastructure on the roof of the building (see earlier section of the report for further details). It is accepted that in this instance it is not feasible to provide both the renewable energy infrastructure proposed and green or brown roofs and that in the particular circumstances of this application the benefits of the inclusion of on-site renewable energy equipment, when considered alongside the new soft landscaping proposed as part of the scheme, outweigh the positives that would arise from the inclusion of green or brown roofs. The lack of green or brown roofs in the scheme is therefore considered to be acceptable in this instance. In reaching this conclusion it is noted that the absence of green or brown roofs in the proposal would not prevent the wider Millbrook Park development from achieving its target of 10% of the overall development having green or brown roofs.

2.11 Safety and security matters

Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime. The London Fire and Emergency Planning Authority and Metropolitan Police Service have both responded to the consultation on the application and neither party has raised any objections to the proposal subject to the inclusion of the conditions recommended. The design and layout of the development proposed is considered to be such that, as controlled through the use of the conditions recommended it would provide a safe and secure environment which reduces opportunities for crime and the fear of crime. The proposal is therefore found to be acceptable in this regard.

2.12 Creating inclusive environments for all members of the community

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Statements should be submitted with proposals explaining how the principles of inclusive design have been integrated into the development for which consent is sought.

The documents provided with the application set out a number of ways in which the design of the proposed development has been influenced by the desire to make it accessible for all members of the community. The Design and Access Statement submitted shows how the layout of the development has been designed in such a way as to provide a main entrance that has a level threshold which is positioned at the same level as the back edge of pavement in this area, despite the significant level changes across the site. Examples of relevant features inside the main building include the designing of stairs to make them suitable for ambulant disabled users and the installation of a lift which is compliant with Part M of the Building Regulations. Generally the detailed design of the building would be undertaken with reference to Part M of the Building Regulations and the scheme would include a suitable number of accessible sized parking bays.

Conditions have been recommended to ensure that the development provides appropriate facilities for all members of the community in variety of regards, for example building at appropriate levels and the provision of disabled parking spaces. Subject to these controls and the requirements in place under other legislation officers conclude that the design and

layout of the proposal is such that it is acceptable in terms of creating a development that is accessible, useable, permeable and inclusive for all members of the community.

2.13 Contaminated land and water quality issues

The Environment Agency has not raised any objection to the proposal or requested that any conditions be imposed on a grant of consent in terms of contaminated land or water quality matters. The Council's Environmental Health Service has confirmed that any concerns they may have regarding contaminated land issues are adequately addressed through the conditions recommended in this respect. Having evaluated the information submitted, it is considered that the proposal is acceptable and compliant with development plan policy in respect of contaminated land and water quality matters, subject to the conditions recommended.

2.14 Environmental Impact Assessment Regulations

An application (reference H/02048/12) was made for a Screening Opinion in respect of the current proposal to assess whether or not the development required the submission of an Environmental Statement in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'Regulations').

Under that application the proposal was evaluated in terms of the characteristics of development, location of development and the characteristics of the potential impact of the proposal. In each of these respects and taken in totality the proposal was found not to be likely to give rise to significant effects on the environment in the sense intended by the Regulations. It was concluded that the proposal is not a major development which is of more than local importance, is not situated in (or partially within) a particularly environmentally sensitive or vulnerable location and is not a development with unusually complex or potentially hazardous environmental effects. The scale of the development and the magnitude of its impact are not likely to be such that they would result in significant effects on the environment.

Taking account of the criteria set out in Schedule 3 of the Regulations and all other relevant factors it is considered that the development described in the information accompanying the application would not be likely to have significant effects on the environment, in the sense intended by the Regulations. Therefore an Environmental Impact Assessment is not necessary and an Environmental Statement, in line with the Regulations, is not required to be submitted with the application.

2.15 Mayoral and Barnet Community Infrastructure Levy

The Mayor of London is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy (CIL) in respect of development in Greater London. The Mayor published a schedule for CIL in February 2012 and it came into effect in April 2012.

The Mayoral CIL is chargeable in respect of all new developments other than those used wholly or mainly for the provision of:

- Any medical or health services, except the use of premises attached to the residence of the consultant or practitioner.
- Education as a school or college under the Education Acts or as an institution of higher education.

