

Location **Oak Lodge School Heath View London N2 0QY**

Reference: **16/3370/S73** Received: 20th May 2016
Accepted: 20th May 2016

Ward: East Finchley Expiry 19th August 2016

Applicant: Alison Daws

Proposal: Variation of condition 1 (plans numbers) of planning permission F/00422/14 dated 28/01/15 for `Demolition of the caretakers bungalow and construction of a new part single, part two storey stand- alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping.` Variation to include replacement of caretakers fence

Recommendation: Approve subject to conditions

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

L01 rev P03 General Arrangement
L02 rev P03 Tree Felling and Protection
L03 rev P03 Planting Proposals
L05 rev P03 Cross Sections
L08 rev P02 Detailed Cross Sections,
OL-CS-ZZ-000-3DM-AR-060001_P05
OL-CS-ZZ-G00-DFP-AR-061001_P07
OL-CS-ZZ-R01-DFP-AR-061003_P06
OL-CS-ZZ-ZZZ-DEL-AR-062001_P07
OL-CS-ZZ-ZZZ-DSC-AR-063001_P05
OL-CS-ZZ-ZZZ-DSC-AR-063002_P03
OL-CS-ZZ-ZZZ-DSC-AR-063003_P03
OL-CS-ZZ-U01-DFP-AR-061002_P06
OL-CS-SE-ZZZ-DEL-AR-062501_P02
L11 rev P04
L01 C06
Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 The development must be begun before 28/01/2018.

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 4 The development shall be implemented in accordance with the materials as approved under condition application reference 15/05717/CON.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 5 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown on submitted drawings shall be provided and the access to the parking spaces will be maintained hereinafter.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

- 6 The existing Oak Lodge School Travel Plan shall be updated and submitted for approval at least 3 months prior to occupation. The School Travel Plan shall be updated and submitted for approval annually for at least 5 years after occupation. The school shall achieve at least Bronze level STARS (Sustainable Travel; Active, Responsible, Safe) accreditation or equivalent for at least 5 years after occupation. School Travel Plan annual reviews should incorporate the increased number of staff and pupils. The documents shall 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 where appropriate.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core

Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7 The number of pupils attending the school and nursery shall not exceed 200, and the number of staff shall not exceed 110.

Reason: To ensure the Local Planning Authority has control of the number of children on site, in the interests of neighbouring amenity.

- 8 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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 Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, including mature trees and replacements to any trees lost as part of the works, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 10 The development shall be implemented in accordance with the details of extraction and ventilation equipment as approved under condition application reference 15/07204/CON and permanently retained as such thereafter.

Reason: To safeguard neighbouring amenity.

- 11 The development shall thereafter be implemented in full accordance with the approved Construction Management and Logistics plan approved under condition application reference 15/05787/CON.

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 polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 12 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. 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 at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 13 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 has been previously submitted to the Local Planning Authority and approved in writing under condition application reference 15/05719/CON.

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.

- 14 The scheme making provision to be made for disabled people to gain access to the development approved under condition application reference 15/07857/CON shall be implemented in its entirety before the first occupation of the development or commencement of the use and retained as such thereafter.

Reason: To ensure adequate access levels within the development in accordance with Policy DM03 of the Development Management Policies DPD (adopted September 2012) and Policy 7.2 of the London Plan 2011.

- 15 The development shall be implemented in accordance with details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques under application reference 15/05582/CON and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 16 a) Before the development hereby permitted is first occupied, details of privacy screen to the terrace to be installed shall be submitted to and approved in writing by the Local Planning Authority.
b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 17 The drainage scheme shall be implemented in accordance with the approved details under condition application reference 15/06499/CON before the development is completed. The surface water drainage scheme submitted shall include details of the proposed bio-retention area.

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

- 18 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.

- 19 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.

- 20 Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:
- o 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;
 - o satisfactory points of collection; and
 - o 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.

