

**Location** **St Michaels School Nether Street London N12 7NJ**

**Reference:** **23/0227/FUL** Received: 18th January 2023  
Accepted: 18th January 2023

Ward: West Finchley Expiry 19th April 2023

**Case Officer:** **Dominic Duffin**

Applicant: -

Proposal: Demolition of an existing single storey building and construction of a three-storey building for educational purposes adjacent to, and immediately south of, the schools existing hall/drama studios to accommodate 6 no. new classrooms, offices and associated facilities, landscaping and ancillary works. (Amended Description).

## **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 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)

## **RECOMMENDATION I:**

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. 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.Submission of School Travel Plan and monitoring contribution of £5,000.
2. The council's reasonable legal fees in preparing the Legal Agreement.

## **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 development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - PJT10312 - MCA - ZZ - XX - D - - 9001 P04  
Existing Site Block Plan - PJT10312 - MCA - ZZ - XX - D - - 9002 P04  
Proposed Site Block Plan - PJT10312 - MCA - ZZ - XX - D - - 9003 P08

Existing Floor Plan - PJT10312 - MCA - ZZ - GF - D - - 9901 Rev P02  
Existing Roof Plan - PJT10312 - MCA - ZZ - RF - D - - 9902  
Demolition Plan - PJT10312 - MCA - ZZ - XX - D - - 9903 Rev P02  
Existing Elevations - PJT10312 - MCA - ZZ - XX - D - - 9904 Rev P02  
Existing Sections - PJT10312 - MCA - ZZ - XX - D - - 9905

Proposed Electrical External Site Services Layout - PJT10312 - WDK - 122 - XX - D - E - 1001 Rev P04

Proposed Elevation Sheet 1 - PJT10312 - MCA - ZZ - XX - D - - 9201 P06  
Proposed Elevation Sheet 2 - PJT10312 - MCA - ZZ - XX - D - - 9202 P06  
Proposed Ground Floor Plan - PJT10312 - MCA - ZZ - GF - D - - 9101 P04  
Proposed First Floor Plan - PJT10312 - MCA - ZZ - 01 - D - - 9102 P03  
Proposed Second Floor Plan - PJT10312 - MCA - ZZ - 02 - D - - 9103 P04  
Proposed Roof Plan - PJT10312 - MCA - ZZ - RF - D - - 9104 P04  
Proposed Sections - PJT10312 - MCA - ZZ - XX - D - - 9203 P05  
SITE DRAINAGE PLAN - PJT10312 - DID - 122 - XX - D - C - 5001 P06

Proposed Accessible Parking Spaces - PJT10312 - MCA - 00 - XX - D - - 8003 P01

Swept Path Analysis: Medium Refuse Vehicle - 23009/TK01  
Swept Path Analysis: 3.5t Panel Van - 23009/TK02  
Swept Path Analysis: Pumping Appliance - 23009/TK03

Tree Survey review, Arboricultural Impact Assessment and Arboricultural Method Statement' by The Landscape Partnership (dated 18.01.23)  
Highways Technical Note prepared by Milestone Transport & Planning dated June 2023

Transport Assessment prepared by Milestone Transport & Planning dated January 2023.

Bat Assessment for St Michael's School, Nether Street, North Finchley dated June 2023 prepared by the Landscape Partnership

Preliminary Bat Assessment for St Michael's School, Nether Street, North Finchley dated March 2023 prepared by the Landscape Partnership

Planning Noise Impact Assessment Prepared for: The McAvoy Group SLR Ref: 403.064453.00001 Version No: 2 dated December 2022 by SLR

Construction Transport and Management Plan Planning stage for St Michaels School Barnet Rev P01 by the McAvoy Group

Phase 2 Site Investigation Curtins Ref: 066146-CUR-00-XX-RP-GE-00001

Revision: V02 Issue Date: 10 January 2018

Planning Statement St Michael's Catholic Grammar School by JLL (January 2023)

St. Michael's Grammar School, Barnet

Drainage Statement PJT10312-DID-122-XX-RP-C-1001 by Design ID

Fire Safety Strategy by Innovation Fire Engineering PJT10312-INF-118-XX-L-K-1350 S3 - P02

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

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

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

- 3 3. a) No works on that specific part of the development shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

- 4 The levels of the proposed building shall be as detailed on the approved plans.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the

safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

- 5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
  - ii. site preparation and construction stages of the development;
  - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
  - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
  - v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
  - vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
  - vii. noise mitigation measures for all plant and processors;
  - viii. details of contractors compound and car parking arrangements;
  - ix. details of interim car parking management arrangements for the duration of construction;
  - x. details of a community liaison contact for the duration of all works associated with the development.

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

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 6 No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until the temporary tree protection measures shown on 'Tree Survey review, Arboricultural Impact Assessment and Arboricultural Method Statement' by The Landscape Partnership (dated 18.01.23) approved have been erected around existing trees on site. The protection specified in 'Tree Survey review, Arboricultural Impact Assessment and Arboricultural Method

Statement' by The Landscape Partnership (dated 18.01.23) shall remain in position until after the development works are completed and no material or soil shall be stored within fenced areas and/or construction exclusion zones at any time. The development shall be implemented in accordance with the protection plan and method statement as approved.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G7 of the London Plan 2021

- 7 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 34 cycle parking spaces (31 long stay and 3 short stay spaces ) 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 and London Plan policy T5.

