

## APPENDIX A

**LOCATION:** Pavilion Study Centre, 58B Chandos Avenue, London, N20 9DX  
**REFERENCE:** 20/1304/FUL **Received:** 10 March 2020  
**Accepted:** 11 March 2020  
**WARD:** Oakleigh **Expiry:** 9 June 2020

**APPLICANT:** London Borough of Barnet

**PROPOSAL:** Full planning application for the demolition of the existing pavilion and main school building and the erection of a new 1941 sqm two storey main school building, a 220 sqm single storey pavilion building, associated playground with MUGA facilities and car park

**Recommendation:** Approve subject to conditions

The Committee also grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

### **Conditions**

1. This development must be begun within three years from the date of this permission.

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

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

Site Location Plan PRU-CLTH-03-ZZ-DR-A-1006-LocationPlan-A

Existing Site Layout PRU-CLTH-03-ZZ-DR-A-1001-ExistingSitePlan-C

Proposed Site Layout PRU-CLTH-03-ZZ-DR-A-1000-ProposedSitePlan-Q

Block Plan PRU-CLTH-03-00-DR-A-1004-SitePlanMasterplan-D

Existing and Proposed Elevations PRU-CLTH-03-ZZ-DR-A-

4200\_ExistingBuildingsElevations

Existing and Proposed Elevations PRU-CLTH-03-ZZ-DR-A-

4201\_ExistingBuildingsElevations

Existing and Proposed Elevations PRU-CLTH-01-ZZ-DR-A-4020\_ProposedSchoolElevations-E

Existing and Proposed Elevations PRU-CLTH-01-ZZ-DR-A-4021\_ProposedSchoolElevations-E

Existing and Proposed Floor Plans PRU CP 00 000 DFP AR 100 010-P01-52-

2.3School Layout PlanExisting

Existing and Proposed Floor Plans PRU-CLTH-01-00-DR-A-2000-  
GFGeneralArrangement-V  
Existing and Proposed Floor Plans PRU-CLTH-01-01-DR-A-2001-  
FFGeneralArrangement-S  
Existing and Proposed Sections, Finished Floor Levels/Site Levels PRU-CLTH-01-  
ZZ-DR-A-5000-SchoolSections-L  
Existing and Proposed Sections, Finished Floor Levels/Site Levels PRU-CLTH-01-  
ZZ-DR-A-5001-SchoolSections-l  
Existing and Proposed Sections, Finished Floor Levels/Site Levels PRU-CLTH-03-  
ZZ-DR-A-5200-SiteSections-G  
Existing and Proposed Roof Plans PRU-CLTH-01-02-DR-A-2002-RoofPlan-L  
Existing and Proposed Roof Plans PRU-CLTH-03-ZZ-DR-A-  
2200\_ExistingBuildingsRoofPlan  
Phasing Plan MF16 Pavilion PRU\_Site Logistics\_rev L  
Biodiversity/Ecology Assessment (Phase 1 only) 3145 - Dame Alice Owen PRU  
Preliminary Ecological Appraisal - 1910-28rc.docx  
Biodiversity/Ecology Assessment (Phase 1 only) 3955 - Dame Alice Owen PRU Bat  
Survey - 1906-26rc  
Out of Hours Drawings PRU-CLTH-01-00-DR-A-2030-GFOutofHours-H  
Out of Hours Drawings PRU-CLTH-01-00-DR-A-2030-GFOutofHours-H  
Daylight and Sunlight Assessment 08-19-79169 DLSL 4  
Flood Risk Assessment C323 FRA rev B  
Land Contamination Assessment (Phase 1 and 2 only) Geotechnical and  
Environmental Interpretative Report (CS/072947/FT/02) Part 1 & 2  
Land Contamination Assessment Phase 1 Desktop Study (CS/072847/GT01) Part  
1-7  
Landscaping details PRU-UBU-XX-XX-DR-L-0100-P19- General Arrangement Plan  
Landscaping details PRU-UBU-XX-XX-DR-L-0500-P1- BB104  
Landscaping details PRU-UBU-XX-XX-DR-L-0300-P10- Planting Plan  
Lighting Assessment 2020-03-06 External lighting Calculation  
Lighting Assessment PRU-WYG-01-EX-DR-E-9001  
Lighting Assessment PRU-WYG-01-EX-DR-E-9002  
Noise Assessment 19\_10895NR02B (Pavilion PRU Barnet Noise Impact  
Assessment)  
Sustainability Statement A114576 PRU Barnet Sustainability Statement Report Rev  
E 05.03.20  
Planning Statement  
Design & Access Statement PRU-CLTH\_DesignAndAccessStatement-RevD-  
200305  
SUDS Design/ Drainage Details/ Foul Sewerage and Utilities Assessment 21 PRU-  
DID-01-XX-RP-C-0001-P06 SUDs and Drainage Strategy 200428 Pavilion Study  
Centre Drainage Memo  
SUDS Design/ Drainage Details/ Foul Sewerage and Utilities Assessment  
Tree Survey/Arboricultural Implications 4180-Dame Alice Owen PRU-Main Works-  
AIA-2002-17gg  
Tree Survey/Arboricultural Implications 4180-DameAliceOwenPRU-DraftTPP-A1-  
2002-17gg  
Transport Statement R01-EC-DF-Transport Statement (191106)  
Travel Plan R02-SK-School Travel Plan (191106)

Demolition and Construction Management Plan MF16 Pavilion PRU\_Traffic Management Plan v6 09042020\_Appx B Binder  
BREEAM Pre Assessment 191028 - PPRU - BREEAM Pre-Assessment Planning Report  
Energy Statement A114576 PRU Barnet Energy Statement Report. Rev F 05.03.20  
Capita FAQ Document 200219.PRU Planning FAQs Final  
Boundary Risk Assessment LSUK.20-0154\_Pavilion Study Centre  
Whetstone\_Cricket Boundary Assessment  
Pavilion GF and Roof Plan A2100 L  
Pavilion elevations A2100 G  
Pavilion Section 1 & 2 A2100 E  
Proposed General Layout J004040 002

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. Notwithstanding the details shown on the plans, prior to the works thereby affected:

- (a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and
- (b) where appropriate, a sample brick panel shall be constructed on site or a location to be agreed, inspected 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 dwellings approved are 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 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

4. Prior to the first occupation of the development, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and constructed in accordance with the approved details.

