

Location	Hippodrome, North End Road, London, NW11 7RP		
Reference:	20/2988/FUL	Received: 3 rd July 2020	Accepted: 30th November 2020
Ward:	Garden Suburb	Expiry 01 st March 2021	
Case Officer:	Dominic Duffin		
Applicant:	Markaz El Tathgheef El Eslami		
Proposal:	Use as a Place of Worship (D1 use) and for ancillary community uses, public conferences and performances		

OFFICER'S RECOMMENDATION

Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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. 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. A contribution of £2,392.01 to amend the Traffic Management Order relating to CPZ Permit Restrictions
4. Submission of a Travel Plan
5. Submission of an Event Day Management Plan
6. A financial contribution of £15,000 towards Travel Plan monitoring

7. Meeting the Council's costs of monitoring the planning obligation

RECOMMENDATION II:

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

1. The premises shall be used as a place of worship and for ancillary community uses, public conferences and performances, as described in the planning application, and for no other purpose other than the above.

Reason: To enable the Local Planning Authority to exercise control of the type of use in order to safeguard the amenities of the area in accordance with Policies DM04 and DM017 of the Development Management Polices DPD (2012).

2. The use hereby permitted shall not be open before 8am or after 11.30pm on any day of the week.

Reason: To safeguard the amenities of occupiers of adjoining residential properties in accordance with Policy DM04 and DM017 of the Development Management Polices DPD (2012).

3. The development shall proceed strictly in accordance with the Public Performance Management Plan, submitted pursuant to this application (Public Performance Management Plan, Updated March 2021). The use and associated public performance activities shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure a continued level of public performance for the benefit of the community in accordance with London Plan policies GG1, GG2, S1 and HC6.

4. The maximum number of persons on the premises at any one time shall not exceed 1400.

Reason: To safeguard the residential amenities of neighbouring occupiers and in the interests of highway safety in accordance with Policy DM04 and DM017 of the Development Management Polices DPD (2012).

5. Within 3 months of this decision a noise management plan shall be submitted to the Local Planning Authority for agreement. The noise management plan should outline how the venue plans on managing noise outbreak during everyday operation but also during larger events such as religious holidays, social events etc. The noise management plan shall include;

- Details of Signage.
- Internal noise mitigation measures.
- Arrival and departure noise mitigation measures to minimise disturbance to local residents.
- Assurance of no external means of noise amplification.
- Details of internal amplification and mitigation to stop noise outbreak e.g closed windows and door policy when in use.

The use at the site shall proceed in accordance with the agreed details.

Reason: To safeguard the amenities of occupiers of adjoining residential properties in accordance with Policy DM04 of the Development Management Policies DPD (2012).

6. Notwithstanding the details submitted with the application and otherwise hereby approved, within 3 months of the date of this decision details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority.

Thereafter, within 9 months of the date of this decision, 58 cycle parking spaces (2 long-stay and 56 short-stay) in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy T.5 and Table 10.2 of The London Plan (2021) and 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.

7. Within 3 months of the date of this decision the 25 off street parking bays including 2 disabled spaces as well as a loading area as shown on Drawing No. 1901002-06 Rev D; shall be provided on site. Thereafter, the parking spaces and loading bay shall be used only as agreed and not to for any purpose other than the parking, loading and turning of vehicles in connection with approved development.

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

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 01 October 2021, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include mitigations and provision for appropriate provision of on street parking restriction measures and other highway compensatory measures. As such, the proposed development would fail to address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

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 plans accompanying this application are:

Existing and Proposed Lower Circle Plan (GG-DWG-FF-01), Existing and Proposed Ground Floor Plan (GG-DWG-FF-02), Existing and Proposed First Floor Plan (GG-DWG-FF-03), Existing and Proposed Upper Circle Plan (GG-DWG-FF-04), Gallery Plan (GG-DWG-FF-06), Proposed Site Layout (1901002-06 Rev D), Proposed Refuse Storage/Recycling (1901002-08), Swept Path Analysis (1901002-TK01 Rev B)

Transport Assessment and Appendices (Motion Transport, 2nd Issue, 25 May 2021), Event Management Plan (Proposed Heads of Terms), Public Performance Management Scheme (Updated March 2021), Heritage Statement (Carney Sweeney), Travel Plan and Appendices (Motion Transport 1st Issue, 01 July 2020), CIL Questions, Covering Letter (Carney Sweeney, 03rd July 2020), Planning Statement (Carney Sweeney, July 2020), Design & Access Statement (Carney Sweeney, August 2020), Energy Statement (JS Lewis, Revision B, November 2020).

OFFICER'S ASSESSMENT

1. Site Description

The Golders Green Hippodrome is a former suburban theatre situated in North End Road. It is within the Golders Green Conservation Area and town centre, opposite Golders Green Underground Station. The bus terminal is located to its Western side and a modest car park, for the use by the premises, sits to the other. The Site has a 6a/6b PTAL rating. The car park falls outside the Golders Green Conservation Area which ends with the Hippodrome building itself. Thus, The Hippodrome 'bookends' the Conservation Area on the northern side of North End Road.

The Hippodrome was purpose-built in 1913 by the architect Bertie Crewe as a music hall and 'theatre of varieties'. It is a grade II Listed Building; listed status having been awarded in 1973. The Golders Green Parish Church opposite is also a Grade II Listed Building, and adjacent to this is a four storey, locally listed terrace, with retail/commercial uses on the ground floor and ancillary and residential uses above. The Golders Green Town Centre Conservation Area is split into four character areas. The Hippodrome building is located in character area 2, 'Central Hub'.

The character of the area progressing east along North End Road is predominantly residential.

The building is prominent both in terms of its architectural merit, externally and internally, and also due to its historical interest as a suburban theatre. The size of the building also gives rise to its own quality and prominence. Its importance to the Conservation Area is not its uniformity with other buildings but as a stand-alone building of architectural merit.

The Hippodrome was bought by the BBC in the 1960s and used as a concert and rehearsal venue for the BBC Concert Orchestra until 2003. In 2007 it was sold to a church organisation and consent was granted "to use building as a church to enrich community with schemes for children, unemployed, elderly etc. To hold concerts, conferences, drama and dance festivals (C00222W/07)". The church vacated the building in 2017 and it was bought by its current occupier who have operated from the site since.

2. Site History

Reference: C00222F

Address: Hippodrome North End Road London NW11 7RP

Decision: Approve subject to conditions

Decision Date: 14.10.1970

Description: Adaptation for permanent accommodation of the B.B.C. Concert Orchestra for radio broadcasting and televised concerts.

Reference: C00222U/06

Address: Hippodrome North End Road London NW11 7RP

Decision: Refused

Decision Date: 28.04.2006

Description: Erection of a four storey building for B1/A2 office use, including undercroft parking at ground floor for existing Hippodrome.

Reference: C00222W/07

Address: Hippodrome North End Road London NW11 7RP

Decision: Approve subject to conditions

Decision Date: 11.05.2007

Description: To use building as a church to enrich community with schemes for children, unemployed, elderly etc. To hold concerts, conferences, drama and dance festivals.

Reference: F/04151/08

Address: Hippodrome North End Road London NW11 7RP

Decision: Approve

Decision Date: 13.03.2009

Description: Submission of details of conditions 3 (Public Performance Management Scheme) pursuant to planning permission reference C00222W/07 dated 09/05/2007.

Reference: H/00954/09

Address: Hippodrome North End Road London NW11 7RP

Decision: Approve

Decision Date: 06.05.2009

Description: Submission of details of condition 4 (Travel Plan) pursuant to planning permission reference C00222W/07 dated 09/05/2007.

Reference: F/00239/11

Address: Hippodrome North End Road London NW11 7RP

Decision: Approve subject to conditions

Decision Date: 27.05.2011

Description: Retention of internal restoration work including; removal of internal walls and insertion of new shelving and seating. LISTED BUILDING CONSENT

Reference: 17/5846/S73

Address: Hippodrome North End Road London NW11 7RP

Decision: Withdrawn

Decision Date: 06.06.2019

Description: Variation of conditions 1 (Hours of Opening) and 2 (Use) of planning permission reference C00222W/07 dated 16/03/2007 for 'To use building as a church to enrich community with schemes for children, unemployed, elderly etc. To hold concerts, conferences, drama and dance festivals.'

The variations are:

1) Alter the wording of condition 1 to Increase opening hours by one hour from 8:00am - 11.30pm to 8:00am - 12.30am on any day of the week

2) Alter the wording of condition 2 to read 'place of worship' rather than church

Reference: 18/2595/LBC

Address: Hippodrome North End Road London NW11 7RP

Decision: Approve subject to conditions

Decision Date: 03.07.2018

Description: Toilet refurbishment

Reference: 18/4397/LBC

Address: Hippodrome North End Road London NW11 7RP

Decision: Pending

Decision Date: N/A

Description: Refurbishment of kitchen and re-instalment of fan extractor

Enforcement

Reference: ENF/0615/19

Address: Hippodrome North End Road London NW11 7RP

Decision: Notice Issued (Breach of condition)

Decision Date: 26.04.2019

Description: Use of the land as a cultural centre, not comprising use as a church, to hold concerts, conferences, drama and dance festivals, in breach of condition 2 of planning permission reference C00222W/07, granted on 9 May 2007."

Notice appealed - APP/N5090/C/19/3229937 (Public Inquiry)

3. Proposal

Consent is sought for;

"Use as a Place of Worship (D1 use) and for ancillary community uses, public conferences and performances" as described in the planning application.

Class D1 (any use not including residential use for, or in connection with, public worship or religious instruction) has been amended to be within Class F.1 by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No 757).

The submitted Planning Statement by the agent (Carney Sweeney) describes the use thus;

{i The Applicant operates as the Markaz El Tathgheef el-Eslami, a centre serving the local Shiaithna Ashari community since they acquired the site in September 2017. The Markaz is a "Hussayniyah", which has no direct English translation, but loosely translates as an Islamic

community centre. The main activities of the Markaz are centred around communal prayer and the provision of social, educational, cultural activities with an Islamic religious focus. The weekly schedule of events includes regular communal prayer, lectures, seminars, exhibitions, gathering for marking religious festivals, commemorating historic events and marking events such as birthdays, deaths and similar of prophets and religious figures, which often involve religious rituals, including prayers and recitals}

The submission states that the Markaz Community use the building as a ‘cultural centre’ at which communal prayer is a prominent feature. The application is for a Place of Worship and for ancillary community uses, public conferences and performances, as described in the planning application. The use is by condition to be restricted to that use only, therefore it is not an unrestricted F.1 use. As such, it is a *sui generis* use. The Markaz community observe that the Hippodrome cannot be defined as a ‘mosque’ as the operation does not meet the exacting standards that such a description would require.

The submitted Planning Statement goes on;

{vi The weekly activities of the Applicant comprise religious based activities, pastoral care and other community activities. Ancillary to the Applicant's use of the Site as a place of worship, community enrichment activities take place. Such activities include a wide range of worship/prayer functions and community activities, many of which are linked to religious and communal identity and the worship function of the centre.... The Markaz provides a wide range of activities and community programmes such as homework and after school classes, youth club, language classes, reading club and interfaith meetings.}

The applicant advises that the usual operating hours are 10am – 2pm and 5pm to 9pm. During festival periods, the building is open throughout the day and up to 11.00pm.

Under the submission, the applicant includes a Public Performance Management Scheme for consideration and it is stated that this will be to “retain some level of public access to the site and an element of public performance or events”. This recognises the requirement of condition 3 on the 2007 consent, which sought;

3. The applicants shall submit a public performance management scheme to be submitted to and approved in writing by the Local Planning Authority within three months of the date of this decision. The use and associated public performance activities shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure an appropriate level of public performance for the benefit of the community.

Under application F/04151/08 a Public Performance Management Scheme for that consent was approved.

4. Public Consultation}

1571 consultation letters were sent to neighbouring properties.

A site notice was erected on 29 January 2021 and an advert was published in the local press.

A total of 902 objections and 756 letters of support were received and 4 representations were received.

As detailed above there has been a significant amount of public comment in relation to the application. Where possible, the significant level of comment has been grouped into themes, as a number of common concerns have been raised.

The responses received can be summarised as follows, and their contents are discussed at the third-party representation section of this report;

Objections

Transport/Highways/Parking

- Concerns about Highway Safety
- Concerns that inadequate parking facilities is leading to overspill parking in surrounding roads
- There has been overspill parking on surrounding roads, and this has led to driveways being blocked and hazardous parking conditions
- The site itself does not have the car parking capacity to support this use meaning the surrounding roads are used for parking
- Since most of the congregants to this proposed place of worship will be from outside this area this will involve a huge number of cars entering the area causing traffic difficulties largely residential, streets are pushed well beyond acceptable stress levels
- Congestion is already a major problem on this route and such a large use would increase this massively particularly during times such as Ramadan and Muharram - these holidays are a significant proportion of the year
- The best solution for a large religious centre such as that proposed, which will many attract cars and coaches, is to find a large site away from busy urban areas
- The amount of traffic generated will impact considerably the flow of coaches and buses which use the bus terminus
- Pedestrians already have to negotiate a fairly confusing area with traffic lights and crossings
- Most of the streets have CPZs so there will be parking mayhem.
- We will have no access to North Circular Road which is already packed every day and also have school runs, and to local shops and local health centres, which is needed every day of the week
- Visitors to the Hippodrome will find it difficult to park and will simply go around the streets adjoining to find parking space – too many people are vying for too few parking spaces
- Another area of great concern is access to the Royal Free Hospital. Access to the hospital goes straight past the Hippodrome
- This will make the road unbearable during the hours of drop off and pick up for the three schools that are already there
- Golders Green is a big hub for intercity coaches and buses. The current application if granted will lead to increased time and possibly other types of constraints for coach and bus access
- The Underground would be over-whelmed
- There would be a material increase to the risk of road traffic accidents
- There would be adverse impact to circulation on a bus route, causing additional congestion on one of the 3 arterial routes into London during rush hour; another blight for residents.
- Within the Travel Plan documents, the number of vehicles arriving do not reflect what has been observed in this road and nearby, during the busy and lengthy festival periods
- North End Road is also a major through way for ambulances en-route to and from the Royal Free Hospital and any further obstruction with more congestion could well delay the emergency services operating efficiently
- Muslim worshipers need to congregate according to their laws six times in 24 hrs multiplying the parking/congestion problems several times in a day

Neighbour Amenity

- Existing conditions have been ignored
- Movements to the site have differed from those connected with the previous Church use
- Golders Green is a residential area and that the site is not appropriate for such a use.
- The use will, lead to an increase in litter within the vicinity of the Hippodrome
- Increased traffic will lead to increased pollution at this location.
- Golders Green Bus Station has consistently high concentrations of NO₂, at about double the legal limit
- An approval of this application would be a contravention of the Human Rights Act in terms of the effect on the peaceful enjoyment of local resident's homes.

Character of the Area

- The area is a quiet area. The proposed application for the Golders Green Hippodrome will change the nature of this area entirely with a tremendous increase of noise, congestion and lack of parking.
- The previous tenants were also a religious group who fitted in well into the area but had nothing like the size of congregation being projected in this case
- The size of the mosque will change the whole character of the area and the neighbourhood
- There are many other properties better suited to the use

Character/ Listed Building/ Conservation Area

- The Hippodrome is the most important and known building in Golders Green and its history, artistry, its craftsmanship and design should be shared for all communities
- The use will dominate the area and impact on the Golders Green Conservation Area
- The Building has a great presence in this area. It is perhaps the most intriguing building of all. What a shame that it might be devoted to one place of worship and its community purpose lost
- The planning application has not detailed the proposed layouts for usage and the building will lose its historic elements completely
- Hampstead Garden Suburb is also a conservation area so it would be nice to maintain the building for the arts as was intended
- This is the most beautiful grade 2 listed building both from inside and outside and to change from the leisure use to a community centre mosque will force change of the characteristic features, craftsmanship and it's building artistic heritage
- The facade of the Hippodrome looks desperately rundown and should not be allowed to happen
- Concern if this change of usage will be followed by a request to change aspects of the structure
- Such a huge venue would dwarf the surrounding neighbourhood and would be completely out of character in this conservation area
- The proposed use will first necessitate the removal of and alteration to the priceless and historic interior decor
- It's an iconic building. It should be used for general artistic use. It's not only for one section of the community

Use is as a Mosque

- The building has been advertised as a mosque

- The building is advertised as the largest mosque in Europe
- The building will be used by over 3,200 patrons which will lead to unmanageable levels of disruption, congestion, traffic & parking problems
- The current community use is a tactic to later establish a mosque at the site and the initial level of activity has died down to allay local fears

Community/Arts Building

- The Hippodrome should be made available for use for the entire local community
- The Hippodrome has always been a place for whoever in the community would like to enjoy it, it should not be demoted to a place for only one religious' group
- A well-known landmark, part of London's tradition, should surely remain as a venue for all the people, not just exclusive to one section
- Regardless of which religious denomination would take over the site, it would be criminal to take away this historic entertainment centre
- The building was used for so many concerts and pantomimes, it is a valuable site for such performances and should not be demolished or transformed or its use changed
- Bertie Crewe's masterpiece should be re-used as originally built for, as a theatre for everyone to enjoy its design & artistry
- A community building with a Cinema and shops and Events would be a much better use for the wonderful larger Golders Green Community
- Celebrating together in a non-partisan environment is a wonderful way of creating community harmony and better cohesion
 - The potential to restore the Hippodrome as a performance venue, coupled with film screenings, educational programmes involving the performing and creative arts that could inspire artists, musicians and performing artists must in my view be a fundamental consideration of our council
- The building could be put to a multi-use which would benefit the whole community
- Given that the premises are unlikely ever again to be used as a theatre I would suggest the Council gives serious thought to allowing a residential development whilst preserving the outward appearance of the building
- The application will get rid of concerts, conferences, drama and dance. It will irreversibly harm the building's artistic heritage, local character and people's amenities
- The building should be celebrated and offered to English Heritage, the National Trust or a private charity that could restore the building to its previous state
- The performing arts have suffered disproportionately during the pandemic. This beloved Grade II listed building is an arts and performance space for all, not for just one part of the community

Public Performance Mgt Plan

- The activities Public Performance Management Plan would not secure a suitable level of public performance in keeping with the original use of the building
- The activities Public Performance Management Scheme listed state that non-Moslems are welcome to attend the activities, there is no equal opportunities statement supporting the access of all people regardless of creed, sexual orientation, gender or disability etc. nor confirmation that the events will be fully inclusive
- The proposed use as a Place of Worship would compromise and detract from the applicants' proposed 'Public Performance Management Scheme'
- This new Application is a turning point because it will be the first time that the Hippodrome will change to a use without a substantial element of public performance
- The applicant must demonstrate that they have a commitment to be multicultural, multi-ethnic, promote equal opportunity projects, be open to LGBT+ theatre and community projects, and to have no gender bias etc

Local Business/Town Centre

- The parking issues will result in a knock-on impact to local businesses in Golders Green by discouraging customers
- We need a community hub to rejuvenate Golders Green High Street
- It's conversion would cause a potential loss of employment and deprive the locality of much needed entertainment venues
- The "Golders Green Town Centre Strategy" seeks to reduce congestion and car use
- The proposal will make the area much noisier and congested and our customers would likely seek a quieter more accessible area and that could ultimately affect our business

Religious Tension - Islamic Building/Use in Golders Green

- As this borough does not have a high Muslim population why does it need such a large place of worship
- Religious tension and insecurity to local Jewish community
- We are very mixed in Golders Green with no one religious building dominating the area – "I fear that this easy atmosphere could be changed If such a large building was changed into a very dominating institution"
- It is no secret that Golders Green is London's most overtly Jewish suburb and I think it would be a grave error to place a Muslim centre of worship here
- Feel there will be an increase in anti-Semitic abuse towards the Jewish community
- Whilst all religions have the right to worship. the use of the Hippodrome is antagonistic and insensitive
- The call to prayer would also impose unnecessary noise pollution in the area as well as disturbances
- This was originally turned down for use by the Jewish community. Now it is solely for the Muslim community. This is clear discrimination

Existing Use

- Most concerned to hear that the present owners have ignored enforcement notices for several years, which would have restricted their use of the building.
- The occupants have flouted planning conditions that are attached to the use of the building
 - Consider planning conditions would be ineffective
 - The Planning Application appears to be another attempt to circumvent the Enforcement Notice
 - Planning conditions were imposed in 2007 for this reason: "to safeguard the amenities of the area". The current owners and their community ignored these conditions, such as opening hours
 - The current planning appeal on behalf of the local community is still pending. Instead of respecting the pending legal process the new owners are now acting aggressively and have lodged a second application
 - Do not understand why there have been so many delays and hiccups with this case. perhaps it's because you are hoping that people will lose the energy for a prolonged objection and that the application will succeed merely on the basis of so much time passing. this is not the case
 - Patrons leave the building after midnight causing noise disturbance within the local area
 - Residents have already reported constant disturbance until after midnight: car doors slamming, engines revving, and lack of consideration for people asleep
 - Attempts by the Applicants to manage traffic were wholly inadequate and added to the frustrations of residents

Application Form Certificate

-A valid application has not been made as whilst the applicant under the certificate of ownership is said to be "Trustees of Markaz El Tathqif El Eslami (the Centre for Islamic Enlightenment)", the address is given as C/O of the agent.

