



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. A full School Travel Plan (STP) that meets the requirements of the TFL booklet 'What a School Travel Plan should contain' shall be submitted and approved at least 3 months prior to occupation

4. The STP shall remain in place until the Year 5 STP review and STARS award have been approved.

5. Consultation with staff, pupils, parents/carers, Governors, residents and other stakeholders must be completed within 3 months of occupation and the STP updated and re-submitted for approval within 6 months of occupation

6. An annual hands up survey with pupils and staff.

7. The STP shall be reviewed, revised and re-submitted for approval annually.

8. A STP Champion shall be appointed at least 3 months prior to occupation and remain in position for the life span of the STP.

9. The STP shall achieve at least Bronze level TfL STARS (Sustainable Travel,; Active, Responsible, Safe) in Year 1 of the STP and at least Silver level STARS from Year 2 of the STP for the lifespan of the STP.

10. A STP monitoring fee of £5000 shall be required within 1 month of the agreement

#### RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control 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:

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:

Existing site and site location plan (Drawing No. 1100 P 01)

Demolition plan (Drawing No. 5200 P)

Existing Elevations (Drawing No. 1401 P 01)

Existing Sections (Drawing No. 1301 P)

Existing Floor Plan (Drawing No. 1204 P)

Existing Roof Plan (Drawing No. 1205 P)

Proposed Site Plan with context (Drawing No. 1104 P 05)

Proposed Elevations (South and North) (Drawing No. 1400 P 04)

Proposed Elevations (West and East) (Drawing No. 1402 P 02)

Proposed Sections (Drawing No. 1300 P 05)

Proposed Ground Floor Plan (Drawing No. 1200 P 04)

Proposed First Floor Plan (Drawing No. 1201 P 04)

Proposed Second Floor Plan (Drawing No. 1202 P 04)

Proposed Roof Plan (Drawing No. 1203 P 05)

Existing and proposed bin store (Drawing No. PL 01)

Proposed Overlooking Plan (Drawing No. PL 02 P01)  
Preliminary Roost Assessment Survey (Arbtech, dated May 2020)  
Great Crested Newt Habitat Suitability Index (HSI) Assessment (Arbtech, dated August 2020)  
Transport Assessment Revision A (Milestone Transport Planning, dated August 2020)  
Phase 2 Site Investigation (Curtins, dated January 2018, Curtins ref: 066146-CUR-00-XX-RP-GE-00001)  
Flood Risk Assessment and Drainage Strategy (Stephen Wilson Partnership Ltd, dated June 2020)

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).

3 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.

4 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.

5 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. 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).

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

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

7 Before the building hereby permitted is first occupied the second floor window in the north elevation shall be glazed with obscure glass only and shall be permanently fixed shut or provided with only a fanlight opening and shall be permanently retained as such

thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (2016).

9 Prior to the first occupation or use of the development hereby permitted, the development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and London Plan Policy 6.9.

10 a) The development hereby permitted is required to achieve a BREEAM 'Very Good' rating/level.

b) Within three months of first occupation of the building hereby permitted, a copy of the summary score sheet and BREEAM Post Construction Certificate demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

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), Barnet's Sustainable Design and Construction SPD (2016) and Policies 5.2 and 5.3 of the London Plan.

11 Prior to the first occupation or use of the development hereby approved, a contaminated land remediation strategy and validation report for the site shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail evidence of remediation, the effectiveness of the remediation carried out and the results of post remediation works, so as to enable future interested parties, including regulators, to have a record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into the development the testing and verification of such systems should be in accordance with relevant and up to date guidance and British standards.

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 (updated October 2016) and 5.21 of the London Plan 2016.

12 a) Prior to the first occupation or use of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would achieve 'Secured by Design' accreditation.

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

Reason: To ensure that the development meets Secure By Design principles as required by the Metropolitan Police, in accordance with Policy CS12 of Barnet's Core Strategy DPD (2012) and Policy DM01 and DM02 of Barnet's Development Management Policies Document DPD (2012).

13 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

14 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.

15 The level of noise emitted from the ventilation/extraction equipment (including the duct system) 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 2015.

16 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 pm on other days.

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

### RECOMMENDATION III:

1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 06.10.2020, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not include a formal undertaking to mitigate the highways impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy DPD (2012) and Policy DM17 of the Adopted Development Management Policies DPD (2012).

### **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. 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 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 3 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 4 The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday,

8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

5 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 [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@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

6 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>

7 If at any time following the start of demolition works, a bat roost or evidence of a bat roost is observed, all work would need to cease until a suitably qualified licensed bat ecologist had been consulted and advice sought on how best to proceed legally. Where a bat roost is identified, destruction of the roost would usually need to be covered by a European Protected Species (EPS) Licence obtained from Natural England. The planning authority would need to have sight of any mitigation strategy developed for a licence application in order to address their obligations under the Habitats and Species Conservation Regulations 2017 (as amended).

If demolition is delayed for more than one-year after the date of the bat survey (May 2020), repeat bat surveys should be undertaken. An integrated bat box such as a Schwegler 1F bat tube, or similar approved should be installed within the fabric of the building during construction. This feature should be positioned on a southern elevation, over a height of 5 metres, ideally close to the eaves of the new build. The flight line to the box should be unobstructed by vegetation of other structures.

