

LOCATION: Barnet Curriculum Centre, Byng Road, Barnet, Herts, EN5 4NS

REFERENCE: B/04816/13 **Received:** 18 October 2013

Accepted: 18 October 2013

WARD: High Barnet **Expiry:** 17 January 2014

Final Revisions:

APPLICANT: Noah's Ark Children's Hospice

PROPOSAL: Variation to wording of conditions relating to car parking, materials, enclosures, refuse storage, ventilation and extraction equipment, noise, landscaping, tree protection, tree method statement, travel plan, landscape management plan and disabilities access statement attached to planning permission B/04065/11 (for demolition of existing buildings and erection of single storey building plus lower ground floor for use as a children's hospice (Class C2) and a new single storey countryside centre with roof terrace. Development to include the provision of 26 car parking spaces (including 4no. disabled spaces and 2no. mini bus spaces), a cycle, bin and re-cycling storage area, 3no. equipped play areas, new drainage pond, new footpath adjacent to Byng Road, new fencing and hard and soft landscaping including timber walkways). Variations to enable the phased implementation of the planning permission with construction of the countryside centre first, and to allow the addition of a new external door, the replacement of a roof light with a ventilation stack, and the installation of an external sink.

APPROVE SUBJECT TO S106 AGREEMENT

RECOMMENDATION I:

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Requirement to submit Travel Plan** **£5,000.00**
Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan.
- 4 **Monitoring of the Agreement** **£250.00**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Development Management & Building Control approve the planning application reference: B/04816/13 under delegated powers subject to the following conditions: -

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

NAH-PA-S101, NAH-PA-P101, NAH-PA-S102, NAH-PA-S103, NAH-PA-P105, NAH-PA-P106, NAH-PA-P107, NAH-PA-P121, NAH-PA-P122, NAH-PA-P123, NAH-PA-P131, NAH-PA-P132, Planning, Design and Access Statement, Appendix 1 - Policy Statement, Appendix 2 - Statement by Noah's Ark Hospice, Appendix 3 - Third Party Responses to Open Evening, Appendix 4 - Statement by FOBBC, Stage C Report by Hilson Moran Rev.01, Drainage Strategy by Morrish and Partners T149/DSC/DS1 dated September 2011, Transport Statement by Rowland Bilisland Traffic Planning dated 23rd September 2011, Tree Report by ACD dated 13th February 2009, Arboricultural Method Statement by ACD dated 23/09/2011, Arboricultural Implications Assessment by ACD dated 23/08/2011, BARK16932-01A, BARK16932-03D, Amended Protected Species Assessment & Survey dated June 2011, Landscape Design Report 128-P-Report Revision A by AREA, 128-P-01 revision B, 128-P-20 revision B, 128-P-21 revision B, 128-P-22 revision A (date received 29-Sep-2011).

Email from agent dated 03/01/2012 enclosing additional comments from ELMAW Consulting re additional bat survey of trees identified for removal.

Response in respect of inclusive design from Project 5 Architecture LLP dated 20.12.2011

Drawing 128-P-01 Rev B (received 18 October 2013).

Drawing No. NAH-PA-200 and 201 Rev A, and tek intonat stacks specification (received 19 February 2014).

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2. This development must be begun within three years from the date of the original grant of planning permission (2 February 2013).

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3. Before the environment centre hereby permitted is occupied the northern car park at phase 1 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) shall be provided and shall not be used for any purpose

other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

4. Before the children's hospice hereby permitted is occupied the southern car park at phase 2 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

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

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

6. Before any work on the environment centre hereby permitted commences, details of the materials to be used for the external surfaces of the environment centre building(s), hard surfaced areas, including the northern car park and footpaths and the gabion wall including any crushed material from the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

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

7. Before any work on the children's hospice hereby permitted commences, details of the materials to be used for the external surfaces of the hospice building(s), the tree top walkways, hard surfaced areas, including the southern car park and footpaths and the gabion wall including any crushed material from the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

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

8. The premises at phase 2 shall be used for a Children's Hospice only and no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area and the use as a children's hospice constitutes a very special circumstance which means the proposal is acceptable in principle in green belt terms.

9. The Environmental Centre building hereby permitted shall only be used/and occupied in connection with the nature reserve on which it is located and for no other purpose unless first agreed in writing by the Local Planning Authority.

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area and for no other purpose unless first agreed in writing by the Local Planning Authority, in accordance with Policy DM01 of the Development Management Policies DPD.

10. Before the environment centre hereby permitted is brought into use or occupied, phase 1 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

11. Before the children's hospice hereby permitted is brought into use or occupied, phase 2 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

14. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

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

15. Details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use of the Children's Hospice hereby permitted at phase 2 is commenced.

