

Location **Jewish Community Secondary School Castlewood Road Barnet EN4 9GE**

Reference: **19/6855/FUL** Received: 23rd December 2019
Accepted: 30th December 2019

Ward: East Barnet Expiry 24th February 2020

Applicant:

Proposal: Erection of a north wing to provide new educational space (use Class D1) comprising a multi-functional hall, classrooms, circulation, break-out and administration areas with associated landscaping and ancillary infrastructure

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and 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)

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3.

JCoSS Travel Plan Heads of Terms should include:

- Full School Travel Plan (STP) to be submitted and approved prior to occupation
- STP to meet the criteria in the TFL booklet 'What a School Travel Plan should contain'
- STP to include all previous data and a summary and evaluation of previous measures
 - /initiatives implemented
- Prior to occupation consultation with all members of the school community - staff, pupils and their families, Governors, residents and other stakeholders including Livingstone

School

- STP Champion in place for the life of the STP
- Annual staff and pupil hands up survey
- Annual STP review and approval by the Council until the 5th STP review and STARS

has been approved

- To maintain current Gold level STARS or equivalent for at least 5 years.
- £5,000 STP monitoring fee

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

(898)0100_PL01
(898)0101_PL01
(898)1010_PL01
(898)1011_PL01
(898)1012_PL01
(898)0201_PL01
(898)0202_PL01
(898)0203_PL02
(898)2002_PL02
(898)2001_PL02
(898)4001_PL02
(898)4002_PL02
10682_a_00_020 revision J
11898_TG_P_001
11898_TG_P_100
11898_TG_P_300

Design and Access Statement (17/12/2019)

Planning Statement

Landscape Strategy

Arboricultural Impact Assessment (18/12/2019) (11898_R03a_JP_MM)

BREEAM Pre -Assessment

Energy and Sustainability Statement (December 2019)

Transport Statement (18/12/2019)

Parking Stress and Active Travel Environment Review

Geo Environmental Assessment of New Annex Building at Jewish Community Secondary School, East Barnet

Ecological Assessment (11898_R02_CC_AS)

Structural Engineering Report

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

4 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.

5 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown in Arboricultural Impact Assessment (18/12/2019) (11898_R03a_JP_MM) under dwg no 11898/P04a has been erected. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be fully implemented in accordance with the protection plan and method statement.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

6 a) Before the development hereby permitted is first occupied or brought into use, a School Travel Plan incorporating measures to reduce trips to the school by the private car and encourage non-car modes such as walking, cycling and public transport shall be submitted to and approved by the Local Planning Authority. This should include reference to the changes made to the school building/s and the impact this will have on travel and access, the contact details of the School Travel Plan Champion and appropriate actions to ensure that the STP will meet at least Bronze level in the Transport for London STARS (Sustainable Travel Active Responsible Safe) accreditation scheme for the following 3 years.

The School Travel Plan shall include SMART targets and a clear action plan for implementing the measures. The School Travel Plan shall be monitored, reviewed and resubmitted in writing annually, for approval by the local planning authority, in accordance with the targets set out in the Plan and the associated S106 agreement.

b) The measures set out in the Travel Plan approved under this condition shall be implemented and retained until such time as the site is no longer in use or occupied.

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

7 a) 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. Staff travel arrangement;
- ix. details of contractors compound and car parking arrangements;
- x. Details of interim car parking management arrangements for the duration of construction;
- xi. Provision of a banksman;
- xii. Details of a community liaison contact for the duration of all works associated with 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).

8 a) The proposal hereby approved should be implemented according to the approved Ecological Assessment Report ((11898_R02_CC_AS).

b) lighting strategy must be designed to minimise impacts on bats (as well as other nocturnal fauna) and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>. The lighting strategy should be submitted to the LPA for approval.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

9 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

11 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

12 a) The non-residential development is required to meet the BREEAM **** level.

b) Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

13 a) No development other than demolition works shall take place until a scheme indicating the provision to be made for disabled people to gain access to the development has been submitted to and approved in writing by the Local Planning Authority.

b) The scheme approved under this condition shall be implemented in its entirety before the first occupation of the development or commencement of the use and retained as such thereafter.