8 If at any time newts are found around the clearance site, all work would need to cease until a suitably qualified licensed ecologist had been consulted and advice sought on how best to proceed legally. Where a Great Crested newts are identified, destruction of the sheltering works would usually need to be covered by a European Protected Species (EPS) Licence obtained from Natural England.

9 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.



- 10 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
  - o Wheel washing
  - o Dust suppression methods and kit to be used
  - o 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.
  - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
  - o 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.
  - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
  - o 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.

- 11 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine

## **Officer's Assessment**

### **1. Site Description**

The blue line area on the submitted site location plan (land owned by the applicant) comprises 1.285 hectares.

This blue line area is currently occupied by St Michael's Catholic Grammar School, which is currently a Voluntary Aided three-form entry secondary grammar school for girls (and boys at sixth form). It is in the ward of West Finchley. The school was established in 1908 and became a Voluntary Aided Grammar School in September 1958.

The site is not located within a designated conservation area and there are no statutory listed buildings on site.

The site includes several school buildings and areas of hardstanding. Small areas of managed amenity grassland and several shrub beds are located to the southern end of the site, fronting on to Nether Street. A number of trees are located around the peripheries of the site, predominantly along the southern boundary.

The school has frontage on Nether Street to the south, with residential properties located on the opposite side of this road.

Residential properties form the site's northern, eastern and western boundaries. To the north there are properties on Grange Avenue; to the west there are properties on Nether Street and Netherfield Road, and to the east Chand House (27A Grange Avenue) and beyond this there are properties serving Coleridge Road.

School buildings lie at either end of the site, with outdoor play space to the north taking the form of a Multi Use Games Area ('MUGA'). Car parking is located sporadically to the South and amongst the school buildings.

The school has pedestrian access points along Nether Street, with a further entrance to Coleridge Road. There are points of vehicular access on Nether Street and a further one on Coleridge Road. All entrances fronting Nether Street are gated.

St Michael's Convent High School, which is within the blue line area, is a locally listed building.

The Council's local listing text states for this building: "Detached two storey building in red brick with slated pitched roofs, hipped gables and dormer windows. Stone quoin dressing to Flemish bond stock brick. Arched Italianate windows, dental cornice, decorative roof soffit brackets, sash windows with multilights. Glazed conservatory with stained glass transoms."

There are Tree Preservation Orders on land adjacent to the application site and on land within the Schools ownership.

The site is in Flood Zone 1.

The site slopes towards the western boundary with a range of 4 metres.

The application site (red line area on the submitted site location plan) comprises 0.2123

hectares. It comprises an amalgamation of buildings of differing forms and heights.

It comprises a single storey 'entrance' brick building fronting Nether Street, which includes the main office, reception area, first aid room, drama room and associated toilet and offices. Attached to this on the northern elevation is a 'dome' roof building, which comprises the existing school hall/dining area, stage. Beyond this are single storey buildings comprising kitchen, PE store and associated toilets and store. A pond exists along the western elevation.

Following the approval of application planning reference 17/8113/FUL, decision dated 05/04/2018, a four-storey building to the west of the red line application site, has been constructed and appears near completion (as of August 2020). Associated with this, temporary modular teaching buildings with decking and stairs/ramps were sited on the existing MUGA (Multi-Use Games Area) to the north of the site for a period of up to two years, in association with the redevelopment of this existing school building (application planning reference 18/0633/FUL, decision 05 April 2018).

## **2. Site History**

Reference: 19/6116/FUL

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 23 January 2020

Description: Installation of a cycle shelter

Reference: 19/5764/S73

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 13 January 2020

Description: Variation of condition 7 (Remediation Strategy and Validation Report) of planning permission reference 17/8113/FUL dated 05/04/2018 for 'Demolition of existing EFAC and EFAB buildings and new four storey building with reinstatement of bridge link. New green house and rationalisation of car parking provision, new plant room, associated hard and soft landscaping and infrastructure works. Internal works to existing building'. Amendment to vary the wording of condition 7 to allow the submission and approval of the Remediation Strategy and Validation Report within six months of occupation of the development, to allow completion and requirement of the works in accordance with condition 7

Reference: 19/5130/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 28 October 2019

Description: Submission of details of condition 11 (Hard and Soft Landscaping) pursuant to planning permission 17/8113/FUL dated 05/04/18

Reference: 19/3613/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 23 September 2019

Description: Submission of details of condition 9 (Secured by design) pursuant to planning permission 17/8113/FUL dated 05/04/18

Reference: 19/1413/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 17 April 2019

Description: Submission of details of condition 3 (Materials) pursuant to planning permission 17/8113/FUL dated 05/04/18

Reference: 18/5723/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 7 January 2019

Description: Submission of details of condition 8 (Noise Impacts) pursuant to planning permission 18/0633/FUL dated 05/04/18

