LONDON BOROUGH OF ENFIELD

PLANNING COMMITTEE	**Date :** 18th December 2018

Report of Executive Director - Place	**Contact Officer:** Andy Higham Ms M Demetri Tel No: 02083796843	**Ward:** Southgate

Ref: 18/03590/FUL	**Category**: Full Application

LOCATION: Walker Primary School, Waterfall Road, London, N14 7EG

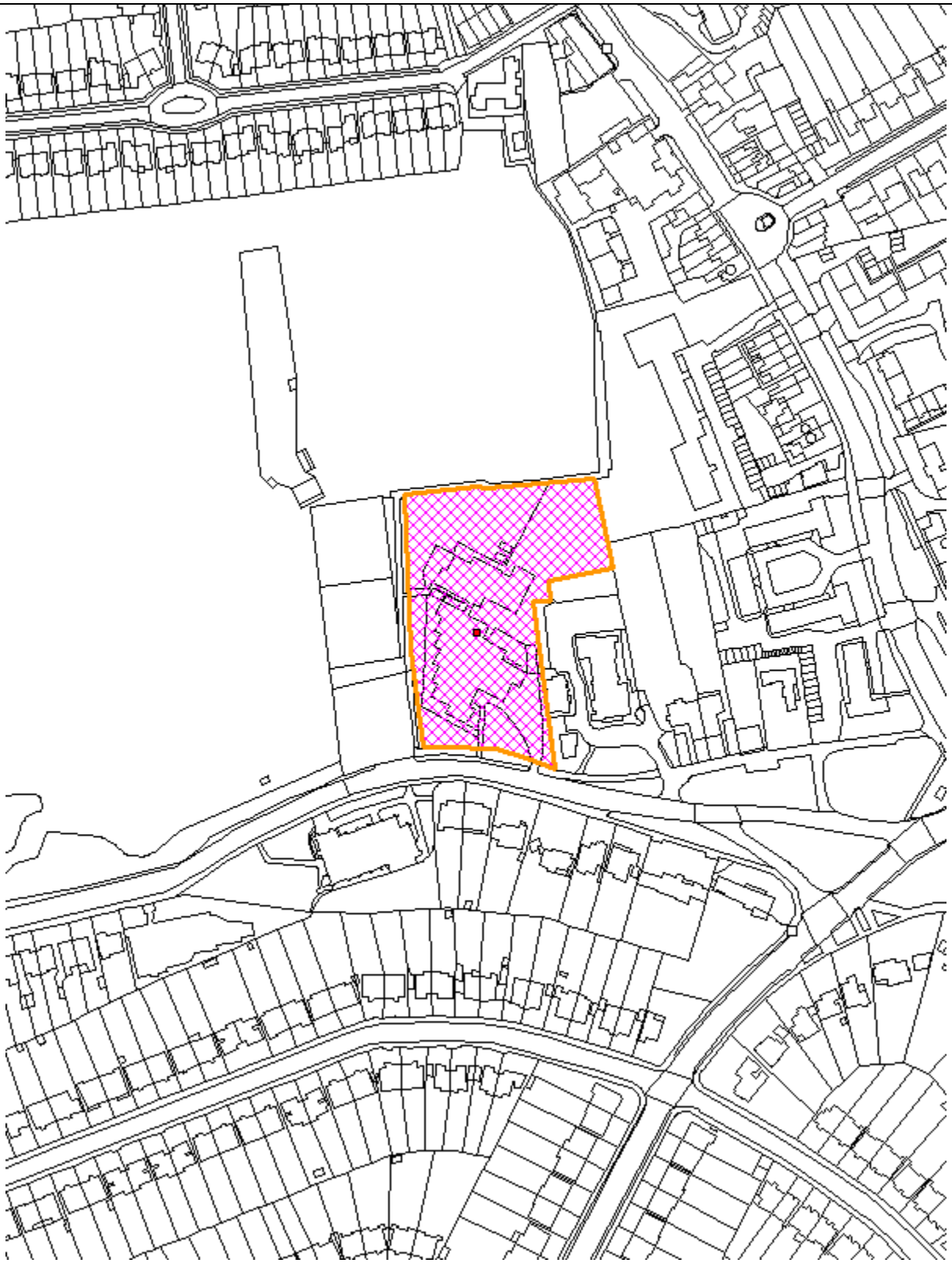
PROPOSAL: Demolition of existing school buildings and erection of part 1 part 2 storey replacement school building with associated parking, landscaping and erection of temporary classrooms for the duration of the construction.

Applicant Name & Address: Spatial Initiative Ltd, on behalf of the Education Skills c/o agent	**Agent Name & Address**: Mr Brian Kavanagh One Brewery Wharf Waterloo Street Leeds LS10 1GX United Kingdom

RECOMMENDATION: That the Head of Development Management/Planning Decisions Manager be authorised to REFUSE planning permission.

Note for Members: The application has been referred to Committee for decision in the public interest.

Ref: 18/03590/FUL **LOCATION: Walker Primary School, Waterfall Road, London, N14 7EG**



ENFIELD Council

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North

1.0 Site and Surroundings

1.1 Walker Primary School is a mixed gender Two Form Entry (2FE) Primary School that caters for pupils between the ages of 4-11 years. The current school roll has 420 pupils and 74 staff members (43 full time).

1.2 The existing building is sprawled out across the front of the site and ranges from one storey and two storeys in height. The building is made up of a mix of brick, painted render and painted timber panelling, all with flat roofs. There is a range of soft and hard landscaping serving the site, with significant trees and hedges, bounding the west, north and south boundaries of the site.