- 21 The development hereby permitted shall only be occupied or in use between the hours of 7.30am and 6pm on a Monday, Tuesday, Wednesday, Thursday or Friday and at no time on a Saturday, Sunday or Bank Holiday.

Reason:

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

- 22 Before development commences other than for investigative work:

A desktop study (Preliminary Risk Assessment) 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 (Preliminary Risk Assessment) 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.

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.

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.

Part 2

Where remediation of contamination on the site is required 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 CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 23 Before the building hereby permitted is first occupied the proposed window(s) in the south-west elevation facing shall be glazed with obscure glass only to a height of 1.7m from ground level and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 24 The proposed doors on the south-west elevation facing towards Heath View shall be used for emergency access only.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

Informative(s):

Officer's Assessment

1. Site Description

The site is Oak Lodge Special School. It is a special school maintained by the London Borough of Barnet that offers places for up to 165 students aged 11- 19 with a range of learning difficulties. The school was granted planning permission for the demolition of the existing caretakers bungalow and construction of a new part single, part two storey stand-alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping under reference F/00422/14 on 28/01/15.

The school is sited on the south-east side of Heath View. It is located opposite the Hampstead Garden Suburb Conservation Area.

At present the existing buildings on site are largely confined to the north of the site, with the south largely open including playing fields. To the north of the site is Nazareth House, with residential properties to the west on Hampstead Height, to the south Heath View, to the east on Pulham Avenue. In this way there are residential properties in close proximity.

2. Site History

F/00422/14 - Demolition of the caretakers bungalow and construction of a new part single, part two storey stand- alone teaching block to accommodate 35 additional students including the reconfiguration of the school to improve facilities, increased car-parking and associated landscaping. - Approved - 28/01/2015

3. Proposal

The proposals are for a section 73 application for a material minor amendment to the originally approved planning application. The proposed changes involve

The following plans would be substituted for originally approved plans:

L01 C06

4. Public Consultation

Consultation letters were sent to 103 neighbouring properties.

3 responses have been received, comprising 0 letters of objection, 1 letters of support and 2 letters of comment.

The representations received can be summarised as follows:

Plans are incorrect and do not relate to this application.

As this application to vary the condition is a correction of an earlier error on the drawings, I support it

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 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 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Policies 3.1, 3.2, 3.16, 3.17, 3.18, 3.19, 5.2, 6.13, 7.1, 7.4

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS8, CS10, CS11, CS13
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM07, DM13, DM15, DM16, DM17

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Procedural Issues
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposal would harm trees of special amenity value
- Whether the proposal would harm highway or pedestrian safety

5.3 Assessment of proposals

Procedural Issues

This application is a section 73 application to vary the approved plans under application reference F/00422/14 for the extension of the school. The proposals involve the replacement of the fence to the front of the site.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

The proposals feature a 1.8m high palisade fence to the front of the site, adjoining proposed weldmesh fence to the southern front boundary.

The site has existing green metal railings to the front of the school. To the front of the former caretakers bungalow is a wooden palisade fence. This part of the site is to be redeveloped as part of application reference F/00422/FUL to expand the existing school.

It is not considered that this would materially harm the character and appearance of the streetscene and general locality.

Whether harm would be caused to the living conditions of neighbouring residents

The proposed new fence would not have significant implications for the amenities of neighbouring residential properties.

Whether the proposal would harm trees of special amenity value

There are a number of trees in close proximity to the southern and western boundaries. In order to minimise any damage and loss of trees during construction of the boundary treatment and any excavations or foundations it is suggested that a condition is attached in order to require details of protection during construction.

Whether the proposal would harm highway or pedestrian safety

Highways officers have reviewed the plans and suggested any gates open inwards into the site rather than onto the public highway. The plans have been amended to ensure that this is the case. Highways officers are otherwise satisfied regarding the proposals

5.4 Response to Public Consultation

Incorrect plans were initially shown online on the Council website. This has since been remedied.

6. Equality and Diversity Issues

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

7. Conclusion

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