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 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

5. No works on the public highway including the proposed vehicular access from Maryrose Way as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to enter into an agreement with the Highways Authority under Section 278/184 of the Highways Act, for these works any and

reinstatement of any consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on the public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

6. Prior to the first occupation of the development, parking spaces shall be provided in accordance with the approved drawings. Thereafter, the parking spaces shall be used only as agreed and 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 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. Prior to the first occupation of the development a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority.

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 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.

8. Details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 14 long stay cycle parking spaces (13 long-stay & 1 short stay) in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards 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 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.

9. No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. 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;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. 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;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

10. Prior to occupation of the development full details of the 6 electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 20% of the approved residential parking spaces to be provided with active electric vehicle charging facilities and 20% passive electrical charging facility. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan

11. Before the development is occupied a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority that meets the criteria in the Transport for London's guidance booklet "What a School Travel Plan should contain" and should include the appointment of a Travel Plan Champion. The Travel Plan should be reviewed annually in accordance with the target set out in the Travel Plan. The key headlines and obligations of the school travel plan are to be set out in a s106 agreement.

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.

12. Prior to the first occupation of the new school buildings a full Delivery Service Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

13. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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 October 2016) and 5.21 of the London Plan 2016.

14. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with London Plan policies 5.3 and 7.14.

15. The level of noise emitted from the of the *school plant including all the ventilation/extraction plant* and sprinkler 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 Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

16. a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2016.

17. Prior to works thereby affected the following information will be submitted to and approved in writing by London Borough of Barnet planning authority.

1. SuDS detailed design drawings;
2. SuDS construction phasing for permanent works

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

18. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not be occupied until details are submitted to and approved in writing by the Local Planning Authority which specify the details of boundary treatments to be installed within the development. These details shall include materials, type and siting of all boundary treatments. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings and in the interests of the appearance of the development, in accordance with policies DM01 and DM02 of the Barnet Local Plan.

19. All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of each phase of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of the development, dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason: To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

20. The development shall be carried out in strict accordance with the provisions and tree protection methods outlined in the submitted Arboricultural Implication Assessment by Writtle Forest Consultancy Statement dated September 2019 and as illustrated on Draft Tree Protection Plan 180617 Rev A.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

21. Notwithstanding the content of plans hereby approved, prior to the first occupation of the new school buildings, details comprising a scheme of measures to enhance and promote biodiversity within the development shall be submitted the Local Planning Authority and approved in writing. The approved scheme of measures shall be implemented in full in accordance with the approved details before the development is first used.

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 2015.



22. 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 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.

23. 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.

24. Within 9 months of first occupation of the new school buildings, certification demonstrating compliance with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of community safety in accordance with London Plan Policy 7.3, London Borough of Barnet's Local Plan Policy CS12 of Core Strategy (September 2012) and Policy DM02 Development Management Policies (September 2012).

25. Use of the development for community use shall not commence until a Community Use Agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall and Multi-Use Games Area and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy .

26. At no time shall the total number of pupils in the school hereby approved exceed 73.

Reason: To ensure that the proposed development does not exceed the parameters assessed under this application or prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies in the Barnet Local Plan and London Plan.

27. The development hereby permitted shall not be occupied by pupils outside the hours of 08:00 hours and 17:00 hours Monday to Friday.

Reason: To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet's Local Plan 2012.

28. The proposed school shall achieve a minimum of BREEAM Very Good. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan 2016.

### **INFORMATIVE(S):**

1. The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

2. The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW, 4-6 weeks before the start of any works on the public highway.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

The applicant is advised that the permitted maximum width for a residential crossover is 4.2 metres. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW.

3. As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail [highways.development@barnet.gov.uk](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto:nrswa@barnet.gov.uk) at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

4. surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

5. The submitted Construction Method Statement shall include as a minimum details of:

Site hoarding

Wheel washing

Dust suppression methods and kit to be used

Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.

Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.

Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

6. The submitted Construction Method Statement shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday – Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- For major developments only: provide a copy of an asbestos survey; *For smaller developments -confirmation that an asbestos survey has been carried out.*
- For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

7. In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

8. The applicant is 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.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 – Guidance on 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);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

9. Drain down time for proposed underground cellular storage volume is greater than recommended 24hrs (i.e. 28hrs) for the design event of the 100-year plus climate change. The required volume is calculated to be 180m<sup>3</sup>, however, 190m<sup>3</sup> of storage volume has been designed. We would recommend the attenuation storage volume to be increased further to allow the drain down time to be kept within 24 hours and provide enough volume for a subsequent rainfall event of a lower return period.

Reference: Association of SuDS Authorities, (ASA), Formerly known as Local Authority SuDS Officer Organisation (LASOO), paragraph 3.39

10. In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

## **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 shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan and the development plan documents in the Barnet Local Plan. 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.