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

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

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

- 9 The 3 disabled parking bays and 3 enlarged bays shall be provided in accordance with the approved plans, Proposed Accessible Parking Spaces - PJT10312 - MCA - 00 - XX - D - - 8003 Rev P01, prior to occupation of the development and shall thereafter be kept available/ maintained for such use at all times.

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.

- 10 Before the permitted development is occupied a full Parking Management Plan (PMP) 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 parking 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.

- 11 Prior to occupation of the development, details of refuse collection must be submitted to and approved in writing by the Local Planning Authority. If by private collection this needs to be confirmed. If by council collection, refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to be designed in accordance with the Council's adoptable standards.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021

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

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and G.7 of the London Plan 2021.

- 13 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

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

- 14 The level of noise emitted from any ventilation/extraction equipment (including the duct system) shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D.14 of the London Plan 2021.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies SI.3 of the London Plan.

- 16 Prior to occupation of the development the details the location, including height, orientation, and make of at least two bat roost boxes (as appropriate) and two purpose built bird nest boxes (as appropriate) to be installed on the newly constructed building and/or retained trees nearby in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)', shall be submitted and approved by the local planning authority. These installations shall be maintained and replaced as necessary for the lifetime of the building as directed by an appropriately qualified and licenced bat ecologist.

Reason: To enhance the ecological value of the site in accordance with section 197 of the Town and Country Planning Act 1990, Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM16 of the Development Management policies DPD (2012) and Policy G6 of the London Plan.

- 17 Prior to the commencement of development, a scheme for the retention of the "Saint Michael the Archangel" mosaic, as identified on the approved plan - Existing

Floor Plan - PJT10312 - MCA - ZZ - GF - D - - 9901 Rev P03 (received 11/12/2023), shall be submitted to the Local Planning Authority for approval. The scheme shall identify the methodology to ensure the safe retention of the mosaic during the works. The development shall only proceed in accordance with the agreed details.

Reason: To safeguard the historic significance of the mosaic, in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012), CS5 of London Borough of Barnet's Core Strategy (Adopted September 2012), policy HC1 of the London Plan (adopted 2021) and para 203 of the NPPF.

- 18 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 15% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Polices document (2012) and Policy SI 2 of the London Plan 2021.

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (updated October 2016).

### **RECOMMENDATION III:**

- 1 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:



- 2 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 28.06.2024, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):
  1. The proposed development does not include a formal undertaking to mitigate the highways impacts of the proposed development with the provision of a School Travel Plan and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy DPD (2012) and Policy DM17 of the Adopted Development Management Policies DPD (2012).

**Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. 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 developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email [highwayscorrespondence@barnet.gov.uk](mailto:highwayscorrespondence@barnet.gov.uk)
- 3 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover

the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

- 4 Refuse collection point should be located at a ground floor level and within 10m of the collection point. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an un-adopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 5 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW, 4-6 weeks before the start of works on the public highways.
- 6 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

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

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

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

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

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

To ensure the replacement trees meet bio-security standards they should be purchased from a DEFRA accredited supplier that can be found here:  
<https://planthealthy.org.uk/certification>

- 10 While it is understood that any vegetation clearance within the site boundary falls under permitted development there is a risk that nesting birds maybe negatively impact by the proposed clearance works should the works commence during the active nesting bird season. Nesting birds and their active birds' nests are protected from damage of disturbance under the Wildlife and Countryside Act 1981, as amended (section 1). Generally, trees, buildings and scrub may contain nesting birds between 1st March and 31st August inclusive. It is considered that nesting birds are likely to be present between the above dates. You are advised to seek the

advice of a competent ecologist prior to undertaking any works which could affect nesting birds during the period outlined above.

- 11 Wild mammals are protected under the Protection of Wild Mammals Act 1996 from undue suffering due to crushing or asphyxiation. Therefore, all excavations, trench and bore holes would need to be either covered over at the end of the day or provided with a 45-degree ramp to prevent mammals become trapped within them. If any trapped mammals or other wildlife such as common toads are found within the trench, then works are to halt and a suitably qualified ecologist is to be contacted to It is expected that an appropriate precautionary mitigation strategy would be sufficient to mitigate the risk of impacting these species.
- 12 The current plans show some trees are to be retained. If any of those trees identified as having low potential are removed, they would need to be soft felled in stages, with sections lowered to the ground carefully. A suitably qualified ecologist would need to inspect these trees prior to felling. Any works to be carried out to trees which have a roost confirmed within them during these further checks will need to be carried out under a licence from Natural England with specific methods and timings of works.
- 13 If the demolition of the extant building cannot commence outside of the nesting bird season (March to August inclusive) then a nesting bird check must be conducted prior to commencement of demolition by a suitably qualified ecologist. Any active bird nests that are discovered are to have an appropriate 5m protective buffer put in place around the nest and the nest is to be retained until such time that the chicks have fledged. No demolition would be permitted to commence until such time that the young birds have fledge and any active bird nests become inactive.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The wider site is occupied by St Michael's Catholic Grammar School. It is in the ward of West Finchley. The school was established in 1908 and became a Voluntary Aided Grammar School in September 1958.