Consultation

-While all planning matters are subject to due process, surely when applications are made that significantly impact the local community, these should be brought to people's attention

-The majority of letters of support are from people outside of the area

Submitted Information

-The applicants have not provided any robust information giving actual details of the numbers of visitors.

Support

- We support planning permission for our neighbours, the Markaz

-Proud that Barnet is a place for many different religious communities

-The Markaz community originate from Iraq, with many having to flee as refugees under Saddam Hussein's regime

-For thirty years they have met as a community in Barnet

-We appreciate their travel plan which explains how people will visit the Markaz, and we're excited that a Barnet building with such historic and physical prominence will once again be used

-In approving this application Barnet Council will demonstrate how important it is to promote religious toleration, social justice and interfaith cohesion throughout the whole community in Golders Green

-We stand against hate in all its forms

-As a liberal, regard the campaign against the occupiers and those who want to worship to be abhorrent

-Totally support the Iranian centre and very disappointed at how racist the action letter sent asking for residents to object

- We feel strongly that Golders Green is a multifaith, open, welcoming community and that the Centre will contribute to its diversity.

- Would welcome it becoming a Muslim place of worship and once again adding something to our local economy, especially as we emerge from this costly pandemic

- The members mostly live locally and have escaped repression like so many Jewish people locally. There are parallels which bring us together

-Barnet is a multicultural borough and we are proud of that fact. The Markaz have every right to use the building as they wish/need

- Putting this building to such good use will enhance the quality of life in our borough

-Grateful that Barnet is a place for people of faith and we should not discriminate against any religious community

-It is good to know that this Barnet building with its historic and physical prominence is to be well used

- The permission to grant this application and the applicants a D1 license will be very

beneficial as the local community would be able to come together alongside the youth and children to be socially active and be morally and ethically educated in coexistence and harmonious relationships with the local community

- As we live in this wonderful and multicultural country, what we love most and makes us proud to be a British citizen is the freedom of speech and freedom of religion and freedom of expression

-This is a multi-cultural and multi faith society, we all should have the right to a place of Worship

-It should be a given that the communities which this building would directly benefit should be able to feel welcome and loved in Barnet

-As a Methodist minister now in Barnet but formerly in Golders Green, I have seen the positive work of Markaz. They have supported multi-faith work in the Borough and contributed to the life of the community

-A building constructed as a concert hall ought to be used for events and activities which draw large numbers of people

-It is difficult to imagine any appropriate use for the Hippodrome, a landmark listed building at the heart of Golders Green, which would not involve large numbers of people travelling to use it on particular occasions and at peak times

-There can be no legitimate planning basis for continuing to deprive this community of the opportunity to meet and to use their building

-The building will undergo no changes and its previous use as a church had similar numbers and traffic provision

-It provides a necessary community provision, is situated next to an important transport hub that greatly reduces the need for cars and involves no changes to a historic building.

-I am proud that Barnet is a place in which many communities live side by side. We have been out of our own building for the past year due to Covid, we wish to stand with others to have homes for their communities too

-Barnet's vibe and strength today is, in large part, drawn from its support of the many different communities within the borough and I am pleased that a Barnet building with such historic and physical significance will not only continue to be put into productive use, but also continue that tradition

-The Markaz has been operating from the site for over three years and has caused no problems. It is a worthwhile organisation that benefits the community and should be allowed to continue

-This use of the Hippodrome as a mosque will also contribute to less need to travel by automotive, which contributes to the government's climate change reversing, or environment agenda

-Concerns have been made about issues with parking and noise. I don't subscribe to those fears because the area has controlled or restricted parking and is already noisy because Golder Green station is a major coach and bus hub as well as, a tube station. Therefore, the concerns around parking and noise are unfounded

-Golders Green is a diverse community and is better for that

-Many of us in Golders Green have experienced persecution or have parents who are refugees from persecution. We should support others who are in a similar situation

-The Hippodrome has been a cultural centre. It was already given permission to be a centre for religious activity when it became a Christian centre

-I know that allowing people to flourish and practice their religion, culture and community life in a safe place that is their own benefits the whole community

-The arguments they make seem to be nothing more than thinly veiled Islamophobia

- We have supported our friends the Somali Bravanese to regain a building, and we are proud to stand with the Markaz too
- An Islamic community centre could improve understanding of Islam and offer a useful local place to increase harmony between groups
- This Borough has a proud reputation for supporting minority ethnic, and cultural groups
- The current occupants uniquely provide a safe space for worship and other community events for the Shia community of North London

Detailed comments were also received from community groups within the local area

Golders Green Station Action Group - Objection.

- No proper certification as to the identity of the owner of The Hippodrome
- The use would be more intensive than the previous church use
- Concern about the accuracy of figures submitted relating to the use - date; time; the description & kind of event on that date; start and finishing time of each event. Attendance figures vary between 1400 and 2,200 at capacity
- Parking in adjoining roads will be a serious issue
- The building is being used outside the permitted hours and opened for early morning prayers before the permitted 08.00am
- Groups congregating after the closing time causing noise and disturbance locally
- No reference to the Golders Green Town Centre Strategy, January 2020, and its requirements
- Applicant's previous Islamic Centre at 120 Cricklewood Lane, London NW2 2DP was used without planning permission and in breach of future conditions
- The Appellants did not dispute the details on the enforcement notice that they have been operating the building in breach of the planning permission granted to the previous owner
- Golders Green Bus Station has consistently high concentrations of NO2, at about double the legal limit

Golders Green Residents Environment Group, accompanied by Transport Assessment by Paul Mews Associate }- Objection.

- The proposed activity at the Hippodrome will have very significant, harmful effects on highway capacity, road safety, and neighbourhood amenity.
- It is a falsehood to suggest that the intended use is not as a mosque
- There would be parking stress for 90+ days of the year
- Proposal will result in an end to Public Performance
- The interior has considerable aesthetic value
- The public performance aspect is integral to the character of the Listed Building and the conservation area, as detailed under PPG15
- Lawful use is Sui generis and public performance is not ancillary, and potentially the primary use
- The approved Public Performance Management Plan is more detailed than the one submitted by the applicant
- It is wrong to state there is no policy basis for public performance
- There has been no public performance during the period that the use has been in operation
- Question if the Hippodrome will remain genuinely and reasonably open to all sections of the Golders Green community, the church use provided events for the wider community
- The site is advertised as a mosque
- The applicant's previous occupation at 120 Cricklewood Lane, London NW2 2DP caused significant disturbance to local residents

Responses from Internal Consultees

Environmental Health Officer

26 January 2021:

My main concern from an EH perspective would be noise when entering or leaving the premises. The dominant noise source in this area will be the adjacent road and Golders Green station that runs 24/7. Given the amount of people that are likely to use the venue and the later hours during religious holidays I would suggest the provision of a noise management plan. This should outline how the venue plans on managing noise outbreak during everyday operation but also during larger events such as religious holidays, wedding etc. It should also be noted that no external means of amplification/speakers are permitted.

If any plant is proposed, then conditions should be applied.

09 April 2021:

A noise management plan shall be submitted and agreed by the LPA before use starts. This can be agreed by condition.

Heritage Officer

11 March 2021:

No application for listed building consent has been made and the applicant confirms in the submitted Heritage Statement that no physical works or alterations are proposed and consequently, I have no comment.

Highways Officer

Detailed highways response included within the “Whether the development would impact traffic and highways to an unacceptable level” of this report (below).

Responses from External Consultees}

Theatres Trust

16 February 2021:

One element of this application for change of use refers to the technicality of wording – ‘place of worship’. A previous application in 2017 had sought this change (reference C00222W/07) along with an extension to operating hours and this was supported by the Trust. The alteration to wording is needed because the application which originally changed the use of the building (C00222/W/07) referred to use as a ‘church’. Clearly that was relevant to the end user at the time but does not reflect the broader multi-denominational terminology more commonly referred to within the planning system. Neither did the Trust raise any objection to the original change of use to a ‘church’ in 2007 but this was on the basis that safeguards were in place to maintain potential for a full return to theatre use and to ensure that theatrical activity in the area was sustained.

The second part of the change of use references ancillary activities and we welcome that these are being retained. This formed part of the safeguards of cultural use and community

benefit which led us to support previous applications. It is important they are formally reflected within any decision notice and safeguarded by future conditions.

However, those activities have not been undertaken in recent years as mandated by condition 3 of permission C00222/W/07 in accordance with the relevant public performance management scheme submitted. The submitted programme included music concerts to be held approximately once per month, film screenings, conferences, a Christmas fair, a Christmas service and an externally sourced Christmas pantomime. Failure to comply with condition 3 has resulted in enforcement action being taken with an Inquiry pending should matters not be resolved by this application. Fundamentally, lack of accordance with the planning condition has diminished the Hippodrome's role as a community and cultural asset without justification to the detriment of the wider community.

We are particularly concerned that the applicant's stated intentions for operation of the Hippodrome do not go far enough to satisfy us that there will be genuine effort to ensure the building is operated in the spirit of the original condition, particularly with regards to "ensuring an appropriate level of public performance for the benefit of the community" as per the reason for condition 3 of the 2007 permission.

We would dispute that the existing performance management scheme has a Christian rather than universal focus as suggested within paragraph 5.3.4 of the Planning Statement although as with the alteration from 'church' to 'place of worship' this could in any case be addressed through a minor edit to language.

Although paragraph 5.3.5 of the Planning Statement is technically correct in there being no adopted policies protecting against the loss of performance uses in literal terms, Policy 2.7.A.k of the London Plan (2017) supports leisure, arts and cultural uses including specifically theatres and the contribution they make to the outer London economy. Policy HC6 of the London Plan (Intend to Publish, 2020) does specifically protect and support cultural venues including theatres, music and other arts venues.

It is true that the Hippodrome had not been a 'theatre' for almost forty years prior to the 2007 permission, but was clearly used for theatrical and live performance purposes throughout the subsequent period until the BBC vacated. Movement of theatre buildings between other cultural and performance functions is not uncommon, neither is return to live performance after having been in other uses in the meantime.

Looking at need for theatre in isolation as discussed in paragraph 5.3.3 without considering other live performance functions such as a music venue is flawed. Although the Hippodrome is some way from the West End and central London, this is equally true of other large-scale venues such as Alexandra Palace, the 02, Wembley Arena (all of which are further than Golders Green) and Brixton Academy. We consider the Council's original position of maintaining an element of live performance to be a sound principle which continues to be justifiable and must be maintained now. There is no evidence to suggest that attempt to market the building to operators for live performance has been attempted, at least in recent years, therefore in turn there is no evidence that existing planning conditions for the Hippodrome should be weakened.

The challenge we have with the Public Performance Management Scheme put forward is that we consider it too weak in ensuring and enabling wider use of the Hippodrome, in particular the main auditorium. The weekly activities are typically associated with community and cultural organisations and would most likely require only small parts of the building irrespective of whether they are opened to the wider community.

Other events would be by way of venue hire. Although open to venue hire generally because this would put the Hippodrome to use and contribute to its ongoing conservation, we object to the loss of theatre and live music from mandated activities. The problem with them being only for hires is if they are not required to happen it gives no incentive for potential bookings to be accepted. We have examples elsewhere of demand for a facility which was not accepted by the operator. We recommend that at least an annual run of pantomime shows and a minimum number of live music performances are reinstated to the management scheme and that the scheme remains part of the conditions of any permission. We would also suggest there would be merit in retaining at least one market/fair, and consideration given to other religious celebrations.

We would note additionally that the use classes have been revised since this application was first submitted with places of worship and uses connected to them now falling within Class F1(f). However given that the applicant has expressed intention to market the building for other purposes and that some level of wider community and performance use has previously been mandated we would suggest there to be merit and legitimacy in the building being classed as 'Sui Generis' instead. This would reflect the mix of uses taking place and help safeguard the building's potential for future reversion to full performance use by ensuring a planning application would be required for any future change of use or alteration to uses. An alternative would be to condition the change of use to limit to limit it to the current operator. This has been used successfully in Bournemouth at the Palace Court Theatre/Playhouse, and in fact the building has recently been vacated by the church group that operated it with proposals to return it to performance use and theatre training facility for a university at an advanced stage. This demonstrates there is potential for the Hippodrome to return to dedicated performance use once again, particularly because it benefits from a well-connected London location and strong reputation.

In conclusion, we are supportive of the overall principle of formal change of use as described. However, this is dependent on appropriate conditions being maintained which protect some level of guaranteed live performance use for the benefit of the wider community both locally and further afield. We object to the specific Public Performance Management Scheme as currently put forward because it results in the loss of mandated live performance which we believe could be highly successful. We recommend the management scheme is revised as we suggest.

The Hippodrome is a very important building for the Trust and we are keen to see that it remains occupied and open to the community. We would be keen to work positively with the applicant and the Council to secure a positive way forward and would welcome further engagement.

09 April 2021:

Thank you for re-consulting Theatres Trust following the submission by the applicant of a revised Public Performance Management Scheme (PPMS).

We are grateful to the applicant for positively engaging with the Trust since submission of our original comments in February 2021. With the revised PPMS now including theatre events our primary objections and concerns with regards to loss of live performance function at the Hippodrome have been addressed.

As noted previously the Hippodrome is already in lawful use as a place of worship. Whilst we maintain there is potential for the Hippodrome to viably revert to performance use in future, we consider places of worship to be compatible uses for theatre buildings assuming future

reversibility is safeguarded. It is also clearly advantageous for such assets to be occupied rather than suffer the negative impacts and deterioration arising from any long-term vacancy.

Therefore we are now able to support the granting of planning permission, on the basis of accordance with the PPMS remaining a condition.

Transport for London

Cycle parking

- 58 new cycle spaces will be provided. While this significant uplift on the exiting provision is welcomed, the number of full-time employees and GEA floorspace (GEA) should be provided so TfL can ensure the development complies with policy T5 (Cycling) of the Publication London Plan.
- All cycle parking and access to cycling facilities should be designed and laid out in accordance with the London Cycling Design Standards (LCDS). At least 5% of the cycle parking provision should be able to accommodate larger cycles, including adapted cycles for disabled people.
- The submitted ground floor plan is unclear. This should be amended so it clearly indicates where cycle parking will be located.

Car parking

- 26 car parking spaces will be retained. Given the sites excellent PTAL of 6a/6b, TfL would expect to see this number to be reduced to encourage a mode shift away to more sustainable modes.

Servicing and deliveries

- It is noted servicing and deliveries will take place on site within the car park. While this appears supportive of Publication London Plan policy T7 (Deliveries, servicing and construction), part G, the applicant should provide swept path analysis demonstrating how vehicles can access and egress the site in a forward gear. The exact unloading and loading areas within the car park should be illustrated, with consideration given to the interaction between service vehicles and cyclists & pedestrians.

Travel Plan

- A Travel Plan has been submitted, which should be secured by condition or s106 obligation if contributions to the Council's monitoring costs are necessary.
- The targets and measures set out within the Travel Plan should, throughout the Plan's lifespan, should focus on increasing the active travel mode share in line with the Mayors Transport Strategy (MTS) mode shift target for inner London. The Travel Plan should contribute to the Mayor's ambition for 75% of all trips in outer London to be made by cycling, walking or public transport by 2041.
- An initial survey will be undertaken within 6 months of the Travel Plan being approved. Surveys should be carried out again in years 3 and 5.
- Details on the funding of the Travel Plan must be provided, prior to the appointment of the Travel Plan Coordinator.

Providing the above is followed, TfL have no further comments on this application.

5. Planning Considerations

5.1 Policy Context

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 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 2021

On 02nd March 2021 the new London Plan was formally adopted. 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. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The following policies of the London Plan apply;

S1 - Developing London's Social Infrastructure,
SD6 – Town Centres and High Streets,
SD7 - Town Centres: Development Principles and Development Plan Documents,
HC1 – Heritage Conservation and Growth,
HC5 - Supporting London's Culture and Creative Industries
GG1 - Building Strong and Inclusive Communities,
GG2 – Making the Best Use of Land,
T1 - Strategic Approach to Transport,
T2 - Healthy Streets,
T3 – Transport Capacity, Connectivity and Safeguarding,
T4 – Assessing and Mitigating Transport Impacts,
T5 – Cycling,
T6 – Car Parking.

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, CS4, CS5, CS6, CS9, CS10, CS15.
- Relevant Development Management Policies: DM01, DM04, DM06, DM11, DM13, DM17.

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. The emerging Local Plan policies at this stage before public consultation and independent examination carry limited weight.

Supplementary Documents

Golders Green Town Centre Strategy
Planning Obligation SPD (adopted April 2013)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Planning History/Background to the application;
- Principle of the Development;
- Whether the development would impact traffic and highways to an unacceptable level;
- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Public Sector Equality Duty and implications arising from the proposals
- Comments of consultees/Third Party Representations

5.3 Assessment of proposals

Planning History/Background to the application

As can be ascertained from the many representations received from members of the public, the Hippodrome has been a much loved, and cherished fixture in local life for a period in excess of 100 years. It is evident that owing to the changing nature of entertainment, the emergence of cinema, home entertainment, and the increased prominence of the West End, the Hippodrome began to struggle. As detailed in the report accompanying the 2007 application (C00222W/07);

... "The entertainment company Mecca took over the Hippodrome in 1968 and tried to run it as a theatre and plans were proposed to turn it into a place for bingo, dancing etc but planning permission was never granted. In the late 60's/early 70's the BBC acquired the leasehold of the building and converted it into a radio studio and concert hall. The theatre was used for radio and television broadcasts and for recordings and performances of the BBC Concert Orchestra. In 2003 the BBC left the Hippodrome and since this date, the Hippodrome has been left vacant".