Reference: 18/5882/NMA

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7N

Decision: Approved

Decision Date: 3 December 2018

Description: Non-material amendments to planning permission reference 17/8113/FUL dated 05/04/2018 for 'Demolition of existing EFAC and EFAB buildings and new four storey building with reinstatement of bridge link. New green house and rationalisation of car parking provision, new plant room, associated hard and soft landscaping and infrastructure works. Internal works to existing building'. Amendments include variation of conditions 6 and 11 to allow details to be submitted within three months of the completion of the development and prior to occupation respectively

Reference: 18/5724/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 5 November 2018

Description: Submission of details of condition 4 (Levels) pursuant to planning permission 17/8113/FUL dated 05/04/18

Reference: 18/4767/S73

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 17 September 2018

Description: Variation of condition 2 (Plan Numbers) pursuant to planning permission 17/8113/FUL dated 05/04/2018 for 'Demolition of existing EFAC and EFAB buildings and new four storey building with reinstatement of bridge link. New green house and rationalisation of car parking provision, new plant room, associated hard and soft landscaping and infrastructure works. Internal works to existing building.' Amendments include reduced number of external flues from eight to five along the eastern elevation; remaining four flues to increase in height; curtain wall on northern elevation shifted and subsequent reduced render; omission of ground floor window to cloakroom/locker room area; external door to southern elevation of plant room relocated; and two windows added to western elevation for ground floor and second floor WCs.

Reference: 18/4768/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 17 September 2018

Description: Submission of details of condition 3 (Materials) pursuant to planning

permission 17/8113/FUL dated 05/04/18

Reference: 18/4425/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 30 August 2018

Description: Submission of details of condition 11 (Transportation arrangements) pursuant to planning permission 18/0633/FUL dated 05/04/18

Reference: 18/4494/CON

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 28 August 2018

Description: Submission of details of condition 12 (Demolition and Construction Management Plan) pursuant to planning permission 17/8113/FUL dated 05/04/18

Reference: 18/4064/NMA

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Withdrawn

Decision Date: 9 August 2018

Description: Non-material amendments to planning permission reference 17/8113/FUL dated 15/01/2018 for Demolition of existing EFAC and EFAB buildings and new four storey building with reinstatement of bridge link. New green house and rationalisation of car parking provision, new plant room, associated hard and soft landscaping and infrastructure works. Internal works to existing building, Amendments include reduction of external flues to 4no and increase their height. Move curtain wall to North elevation and reduce its render. Omission of ground floor cloakroom window. Relocation of external plant room door to South elevation. 2no windows added to ground floor and second floor WC,s to West elevation

Reference: 17/8113/FUL

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 5 April 2018

Description: Demolition of existing EFAC and EFAB buildings and new four storey building with reinstatement of bridge link. New green house and rationalisation of car parking provision, new plant room, associated hard and soft landscaping and infrastructure works. Internal works to existing building

Reference: 18/0633/FUL

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 5 April 2018

Description: Erection of 2 no. single storey and 1 no. two storey temporary modular teaching buildings with decking and stairs/ramps, sited on the existing MUGA (Multi-Use Games Area) for a period of up to two years, in association with the redevelopment of the existing school (which is being assessed under application reference 17/8113/FUL)

Reference: F/01375/11

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 23 May 2011

Description: North and south single storey extensions to existing ground floor Music Room.

Reference: C02195BG/07

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 11 April 2008

Description: Amendments to planning application C02195BB/06 to include addition of covered walkway to path and access ramp and alterations to entrance foyer to include glazed entrance doors, windows to sides and 3 rooflights.

Reference: C02195BF/07

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 20 August 2007

Description: Submission of details of Condition 3 (Trees - Protective fencing) pursuant to planning permission reference C02195BB/06 dated 25-05-2006.

Reference: C02195BE/07

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 10 August 2007

Description: Submission of details of Condition 2 (Materials) pursuant to planning permission reference C02195BB/06 dated 25-05-2006.

Reference: C02195BA/06

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved following legal agreement

Decision Date: 10 April 2006

Description: Construction of new pitched roof with dormer windows and conversion of convent building to provide a total of 10 self-contained flats with associated off-street parking.

Reference: C02195Y/04

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Refused

Decision Date: 21 June 2004

Description: Construction of new pitched roof with dormer windows to provide a total of 10no. self-contained flats.

Reference: C02195AX/04

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 18 March 2004

Description: single storey front extension to main building.

Reference: C02195AV/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 4 July 2003

Description: Creation of hardstanding to provide an additional 8no. car parking spaces.

Reference: C02195AU/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 3 July 2003

Description: Erection of new 1.8m high railings on Nether Street frontage to replace existing fencing.

Reference: C02195AW/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 20 June 2003

Description: Submission of details of materials for external surface of roof and dormer windows pursuant to Condition 2 of planning permission reference C02195AQ/01 granted 25.01.02.

Reference: C02195AS/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved

Decision Date: 16 June 2003

Description: Submission of details of proposed dormers pursuant to Condition 3 of planning permission ref. C02195AQ/01 for enlargement of lower school building involving new second floor level in place of existing.

Reference: C02195AR/03

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 11 June 2003

Description: Erection of 2 no. two storey temporary classroom blocks fronting onto Nether Street.