Reason: To ensure adequate access levels within the development in accordance with Policy DM03 of the Development Management Policies DPD (adopted September 2012) and Policy 7.2 of the London Plan 2016.

14 Prior to occupation of the development details of coach parking monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

15 Upon occupation of the development hereby approved, there should be no more than 30 additional pupils admitted into year 7 each year up to a total of 90 additional pupils within years 7-11 over a five year consecutive period and no more than an additional 40 pupils shall enter into the 6th form (comprising 20 pupils in year 12 and 20 pupils in years 13) without the written prior consent of the local planning authority.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

RECOMMENDATION III:

3 That if an agreement has not been completed by 01/11/2020 unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application 19/6855/FUL under delegated powers for the following reasons:

The development fails to provide a legal undertaking to provide travel plan and contribution towards the associated monitoring costs, contrary to policy DM17 of the Development Management Policies DPD and the Planning Obligations SPD

Informative(s):

1 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.

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Therefore, if site clearance work is proposed to be undertaken in the spring and summer months the site should be subject to a pre-site clearance check for nesting birds. It should be noted that if there is a hiatus between site clearance and construction and the site is left cleared then if construction starts during the spring and summer months an additional check for nesting birds should be undertaken before work starts.
- 4 Working methods sensitive to badger and hedgehog should be used during the construction phase. Hedgehog fence panels and/or 'hedgehog highways' should be used to prevent habitat fragmentation

Officer's Assessment

1. Site Description

The present school comprises one building, with a central curved spine from which four wings radiate to the rear. The central spine contains the vaulted main reception area, beyond which - along the direct visual axis - there is a courtyard and beyond which there is an existing Multi Use Games Area (MUGA), which is the location for the new proposed North Wing extension. The vaulted central spine creates a curved exterior roof structure, whilst the elevations are finished in a combination of buff coloured masonry and brickwork with grey metal elements - with a combination of darker material and white render to Wing D.

The broader site comprises hard and soft landscaped grounds including sensory garden, allotment and a further, smaller MUGA. To the rear of the site is a large open playing field, over which the school has recently signed a joint access agreement. Principal access to the site is via a dedicated approach from Castlewood Road, leading to a one-way loop incorporating parking and drop-off spaces. A second gate to the south exists, principally for pedestrian and emergency access.

To the immediate east of the site is Livingstone Primary School, whilst to the west the east coast main line separates the site from Tudor Park. To the south the school adjoins a residential development known as the Bevan estate, built in the 1950's and predominantly comprising two storey semi-detached houses. To the north side lie Hadley Woods - an area of mature woodland.

The site is in Metropolitan Open Land. Green belt lies to the north of the site. The site is not located in conservation area and the building is not listed.

2. Site History

Reference: N02587K/07

Address: East Barnet School Westbrook Crescent Cockfosters Barnet Hertfordshire EN4 9AR

Decision: Approved following Legal Agreement

Date: 09 December 2008

Description: Demolition of buildings and erection of a new secondary school (six form entry) and special resources unit, external works including construction of new outdoor all-weather sports pitches and games area, formation of new North-East access driveway off Castlewood Road and use of existing access from Westbrook Crescent for emergency vehicles only, parking, landscaping and other enabling works

Reference B/05671/14

Address: Jcoss (Jewish Community Secondary School), Castlewood Road, Barnet, Herts, EN4 9GE

Decision: Approved subject to conditions

Date: 10 December 2014

Description: Extension to wing D at second floor above the Sports Hall, to provide 5 new classrooms and associated circulation and storage areas

3. Proposal

The application seeks planning permission for erection of a north wing to provide new educational space (use Class D1) comprising a multi-functional hall, classrooms, circulation, break-out and administration areas with associated landscaping and ancillary infrastructure. The proposal benefits from a pre- application advice.

4. Public Consultation

Consultation letters were sent to 135 neighbouring properties.