#### **National Planning Policy Framework**

The revised National Planning Policy Framework (NPPF) was published on 19<sup>th</sup> February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this". 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 (Jan 2017 fix)**

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking Standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are as follows:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open Spaces)

London's People:

Policy 3.1 (Ensuring equal life chances for all)

Policy 3.6 (Children and young people's play and informal recreation facilities)

Policy 3.16 (Protection and Enhancement of social Infrastructure)

3.18 (Education facilities)

Policy 3.19 (Sports facilities)

London's Response to Climate Change:

5.1 (Climate Change Mitigation)

5.2 (Minimising Carbon Dioxide Emissions)

5.7 (Renewable Energy)

5.10 (Urban Greening)

5.11 (Green Roofs and Development Site Environs)

5.12 (Flood Risk Management)

5.13 (Sustainable Drainage)

5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach)

6.2 (Promoting Public Transport Capacity and Safeguarding Land for Transport)

6.3 (Assessing Effects of Development on Transport Capacity)

6.4 (Enhancing London's Transport Connectivity)

6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure)

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)

6.13 (Parking)

London's Living Places and Spaces:

7.4 (Local Character)

7.6 (Architecture)

7.8 (Heritage assets and archaeology)

7.14 (Improving Air Quality)

7.15 (Reducing and Managing Noise)

7.18 (Protecting Open Space and addressing deficiency)

- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)

### **Draft Replacement London Plan 2017**

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

### Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

The Inspector Panel Report following the Examination in Public was published in October 2019. The Inspector Panel was broadly supportive of the majority of the DLP, subject to several changes being made. The Mayor subsequently declared in December 2019 it's 'intention to publish', accepting some but not all of the Inspector's recommendations. As not all of the Inspector's recommendations have been accepted. It is for the Secretary of State to decide whether the DLP can proceed to adoption.

The Secretary of State wrote to the Mayor on the 13<sup>th</sup> March advising that the London Plan can not be adopted in its current form without further changes being made as outlined in the Secretary of State's letter.

Due to the advanced nature of the DLP increasing weight should be attached to those policies which the Inspector's report considered sound and those policies which the Secretary of State did not raise objections to. Nevertheless the London Plan 2016 remains the statutory development plan until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2016 London Plan, while noting that account needs to be taken of emerging policies.

### Mayoral Supplementary Guidance

#### **Sustainable Design and Construction (April 2014)**

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development.

#### **The Mayor's Climate Change Mitigation and Energy Strategy (October 2011)**

The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low



carbon energy supply for London and moving London to a thriving low carbon capital.

**Accessible London: Achieving an Inclusive Environment (October 2014)**

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

**Planning for Equality and Diversity in London (October 2007)**

This guidance sets out some of the overarching principles that should guide planning for equality in the London context.

**All London Green Grid (March 2012)**

This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, we aim to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

**The control of dust and emissions during construction and demolition (July 2014)**

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM<sub>10</sub> and PM<sub>2.5</sub> from construction and demolition activities in London.

**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 which were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

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)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS15 (Delivering the Core Strategy)

**Development Management Policies (Adopted 2012):**

DM01 (Protecting Barnet's character and amenity)

DM04 (Environmental considerations for development)

DM13 (Community and education uses)

DM15 (Green Belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

**Supplementary Planning Documents and Guidance**

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

*Local Supplementary Planning Documents and Guidance:  
Sustainable Design and Construction SPD (October 2016)*

#### Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

### **1.2 Key Relevant Planning History**

**19/5427/FUL-** Demolition of the existing caretakers house and the erection of a new 415.8sqm single storey temporary school building, two ancillary storage units, associated playground and car park and the construction of a temporary vehicular access off Maryrose Way- Pending Consideration

**B/00350/12-** Installation of external fire escape on the west elevation including new access door at first floor- Approved 29/03/2012

**N00995C/03-** Change of use from residential to educational (D1 Use)- Approved 25/02/2004

**N00995B-** Erection of 2m and 4m fencing around play area- Approved 05/12/1995

**N00995A-** Widening of an existing footpath to form an access road, construction of parking area to provide facilities for 32 cars- Approved 04/04/1979

**N00995-** Erection of equipment store- Approved 15/03/1967

### **1.3 Pre-application Consultation by the Applicant**

The applicant engaged in pre application discussions with the London Borough of Barnet and also carried out pre planning public engagement in the form of a drop in consultation event held on Wednesday 16th October 2019 along with fliers and other written communication.

### **1.4 Public Consultations by the Council and Views Expressed**

## Public Consultation

242 local residents were consulted on the planning application by letter on 11<sup>th</sup> March 2020. The application was advertised in the local press on 19 March 2020 and site notices were put up on site on 19 March 2020. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

## Public Representations

As a result of the consultation, a total of 37 responses have been received. One supporting, one objection and one representation neither supporting or objecting to the proposal.

The comments in objection concern the following grounds:

Location of proposed school at the rear of properties on Oakleigh Park North. Comments suggest that proposed school should either be located on a different site (Brook Farm Open Space), on the site of the existing school or further away from the boundaries of residential properties;

Excessive importance given to meeting sports England requirements to reduce take on open space instead of moving building away from residential properties;

Restrictive covenant reasons for not moving school not relevant as restrictive covenants can be changed;

Size of proposed building excessive and will be detrimental to visual amenities of the area, amenities of surrounding properties and character of open space;

Building should be reduced in scale;

Design of proposed school with central courtyard increases massing of school buildings;

Previous residential refusals in area due to design and proposed buildings similar or exceeding this in terms of impact;

Loss of daylight/ privacy to neighbouring properties;

Proposal would be overbearing to neighbouring properties;

Lack of overshadowing assessment and need to cover all times of the year;

Size of proposed school excessive given pupil numbers not increasing would allow future increase in numbers by stealth;

Planning Statement and supporting documents misleading in reporting of public comments at pre application;

Proposed buildings excessively close to eastern boundary of Oakleigh Park North resident's properties;

Increased commercial use in predominately residential area;

Advanced Infrastructure application and main application should be considered as one application;

Increase in traffic and congestion both from construction and use, resulting strain on road network and risk of accidents;

Existing access not fit for purpose and can not handle increase in cars or pupil numbers;

Bad behaviour from existing pupils including crime in locality, should be split into smaller sites;  
Impact on future crime and anti social behaviour from any increase in pupil numbers;  
Damage and loss of part of Dame Alice Owens Open Space which is well used by the community particularly at the current time;  
Loss of any public open space is irreplaceable;  
Loss of trees and do not consider tree drawings account for all trees to be felled;  
Impact on 383 Bus route as a result of traffic and construction;  
Proposal should be paused until Covid 19 resolved;  
Noise survey has not been correctly carried out during school hours;  
Acoustics fence will be unsightly;  
Additional landscaping on boundary should be provided;  
Gardens of Oakleigh Road North have not been visited when drawing up designs;  
Inaccuracies on planning documents in relation to applicant;  
Lack of drawings of pavilion building;  
Failure to meet energy targets;  
UXO risk from development;  
Issues relating to construction route through Maryrose way, would cut through current waiting line restrictions and therefore will be detrimental to properties on this road;  
Maryrose Way is a quiet cul de sac which is unsuitable for construction movements;  
Disturbance from out of hours use of the MUGA;  
Consideration should be given to refurbishing sports pavilion rather than it being demolished and rebuilt;  
Inclusion of floodlighting on the MUGA resulting in light disturbance;  
Impact on flooding as a result of the development;  
Construction hours should exclude Saturday mornings.