1.3 The building is mid-20th century and is sited in the Southgate Green Conservation Area. The building is noted in the Southgate Green Character Appraisal as making "a negative contribution to the character and appearance of the area, in addition to being an area with potential for improvement".

1.4 Key views are afforded across the Walker Cricket Ground to the rear of the site and along Waterfall Road, taking in Christ Church, (circa 1862, Grade II* listed), designed by Sir George Gilbert Scott. An immediately neighbouring pair of early 18th century dwellings, No.4 (Essex House) and No. 5 (Arnoside House) The Green (Grade II* listed), Essex Coach House (Grade II listed) and Arnoside Cottage (Grade II listed) are all sited immediately to the east of the site and taken in, in key views to and from The Green.

1.5 Regarding site constraints as per the Core Strategy (2010), the site is in the Southgate Green Conservation Area, the upper half of the site is designated as Local Open Space (as is the adjacent Walker Cricket Ground), Waterfall Road is a Principal Road and the site is covered by a Tree Preservation Order (LBE Order No.1).

2.0 Proposal

2.1 This application proposes the demolition of the existing school and seeks to erect a part 1, part 2 storey replacement school building with associated parking and landscaping.

2.2 This also proposes the erection of temporary classrooms for the duration of the construction. There are to be situated to the rear of the site and would be two storeys in height.

2.3 Members should note that there is no intention of increasing the number of pupils at the school. Rather, the number of pupils are to remain the same. The reason for the application is to make the school fit for purposes against todays education standards. There is no option to increase the number of pupils because the Education and Skills Funding Agency (ESFA) funding is subject to like for like replacement pertaining to student numbers.

3.0 Relevant Planning Decisions

3.1 There are no known relevant planning decisions pertaining to the demolition of Walker Primary School and erection of a new building. However, there has been extensive pre-application discuss in the form of two pre-applications (17/04259/LBEPRE and 18/02713/LBEPRE) and further correspondence between the Agent and the Local Planning Authority, outside of the pre-application service offered.

3.2 Members should also note that the latest pre-application has been presented to Members of the Conservation Advisory Group (CAG). It is prudent to note that although extensive efforts have been made by the Local Planning Authority, the Conservation Officer and the CAG, the advice and direction put forward during the pre-applications, has largely been ignored. In fact, it is considered that since the presentation to the CAG that the scheme has become retrograde.

4.0 Consultations

4.1 Statutory and non-statutory consultees

4.1.1 Traffic and Transport

The original comment was "No objections are raised subject to a condition relating to construction management". The Agent submitted a Construction Management Plan (CMP) on the 24th October 2018, with the intention of minimising the number of conditions imposed on the application. The Senior Transport Officer has confirmed on the 26th October 2018, that no condition requires to be imposed since the submission of the CMP specifically regarding Traffic and Transport measures is sufficient.

4.1.2 Environmental Health

The original comment was "No objections are raised subject to a condition relating to construction management, specifically regarding dust management". The Agent submitted a Construction Management Plan (CMP) on the 24th October 2018, with the intention of minimising the number of conditions imposed on the application. The document is currently under review by colleagues in Environmental Health. Should there be any updates regarding this matter, this will be reported at the Committee meeting.

4.1.3 Sustainable Urban Drainage (SuDS)

The original comment was "Insufficient information has been submitted to allow a full assessment. However, the details that are outstanding can be secured by way of a condition". The Officer contacted the Agent requesting the additional information on the 19th October 2018. On the 24th October 2018 the Agent has advised the following "We are just costing the request made by your SUDS colleague and will have an answer in the next day or so". To date, no response has been received from the Agent.

4.1.4 Designing Out Crime Officer

The original comment was “Insufficient information has been submitted to allow a full assessment and thus a condition is required to be imposed”.

The Officer contact the Agent with regards to the comments, and the Agent has advised the following on the 19th October 2018:

“The school is built to Department for Education specification, so we do not have concerns with such a condition being attached in theory. I will liaise with Leslie Gipps regarding getting a meeting in the diary and keep you cc’d in. Should we not get this matter resolved before the determination date, the client said that they would be content with such a condition to be attached, which can be resolved while demolition occurs. Hopefully it will not come to that however”.

To date, no response has been received from the Agent.

4.1.5 Economic Development Officer

Original comment. Objection raised. No Employment Skills Strategy has been submitted and thus the submission is in breach of the adopted Section 106 SPD.

The Officer has advised throughout the pre-application process that an Employment and Skills Strategy is required to be secured by way of a Section 106. It has since been established that due to a “Memorandum of Understanding” between the ESFA and the Council (not the Local Planning Authority) that if there is a Section 106 or a Section 278, then the Council would need to fund these. In the interest of being positive and pro-active, the Local Planning Authority sought advice as to how to secure the Section 106 and it was advised that if the Employment and Skills Strategy was submitted as part of the application, and agreed by the Economic Development Officer, then this could be secured by way of a condition. This was option was re-laid to the Agent.

In spite of the Local Planning Authority’s efforts, the application was submitted without an Employment and Skills Strategy. The Officer has made contact with the Agent regarding this matter. On the 24th October the Agent confirmed that the document “is almost finalised, we are just confirming the number of trainees in the scheme”.

On the 31st October 2018 the Economic Skills and Strategy was received. The Economic Development Officer has confirmed that the submitted document does confirm that the development will aim to employ 25% local labour and 6 apprenticeships target wise. However, it does not identify the number of training weeks the developer is offering and does not provide a strategy as to how the targets identified are to be delivered. Given how pro-active the Local Planning Authority have been regarding the application, it is considered that it would not be prudent to refuse the scheme on this point, as justified within the Committee Report, paragraph 6.30 to 6.32.