The site is not located within a designated conservation area and there are no statutory listed buildings on site. During the course of this application, it has been highlighted in third party correspondence that within the school building there is a mosaic of Saint Michael the Archangel, 2x2m, reputedly by Hans Unger, a noted painter/artist from the early 20th Century.

St Michael's Convent High School, which is within the blue line area, is a locally listed building. The Council's local listing text states: "Detached two storey building in red brick

with slated pitched roofs, hipped gables and dormer windows. Stone quoin dressing to Flemish bond stock brick. Arched Italianate windows, dental cornice, decorative roof soffit brackets, sash windows with multilight. Glazed conservatory with stained glass transoms."

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

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

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

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

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

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

The site is in Flood Zone 1.

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

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

Following the approval of application planning reference 17/8113/FUL, decision dated 05/04/2018, a four-storey building to the west of the red line application site has been constructed.

## **2. Site History**

Reference: 23/5214/OUT

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

Decision: Pending

Decision Date: N/A

Description: Outline planning permission for demolition of the existing Convent wing building and link and erection of an extension to the school. Erection of a four-storey contemporary residential apartment building to provide 9 flats. Landscaping to be a reserved matter.

Reference: 20/4414/CON

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

Decision: Approved

Decision Date: 23.10.2020

Description: Submission of details of condition 7 (Remediation Strategy) pursuant to planning permission 17/8113/FUL dated 05/04/18

Reference: 20/0299/FUL

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

Decision: Approved subject to conditions

Decision Date: 11.02.2022

Description: Demolition of an existing single-storey building and construction of a part single, part 3-storey building to accommodate 10 new classrooms, a replacement dining facility with servery and a drama studio with a link to the existing school hall. Refurbishment and internal alterations to the existing school hall to accommodate a new mezzanine level. Alterations to façade of existing school building, including openings to allocate ventilation grille(s). Alterations to landscaping. Associated heating and ventilation duct system and associated structures on roof. The proposed works are to facilitate the expansion of the secondary school by 1 form entry each year, adding 32 places each year, resulting in a total of 224 places (over a period of 7 years), starting in September 2020 admission.

Reference: 19/5764/S73

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

Decision: Approved subject to conditions

Decision Date: 13 January 2020

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

Reference: 18/4767/S73

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

Decision: Approved subject to conditions

Decision Date: 17 September 2018

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

Reference: 18/0633/FUL

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

Decision: Approved subject to conditions

Decision Date: 5 April 2018

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

Reference: 17/8113/FUL

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

Decision: Approved subject to conditions

Decision Date: 5 April 2018

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

### **3. Proposal**

The applicant seeks consent for the demolition/removal of the existing single-storey building fronting Nether Street, and the construction of a 3-storey building. The scheme has been amended through the course of the application. The initial submission proposed;

*"To accommodate 9 new classrooms and an office and unisex toilet facilities. The building would be 28.8m wide x 10.2m deep. The building would have a total height of 12.25m. The building would be finished in brick at ground floor level with mixed colour cladding (grey & red/brown) on upper floors".*

The amended scheme continues to propose a three-storey building but it has been reduced to accommodate six classrooms, an office and unisex toilets. The building would be 21.6m wide x 10.2m deep, a reduction in width of circa six metres. The building would still have a total height of 12.25m. The building would be finished in brick at ground floor level with mixed colour cladding (grey & red/brown) on upper floors.

The proposed building would be sited to the south of the existing 'dome' roof building and would be located between the new four storey building to the west and the single storey drama room to the east.

The section of wall containing the mosaic, would remain untouched and a new entrance lobby, into the drama studio, would be created.

The three-storey building would front Nether Street.

The proposed works are to facilitate the expansion of the secondary school by 1 form entry each year, adding approximately 32 places each year. The proposed development will increase the capacity of the school with a total addition of 224 new pupil places (7 x 32).

The proposal follows a previous approval for a larger school expansion approved in February 2022 (20/0299/FUL). The approved application was for a part single, part 3-storey building to accommodate 10 new classrooms, a replacement dining facility with servery and a drama studio with a link to the existing school hall.

### **4. Public Consultation**

Consultation letters were sent to 338 neighbouring properties. 18 replies were initially received in relation to the nine classroom scheme - 8 objections/10 representations. The objections can be summarised as below;

-Feel there should be a move to retaining (rather than allowing the demolition of) an iconic and large mosaic depicting St Michael, the schools patron and which contains its motto in latin "Quis ut Deus" means "Who is like unto God". To my mind this has been a focal point for students and educators alike and I am certain that this beautiful piece of 'futuristic' artwork could be sympathetically removed and successfully incorporated within the new proposal at little cost or inconvenience. It would be such a waste to see this destroyed especially since it continues to resonate with all visitors and students alike.

-Concern that this proposal to extend the school will add to the already significant highway/parking issues around the school. I experience issues with parking owing to the school and St Albans Church + Trinity Church all in the immediate area.

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

- Upset at the possibility that such a historic piece of the school will be lost forever. it is not only important to the history of the school, but to the history of Finchley too. St. Michael's School is over a century old, and the mosaic's depiction of St. Michael himself represents the identity of the school.

- The Council should not approve the application unless there is a condition requiring the mosaic of St Michael (Quis Ut Deus) to be preserved in situ.

- Mosaic is part of the very fabric of the school and one of our treasured memories during our time there.