The development proposed in this instance is for an education use (school) under the Education Acts and as such there is no Mayoral CIL charge to be applied.

Should the application be approved and for the planning permission not be issued before the adoption of the Barnet CIL (anticipated on the 1st May 2013) the development would not be liable for a charge under this regime for the same reasons as the scheme is not liable for charge under the Mayoral CIL.

3. EQUALITIES AND DIVERSITY ISSUES

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

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

For the purposes of this obligation the term “protected characteristic” includes:

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

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

The development proposed as part of the application would be required to comply with current legislative requirements in respect of equality and diversity related matters, for example access for the disabled under Part M of the Building Regulations. In addition to this the proposal, as controlled by the conditions recommended, would ensure that in several regards the development constructed would exceed the minimum requirements of such legislation. An example of this is the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report). With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development.

The design and nature of the facilities provided by the development are such that they would be a significant improvement over the playing field facilities provided at the site historically and go further in terms of achieving equality and diversity objectives. It is considered important to recognise that a wider spectrum of the local community and public would have access to the proposed facilities over a greater period of the year when compared to their previous main use as a facility for the MOD. The development would therefore have a positive effect in terms of equalities and diversity matters. It is also noted that the site could

not currently be used as a playing field, as works associated with the redevelopment of the wider site Millbrook Park have and are continuing to take place on it. In such circumstances no current users have been prejudiced.

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

4. CONCLUSION

The Department for Communities and Local Government has published two documents which are of significance in the determination of planning applications for educational facilities such as this:

- Policy Statement - Planning for Schools Development (August 2011)
- National Planning Policy Framework (March 2012)

Each of these documents gives strong support to the provision of new, state funded educational facilities and they go as far as creating a presumption in favour of educational development. The NPPF states that planning authorities should "*...only refuse planning permission for a new school if the adverse planning impacts on the local area outweigh the desirability of establishing a school in that area*". The policy statement Planning for Schools Development identifies that "*The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools*". It is clear that national planning policy is strongly in favour of providing state funded schools, and this is a significant material consideration in the determination of this planning application.

The proposed development would comply with development plan policies in the adopted Barnet Local Plan which seek to meet educational and community needs, particularly in areas experiencing growth, where this can be accommodated without harm to the amenities of residential properties and surrounding uses, the site is accessible by public transport, walking and cycling and there are no significant impacts on the free flow of traffic or road safety and the scheme has been designed to be accessible to all members of the community.

The principle of the loss of the existing playing fields at this site through its redevelopment for a school and associated facilities has been established by both the outline consent previously granted and the development plan policy support for its redevelopment in the Mill Hill East Area Action Plan. The current application would provide a greater area of playing field than was being targeted for the school site under the conditions imposed on the outline consent. The current scheme would also offer a larger playing pitch than was shown in the illustrative material which accompanied the application for the outline consent. It is noted that much of the mitigation provided for the loss of playing field associated with the outline consent for the wider site would still to be provided independently of this application as that planning permission is implemented. When all known constraints and policy objectives are taken into account it is reasonable to conclude that the current proposal would be expected to offer playing fields of at least equivalent quality and management arrangements, relative to those that could have been provided under the outline consent granted. It is certainly clear that the current application would provide facilities for a greater range of sports than were provided at the site historically and would make these available and accessible to a wider section of the community. Conditions have been recommended to ensure that sporting and

community facilities that the scheme would provide are made accessible to the wider community and it is considered that the proposals would be compliant with the objectives of development plan policy and the National Planning Policy Framework in respect of its impacts on playing field facilities.

As a separate application for full planning permission in its own right this proposal is not formally bound by the principles, parameters and conditions of the outline consent granted for the redevelopment of the wider former Inglis Barracks site. However, the school and associated development is, in part, the delivery of the infrastructure needed to support that development. Where possible the scheme therefore seeks to accord with the principles and parameters of the outline consent. As a result the scheme proposed would not compromise the ability to implement the outline planning permission for the wider site.

Adequate justification has been provided for the approach taken where the scheme deviates from the outline consent, including in respect of the additional form of entry and scale of building proposed and the development is found to be acceptable and compliant with planning policy in all relevant regards. The scheme proposed is consistent with the open space requirements for the site under the outline consent and would not prejudice the phasing or delivery of the drainage infrastructure provided for the wider scheme. A number of conditions have been included in those recommended to ensure that, where appropriate, the development achieves the objectives of the outline consent.