4.1.6 Conservation Officer

Objection raised. The proposed development will fail to conserve and enhance the character and appearance of the Southgate Green Conservation Area and will cause less than substantial harm to the setting of several Grade II* and II listed buildings located in the immediate vicinity of the site. This harm cannot be justified in terms of any public benefit that could potentially be delivered by the proposal. The proposed development will not enhance or better reveal the significance of the surrounding heritage assets but act to diminish their significance.

Members should note that despite the Conservation Officers input throughout the pre-application process, the advice provided has been addressed as part of the application. The Conservation Officer further expressed her concerns formally in an email regarding the design of the scheme in an e-mail to the Agent on 5th September 2018. The Officer also recommended that the scheme would benefit from input by Enfield Council's Place and Design Quality Panel. In response, the Agent advised that the applicants were working to tight deadlines and as such, would not be able to amend the scheme in line with the Conservation Officers comments or those of the Conservation Advisory Group (CAG).

4.1.7 Tree Officer

Objection raised. The proposed development does not respect the constraints of the significant trees on the site, in particular a mature oak tree located at the front of the site. The proposed development will result in significant harm to the trees root system and likely result in a significant decline to the health of the tree and potentially tree death. All trees within Conservation Areas are protected.

4.1.8 Southgate District Civic Trust

Objection raised. The comments are as follows, "This was a disappointment to the group who had hoped that a more interesting frontage would have been proposed after the presentation to CAG. There was little change to the previous scheme except that it was now all brickwork. The only part of the design that this group did not totally agree on between themselves was use of rendering on the frontage and that has now been removed. On the rest of the design it was unanimous on considering the frontage as needing some interest, and that does not appear to have been done.

This opportunity to provide a new building in the Conservation Area will create a precedent for future buildings in the CA and needs to be given more architectural character. Although timing for the new school is a possible concern, it would be hoped it could come back to CAG before being given any approval, which is what we thought was going to happen".

4.1.9 Southgate Green Study Group

Objection raised. The submission is unacceptable in terms of design, impact to the Conservation Area and views to this important vista have not been taken into account.

Suggestions have been put forward as to how to improve the submission visually and in the interest of the Conservation Area. These suggestions have been largely ignored.

4.1.10 Conservation Advisory Group (CAG)

Objection raised. These are discussed extensively in the Committee Report alongside the comments of the Conservation Officer, the Southgate Green Study Group and the Southgate District Civic Trust. It should be noted that CAG "is very concerned as to why has the design bar been lowered to its most basic level particularly given that what was presented at pre-application stage, at the 14th August 2014 CAG meeting, provided far greater option and hope".

Suggestions have been put forward as to how to improve the submission visually and in the interest of the Conservation Area. These suggestions have been largely ignored.

4.1.11 The Greater London Archaeology Advisory Service (GLAAS)

GLAAS have confirmed that they "do not wish to officer any comments to this planning application". As they are the advisory body for archaeological matters, the Local Planning Authority therefore raises no objection to the scheme on archaeological matters and no conditions are required to be imposed.

4.2 Public response

4.2.1 Letters were sent to 248 adjoining and nearby residents, with a response date until the 21st October 2018. In addition, a notice has been displayed at the site (response date until 16th October 2018) and a press notice has been advertised (response date until 17th October 2018). As a result, one (1) response has been received and this raises the following objections:

- There would be harm to the heritage assets by the temporary building and the proposed school building;
- Overlooking the property at 5 The Green by the school;
- Overlooking the property at 5 The Green by the temporary school as well as having an impact on sunlight/daylight and noise; and
- Congestion and parking implications.

5.0 Relevant Policy

5.1 London Plan

Policy 3.16	Social infrastructure
Policy 3.18	Education facilities
Policy 5.1	Climate change mitigation
Policy 6.3	Assessing effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking
Policy 7.1	Building London's neighbourhoods and communities

Policy 7.2	An inclusive environment
Policy 7.4	Local character
Policy 7.5	Public realm
Policy 7.6	Architecture
Policy 7.8	Heritage
Policy 7.19	Biodiversity and access to nature
Policy 7.21	Trees and woodlands

5.2 Core Strategy

CP8	Education
CP9	Supporting community cohesion
CP20	Sustainable energy use and energy infrastructure
CP21	Delivering sustainable water supply, drainage and sewerage infrastructure
CP30	Maintaining and improving the quality of the built and open environment
CP31	Heritage
CP34	Parks, playing fields and other open spaces
CP36	Biodiversity

5.3 Development Management Document

DMD 16	Provision of New Community Facilities
DMD 17	Protection of Community Facilities
DMD35	Achieving high quality and design led development
DMD37	Achieving High Quality and Design-Led Development
DMD38	Design Process
DMD 44	Heritage
DMD45	Parking Standards and Layout
DMD 47	Access, New Roads and Servicing
DMD 48	Transport Assessments
DMD 50	Environmental Assessment Methods
DMD 51	Energy Efficiency Standards
DMD 59	Avoiding and Reducing Flood Risk
DMD 61	Managing Surface Water
DMD 65	Air Quality
DMD 68	Noise
DMD 69	Light pollution
DMD 71	Protection and Enhancement of Open Space
DMD 80	Trees on Development Sites
DMD 81	Landscaping