40 objections and 109 support received

Summary of the comments received:

Comment in support of the proposal

- The school is oversubscribed and need extension
- More cost efficient than opening a new school
- Will meet the need of the growing number of children
- School will be able to offer more places for children
- The community would be benefitted
- There is need for more secondary school places
- There is significant demand for high performing faith schools in London
- The current building does not have the capacity to cope
- The school has the land and should be allowed to build

Objections received as below:

- Likely Impact on traffic
- Congestion
- Large coaches park while drop off and pick up are big for the narrow roads and create congestion
- Roads will be clogged by parked cars
- No consideration given to the residents by coaches, parents, staff and sixth formers.
- The coaches in the morning cause chaos for local residents and cause damage to cars, footpaths and grassed areas.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The revised National Planning Policy Framework (NPPF) was published on 19th 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.

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

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

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

The London Plan is currently under review. 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 adopted London Plan

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS8, CS9, CS10, CS13.
- Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM13, DM15, DM16, DM17.

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

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.

Supplementary Planning Documents
Sustainable Design and Construction (2016)
Green Infrastructure (2017)
Planning Obligations (2013)

5.2 Main issues for consideration

- Principle of development
- Impact on the Character of the Existing Building and the Area
- Impact on Amenity of Neighbouring Occupiers
- Impact on Amenity of Future Occupiers
- Impact on Highways
- Impact on Trees & Landscape
- Impact on Ecology

5.3 Assessment of Proposals

Principle of Development

Paragraph 133 of the National Planning Policy Framework (2019) states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The site is located entirely upon Metropolitan Open Land (MoL). With regard to Policy 7.17 of the London Plan (2016) and Policy DM15(a)(i) of the LB Barnet: Local Plan (Development Management Policies) DPD (2012), the same level of protection is afforded to MoL as to the Green Belt. Consequently, development is subject to the considerations set down in Section 13 of the NPPF (2019).

Paragraph 145 of the NPPF states that the construction of new buildings as being inappropriate in the Green Belt, but also lists a number of exceptions which include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy DM15 of the Local Plan echoes these provisions, stating:

- i. Development proposals in Green Belt are required to comply with the NPPF. In line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL).
- ii. Except in very special circumstances, the council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness.
- iii. The construction of new buildings within the Green Belt or Metropolitan Open Land, unless there are very special circumstances, will be inappropriate, except for the following purposes:
 - a. Agriculture, horticulture and woodland;
 - b. Nature conservation and wildlife use; or
 - c. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of Green Belt or MOL.
- v. The replacement or re-use of buildings will not be permitted where they would have an adverse impact on the openness of the area or the purposes of including land in Green Belt or MOL.

The applicant in the submitted planning statement mentions that, the proposal would fall under exception c of Paragraph 145 of NPPF and further mention that, "the Application Site falls within a wider, established and self-contained campus. Whilst there are small areas of land without buildings, when considered as a single planning unit, the campus as a whole falls within the definition of Previously Developed Land ("PDL") as stipulated by the NPPF."

In a submitted calculation the applicant showed the cumulative increase in floorspace is only 10% and volume is 7%.

However, the opinion of the LPA the proposal would not benefit from the provision of the exception at Paragraph 145(c) for the following reasons, which was mentioned during the pre-application stage;

- Whilst the proposal may be an 'extension' to the total existing quantum of buildings on the site, it is in the form of a new building and not a contiguous physical extension.
- Notwithstanding that fact, the baseline for extensions must be the original building and not the current building (or building which replaced the original building).

The pre- app advice further states that, the proposal must be considered inappropriate development and - by virtue of Paragraph 143 of the NPPF (2019) - is, "by definition, harmful...and should not be approved except in very special circumstances".

The applicant subsequently submitted very special circumstances in the submitted planning statement with the current planning application.

The statement states that, Institute for Jewish Policy Research ("JPR") in February 2019¹ has assessed the gap between first preference applications and admissions across the four state-funded mainstream Jewish secondary schools in North West London and Hertfordshire. The research shows there is a gap greater than 150 between applications and admissions which represent unmet need in the Jewish Community. This gap exceeded year-on-year since 2013/14. The statement further mentions that there is average 11% increase in applications for Year 7 entrants in 2018/19 and increase of 14% in years 2020/21 and 2021/22.

The statement further mentions that, to meet the quantitative deficiencies, the only viable means of doing so in state-funded mainstream Jewish secondary schools in North-West

London and Hertfordshire is via the expansion of existing schools and JCoSS is one of two schools identified which have the capacity and desire to expand.