The design, scale and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to and will not compromise the character and quality of the surrounding area, both as existing and that which will come forward as the outline consent is implemented. The more detailed design of the building proposed is considered strike an appropriate balance between providing a robust approach that will age well and still provides the visual interest and offers an appearance that is reflective of its primary function as a school. The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, including a number of retained trees and new areas of grass, hedge and shrub planting that and provides an appropriate setting for the buildings proposed. The scheme would not have an unacceptable impact on the area of green belt which adjoins the site.

It is considered that a robust set of measures are being provided in order to effectively manage the local transport network and adequately mitigate impacts potentially arising from school related queuing traffic and parked cars. In particular the local adopted main roads will have yellow line parking restrictions and in the early years of the school, when demand from a wider area is likely to form a significant proportion of the school intake and driving to school is potentially more prevalent, a temporary car park is available. Later, when the wider Millbrook Park site is fully developed and the temporary car park is removed, the school intake is expected to be predominantly from within Millbrook Park itself. Consequently there is expected to be a strong focus on walking to and from school, which will be supported and encouraged by the School Travel Plan. The scheme has been designed to provide safe access and facilities for all users and conditions have been recommended to ensure there is a suitable framework of control in place to adequately mitigate the potential transport, parking and traffic impacts of the development.

Taking account of only the measures proposed in the submission to use less energy and renewable energy sources the scheme would achieve the 25% reduction in carbon dioxide emissions required to comply with development plan policy. More generally the application includes a number of features to achieve a good standard in respect of sustainable design and construction. The new school building has been designed to meet the BREEAM 'Very

good' standard and there are requirements for appropriate biodiversity mitigation and enhancement measures, which are ensured through the conditions recommended.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. There would not be any adverse impacts arising from the proposal which could not be adequately mitigated by the conditions recommended. It is therefore considered that there are material planning considerations which justify the grant of planning permission and the application is recommended for **APPROVAL** subject to conditions and no Direction being received from the Secretary of State to call the application in, as set out in the recommendations section at the beginning of this report.

APPENDIX 1: KEY PLANNING APPLICATION HISTORY FOR MILL HILL EAST AREA

Inglis Barracks, Price Close (known as Millbrook Park)

H/04017/09 “Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.” Granted (September 2011).

H/00480/12 “Reserved matters application seeking approval for advance infrastructure works in relation to Phase 1A of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated: 22/9/2011” Granted (April 2012).

H/03548/12 “Reserved matters application seeking approval of Appearance, Landscaping, Layout and Scale in relation to Phase 1a for the erection of 58 houses comprising 39 x 3 bed houses and 19 x 4 bed houses at ‘Millbrook Park’ (Inglis Barracks) submitted to meet the requirements of Condition 5 of outline planning application H/04017/09 dated 22 September 2011.” Granted (January 2013).

H/03904/12 “Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 2 of Mill Hill East development pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 103 dwellings comprising 3 x one bed flats, 20 x two bed flats, 45 x 3 bed houses, 25 x four bed houses and 10 x five bed houses. Approval of layout and landscaping works to Phase 2 public open space OS2, together with details to discharge the requirements of conditions 8, 12, 26, 27, 29, 48, 52, 57, 70, 80, 83, 85 and 91.” Application submitted and currently under consideration.

H/04080/12 “Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 1 of Mill Hill East development (Millbrook Park) pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 133 residential dwellings comprising 31 x one bed flats, 61 x two bed flats, 14 x three bed houses and 27 x four bed houses, including associated infrastructure, access roads, car parking, landscaping and approval of layout and landscaping works to Phase 1 public open space OS5, together with details to discharge the requirements of conditions 8, 13, 26, 27, 29, 32, 48, 52, 70, 80 and 85.” Application submitted and currently under consideration.

H/04606/12 “Reserved matters application seeking approval for advance infrastructure works in relation to Phase 2A of Millbrook Park (Mill Hill East), comprising ground re-profiling and construction of new roads with associated multi-utility infrastructure, installation of swales and landscaping pursuant to outline planning permission H/04017/09, Condition 5b dated 22/09/11.” Application submitted and currently under consideration.