The comment neither objecting or supporting, queried whether numbers at the school would increase as a result of the development.

#### Officer Comment

The above comments have been taken into account in the determination of this planning application. The principle of a school on the Dame Alice Playing fields site is established by the existing school. Details of design, neighbouring amenity, highways and environmental considerations have also been assessed and considered acceptable.

#### **Elected Representatives.**

No comments received.

#### **Consultation responses from neighbouring associations other non-statutory bodies.**

No comments received from these bodies.

#### **Consultation Responses from Statutory Consultees**

## **Sport England**

Formal Comments will be reported in the addendum. Informal verbal comments have indicated that they are likely to raise an objection following the receipt of detailed plans of the proposed replacement pavilion sports building and the agrimony report of the proposed cricket square.

## **Thames Water (TW)**

### **Waste Comments**

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) .

Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

### **Water Comments**

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

## **Metropolitan Police**

Pavilion Study Centre, 58b Chandos Avenue, Barnet, N20 9DXI have reviewed the crime rates in the local area of the proposed application on Police.uk and I have noted that the highest recorded issues impacting the local ward of Oakleigh are anti-social behaviour, vehicle crime, violence & sexual offences and burglary.

The London Borough of Barnet as an entirety has a higher than average rate of burglary. Please see appendix for crime statistics.

I am aware of this development having met with the architects on 18/06/2019 to discuss the project, whereby they wished to engage with a DOCO for advice on the development. I have also commented upon their 'Phase 1' plans regarding the temporary installation of buildings, rights of way and so on.

Due to the architect's early engagement with ourselves, many of the recommendations have been incorporated within their design. This includes the planned incorporation of security rated products, appropriate height and perimeter treatment types and mitigation between securing the school and allowing a partial opening of the facility for 'out of hours' use (MUGA).

Other recommendations have also been incorporated such as pitching the roof of the proposed new sports pavilion in an attempt to deter climbing and introducing vehicle mitigation measures to help to protect the park from illegitimate vehicle use. The overhang as part of the sports pavilion, was originally highlighted as an area that could attract anti-social behaviour such as loitering, drinking or vagrancy and this area appears to remain as part of the design.

It is vital that the physical security of the site incorporates police preferred, tested and certificated, security rated products (as recommended by Secured by Design) due to crime rates within the ward, especially burglary and the unrestricted access that is possible both into and out of the park on a 24/7 basis.

I do not object to this proposal but due to the above and crime rates within the ward and its isolated location within an easily accessible park, I would respectfully request that a planning condition is attached to any approval, whereby the building must achieve Secured By Design accreditation, prior to occupation.

I remain happy to be contacted by the agent or any respective party throughout the process.

#### Internal Consultation responses

##### **Urban Design**

No objections raised detailed comments incorporated in officer report below.

##### **Transport and Regeneration**

No objections subject to appropriate conditions and travel plan. Detailed comments incorporated into officer report below.

##### **Environmental Health**

No Objections raised subject to the attachment of appropriate conditions regarding construction method extraction, noise mitigation and contamination.

##### **Drainage**

No objections following the receipt of additional details and amended plans subject to appropriate conditions and informatives.

## **Ecology**

Application satisfactory addresses issues concerning protected species. Landscaping and lighting should be secured by condition.

## **2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**

### **2.1 Site Description and Surroundings**

The application site currently comprises the main school building block, the pavilion, the care takers building and Dame Alice Owen's playing fields. Located off Chandos Avenue in Whetstone, the application site itself covers an area of approximately 3.6 hectares.

The Pavilion School at Whetstone is a pupil referral unit with an allotted maximum capacity of 73 no. pupils. Due to the nature of the school, the student population can fluctuate over different terms There are currently 43 no. pupils aged 11-16 and 20 no. (FTE) staff members.. The existing school currently operates from three interconnected blocks.

The existing Pavilion Clubhouse is a facility for local sports teams, primarily used on the weekend, and occasionally during the week outside of school hours.

The former caretaker's building, located on the application site, comprises a single 2-storey building and is located to the north of the site. The building is currently used for archiving for the school, however the Council and School are currently in the process of removing these items to an alternative off site location. The caretakers building currently has a canopy where pupils have external gardening and construction lessons.

Vehicular and pedestrian access to the site is gained via Chandos Avenue to the north of the site, which leads to a car park providing 20 no. unmarked car parking spaces. All accesses to the school are gated. There is no existing cycle parking.

The site is bounded to the north by residential dwellings off Chandos Avenue; to the east by residential dwellings of Oakleigh Park North and Maryrose Way; to the south by playing fields; and to the west by residential dwellings off Oakleigh Gardens. The wider surrounding area is predominately residential in character.

The site is not currently designated within the London Borough of Barnet Proposals Map (2006).

However, the site forms part of the Dame Alice Owen's Playing Fields.

The site is located within Flood Zone 1; therefore, land and property have a low probability of flooding.

No part of the site lies within the Green Belt or within a Conservation Area and there are no listed buildings on the site.

The school operates between 09:30 and 15:00. Pupils can enter the site before 09:30 for Breakfast Club which begins at 08:45. Gates close for the day at 17:00.