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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

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

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

Reason:

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

17. Before development of the children's hospice hereby permitted commences, a report should 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 development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should 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 (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

18. A scheme of hard and soft landscaping, including details of existing trees to be retained, relating to both Phases 1 and 2 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with

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

19. All work comprised in the approved scheme of landscaping for phase 1 shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

20. All work comprised in the approved scheme of landscaping for phase 2 shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

21. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

Reason:

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

23. No site works or works on the environment centre at phase 1 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) shall be commenced before temporary tree protection has been erected around

existing tree(s) in the site of phase 1 in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

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

24. No site works or works on the children's hospice at phase 2 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013)) shall be commenced before temporary tree protection has been erected around existing tree(s) in the site of phase 2 in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

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

25. No siteworks or works on the environment centre shall be commenced before a method statement detailing precautions to minimise damage to trees within phase 1 of the site (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013)) including full details of the raised timber boardwalk construction and installation of boundary fencing within protected areas and in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

Reason:

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

26. No siteworks or works on the children's hospice shall be commenced before a method statement detailing precautions to minimise damage to trees within phase 2 of the site (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013)) including full details of the raised timber boardwalk construction and installation of boundary fencing within protected areas and in accordance with Section 7 of British Standard BS5837: 2005 *Trees in relation to construction - Recommendations* is submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval.

Reason:

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

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

Reason:

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

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

Reason:

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

29. The days and hours of operation of the Environmental Centre hereby permitted shall be agreed in writing by the Local Planning Authority before the building is first occupied. The premises shall not operate outside of the days and hours as approved unless first agreed in writing by the Local Planning Authority.

Reason:

To ensure the amenities of neighbouring residents are not prejudiced in accordance with Policy DM01 of the Development Management Policies DPD.

30. Before the development is occupied a full Travel Plan shall be submitted and to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan co-ordinator. No development shall take place until details of the arrangements to meet the obligation for monitoring the development to ensure the objectives of the Travel Plan are met.

Reason:

To encourage the use of sustainable forms of transport to the site in accordance with Policy DM17 of the Development Management Policies DPD and Policy CS9 of the Local Plan Core Strategy (adopted September 2012).

31. No siteworks or works on this development including demolition or construction work shall commence until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved demolition and construction management plan.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

32. No siteworks or works on this development including demolition or construction work shall commence until details of proposed mitigation measures following on from the findings outlined in the Amended Protected Species Assessment & Survey by ELMAW Consulting and additional information submitted 03/01/2012 are submitted to and approved in writing by the Local Planning Authority. Any mitigation measures shall be carried out in accordance with details and timescales as agreed by the Local Planning Authority.

Reason:

In the interests of ecology and nature conservation and to ensure that protected species are not adversely affected by the proposed development, in accordance with Policy DM16 of the Development Management Policies DPD.

33. No works in connection with the development hereby permitted, including any site preparation works, shall commence until a Landscape Management Plan for the site for a period of 20 years including long term design objectives, management responsibilities and maintenance schedules and provisions to safeguard ecological interests in line with the recommendations outlined with the Amended Protected Species Assessment & Survey by ELMAW Consulting dated June 2011 and additional information submitted 03/01/2012 have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented, managed and maintained in accordance with the provisions of the Landscape Management Plan.

Reason:

To safeguard local biodiversity, ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area, in accordance with Policies DM01 and DM15 of the Development Management Policies DPD.

34. Development shall not begin until drainage works including provision of Sustainable Drainage Systems (SUDS) to provide attenuation of surface water on-site, including living roofs, permeable paving and swales have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system and the amenities of the area and surface water run off is dealt with in a sustainable manner.

35. The hospice is required to meet the 'Excellent' standard in the BRE (Building Research Establishment) EcoHomes assessment (or equivalent standard Code for Sustainable Homes assessor) to demonstrate that the development satisfactorily achieves the 'Excellent' (or equivalent Code for Sustainable Homes) rating.

The application is required to submit, and have approved in writing by the Local Planning Authority, a certificate by a licensed EcoHomes assessor (or equivalent Code for Sustainable Homes assessor) to demonstrate that the development satisfactorily achieves the 'Excellent' (or equivalent Code for Sustainable Homes) rating.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (April 2013) and policies 5.2 and 5.3 of the London Plan (2011).

36. The environment centre hereby approved is required to meet the following generic environmental standard (BREEAM) and at a level specified at Section 2.19 of the adopted Sustainable Design and Construction Supplementary Planning Document (April 2013). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (April 2013) and policies 5.2 and 5.3 of the London Plan (2011).

37. Before development works on the environment centre hereby approved are commenced a Disabilities Access Statement for phase 1 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) including details of external seating and steps shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be provided before the use of the building first commences and shall be permanently maintained thereafter in accordance with the approved details.