Mill Hill East Primary School, Frith Lane

H/02048/12 “Environmental Impact Assessment screening opinion”. No Environmental Statement required (June 2012).

North Eastern Corner of Inglis Barracks (known as Ridgemont)

W01708X/99 “Redevelopment of north eastern corner of the Barracks for residential purposes with access from Frith Lane and Bittacy Hill (Outline Application).” Granted (August 2002).

W01708AB/04 “Details of siting, design, external appearance of buildings, means of access and landscaping pursuant to Condition 1 of outline planning application ref. W01708X for the redevelopment of the north eastern corner of the Barracks for residential purposes with access from Frith Lane and Bittacy Hill approved 30 August 2002. (DUPLICATE of W01708AA/04).” Allowed at appeal following non determination by the Council (December 2005).

APPENDIX 2: PROPOSED SITE LAYOUT



APPENDIX 3: INFORMATIVES

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010, this informative summarises the local planning authority's reasons for granting planning permission for this development and the relevant development plan policies taken into account in this decision.

In summary, the Local Planning Authority considers that the proposed development should be permitted for the following reasons:

The Department for Communities and Local Government has published two documents which are of significance in the determination of planning applications for educational facilities such as this:

- Policy Statement - Planning for Schools Development (August 2011)
- National Planning Policy Framework (March 2012)

Each of these documents gives strong support to the provision of new, state funded educational facilities and they go as far as creating a presumption in favour of educational development. The NPPF states that planning authorities should "*...only refuse planning permission for a new school if the adverse planning impacts on the local area outweigh the desirability of establishing a school in that area*". The policy statement Planning for Schools Development identifies that "*The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools*". It is clear that national planning policy is strongly in favour of providing state funded schools, and this is a significant material consideration in the determination of this planning application.

The proposed development would comply with development plan policies in the adopted Barnet Local Plan which seek to meet educational and community needs, particularly in areas experiencing growth, where this can be accommodated without harm to the amenities of residential properties and surrounding uses, the site is accessible by public transport, walking and cycling and there are no significant impacts on the free flow of traffic or road safety and the scheme has been designed to be accessible to all members of the community.

The principle of the loss of the existing playing fields at this site through its redevelopment for a school and associated facilities has been established by both the outline consent previously granted and the development plan policy support for its redevelopment in the Mill Hill East Area Action Plan. The current application would provide a greater area of playing field than was being targeted for the school site under the conditions imposed on the outline consent. The current scheme would also offer a larger playing pitch than was shown in the illustrative material which accompanied the application for the outline consent. It is also noted that much of the mitigation provided for the loss of playing field associated with the outline consent for the wider site would still to be provided independently of this application as that planning permission is implemented. When all known constraints and policy objectives are taken into account it is reasonable to conclude that the current proposal would be expected to offer playing fields of at least equivalent quality and management arrangements, relative to those that could have been provided under the outline consent granted. It is certainly clear that the current application would provide facilities for a greater range of sports than were provided at the site historically and would make these available and accessible to a wider section of the community. Conditions have been recommended to ensure that

sporting and community facilities that the scheme would provide are made accessible to the wider community and it is considered that the proposals would be compliant with the objectives of development plan policy and the National Planning Policy Framework in respect of its impacts on playing field facilities.

As a separate application for full planning permission in its own right this proposal is not formally bound by the principles, parameters and conditions of the outline consent granted for the redevelopment of the wider former Inglis Barracks site. However, the school and associated development is, in part, the delivery of the infrastructure needed to support that development. Where possible the scheme therefore seeks to accord with the principles and parameters of the outline consent. As a result the scheme proposed would not compromise the ability to implement the outline planning permission for the wider site.

Adequate justification has been provided for the approach taken where the scheme deviates from the outline consent, including in respect of the additional form of entry and scale of building proposed and the development is found to be acceptable and compliant with planning policy in all relevant regards. The scheme proposed is consistent with the open space requirements for the site under the outline consent and would not prejudice the phasing or delivery of the drainage infrastructure provided for the wider scheme. A number of conditions have been included in those recommended to ensure that, where appropriate, the development achieves the objectives of the outline consent.