2007 consent - C00222W/07

At the time of the 2007 application, the building was vacant, and it was evident that its continued use as a place solely of entertainment was questionable. The report continued;

"The building is not considered to have been used in its original use as a theatre for nearly forty years and seeking to protect the historic original use is not realistic in planning terms..... The theatre is a large building seating over 1000 people and it is considered that times have

changed and a theatre of this size in this location is not proving attractive to theatrical organisations. Theatrical organisations of this nature that can provide performances for audiences of this size would prefer to be in the West End.”

The Grade II listed structure was at the time of this application on the English Heritage ‘Buildings At Risk’ Register and had been for a number of years.

In 2007 an application was made by a Christian organisation (El-Shaddai International) for the following development;

“To use building as a church to enrich community with schemes for children, unemployed, elderly etc. To hold concerts, conferences, drama and dance festivals”.

It is evident within the commentary of the report relating to this application, that the council were keen to secure an occupier for the building, both for the many planning policy benefits that would flow, but also an occupier which could be sympathetic to the Grade II Listed status of the building. The report states:

“There have been several expressions of interest in the Grade II Listed building and meetings have taken place with architects and agents since it was sold by the BBC. Each of the schemes put forward have involved proposals which have caused some concern to officers mainly due to the alterations required to the building and the consequential impact on its special architectural and historic interest. The new owners have expressed verbally that they are proposing minimal changes to the building, both internally and externally”.

On the matter of continuing the public performance/entertainment aspect of the Hippodrome, the report states;

“The use is considered to still provide an element of performance. The applicants have stated that they will hold music concerts with visiting musicians; pantomimes and drama performances approximately once a month. A public performance management scheme has been conditioned.

This subsequently materialised as condition 3 on the approved scheme. The full list of conditions were as follows;

1. The use hereby permitted shall not be open before 8am or after 11.30pm on any day of the week.

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

2. The premises shall be used for a church with schemes for children, unemployed, elderly to hold concerts, conferences, drama and dance festivals and, for no other purpose other than the above (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

3. The applicants shall submit a public performance management scheme to be submitted to and approved in writing by the Local Planning Authority within three months of the date of this decision. The use and associated public performance activities shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure an appropriate level of public performance for the benefit of the community.

4. Within three months of the date of this decision, details of the arrangements for the provision of a Travel Plan and its monitoring shall be submitted to and approved in writing by the Local Planning Authority. This should include the appointment of a Travel Plan coordinator. The Travel plan should be reviewed annually in accordance with the target set out in the Travel Plan.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies GSD and GNon Car of the London Borough of Barnet Adopted Unitary Development Plan 2006.

5. Visitors, residents if any, and businesses of this development will be excluded from obtaining visitor, business parking permits for the Golders Green Controlled Parking Zone (G) and (H).

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with Policies M8 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

Developments since 2007

The El-Shaddai Centre left the site in the early part of 2017. the building was purchased by its current owners and put into use as a "Shia Islamic Cultural Centre". At the time of opening the owners were advised by planning enforcement officers that the use of the building as an Islamic cultural centre would be in contravention of the defined user condition and that the specified times of operation might not be suitable for the current use.

On 13 September 2017 the centre made an application under s.73 of the Town and Country Planning Act 1990 to vary conditions of the 2007 permission. The centre was later advised that a full application was the more appropriate mechanism. Although papers for a full application were submitted details sufficient to allow validation were not received.

On 5 March 2019, an Enforcement Notice was issued, and served upon interested parties shortly thereafter. The case originally proceeded with the reference number ENF/01134/17. A delegated powers report evidencing authorisation for the service of an enforcement notice was prepared with this reference number.

Through no fault of their own the appellant missed the deadline for an appeal and the ENF/01134/17 notice therefore took effect. However, the LPA later agreed to a request from the owner's agent that it would be appropriate to withdraw the original notice and to replace it like for like. Pursuant to this decision a revised notice was issued on 25 April 2019. The two notices are identical but for the reference number and the stated dates.

The breach as alleged in the Notice is the "use of the land as a cultural centre, not comprising use as a church, to hold concerts, conferences, drama and dance festivals, in breach of condition 2 of planning permission reference C00222W/07, granted on 9 May 2007" and requires those served to "Cease the use of the building as a cultural centre and for uses other than as a church, to hold concerts, conferences, drama and dance festivals" within 6 month of the Notice taking effect.

The discussion within the accompanying Delegated Report recorded the main issues;

"Policy DM01 of the London Borough of Barnet's Development Management Policies development plan document 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"

There is a high degree of public concern over the impact of the use of the Hippodrome on the character of the area. The levels of noise and disturbance resulting from the use are part and parcel of the wider concern over the impact on character.

Policy DM04 of the DPD states:

"Proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted"

It is true that the use of the Hippodrome as a cultural and religious centre has introduced patterns of activity that are distinct from those that were likely associated with the building's historic use as a theatre or concert hall. However, such patterns have not been seen since 2003 at the latest and a more appropriate comparison is with the use of the building by the El-Shaddai Christian community from 2007.

There can be no doubt that the current patterns of activity differ from those that were associated with the previous user, particularly in terms of the days of peak activity. However, there is little evidence to suggest that the change of user has had, or is likely to have, a material impact on the character of the Golders Green Town Centre. The Town Centre stands apart from nearby quiet suburban streets due to its energetic bustle and the diverse range of services offered and this area of the centre is notably busy and noisy with buses, coaches and associated passenger traffic. Further diversification and intensification will not erode the established character of this part of the Town Centre and Conservation Area.

The Hippodrome is located within the busy town centre and immediately adjacent to two large public transport interchanges. Although patronage of the centre is likely to result in high levels of activity the potential for it to give rise to unacceptable levels of noise and disturbance is mitigated by the location. Where noise and disturbance does result it is likely to be restricted to the quieter residential roads, particularly to the South and East where parking spaces are more available, and after the centre's peak periods has subsided. It is considered that appropriate travel planning and restrictions on hours of operation could be successful in mitigating these impacts.

Public Performances (2012)

Paragraph 17 of the NPPF requires that planning authorities "take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs... [and]...promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas". Paragraph 70 continues: "to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

The Development Management Policies document contains the following advice:

"Barnet is home to a rich diversity of groups involved in arts, music, theatre, literature, visual arts and film. Demands for performance and exhibition space are therefore high. Support and publicity for over 100 groups engaged in the arts is provided by an independent charity - the Barnet Borough Arts Council."

"We are aware that though there are many rooms suitable for use for clubs, classes, meetings and rehearsals, the spaces for public performance of theatre, dance, musical theatre and music are limited in number. These spaces are mainly on the eastern side of the Borough where there is the greatest level of existing demand. There is also a shortage of spaces for exhibitions."

"In order to create vibrant town centres we will support the temporary use of vacant shops for performance and creative work. Co-location for arts and culture will be explored with other community provision on a site by site basis. In terms of the school estate we will seek to maximise use of performance space in schools by the wider community."

The 2007 permission was predicated on an understanding that public performances would continue to play an important role in the reconfigured use. Although the sensitivities of performances may be different in an Islamic environment to a Christian one there is no reason to believe that the building is now any less suitable for public performances than it was in 2007. The Hippodrome's history, form and accessibility make it an ideal venue for public performances. Furthermore, there is no evidence to suggest that there is any less demand or desirability for performance spaces.

Adopted policy at local and government level encourages the shared use of land for arts and culture and other community uses.

Council officers and representatives of the Merkaz community have together explored the possibilities for and the implications of the stage area and auditorium being a shared space, used from time to time for public performances. There is currently no reason to believe that public performances would necessarily be considered by the community as an inappropriate use of the space, and in particular of a space that would also be used for communal worship.

In the absence of any binding plan there is an unacceptable risk that the Hippodrome will be lost as a space for public performance to the detriment of the cultural life of Barnet.

Travel and Transport

The Hippodrome is in a highly accessible location, well served by public transport. Nevertheless, the capacity of the building and the nature of the transport infrastructure of the area is such that careful travel management and mitigation is likely required to ensure that the travel is appropriately accommodated.

In response to a 2017 consultation exercise the Council received numerous complaints of inappropriate parking and other such activity. The exercise was undertaken at the time the centre opened and the results are not likely to represent current or future experiences. However, the potential for the centre to generate detriment to the amenities of neighbours, highway safety and/or the free-flow of traffic cannot be disregarded.

Policy DM17(d) requires that "In considering planning applications for new development, the council will require developers to submit a full Transport Assessment (as defined by Department for Transport threshold) where the proposed development is anticipated to have significant transport implications in order to ensure that these impacts are considered."

Although a Transport Assessment was undertaken pursuant to the 2007 permission the former and current uses are sufficiently distant in time and nature that a new version would be appropriate. Although the current use has now been in operation for approximately a year it is still evolving and full assessment of the potential future impact cannot, as yet, be made through retrospective means alone.

Although current attendances at the Centre appear to fall significantly below the maximum capacity there is nevertheless the potential for significant trip generation. Where significant trip generation is to be reasonably anticipated policy DM17 requires "the occupier to develop, implement and maintain a satisfactory Travel Plan (or plans) to minimise increases in road traffic and meet mode split targets". No such Travel Plan has been submitted to the Council and therefore the Council cannot be confident that the use is as sustainable as reasonably possible and practical"....

The applicant has appealed the Enforcement Notice. On 16 October 2019 the Planning Inspectorate informed the parties that, owing to the level of public interest, the appeal would follow the Inquiry process. Given the subsequent Coronavirus pandemic, and associated Lockdowns, the oral hearing has not yet been held.

The applicant states that the current planning application is made without prejudice to the position taken by the Markaz in the enforcement appeal. The current application was received by the council on the 03rd of July 2020, with some discussion around requirements for validation and then outstanding information in the form of an Energy Statement received on 30th November 2020. The application was made valid and sent out to consultation on 25th January 2021. The following description was agreed;

"Use as a Place of Worship (D1 use) and for ancillary community uses, public conferences and performances"

Principle of the Development

Church/Place of Worship

The Applicant states that its primary position is that its existing use as a centre for communal prayer and worship with ancillary communal activities including cultural, religious, educational and social activities for, amongst others, children and the elderly is within the scope of planning permission, C00222W/07 granted by the LB Barnet on 9 May 2007.

It is evident that the key change between the 2007 consent and the current application is the substitution of the word "church" for "place of worship". The supporting Planning Statement describes that "the main activities of the Markaz are centred around communal prayer and the provision of social, educational, cultural activities with an Islamic religious focus. The weekly schedule of events includes regular communal prayer, lectures, seminars, exhibitions, gathering for marking religious festivals, commemorating historic events and marking events such as birthdays, deaths and similar of prophets and religious figures, which often involve religious rituals, including prayers and recitals".

It is stated that the use of the building could not be described as a Mosque, with patrons attending Mosques separately, where there is stricter adherence to practices of the faith. As described above one of the main practices is around communal prayer.

The ordinary dictionary meaning of a "Church" is "a building used for public Christian worship". A "Place of Worship" is defined as "any building where congregations gather for prayer". It is

evident that the replacement of Church with the term Place of Worship, more explicitly opens the use of the Hippodrome, to any practicing faith, as opposed to limiting any use to the Christian faith.

In land use terms, this would be in keeping with the scope of what is permitted under the former Class D1 (Since 01 September 2020 Class F1 under changes to the Use Classes Order), which includes, *inter alia*, uses “for, or in connection with, public worship or religious instruction”. The new Use Class F1 permits Uses “for, or in connection with, public worship or religious instruction”.

It is evident the aim of this category is to permit any faith or religious group to continue the use of a site which benefits from a consent for such purposes. The substitution of the word “Church” with the term “Place of Worship” would ensure that the aims of the Use Classes Order could be fulfilled at this site. In land use terms, the Use Classes Order offers no differentiation between faith groups. There are no sound planning reasons to differentiate between different faith groups and the alteration of the description to permit the use as a place of worship can be accepted. The relevant condition on the 2007 consent could duly be reasonably altered to encapsulate this more open scope of religious use.

Public Performances

As detailed above an important element of the 2007 consent was a desire to ensure that a level of public performance would continue at the premises, given the historic link to the performing arts. Condition 3 stated;

3. The applicants shall submit a public performance management scheme to be submitted to and approved in writing by the Local Planning Authority within three months of the date of this decision. The use and associated public performance activities shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure an appropriate level of public performance for the benefit of the community.

This requirement of the consent was addressed under application F/04151/08 “Submission of details of conditions 3 (Public Performance Management Scheme) pursuant to planning permission reference C00222W/07 dated 09/05/2007”, approved by the council on the 13th March 2009.

The approved document associated with this consent agreed;

Weekly events – e.g Mum and toddlers’ groups, guitar/keyboard lessons

Monthly - Interest groups -Writers Group, 20s up Club, 40s Up Club, Women’s Practical Group, Leadership training, general counselling.

Quarterly – Life Skills Conferences

School Holidays – Free Kids Fun Club

Special Events (held approximately once a month) – Concerts, Salsa evenings, Children’s Choir, Christmas Party, Christmas Fair, Christmas Pantomime.

The applicant states that whilst current adopted development plan policy encourages such uses in general terms, there are no adopted policies which specifically protect against the loss of such performance uses. Condition 3, it is stated, also does not define further the requirements of the PPMS or define what may constitute a ‘Public Performance’ and that the approved performances “were all associated with its Christian character” as opposed to as being for the benefit of the “wider community” as referenced in the Enforcement Notice.

Notwithstanding this, in response to maintaining a performance aspect to any future use, the applicant has submitted a Public Performance Management Scheme (PPMS) “outlining the Applicant’s intentions to match the requirements of Condition 3 of the 2007 permission”. The contents include (as originally submitted, 2020);

Weekly events – Youth Club, Language Classes, Weekday Nursery, Karate Classes, Children Drama Classes

Monthly – Doctor Consultations, Drama Club, Film Club (Classic and Cult Movie screenings)
Reading Club (Book discussions)

Quarterly – Media Skills, Institute of Leadership and Management Programmes (ILM), TED Talks, Conferences and Seminars

Yearly – Local Interfaith Meeting, Sadaqa Day (Charitable event on 24th March), Big Iftar (open door to other faiths)

Special Events – Christmas, England Football Matches.

Venue Hire – Weddings, conferences, seminars, workshops.

It is stated that Markaz intend to offer outreach programmes – Blood Donation Day, Tree Planting Day, etc.

Paragraph 20 of the NPPF requires that planning authorities “set out an overall strategy for the pattern, scale and quality of development, and make provision for...community facilities (such as health, education and cultural infrastructure)”

Specific guidance on community uses is included at paragraphs 91-92 which state:

“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other...(para.91)

“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs...” (Para.92)

The London Plan contains a series of policies that emphasise the importance of social infrastructure to a successful city, recognise the role that planning can play in the delivery of strong and inclusive communities and identify that social infrastructure need not be single purpose and that the most efficient use of land may be achieved by the sharing of assets.

The key relevant policy requirements of the London Plan are set out in summary below:

London Plan Policy GG1 “Building strong and inclusive communities” requires that those involved in planning and development must:

- A. encourage early and inclusive engagement with stakeholders, including local communities, in the development of proposals, policies and area-based strategies
- B. seek to ensure changes to the physical environment to achieve an overall positive contribution to London
- C. provide access to good quality community spaces, services, amenities and infrastructure that accommodate, encourage and strengthen communities, increasing active participation and social integration, and addressing social isolation
- D. seek to ensure that London continues to generate a wide range of economic and other opportunities, and that everyone is able to benefit from these to ensure that London is a fairer, more inclusive and more equal city
- E. ensure that streets and public spaces are consistently planned for people to move around and spend time in comfort and safety, creating places where everyone is welcome, which foster a sense of belonging, which encourage community buy-in, and where communities can develop and thrive
- F. promote the crucial role town centres have in the social, civic, cultural and economic lives of Londoners, and plan for places that provide important opportunities for building relationships during the daytime, evening and night time
- G. ensure that new buildings and the spaces they create are designed to reinforce or enhance the identity, legibility, permeability, and inclusivity of neighbourhoods, and are resilient and adaptable to changing community requirements
- H. support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides, creating a welcoming environment that everyone can use confidently,
- I. support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

Policy GG2 “Making the best use of land” aims;

To create high-density, mixed-use places that make the best use of land, those involved in planning and development must (inter alia):

- H. Maximise opportunities to use infrastructure assets for more than one purpose, to make the best use of land and support efficient maintenance.

Policy S1 (D) Developing “London’s social infrastructure” requires;

Development proposals that seek to make best use of land, including the public-sector estate, should be encouraged and supported. This includes the co-location of different forms of social infrastructure and the rationalisation or sharing of facilities.

Policy HC6 "Supporting the night-time economy" Part B6 aims to;

- 6) protect and support evening and night-time cultural venues such as pubs, night clubs, theatres, cinemas, music and other arts venues.

As discussed above the Local Plan Core Strategy contains the following advice:

"Barnet is home to a rich diversity of groups involved in arts, music, theatre, literature, visual arts and film. Demands for performance and exhibition space are therefore high. Support and publicity for over 100 groups engaged in the arts is provided by an independent charity - the Barnet Borough Arts Council."

"We are aware that though there are many rooms suitable for use for clubs, classes, meetings and rehearsals, the spaces for public performance of theatre, dance, musical theatre and music are limited in number. These spaces are mainly on the eastern side of the Borough where there is the greatest level of existing demand. There is also a shortage of spaces for exhibitions."

"In order to create vibrant town centres we will support the temporary use of vacant shops for performance and creative work. Co-location for arts and culture will be explored with other community provision on a site by site basis. In terms of the school estate we will seek to maximise use of performance space in schools by the wider community."

Core Strategy Policy CS10 "Enabling inclusive and integrated community facilities and uses" advises that the council "will support multi-purpose community facilities that make efficient use of premises providing a range of services at one accessible and inclusive location" and that "Community facilities can provide a range of services in one location. Grouping such facilities together allows more services to be provided in a single place".

Policy DM11 "Development principles for Barnet's town centres" encourages community uses in town centres as these are the most accessible locations.

Policy DM13 "Community and education uses" outlines that "New community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres". The supporting text at 14.1.3 states "The council recognise that there is a need for a range of community and religious facilities in Barnet to support the requirements of different ethnic, religious, social and interest groups in the borough".

The council adopted Golders Green Town Centre Strategy (January 2020) identifies the area around Golders Green Station as the location of a potential 'Cultural Hub'. In terms of local social infrastructure a desire was shown to see more celebration of local culture through events and festivals including community uses of the Hippodrome site.

The Theatres Trust has been consulted and whilst this body raises no objection to the proposal, concern had initially been raised about the level of Public Performance that would be retained, particularly the absence of monthly performance "special events" such as concerts.

