

Location **Tashbar Primary School Mowbray Road Edgware HA8 8JL**

Reference: **22/6025/FUL** Received: 19th December 2022
Accepted: 20th December 2022

Ward: Edgwarebury Expiry 14th February 2023

Case Officer: **Refael Saffer**

Applicant: C/O UPP

Proposal: Erection of a partial second floor extension to the new three storey annex which will link to a second floor rear extension. Alterations to the front entrance to the annexe. Provision of a covered playground at ground floor level and a roof top playground over the new annexe

OFFICER'S RECOMMENDATION

Refuse

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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee

- 1 The proposed development by reason of its size, siting, bulk, design, height, massing and increased projection towards no. 47 Mowbray Road, would result in an inappropriate development of the site. The proposal would be unduly obtrusive, out of scale, overly dominant and appear as a prominent and intrusive feature within the street scene, with its prominence exacerbated by its excessive height and introduction of foreign design element within Mowbray Road, being detrimental to the character and appearance of the site, the immediate locality and the street scene and would not relate sympathetically to the adjacent properties contrary to the National Planning Policy Framework (2021), Policy CS5 of Barnet's Local Plan Core Strategy (2012), Policy DM01 of Barnet's Development Management Policies DPD (2012) and the guidance set out in Barnet's Residential Design Guidance SPD (2016).
- 2 The proposed development by virtue of its size, scale and siting would adversely affect the outlook from no. 47 Mowbray Road as well as no.s 112, 114 and 116 Edgwarebury Lane, and lead to an unacceptable sense of enclosure, overshadowing and loss of light, detrimental to the residential amenities of the neighbouring occupiers, contrary to policy CS5 of the Local Plan Core Strategy (Adopted September 2012), Policy DM01 and DM02 of the Local Plan Development Management Policies DPD (2012) and the Residential Design Guide SPD (Adopted 2016).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

- 2 The plans accompanying this application are:

E21-014/GAE201,
E21-014/GAP211,
E21-014/GAP210,
E21-014/GAP212,
E21-014/GAS201,
E21-014/GAS202,
E21-014/GAP214,
E21-014/GAP213,
E21-014/GAE202,
E21-014/GAE211,
E21-014/GAP221,
E21-014/GAP220,
E21-014/GAS211,
E21-014/GAS212,
E21-014/GAP224,
E21-014/GAP225,
E21-014/GAP223,
E21-014/GAE212,
Site location plan,
Design and Access Statement,
Planning statement.

OFFICER'S ASSESSMENT

1. Site Description

The site is known as 'Tashbar Primary School' and is sited on the western side of Mowbray Road. It is located north of the A41 Edgware Way, with Edgwarebury Lane to the rear of the site.

The surrounding area is predominately residential in character with various commercial

properties along Mowbray Parade. The adjacent building, namely the 'BT Exchange', lies to the southern side of the property, with the remaining adjacent property (no. 47 Mowbray Road) currently serving as a synagogue.

The application site does not lie within a conservation area or contain a locally or statutory listed building.

2. Site History

Reference: 17/0899/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 10 May 2017

Description: Single storey extension front and side extension on existing school with associated new external stairs, security railings and enclosure for bin storage

Reference: 18/1826/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Application Returned

Decision Date: No Decision Made.

Description: Two storey extension front and side extension on existing school hall with associated new external stairs, security railings and enclosure for bin storage

Reference: 18/3011/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 2 August 2018

Description: Part first floor, part two storey front and side extension on existing school hall with associated new external stairs, security railings and enclosure for bin storage

Reference: 20/0269/QCD

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Pre-application advice issued

Decision Date: 22 September 2020

Description: The proposed floor area is 1626 sq metres. Proposed 4 storey phased construction of Annexe to Tashbar Primary School, Edgware

Reference: 20/5101/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 2 February 2021

Description: Demolition of existing hall. Construction of three storey annexe to existing primary school

Reference: 21/5319/S73

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 6 January 2022

Description: Variation of Condition 1 (Approved Plans) of planning permission reference 20/5101/FUL dated 02/02/2021 for 'Demolition of existing hall.