Reason: To ensure the development is accessible to all, in accordance with Policy DM03 of the Development Management Policies DPD.

38. Before development works on the children's hospice hereby approved are commenced a Disabilities Access Statement for phase 2 (as indicated on Drawing 128-P-01 Rev B (received 18 October 2013) including details of external seating and steps shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be provided before the use of the building first commences and shall be permanently maintained thereafter in accordance with the approved details.

Reason:

To ensure the development is accessible to all, in accordance with Policy DM03 of the Development Management Policies DPD.

INFORMATIVE(S):

1. In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
2. Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.
3. Any new crossovers will be subject to detailed survey by the as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. Any street furniture, road markings or parking bays affected by the proposed works would be relocated at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
4. The applicant advised that if the development is carried out, where possible, the applicant should seek to provide appropriate pedestrian visibility splays at either side of the vehicular crossover.
5. This grant of consent confirms no rights for any work to be undertaken to trees adjacent to and on the site included in the Tree Preservation Order. If any treatment is proposed, an application would be required in accordance with the Tree Preservation Legislation, and should be accompanied by a BS5837 tree survey.

You are reminded that damaging, or causing or permitting damage to, a protected tree is a criminal offence that may result in liability for a heavy penalty and appropriate precautions should be taken to ensure that no damage is caused during development works.

6. Any and all works carried out in pursuance of this consent / notice 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.

7. The applicant is advised that if bats are found to be present on the site, a European Protected Species (EPS) mitigation licence issued by Natural England may be required prior to any works taking place.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 30 April 2014, unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control REFUSE the application ref: B/04816/13 under delegated powers for the following reasons:

The proposed development does not include a formal undertaking to secure the relevant contribution toward the assessment and monitoring of the Travel Plan. The proposal therefore would not address the impacts of the development, contrary to Policies CS9 and CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Development Management Policies DPD, and the Planning Obligations SPD (April 2013).

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The Mayor's London Plan July 2011:

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5, CS7, CS9, CS10 and CS15.

Relevant Development Management DPD (2012): Policies DM01, DM03, DM04, DM13, DM15, DM16 and DM17.

Supplementary Planning Documents and Guidance

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Relevant Planning History:

Site Address: Barnet Curriculum Centre, Byng Road, Barnet, Herts, EN5 4NS
Application Number: B/00942/09
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 12/06/2009
Proposal: **Demolition of existing buildings and erection of single storey building plus lower ground floor for use as a children's hospice (Class C2), erection of a single storey building for use as a countryside centre. (OUTLINE APPLICATION)**

Site Address: Barnet Curriculum Centre, Byng Road, Barnet, Herts, EN5 4NS
Application Number: B/04065/11
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 03/02/2012
Proposal: **Demolition of existing buildings and erection of single storey building plus lower ground floor for use as a children's hospice (Class C2) and a new single storey countryside centre with roof terrace. Development to include the provision of 26 car parking spaces (including 4no. disabled spaces and 2no. mini bus spaces), a cycle, bin and re-cycling storage area, 3no. equipped play areas, new drainage pond, new footpath adjacent to Byng Road, new fencing and hard and soft landscaping including timber walkways.**

Consultations and Views Expressed:

Neighbours Consulted: 41 Replies: 1 letter of support received.
Neighbours Wishing To Speak: 0

Internal /Other Consultations:

LBB Traffic and Development: No objections.

Greater London Authority: The variations do not result in significant changes to the approved scheme and therefore do not raise any strategic planning issues.

Date of Site Notice: 31 October 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located at the end of the row of houses projecting north along Byng Road toward the open Green Belt. There are playing fields to the north and south of the site, a school to the east, and open fields to the west. The site comprises of a series of single storey buildings arranged in a rectangle, with open space to the north and west. The existing buildings are located along the boundary with Byng Road, giving the site a developed appearance when viewed from the road.

Proposal:

The original planning permission approved the demolition of all existing buildings on the site and the erection of a single storey building with lower ground floor for use as a Children's Hospice (Use Class C2) and a new single storey environment centre with roof terrace. The proposal includes the provision of car, cycle and mini-bus parking spaces, refuse storage facilities, play areas, a pond, a new footpath, new fencing, and hard and soft landscaping.

This application seeks a variation to the wording of a number of planning conditions attached to the previous grant of planning permission. These conditions are currently worded to require details to be submitted and approved by the Local Planning Authority prior to the commencement of any works on the site. The implication of this is that details would need to be submitted and approved relating to both approved buildings at the same time, prior to any work on either building taking place.

The applicant's agent has advised that the Environment Centre is proposed to be constructed first. Therefore, a variation is required to the wording of the conditions to ensure that the relevant conditions require details relating to either the approved Environment Centre, or the approved Hospice to be submitted and approved prior to the commencement of that part of the development. This ensures that the applicant is able to seek approval only for those elements they are seeking to construct at that time.