The submitted statement mentions that, JCoSS is the most over-subscribed Jewish school in London, with an average of 4 applicants per place, 73% of which put JCoSS as their first or second preference. JCoSS does not have enough classrooms and associated facilities to meet this growing demand. The proposal would therefore facilitate the growing demand.

It is further mentioned that the proposed class rooms are designed for smaller class sizes which are ideal for teaching 6th form lessons, which would free up standard size classrooms within the existing school building. The proposed multipurpose hall will provide a large flexible space which can be configured for assemblies, performances, indoor sports, cafeteria seating, examination and study space.

The current number of students at the school is as follows:

Y7: 187 pupils

Y8: 217 pupils

Y9: 218 pupils

Y10: 187pupils

Y11: 187pupils

JCoSS currently admits 187 students each year for years 7; 10 and 11, but due to the high demand for places the school would like to increase an extra 30 places each for year 7 ,10 and 11 for each academic year consecutive 5 years. Initially the increase would be an extra total of 90 students for year 7, year 10 and year 11 for every academic year.

Once the additional 90 students will reach year 11, JCoSS estimates that 20 of them will continue into year 12 and then into year 13, totalling 40 additional students in the 6th form. At that time after 5 years there will be total of 130 additional students per academic year (90 in years 7,10 and 11 and 40 in the 6th form).

Currently the 6th form has a total of 300 students in year 11 and year 12. Initially total number of students in the school would be 1386 for the next consecutive 5 years. After 5 years total number of students would be maximum 1426.

National policy states that local planning authorities should "give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications" (National Planning Policy Framework 2019: paragraph 94). It also states that local planning authorities should "work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted".

London Plan Policy 3.18 (Education Facilities) states that in Point C that "Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes."

CS10 states that, the council will "ensure that our programmes for capital investment in schools and services for young people address the needs of a growing, more diverse and increasingly younger population." Paragraph 15.7.6 of the Core strategy states, "We will

continue to identify opportunities to improve the condition of secondary schools in Barnet and to provide sufficient school places."

With regard to Policy CS10 of the LB Barnet: Local Plan (Core Strategy) DPD (2012), the proposal will bring forward capital investment expanding the provision of education facilities and would meet the growing demand.

It is clear that national, London and local policy is strongly in favour of improving school facilities, and this is a material consideration in the determination of this planning application.

Furthermore, the proposal would bring Economic benefit, as it will create up to 7 new teaching jobs as well as some additional hours for other site staff including cleaners, and maintenance workers. Jobs will be also created throughout the construction work.

It is therefore considered that, due to the very special circumstances stated above, the proposal is considered acceptable in the Metropolitan Open Land (MOL).

Impact on the character of the existing building and wider Area

Policy DM01 of Barnet's Development Management Policies Document (2012) states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposal has been modified after comments received during pre-application stage. However, the location and overall design concept of the proposal remains same as proposed in the pre application stage.

The proposed two storey extension would be sited at the rear of the central court yard on the place of existing Net Ball Court. It would be sited at the rear of two existing wings and would connect those wings with an open colonnaded corridor. Though the proposal would enclose the open central court yard, it would maintain permeability and allow angular views to the open field and woodland beyond through the open colonnaded corridor.

The proposal will respect the eaves height of the existing building. It would feature a flat roof with mechanical room and skylight on the rooftop.

The proposed exterior would be of buff colour brick to match the existing masonry of the school with infill panels in a light grey render to coordinate with the painted metal framing to windows. The material is considered to complement the existing palette.

Principal entry for the new extension is on the front elevation facing the central courtyard.

It is considered that the proposal would respect the character of the existing building and the Area.

The additional mass of the extension would not be seen from the streetscene and would be buffered by the presence of the existing school building because of siting at the rear of the existing school building.

The proposed extension is considered to be of an appropriate scale, have been designed to match the design of the existing architecture of the school building and will be constructed in matching materials. Consequently, they will blend in with their immediate surroundings.