- Various parties have expressed their willingness to ensure the mosaic remains intact. This is heartening and I trust these offers will not be overlooked so that the mosaic can remain on display in its entirety in an appropriate and prominent location within the new / refurbished buildings

- See absolutely no justification in allowing the destruction of this work of art, and do not believe it is not possible to preserve it either in situ or elsewhere in the school.

Finchley Society - This is an objection on behalf of the Finchley Society. The Council should not approve this application except with the imposition of a condition requiring the preservation of the important mosaic by Hans Unger. If the application goes to Committee the Finchley Society will wish to speak.

The representations can be summarised as below;

- The mosaic is in my opinion of great artistic merit. It is a valuable heritage asset. It should be preserved. It depicts the figure of Michael the Archangel, with flaming hair, protective golden wings, an armour worn to offer protection to all who call upon him.

- This mosaic, along with the coloured glass windows in the Chapel are the stand out items of heritage on the school site. The visitors from the British Association of Mosaic Artists state that it may be the work of Hans Unger, a renowned versatile artist of the post war



era, but this provenance is not confirmed.

- Support the provision of additional classrooms but not in a way which requires the demolition of this valuable heritage asset.

- The school redevelopment should preserve this piece of historical artwork in our old foyer.

- The mosaic is visually arresting. My view is that it is of local and national importance. This view is shared by people from the British Association of Modern Mosaic Artists and by the 20th Century Society. It is an important heritage asset and is central to the identity of the school.

London School of Mosaic - I am writing in regard to the planned demolition of a building that is owned by St. Michael's school, and in which there is a 2x2m mosaic of exceptional quality which is at risk of being lost.

We have inspected the mosaic, and the school doesn't have the funds to preserve it. Due to its high quality of mosaic craftsmanship, as well as its symbolic value to the school, we hope the mosaic can be preserved and that all efforts will be made to support and fund this. We would be very happy to assist with this.

British Association for Modern Mosaics - School records show that the Mosaic is dated 1957. The mosaic depicts the typical image of St Michael Vanquishing Satan but rather than being a traditional copy of an Ecclesiastical mosaic it is made in a contemporary, original style, which is really unusual. It is made of Smalti, a type of glass used in Byzantine mosaics. This fusion of the Old and New makes it a rare example of mid-20th Century Mosaic work.

Having seen the mosaic we consider that it was made by a professional artist who had experience and confidence in working across mediums rather than a mosaic specialist.

We represent the British Association for Modern Mosaics (BAMM), which is a network of professional Mosaic Artists and academics. It exists to promote, encourage and support excellence in contemporary mosaic art and to raise public awareness of modern mosaic art.

Regardless of its provenance, this is an important example of Mid-20th Century Mosaic in Britain. It is made with exquisite materials and fabricated in an original, dynamic style. The design is striking. This mosaic is an important work of art and part of our Heritage.

We urge you to preserve this important work of art and we're ready to assist with the advice and expertise required to do so.

### 20th Century Society

The Society has been alerted to the above planning application, which has been approved, that would involve the demolition of a significant mosaic mural dating from the late 1950s. The Society is extremely concerned over the potential loss of this mural - which we believe is of considerable artistic merit - and we urge you to explore alternative options which may preserve the mural for future generations. We do not oppose the new building proposal, but from our initial research, it appears that the mural would be a good candidate to be safely and securely moved. Ideally it could either be incorporated within the new building

or safely moved to a new location within the school. As a mural depicting the archangel St Michael slaying a dragon/Satan, it is clearly representative of the school and would be a valuable asset to the school community at present and in the future.

### Comments following amendments to reduce the scheme

Following the submission of amendments in December 2023, a reconsultation took place and a further four comments were received. These can be summarised as follows;

- The size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overlooking, loss of privacy and visually overbearing impact.
- Out of character with the surrounding residential dwellings.
- Unacceptable loss of privacy, adversely affecting the amenities enjoyed by the occupier of the adjacent and rear dwelling houses.
- Unsympathetic to the appearance and character of the local environment.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

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

The revised National Planning Policy Framework (NPPF) was published in December 2023. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

#### The Mayor's London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

Relevant policies:

S3 - Education and Childcare Facilities

HC1 - Heritage conservation and growth

D4 - Good Design

D5 - Inclusive Design

D6 - Housing quality and standards

SI 2 Minimising Greenhouse Gas Emissions

T5 of the London Plan, new development should provide secure, integrated, convenient and accessible cycle parking facilities for both commercial and residential uses  
T6 - Residential 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 (National Planning Policy Framework - Presumption in favour of sustainable development)  
CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth - The three strands approach)  
CS5 (Protecting and enhancing Barnet's character to create high quality places)  
CS9 (Providing safe, effective and efficient travel)  
CS10 (Enabling inclusive and integrated community facilities and uses)

#### Relevant Development Management Policies:

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

### Barnet's Local Plan (Reg 24) 2021

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

As part of this stage (Reg 24), the Inspector in his Interim Findings and Next Steps letter of August 17th has set out how the Council can through making Main Modifications to the Local Plan address issues of legal compliance and deficiencies in soundness. These interim findings are a clear indication of what the Local Plan and the policies and site proposals within will look like at adoption, subject to making the Inspector's suggested Main Modifications. Whilst the Council moves forward to formal consultation on the Main Modifications (expected to commence in January 2024) the Interim Findings and Next Steps letter of August 17th shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

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

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.