5.4 Other

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
The Town and Country Planning Act (1990)
Planning (Listed Buildings and Conservation Areas) Act (1990)
Southgate Green Conservation Area Character Appraisal
Southgate Green Conservation Area Management Proposals
Section 106 Supplementary Planning Document (SPD)
Enfield Characterisation Study

6.0 Analysis

Principle

6.1 *New school building*

The proposed demolition of the existing school and the erection of a new school building is regrettably not to increase number of pupils within the Borough, where there is an acute need. Rather, the new school building is to ensure that pupils and staff are provided with modern teaching facilities which meet national teaching standards. There is no intention of increasing pupil numbers due to the restrictions placed on the funding requirements by the ESFA. Meeting these facilities and standards is a recognised consideration and there is currently a presumption in favour of allowing such development unless material circumstances dictate otherwise, for example, impact on the Conservation Area, impact to the setting of Listed Buildings and impact to protected trees. These matters are discussed within the Committee Report.

Local Open space

6.2 The application site is designated as Local Open Space in the Core Strategy (2010). The new school building is to be built largely within the fabric of the built development, albeit will be moved further forward on to the site closer to Waterfall Road. The main playgrounds and surrounding soft landscaping are still being retained. In this regard, no objection is raised to this element of the scheme due to the long-term retention of this space. It is prudent to note that although the temporary classrooms are being built on a currently open area they will be removed once the school building has been built. This could be secured by way of a condition ensuring their phased removal once the school has been erected. The submission also confirms their immediate removal, mainly pertaining to financial reasons. Although the local open space will be temporarily no longer be open, this is only for a short period and it is considered that this, on balance, is acceptable for the delivery of the final school building.

Heritage and Design

National Legislation

6.3 Members must note that the Council has a duty under S72 of the Town and Country Planning Act (1990) to pay 'special attention to the desirability of preserving or enhancing the character or appearance' of a conservation area. In addition, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 requires that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

6.4 Further, members must note that Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 requires that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case

may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. 'Preserving' in this context means doing no harm (as explained by the HL in South Lakeland DC v S of S [1992] 2 AC 141 at p.150).

*Impact on the setting of Grade II*and Grade II Listed church and dwellings*

6.5 In the immediate vicinity of the setting of the site are numerous Grade II* and Grade II Listed buildings which include Christ Church, Arnoside Cottage, Arnoside House Essex House Forecourt and Railings at Arnoside House Essex House and Essex Coach House.

6.6 The setting of an asset is not limited to its curtilage and is defined as the physical and nonphysical environment in which the asset is experienced, including consideration of views to and from the asset, spatial associations and the historic relationship between places. The predominant guidance on development within the setting of heritage assets is contained within the Historic England document The Setting of Heritage Assets, 2015. It is largely acknowledged that in large cities views and settings will often evolve more rapidly than elsewhere. Good design of new development within the settings of historic assets is therefore essential if their significance is to be retained or enhanced. Analysis and understanding of significance in the form of a Heritage Statement is the basis for coming to a decision.

6.7 The proposed scheme does not respect or enhance the setting of the Grade II* listed church nor that of the surrounding Grade II and II* listed dwellings, which together form the original historic settlement. Although the current post 1950s school building detracts from the setting of the surrounding listed buildings, any replacement building should seek to enhance their setting and be of an exceptionally high standard of design, particularly in terms of its architectural form and materiality, as opposed to what has been produced as part of the application. The submission is considered to be of a poor design that does not positively contribute to the Conservation Area or the setting of the Listed Buildings. This is discussed at length within the Committee Report.

6.8 Consequently, the proposal would be contrary to DMD 44 of the Development Management Document (2014), which states that applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused and that the design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.

Local policy

6.9 Development Management Document policy 44 states the following, 1. Applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused; and 2. The design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.

6.10 Development affecting the significance of an asset may include, but is not limited to: the introduction of new structures/objects; alterations; complete or partial demolition; removal of buildings/features or parts thereof; the introduction of signage or advertisements; changes of use (including the use of open spaces); subdivision or fragmentation; changes to landscaping; the removal of built or landscape features or parts thereof; or any other form of development which fails to conserve and enhance the asset or its setting. The setting of an asset is not limited to its curtilage and is defined as the physical and nonphysical environment in which the asset is experienced, including consideration of views to and from the asset, noise, dust and vibration, spatial associations and the historic relationship between places. Applicants for development affecting heritage assets are encouraged to use design and construction professionals with appropriate heritage expertise.

6.11 Enhancement of a heritage asset can take many forms, including, but not limited to: restoration, repair, removal of inappropriate development, increasing access, increasing visibility, increasing the educational value, conversion to a more appropriate use or enhancement of the asset's setting. Only rarely will there be no opportunity for enhancement.

Impact on Southgate Green Conservation Area

6.12 The introduction of new structures/objections and alterations are all cited as development affecting the significance of a heritage asset. The submission is in essence a blank and bland brick façade flat roofed modular building that ranges from one storey to two storey in an unarticulated way. The building makes no effort in providing visual interest to the facades or taking cues from the context it is situated in particularly the positive attributes in the Conservation Area and the Listed Buildings. The building is one large box like mass which is exacerbated by the featureless elevations and dull roof line. There are many examples of buildings in a Conservation Area, some of which are award winning, that are designed to a high quality that ensure that the Conservation Area is enhanced.

6.13 A bespoke, high quality school building is required in this highly sensitive location. This is reiterated in the Conservation Area Appraisal but also through the professional advice provided by the Conservation Officer, the CAG, Southgate District Civic Trust and the Southgate Green Study Group. The building of a modular construction is not the correct approach on the site, as it leads to a highly constrained and generic design that is innately non-contextual in the Conservation Area. An exceptional contextual design response is needed in such a significant location that builds on detailed character analysis of the Conservation Area, in addition to taking cues from the surrounding Grade II*and II listed heritage assets.