Under the 2007 consent, the Delegated Report outlines a justification for the loss of the Hippodrome's original and long-standing use as a Theatre and it was deemed that the church use, was a suitable alternative use for the building, which would be the least intrusive, given the Listed Building status, other potential uses having been discounted.

As discussed above, a Public Performance Management Plan was discharged under a separate application.

The above policy basis provides a framework to ensure existing social infrastructure sites are supported and sustained.

Policy GG1 provides a strong policy slant to ensuring inclusive communities and to provide access to community spaces and encourage social integration. As the supporting text to the policy outlines, London is a diverse city with 40% of Londoners born outside the U.K. The policy, goes on to state that delivering "welcoming public space... and social, physical and environmental infrastructure that meets London's diverse needs is essential if London is to maintain and develop strong and inclusive communities".

As discussed above, it is not considered reasonable to limit the use of the site to the Christian faith. The granting of consent to use the building as a "place of worship", the current occupants being of the Islamic faith, offers the opportunity to correct the original limitations of the consent but also to ensure that a similar condition of consent could provide a genuine opportunity to develop local links to inclusivity and outreach, that would not ordinarily be available.

Part E of the policy strives to create places where everyone is welcome, which foster a sense of belonging, and which encourages community buy-in. Part F requires to "plan for places that provide important opportunities for building relationships during the daytime, evening and night time".

Some of the third-party comments show a desire to ensure that patrons of the Markaz are made welcome within the local community. Given the policy aims of GG1 the opportunity exists to ensure that, through a Public Performance Management Plan, there is the opportunity for outreach and to develop links within the wider community building sustainable relationships.

Such objectives are supported by Policy GG2 which aims to ensure, where possible, that infrastructure assets are used for more than one purpose, understanding "what is valued about existing places and use this as a catalyst for growth, renewal, and place-making, strengthening London's distinct and varied character". The supporting text outlines how the population of the city will continue to grow leading to increased competing pressures on the use of space. The policy text indicates that making the best use of land means directing growth towards the most accessible and well-connected places, making the most efficient use of the existing and future public transport.

As highlighted in many of the representations, the Hippodrome is an iconic, much loved local landmark. It is not considered reasonable that its lawful use would remain wedded to the Christian faith, as discussed above, in land use terms places of worship are inter-changeable. As such, the continued use of the Hippodrome as a Place of Worship, serving the needs of the Markaz community, in planning land use terms, given the lawful use of the site, is uncontroversial. Given that policy GG2 encourages the shared and more efficient use of land which is in highly accessible locations, and the condition of consent on the church use, an opportunity exists to meet the needs of a minority group within the wider community, but also to promote a shared space, in a highly accessible location, more in keeping with the historic ethos of the Hippodrome. At the heart of the aim of GG2 is the more efficient use of a site, a shared space, for the benefit of the wider community.

Policy S1 (D) Developing “London’s social infrastructure” further promotes the shared use of social infrastructure sites, and that the “co-location of facilities should be encouraged, to align service provision, use land more efficiently and facilitate opportunities for different groups of people to come together, encouraging further inclusion and community participation”. Whilst many third party representations recall growing up with the Hippodrome and visiting the many public performances and cultural events, as discussed above, the building had long been a victim of changing entertainment practices, and lay empty, under-utilised and physically deteriorating. Hence the search for alternative uses/occupants and the eventual granting of consent for the church use in 2007. The continued use as a place of worship, supported by a robust Public Performance Management Plan, ensuring more widespread use within the community, would continue what has been the direction of travel for the building since 2007, and ensure its continued occupation and upkeep. Such an approach would be in keeping with national policy aims, enshrined in the NPPF at para 91, which encourages “social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments”

Policy HC6 of the London Plan aims to protect and support evening and night-time cultural venues such as pubs, night clubs, theatres, cinemas, music and other arts venues. Whilst the lawful use of the site is no longer as a place of entertainment and any theatre use having ended some time ago, the 2007 consent strived to ensure an element of public performance would remain, through condition 3, and a contribution to the night time economy can still be made.

Given the policy aims, discussed above, it is considered the retention of an element of public performance can be justified, and the applicants have demonstrated a desire to ensure a level of public performance could be maintained. It was notable that the key difference between the existing Public Performance Management Plan and that proposed by the Markaz, was the omission of monthly special events, particularly concerts, which is perhaps the aspect most closely aligned to the original use of the building.

The Theatres Trust had suggested, the submitted plan could be bolstered, with the retention of a live music/theatre aspect to the plan. It is accepted there may be cultural and religious constraints, but it is considered that an increase in live performances would be highly beneficial, and the originally submitted scheme did fundamentally differ from the approved plan for the Christian organisation in this aspect. Whist the applicant made the point that the approved PPMS had a Christian slant, it is not necessarily considered that this is the case, but the retention of live music/theatre slots could genuinely be for the benefit of the community.

In response to the observations of the Theatres Trust, the applicant has submitted a revised Public Performance Management Plan. The updated document includes as “Special Events”;

Theatrical Performances - 2-3 times a year the Markaz will, in conjunction with partner theatrical companies, host a theatrical performance within the main auditorium. These performances will be open to all members of the public to attend. The events will be subject to the Markaz’s regulations, availability of willing theatrical partners and availability of the building taking into account their annual calendar of events.

The applicant disputes the Theatres Trust assertion that the approved PPMS “included music concerts to be held approximately once per month” but in fact approved “Special events” to be held once a month, not specifically music concerts;

2009 Special Events

1. Music Concerts with visiting musicians;
2. Salsa Evenings;
3. Children's Choir; and
4. Christmas.

Artists who performed in 2008 were listed in the approved PPMP as;

- Martha Munizzi (American Gospel Singer),
- The Band with no Name (Christian Band),
- CeCe Wynans (American Gospel Singer),
- Jehaziel (Hip-Hop – formerly with Christian slant)
- The Ambassadors (Gospel)
- Faith Child (Christian Rap Artist)
- Victizzle (Christian Singer)

It is evident the 2008 programme did have a Christian slant in terms of the secured performances, and it is also apparent that Gospel Choir competitions have figured largely, albeit being open to the public.

The removal of Salsa Evenings, and any activity around Christmas does reduce the level of Public Performance achievable under the approved plan. The applicant advises that the Markaz Plan offers the opportunity to introduce public performances, above the current requirement for Music Concerts, which currently does not exist, and that this Public Performance Management Plan will improve on the current approved and agreed 2009 document. It is stated that;

....“The Markaz has previously committed within their PPMS to make the Hippodrome available to hire for theatrical performances. The Markaz propose to host 2-3 theatrical performances at the Hippodrome per annum, in addition to holding pantomimes. These events would be subject to adherence to the Markaz’s regulations and availability around their calendar of events. The Markaz is currently engaging with suitable theatrical companies and has received an expression of interest”....

Officers consider the Markaz Public Performance Management Plan would retain at least a similar level of performance to the previously approved plan, and arguably introduces a level of public performance over and above what the approved plan encapsulates. As the above revised Theatres Trust comments demonstrate, the body are now content that a suitable level of public performance could be retained, and as such have no objection to this proposal, and are in support, subject to the PPMP remaining a condition.

The agreement of a suitable Public Performance Management Plan would ensure the above policy aims are fulfilled, resulting in a suitable use for the Listed Building, ensuring its upkeep, whilst offering the potential for more widespread use for the benefit of the local community.

The principle of the continued use of the building as a Place of Worship with a Public Performance Management Plan agreed by condition can be accepted.

Whether the development would impact traffic and highways to an unacceptable level

As detailed in the main representation received the issue of access and parking are critical concerns, in that respect the submission has been supported by a Transport Assessment and Travel Plan and this in turn has been assessed by officers of the council.

Planning Application Ref: 20/2988/FUL

Description: Use as a Place of Worship (D1 use) and for ancillary community uses, public conferences and performances

Site Address: The Hippodrome North End Road London NW11 7RP

Drawings Reviewed:

Dwg No 1901002-07 B (Initial Site Layout Plan)

Dwg No 1901002-06 D (Proposed Site Layout Plan - updated)

Dwg No 1901002-07 D (Refuse and Site Layout Plan – originally submitted)

Dwg No 1901002-08 (Refuse Storage Plan - updated)

Dwg No 1901002-01 (Local Parking Restrictions Overview)

Documents Reviewed:

Transport Assessment Addendum – Refuse and Recycling Storage and Collection by Motion, dated Sept 2020

Transport Assessment by Motion dated July 2020

Transport Assessment by Motion dated May 2021

Travel Plan by Motion dated July 2020

Highway Comments:

1.0 Introduction

1.1 The Hippodrome building is in the Golders Green Town Centre. It was built in 1913 and has been used as a music hall, a concert venue, a television studio and a church. Since 2017, it has operated an Islamic Cultural Centre.

1.2 Currently, the site operates as the Markaz El Tathgheef el-Eslami, a centre serving the local Shia ithna Ashari community. The Markaz is a ‘Hussayniyah’, which has no direct English translation, but loosely translates as an Islamic community centre. The main activities of the Markaz are centred around communal prayer and the provision of social, educational, cultural activities with an Islamic religious focus.

1.3 The Hippodrome building is a four-storey former purpose-built 2,000-seat (approximately) theatre/concert hall with a total of 5,437sqm GIA. The car park is accessed from North End Road via a remotely controlled barrier. Pedestrian access is also achieved from North End Road, via the main entrance to the building located at the south western corner of the site.

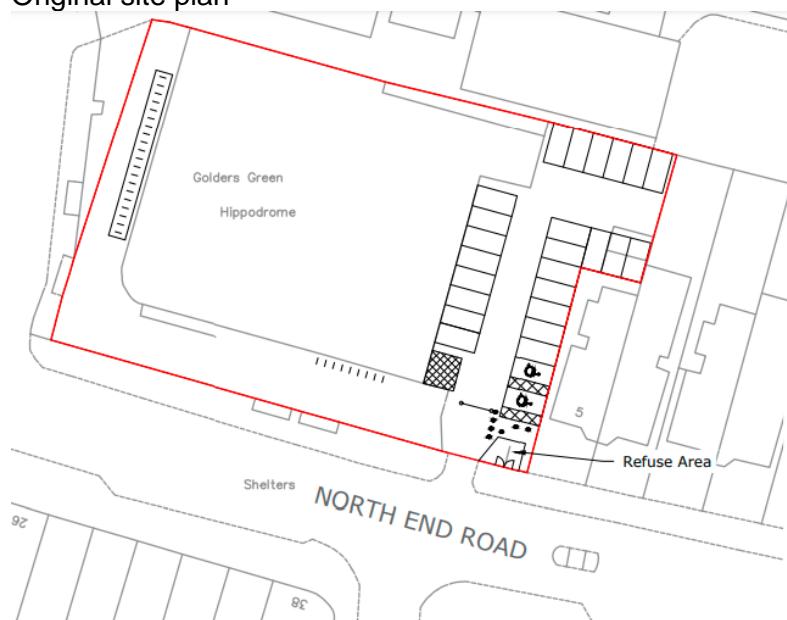
1.4 The site is adjacent to Golders Green tube station on North End Road, NW11. It fronts directly onto North End Road (A502), a main distributor road between Golders Green and Hampstead Heath. Golders Green tube station is on the Northern Line and provides 29 trains an hour. The bus interchange in front of the tube station provides a total of 90 buses an hour serving 14 different routes.

1.5 The site lies in an area with a Public Transport Accessibility Level (PTAL) rating of 6a/6b. PTAL ratings are graded on a scale of 1a to 6b, where 1a denotes worst and 6b denotes excellent access to public transport. The site's PTAL rating of 6a/6b indicates excellent access to public transport.

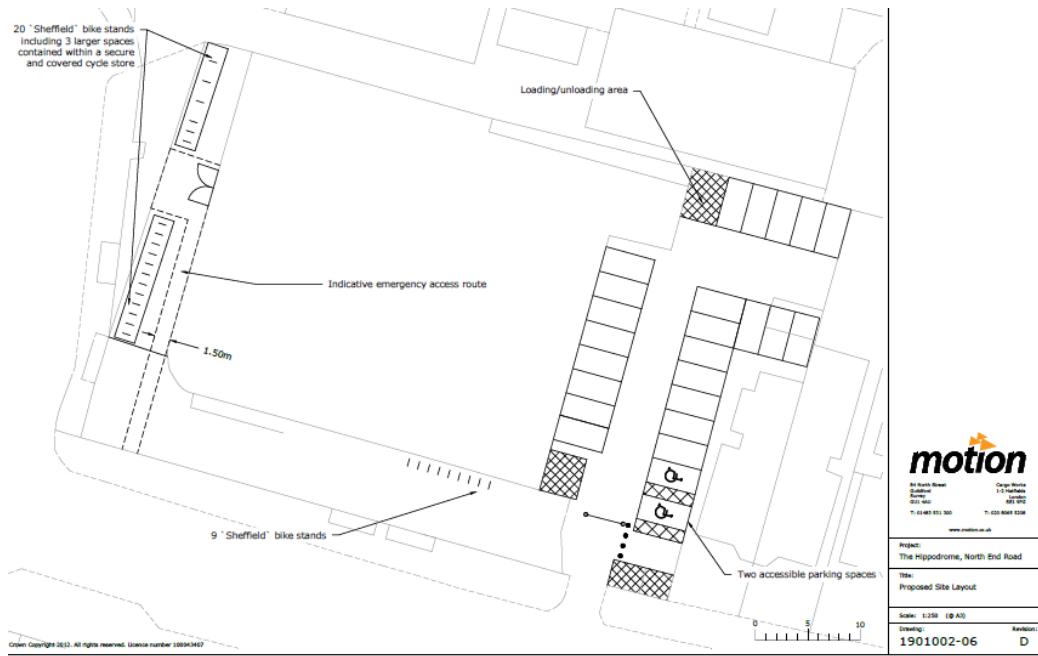
1.5 This site is in the Golders Green Controlled Parking Zone (CPZ) which operates Monday to Saturday, 8.30 - 6.30pm and 9.30am - 6.30pm on a Sunday. Also, there is a 1-hour CPZ in force from Monday to Friday between 11am – 12noon on North End Road and surrounding residential streets. The area is mainly residential in character with commercial and business premises in Golders Green Town Centre stretching westwards from the site.

1.6 The junction of A598 (Finchley Road) and A502 (North End Road) operates as a signalised gyratory with pedestrian facilities. It is located approximately 120m west of the site. The junction is the focal point on Golders Green Town Centre and carries a substantial volume of traffic. Over 25,000 vehicles travel through the junction daily. There are long queues particularly on the Finchley Road approaches during the morning (AM) and evening (PM) peak periods.

Original site plan



Updated site plan



2.0 Parking

Car Parking

2.1 The existing on-site car park provides space for up to 30 vehicles and access is controlled via an electronic barrier system. The car park is used by patrons of the site and has markings denoting parking bay locations, although they are not to modern geometric standards and are now somewhat faded. It is unknown when these bays were marked out, but it was certainly before the Markaz took ownership and their poor condition can lead to inefficient usage.

2.2 The proposals include renewal of the car park markings to maximise efficient use of the space available. Two accessible (Blue Badge holder) bays will be provided, in line with the London Plan car parking standards for D1 use, which together with the improved layout leads to an overall provision of 25 parking bays and a loading area.

2.3 It is noted that visitors park on-street when the car park is full increasing parking stress on surrounding residential streets.

2.4 The reduction in car parking provision is necessary to ensure a layout that complies with current parking standards.

2.5 The London Plan states that where there are no specific standards, the level of parking should be determined on a case by case basis, taking into account current and future PTAL, and wider measures of public transport and cycling connectivity. Further, the London Plan Policy T6.4 states that in locations of PTAL 4-6, any on-site provision should be limited to operational needs, disabled persons and parking required for taxis, coaches and deliveries or servicing. The site lies in an area with a PTAL score of 6a/6b, hence the proposed level of parking provision is acceptable.

2.6 The proposed car park layout shown on Dwg No 1901002-06 D meets London Plan standards and is therefore adequate.

2.7 Highways therefore accepts the provision of 25 car parking spaces including 2 disabled bays and the provision of a designated area for loading/unloading. A condition requiring the delivery of the proposed layout shown on Dwg No 1901002-06 D is recommended. The site is in a CPZ but some visitors park on-street outside the CPZ hours increasing parking stress on surrounding roads. The council plans to review CPZs in the area and will investigate this issue as part of the review. It is recommended that in line with the conditions imposed on the 2007 application that the applicant of the development is exempt from the right to purchase CPZ business permits. This is to be secured under S16 Greater London Council (General Powers) Act 1974 ("GLCGPA 1974").

Cycle Parking:

2.8 Presently, no cycle parking facilities exist on site, although three 'Sheffield' type stands (accommodating six cycles) are provided on the adopted footway, close to the main entrance on North End Road.

2.9 The Markaz will provide and maintain 58 on-site, secure, sheltered cycle parking spaces, comprising external 'Sheffield' bike stands or internal storage including 3 stands spaced to provide for use with non-standard cycles.

2.10 An extract of the London Plan minimum cycle parking standards for D1 uses (others, library, church, etc) specify 1 long stay cycle parking space per 8 staff and 1 space per 100sqm of GEA. Based on a GEA of 5437sqm and 10 staff, 2 long stay and 55 short stay spaces are required for the site.

D1	Nurseries	1 space per 8 FTE staff + 1 space per 8 students
	primary schools / secondary schools/ sixth form colleges	1 space per 8 FTE staff + 1 space per 8 students
	universities and colleges	1 space per 4 FTE staff + 1 space per 20 FTE students
	health centre, including dentists	1 space per 5 FTE staff
	other (e.g. library, church, etc.)	1 space per 8 FTE staff
		1 space per 100 students
		1 space per 7 FTE students
		1 space per 3 FTE staff
		1 space per 100 sqm (GEA)

2.11 The provision of 58 cycle parking spaces are proposed in accordance with the London Plan cycle parking standards for D1 uses based on 5,437sqm GIA and 10 staff. The 58 cycle parking spaces consist of Sheffield stands are proposed along the building frontage and an enclosed store is to be installed on the western side of the building. However, the current proposals do not distinguish between short and long stay cycle parking. It is recommended that the 2 long stay cycle parking spaces to be provided for staff are stored in a separate compartment and that a cycle shelter is provided for the short stay spaces proposed along the front of the building.

2.12 While the quantum of cycle parking proposed is acceptable, it is recommended that short and long stay parking are provided in separate compartments. Ideally, all short stay cycle parking should be provided under a covered, sheltered, secure and lockable environment while long stay cycle parking should be provided in a fully enclosed compound. The cycle parking layout shown on Dwg No 1901002-06 D is acceptable, but elevations and dimensions of the proposed cycle stores are requested. This can be secured by way of a planning condition. The Hippodrome contains showering and changing facilities on-site at present. This provides a real opportunity to promote sustainable travel amongst staff and members at all times of the day, which is encouraged.