- Barnet Trees Policy (October 2013)

- Planning Obligation SPD (adopted April 2013)

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

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

## **5.3 Assessment of proposals**

### Principle of development

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

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

The National Planning Policy Framework (December 2023) states in Paragraph 99:

"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted."

London Plan Policy S3 (C), Education and Childcare Facilities states that,

"Development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need. Any proposed loss of sport or recreation land (including playing fields) should be considered against the requirements of Part C of Policy S5 Sports and recreation facilities".

Paragraph 6.8.4 of the London Plan, states that "The Mayor will support higher and further education providers and boroughs to identify opportunities to work in partnership to benefit from the development of higher and further education facilities".

Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Proposals which result in the net loss of education facilities should be resisted, unless it can be demonstrated that there is no ongoing or future demand.

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

Furthermore, planning ref. 20/0299/FUL has supported the proposal of a larger development, however the increase in number of pupils (224) is the same. The report states that the replacement will be built in a similar location to the existing building.

The building would increase in height from the existing single storey structure and would facilitate an increase in pupil numbers, which has been supported by the Department of Education's 'Selective School Expansion Fund' bid, in which the school was successful.'

Therefore, Officers find that there is nothing to specifically preclude the development in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

#### Design, appearance and character matters

The National Planning Policy Framework states that: "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

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

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

The existing building appears to have been constructed in a piece meal fashion and has no particular architectural merit or designation. Therefore, the removal and replacement of this section of the building with a better improved design is acceptable. Furthermore, it is accepted that the redevelopment will provide benefits in terms of improved school facilities and potentially improvements to the streetscene and visual amenities of the site.

The proposed building would sit lower than the adjacent building and would step down in height to sit higher than the existing single storey element. It would be slightly taller, but narrower than the previous approval. The staggered height helps to break down the massing. It would create a uniform front elevation with a brick-to-window ratio that would reflect a typical school building. The arrangement of windows and proposed materials will help to create a visually interesting alternative to the existing building. The reduced scheme allows a pathway around the new building, and helps provide some space to the setting.

During discussions with the council, it was suggested, with regards to the location of the 'external plant', which was sited on top of the building, that this element could be reconfigured. This is now incorporated out of sight within the building.

The proposal would enhance the existing buildings on site and would remove a relatively tired and dated structure which will bring visual benefits.

It is noted that the building would now be predominantly finished in cladding, as opposed to the brick finish under application 20/0229/FUL. The St Michael's Convent High School building, located 47.5m to the west is a locally listed building. Whilst having no in principle objection, the council's Heritage Officer has stated that a brick finish would be preferable. However, given the distance between the buildings which includes intervening tall vegetation, and the fact that other buildings on site are finished in cladding, the council would not insist on a brick finish and any impact on the setting of the building would be minimal. Well contained within the site, and typical in appearance of a school building, the scheme would have no adverse impact on the wider character of the area.

Conditions have been recommended to ensure that the materials used for the new building(s) are of an appropriate quality. Subject to the conditions recommended, the proposal is found to be acceptable and compliant with development plan policies as they relate to design, character and appearance matters.

### *Saint Michael the Archangel Mosaic*

As detailed above within the third-party comments, officers have been made aware that the building to be demolished includes a mosaic of Saint Michael the Archangel, and unconfirmed reports it may have been by a reputable artist of the early 20th Century (Hans Unger), although this is unconfirmed, and the mosaic may have been produced later than this artist's time (Hans Unger 1872-1936) at the time of the school's 50th anniversary in the 1950's.

In any case it is a striking piece of artwork and worthy of preservation. The council's Heritage Manager has advised that every effort should be made to retain the mosaic with the imposition of a condition.

The mosaic could potentially be considered a non-designated heritage asset.

Para 203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

London Plan policy HC1 "Heritage, conservation and growth" states at "C" states;

*"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".*

Under the amended scheme the wall containing the mosaic would be retained, and a new entrance lobby, would provide more of a setting for the artwork. Therefore, the revised scheme results in a suitable compromise, and the mosaic will remain for future generations to enjoy, and will continue to be a focal point within the grounds of the school.

Given its symbolic value to the school, the proposed changes are a welcome development. It is considered that the mosaic would provide a striking link to the schools past and the evolution of the built development at the site. There is artistic and cultural value to preserving the mosaic. It is hoped this approach will ensure the mosaic is retained for the enjoyment both of future generations and staff at the school, and for past generations and staff, some of whom have expressed their concern about its possible destruction.

There would still be works of demolition to this part of the building, and the mosaic will be located on a construction site. Therefore, a condition to agree a methodology of work in ensuring the mosaic is not damaged during the site works will be agreed by condition. The condition states;

21. Prior to the commencement of development, a scheme for the retention of the "Saint Michael the Archangel" mosaic, as identified on the approved plan - Existing Floor Plan - PJT10312 - MCA - ZZ - GF - D - - 9901 Rev P03 (received 11/12/2023), shall be submitted to the Local Planning Authority for approval. The scheme shall identify the methodology to ensure the safe retention of the mosaic during the works. The development shall only proceed in accordance with the agreed details.