6.14 A significant amount of work is required to refine the design of the proposed school building. The Conservation Officer has suggested that the creation of a dynamic roofline and expression to the elevations is greatly needed in order the break up the massing and avoid the creation of blank featureless facades. Several devices could be employed to achieve this, including the addition of projecting and recessed bays to articulate the façade and window openings set in deep window reveals, which would create more of a sense of depth and shadow lines. Textured

or decorative brickwork would also well on this site and was mooted at the pre-application stage.

6.15 The development of a high-quality landscaping scheme is also key to creating a setting to the building, in addition to grounding it in this semi-rural environment. The employment of a green frontage with a boundary treatment that is characteristic of the semi-rural character of the Conservation Area, would be the first step in helping to integrate the new building into its surroundings. It is considered that without both these elements, the scheme has failed to conserve and enhance the Conservation Area.

6.16 Consequently, the proposal would be contrary to DMD 44 of the Development Management Document (2014), which states that applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused and that the design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.

Harm

6.17 Any development proposal has some form of impact. An "impact" is not necessarily harmful. Paragraph 132 of the NPPF confirms that it is the significance of the heritage asset upon which a development proposal is considered and that "great weight should be given to the asset's conservation". Where a development will lead to less than substantial harm, the harm is to be weighed against the public benefits of the proposal, including securing its optimum viable use.

6.19 Case law has established (Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137) that where an authority finds that a development proposal would harm the setting … or the character and appearance of a conservation area, it must give that harm "considerable importance and weight". Moreover (Forge Field Society & Ors, R v Sevenoaks District Council [2014] EWHC 1895 (Admin)) where there is a finding of harm there is a strong presumption against planning permission being granted.

6.20 It is considered that the proposed development will fail to conserve and enhance the character and appearance of the Southgate Green Conservation Area and will cause less than substantial harm to the setting of several Grade II* and II listed buildings located in the immediate vicinity of the site. This harm cannot be justified in terms of any public benefit that could potentially be delivered by the proposal. Furthermore, the Local Planning Authority assert that the proposed development will not enhance or better reveal the significance of the surrounding heritage assets but act to diminish their significance. Consequently, an objection is raised to the scheme.

<u>Trees</u>

6.21 DMD 80 states that all development including: subsidiary or enabling works that involve the loss of or harm to trees covered by Tree Preservation Orders, or trees of significant amenity or biodiversity value,

will be refused. All development and demolition must comply with established good practice, guidelines and legislation for the retention and protection of trees. Proposals must a. Retain and protect trees of amenity and biodiversity value on the site and in adjacent sites that may be affected by the proposals; and b. Ensure that the future long-term health and amenity value of the trees is not harmed. Works to trees covered by a Tree Preservation Order or trees situated within a Conservation Area must ensure the long-term health of the tree and retain and enhance amenity value to the locality. Works must comply with current arboricultural best practice, guidelines and legislation.

6.22 The proposed development does not respect the constraints of the significant trees on the site, in particular a mature oak tree located at the front of the site and identified as T2 in the submitted tree survey. This tree is an excellent example of oak and is categorized as 'A' in the BS5837:2012 survey, the recommendations of which, state that trees of this category should be retained, and development should be outside of the Root Protection Area (RPA) of these trees. It is prudent to note that the current building does not impact upon the tree. The proposal has been bought forward into the RPA, closer to the Waterfall Road frontage.

6.23 The tree is large and of significant amenity value, highly visible and prominent in the street scene and currently occupies a reasonably large area of soft landscaped area i.e. its roots have been allowed to grow relatively unimpeded or disturbed. It is arguably the most important tree on the site and has the potential to be a significant amenity feature for several centuries. The proposed development places a new building and hard-standing within approximately 40% of the tree's RPA, indeed the tree would overhang the building if the development were to go ahead. This is completely unacceptable, especially given that there is more than ample available space to locate the building or orientate it differently within the rest of the site away from any trees. This again goes back to the point that the building footprint suggestion is not acceptable in both design terms but also the impact to a protected tree.

6.24 The proposed development will result in significant harm to the trees root system and likely result in a significant decline to the health of the tree and potentially tree death. This is likely even if protective measures were to occur, the incursion into the trees RPA, especially given the tree has been allowed to develop its root system unimpeded, is just too great. The submission is against the recommendations of BS5837:2012 and is contrary to planning policy DMD80.

6.25 Members should also note that the pre-application submission downgraded the quality of the trees, when surveyed using BS5837:2012, which appears to have been done to demonstrate that several highly significant trees would not be a constraint to development (undertaken by Arcadis Design & Consultancy for natural and built assets). However, the planning application has come forward with the correct categorisation (undertaken by The Environment Partnership - TEP), and after a site inspection by the Tree Officer, demonstrating that in fact the oak tree to the front of the site, is a category A tree rather than a C tree. Category A trees (BS5837) are considered effectively sacrosanct in development and are trees of significant amenity value and quality that should not be removed for development, without exceptional circumstances. Members

should note the tree is currently not impacted by the existing building on site. It would appear that the previous development on site has been designed around the tree so as not to impact detrimentally upon it. Consequently, an objection is raised to this element of the scheme.