Impact on Amenity of Neighbouring Occupiers

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The proposed extension will be sited to the north of the site at the rear of the existing school building, away from existing residential properties sited to the south of the site and would not be visible from the residential properties. There are no residential properties to the north of the extension.

Given the separation distance between the extension and the nearest residential buildings it is not considered that the proposed extension and the proposed use would have an unacceptable impact on the amenities of neighbouring occupiers.

The proposed new building is considered to provide an acceptable space for the proposed multi-functional hall, classrooms, circulation, break-out and administration area.

With the direct re-provision of the MUGA, the scheme would also entail no material reduction in overall amenity space.

It is mentioned in the submitted Planning statement that, "the school has recently agreed to a lease with Barnet Council to use the grassed playing field land immediately to the west for sports and recreation. This has the benefit of allowing rugby and football, which were previously being played on the 3G pitch within the campus, to be moved onto a more appropriate grassed surface, thereby freeing up capacity on the 3G pitch for other sports such as netball and hockey."

The proposed ground floor will feature a large, double height, multi-purpose Hall which opens to the school's central courtyard. 4 classrooms are arranged to the north and one to the south beside the proposed multipurpose Hall and served by a circulation space.

All the proposed Classrooms would meet the standard provided by Department for Education's Building Bulletin 103 (BB103) - Area Guidelines for Mainstream Schools.

Each of the new classrooms will have around 30 pupils. The school already has capacity issues and so the proposed extension will help to relieve some of this pressure within the main building.

The rooms are well lit and ventilated and benefit from northern light. Class rooms will not overheat due to solar gain because of it siting on the northern side.

The proposed first floor contains 4 classrooms and an office suite including a new boardroom. There is lift access to the first floor. There are DDA compliant WC facilities on each floor.

All proposal would be disability compliant in order to cater for the needs of existing and future pupils and staff.

Impact on Highways

Policy CS9 of the Barnet Core Strategy 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 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The Local Highway Authority have no in-principle objection to the proposal.

The submitted Transport Statement prepared by Markides Associates confirms that the predominant mode of transport for pupils attending the school is public transport, with a total mode share of 37%. This is achieved via the implementation of the school's existing Travel Plan which discourages drop-off and pick-up activity around the South Gate, encouraging instead this be undertake at the dedicated East Gate.

The Transport Statement confirms that the additional trips associated with the proposed expansion, both in terms of drop-off and pick-up activity and car parking demand associated with additional sixth formers and staff parking, can be accommodated on the local highway network based on the observed parking stress levels.

The statement further mentions that, JCoSS will continue to make reasonable endeavours to achieve even greater number of pupils travelling by sustainable modes by reinforcing its existing Travel Plan measures to new pupil intakes and will investigate the potential for further methods such as:

- Establishing a car-sharing database to match parents travelling along the same routes with potential car-sharing partners;
- Recruiting Youth Travel Ambassadors (YTAs) to launch their own campaigns to help increase sustainable travel;
- Promoting additional events such as 'Walk to Work / School' day to encourage both pupils and staff to adopt sustainable modes; and
- Create and distribute posters and leaflets sharing sustainable travel information.

It is further mentioned that, the school is currently consulting on changing their admission criteria so that the expansion will create additional spaces for those living closest to the school, ensuring that more pupils will be able to walk and cycle to school.

The applicant submitted Parking survey and Councils Highway officers agrees that the parking surveys show that additional space can be accommodated.

The applicant submitted Accident Data which mentions, based on a review of London Collision Data for the past 5 years for the study area that encompassed the walking route. There were no serious or fatal injuries within this time and only two slight incidents, only 1 of which involved a pedestrian. Based on this frequency alone there is no concern regarding accident patterns.

Regarding Cycle Routes, the submitted Transport Assessment provided a brief review of cycle routes surrounding the site. This confirms that many of the residential streets are

recommended by cyclists, with local green spaces linking these routes. Recommended cycle routes within the area connects the majority of local residential communities to the site.