Reason: To safeguard the historic significance of the mosaic, in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012), CS5 of London Borough of Barnet's Core Strategy (Adopted September 2012), policy HC1 of the London Plan (adopted 2021) and para 203 of the NPPF.

#### Impact on amenity of neighbouring occupiers

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

No. 44 Nether Street, the closest residential property to the east, would be buffered from the proposed development by the adjacent four-storey building approved and constructed under reference 17/8113/FUL.

The building would be 30m+ from 27a Grange Avenue (Chand House) located to the north-east of the new building.

The proposed building would be sited in excess 60 metres from the boundaries adjacent to

the properties along Grange Avenue to the north. This is well in excess of the guidance set out in Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) which states that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden.

The proposed building would be sited in excess of 21 metres (approximately 25 metres plus) from the properties on the opposite side of Nether Street.

A number of objections have been received by residents on Netherfield Road, but the building would be located in excess of 60 metres from the rear gardens serving these houses, and would be screened by the existing four storey school building.

At these distances it is also not considered that the proposed development would harm the outlook nor levels of daylight and sunlight received and enjoyed by occupiers adjoining the site.

Whilst there would be an increase in pupil movements into the surrounding area, it is not considered this would seriously impact the current amenity levels of local residents.

### Impact on highways and Parking

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

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

#### *1. Introduction:*

1.1 The site fronts directly Nether Street in North Finchley. Nether Street is residential in nature and the section near the site is fronted by a mixture of two storey properties and apartment blocks and it is on the edge of North Finchley town centre. The site has reasonable public transport accessibility with a PTAL rating of 3, on a scale of 1-6 where 1 = worst and 6 = excellent access to public transport. 7 bus routes can be accessed from stops on the High Road, which are within 3-5 minutes walking distance from the site. Woodside Park tube station is within 11 minutes walking distance from the site. The site is in a CPZ which operates Mon-Sat from 9am-6pm.

#### *2. Parking:*

2.1 The proposed development will result in an increase of 224 students and 20 staff. The total number of students will rise from 748 to 972 and the number of staff from 134 to 154. There are no specific parking standards for D1 in the London Plan but the school has car park with 60 space including 2 disabled spaces which is to be retained but no additional parking is proposed. Based on car mode share of 55% for staff, 84 spaces are needed which leaves a shortfall of 24 spaces.

However, 43% of the staff work on a part-time basis and are unlikely to be at the school at the same time. Given that the site is in a CPZ that operates Mon-Sat, 9am-6pm, the likelihood of any overspill parking in the immediate vicinity of the school is low. The provision of 2 disabled bays is low and meet London Plan standards which specify 5% of parking provision at the outset and 5% enlarged bays for future provision. A minimum of 3 disabled and 3 enlarged bays is therefore requested.

Highways would therefore accept the proposed parking provision for the development



subject to the applicant agreeing to s106 agreement to deny the school the right to purchase CPZ permits, a robust school travel plan and a revised parking layout showing 3 disabled and 3 enlarged bays. This can be secured by way of a planning condition.

2.2 Cycle parking is to be provided in accordance with London Plan standards. The proposed development will include 141 long stay cycle parking spaces for students/staff as well as 10 short stay cycle parking for visitors spaces. Students and staff long stay cycle parking must be provided in separate compartments. No cycle parking is shown on the proposed ground floor plan. Long stay cycle parking should be provided in a secure, sheltered and fully enclosed compound. Short stay cycle parking should be provided in a secured, lockable and sheltered environment. Details of cycle storage/parking is therefore requested and this can be secured by way of a planning condition.

2.3 No electric vehicle charging points provision are shown in the plans submitted. Electric vehicle charging points should be provided in accordance with London Plan standards. 6 active and 6 passive points are requested and the details can be secured by way of a planning condition.

### 3. Internal Layout:

3.1 The existing vehicle and pedestrian access arrangements to the school will remain unchanged. As part of the proposed development a new pedestrian path is to be constructed in front of the proposed block to provide stepped/ramped access to the building. A small area of landscaping is also proposed in front of the new block. Provided the ramped access to the new building is Disability Discrimination Act (DDA) compliant then Highways finds the proposed internal layout of the development is acceptable. The applicant is asked to confirm the gradients of the pedestrian paths at the front of the building.

3.2 Vehicle swept path drawings are requested to demonstrate that emergency vehicles can access the site safely. This is to be provided prior to determination.

### 4. Servicing:

4.1 Paragraph 5.17 of the TA states that the delivery and servicing arrangements for the school will remain unchanged but it does not indicate where deliveries can take place within the site nor confirm if delivery vehicles can enter and exit in forward gear. It is noted that there are no changes to existing refuse collection and storage arrangements but the applicant is asked to indicate the location of the refuse store. Also, if refuse vehicles enter the site then the applicant will have to provide evidence of granting an indemnity against damage to the internal road caused by Council's Waste collection vehicle. Details of refuse storage and collection are therefore requested and this can be secured by way of a planning condition.

### 5. Trip Generation:

5.1 School start and finish times are the peak periods of trip generation by the school. Tables 6.5, shows the net change in daily vehicle trip generating resulting from the development while Table 6.6 shows the net person trip generated during the morning (8am-9am) and afternoon (3pm-4pm) peak periods.