## **2.2 Description of the Proposed Development**

The proposed description of development is:

*“Full planning application for the demolition of the existing pavilion and main school building and the erection of a new 1941 sqm two storey main school building, a 220 sqm single storey pavilion building, associated playground with MUGA facilities and car park”*

The proposed works would in conjunction with the advanced infrastructure application (reference 19/5427/FUL) involve the demolition of the existing three interconnected school blocks and Sports Pavilion and the construction of a new two-storey school building positioned partially on the existing car park and playing field to the north east of the site and the construction of a new single storey sports pavilion to the south west of the existing access road off Chandos Avenue.

Phase 1 of the development, comes under the remit of planning application 19/5427/FUL involves the demolition of the existing caretakers house, and the erection of a temporary school building, two ancillary storage units, associated playground and car park and the construction of a temporary vehicular access via Maryrose Way.

Phase 2 of the development involves the construction of the main replacement school building and sports pavilion under this application. On completion of the main works, the temporary classrooms, storage containers, associated hard landscaping and temporary access from Maryrose Way will be removed and the land will be reinstated to playing fields.

### **Amount**

The existing single storey interconnected school blocks and sports pavilion will be demolished (a total of 654.5sqm GIFA). The new two storey main school building will cover an increased footprint of 1941sqm GIFA split over two floors. The new single storey sports pavilion will cover a footprint of 220sqm GIFA over one floor as shown on the following table:



	Breakdown (sqm)	Total (sqm)
Existing GIFA	Main School Building	355
	Sports Pavilion, Caretakers House and Kiln Room	299.5
GIFA to be demolished	Main School Building	355
	Sports Pavilion	299.5
Proposed new build GIFA	Main School Building	1941
	Sports Pavilion	220
Proposed new build GEFA	Main School Building	2081
	Sports Pavilion	252

Table 1: Existing and Proposed Floor Areas (SQM)

The new school site and sports pavilion will be accessed via the existing vehicle access of Chandos Avenue. The existing road will be retained as existing. This will lead to the proposed new car park which serves the school as well as the sports pavilion.

In addition to the school building, the proposal involves the replacement of an existing sports pavilion building to the south of properties in Chandos Avenue in order to provide improved sporting facilities to compensate for a marginal reduction in playing field area. This building would measure up to 220 sq.m in floor area and is single storey with a pitched roof and useable roof storage space.

### 3. PLANNING CONSIDERATIONS

#### 3.1 Principle of Development

The application proposes the demolition of the existing sports pavilion and main school building and erection of a new main school building and sports pavilion, with associated MUGA facilities and car parking.

Section 14 of the Education Act 1996 (the 1996 Act) places a general duty on local authorities to secure sufficient schools for providing primary and secondary education for their area. Schools available will be sufficient if they are sufficient in number, character and equipment to provide all pupils with appropriate education. Subsection (3A) requires a local authority to exercise its functions under this section with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

In relation to planning law Paragraph 94 of the NPPF advises that:

*'It is important 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:*

*a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*

*b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.'*

In terms of regional guidance London Plan 2016 Policy 3.18 advises that:

### **'Policy**

A The Mayor will support provision of childcare, primary and secondary school, and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, including in parts of London with poor educational performance.

B The Mayor strongly supports the establishment of new schools, including free schools and opportunities to enable local people and communities to do this.

### **Planning decisions**

C Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current and projected shortage of primary school places and the projected shortage of secondary school places will be particularly encouraged. Proposals which result in the net loss of education facilities should be resisted, unless it can be demonstrated that there is no ongoing or future demand

D In particular, proposals for new schools, including free schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.

E Development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged.

F Development proposals that encourage co-location of services between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college's offer. On-site or off-site sharing of services between schools and colleges should be supported.

G Development proposals that co-locate schools with housing should be encouraged in order to maximise land use and reduce costs.'

In terms of local Policy. Policy DM13 advises in relation to new community or educational uses that:

*'New community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. New community or educational uses should ensure that there is no significant*

*impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties.'*

In terms of the current proposal, the Pavilion is a Pupil Referral Unit (PRU) that offers a range of educational programmes and services for young people unable to attend mainstream schools for a variety of reasons including social, emotional, behavioural and medical difficulties. The Pavilion is the London Borough of Barnet's main PRU, i.e. an establishment maintained by a local authority which is specifically organised to provide education for children who are excluded, sick, or otherwise unable to attend a mainstream or special maintained school.

As such the school provides an important role over and above the number of children accommodated at the school in enabling the London Borough of Barnet to comply with the requirements of the Education Act to provide an education to all school aged children and also provides an important role in providing improved educational and life chances for children taught at the school. Along with following a mainstream education, the school provides additional vocational training and also provides medical and mental health support and behaviour improvement programmes. The school also acts as a centre providing support for mainstream schools and provides educational support to children at Barnet general hospital.

Given the bespoke nature of the educational facilities provided and given that the proposal effectively involves the replacement of an existing use (albeit in a different portion of the site), there is no in principle objection to the proposal subject to the assessment below in relation to issues such as design, relationship to neighbouring properties, impact on sports provision and traffic and highway considerations.

The replacement sports pavilion is also supported in policy providing a replacement sporting facility to enable the use of the adjoining open space.

### **3.2 Loss of Playing Field**

The application proposals involve locating the new school building partially on the existing car park and playing field to the north east of the site. The proposal involves the permanent loss of a small area of playing field space, which equates to 1.1% of playing field space. As such an assessment of the proposal against planning policy in regards to safeguarding playing fields needs to be carried out.

#### **NPPF**

Paragraph 97 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 benefits of which clearly outweigh the loss of the current or former use."

## **London Plan**

7.35 Policy 7.18 states the loss of 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

## **Barnet Core Strategy**

7.36 Policy CS7 states that the Council will create a greener Barnet by protecting open spaces, including Green Belt and Metropolitan Open Land.

## **Barnet Development Management Policies**

Policy DM15 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:

- a. The development proposal is a small scale ancillary use which supports the use of the open space or
- b. Equivalent or better quality open space can be made.

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

In areas which are identified as deficient in public open space, where the development site is appropriate or the opportunity arises the council will expect on site provision in line with the standards set out in the supporting text of Policy CS7.