Traffic and Transport

6.26 The site is situated within a public transport accessibility level (PTAL) 2 location. Waterfall Road is a Principal Road and is known to be well used. In terms of access into and out of the school, this will remain the same. Members should note that there was a recent project on the site regarding the means of enclosure to the front which has been designed to enhance the Conservation Area. This project was managed by the Heritage Team at the Council and is seen as a positive frontage in the Conservation Area and will be retained as part of the scheme.

6.27 Parking provision will remain as existing. There is no parking for dropping off pupils but there are two staff parking spaces retained as well as two disabled parking spaces. As this reflects the existing provision there are no objections to parking provision. The parking layout is similar to existing, and tracking drawings included in the Transport Assessment (TA) confirm vehicles can access and egress safely in a forward gear. It is prudent to note that servicing will take place within the car park and a swept path submitted in the TA confirms delivery and service vehicles can access and agrees in a forward gear on to the Principal Road (Waterfall Road).

6.28 A positive attribute of the scheme is that the pedestrian access will be will be improved through provision of a new access to the west of the site. Another positive attribute of the site is that cycle parking will be increased and now will be in line with London Plan requirements. The storage for these spaces are secure and covered. These attributes are most welcomed.

6.29 Whilst it is acknowledged that a resident raised concern regarding the traffic and transport implications of the school, members must note that the proposal is not increasing the number of pupils so the impact currently caused will be no worse. Whilst a new school building does provide the opportunity to improve drop off / pick up facilities this site is highly constrained. The provision of drop off / pick up facilities would impact the Conservation Area but also the trees on the site which are protected by being in the Conservation Area. It would be unreasonable to pursue this option on site given the substantive harm this would cause.

Employment and Skills Strategy

6.30 There is a requirement for an Employment and Skills Strategy in accordance with the Section 106 SPD (2016). The Council is committed to maximising the number and variety of jobs and apprenticeships available to residents of the borough and maintaining and encouraging the widest possible range of economic activity, including the availability of a skilled labour force. To this end, the Council will seek agreement with developers to secure appropriate planning obligations for employment and training initiatives as part of development proposals the Council is committed to maximising the number and variety of jobs and apprenticeships available to residents of the borough and maintaining and

encouraging the widest possible range of economic activity, including the availability of a skilled labour force. The Council will seek agreement with developers to secure appropriate planning obligations for employment and training initiatives as part of development proposals.

6.31 Officers have discovered that due to a "Memorandum of Understanding" between the ESFA and the Council (not the Local Planning Authority) that if there is a Section 106 Unilateral or a Section 278 Agreement, then the Council would need to fund these and not the ESFA or the school. In the interest of being positive and pro-active, the Local Planning Authority sought advice as to how to secure the Section 106 and it was advised that if the Employment and Skills Strategy was submitted as part of the application, and agreed by the Economic Development Officer, then this could be secured by way of a condition, which is against the norm for such Straggles. This option was re-laid to the Agent.

6.32 In spite of the Local Planning Authority's efforts, the application was submitted without an Employment and Skills Strategy. The Officer has made contact with the Agent regarding this matter. On the 24th October the Agent confirmed that the document "is almost finalised, we are just confirming the number of trainees in the scheme". On 31st October 2018 the Employment and Skills Strategy has been received and is under review. A verbal update will be provided at the Committee meeting. It is considered unreasonable to refuse the application on this ground given that the Local Planning Authority has agreed to secure the submission of an Employment and Skill Strategy via a condition. Members should note that if the school fail to deliver the required training weeks on site, then as per the Section 106 SPD then a monetary sum is required to be provided. Although this cannot be secured by a Section 106 SPD given the "Memorandum of Understanding", it can be secured through a Section 111, which falls outside the remit of the Local Planning Authority but falls within the Local Government Act 1972 pertaining to the powers of local authorities between internal departments.

<u>Sustainability and Biodiversity</u>

6.33 The site is not situated in a flood zone but would still require the provision surface water run off through sustainable measures. The scheme falls short on sustainable urban drainage (SuDS) measures, however, it is considered that the short falls could be overcome through a condition, should and acceptable scheme be agreed. Whilst this is not best practice, the insufficient information does not warrant a reason for refusal. The Agent has been contacting but to date the information has not been provided.

6.34 The Development Management Document has adopted sustainability policies which require non-residential proposals to provide energy saving measures. The submitted Energy Statement admits that there will only be an 8% improvement measured against Building Regulations and does acknowledge that the scheme will not be moving towards zero carbon by 2019, which is required by London Plan standards. This is disappointing, but measures have been put forward by the applicant that on balance would offer some comfort to the Local Planning Authority that some efforts have been advanced regarding energy efficiency measures.

6.35 The submitted Ecology Survey demonstrates that the building has low potential to harm any protected species, particularly regarding bats. The moderate potential for roosting bats are the trees. The report concludes that further inspection is required of these trees. A Bat Report has been submitted with suggestions regarding bat roosting and the trees. The mitigation measures suggested are considered to be sufficient subject to these being implemented on site. The onus of implementation on site would be the responsibility of the applicant and not the Local Planning Authority and thus duty of care has been discharged subject to a condition being imposed should this application be approved.

Archaeology

6.36 The Greater London Archaeology Advisory Service have been consulted on this application. Of particular note is the submitted Archaeology Report which does not provide a definitive conclusion as to the impact of potential archaeologic matters on the site. Once the consultee response has been received, this will be reported verbally to Members.

Impact on neighbouring properties

6.37 The proposed school building is situated further forward on the site. Given the current siting of the building, and the proposed siting of the building, it is considered that no additional harm would be caused by the building in terms of sunlight, daylight, privacy or outlook.