Electric Vehicle Charging Points

2.13 Electric vehicle charging points are to be requested in accordance with the London Plan standards which require active points for 10% of parking spaces and passive points for the remaining 90% of spaces. This equates to 3 active charging points and passive infrastructure for the remaining 22 parking spaces. However, given the proposed use of the site, Highways will accept the provision of 3 active charging points. A plan showing the location of the three electric vehicle charging points and installation of the three active charging units can be secured by way of a planning condition

3.0 Access Arrangements:

3.1 Vehicular access to the site is achieved via North End Road. Within the car park, there is aisle width between the two rows of parking bays for two cars to pass. The car park is enclosed by a metal fence with a gate at the entrance. An accessible ramp and gate are provided between the car park and the footway along North End Road, providing a direct route to the main entrance into the building.

3.2 The main entrance into the building is located at the south western corner of the site, on the North End Road façade. It is understood that this is the only access regularly used by members/visitors. Additional entrance points are located along the western boundary of the site. These are accessed via a locked gate and provides an alternative means of escape during a fire. A further access is located to the rear of the building via the car park. These secondary entrances are generally used by authorised personnel only.

3.3 No changes are proposed to existing pedestrian, cycle and vehicular access arrangements to the site which is acceptable.

4.0 Delivery and Servicing:

4.1 The applicant's Transport Consultant has prepared an Addendum to the Transport Assessment dated September 2020, setting out arrangements for refuse and recycling storage and collection. The note explains that a refuse/recycling store is located within the car park adjacent to North End Road, allowing refuse collection to be undertaken on-street as existing. Refuse and recycling is collected daily by staff and manually transferred to the refuse/recycling store.

4.2 Drawing 1901002-08 (Refuse and Storage Plan) illustrates the refuse/recycling waste storage area in relation to the car park and the public highway. The bin store location and size has not altered since 2001. It is clear from the above, that the existing refuse/recycling arrangements are historical and predate the current owners. As such the use of the site will not alter the existing situation in terms of refuse and recycling collection and storage.

4.3 Highways accept the location of the bin store. However, the existing refuse and recycling store is enclosed but not covered. However, the refuse storage plan indicates that the doors of the refuse store open inwards and not outward onto the public footway. Highways would therefore recommend that a fully covered and enclosed refuse store is provided.

4.4 Major events and festivals result in a build-up of refuse and arrangements to ensure that the site is kept clean and tidy after the events are requested. The applicant has confirmed existing storage arrangements are adequate for large events, and if not, set out steps to deal with refuse and waste/cleaning issues during large events as part of their annual events management plan.

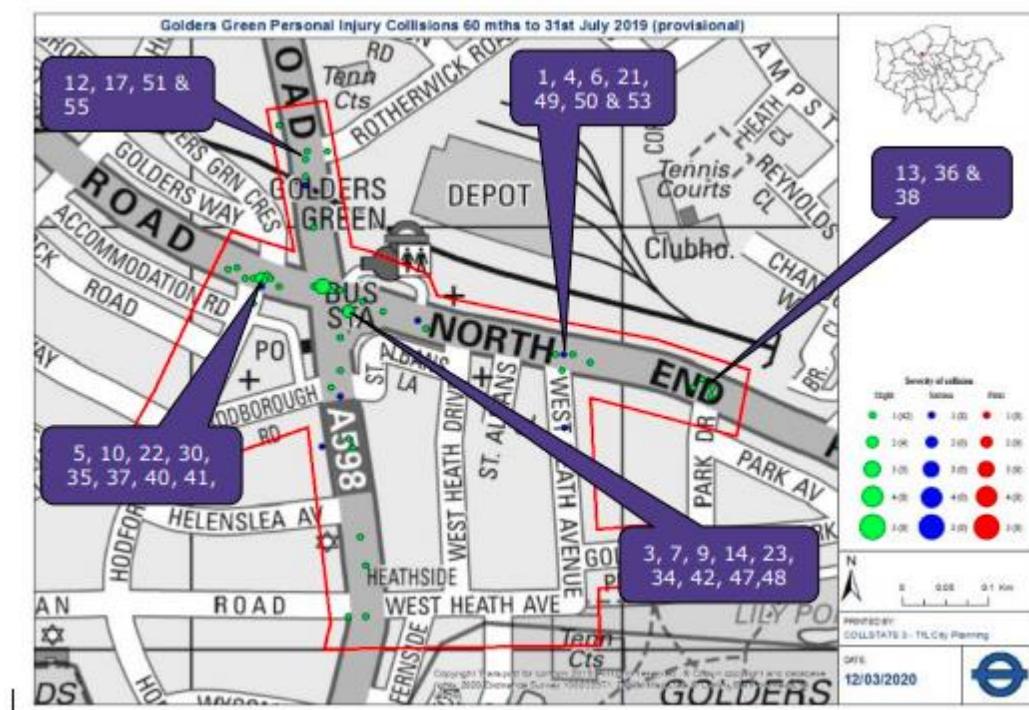
4.5 Deliveries to the site will be undertaken by various types of vehicles ranging from cars, transit vans to lorries. The applicant has stated that servicing trips will be minimal, approximately 1 trip every other day. The applicant has also confirmed that all servicing/deliveries apart from refuse collection will be carried out within the car park. It is therefore requested that the maximum size of vehicle to deliver within the car park is a 7.5t box van.

4.6 Swept paths drawings showing delivery vehicles (7.5tbox van) entering and leaving the car park have been provided and they are acceptable.

4.7 Paragraph 3.2 of the applicant's TA dated 25 May 2021, states that delivery companies will be advised they should unload and load from within the car park, and their use of electric delivery vehicles will be encouraged. Arrangements will be made to consolidate delivery/freight movements to the site. Highways support the proposed steps.

5.0 Road Safety

5.1 A road safety assessment has been carried out by Motion's independent road safety team, involving a study of collision data obtained from Transport for London (TfL) for the five-year period 1st August 2014 to 31st July 2019



	Collisions (Casualties)		
	Serious	Slight	Total
2014 (part)	0(0)	6(8)	6(8)
2015	2(2)	9(9)	11(11)
2016	2(2)	5(6)	7(8)
2017	1(1)	9(9)	10(10)
2018	1(1)	15(15)	16(16)
2019 (part)	2(2)	5(5)	7(7)
Total	8(8)	49(52)	57(60)

Table 4.9: Summary of collisions and casualties

5.2 Fifty-seven PICs occurred, 8 of serious and 49 of slight severity, resulting in 60 casualties, 8 of serious and 52 of slight severity. 14 accidents (25%) occurred on a wet surface and 18 accidents (32%) occurred in the dark. The TA indicates that 12% of accidents involved pedal cycles and 23% involved motorcycles, which are above TfL's figures for the London Borough of Barnet of 4% and 11% respectively, and also above the figures for Greater London (11% and 13% respectively). 17 accidents (30%) involved pedestrians also resulting in 17 (30%) casualties. The above figures show that the rate of motorcycle accidents within the area are higher than the average in London.

5.3 A summary of the accidents on North End Road which fronts the site is provided below:

5.4 North End Road junction with West Heath Avenue is located to the east of Finchley Road. North End Road is within the 20mph zone and has central hatching and a right turn pocket for vehicles turning into West Heath Avenue (30mph). Six personal injury collisions (PICs) occurred at this junction including one slightly south on West Hill Avenue. 4 of slight and 2 of serious severity, resulting in 8 casualties. Three occurred during dark and 3 during wet conditions. Four PICs involved vehicles turning right from West Heath Avenue being struck by vehicles on North End Road. Four PICs involved motorcycles, accounting for 2 of the serious casualties and 2 on West Heath Avenue.

5.5 North End Road junction with Park Drive is located to the east of Finchley Road. Both are two-way residential streets. Three PICs occurred (refs 13, 36 & 38 on collision map) at this junction, resulting in 3 casualties, all of slight severity. One involved a pedal cyclist being struck by a right turning car, one involved a pedestrian being struck by a van and one involved a motorcycle being struck by a car. Details of PICs 36 and 38 are unknown.

5.6 Accidents on North End Road are of relevance as the data available shows a cluster of around side road junctions. Large events/festivals will be held on site and this would be attended by many people including those travelling by car. It is noted in the applicant's TA dated July 2020 includes an analysis of accident data in the 5-year period up to 2019.

6.0 On-street Parking Restrictions

6.1 There are parking restrictions in the vicinity of the site. These mainly come in the form of waiting restrictions, loading restrictions, permit holder bays and pay by phone spaces, loading bays and CPZ controls. The site is in a CPZ which operates Mon-Sat between 8am and 6.30pm and Sun 9.30-6.30pm. Residential roads to the north south and east of the site are covered by a one-hour CPZ that operates from Mon-Fri, 11am - 12noon.

6.2 Site observations have confirmed that there is heavy on-street parking on surrounding streets and the CPZ that covers the wider area only operates for 1 hour during weekdays. The Centre will have 80 and 100 visitors on some evenings and very few on others, although this figure can rise to 500 visitors for certain programmed lectures/seminars. Based on this application, a maximum 1400 people are expected visit the site during festival periods. It is noted that the stated attendance figure of 1400 is not supported by any survey evidence.

6.3 Based on a travel survey of visitors carried out in May 2020, the total mode share for single and multiple occupancy trips is about 32.9%. However, a similar survey carried out in March 2019 estimated that 37% of visitors travelled to the site by car.

6.4 Hence, applying a maximum attendance of 1400 people to the car mode share figures stated in paragraph 6.3, large events will generate between 924 and 1036 two-way vehicle trips.

6.5 This will generate additional demand for parking spaces and displace parking into surrounding residential roads that are covered by 1-hour CPZ restrictions. Overspill parking is therefore a concern.

6.6 Parking surveys have been undertaken in surrounding roads and the results show that roads in the vicinity of the site suffer from heavy parking. The results from a typical Friday with around 100-150 people in attendance recorded an average parking stress of 113%.

Street Name	Resident Permit Holder Bays			Single Yellow Lines		
	Spaces	Used	% Stress	Spaces	Used	% Stress
North End Road	54	53	98	-	5	-
West Heath drive	28	31	111	15	18	120
West Heath Avenue	37	36	97	-	1	-
St Albans Lane	0	0	0	2	3	150
Finchley Road (south)	0	0	0	24	19	79
Finchley Road (north)	0	0	0	3	4	133
Rodborough Road	16	19	119	4	4	100
Golders Green Road	0	0	0	-	-	-
Hodford Road	0	0	0	-	-	-
TOTAL	135	139	103	48	54	113

Table 4.7: Friday 22nd March 2019 20:10 hours Parking Beat Survey Results

6.7 The parking situation is likely to be worse on event days and festivals when up to 1400 are expected to attend. However, the council has plans to review CPZs in the surrounding area and this could result in introduction of CPZ changes to alleviate the impact of the development. In addition, officers recommend that the occupant of the development is exempt the right to purchase CPZ business permits under S16 of the GLCGPA 1974.

7.0 Trip Generation & Network Impact

7.1 An analysis of trip generation associated with previous uses of the site as a concert hall, a church and the current proposal for a community centre has been undertaken. This utilised trip rate information for similar sites in the TRICS software, an industry standard database for estimating trip generation.

7.2 For the concert hall, the results are as follows:

Mode of Travel	Weekday Peak Period (18:00-19:00)		Weekday Daily Movements	
	Arr	Dep	Arr	Dep
Total Person Trip Rates	0.242	0.107	2.307	2.186
Total Person Trips	484	214	4,614	4,372
Vehicular Trip Rates	0.106	0.042	0.576	0.542
Vehicular Trips	212	84	1,152	1,084

7.3 For the church, the results are as follows:

Mode of Travel	Weekday Peak Period (18:00-19:00)		Weekday Daily Movements		Sunday Daily Movements	
	Arr	Dep	Arr	Dep	Arr	Dep
Total Person Trip Rates	3.889	2.778	31.450	34.228	17.546	16.682
Total Person Trips	211	151	1,710	1,861	954	907
Vehicular Trip Rates	0.833	0.278	13.177	14.413	5.615	5.448
Vehicular Trips	45	15	716	784	305	296

7.4 For the community centre, the results are as follows:

Mode of Travel	Weekday Peak Period (18:00-19:00)		Weekday Daily Movements	
	Arr	Dep	Arr	Dep
Total Person Trip Rates	0.865	0.412	14.724	13.481
Total Person Trips	47	22	801	733
Vehicular Trip Rates	0.576	0.124	6.260	5.238
Vehicular Trips	31	7	340	285

7.5 The results suggest that the concert hall would generate the highest vehicle trips with 2236 two-way daily movements, followed by the church which generated 1500 two-way daily movements and the community centre with 625 two-way daily movements. Highways notes the outcome of this assessment and is not disputing that the concert hall is likely to generate a sizeable number of trips.

7.6 The site has been in use since 2017 as an Islamic Centre and travel surveys were undertaken on two separate occasions (March 2019 & May 2020) to estimate the mode by which visitors travel to the site. The first survey was carried on Friday, 29th of March 2019 and the second survey took place over a 10-day period between Friday, the 15th and Monday, the 25th of May 2020. The 2019 survey took place on a typical worship day. However, the 2020 survey was an online survey carried out during COVID restrictions. The results of the travel survey in March 2019 suggests that 37% of visitors travel by car to the site. The results of the survey undertaken in May 2020 suggests that 33% of visitors

travelled to the site by car. It is highways understanding is that both surveys were carried out outside an events day.

7.7 The Centre typically generates between 80 and 100 visitors on a typical worship day although this figure can rise to 500 visitors for certain programmed lectures/seminars. During Muslim festival periods, of which there are up to seven a year, visitor numbers may rise to 1,400 although this remains substantially within the 2,000-person capacity of the former concert venue as referred to in paragraph 3.12 of the applicant's TA. The applicant has confirmed that the maximum attendance of 1400 is only reached on 10 days of Muharram. Based on an attendance of 1400 and the car mode shares of 33% and 37%, between 924 – 1036 two-way vehicle trips would be generated on large event days.

7.8 The volume of traffic on event days may have an impact on the major road gyratory at the junction of Finchley Road and North End Road. The junction currently operates satisfactorily except during the peak periods when there is heavy traffic. Traffic signal information is held by TfL and officers will seek information from information about the performance of the junction. In addition, the performance of the junction will be monitored as part of the annual events management plan.

7.9 A significant number of pedestrians will visit the site daily and during large events/festivals large crowds may congregate in the immediate vicinity of the site. It is expected that there will be extra demand on pedestrian crossings in the vicinity of the site. The amenity of the area could be adversely affected when numbers of visitors reach 1400 which would lead to an increase in noise, traffic congestion. However, several measures have been put forward to reduce the impact of the proposed development. These include the introduction of a travel plan, an events management plan, publicity & travel information, additional cycle parking and a review of the existing CPZ.

8.0 Travel Plan

8.1 Officers have reviewed the travel plan submitted by the applicant. The Travel Plan accompanying the application advises that:

- The proposed Centre would be used for as a regular communal prayer facility and for other recreational activities and for educational use including lectures, seminars and exhibitions.
- The weekly schedule of events includes prayer and marking events such as birthdays and deaths of prophets and other religious figures, which often involve religious rituals, including prayers and recitals.
- 80 to 100 visitors typically attend the Centre, although this figure can rise to 500 for certain programmed lectures/seminars.
- During Muslim festival periods visitor numbers may rise to 1,400.
- A period of between 3 and 4 hours appears to be the predominant period spent at the Centre, with visits being spread across all the venue opening hours, and across all days of the week.
- Peak travel periods are on Friday evenings: 18:00-20:00 for arrivals, and 21:00-23:00 for departures.

- The site is supported by excellent public transport accessibility (PTAL 6a/6b), representing the highest level.
- The site is within easy walking distance of Golders Green transport interchange comprising underground, bus, coach and taxi services and offers excellent multi modal accessibility choices for pedestrians, cyclists and public transport users.
- The development provides 30 car parking spaces access controlled via an electronic barrier system. There are 58 on-site, secure, sheltered cycle parking spaces.
- Parking demand is 150 when 500 visitors and 429 when 1,400 visitors.
- The applicant recognises that the site will not be able to cater for parking demand and measures will be taken to reduce the impact such as encouraging the use of public transport and walking, together with car sharing as set out in the Travel Plan. If the travel plan does not meet its targets, the applicant be required to implement a range of further measures which may include restrictive ticket allocation, a shuttle bus service, use of satellite car parks, provision of additional cycle parking to ensure the success of the travel plan.

8.2 Mode Share:

- The Travel Plan provides modal splits based on a travel survey.
- The survey was circulated to 210 regularly attending members on Friday 15 May 2020 and open for a period of 10 days, having been and closed on Monday 25 May 2020.
- A total of 129 responses were submitted, yielding a response rate of 61% which is considered an acceptable response rate.
- Baseline modal split data taken from the travel survey and used for setting future years mode split targets to measure TP success is below:
- The survey methodology is acceptable for providing a typical snapshot however there is no survey from members attending the Friday main prayer specifically.
- Isochrone maps with postcode plots taken from survey respondents origin reveal a potential catchment area outside of the immediate locality from as far as Sydenham in the South, Hayes and Harlington in the West and Watford in the North.
- Worshippers travel from areas over 60 minutes away in relation to the Centre and travel times by walking, cycling, or using public transport minutes. This may imply that the wider area may not be well served by other mosques in the vicinity and as a result traffic generation may potentially be from outside of the immediate locality and the congregation will be drawn from outside of the immediate vicinity who live within a short walking distance of the site.

8.3 Targets:

- A revised Travel Plan has been produced by the applicant, which aims to reduce single-occupancy vehicle modal split to 10% (from a baseline 11.5%) and increase the total numbers of patronage utilising sustainable transport modal split including multi-occupancy car-share to 90% (from 88.5%) over a 5-year period.

8.4 Travel Plan recommendations

- A professional transport consultancy must be commissioned to undertake travel surveys/ monitoring reporting compliant to TRICS SAM standard.
- Individual targets should be set for each mode of transport to support analysis of opportunities for additional use of active and/or sustainable travel.
- Targets set around cycling should correspond the Mayor's cycling policy aspirations (a 5% mode share for cycling in London by 2026, from a baseline of 1% in 2001).
- Sustainable travel should be encouraged, via a parking access permit system, by priority use of the on-site parking spaces by patrons who make a commitment to car-share.
- A financial contribution of £15,000.00 is required to cover the cost of monitoring the Travel Plan.
- A comprehensive Annual Events Management Plan' outlining dates, activities, responsibilities and measures surrounding major festivals and celebrations in the religious calendar is recommended as part of any legal agreement for the use of the Centre for prayer and worship, which would be permitted subject to notification in writing by the applicant to Highways Authority on a prior year basis. This shall be approved in writing by LBB prior to the commencement of the religious calendar year.

9.0 Events Day Management Plan

9.1 Large events require a lot of management to ensure the health and safety of those who attend. Large crowd gatherings come with its security problems. In addition, an increase in vehicle and pedestrian movements associated with such events, necessitate a management plan that sets out measures to mitigate the impact of such events. This must include traffic management and safety measures.

9.2 The applicant has submitted an events management plan (Heads of Terms). Officers have reviewed it and have requested that it includes the following:

- 1) traffic management plan
- 2) parking arrangements/strategy
- 3) crowd control measures
- 4) duration of each event
- 5) emergency/evacuation procedures
- 6) junction monitoring
- 7) cleansing and refuse collection

Highways would therefore request an annual events management plan which is to be reviewed secured by way of a condition or s106 agreement.