Sport England's Playing Field's Policy (March 2018) states that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field, unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.

The specific circumstances are:

**Exception 1:** A robust and up-to-date assessment has demonstrated, to the satisfaction of

Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

**Exception 2:** The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

**Exception 3:** The proposed development affects only land incapable of forming part of a playing pitch and does not: reduce the size of any playing pitch; result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas); reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; result in the loss of other sporting provision or ancillary

facilities on the site; or prejudice the use of any remaining areas of playing field on the site.

**Exception 4:** The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field: of equivalent or better quality, and of equivalent or greater quantity, and in a suitable location, and subject to equivalent or better accessibility and management arrangements.

**Exception 5:** The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

In the case of the application proposals there have been extensive discussions with Sport England both during the development of the proposals and post submission of the planning application. The applicant has provided a new pitch layout which shows the provision of a single cricket square along with two 7 aside football pitches. Historically the site contained two cricket squares although it is clear that two cricket games cannot take place simultaneously. This has been acknowledged by LBB Greenspaces, Sport England, ECB and the club users. It is also not possible to provide two squares without the need for additional high boundary netting due to the danger of cricket balls being hit into adjoining gardens. It was therefore agreed that the provision of a single improved cricket square may be the correct way forward. However this is still to be agreed. Sport England also requested that the proposed pavilion building was altered to meet full ECB design standards, the plans have been amended to reflect this. An agronomy report outlining the improvements which will take place to the pitches has also been commissioned.

Sport England have indicated that these changes will allow them to support the scheme as the proposals would significantly enhance the usability of the playing fields and would more than compensate for the marginal reduction in site area.

Planning Officers would concur with this conclusion and consider that with the compensatory measures proposed, the proposal would be in accordance with the above policies representing an improvement in the sporting facilities in this locality.

### **3.3 Design**

The National Planning Policy Framework (revised, 2019) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states 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. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan 2016 also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Policy 7.4 of the London Plan 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. Architectural design criteria are set out at policy 7.6.

Draft Replacement London Plan (DRLP) policy D1B requires development to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives consideration to the use of use of attractive, robust materials which weather and mature well. Policy D2 (Delivering good design) requires masterplans and design codes to help bring forward development and ensure it delivers high quality design.

Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

### **Layout, Height, bulk, scale and massing**

Access to the site will be via the existing single lane accessway from Chandos Avenue. This accessway leads to a new resurfaced 30 space car park with 2 disabled spaces, with capacity to increase in number to 3 spaces if required in the future in accordance with London Plan policy.

To the west of the car park a new sports pavilion is proposed. The proposed pavilion building is single storey in height with pitched roof. The design of this building is simple and traditional in appearance

The proposed school building is to be constructed to the east of the car park, with the main entrance to the north of the building, along with secondary access along the western edge to the sports hall and MUGA. The school building is two storeys in height and predominately rectangular shaped. The building has been designed around a central internal courtyard, providing a compact layout with an outdoor playground and grass recreation area being located to the east of the building and a MUGA to the south of the school building. A double height sports hall attaches to the school on the western side. The building layout has been designed to allow for the most efficient use of the land available whilst ensuring the loss of playing field land is kept to a minimum.

The proposed scale and massing of the buildings as proposed are considered proportionate to prevailing pattern of development in the locality and would be in keeping with the character and appearance of the surrounding area.

### Materials

The school building is brick faced utilising a mixture of a darker brick on the sports hall with a lighter brick being used on the remainder of the school building. brick clad. The material palette is designed to be in keeping with surrounding properties in Avenue and Oakleigh Park North. The roof will comprise coloured pressed metal. The windows and doors will be PPC aluminium windows and doors.

The proposed pavilion building is proposed to be finished in a light coloured brick with tiled roof, along with rainscreen cladding on the south cricket pavilion entrance elevation.

It is considered that the proposed material finishes on both the school and the pavilion provides a simple ascetic which would be in keeping with the character and appearance of the surrounding area.

### Conclusion

The proposed layout and detailed design of the proposed school and pavilion buildings are considered acceptable, resulting in a legible layout and design which would provide for a robust design, providing an appropriate presence for the school while reflecting the vernacular of the surrounding area.

## **3.5 Amenities of Neighbouring and Future Residents**

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2016 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

### Privacy, overlooking and outlook

The Barnet Residential Design Guidance SPD states there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

The proposed school complies with these dimensions, with the closest points measuring more than 21metres and 10.5m respectively. It is noted that in the majority of cases the proposal achieves the distance separation by a significant level i.e. around 20m to adjoining gardens and nearly 50m to the rear building lines of some of the properties in Oakleigh Park North.

### Daylight and Sunlight

The application proposals are accompanied by a daylight sunlight assessment which assess the proposal in relation to the two closest properties namely 5 Maryrose Way to the north of the proposed development & 51 Oakleigh Park North to the east of the proposed development. The submitted report demonstrates that the proposal would not result in any demonstrable impact on daylight/ sunlight levels to adjoining residential properties in accordance with the criteria contained within the Building Research Establishment (BRE) Daylight/ Sunlight Guidelines.

### Noise and general disturbance

It is anticipated that a level of noise would be generated from the development during the hours of use of the school. However the principle of a school on this site has already been established by the existing school buildings, no increase in capacity is proposed under this application and the number of pupils at the school is a lot smaller than a traditional school. It is also noted that as the proposal involves a new school, levels of insulation will be higher than the old school buildings which would further reduce noise breakout from the school.

A noise report was also submitted with the planning application concerning noise from the MUGA and playground. The report recommends a variety of measures to mitigate noise including the use of acoustic fencing which is secured by condition. Conditions are attached requiring the attachment of conditions covering operating hours, construction management, servicing and noise from plant in order to minimise disturbance to neighbouring residential properties.

In this instance it is therefore not considered that noise disturbance to neighbouring residents would not be significantly detrimental to the amenities of surrounding occupiers and users and would not justify a refusal of planning permission.