Construction of three storey annexe to existing primary school.' Variation to include; Removal of external entrance steps fronting Mowbray Road, and provision of new

double height entrance lobby; Minor amendments to fenestration over the elevations to suit the revised internal arrangement

Reference: 22/1704/CON

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved

Decision Date: 10 May 2022

Description: Submission of details of Condition 4 (Demolition and Construction Management and Logistics Plan) pursuant to planning permission 21/5319/S73 dated 06/01/2022

Reference: 22/2512/CON

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved

Decision Date: 6 July 2022

Description: Submission of Condition 3 (Materials) pursuant to planning permission 21/5319/S73 dated 06/01/2022

3. Proposal

Erection of a partial second floor extension to the new three storey annex which will link to a second floor rear extension. Alterations to the front entrance to the annexe. Provision of a covered playground at ground floor level and a roof top playground over the new annexe.

The enlarged second floor, together with the rear extension, would measure an overall depth of 40.9m and width of 28.9m. The annexe extension at second floor level would measure approximately 12.4m in height, with the extension at second floor level of the main building measuring an eaves height of 10.5m and maximum height of 12.1m. A caretaker flat would be incorporated, measuring 8.3m in width and 5.3m in depth, with a Gross Internal Area (GIA) of 44.3m².

The front entrance would measure 9.1m in width, 1.1m in depth and 6.6m in height, incorporating a flat roof canopy design with an overall depth of 2.6m and width of 11.2m.

The playground at ground floor level would have a staggered front elevation, measuring an overall width of 9.9m and depth of 22.9m.

The roof top playground would measure an overall width of 18.9m and depth of 21m, incorporating 4m high mesh fencing on the boundaries. The rear stairwell will have an increased height to provide access to the rooftop, measuring 16.5m in height, 5.4m in depth and 6.2m in width.

The overall height of the annexe, together with the mesh fencing, would measure 17.3m. The main building would measure a maximum height of 12.1m, incorporating a pitched roof design.

4. Public Consultation

It is noted that this application has been called in by Cllr Sarah Wardle, with the following reasons cited

"The proposed development will allow the school to further enhance educational offerings on the existing site in line with the principles outlined in Development Management Policy

DM13.

Furthermore, it is my view that this application also accords with policy CS10 in regards to supporting the school to provide enhanced educational offerings that provide services to the community in a single accessible location."

Consultation letters were sent to 128 neighbouring properties. 1 objection has been received, with comments summarised as follows -

- Noise as a result of loudspeaker usage
- Increase in rubbish
- Corrugated roof leading to drainage issues
- Fire hazards due to bonfires erected during festivals

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places to live and work and helps make development acceptable to communities...being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would significantly and demonstrably outweigh the benefits.

The Mayor's London Plan 2021

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

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

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

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

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

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

It is noted that permission for the demolition of an existing hall, to be replaced by a three-storey annexe, has been granted by the LPA (ref. no. 20/5101/FUL). In that case, the similar location of the proposal to the existing hall was highlighted, with the scheme considered to respect the adjacent building (belonging to 'BT Exchange') fronting Mowbray Road. The overall height was assumed to provide 'a suitable transition between the BT Exchange and the properties to the north of the site', with the flat roof design 'appropriate for an educational building', whilst not 'harmfully at odds with the character of the area'

Likewise, approval was given for minor changes to the development involving the removal of external entrance steps fronting Mowbray Road, provision of a new double height entrance lobby and fenestration changes (ref. no. 21/5319/S73). These changes ultimately improved the overall design of the development, with the front entrance design bearing a strong resemblance to the current proposal.

In this regard, the proposed front extension would measure 9.1m in width, 1.1m in depth and 6.6m in height, incorporating a flat roof canopy design with an overall depth of 2.6m and width of 11.2m. Although it would be substantially increased in size to what has previously been proposed, its design would be typical of school building entrances, with its massing, although dominant, being an acceptable feature of the front elevation.