Reference: C02195AQ/01

Address: St Michaels Catholic Grammar School, Nether Street, London, N12 7NJ

Decision: Approved subject to conditions

Decision Date: 25 January 2002

Description: Enlargement of lower school building involving new second floor level in place of existing.

### **3. Proposal**

The applicant seeks consent for the demolition/removal of the existing single-storey building fronting Nether Street, pond and western (flank) walls of the existing school hall/dining room and kitchen, and the construction of a part single, part 3-storey building to accommodate 10 new classrooms, a replacement dining facility with servery and a drama studio with a link to the existing school hall building.

The proposed building would be sited to the south of, and adjoin, the existing 'dome' roof building.

The three-storey part of the building would front Nether Street.

It would be 36 metres in width. It would be a depth of 13.7 metres, increasing to a depth 16 metres to accommodate the stairwell along the western elevation. The three-storey part of the building would have a height of 12.8 metres when viewed from the south (front) elevation (considering site levels).

The single-storey part of the building would 'wrap around' the western elevation and adjoin

the existing single storey 'existing kitchen' on the northern elevation of the school hall.

This single-storey part of the building would be 6 metres in width. It would be 18.7 metres in width along the western elevation. It would have a height of 6.6 metres (considering site levels). This height would increase to 7.4 metres with the proposed heating and ventilation duct system.

The proposal will also include the refurbishment and internal alterations to the existing school hall to accommodate a new mezzanine level (internally). This would not require the increase of the dome roof.

There will be alterations to the façade of existing school building, including openings to allocate ventilation grille(s) in the eastern elevation and duct system outlets on the west elevations.

The application also proposes alterations to landscaping around the building.

There will be associated heating and ventilation duct system on the flat roof of the single-storey part of the building. There will auxiliary structures on roof of the three-storey part of the building including an access shaft, AOV (automatic opening vent), lift service shaft, skylight, wind catcher and photovoltaic panels.

In regard to materiality, upon amendments, the proposed elevations (Drawing No. 1400 P 04) details the materials as Gonville cream multi brick at ground and first floor (to match the brick on the adjacent science building recently constructed), mid-grey render on the second floor and grey aluminium windows. The single-storey part of the building would be in the same brick as detailed above.

The proposed works described above are to facilitate the expansion of the secondary school by 1 form entry each year, adding 32 places each year, resulting in a total of 224 places (over a period of 7 years), starting in September 2020 admission.

The accompanying Design and Access Statement states that "The school applied for and was successful in gaining SSEF funding to support the expansion of the school by 1FE."

This refers to the Department of Education's Selective School Expansion Fund (the school was a 2018 to 2019 successful applicant). Successful schools make a commitment to deliver a fair access and partnership plan by 2020 (and in subsequent years) as part of their bid, i.e. improving access for disadvantaged pupils.

#### **4. Public Consultation**

A site notice was posted 20 February 2020.

A press notice was published 13 February 2020.

Due to amendments, and the provision of additional information during the assessment of this application, neighbours have been consulted several times by letter; letter dated 11 February 2020, letter dated 26 March 2020, and letter dated 06 August 2020.

Consultation letters were sent to 329 neighbouring properties.

7 separate responses have been received, with some neighbours submitting numerous comments under the same name. They all represented objections. A representative of



the Finchley Society submitted comments three times, set out below.

The representations received can be summarised as follows:

- Impact on the amenities of the residents along Grange Avenue including impact on light levels received to the south facing windows of these properties and gardens; impact on views and skyline; impact on mental health. Inaccurate assumption trees would act as a buffer.
- Reference to temporary classrooms reducing light
- Works at the school over the past few years has already been extensive and caused problems with traffic and parking
- Impact of noise and dust
- Concerns that plans and proposals to extend the School will not end
- Impact of traffic and parking problems associated with increase in pupil numbers. Risk to pedestrian safety. Congestion blocking access to emergency vehicles.
- The Council should put a double yellow line along the existing single yellow or extend the school zig zag lines to ease the flow of traffic, taking into consideration the safety of the local residents and children.

Representation from Finchley Society:

"I have been taking a preliminary look at 20/0299/FUL for the construction of a new building at St Michael's School.

The documentation provided makes no reference to the work going on there currently under 17/8113/FUL. Indeed a reader of the 20/299/FUL Design and Access statement by itself would assume that it referred to a settled and established school rather than one which is largely a building site. The 2017 application was supported by a full planning statement, with appended transport assessment, travel plan, heritage statement etc etc and had been preceded by a public consultation. All this is totally ignored in the documentation for 20/0299/FUL.

Could you please get the applicants to produce adequate and honest documentation and then extend the consultation period for 20/0299/FUL?

I am not saying that the proposal is objectionable. Just that it is impossible to judge it as it stands."

And-

"The Finchley Society objects to this application and asks the Council to require the applicant to resubmit following public consultation with a full planning statement and documentation taking account of the approval granted in April 2018 to 17/8113/FUL, and now being implemented. That application had followed public consultation, and this one should also be."