### Air quality

In respect of air pollution, the Council's Environmental Health officer has advised that there are no concerns of poor air quality due to the distance of the site from neighbouring roads. The EH officer has also confirmed that due to the school being of improved design, improved energy efficiency and higher quality build but catering for the same number of students there is no need for an air quality neutrality report.



However, in line with all new builds additional tree planting, electric points for car parking spaces and spaces for bicycles and other green transport measures are encouraged. It is noted that all these measures are proposed as part of the scheme and or are secured by condition.

### **3.6 Transport, highways and parking**

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 and more environmentally friendly transport networks, require that development is matched to capacity 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.

The road fronting the site is Chandos Avenue. Chandos Avenue is a local residential road fronted by large detached houses with large front gardens with space to accommodate at least 4 cars. Several of the properties in the vicinity of the site have white lines marked in front of their crossovers to deter obstructive parking.

The site is not in a CPZ and there are no yellow lines/parking restrictions in place in Chandos Avenue, however there are some existing yellow lines on Maryrose Way and Oakleigh Park including in the position of the temporary access road. The proposal comprises demolition of the existing pavilion and main school building and the erection of a new 1941 sqm two storey main school building, a 220 sqm single storey pavilion building, associated playground with MUGA facilities and car park.

The school (Pupil Referral Unit) will accommodate a maximum of 73 pupils and 30 staff, which is the same as the existing building is licenced for. The new pavilion building will be a like for like replacement of the existing club house.

The layout of the proposed car parking layout is acceptable in principle, however Council highway officers have recommended a reduction in the size of the car park to the same number of spaces as the existing car park in order to encourage the use of sustainable transport modes.

The applicant has advised that their preference would be to not reduce the number of spaces as this was informed by parking survey of existing staff usage and a reduction in spaces may lead to overspill car parking on adjoining roads. It is also noted that in addition to the school usage during the day the car park is used at weekends by users of the sports field including the new improved cricket square and football pitches.

It is noted that while the existing number of car parking spaces on the site is 20, it was clear from previous officer site visits that there was additional ad hoc parking around the school building on the verges suggesting that the level of car parking demand was greater than the number of spaces available. It is also noted that due to the special nature of the school, additional specialist support staff would need to attend the school from time to time, and also the school would not have a traditional catchment area due to its nature as a support school for the London Borough of Barnet. As such on balance the quantity of car parking is considered acceptable by planning officers and is recommended on this basis.

The provision of 2 disabled bays accords with London Plan policy in providing 5% disabled parking up front with capacity to increase to 10% at a future date. The proposed disabled spaces are located close to the main school entrance which is supported.

Cycle parking provision is in accordance with London Plan standards and the provision of 14 spaces (9 spaces for pupils and 4 for staff and 1 visitor) is considered acceptable. Cycle parking for staff and pupils should be provided in separate compartments. All long stay cycle parking should be provided in a secure, covered, sheltered, lockable and enclosed compound. Details of cycle parking are therefore requested by way of a condition.

Electric vehicle charging points are to be provided in accordance with minimum London Plan standards. The proposed provision of 3 double point units providing 6 charging points is acceptable. The type of charging units proposed as well as product spec, and supporting information is secured by condition.

Existing servicing and refuse collection arrangements will continue and this is acceptable.

The existing access road to the site from Chandos Avenue is 2.5 metres wide and thus can only accommodate cars and vans. Both vehicles and pedestrian will use this access. Given that the access will be shared by pedestrians and vehicles, it is recommended that staff supervision is provided during school "drop off" and "pick up" times which is understood to take place with the existing school. The Council's highways team had suggested that consideration be given for the introduction of a traffic light system, however given the limited number of movements and to avoid any potential disturbance to neighbouring residents from the operation of such signage it is not considered that this is necessary in this instance.

In relation to emergency vehicles, the width of the site would be too narrow for a fire tender to pass through. As part of the proposals an external dry riser inlet point will be provided adjacent to the entrance gates to the site on Chandos Avenue. The dry riser inlet point will be located within ~20m from an existing hydrant outlet located on Chandos Avenue. The dry riser inlet located on Chandos Avenue will connect to pipework which will run underneath the roadway/car park/landscaped areas of the site and will be provided with two external dry riser outlet points in close proximity to the school in which fire service personnel can connect hoses in the event of a fire. This is considered satisfactory. It is also noted that the school buildings themselves are fitted with a pump and sprinkler system.

A draft travel plan has been submitted by the applicant and the provision and implementation and continued monitoring of the travel plan is secured by condition.

The anticipated trip generation by the site is unlikely to have significant network impact as the proposals will generate 17 (7 staff & 10 pupil) additional vehicle movements during the peak hours if the school is fully occupied. The one MUGA and pitch proposed can accommodate between 5-10 people and as such unlikely to have a significant impact on the scheme

Conditions concerning construction and site traffic management along with a delivery and servicing management plan are secured by condition which should ensure that the proposal does not adversely impact upon highway safety or capacity in the vicinity of the site.

### **3.7 Waste and Recycling**

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2016 Chapter 5 'London's Response to Climate Change' policy 5.17 seeks suitable waste and recycling storage provision in new developments as does the Barnet Core Strategy DPD 2012 policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill.

A delivery and servicing management plan condition is attached to this approval, which would include details of proposed waste collection and recycling.

### **3.8 Energy, Sustainability, and Resources**

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:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve zero carbon on new residential developments post 2016. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in 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. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

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. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes.

An sustainability statement has been support of the application. The sustainability statement advises that the proposal would aim to meet the mayor's energy requirements through the following measures.

For the purposes of the proposed new buildings a combined target has been identified to achieve the 15% carbon dioxide reduction over a compliant baseline Part L2A model by passive and energy efficiency measures (Be Lean). This has been demonstrated by considering a combination of energy efficient design measures and passive measures to the building envelop.

In regard to the 'Be Clean' part of the energy hierarchy there are no district heat networks in the vicinity, no improvements by importing heat or energy have been included. However, a Small Micro- CHP unit is incorporated into the design of the School building to serve the base heating and electricity loads.