10.0 Conclusion & Recommendation

10.1 Highways considers that the measures requested would mitigate the impact of the development. This includes a contribution of £15,000 towards travel plan monitoring and a contribution of £2392.01 may be required for the statutory processes (s16 of GLCGPA 1974) to exempt the applicant of the development the right to buy CPZ business permits. In addition, the following conditions are recommended:

Conditions:

Condition: Prior to occupation of the development, 25 off-street parking bays including 2 disabled spaces as well as a loading area as shown on Dwg No 1901002-6 D shall be provided on site. Thereafter, the parking spaces and loading bay shall be used only as agreed and not to for any purpose other than the parking, loading and turning of vehicles in connection with approved development.

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

Condition: Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 3 active electric vehicle charging points. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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

Condition: Details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 58 cycle parking spaces (2 long-stay and 56 short-stay) in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

Condition: Within 3 months of occupation, a full Framework Travel Plan that meets the criteria of the Transport for London Travel Plan guidance currently 'Travel Planning for new development in London incorporating deliveries and servicing' and ltrace or TRICS compliant surveys shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out the transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non-car modes of transport such as walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan Statement should include the appointment of a Travel Plan Champion, SMART targets and a clear action plan for

implementing the measures. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3 and 5 in accordance with the targets set out in the Plan. Monitoring of the travel plan is to be funded by the applicant in accordance with the Barnet's Travel Plan SPD. The main headlines of the travel plan are to be secured via a s106 agreement.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17

Condition: Before the permitted development is occupied, an annual events management plan shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved event management plan.

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

Condition: Before the permitted development is occupied, details of refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

Officer Comment on Highways Advice

The detailed and technical response by highways to transportation and highways matters has been assessed as part of the overall application submission, with officer comment on achieving an agreed position provided below.

{v Short Stay Cycle Parking}

Whilst the section on cycle parking suggests that all "short stay cycle parking must be provided under a covered, sheltered, secure and lockable environment", as per the London Cycle Design standards (LCDS), the LCDS Para 8.1.2 recommends that cycle parking should be "Well-located" and it goes on to qualify this by stating that cycle parking should be located in a convenient, accessible area, as close as possible to the destination, and preferably sheltered". Further discussion with highways confirms that short stay covered should not be insisted on, and given the Listed Building status of the Hippodrome it is not considered that short stay cycle parking to the front of the building would need to be covered. Long stay cycle parking can be provided in a fully enclosed compound. Details of all cycle parking can be secured by condition.

Electric Vehicle Charging Points

3 active charging points are proposed in connection with the use. The London Plan 2021 was adopted in March 2021, with Policy T6 now the relevant policy on parking. The policy is further sub-divided as follows;

T.6.1 – Residential Parking

T.6.2 – Office Parking

T.6.3 – Retail Parking

T.6.4 – Hotel and leisure uses parking

Each sub class promotes the provision of electric vehicle charging points within each recorded class. However, a use which is predominantly a place of worship is not covered within these categories. Hotel and leisure use parking is not further defined, but officers consider insisting on charging points for applications for places of worship does not have a strong policy basis to do so. It is accepted that the London Plan and Transport for London seek to promote sustainable means of transport, and officers advise members it is not considered there that this provision can be insisted on in this case.

Refuse Storage Facilities

Highways have suggested that a covered and enclosed refuse facility is provided. Whilst the desire to improve this facility is understandable, the proposal is a change of use, to a use which is very similar to how the building has been used since 2007. Whilst changes of use can often increase the need for refuse storage, requiring upgraded facilities, this use essentially proposes a continuation of a similar use and it is considered that it would not be reasonable to insist on an upgraded facility. Officers consider the existing facility is acceptable, and there is no strong policy basis to secure an upgrade.

Event Day Management Plan

The applicant has submitted an Event Day Management Plan with suggested Heads of Terms;

- agreed communication strategy, support and information provided to all stakeholders, e.g. Council Officers, local ward councillors, residents/local community
- annual notification of annual major events programme
- establishes ongoing communication and notification lead up to planned major event as per the dates specified within the annual notification
- links to Travel Plan measures
- post major event feedback/discussions and meetings
- post event review and update strategy including data collection

Highways suggest this could be updated as follows;

- 1) traffic management plan
- 2) parking arrangements/strategy
- 3) crowd control measures
- 4) duration of each event
- 5) emergency/evacuation procedures
- 6) junction monitoring
- 7) Cleansing and Refuse Collection

Officers consider these measures could be secured through an s106 obligation, and given the measures around traffic management/parking arrangements, a separate parking management plan is not deemed necessary.

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

As detailed in the site description above, the Hippodrome is a Grade II Listed Building, and also sits within, and bookends, the Golders Green Conservation Area. The Hippodrome was purpose-built in 1913 by the architect Bertie Crewe, who worked on a large number of theatre and cinema buildings between the 1880s and 1930s, as a music hall and 'theatre of varieties'.

The building was listed in 1973 (Grade II) and described as a "a rare example of a surviving suburban theatre, largely intact".

The listing describes the interior/exterior thus;

...."Former variety theatre, now concert hall and studio, 1913 by Bertie Crewe. Brick and concrete, rendered on main facades, with partial steel frame, asphalt roof with octagonal cupola. Rectangular plan on prominent corner site, where lies the entrance. Main facade of three storeys and seven bays faces bus station to side between rusticated stair towers with Diocletian attic windows. Giant Ionic order, with pediments over second floor windows. All windows small paned casements, some with coloured leaded glass. Exit doors in centre, formerly giving access to the pit and gallery, are panelled with small coloured leaded lights. Elevation to North End Road similarly seven bays between rusticated towers, with Ionic order and smaller casements but identical exit doors. Corner entrance has three double panelled doors with bevelled glass between Tuscan columns.

Interior. Entrance foyer with moulded dentil frieze and thin swags leads to terrazzo-floored stairs. Doorcases to stalls and circle entrances have fluted Egyptian-inspired columns and swags. Auditorium with proscenium, extended stage and two circles, the upper partially blocked. Square proscenium with triglyph cornice and deep cove is flanked by giant Doric columns separating boxes; above these are urns and pediments surmounted by chariooteers pulled by lions. Double doors at sides of balconies, the upper pedimented and with a frieze of heads and swags over, the lower with engaged Doric columns in front supporting serpentine ends of gallery. Plaster panels and pilasters on side walls. The upper balcony front pure Doric, the lower with more Renaissance loucheness. Coffered ceiling.

The Golders Green Town Centre Conservation Area Character Appraisal advises that the area retains a large number of listed, locally listed, and unlisted "positive" buildings. The Hippodrome, is described as "a grade II listed concert hall, now a church, built in 1913 with stucco frontage", and is acknowledged as landmark building"....

As reported at the time of the 2007 application;

...."The Hippodrome is currently on the English Heritage 'Buildings At Risk' Register and has been for a number of years. There have been several expressions of interest in the Grade II Listed building and meetings have taken place with architects and agents since it was sold by the BBC. Each of the schemes put forward have involved proposals which have caused some concern to officers, mainly due the alterations required to the building and the consequential impact on its special architectural and historic interest. The new owners have expressed verbally that they are proposing minimal changes to the building, both internally and externally. An application is due to be submitted shortly. The proposed re-use of the building is welcomed and will help to ensure its longer-term preservation. Hopefully it can be removed from the 'At Risk' Register in the near future. Given the difficulties of finding a purchaser willing to take on the Hippodrome and use it in its current form without significant alteration, it is considered the

proposed use be supported in principle. The application for Listed Building consent will allow a full assessment to be made of any proposed changes to the building. English Heritage will be consulted on such proposals. English Heritage have raised no objection to the proposed use"....

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Authorities in the exercise of their duties to any buildings or other land in a conservation area, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Para. 192. of the NPPF "Proposals affecting heritage assets" states that when determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Para. 193. states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para. 194. goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Para. 195 outlines that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Para. 196 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HC1 – Heritage Conservation and Growth of the London Plan 2021 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

Policy DM01 of the Development Management Policies (Adopted) 2012 states "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."

Policy DM06 states that development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

It is evident that the occupation of the building in 2007 was greeted as a potential opportunity to ensure its long-term survival and its removal from the Buildings at Risk Register. This was evidently successful as the building was indeed removed from the register.

The council's Heritage Officer has advised that "no application for listed building consent has been made and the applicant confirms in the submitted Heritage Statement that no physical works or alterations are proposed and consequently, there is no comment to make".

The continued occupation of the building by the Markaz would ensure the continuation of a faith-based use, previously considered to be a less intrusive occupier than other prospective uses when another use/occupier was being sought. It is noted that the Theatres Trust concur with the view that a place of worship is a compatible use for theatre buildings and that it is better for such assets to be occupied rather than deterioration when lying vacant.

There can be little dispute that ordinarily the occupation of a Listed Building will be significantly more beneficial to its long-term preservation. As per para. 192 of the NPPF above, the continued occupation of the building as a place of worship with public performances, will ensure it is put to a viable use previously considered acceptable and consistent with its conservation. The use would ensure the Listed Building continues to make a positive contribution to the conservation area setting, and in turn contributing to local character and distinctiveness.

As no internal or external works are proposed, this has been reiterated by the applicant on a number of occasions, it is considered the continued use would preserve its special character, causing no harm to designated heritage assets, and in turn preserving the special setting of the conservation area.

It is noted that third party representations make the point that the change of use of the building will cause harm to the Listed Building and the setting of the Conservation Area, and that the Hippodrome's "heritage values are strongly informed by the use of the building as a performance space as well as by the physical fabric".

As discussed above, it is clear that the council determined that an occupant for the building was paramount to its long-term preservation, it is also evident the proposed occupier was considered as suitable, and less intrusive than other potential uses/occupiers. The previous occupant maintained a level of public performance, in line with the historic use of the building, but any previous public performance had long since ended. Similar to the last occupant, the Markaz propose an element of public performance, and it is considered that this would ensure a continued link to the building's historic past.

Third party representations outline the historic external characteristics of the building, its historic interest as a Theatre of the Varieties, and internal characteristics, the "largely intact auditorium", and "complete fibrous plaster interior scheme means that the interior should be subject to further research and reporting before the Hippodrome is converted to a use that might not be capable of preserving it".

The council has under previous inspections found no evidence of alterations to the interior or exterior of the building that would harm its special character. The council has previously determined that a place of worship with a public performance use was a suitable way to preserve the character of the building, which ultimately resulted in the Hippodrome being removed from the Building at Risk Register. It is considered the proposed use, under this application, would be a suitable way to ensure the building remained in beneficial use in a way that would be consistent with the building's conservation, ensuring that an element of public performance, in line with the building's historic use, was also retained.

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

It is evident within the breadth of third party representations that local concern has been expressed with regards to the level of comings and goings to the site, the incumbent level of noise and general disturbance, and its impact on the amenity of local residents within the immediate residential area around the site.

As detailed above, the Hippodrome is within Golders Green Town Centre close to a busy road inter-section and adjacent to the tube station and bus station terminal. Immediately opposite the site, is a terrace of properties which includes commercial and retail uses at ground floor. Progressing eastwards, North End Road does become predominantly residential and West Heath Drive, which runs south from North End Road, opposite the site, and the hinterland to the east and south is also residential in nature. However, the site resides within a busy town centre, albeit in close proximity to residential streets, consisting predominantly of single family dwelling houses.

The lawful use of the site includes an hours of operation condition permitting hours of operation from 8am to 11.30pm. The lawful use puts no limit on numbers attending, and in land use terms the Markaz occupation is similar in nature to the lawful use. The applicant proposes no increase in the hours of operation.

It is the case that a community use, located within a town centre, is well placed, given that a certain degree of movement to and from is to be expected, and this would be more readily subsumed within a town centre location, particularly when located adjacent to local public transport links and a busy road junction.

The council's Environmental Health section has advised the main concern from an environmental perspective would be noise when entering or leaving the premises. Officers are advised that the dominant noise source in this area will be the adjacent road and Golders Green station that runs 24/7. Given the amount of people that are likely to use the venue and the later hours during religious holidays it is advised that a noise management plan is provided. This should outline how the venue plans on managing noise outbreak during everyday operation but also during larger events such as religious holidays, etc. Officers are also advised that no external means of amplification/speakers should be permitted and that if any plant is proposed then further restrictive conditions should be applied. Environmental Health officers advise that, with this application, a greater concern is parking and noise from vehicles.

The applicant has advised that they have no intention to install any external means of amplification or speakers and no external plant is proposed at this time either.

It is considered that given the location, and the fact a robust Noise Management Plan can be agreed by condition, the level of disturbance from comings and goings can be contained to an acceptable level and there would be no greater impact than the lawful, or historic, use of the building.

Energy & Sustainability

The applicant has submitted an Energy Statement (JS Lewis) in line with local validation requirements. The submission confirms that there will be no physical works involved with this application, and as such a Co2 saving is not required.

Third Party Representations

The below provides a synopsis of the many comments received in relation to the application through third party consultation. Some of the concerns will have been matters for consideration within the main body of the report. Further consideration is provided below.

Objections

Concerns about Highway Safety

- Concerns that inadequate parking facilities is leading to overspill parking in surrounding roads
 - There has been overspill parking on surrounding roads, and this has led to driveways being blocked and hazardous parking conditions
 - The site itself does not have the car parking capacity to support this use meaning the surrounding,
 - Since most of the congregants to this proposed place of worship will be from outside this area this will involve a huge number of cars entering the area causing traffic difficulties largely residential, streets are pushed well beyond acceptable stress levels
 - Congestion is already a major problem on this route and such a large use would increase this massively particularly during times such as Ramadan and Muharram - these holidays are a significant proportion of the year
 - The best solution for a large religious centre such as that proposed, which will many attract cars and coaches, is to find a large site away from busy urban areas
 - The amount of traffic generated will impact considerably the flow of coaches and buses which use the bus terminus
 - Pedestrians already have to negotiate a fairly confusing area with traffic lights and crossings
 - The proposed activity at the Hippodrome will have very significant, harmful effects on highway capacity, road safety, and neighbourhood amenity.
 - There would be parking stress for 90+ days of the year
-
- Most of the streets have CPZs so there will be parking mayhem.
 - We will have no access to North Circular Road which is already packed every day and also have school runs, and to local shops and local health centres, which is needed every day of the week
 - Visitors to the Hippodrome will find it difficult to park and will simply go around the streets adjoining to find parking space – too many people are vying for too few parking spaces
 - Another area of great concern is access to the Royal Free Hospital. Access to the hospital goes straight past the Hippodrome
 - This will make the road unbearable during the hours of drop off and pick up for the three schools that are already there
 - Golders Green is a big hub for intercity coaches and buses. The current application if granted with lead to increased time and possibly other types of constraints for coach and bus access
 - The Underground would be over-whelmed
 - There would be a material increase to the risk of road traffic accidents
 - There would be adverse impact to circulation on a bus route, causing additional congestion on one of the 3 arterial routes into London during rush hour; another blight for residents.

- Within the Travel Plan documents, the number of vehicles arriving do not reflect what has been observed in this road and nearby, during the busy and lengthy festival periods
- North End Road is also a major through way for ambulances en route to and from the Royal Free Hospital and any further obstruction with more congestion could well delay the emergency services operating efficiently
- Muslim worshipers need to congregate according to their laws six times in 24 hrs multiplying the parking/congestion problems several times in a day

It is evident that concerns around highway safety, parking, the free movement of traffic, and the operation of the adjoining station are key considerations for local people. These issues have been addressed by the council's Highways Officers in detailed comments received. The advice is that the use of the building could proceed without undue harm to the safe operation of the highway network, and measures could be put in place to mitigate the impact through conditions and section106 obligations.

Neighbour Amenity

- Existing conditions have been ignored
- Movements to the site have differed from those connected with the previous Church use
- Golders Green is a residential area and that the site is not appropriate for such a use
- The use will, lead to an increase in litter within the vicinity of the Hippodrome
- Increased traffic will lead to increased pollution at this location.
- Golders Green Bus Station has consistently high concentrations of NO2, at about double the legal limit
- An approval of this application would be a contravention of the Human Rights Act in terms of the effect on the peaceful enjoyment of local resident's homes

In response to concerns relating to neighbour amenity, the comments received from the council's Environmental Health section are of key importance. This advises that the main concern is with patrons entering and leaving the premises. The dominant noise source is identified as the adjacent road and Golders Green station, that runs 24/7. Given the amount of people that are likely to use the venue and the later hours during religious holidays the provision of a noise management plan is suggested. This could be secured by condition. The Noise Management Plan could include details to mitigate impacts;

- Signage.
- Internal noise mitigation measures.
- Arrival and departure noise mitigation measures to minimise disturbance to local residents.
- Assurance of no external means of noise amplification.
- Details of internal amplification and mitigation to stop noise outbreak e.g closed windows and door policy when in use.
- Hours of use – to be determined by planning.
- Travel plan to promote the use of local public transport.

It is noted that third party representations outline that, given this is an existing use, there has been evidence of impacts on amenity, and that existing conditions have been ignored, and that the movements to the site have differed from those connected with the previous Church use. As detailed in the highways section, at times of significant use, there will be overspill parking into surrounding residential streets which will require management through conditions and Travel Plan measures. This has been highlighted as the main source for potential disturbance within the surrounding residential streets. However, there is no substantive evidence that the operating hours conditions attached to the 2007 consent have been

breached, that permission allowing use between 8am and 11.30pm, and it is considered that Travel Plan and details of event day management could help control this. The applicant seeks the same operating hours, and any breach of the condition could be enforced against.

Whilst numbers can rise significantly during religious festivals, generally the numbers attending are limited, up to 500 for events, and well within the capacity for which the building was originally designed. The church use similarly had the potential to attract significant numbers to events, albeit the Muslim religious festival events are generally celebrated in the evening and the centre would be accessible, benefitting from the lawful operating hours, beyond its 10am – 2pm and 5pm to 9pm operation.

It is also suggested that Golders Green is a residential area and that the site is not appropriate for such a use. However as detailed above, the site is a very sustainable location, to encourage use of public transport. The site is also within the town centre, where increased comings and goings can be expected and can be more contained and subsumed within normal street life activity – work journeys, social interactions, visits to retail premises etc. The site is close to a busy junction and on a well-used road, the Environmental Health Officer identifying the road and adjacent station as the main source of noise disruption. Given the capacity of the building, its town centre location and lawful use, it is considered a suitable location for such a use, and has previously been considered acceptable, as per the 2007 consent. It is accepted that residential streets border the site, which could be used for parking purposes, but officers consider that any disturbance could be controlled to an acceptable level with conditions, including a Noise Management Plan securable by legal agreement.

Concern has been expressed that the use has, or will, lead to an increase in litter within the vicinity of the Hippodrome. There is no evidence to support this, the site itself, and being within a town centre, is well served by private and public waste disposal facilities, to adequately cater for the proposed use of the site.

Concern has also been raised that this use would lead to increased traffic will lead to increased pollution at this location, with local NO₂ levels already excessively high. Whilst air pollution and its impacts in major cities is a significant concern, given the amount of traffic using the junction, and the lawful use of the site it is not considered that any increase in traffic, largely around religious festivals, would be material and would impact air quality or raise pollution levels to any significant degree, nor that this would provide justifiable planning grounds to refuse consent, given the lawful use of the building, and its original construction with the intent to accommodate large crowds. Furthermore a Travel Plan will be agreed and its implementation should ensure increased sustainable means of transport will be used, in connection with the proposed use of the site.