And-

"I commented on 20th March on behalf of the Finchley Society asking the Council to require the applicant to resubmit following public consultation with a full planning statement and documentation taking account of the approval granted in April 2018 to 17/8113/FUL (following public consultation), and now being implemented. Subsequently a large number of documents have been put on the website, and some have quickly been 'superseded';

that demonstrates that the original application was premature. But even now there is no planning statement explaining exactly what is proposed and why, relating this to 17/8113/FUL and to the local plan. The Design and Access Statement dates from January, and has not been updated. The Society maintains its position, to wit that the application should not proceed as it stands, but that the applicant should undertake a public consultation and put on the website a full Planning Statement taking account of 17/8113/FUL."

#### Internal and External Consultation responses:-

West Finchley Residents Association - No representations received

The Council's Traffic and Development department - Upon the applicant providing a Transport Assessment, the Highways Officer has raised no objection subject to conditions and securing an updated Travel Plan via legal agreement, in agreement with the Travel Plan co-ordinator at the Council (discussed in greater detail in the report below)

The Council's Trees department (Planning) - No objection subject to conditions (discussed in greater detail in the report below)

The Council's Environmental Health department - No objection subject conditions (discussed in greater detail in the report below)

The Council's Heritage department - No objection (discussed in greater detail in the report below)

The Council's Waste and recycling department - No objection

The Council's Schools, Skills and Learning department - No representations received

The Council's Children Services - No representations received

Ecology - No objection (discussed in greater detail in the report below)

Lead Local Flood Authority - Discussed in the report below

London Fire Brigade - Satisfied with the proposals for brigade access only. The agent has stated in an email dated 18 June 2020: "The brigade access is as existing and they don't seem to have recommended any changes. We confirm the brigade access is unchanged from the existing."

Thames Water - No objection, subject to informatives

Met Police - No objection subject to conditions (discussed in greater detail in the report below)

## **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 draft New London Plan is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

The relevant planning policies of the current London Plan are: Policies 3.18; 5.2; 5.3; 5.12; 6.13; 7.4; 7.6; 7.8; 7.19; 7.21

### 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 (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)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

Relevant Development Management Policies:

- DM01 (Protecting Barnet's character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM06 (Barnet's heritage and conservation)
- DM13 (Community and education uses)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

Local Plan Supplementary Planning Document: Planning Obligations (2013)

Local Plan Supplementary Planning Document: Delivering Skills, Employment, Enterprise and Training from Development through S106 2014)

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether the principle of development is acceptable;
- Whether harm would be caused to the character and appearance of the application site, street scene and the surrounding area;
- Whether harm would be caused to the amenities of neighbouring occupiers;
- Whether harm would be caused to parking and the local highways network;
- Whether harm would be caused to trees of special amenity value;
- Whether harm would be caused to heritage asset(s) and/or archaeology;
- Impact on flooding and drainage;
- Impact on biodiversity/ecology;
- Security/safety;
- Sustainability;
- Refuse and recycling;
- Environmental Health matters;
- Any other material considerations

## **5.3 Assessment of proposals**

### **Principle of development:**

For proposals such as this Core Strategy Policy CS10 identifies that the Council will work with its partners to ensure that community facilities including schools are provided for Barnet's communities.

Paragraph 15.7.6 of Barnet's Core Strategy DPD (2012) states that the Council continue to identify opportunities to improve the condition of secondary schools in Barnet and to

provide sufficient school places.

The National Planning Policy Framework (February 2019) states in Paragraph 94:

"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."

London Plan Policy 3.18 Education Facilities states that, in regard to planning decisions,

"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."

The application site is an existing school. The application seeks permission to demolish the existing single storey building and to build in its place a new three-storey school building, providing new teaching spaces and facilities.

The replacement will be built in a similar location to the existing building. The building would increase in height and would facilitate an increase in pupil numbers, which has been supported by the Department of Education's 'Selective School Expansion Fund' bid, in which the school was successful. The increase in height and impact on student numbers is discussed in the assessment below.

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

In such circumstances, Planning Officers find that there is nothing to specifically preclude the development in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies, as assessed below.

### **Design, appearance and character matters:**

The National Planning Policy Framework (February 2019) states in Paragraph 124 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."

Policy CS5 of Barnet's Core Strategy DPD (2012) states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. It also states that developments should be safe, attractive and fully accessible.

Policy DM01 of Barnet's Development Management Policies Document DPD (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 (point b).

As demonstrated by 'Level GF - Proposed Ground Floor GA Plan' (Drawing No. 1200 P 04) the proposed three-storey building would be in line with the front main wall of the adjacent four-storey building approved and constructed under reference 17/8113/FUL, decision dated 05/04/2018. It would not come any more forward towards Nether Street.

Although the proposed development would represent an increase in height compared to existing, as demonstrated by 'Proposed Elevations' (Drawing No. 1400 P 04), the proposed three-storey building would be lower in height than the adjacent four-storey building approved and constructed under reference 17/8113/FUL, decision dated 05/04/2018, when viewed from the south elevation (as seen from Nether Street). Comparative to the adjacent four-storey building approved and constructed under reference 17/8113/FUL, decision dated 05/04/2018, the proposed three-storey building would not appear unduly bulky or large in mass. This is also the case as the predominant views would be along Nether Street, which would be viewed in the context of the adjacent four-storey building.