Regarding Buss Route, the development proposals will result in an additional 26 pupils accessing the school using the public bus. There are 6 x 384 services between 07.00-09.00, 3 an hour. This amounts to less than 9 pupils a bus if spread across 3 services. Whilst the 384 service is in a state of flux, with TfL currently consulting on extending the route, the most recent update to the consultation is that the route to JCoSS (Westbrook Crescent) is protected and the existing route around Northfield Road, where some concerns may be raised about conflicts with parked cars, is to be removed. In justifying the proposed route extension, it is stated that "passenger numbers on route 384 are low." First hand experience of witnessing buses arrive at the school also shows that they are not full.

The applicant suggested an informal drop kerb crossing with tactile paving on Lawton Road east of the Victoria Park entrance and west of the crescent, supported by waiting restrictions to prevent parking in the visibility splay.

It is further mentioned that the proposal would not increase number of pupil staying after school for after school activity as the proposed class rooms would not be used for such activities. The proposal would therefore would not increase any trip generation after school hours.

Councils Highway officers were consulted on the proposal. Highway is satisfied with the parking survey, accident data, cycle routes and busses.

Highway officer informed that subject to S106 agreement for School Travel Plan the proposal is considered acceptable.

- JCoSS Travel Plan Heads of Terms should include:
- Full School Travel Plan (STP) to be submitted and approved prior to occupation
 - STP to meet the criteria in the TFL booklet 'What a School Travel Plan should contain'
 - STP to include all previous data and a summary and evaluation of previous measures /initiatives implemented
 - Prior to occupation consultation with all members of the school community - staff, pupils and their families, Governors, residents and other stakeholders including Livingstone School
 - STP Champion in place for the life of the STP
 - Annual staff and pupil hands up survey
 - Annual STP review and approval by the Council until the 5th STP review and STARS has been approved
 - To maintain current Gold level STARS or equivalent for at least 5 years.
 - £5,000 STP monitoring fee

Trees & Landscape

Policy DM01 states that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. Point j of Policy DM01 sets out various requirements regarding hard and soft landscaping.

The submitted arboricultural Impact Assessment prepared by Tyler Grange states that the removal of 13 trees of low arboricultural value (Category C) is necessary to facilitate the Proposed Development. The remaining 18 trees within the vicinity of the Application Site will be retained. Landscaping Strategy proposes 14 new trees to be planted as part of the Proposed Development.

Councils Arboriculturist was consulted on the proposal. The officer informed that, the proposal requires the removal of trees planted around the new school buildings. These trees have established but have not develop any significant visual tree amenity at this stage. Therefore, the impact of the proposal on visual tree amenity can be offset with new tree planting of a similar size.

The officer further informed that, the submitted planting plan dwg no 11898_TG_P_300 provides a good level of replacement tree, shrub and roof top planting.

The submitted arboricultural method statement on dwg no 11898/P04a should be fully implemented throughout all phases of the development and the planting plan should be fully implemented.

The proposal is considered acceptable subject to attached conditions.

Impact on Ecology

National policy states that "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

DM16 states that, "When considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity."

The submitted Ecological Assessment prepared by Tyler Grange mentions that the majority of habitats within the Application Site largely consist of buildings and hardstanding, both of which are of negligible ecological importance and pose no constraint to the Proposed Development.

It is further mentioned that, a Preliminary Bat Roost Assessment ("PBRA") and Great Crested Newt ("GCN") eDNA survey have been undertaken as part of the Ecological Assessment. The PBRA confirms that the existing buildings either had negligible potential for roosting bats or that no bats were recorded emerging from them during the dusk emergence survey. The eDNA survey also returned a negative result for the presence of GCN.

Councils Ecologist assessed the submitted report and informed that, the site is not within a statutory or non-statutory site. However, Monken Hadley Common, is directly adjacent to the site along its northern boundary and Pymmes Brook SINCS is 300m to the east of the site. Therefore, as a consequence of the close proximity of the SINCS and the ditch (D1 which feeds into Pymmes Brook) to the proposed development, the implementation of a Construction and Environmental Management Plan and sensitive lighting plan are required to mitigate any potential Impacts that could arise as a result of the construction and operation phases of the proposed development.

The officer informed that, in line with the National Planning Policy Framework (NPPF) 2019 in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006; the recommendations provided in Section 4.22 of the PEA report are considered sufficient to provide this required enhancement.

5.4 Response to Consultation

Addressed in the report

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