The point is made that an approval of this application would be a contravention of the Human Rights Act in terms of the effect on the peaceful enjoyment of local resident's homes. The Human Rights Act 1998, incorporates the European Convention on Human Rights (ECHR) into U.K.

Article 8 "Right to respect for private and family life" states;

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 8 affords the right to enjoy the home peacefully without intrusion by a public authority. Article 8 is a qualified right. This means a public authority can sometimes interfere with your right to respect for private and family life if it's in the interest of the wider community or to protect other people's rights. Increased noise and disturbance associated with the use could be seen as a breach of Article 8.

Article 9 "Freedom of thought, conscience and religion" states;

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others

The council consider that any infringement on Article 8 would be limited and this must be balanced against the rights of the applicant, and patrons of the Markaz, to practice their religion as protected under Article 9. It is considered that the limited infringement can be justified in the interests of the wider community and the protection of the rights of others.

Character of the Area

The area is a quiet area. The proposed application for the Golders Green Hippodrome will change the nature of this area entirely with a tremendous increase of noise, congestion and lack of parking.

- The previous tenants were also a religious group who fitted in well into the area but had nothing like the size of congregation being projected in this case*
- The size of the mosque will change the whole character of the area and the neighbourhood*
- There are many other properties better suited to the use*

Concerns relating to the character of the area have been touched upon in the sections above. As detailed, the building would not be in use to anywhere near capacity, except during religious festival times and even when in heavier usage, the site is within a town centre, and its use as a community building is a typical use for such a location. Under the 2007 application, the council accepted that a theatre use was no longer realistic, and the church use was as close to the original use that could realistically be attained. It is not considered movements to and from the building, even during religious festival times, would seriously impact the character and appearance of the area. The church use operated for a number of years with no indication that the character of the area was seriously affected. The applicant proposes a similar level and type of use. Golders Green Town Centre, and the adjacent station, ensures a high level of activity and the use could be accommodated without detracting from the character of the area.

Character/ Listed Building/ Conservation Area

The Hippodrome is the most important and known building in Golders Green and its history, artistry, its craftsmanship and design should be shared for all communities

- The use will dominate the area and impact on the Golders Green Conservation Area*
- The Building has a great presence in this area. It is perhaps the most intriguing building of all. What a shame that it might be devoted to one place of worship and its community purpose lost*

- The planning application has not detailed the proposed layouts for usage and the building will lose its historic elements completely
- Hampstead Garden Suburb is also a conservation area so it would be nice to maintain the building for the arts as was intended
- This is the most beautiful grade 2 listed building both from inside and outside and to change from the leisure centre to a community centre mosque will force change of the characteristic features, craftsmanship and it's building artistic heritage-The facade of the Hippodrome looks desperately rundown and I do not think that this should be allowed to happen
- Concern if this change of usage will be followed by a request to change aspects of the structure
- Such a huge venue would dwarf the surrounding neighbourhood and would be completely out of character in this conservation area
- The proposed use will first necessitate the removal of and alteration to the priceless and historic interior décor
- The interior has considerable aesthetic value
- It's an iconic building. Should be used for general artistic use. It's not only for one section of the community
- The public performance aspect is integral to the character of the Listed Building and the conservation area, as detailed under PPG15

It has been recorded previously, and can be reiterated here, that the above snapshot of comments indicates the importance of the building as a striking local building, and its cherishment within the local community. It should also be noted that at the time of the 2007 application, the Hippodrome was on English Heritage's Buildings at Risk Register and there was a real desire to find an occupant, should the structure otherwise fall into dis-repair. Whilst comments above point to disrepair, the building has been well-maintained, and the securing of an occupant resulted in the building being removed from the register. The use by the Markaz closely aligns with a use previously considered to be a "good fit" for occupancy in terms of the historic use of the building, and ensuring the need for no adverse changes to the structure, bearing in mind a future theatre use was discounted. It is considered this continued use is the best way of ensuring the long-term health and survival of the building and its continued weighty aesthetic contribution to the overall character of the area. Whilst an iconic theatre building, its future use solely as a theatre has been previously discounted, and this use is a suitable replacement to the historic use, and a continuation of a religious/community use previously considered acceptable.

Concern is also expressed that the granting of consent would result in harm to the character and appearance of the Golders Green Conservation Area, and third party comment has also raised the possibility of harm to the Hampstead Garden Suburb Conservation Area owing to the loss of the historic theatre use. Given the site is outside the Hampstead Garden Suburb Conservation Area and its use has changed since 2007, it is not considered that this occupancy would cause harm to the character of this conservation area. With reference to Golders Green Conservation Area, no changes are proposed to the building, the council conclude that there would be no harm to the heritage asset, and as such, in turn it is not considered there would be any harm to the special setting of the conservation area. Moreover, the continued occupation and use of the building is more likely to ensure the Hippodrome continues to remain in good condition and make a weighty contribution to the overall character of the area.

Concern is expressed that this use could have an impact on the interior or exterior of the Listed Building. However, no application for Listed Building Consent has been made, and no changes are proposed. Any future changes, including within the curtilage of the building, would require an application which could be judged accordingly. The long-standing Place of

Worship/community use has ensured the building remains in good condition, its long-term preservation ensured.

Representations have been received outlining how the agreed public performance aspect was integral to the character of the Listed Building and wider conservation area, and that the officer report in 2007 extensively quoted from, the now superseded, PPG15 “Planning and the Historic Environment”.

Paragraph 3.10 of PPG15 states that:

“The best use will very often be the use for which the building was originally designed, and the continuation or reinstatement of that use should certainly be the first option when the future of a building is considered”.

Para 3.10 goes on to state that “But not all original uses will now be viable or even necessarily appropriate” and “policies for development and listed building controls should recognise the need for flexibility where new uses have to be considered to secure a building's survival”

The 2007 report recognises that the reinstatement of the historic use of the building is unrealistic. The officer concluded that the church application was the least intrusive application to use the building, and that a continued use would be the best way to preserve its special character. The report continued that “the use is still considered to provide an element of performance”. Under this submission, and following discussions with the Theatres Trust, public performance would once again be included in the range of activities that could be secured through the Public Performance Management Plan which has been submitted. With the agreed management plan in place, and with no physical works proposed, this use for the building will continue to be an appropriate way to ensure its long-term health and well-being. It is considered that in 2007 flexibility was shown, to facilitate an appropriate alternative use for the building, but also to ensure that public performance also had a long-term role. It is considered that the buildings removal from the Building's at Risk Register demonstrates the success of this approach, and its continuation would have positive implications for the Hippodrome and the wider community.

Use is as a Mosque

The building has been advertised as a mosque

- The building is advertised as the largest mosque in Europe*
- The building will be used by over 3,200 patrons which will lead to unmanageable levels of disruption, congestion, traffic & parking problems*
- It is a falsehood to suggest that the intended use is not as a mosque*
- The current community use is a tactic to later establish a mosque at the site and the initial level of activity has died down to allay local fears*

The applicant has applied to use the building as a Place of Worship, within the former use Class D1, now Use Class F1, but advises that the use could not be classified as a Mosque in accordance with Islamic doctrine. It is evident from correspondence received, and from literature available in the area, that there is a view that future use as a Mosque is the intention. Use as a Mosque would fall within the same use class as a Place of Worship. In land use terms there would be no material difference from the previous use as a Church. The applicant applies for the same hours of operation and any consent would be conditioned accordingly. This would allow use of the building from 08.00am to 23.30pm. There would also be a restricting on the numbers attending the centre at any one time.

A Mosque is essentially within the same F1 use class. It would not be reasonable for the council to accept a Church use as acceptable, but to consider a Mosque as unacceptable, both being Places of Worship. In land use terms there is no difference, any no sound planning grounds to find objection to this use. The applicant describes the use as more akin to an Islamic community centre, and whilst mindful of hours restrictions which might render the use impractical as a Mosque, officers are mindful that this use is within the same Use Class.

Community/Arts Building

The Hippodrome should be made available for use for the entire local community

-The Hippodrome has always been a place for whoever in the community would like to enjoy it, it should not be demoted to a place for only one religious group

-A well-known landmark, part of London's tradition, should surely remain as a venue for all the people, not just exclusive to one section

-Regardless of which religious denomination would take over the site, it would be criminal to take away this historic entertainment centre

-The building was used for so many concerts and pantomimes, it is a valuable site for such performances and should not be demolished or transformed or its use changed

-Bertie Crewe's masterpiece should be re-used as originally built for, as a theatre for everyone to enjoy its design & artistry

-A community building with a Cinema and shops and Events would be a much better use for the wonderful larger Golders Green Community

-Celebrating together in a non-partisan environment is a wonderful way of creating community harmony and better cohesion

-The potential to restore the Hippodrome as a performance venue, coupled with film screenings, educational programmes involving the performing and creative arts that could inspire artists, musicians and performing artists must in my view be a fundamental consideration of our council

-The building could be put to a multi-use which would benefit the whole community

-Given that the premises are unlikely ever again to be used as a theatre I would suggest the Council gives serious thought to allowing a residential development whilst preserving the outward appearance of the building

-The application will get rid of concerts, conferences, drama and dance. It will irreversibly harm the building's artistic heritage, local character and people's amenities

-The building should be celebrated and offered to English Heritage, the National Trust or a private charity that could restore the building to its previous state

-The performing arts have suffered disproportionately during the pandemic. This beloved Grade II listed building is an arts and performance space for all, not for just one part of the community

Comments received outline that the building should be made available to all sections of the community and not be retained for use by one section. Some of the representations seek to see the building used for its original use – providing concerts and pantomime type performance, with many recalling past attendances at such events. As detailed above, it was concluded under the 2007 application for the Church, that there was no reasonable prospect of the building returning to use as a theatre. Whilst local people will have cherished memories of attending theatrical events at the site, its last use as a theatre was many years ago, and with the long term health and aesthetic value of the building at heart, the council agreed the change of use of the building to a place of worship with public performances agreed through a condition. As has been noted above, such a use was considered the most desirable occupation which came forward, to ensure the long term well-being of the building, resulting in its removal from the Buildings at Risk Register, and having the least impact on its character.

The proposed use continues this use, and closely aligns with the occupation under the previous ownership. There would be no reasonable grounds to refuse the application in a desire to see the building return exclusively to its previous use.

As with the previous occupation, an aspect of public performance will remain. The Markaz has bolstered the originally submitted Public Performance Management Plan, and now has the support of the Theatres Trust, who are content, that a strong element of public performance will remain, this is securable by condition, and this is a successful and reasonable outcome with regards to the future use of the building. Whilst the building will predominantly be used by the current occupants, in connection with their Islamic faith, and associated community activities, as with the previous use as a Church, scope will be made to ensure wider usage within the local community through the Public Performance Management Plan. The opportunity exists to encourage mutual understanding and Inter-faith expression, as well as providing a top-class facility for artistic performance. It is accepted that performance arts have been hit hard by the global pandemic, but this application would retain at least the same level of access as previously afforded during the church's occupation of the building, and indeed would now secure a theatrical performance aspect.

Alternative uses to a place of worship have been suggested as a long-term use for the building, including as a local community hub, or as a development site for housing. The proposed use, including the level of access for performance arts can facilitate wider access, but the applicant proposes a place of worship for Islamic expression, with access for artistic performances, as opposed to other alternatives suggested. As discussed above, such an occupation has been considered acceptable, even desirable, given its ability to be limited in terms of intrusiveness, given the Listed Building status of the building.

Public Performance Mgt Plan

The activities Public Performance Management Plan would not secure a suitable level of public performance in keeping with the original use of the building

-The activities Public Performance Management Scheme listed state that non-Moslems are welcome to attend the activities, there is no equal opportunities statement supporting the access of all people regardless of creed, sexual orientation, gender or disability etc. nor confirmation that the events will be fully inclusive

- Question if the Hippodrome will remain genuinely and reasonably open to all sections of the Golders Green community

-Proposal will result in an end to Public Performance

-The proposed use as a Place of Worship would compromise and detract from the applicants' proposed 'Public Performance Management Scheme'

-This new Application is a turning point because it will be the first time that the Hippodrome will change to a use without a substantial element of public performance

-The applicant must demonstrate that they have a commitment to be multicultural, multi-ethnic, promote equal opportunity projects, be open to LGBT+ theatre and community projects, and to have no gender bias etc

Concern has been raised that the level of public performance is limited and a reduction over previous levels. As previously discussed, the use of the building exclusively, or predominantly as a theatre or arts-based facility was some time ago. The Markaz proposes a similar level of access for performing arts to the previous occupants, have garnered the general support of the Theatres Trust through direct discussions, and the level of public performance proposed is considered acceptable, ensuring that public performance at the site is not entirely lost or abandoned, as was the case during the period of vacancy.

Comment has been received with regards to ensuring equal access to the building for all groups within the local community, as detailed above. Whilst there is no evidence to suggest an absence of equal access through any future use of the building and its availability to the wider public, the applicant, as with other applicant's for a community based use, would be equally bound by equality legislation which safeguards the rights of groups with protected characteristics and guards against the unlawful discrimination of such groups. It is not considered in granting planning permission that the council would be infringing the rights of any group within the wider community that share a protected characteristic.

Local Business/Town Centre

The parking issues will result in a knock-on impact to local businesses in Golders Green by discouraging customers

-We need a community hub to rejuvenate Golders Green High Street

-It's conversion would cause a potential loss of employment and deprive the locality of much needed entertainment venues

-The proposal will make the area much noisier and congested and our customers would likely seek a quieter more accessible area and that could ultimately affect our business

Concern is expressed that the proposal would have an adverse impact on Golders Green Town Centre. There is nothing to suggest that parking concerns would have a knock-on impact on the town centre, with parking only a serious concern at religious festival times and with the use of conditions and a Travel Plan being a viable option to manage parking stress. The use will attract footfall into the town centre and with increased evening use encourage the night-time economy and is a suitable town centre use.

The application will retain a public performance element, given the similar use to the Church, there would be no reduction in employment and given the highly sustainable location there is the potential to reduce congestion and car use, an aspiration of the town centre strategy, whilst providing a suitable use for the building at this location. There is nothing to point to significant adverse impacts on the town centre such that would discourage patronage of local shops and facilities.

Religious Tension - Islamic Building/Use in Golders Green

As this borough does not have a high Muslim population why does it need such a large place of worship

-Religious tension and insecurity to local Jewish community

-We are very mixed in Golders Green with no one religious building dominating the area - I fear that this easy atmosphere could be changed If such a large building was changed into a very dominating institution

-It is no secret that Golders Green is London's most overtly Jewish suburb and I think it would be a grave error to place a Muslim centre of worship here

-Feel there will be an increase in anti-Semitic abuse towards the Jewish community

-Whilst all religions have the right to worship. the use of the Hippodrome is antagonistic and Insensitive

-The call to prayer would also impose unnecessary noise pollution in the area as well as Disturbances

-This was originally turned down for use by the Jewish community. Now it is solely for the Muslim community. This is clear discrimination

As the comments highlight above, concern has been expressed that the location of the building could give rise to racial tensions, given a prevalence in the local community of people from a

Jewish faith background. It has been stated that the use of a prominent building by patrons attached to the Islamic faith could lead to local tensions.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that;

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"

Paragraph 2 of the National Planning Policy Framework outlines that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. There is no exhaustive list of what constitutes a material planning consideration. The courts have found that planning is concerned with land use in the public interest and not private interests.

The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Evidently there is a public interest if the use could lead to local tensions, however, there is no substantive evidence of a significant issue arising to date. The number of objections of itself is not relevant unless founded on reasonable considerations. Even though racial tensions can and do on occasions arise between different communities and persons of different religions, there is no evidence that in the event of planning permission being granted for the proposal, significant tension between different communities amounting to harm would be likely to arise in this case, in particular given the outreach, education and other programmes which exist to minimise and avoid such tensions.

A significant material consideration is the planning history of the site and the fact that a place of worship has previously been deemed an acceptable land use at this location. The religion or denomination of an applicant and its supporters is of itself irrelevant. It is the planning considerations of the use which are relevant. Given the council's statutory requirements under equalities legislation, and the multi-cultural nature of the borough, which brings people of differing faiths and no faith into contact regularly, it must be considered that any issues relating to race, religion and ethnicity which might arise in the future are capable of resolution so as not to be harmful in planning terms..

Officers have determined the application is in accordance with the Development Plan and this would also see the continuation of a previously acceptable place of worship use, with public performances secured through a Public Performance Management Plan with other controls through conditions and a s106 obligation being imposed.

Comment has been made that the building was turned down for a Jewish use and that this is therefore discriminatory. The planning history of the site has been considered and there is no evidence of an application for a Jewish use of the building. The previous occupant was a Christian organisation and prior to this the building was used by the BBC and before that for public performances in line with its original use as a Theatre.

Existing Use

Most concerned to hear that the present owners have ignored enforcement notices for several years, which would have restricted their use of the building.

- The occupants have flouted planning conditions that are attached to the use of the building*
- Consider planning conditions would be ineffective*
- The Planning Application appears to be another attempt to circumvent the Enforcement Notice*

-Planning conditions were imposed in 2007 for this reason: "to safeguard the amenities of the area". The current owners and their community ignored these conditions, such as opening hours

-The current planning appeal on behalf of the local community is still pending. Instead of respecting the pending legal process the new owners are now acting aggressively and have lodged a second application

--Do not understand why there have been so many delays and hiccups with this case. perhaps it's because you are hoping that people will lose the energy for a prolonged objection and that the application will succeed merely on the basis of so much time passing. this is not the case

--Patrons leave the building after midnight causing noise disturbance within the local area

-Residents have already reported constant disturbance until after midnight: car doors slamming, engines revving, and lack of consideration for people asleep

-Attempts by the Applicants to manage traffic were wholly inadequate and added to the frustrations of residents

-The building is being used outside the permitted hours and opened for early morning prayers before the permitted 08.00am

-The Appellants did not dispute the details on the enforcement notice that they have been operating the building in breach of the planning permission granted to the previous owner

-Groups congregating after the closing time causing noise and disturbance locally

Comments have stated that the applicant has ignored Enforcement Notices and not complied with planning conditions relating to the 2007 consent. The applicant contests the Enforcement Notice, the appeal is still an ongoing matter, and makes this application on a without prejudice basis, considering the current use to align with the lawful use of the site granted consent in 2007. The suggested opening hours within the application form are the same as those imposed under the application for the Church use.

Given the recent Global Pandemic the Public Inquiry had to be postponed, leading to unforeseen delays in reaching a determination on this matter.

There is no substantive evidence that the hours of operation condition attached to the 2007 consent has been breached and as discussed above further conditions could reduce any potential for local disturbance and ensure the use could be facilitated without undue impact.

Application Form Certificate

It is stated within third party representations that a valid application has not been made as whilst the applicant under the certificate of ownership is said to be "Trustees of Markaz El Tathgheef El Eslami (the Centre for Islamic Enlightening)", the address is given as C/O of the agent.

The applicant has now provided the HM Land Registry Title Deeds for the application site, dated 30 August 2017, which names the Proprietor's and also a Charity Commission list of trustees for the Markaz which includes the three names on the Land Registry document and an additional two trustees. These documents confirm the names of the trustees to be the owners of the application site.