In addition to the variation to the wording of the condition, a number of alterations are proposed to the external appearance of the building as follows:

- The insertion of an additional external door.
- The replacement of a roof light with a ventilation stack.
- The installation of an external sink.

Planning Considerations:

The variation of the wording of the conditions would enable the development to be constructed in phases, with the Environment Centre constructed first. The LPA would retain the same control over the details as in the approved scheme, with the resultant scheme being identical to that previously approved. As such, no objections are raised to the variation of the wording of the conditions.

The alterations to the external appearance of the building would not be substantial, and would not increase the size of the building. The resultant building would appear similar to that approved, and no objections are raised to these alterations.

3. COMMENTS ON GROUNDS OF OBJECTIONS

No objections have been received.

4. EQUALITIES AND DIVERSITY ISSUES

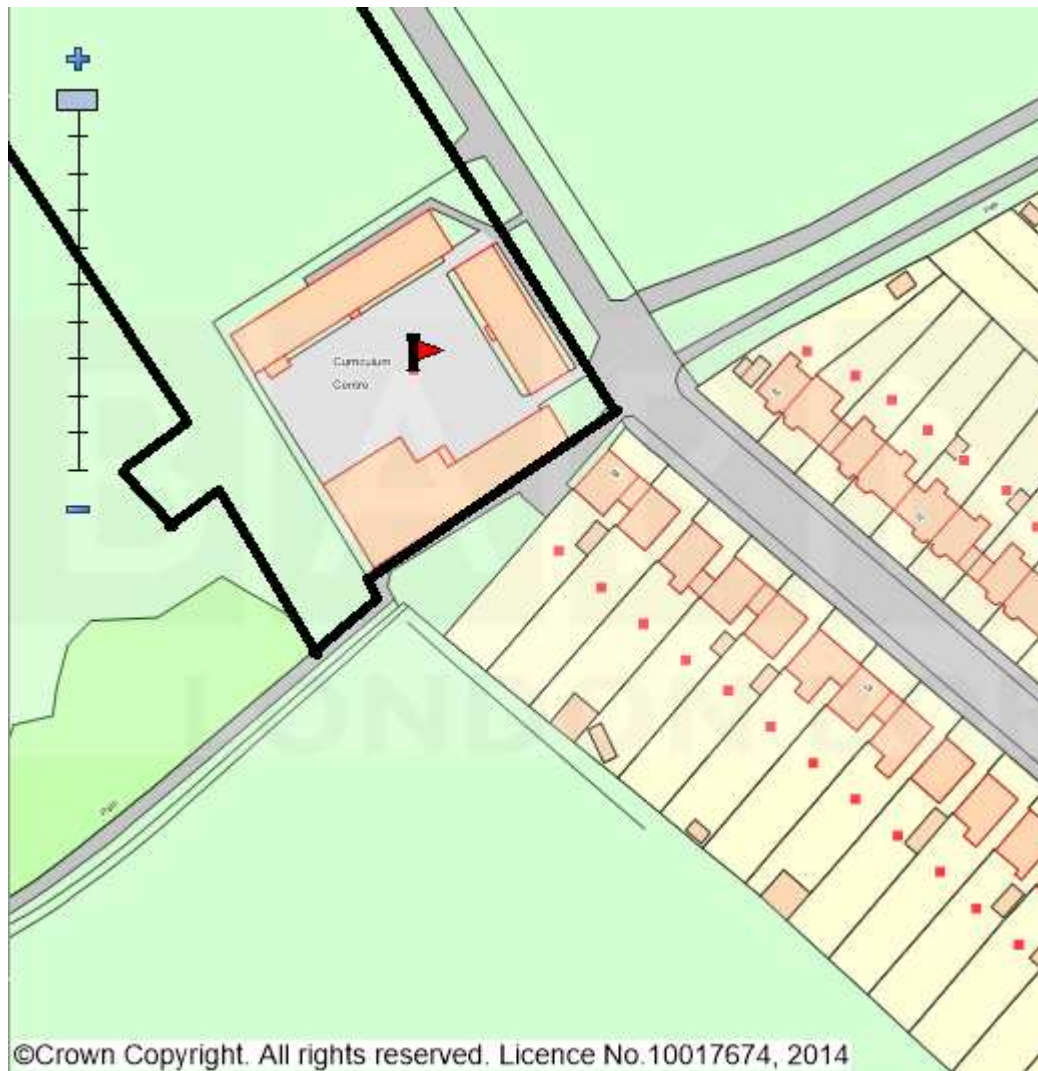
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

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

SITE LOCATION PLAN: **Barnet Curriculum Centre, Byng Road, Barnet, Herts, EN5 4NS**

REFERENCE: **B/04816/13**



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