It is noted that the proposed development would generate an additional 136 two-way vehicle trips daily. The corresponding figure for the morning peak (8am-9am) and the afternoon peak (3pm-4pm) periods is 59 two-way vehicle trips. The existing vehicle trip generation by the site is 516 two-way trips and 136 for the proposed expansion which

makes at total of 652 two-way vehicle trips.

5.2 The development would generate around 1301 two-way person trips during the AM and PM peak periods. A substantial number of trips will be by public transport. Given the number of vehicle movements anticipated, Highways would recommend that arrival and departure times are staggered to reduce the traffic congestion in the immediate vicinity of the site at school start and finish times.

## 6. Road Safety:

6.1 An analysis of the collision data for the 5-year period ending 2019 obtained from Transport for London shows that there were a 76 accidents of which 10 were classed as "serious" and 66 were classed as "slight" within the study area. 24 (32%) involved collisions between pedestrians, 10 (13%) involved cyclists, 15(20%) involved motorcyclists and the remaining 27 (35%) involved vehicles. The study area encompasses roads within the triangle formed by Nether Street, Alexandra Grove and Kingsway/Ballards Lane.

6.2 Data obtained from the accident database Crashmap for the 2-year period ending 2021 shows that there were 15 accidents of which 2 were classed as serious and 13 were classed as slight. The accidents were clustered around junctions and on the A1000. However, there was 1 slight accident at the junction of Nether Street and Birbeck Road and 1 slight accident on Dale Grove.

6.3 The percentage of pedestrian accidents (32%) within the study area is high. However, a review of the contributory factors suggests that human error and injudicious crossing rather than speeding or highway layout were the main causes.

## 7. Travel Plan :

7.1 The applicant proposes to update the existing school travel plan and have included a section of promoting sustainable transport modes. Highways would request an updated school travel plan and recommend that the travel plan is secured via a s106 agreement. Also a contribution of £5,000 is sought towards travel plan monitoring.

## 8. Construction Management and Logistics Plan:

8.1 The proposed development will involve building works and the applicant has submitted a Construction Transport and Management Plan. Officers have reviewed the plan and it is not acceptable in its current form but an updated plan can be submitted by way of a planning condition. Some of the details required are :

- a)Details of the community liaison officer should be provided
- b)Measures to encourage construction staff to travel to the site by sustainable modes of transport
- c)All hauliers and freight lorry operators must be FORS accredited
- d)Cleansing arrangements need to be set out operations need
- e)Cycle storage should be provided on site
- f)There should be no waiting/idling of construction vehicles on the highway

## 9. Parking Management Plan:

9.1 A parking management plan is requested and this must set out amongst other things, the criteria for allocation of parking spaces, how illegal parking will be enforced and steps to prevent unauthorised use of the proposed parking spaces. This can be secured by way of a planning condition.

## 10. Off-site Highway works

10.1 The following off-site highway works are requested to mitigate the impact of the development. The applicant is therefore required to enter into a s184/278 agreement with the council to implement these works (All off site highways works must be completed to the satisfaction of the local highway authority prior to first occupation of the development):

- a) Provision of tactile paving at the site access
- b) Upgrading the existing single yellow lines at the junction of Nether Street and Birkbeck Road to double yellow lines
- c) Reinstate the crossover to the site opposite Birkbeck Road to footway.

## 11.0 Recommendation

11.1 Highways would raise no objection to the proposal subject to a S106 CPZ permit restrictions, a contribution of £5,000 towards travel plan monitoring, the off-site highway works set out above as well as suggested conditions and informatives.

The applicant has submitted additional plans and further information in response to the comments of the highways team. The Highways Officer accepts that submitted swept path drawings indicate that emergency vehicles will be able to access the site and delivery vehicles can turn within.

In terms of the accessible (disabled) spaces, no additional car parking is proposed or required as part of the current proposals. There are currently 3 existing accessible parking bays located outside the site, but immediately south-east of it within the school grounds, which already provides the required 3 accessible bays suggested.

For education uses, the London Plan requests 5% of bays to be designated disabled and 5% to be enlarged bays (currently 60 parking spaces at the school). An amended plan has been submitted providing an additional 3 disabled spaces, on top of the existing 3, to result in a total of 6 disabled bays, which is acceptable, and this could be secured by condition. There are no set standards for parking at educational uses and this scheme does not propose any further parking. However, the proposal will result in an increased demand for parking at the site and the increase in disabled spaces is considered to relate directly to this proposal and the details can be secured by condition.

The applicant has agreed to provide, via condition, cycle parking relative to the proposed development i.e. to meet the needs of circa 224 students and 20 additional staff. This would trigger a requirement of 31 long stay and 3 short stay spaces (224 students/20 additional staff divided by 1 space per 8 staff/students for long stay and 1 space per 100 students for short stay, as per London Plan policy T.5), and this can be secured by condition.

The applicant has also stated that as no new parking is proposed there should be no requirements to provide electric vehicle charging points (EVCP) which would be problematic for the school to provide at this site. It is accepted there is no requirement to provide EVCP's at a school particularly when no additional parking is proposed.

The applicant has provided swept path analysis for vehicles entering the site and confirms

that refuse collection is through a private contractor and this will continue to be the case.