The replacement building would be set back from the street by approximately 12.8 metres at the narrowest point and would be buffered by the existing trees along the boundary of Nether Street, which will be retained (they fall outside the red line boundary).

'Proposed Elevations' (Drawing No. 1400 P 04) details the proposed materials. Gonville cream multi brick is proposed to be used at ground and first floor which will match the brick on the adjacent four-storey building approved and constructed under reference 17/8113/FUL, decision dated 05/04/2018. The single-storey part of the building would be in the same brick as detailed above. Mid-grey render is proposed on the second floor which grey aluminium windows. This is deemed acceptable.

Conditions have been recommended to ensure that the materials used for the new building(s) are of an appropriate quality.

Subject to the conditions recommended, the proposal is found to be acceptable and compliant with development plan policies as they relate to design, character and appearance matters.

### **Impact on amenity of neighbouring occupiers:**

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

No. 44 Nether Street, the closest residential property to the east, would be buffered from the proposed development by the adjacent four-storey building approved and constructed under reference 17/8113/FUL, decision dated 05/04/2018. The proposed building would not project any more forward, or be any greater in height, than the adjacent building which buffers it.

As scaled from the 'Proposed Overlooking' plan (Drawing No. PL 02 P01) the proposed building would be sited in excess 60 metres from the boundaries adjacent to the properties along Grange Avenue to the north. This is well in excess of the guidance set out in Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) which states that in new

residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden.

As illustrated from 'Proposed Elevations' (Drawing No. 1400 P 04), the north (rear) elevation would have one window facing north towards the properties along Grange Avenue, and an access door to the flat roof of the single storey part of the building. The window at second floor serves the stairwell. This could be obscure glazed by way of planning condition in the event of an approval.

As scaled from the 'Proposed Overlooking' plan (Drawing No. PL 02 P01) the proposed building would be sited in excess of 21 metres (approximately 25 metres plus) from the properties on the opposite side of Nether Street (to the south; No. 55, 57, 57A and 59), which meets the aforementioned guidance set out in Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016).

At these distances it is also not considered that the proposed development would harm the outlook nor levels of daylight and sunlight received and enjoyed by occupiers along Grange Avenue or on the opposite side of Nether Street.

Objections have been received from occupiers of Grange Avenue, to the north, regarding impact on their light. As explained above, the proposed building would be sited in excess of 60 metres from the rear boundaries adjacent to the properties along Grange Avenue. Although modular buildings have been erected in the MUGA (Multi-Use Games Area) adjacent to the boundaries of Grange Avenue, these are temporary and were considered under another application. Once removed, an open games/play area will exist along this boundary.

Matters of noise and disturbance are addressed in the Environmental Health section below.

### **Impact on highways and parking:**

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) sets out the Council's policies in regards travel impact and parking standards.

The applicant, at the request of the Highways Authority, has provided a Transport Assessment [produced by Milestone Transport Planning dated August 2020 Revision A, uploaded 06 August 2020].

A Highways Officer has reviewed the document and made the following comments:

*"The proposals at the school to increase pupil numbers by 224 pupils and 20 staff will result in increase travel demands on the highway network. A Transport Assessment has been submitted and has reviewed the existing conditions at the school. Travel pattern data has been collected from a hands up survey to determine the likely travel mode for the additional pupils and staff. A parking survey was previously carried out on the existing on-street parking demands at school drop off and pick up times.*

*The assessment has reviewed the likely impacts on the highway network. Mode splits have been estimated from the existing survey where 82% using public transport or on foot. 19% were driven by car.*

*The additional trips have been assessed and would not have a detrimental impact to the*

highway network. Footways on Nether Street are wide, lit on either side of the carriageway, and of a good standard. Dropped kerbs and tactile paving at designated crossing points provide a direct and continuous walking route for pedestrians accessing local bus stops, underground stations and amenities.

The footways are generally flat and provide a safe and secure walking environment. Increase in bus patronage would mean that there would be only 3 pupils on each bus. The parking survey shows that there is spare capacity on-street to accommodate parking for parents dropping off and picking up.

The increase in staff numbers will not have a detrimental impact.

For the increase in pupils and staff the minimum cycle parking spaces are set out in the London Plan as follows:

- Long-stay (1 space per 8 FTE staff and 1 space per 8 students).
- Short-stay (1 space per 100 students).

For pupils the minimum number of cycle spaces will be 28 long-stay and 2 short-stay. The exact requirements for staff are based on the number of full time equivalent staff and it is approximated that 2 long-stay spaces are required. The applicant is only providing an additional 12 cycle spaces and therefore below the minimum requirement. The applicant must meet the minimum cycle parking requirement to be acceptable and details will be conditioned to be provided.

The application is accepted for approval subject to the following condition.

Prior to occupation the development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport 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."

Upon provision of these comments, the Council's Safe and Sustainable Travel Co-ordinator stated:

"St Michael's had an up to date travel plan in 2019 but Covid and school closures prevented full updates this year and STARS applications. Therefore Transport for London have carried forward their Bronze STARS award from 2019 to 2020.