Consultation

-While all planning matters are subject to due process, surely when applications are made that significantly impact the local community, these should be brought to people's attention

-The majority of letters of support are from people outside of the area

Letters were sent directly to 1570 local residents, and a Site Notice was displayed at the site. The site was also advertised in the local press. Given the volume of response received and level of local interest, it is considered the proposal was well advertised and in line with statutory duties.

It is evident that a broad range of comment has been received from within the local community and further afield both in objection and support of the application. Again, it is not the volume of comment but its content which is material, and it is considered the pertinent points have been addressed within this report and attributed due weight in the overall recommendation.

Submitted Information

-The applicants have not provided any robust information giving actual details of the numbers of visitors.

The submitted Planning Statement and Design and Access Statement by Carney Sweeney and supporting information, including from Traffic/Highway consultants does provide details of the nature of the proposed use, and numbers attending the centre, and suggested methods to mitigate impact. This information has been considered, with any requirements for clarity sought, by officers so an informed decision can be made.

Golders Green Town Centre Strategy

No reference to the Golders Green Town Centre Strategy, January 2020, and its requirements
- *The “Golders Green Town Centre Strategy” seeks to reduce congestion and car use*

It is stated that there is no reference to the Golders Green Town Centre Strategy and in particular what the document aims to achieve with reference to;

- buildings for community use
- traffic and pollution from vehicles
- reduction of parking for vehicles
- safety of road and pavement users and more pedestrian areas

The Golders Green Town Centre Strategy was adopted in January 2020 and was produced for Barnet Council and included extensive local, public consultation, with an aim to achieve improvements to Golders Green Town Centre through collective working. With reference to the Hippodrome, the document states;

....“People would like to see more celebration of local culture through events and festivals including community uses of the Hippodrome site”...

The document strives to encourage sustainable modes of transport, and consider the issue of parking and how it relates to Golders Green. The strategy outlines that the council can be a key partner in the Golders Green Town Centre improvement project, *inter alia*, through the production of planning documents, permissions, and enforcement.

The Hippodrome would be within the “GG Hub”, “a welcoming arrival space, where those of all ages can meet, gather, spend time, work, eat and shop”

The forecourt of the Hippodrome is targeted as suitable for public realm improvements and for the potential to make reference to the musical heritage of the site. Respondents sought to ensure that the building remained open for wider community use.

The document has strong aspirations to transform Golders Green and deliver a vibrant and thriving town centre that would be a real asset to the local community. The strategy is an adopted Council document, but does not form part of the development plan however, and there is a local, regional, and national planning framework in which to frame planning decisions. Notwithstanding this, the Hippodrome site has the potential to make a positive contribution to the overall aims of the strategy. A building in use, in the first instance will ensure a much more aesthetically pleasing landmark building, and as outlined above an element of community use will remain. Whilst there are aspirations that the Hippodrome may one day return to its original use, this has previously been deemed unlikely, and the continuation of the place of worship, with community use as a component part, seems the best use of this site under present circumstances. It is considered the proposed use could make a positive contribution to the town centre and tie in with the more widespread aims and aspirations of the strategy.

Lawful Use is Sui Generis

Lawful use is Sui Generis and public performance is not ancillary, and potentially the primary use

-It is wrong to state there is no policy basis for public performance

It is stated in comments that the lawful use of the site is Sui Generis. The council previously received legal advice that the 2007 consent was for a sui generis use. It is evident the description of the 2007 permission stated "To use building as a church to enrich community with schemes for children, unemployed, elderly etc. To hold concerts, conferences, drama and dance festivals". The advice concluded this was to grant consent for a sui generis use with each use recorded in the description creating a mix of uses. Condition 3 of that consent agrees the submission of a Public Performance Management Plan and that it be implemented in accordance with the details.

This submission can be similarly controlled. As discussed above, a Public Performance Management Plan has been submitted, found agreement with the Theatres Trust, and a similar use as the broader place of worship, with public performance agreed through the PPMP can be secured. This use for the building has previously been found acceptable.

More Intensive use than Church/ Future Attendance Numbers

The use would be more intensive than the previous church use

-Concern about the accuracy of figures submitted relating to the use - date; time; the description & kind of event on that date; start and finishing time of each event. Attendance figures vary between 1400 and 2,200 at capacity

The 2017 submission to vary the condition on the Hippodrome did put potential attendance figures as up to 2,200. However, the applicant has confirmed within this submission that attendance figures state the maximum attendees are 1,400, and significantly below this for most events and regular activities, and the application can be conditioned accordingly. There was no limit in place to control numbers attending the church use at the site.

Applicant's Previous Premises

The applicant's previous occupation at 120 Cricklewood Lane, London NW2 2DP caused significant disturbance to local residents

- Applicant's previous Islamic Centre at 120 Cricklewood Lane, London NW2 2DP was used without planning permission and in breach of conditions

Some third party representations outline that there were issues around the use of the applicant's previous site at 120 Cricklewood Lane. The applicant had previously occupied this site and an application was made to extend attendance as below;

"Variation of condition 3 (Occupation of Persons) pursuant to planning permission reference C02550AJ/00 dated 21/11/2000 to read: "The use hereby permitted shall only be open between 9.00am to 10.30pm on any day and shall not be occupied by any more than 100 persons at any time with the exception of up to 500 people during the month of Ramadhan (evening only - maximum 30) and Muharam (the first month of the Islami calendar - maximum 10 days)".

The application was refused for the following reason;

The proposed variation of condition 3 would result in an over intensive use of this site during both Ramadhan and Muharam which would lead to noise and disturbance associated with its non residential activities detrimental to the residential amenities of surrounding neighbouring occupiers contrary to Saved Policy ENV12 of the Unitary Development Plan; and Policy DM04 of the Emerging Local Plan Development Management Policies (Adoption version) 2012.

Whilst it is clear there was concern with the potential for excessive impact on residential amenity at this location, it is difficult to tie any concern here to the proposed application. It must be judged on its own merits, and its own unique set of material planning considerations. Given the increased capacity of the Hippodrome, it could be equally said the applicant had outgrown the previous site, but it is not considered the planning history at this site bears any significant influence on the current application.

Support

I'm writing to let you know, how much I support planning permission for our neighbours, the Markaz

- Proud that Barnet is a place for many different religious communities
 - The Markaz community originate from Iraq, with many having to flee as refugees under Saddam Hussein's regime
 - For thirty years they have met as a community in Barnet
 - We appreciate their travel plan which explains how people will visit the Markaz, and we're excited that a Barnet building with such historic and physical prominence will once again be used
 - In approving this application Barnet Council will demonstrate how important it is to promote religious toleration, social justice and interfaith cohesion throughout the whole community in Golders Green
 - We stand against hate in all its forms
-
- As a liberal, regard the campaign against the occupiers and those who want to worship to be abhorrent
 - Totally support the Iranian centre and very disappointed at how racist the action letter sent asking for residents to object
 - We feel strongly that Golders Green is a multifaith, open, welcoming community and that the Centre will contribute to its diversity.
 - Would welcome it becoming a Muslim place of worship and once again adding something to our local economy, especially as we emerge from this costly pandemic
 - The members mostly live locally and have escaped repression like so many Jewish

people locally. There are parallels which bring us together

-Barnet is a multicultural borough and we are proud of that fact. The Markaz have every right to use the building as they wish/need

- Putting this building to such good use will enhance the quality of life in our borough

-Grateful that Barnet is a place for people of faith and we should not discriminate against any religious community

-It is good to know that this Barnet building with its historic and physical prominence is to be well used

- The permission to grant this application and the applicants a D1 license will be very beneficial as the local community would be able to come together alongside the youth and children to be socially active and be morally and ethically educated in coexistence and harmonious relationships with the local community

- As we live in this wonderful and multicultural country, what we love most and makes us proud to be a British citizen is the freedom of speech and freedom of religion and freedom of expression

-This is a multi-cultural and multi faith society, we all should have the right to a place of Worship

-It should be a given that the communities which this building would directly benefit should be able to feel welcome and loved in Barnet

-As a Methodist minister now in Barnet but formerly in Golders Green, I have seen the positive work of Markaz. They have supported multi-faith work in the Borough and contributed to the life of the community

-A building constructed as a concert hall ought to be used for events and activities which draw large numbers of people

-It is difficult to imagine any appropriate use for the Hippodrome, a landmark listed building at the heart of Golders Green, which would not involve large numbers of people travelling to use it on particular occasions and at peak times

-There can be no legitimate planning basis for continuing to deprive this community of the opportunity to meet and to use their building

-The building will undergo no changes and its previous use as a church had similar numbers and traffic provision

-It provides a necessary community provision, is situated next to an important transport hub that greatly reduces the need for cars and involves no changes to a historic building.

-I am proud that Barnet is a place in which many communities live side by side. We have been out of our own building for the past year due to Covid, we wish to stand with others to have homes for their communities too

-Barnet's vibe and strength today is, in large part, drawn from its support of the many different communities within the borough and I am pleased that a Barnet building with such historic and physical significance will not only continue to be put into productive use, but also continue that tradition

-The Markaz has been operating from the site for over three years and has caused no problems. It is a worthwhile organisation that benefits the community and should be allowed to continue

-This use of the Hippodrome as a mosque will also contribute to less need to travel by automotive, which contributes to the government's climate change reversing or environment agenda

-Concerns have been made about issues with parking and noise. I don't subscribe to those fears because the area has controlled or restricted parking and is already noisy because Golder Green station is a major coach and bus hub as well as, a tube station. Therefore, the concerns around parking and noise are unfounded

*-Golders Green is a diverse community and is better for that
-Many of us in Golders Green have experienced persecution or have parents who are refugees from persecution. We should support others who are in a similar situation
-The Hippodrome has been a cultural centre. It was already given permission to be a centre for religious activity when it became a Christian centre*

*-I know that allowing people to flourish and practice their religion, culture and community life in a safe place that is their own benefits the whole community
-The arguments they make seem to be nothing more than thinly veiled Islamophobia
-We have supported our friends the Somali Bravanese to regain a building, and we are proud to stand with the Markaz too
-An Islamic community centre could improve understanding of Islam and offer a useful local place to increase harmony between groups
-This Borough has a proud reputation for supporting minority ethnic, and cultural groups
-The current occupants uniquely provide a safe space for worship and other community events for the Shia community of North London*

Whilst a significant level of objection has been made, raising valid planning concerns with the proposed use, support has also been demonstrated, the above providing a snapshot of comment. The comments include reference to the previous occupation for a religious use having been deemed acceptable and that the site is well placed close to the tube station, that parking concerns are not significant and that the use has been in place for a number of years without serious concerns or impacts.

Equalities and Diversity Issues

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies is set out in Section 149 of the Act.

Section 149(1) of the 2010 Act provides:

“A public authority must, in the exercise of its functions, have due 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.”

The duty requires the Council to have due regard to the need to eliminate discrimination and promote equality in relation to those with protected characteristics.

The Act sets out 9 protected characteristics in section 4:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Centre is an Islamic institution and thus the protected characteristic of religion or belief is directly engaged. The protected characteristic of race is also likely indirectly engaged because of the relationship between Islam and ethnic groups.

Furthermore, the Centre acts as a community facility that provides spaces and services for a range of groups within that community through the planning condition attached to the 2007 consent.

The council is also conscious that significant levels of objections to the application have been received from within the local community from groupings which also share protected characteristics, as recorded in the objections section above. Concern is expressed that the centre would not remain open and accessible to the group sharing this protected characteristic. It should also be considered if the granting of consent would fail to foster good relations between groups sharing a protected characteristic and those that do not.

Equality duties require authorities to demonstrate that any decision it makes is done in a fair, transparent and accountable way, considering the needs and the rights of different members of the community.

In exercising the duty, it is for the decision maker to decide what weight should be given to the duty in the decision-making process. Not all decisions made by public authorities will engage equality considerations in a significant way.

Clearly, context is important in assessing the duty to have 'due regard' in planning decisions and the appropriate weight to be given to these issues as part of the balancing exercise. It is important the council has made sure to act in compliance with its public sector equality duty in accordance with its Equalities Policy and the commitments in Barnet's Equalities Scheme and its statutory duties as a local planning authority.

The proposals for a community centre for a section of the local community would help to meet a need for a facility to exercise religious expression for a protected group within the borough. The proposal would provide a high-quality environment for the patrons attending the centre. The applicant has confirmed its intention to offer community access and this can be secured through the imposition of a planning condition to the permission, to secure a Public Performance Management Plan. The proposal therefore is considered to potentially enhance religious provision for one of Barnet's diverse communities, but also to ensure wider access to the building.

The proposal would continue a religious and community use in the borough and would be in line with wider corporate responsibilities and assist with local authority statutory obligations towards religious and community use provision.

On balance, a recommendation of planning consent for this use, subject to a condition/s106 obligation agreeing a Public Performance Management Plan would not conflict with the requirements of the Equality Act and nor indeed does it conflict with Barnet Council's equalities policy or the commitments set in its equality scheme.

7. Conclusion

As can be ascertained from the discussions within this report, this application has attracted considerable levels of local interest, with concerns raised that the use resulted in excessive, planning related, impacts on the local community and area, and equally, support demonstrated, with a desire shown that the granting of planning consent could ensure a worthy and beneficial use for this much loved local landmark.

2007 witnessed a new chapter in the history of the Hippodrome, the Grade II building was then on English Heritage's "Building at Risk" Register and there was a recognition that its original use solely as a Theatre was unrealistic. The use of the building as a church with public performances secured through condition was considered a suitable use, mindful of the buildings Grade II listed status, but also mindful of a desire to ensure the building could still benefit the local community of Golders Green, and beyond.

In 2017, the Christian organisation which had occupied the building (El-Shaddai Centre) vacated the site and the current owners purchased the Hippodrome, and occupied it as an Islamic Cultural Centre. The council instigated enforcement action, the alleged breach being;

"use of the land as a cultural centre, not comprising use as a church, to hold concerts, conferences, drama and dance festivals, in breach of condition 2 of planning permission reference C00222W/07, granted on 9 May 2007" and required those served to

"Cease the use of the building as a cultural centre and for uses other than as a church, to hold concerts, conferences, drama and dance festivals" within 6 months of the Notice taking effect".

It is evident from the accompanying report that the council had concerns that the use of the building could give rise to significant numbers in attendance, particularly at times not witnessed under the previous owners, and that this in turn could result in significant levels of noise and disturbance for local residents, including concerns about significant levels of overspill parking on adjoining residential streets.

It is evident from the number of representations received that this is a genuine concern for local residents, with many citing parking issues and noise disturbance when the centre is attended by significant numbers. The Enforcement Report did make the point that the town centre location, and the adjacent busy public transport terminal, would mitigate the impact to some degree. It also made the point that the submission of details around travel planning and the use of planning conditions, could be used to further mitigate any impacts.

Through this application process, the council's technical consultees on Highways & Transportation, and on the mitigation of noise impacts (Environmental Health Section), have advised on measures and methods to mitigate these impacts, these can be secured by condition and Legal Agreement, and it is considered the proposed use can be tailored and controlled to a level which would ensure the impacts on the local community from the numbers attending the centre would not be highly intrusive. It is considered that the concerns around noise and disturbance and parking issues, discussed within the Enforcement Report, and potential remedies, have been addressed through this submission and can continue to be controlled to acceptable levels. This concern has been sufficiently addressed, and the continued use of the Hippodrome in a similar vein to what has occurred since 2007 can be accepted.

It is also evident at the time of enforcement action that the council had concern that the element of public performance secured under the terms of the 2007 permission would be lost. Again this application has provided the opportunity to ensure that a Public Performance Management Plan could be submitted, and the contents of this can be secured, once again through the application process, to ensure that a level of public performance, agreed by the Theatres Trust, would continue at the Hippodrome. This concern has been sufficiently addressed.

It is therefore considered that this submission has provided the opportunity to address the concerns raised at the time of the enforcement action, and to mitigate the development to ensure any local disturbance can be minimised, and to also ensure a worthwhile and complementary use of the building can continue.

The 2007 permission granted consent for a church, as opposed to the wider definition of a place of worship. As discussed within the report the council consider that it would be unreasonable to continue to restrict the use in this way, and the substitution of church with place of worship would prevent unreasonable restrictions, now, and in the future.

The applicant has shown a desire to ensure a level of public performance will continue, and in response to Theatre Trust comments has bolstered the submitted Public Performance Management Plan. This is important to the local community, to the arts sector, and it is evident through the recently adopted London Plan, that mixed and community uses, can continue to make weighty contributions to aspects of community life that engender social inclusion, cultural well-being, the night-time economy, and promote and support embattled town centres, whilst finding beneficial uses for much loved and iconic buildings. It is considered the mix of uses at this site can ensure the Hippodrome remains an asset to local community life, but given changes in the options to attain cultural exposure, and the declining role of theatre, can also provide a local home for a minority section of the community in keeping with its use since 2007.

A key concern with the local community has been the issue of highway safety and parking, including overspill parking on residential roads. This aspect of the planning application has received significant coverage through this process, and the detailed consideration of Highways Officers. Officers are satisfied that the measures which can be secured by condition and Legal Agreement can mitigate any impacts to an acceptable level, and to a level that would not be uncommon at other venues attracting large numbers of attendees.

The Hippodrome is an iconic Grade II Listed Building, and its continued preservation is a key consideration, and something the council wish to ensure continues. The site is also a prominent structure within the Golders Green Conservation Area. The use of the building as a place of worship/public performance, has previously been considered suitable and resulted in the building being removed from the Building at Risk Register. The proposed use by the Markaz as a place of worship is not materially different from the previous occupants use as a church and its continued use in this manner should ensure the long-term health and well-being of the building; the occupation of any listed structure is paramount to its continued survival. The granting of consent would deliver a compatible use, given the return of a solely theatre use was previously, for good reason, discounted. The continued use would cause no harm to the special status of the building and would preserve the special setting of the conservation area.

Whilst the concerns detailed above relating to numbers visiting the site are acknowledged the continued use of the building would bring significant benefits. The building provides a suitable meeting place for a minority group to practice their faith ensuring the borough remains open and welcome to people of all faiths and none. As discussed above, the continued occupation of a Listed Building will always be much more beneficial to its future health and well-being, and the current use of the building as a place of worship has previously been considered a compatible use. In line with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 the proposal has been found to be in accordance with the development plan and would also deliver significant benefits. It is accepted there will be concerns around numbers attending for major events, but mitigation measures discussed above can be employed, and it is considered the public benefits outweigh any harm, particularly when mitigated and reduced by the measures proposed.

Para 109 of the NPPF advises that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. The Highways section have proposed mitigation measures not currently in place and it is not considered that the impacts on highway safety would be unacceptable or that cumulative impacts would be severe.

It is clearly evident that there have been significant concerns expressed within the local community. It is also evident that support has also been shown for the occupants of the site. The wealth of comment has been addressed within the report and given due weight as material planning considerations. However, having taken all material considerations into consideration, including finding a desirable use for the building, securing continued public performance, but being mindful of the potential impacts on local residents, Officers conclude that the continued use of the building as applied for, controlled by condition and through the securing of obligations through a Section 106 Agreement is suitable. The recommendation to Members is that consent is granted subject to conditions and the execution of a Section 106 Agreement.