6.38 With regards to the temporary classrooms, the majority of the building is situated to the north east of the site and would be two storeys in height. The majority of the building would be 35m away from the rear elevation of Ellington Court, which has recently had an additional storey constructed to it. It is considered that this is a considerable distance to ensure that there is no undue impact to these residents from their habitable accommodation. To the rear of Ellington Court is an amenity area. Whilst the temporary classrooms would be directly abutting the boundary with Ellington Court, it is considered that as this is a temporary measure, the harm caused to the existing amenity would be negligible and on balance acceptable.

6.39 It is acknowledged that part of the temporary classrooms would overlook the very rear of the garden serving 5 The Green, as they would be situated to the side of the shared boundary. The depth of the garden serving the property is some 68m. It appears that 3 windows on the upper floor flank elevation serving a class room would look into the rear garden of number 5 The Green. It is considered that a pragmatic stance needs to be taken regarding the potential for overlooking from these windows. Firstly, the building will be temporary and thus not a permanent addition on the site. Further, the existing garden is substantially long at 68m and with 9m of that being overlooked by the windows in terms of proportionality, then the immediate amenity space would not be impacted upon, which is generally directly outside of dwelling house. Furthermore, the classrooms will only be used during the day, during school hours. Finally, the temporary classrooms are situated to the side of the and therefore in terms of direct views into the dwelling house, there would be none. In this regard, it is considered that pragmatically, the harm caused to the amenity of number 5 The Green would be minimal, and it is argued

negligible. In this regard, no objection is raised. Should members be minded to approve the application, then a condition could be imposed to ensure that the classrooms are removed in phases based on the development of the school building.

7.0 Conclusion

7.1 The application has been recommended for refusal. The proposed new school building is to ensure that pupils and staff are provided with modern teaching facilities which meet national teaching standards. There is no intention of increasing pupil numbers due to the restrictions placed on the funding requirements by the ESFA. Meeting these facilities and standards is a recognised consideration and there is currently a presumption in favour of allowing such development unless material circumstances dictate otherwise. Material circumstances in this instance do dictate otherwise. This is because it is considered that the proposed development will fail to conserve and enhance the character and appearance of the Southgate Green Conservation Area and will cause less than substantial harm to the setting of several Grade II* and II listed buildings located in the immediate vicinity of the site. This harm cannot be justified in terms of any public benefit that could potentially be delivered by the proposal. Furthermore, the Local Planning Authority assert that the proposed development will not enhance or better reveal the significance of the surrounding heritage assets but act to diminish their significance. In addition, the proposal would cause significant harm to a Category A tree protected within the Conservation Area, for which there are no exceptional circumstances to justify the harm to be caused.

7.2 Members will note that significant efforts in a positive and pro-active manner have been made prior to the submission of the application by the Local Planning Authority, the Conservation Officer and the CAG, but the direction and advice provided has largely been ignored. Members will also note that a large amount of discretion and “on balance” arguments have been put forward in the Committee Report, however, the harm caused to the Conservation Area, the setting of the Listed Buildings and to the protected tree is not something that can be supported by Officers or justified through an on balanced argument. Consequently, an objection is raised to the proposal and only two reasons for refusal have been advanced for this proposal.

8.0 Recommendation

8.1 That planning permission be **REFUSED** for the following reasons:

<u>Heritage</u>

1. The proposal fails to conserve and enhance the character and appearance of the Southgate Green Conservation Area and will cause less than substantial harm to the setting of several Grade II* and II listed buildings located in the immediate vicinity of the site. This harm cannot be justified in terms of any public benefit that could potentially be delivered by the proposal. Furthermore, proposal will not enhance or better reveal the significance of the surrounding heritage assets but act to diminish their

significance. The proposal would therefore be contrary to the NPPF, PPG, Policies CP30 and CP31 of the Core Strategy (2010), Policies DMD37 and DMD44 of the Development Management Document (2014), and Southgate Green Conservation Area Character Appraisal (2015).

Tree

2. The proposal makes inadequate provision for the retention and long-term survival of the Oak tree, namely T2, indicated in the submitted survey. The tree is prominent, is of high quality and offers significant long term valuable amenity within the local landscape. The development ignores the constraints of the tree and will consequently cause irrevocable damage which is unjustifiable, and there appear to be no exceptional circumstances which would allow development to impede on the constraints of this tree, and thus would not be acceptable. The proposal would therefore be contrary to the NPPF, PPG, London Plan policies 7.19 and 7.21, Core Strategy policy CP34 and DMD 80 of the Development Management Document.

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0 25 50 m

(00)-GA-FP_Demolition
1 : 500

Rev	Description	Date	Drn By	Chk By
C1	Issued for planning	10.09.2018	PW	MvE

jmarchitects

Project
Walker Primary school

Title
Site demolition plan

Client
Spacial Initiative

Purpose
Planning

Scale	Drawn By	Chkd By	Issue Date
1 : 500 @ A1	MvE	AI	10/09/18

Drawing Number
Project - Originator - Zones - Level - Type - Role - Class -
102007-JMA-05-ZZ-DR-A-00-0013