In any case a full School Travel Plan will be required to be secured via S106

Head of terms:

- A full School Travel Plan (STP) that meets the requirements of the TFL booklet 'What a School Travel Plan should contain' shall be submitted and approved at least 3 months prior to occupation
- The STP shall remain in place until the Year 5 STP review and STARS award have been approved.
- Consultation with staff, pupils, parents/carers, Governors, residents and other stakeholders must be completed within 3 months of occupation and the STP updated and



*re-submitted for approval within 6 months of occupation*

*- An annual hands up survey with pupils and staff.*

*- The STP shall be reviewed, revised and re-submitted for approval annually.*

*- A STP Champion shall be appointed at least 3 months prior to occupation and remain in position for the life span of the STP.*

*- The STP shall achieve at least Bronze level TfL STARS (Sustainable Travel,; Active, Responsible, Safe) in Year 1 of the STP and at least Silver level STARS from Year 2 of the STP for the lifespan of the STP.*

*- A STP monitoring fee of £5000 shall be required within 1 month of the agreement"*

As such, the proposed development is deemed acceptable based on the information provided, subject to conditions and obligations.

### **Environmental Health matters**

The Council's Environmental Health officer has assessed the application.

In summary, the Officer has not raised objection to the proposed development.

The Officer has recommended attaching a planning condition to secure details of a construction method statement.

Regarding the proposed increase in pupil numbers, the Officer has stated that it is not immediately next to residential properties and it is a secondary school, so outdoor playground noise is not significant.

It is noted that a contamination report was submitted by the applicant as part of the previous planning application reference 17/81113/FUL, decision dated 05/04/2018.

The Environmental Health Officer has stated that, assuming the area to be developed is similar, the contaminated land comments and previous site investigation would stand, albeit the plan and landscaped areas may change, but this can be dealt with at the remediation and verification stage of the contaminated land condition. As such, Part 3 and 4 of the standard contaminated land condition has been attached.

The agent has provided details of the proposed monodraught system. The Environmental Health Officer has stated that if the ventilation units from monodraught are fitted with external acoustic louvres as recommended the noise levels will be acceptable for the nearest premises on the opposite side of the road. Nonetheless, the standard condition (C440) which restricts noise levels from plant will be attached to the recommendation.

### **Impact on heritage assets and archaeology**

St Michael's Convent High School, which is within the Schools ownership on adjacent land (blue line boundary), is a locally listed building.

The Heritage Officer has assessed the application and commented: "I raise no objections as the proposed development is sufficiently far enough away from the locally listed building on the site not to impact detrimentally on its setting."

The application site is not in an area identified as archaeologically significant.

### **Trees and Landscaping:**

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) advises 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. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area.

The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

The Tree Officer has assessed the application and stated:

*"The proposed building is situated where an existing single-story building is, at the front of the school. The proposed front building line has moved forward and will occupy space that is currently soft landscape.*

*TPO trees are growing in proximity to the proposed building but are unlikely to be directly or significantly impacted provided they are fully protected throughout all phases of the development. As under the previous approvals an arboricultural method statement and tree protection plan must be submitted and approved prior to commencement."*

The Tree Officer has noted that under 19/5130/CON submission of details of condition 11 (Hard and Soft Landscaping) pursuant to planning permission 17/8113/FUL dated 05/04/18 plans Landscape general arrangements sheets 1 & 2 dwg. no 101361-ALA-xx-xx-DR-L-0020 Rev C01 and Planting Plan dwg no 101361-ALA-xx-xx-DR-L-0020 rev P04 were approved. The proposed building under this application would impact this and therefore a new landscaping scheme must be submitted to take this into account, which can be secured by way of planning condition. The front boundary trees must be retained and a reasonable amount of soft landscape provided for their health must be retained.

For the above reasons, the tree officer has raised no objection to the scheme subject to conditions.

### **Safety and security:**

Core Strategy Policy CS12 states the Council will aim to make Barnet a safer place. This includes encouraging appropriate security and community safety measures in buildings and spaces.

A representative from the Metropolitan Police Service has reviewed the application and deemed it acceptable subject to a planning condition attached to any approval, whereby the building must achieve Secured By Design accreditation, prior to occupation.

### **Drainage and flooding:**

A Sustainable Drainage Review has been undertaken by a relevant qualified expert at the

Local Authority. They have requested further information which upon receipt from the applicant and review will be included in any committee addendum.

Thames Water have also been consulted and raised no objection.

### **Sustainability:**

Barnet supports the use of Building Research Establishment Environmental Assessment Method (BREEAM). BREEAM is used to measure the environmental performance of non-residential buildings.

Barnet's Sustainable Design and Construction SPD (2016) states that major and large scale development proposals should achieve a minimum 'Very Good' BREEAM rating. The applicant has advised in their submission that this rating can be achieved. A condition will be attached accordingly.

### **Ecology/biodiversity:**

Policy DM16 of Barnet's Development Management Policies Document DPD (2012) states that when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity.