The design, scale and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to and will not compromise the character and quality of the surrounding area, both as existing and that which will come forward as the outline consent is implemented. The more detailed design of the building proposed is considered strike an appropriate balance between providing a robust approach that will age well and still provides the visual interest and offers an appearance that is reflective of its primary function as a school. The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, including a number of retained trees and new areas of grass, hedge and shrub planting that and provides an appropriate setting for the buildings proposed. The scheme would not have an unacceptable impact on the area of green belt which adjoins the site.

It is considered that a robust set of measures are being provided in order to effectively manage the local transport network and adequately mitigate impacts potentially arising from school related queuing traffic and parked cars. In particular the local adopted main roads will have yellow line parking restrictions and in the early years of the school, when demand from a wider area is likely to form a significant proportion of the school intake and driving to school is potentially more prevalent, a temporary car park is available. Later, when the wider Millbrook Park site is fully developed and the temporary car park is removed, the school intake is expected to be predominantly from within Millbrook Park itself. Consequently there is expected to be a strong focus on walking to and from school, which will be supported and encouraged by the School Travel Plan. The scheme has been designed to provide safe access and facilities for all users and conditions have been recommended to ensure there is a suitable framework of control in place to adequately mitigate the potential transport, parking and traffic impacts of the development.

Taking account of only the measures proposed in the submission to use less energy and renewable energy sources the scheme would achieve the 25% reduction in carbon dioxide emissions required to comply with development plan policy. More generally the application includes a number of features to achieve a good standard in respect of sustainable design and construction. The new school building has been designed to meet the BREEAM 'Very good' standard and there are requirements for appropriate biodiversity mitigation and enhancement measures, which are ensured through the conditions recommended.

All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. There would not be any adverse impacts arising from the proposal which could not be adequately mitigated by the conditions recommended. It is therefore considered that there are material planning considerations which justify the grant of planning permission.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, 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 and agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case formal pre-application advice was sought prior to submission of the application.

A summary of the development plan (London Plan 2011, Barnet Core Strategy 2012, Development Management Policies DPD 2012 and Mill Hill East Area Action Plan 2009) policies relevant to this decision is set below:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

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

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

CS7 (Enhancing and protecting Barnet's open spaces)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM06 (Barnet's Heritage and Conservation)

DM13 (Community and education uses)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Mill Hill East Area Action Plan (Adopted 2009):

MHE1 (Mill Hill East Area for Intensification)
MHE3 (Employment)
MHE4 (Community Facilities, Shops and Services)
MHE7 (Green Spaces)
MHE8 (Children's Play Space)
MHE9 (Protection of Green Belt & Biodiversity)
MHE10 (Making the Right Connections)
MHE11 (Improvements to the External Highways Network)
MHE12 (Sustainable Transport)
MHE13 (Parking)
MHE14 (Creating a Sustainable Development)
MHE15 (Design)
MHE16 (Delivering Design Quality)
MHE18 (Delivering the AAP)
MHE19 (Planning Obligations)

London Plan 2011 (set out by chapter):

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.16 (Protection and Enhancement of Social Infrastructure); 3.18 (Education Facilities); and 3.19 (Sports Facilities)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); 5.18 (Construction, Excavation and Demolition Waste); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.16 (Green Belt); 7.18 (Protecting Local Open Space and Addressing Local Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

2. Any and all works carried out in pursuance of this planning permission will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.
3. In complying with the contaminated land condition parts 1 and 2:
 - a) Reference should be made at all stages to appropriate current guidance and codes of practice at August 2012 this would include:
 - 1) The Environment Agency CLR model procedures;
 - 2) BS10175:2011 Investigation of potentially contaminated sites – Code of Practice;
 - 3) The Environment Agency "Guiding principles for land contamination (GPLC)"; and
 - 4) Guidance for the safe development of housing on land affected by contamination, Environment Agency R&D Publication 66:2008.
 - b) Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
 - c) All raw data should be provided in a form that can be easily audited and assessed by the council (e.g. trial pit logs and complete laboratory analysis reports).
 - d) Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made should be included. (e.g. the reasons for the choice of sampling locations and depths).
4. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

The details of acoustic consultants can be obtained from the following contacts:

- a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road traffic noise (1988); 5) Department of transport: Calculation of railway noise (1995); and 6) Department of transport: Railway Noise and insulation of dwellings.

5. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes it is recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk.
6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

SITE LOCATION PLAN

APPLICATION REFERENCE: H/04386/12