In addition to the 'Be Lean' target, the overall target of a 35% carbon dioxide reduction over a compliant baseline Part L2A model has been set. Unfortunately, however the scheme has only be able to achieve a 21/% through the use of CHP and PV panels. The sustainability statement advises that the 35% target could not be met due to the constraint on providing PV to the roof area of the building as well as the financial constraints of adding more improvements making the project unviable.

Normally in such instances a carbon off set payment would be sought in order to make up for any shortfall, however as this is a Council scheme it would not be possible for the Council to enter a S106 with itself and it is also not possible to require payment of monies by means of condition.

On balance the proposed energy measures are considered acceptable in this instance. In reaching this conclusion account has been taken of the benefits of replacing the existing school building and pavilion which due to their age would have significantly worse energy efficiency than the proposed building. The application has also provided a BREEAM pre-assessment in support of the application which advises that the development can achieve BREEAM 'Very Good' which is welcomed.

### **3.9 Landscaping, Trees and biodiversity**

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of

biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

### Trees and Landscaping

The application is accompanied by an arboricultural assessment in support of the application. The report identified 31 individual trees, 19 groups of trees and 1 hedgerow. The redevelopment proposals will lead to the loss of 1 no. category C tree, however this is in addition to the 5 no. trees/ groups and section of one further group that would be lost as a result of the enabling works proposal, however all of these trees are also categorised as either Category C or U and no higher value category A or B trees are proposed to be removed either under this application or the advanced infrastructure works proposals. Tree protection measures are also proposed to safeguard retained trees including protective barriers and the use of 3d cellular confinement systems.

In order to mitigate the loss of trees, the landscaping strategy proposes the planting of 18 new replacement trees to be planted along the edges of the plot, adjoining the car park and framing the new school entrance. In addition to this lower level shrub and hedgerow planting is proposed to the rear of the new sports pavilion building and to the rear of the car parking backing onto the rear of properties on Chandos Avenue.

In terms of boundary treatments, a 2.4m high weld mesh fence is proposed to be installed around the west of the new main school building and a 2.4m high acoustic close boarded fence will be installed around the east of the new main school building to provide a secure line boundary to the school site. In addition, the MUGA will be enclosed by a 3m high weldmesh fence. It is noted that the 2.4m acoustic fence will be set against the existing planted boundary with the properties on Oakleigh Park North so it is not considered that this fence would be unduly obtrusive when viewed from these properties. It is also noted that 2.4m is standard school height for fencing.

Suitable conditions are attached in relation to tree protection and landscaping.

### Ecology and Biodiversity Enhancement Measures

A Phase 1 habitat survey and protected species assessment have been submitted in support of the application. A bat survey has also been carried out.

The surveys conclude that the site holds moderate ecological value, with habitats that could support protected species such as the buildings, mature trees, scrub and introduced planting present. There is one statutory site within 1km of the site and the closest non-statutory site is 425m each of the site.

Given the small scale of the works occurring on the site, the report considers it unlikely that any statutory or non-statutory site sites will be adversely affected by the development works. The report proposes a number of ecological enhancements including lighting in line with BCT guidelines, installation of bat and bird boxes, and

use of native planting or planting which is beneficial to wildlife.

The bat survey concluded that no bats were seen to emerge from the building on the site, there was however a considerable amount of activity on and around the site. The bats used the tree lines as commuting features and also foraged over the playing field. The report recommends the adaptation of the above ecological enhancement measures and also careful design of any lighting.

The Council's ecology adviser has advised that the submitted documents are satisfactory and that the proposal should not affect protected species. Suitable conditions are attached requiring the provision of a suitable external lighting design backed up by a qualified ecologist, landscaping implementation and the incorporation of biodiversity enhancement measures.

### Flood risk, Water Resources, Drainage and SUDs

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding. The proposed development is acceptable in this zone and there is no requirement for exception and sequential testing of the acceptability of the scheme.

A separate drainage strategy has been prepared in compliance with current national and local Policies and guidance. This strategy will incorporate SuDS features in accordance with policy. Proposed discharge rates off site into the public sewer network will be as agreed with Thames Water and the London Borough of Barnet.

The Council's drainage officer has examined the proposals and advised following discussions that they wish to raise no objections to the proposal subject to the attachment of appropriate conditions.

### **3.10 Other matters**

#### Utilities

Thames Water have provided comments confirming no objections to the proposal and as such it is not considered that the proposal would affect utility infrastructure in the vicinity of the site.

#### Ground conditions and Contamination

In regards to potential contamination, the applicant has submitted a contaminated land report. The contents of this have been examined by the Council's Scientific Services Team who raise no objections subject to the attachment of appropriate conditions.

#### UXO Risk

In relation to UXO risk, a UXO risk assessment was submitted in support of the application although the risk of UXO's is no worse than other areas of Barnet which were heavily bombed in WW2. In the case of any UXO's being discovered during

construction the usual actions would be taken to minimise risk to neighbouring properties.

#### **4. EQUALITY 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; and
- 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 site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

The development includes level, step-free pedestrian approaches to the main entrances to the school building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces. The proposed school also caters for a marginal sector of society and as such would make a positive contribution towards improved equalities provision. Dedicated parking spaces for people with a disability are also provided in accordance with Policy.

#### **7. CONCLUSION**

In conclusion, the scheme is considered acceptable on balance having regard to relevant national, regional and local planning policies and guidance. The principle of the provision of the school is considered acceptable providing much needed additional school places and accords with national, regional and local plan policy guidance

The proposed detailed design is considered to be high quality with appropriate levels of informal and formal play facilities.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The potential transport impacts of the scheme have been considered and appropriate mitigation proposed in the form of a detailed travel plan as well as improvements in such matters as electrical charging points and cycle parking facilities.

A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site with appropriate replacement planting,

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. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly **APPROVAL** is recommended subject to conditions as set out above.



**SITE LOCATION PLAN: Pavilion Study Centre, 58B Chandos Avenue,  
London, N20 9DX**

**REFERENCE: 20/1304/FUL**