The enlarged second floor, together with the second-floor rear extension, would measure an overall depth of 40.9m and width of 28.9m. It would include a caretakers flat measuring 8.3m in width and 5.3m in depth, with a Gross Internal Area (GIA) of 44.3m². The rear extension would lead to an additional floor being developed over the main building, with the eaves height being increased by approximately 1.9m, and the maximum height by approximately 1.5m. This element would maintain the flat roof design, including an inner dual pitched roof, which currently forms the roofscape of the main building. Its height and general massing would still respect the natural transitions in height between the BT Exchange building and adjacent synagogue (no. 47 Mowbray Road), with its bulk largely obscured from view from the street owing to the front location of the annexe building.

Nevertheless, the rear extension, together with the second-floor enlargement of the annexe, roof top playground and increased height of the rear stairwell, would cumulatively add significant bulk to the proposal. Whilst the approved annexe proposed a symmetrical design, the current scheme unbalances this symmetry, with its volume excessively extending northwards. The proposed front windows would further accentuate the

asymmetry of this design. Its resulting closeness to the adjacent synagogue would look out of place, with this side of the street typified by wide separations between buildings.

In addition, the 4m high mesh fencing would introduce a foreign element to Mowbray Road which would look particularly prominent when viewed from the street, and would accentuate the excessive height difference between the proposal and adjacent synagogue.

The rear stairwell will have an increased height to provide access to the rooftop, measuring 16.5m in height, 5.4m in depth and 6.2m in width. Aside from its cumulative effect with other elements, this element would create an awkward bridge between the main building and annexe, with its prominent height between these two buildings particularly evident when viewed from the north elevation.

Overall, the proposal would significantly differ from previously approved schemes in both its design and general massing and would not be acceptable in terms of character.

In addition, incorrect existing drawings have been submitted, which show works under application 20/5101/FUL (Demolition of existing hall, construction of three storey annexe to existing primary school) as existing, with development still ongoing at the site.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy D6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The proposal would be distanced by 2.7m from the shared boundary with no. 47 Mowbray Road. Due to the communal synagogue use of this property, overlooking would not be a concern from the windows of the caretaker flat towards this neighbour. Nevertheless, the second-floor extensions would project considerably towards this neighbour. Due to the overall bulk of the proposal, the 2.6m separation between the proposal and no. 47 would be insufficient, with the second-floor extensions, stair-core and mesh fencing cumulatively having an overbearing impact towards this neighbour, whilst also causing overshadowing, loss of light and outlook.

Although the mesh fence would add considerable height to the annexe, its lightweight frame and mesh materials alone would not be particularly overbearing on the BT Exchange building, with the remaining elements having no greater impact on this neighbour than the previous approved proposal (ref. no. 20/5101/FUL).

An additional 1.9m in eaves height would be added to the rear of the main building as a result of the second-floor rear extension, with this element separated by 1.2m from rear neighbours at its closest point. Due to its close proximity, as well as considerable increase in height, the proposal would have a significant impact on no.s 112, 114 and 116 Edgewarebury Lane; its overall volume would cause a substantial loss of light and outlook in their rear gardens, with its massing being an overbearing feature from the vantage point of these neighbours.

Overall, the proposal would not be considered acceptable on amenity grounds.

5.4 Response to Public Consultation

- Noise as a result of loudspeaker usage

This assessment deals with the character and amenity of the proposed works. Accordingly, increased noise as a result of loudspeaker usage is a civil matter between occupants which is not covered by this report.

- Increase in rubbish

The applicant has confirmed that the proposal would not lead to an increase in students, with no subsequent rubbish increase to result.

- Corrugated roof leading to drainage issues

Drainage issues fall outside the ambit of this application.

- Fire hazards due to bonfires erected during festivals

Fire hazards are a separate matter which is not assessed as part of this application.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities. It is acknowledge that this proposal is to improve the ducational facilities of a school but it is not considered that it outweighs the harm caused to the character of the area or the amenities of neighbouring properties.

7. Conclusion

Having taken all material considerations into account, it is considered that the proposed development would NOT have an acceptable impact on the character and appearance of the application site, the street scene and the locality, as well as on amenity of the neighbouring properties. This application is therefore recommended for REFUSAL.