With regards to parking and a potential permit restriction the applicant has submitted a Technical Note that has been prepared by Milestone Transport Planning (MTP) on behalf of St Michael's Catholic Grammar School. This follows a submission under the previous application, 20/0299/FUL, where parking surveys confirmed that there was sufficient parking on street to accommodate any overspill from the site.

On-street parking beat surveys have been carried out by an independent survey company; between 07:30-10:00 and 14:00-18:30 on Tuesday 6th June 2023. The parking beat surveys established the demand for parking in 15-minute intervals throughout the survey periods.

The survey reveals that during the AM peak period (07:30 - 10:00), the average parking 'stress' was observed to be circa 73%, equivalent to 173 parked cars and 63 spare spaces throughout the study area. Further analysis of the data reveals a peak in demand for on-street parking occurred at 07:30, when a maximum of 184 cars were parked. This equates to a parking 'stress' of 78% and 53 spare spaces.

The survey results for the PM pick up - 1530-1630hrs, parking 'stress' was observed to be circa 80%, equivalent to 186 parked cars and 47 spare spaces throughout the study area.

The overall parking demand for the study area did not exceed the available supply of on-street spaces.

The results of the parking stress survey indicate that there has been some change in parking stress between the survey data presented in 2018 and the June 2023 data (67% am, 61% pm in 2017). However, overspill parking could be accommodated on street. Officers would therefore not insist on the CPZ permit restriction.

With regards to the off-site highways works, this application follows a recent approval at the site, for a greater level of development, ten classrooms with the same intake of students. Given there is no material change it is not considered this request can be justified, with no material increase in the development, and indeed a reduction in the built form.

### Trees and Landscaping

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area.

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

TPO trees are growing in proximity to the proposed building but are unlikely to be directly or significantly impacted provided they are fully protected throughout all phases of the development.

As under the previous approvals an arboricultural method statement and tree protection plan must be submitted and approved prior to commencement.

The front boundary trees must be retained and a reasonable amount of soft landscape provided.

For the above reasons, there is no objection to the scheme subject to conditions.

### Safety and security

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

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

### Drainage

Thames Water have also been consulted and raised no objection.

### Ecology

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

The council's ecologist has reviewed the revised preliminary roost appraisal and is satisfied with the findings that the building does not support hibernating bats.

It was noted in section 3.4.2 that "The second cavity has an entrance which was taller than it was wide, and at the time of the survey starting was being used by a pigeon as a roosting perch." This is indication that the building itself does have the potential to support nesting birds and therefore in line with the recommendation of the PEA report any future demolition of the building will need to take place outside of the nesting bird season, or if this cannot be reasonably achieved then only following a nesting bird check by a suitably qualified ecologist to determine that no nesting birds will be impacted. This will prevent the risk of an offence being committed under the Wildlife and Countryside Act 1981 (as amended).

The ecologist is content with the confirmation that lime tree T2 will not be impacted and thus no further surveys will be required for the trees at this stage providing that all trees are effectively protected with appropriate heras fencing in line with an approved arboriculture method statement.

Given that the building was determined to have moderate suitability for roosting bats a minimum of two bat emergence/re-entry surveys will be required during the active bat survey season between May to September (with at least one emergence or re-entry survey undertaken between May and August inclusive). These further surveys would need to be undertaken by suitable qualified ecologist during the appropriate survey times and

weather conditions, and the survey report will need to be submitted to the LPA prior to any determination being made on the application.

In response to the comments the applicant has provided a Bat Assessment (June 2023, The Landscape Partnership) No roosting bats were recorded during the hibernation survey (23.02.2023) nor either of the bat emergence surveys (02.05.2023, 01.06.2023). The LPA is satisfied that roosting bats are likely absent from the buildings no further surveys nor proposed mitigation will be prior to determination. As mentioned with the Bat Assessment report the mature lime tree (T1) will have low suitability for roosting bats will be retained through the proposed works and thus no further surveys will be required. A suitable worded condition for the provision of species enhancement measures will be requested for the proposed works subject to approval.

Sufficient ecological information has been submitted in support of the application and it is recommended that the proposed development be approved on ecological grounds subject to a condition agreeing bat and bird boxes.

### Environmental Health

The E.H team have reviewed the application submission and raise no objection subject to a condition agreeing a Demolition and Construction Management and Logistics Plan.

The adjoining four storey building was subject to a remediation strategy and verification report for contaminated land (20/4414/CON), and the application on this site also required the same. The submitted survey for this application - Phase 2 Site Investigation Curtins Ref: 066146-CUR-00-XX-RP-GE-00001 Revision: V02 Issue Date: 10 January 2018, suggests similar again. As the site is adjacent to the four-storey building, this site has been remediated/verified, a similar strategy will be required for this site, and can be agreed by condition.

### Refuse

The refuse/recycling team raise no objection subject to existing arrangements remaining the same, and this will be the case with private collection remaining the method of refuse disposal.

## **5.4 Response to Public Consultation**

Issues with regards to parking and highway safety, including the addition of restricting roadway yellow lines, raised in third party correspondence, have been addressed within the report.

Issues relating to the mosaic, which have attracted significant comment, and have been addressed within the report.

The matters raised with regards to the impacts on neighbour amenity have been addressed within that section of the report. It is not considered this building would cause serious harm, and is well contained within the site.

## **6. Equality and Diversity Issues**

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes

important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- "(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Planning Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this legislation.

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

## **7. Conclusion**

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