It also states that where development will affect a Site of Importance for Nature Conservation and/or species of importance the council will expect the proposal to meet the requirements of London Plan Policy 7.19E.

The applicant has submitted a Preliminary Roost Assessment (Arbetch, May 2020).

An ecologist has reviewed the document and concluded that the information provided in the bat survey report submitted with the application is sufficient to support the application. As such no evidence has indicated the presence of bat habitation, no further surveys are required.

The applicant also submitted a Great Crested Newt Habitat Suitability Index (HSI) Assessment (Arbtech, July 2020).

An ecologist has reviewed the document and concluded that the information provided substantiates the low value associated with the pond and limited suitability to support Great Crested Newts, as such the ecologist finds no impediment or additional precautions to be associated with the application.

## **5.4 Response to Public Consultation**

- *Impact on the amenities of the residents along Grange Avenue including impact on light levels received to the south facing windows of these properties and gardens; impact on views and skyline; impact on mental health. Inaccurate assumption trees would act as a buffer.*

As explained in the assessment above, as scaled from the 'Proposed Overlooking' plan (Drawing No. PL 02 P01) the proposed building would be sited in excess 60 metres from the boundaries adjacent to the properties along Grange Avenue to the north. This is well in excess of the guidance set out in Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) which states that in new residential development there should be

a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden.

As illustrated from 'Proposed Elevations' (Drawing No. 1400 P 04), the north (rear) elevation would have one window facing north towards the properties along Grange Avenue, and an access door to the flat roof of the single storey part of the building. The window at second floor serves the stairwell. This could be obscure glazed by way of planning condition in the event of an approval.

At this distance it is not considered to detrimentally impact the residential or visual amenities of occupiers along Grange Avenue.

- *Reference to temporary classrooms reducing light*

This was part of the assessment of a separate, previously consented, planning application. It does not form part of this application.

- *Works at the school over the past few years has already been extensive and caused problems with traffic and parking*

Regarding demolition and construction works, a condition has been attached securing details of a demolition and construction method statement and logistics plan.

Regarding the proposed development (and increase in pupil numbers), the highways officer has assessed the submitted information and deemed it acceptable, as explained in the report above.

- *Impact of noise and dust*

A condition has been attached securing details of a demolition and construction method statement and logistics plan.

- *Concerns that plans and proposals to extend the School will not end*

The application has been assessed based on the information and proposals submitted. Any future application would be assessed accordingly, and this would not form the reason for refusal in this instance.

- *Impact of traffic and parking problems associated with increase in pupil numbers. Risk to pedestrian safety. Congestion blocking access to emergency vehicles.*

The highways authority has not objected to the proposed development and increase in pupil numbers, as explained in the report above. Furthermore, the Fire Brigade, nor Police, have objected to the proposed development.

- *The Council should put a double yellow line along the existing single yellow or extend the school zig zag lines to ease the flow of traffic, taking into consideration the safety of the local residents and children.*

Following the assessment of a Highways Officer, it has not been deemed necessary in this particular instance to seek contributions towards vehicular and/or pedestrian safety improvements for the locality.

Representation from Finchley Society:

*"I have been taking a preliminary look at 20/0299/FUL for the construction of a new building at St Michael's School.*

*The documentation provided makes no reference to the work going on there currently under 17/8113/FUL. Indeed a reader of the 20/299/FUL Design and Access statement by itself would assume that it referred to a settled and established school rather than one which is largely a building site. The 2017 application was supported by a full planning statement, with appended transport assessment, travel plan, heritage statement etc etc and had been preceded by a public consultation. All this is totally ignored in the documentation for 20/0299/FUL.*

*Could you please get the applicants to produce adequate and honest documentation and then extend the consultation period for 20/0299/FUL?*

*I am not saying that the proposal is objectionable. Just that it is impossible to judge it as it stands."*

And-

*"The Finchley Society objects to this application and asks the Council to require the applicant to resubmit following public consultation with a full planning statement and documentation taking account of the approval granted in April 2018 to 17/8113/FUL, and now being implemented. That application had followed public consultation, and this one should also be."*

And-

*"I commented on 20th March on behalf of the Finchley Society asking the Council to require the applicant to resubmit following public consultation with a full planning statement and documentation taking account of the approval granted in April 2018 to 17/8113/FUL (following public consultation), and now being implemented. Subsequently a large number of documents have been put on the website, and some have quickly been 'superseded'; that demonstrates that the original application was premature. But even now there is no planning statement explaining exactly what is proposed and why, relating this to 17/8113/FUL and to the local plan. The Design and Access Statement dates from January, and has not been updated. The Society maintains its position, to wit that the application should not proceed as it stands, but that the applicant should undertake a public consultation and put on the website a full Planning Statement taking account of 17/8113/FUL."*

Throughout the life cycle of the assessment of this application, the applicant has provided the relevant and necessary documentation requested by the Local Planning Authority. Subject to the assessment above, the application is deemed acceptable.

The adjacent, previously consented building has also been shown and included in plans and elevations (as amended).

## **6. 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;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Planning 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 legislation.

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

## **7. Conclusion**

The proposal for a permanent replacement school building is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



**Existing Site Plan**

1 : 500