Revision	Status
C1	A3

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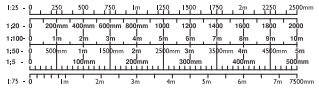
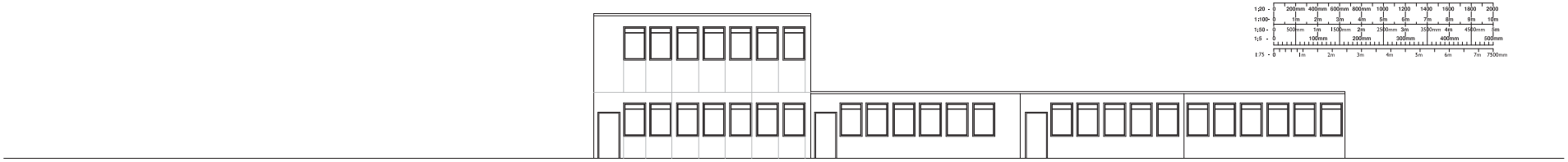
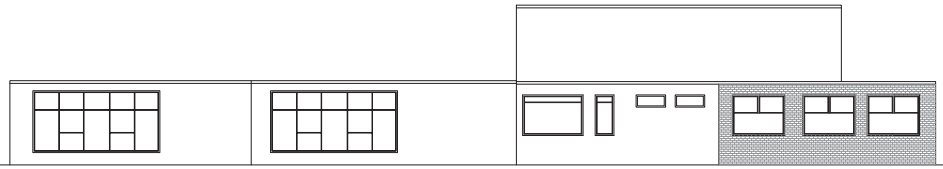




North Elevation
1:100



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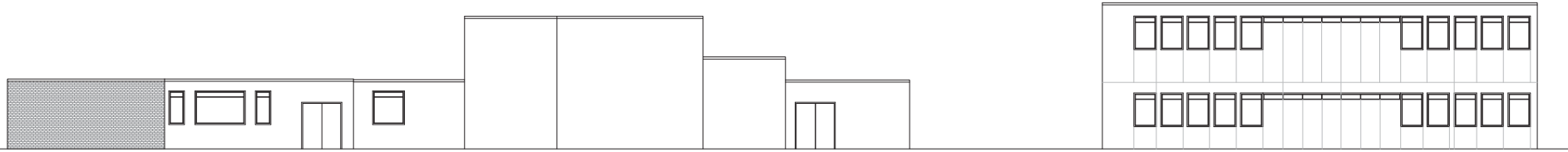
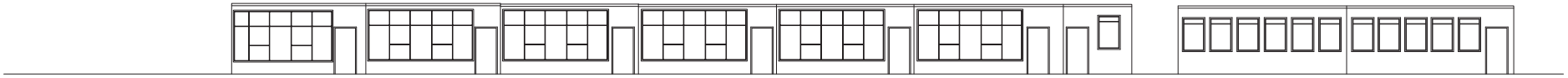


East Elevation
1:100



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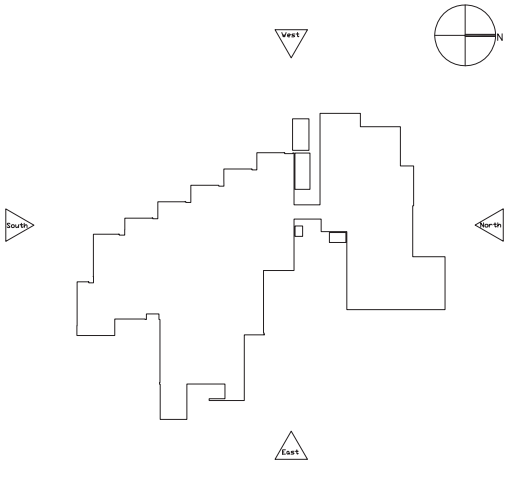
1:100



Existing Elevation Key Plan
1:500

REV.	DESCRIPTION	DATE	DRN BY	CKD BY
C01	Issue for Planning	06.09.18	MJ	MvE

jmarchitects

PROJECT: Walker Primary School
TITLE: Existing Elevations
CLIENT: Initiative
JOB No: 102007 ORIGINATOR: JMA-01-ZZ-DR-A-00-2002 VOLUME: - C01
SCALE: 1:100@A1 DRAWN BY: MJ CHECKED BY: MvE
STATUS: A3 DATE: 23.05.18

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0 25 50 m

(00)-GA-00-FP_Proposed block plan
1 : 500

Rev	Description	Date	Drn By	Chk By
C1	Issue d for planning	10.08.2018	PW	MvE

jmarchitects

Project
Walker Primary school

Title
Proposed block plan

Client
Spacial Initiative

Purpose :
Planning

Scale :	Drawn By :	Chkd By :	Issue Date :
1 : 500 @ A1	MvE	Al	08/09/18

Drawing Number
Project - Originator - Zones - Level - Type - Role - Class -
102007-JMA-01-ZZ-DR-A-00-0004

Revision	Status
C1	A3

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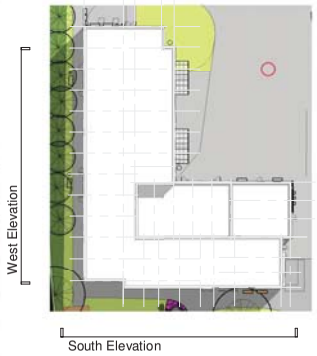
South Elevation
1:100



Elevation South + West Key plan
1 : 500

West Elevation
1:100

Rev	Description	Date	Drn By	Chk By
C1	Issued for planning	10.08.2018	PW	MvE

jmarchitects

Project
Walker Primary school

Title
Rendered Elevations 2 of 2

Client
Spacial Initiative

Purpose
Planning

Scale	Drawn By	Chkd By	Issue Date
1:100@A1	MvE	AI	08/09/18

Drawing Number

Project - Originator - Zones - Level - Type - Role - Class -	Revision	Status
102007-JMA-01-ZZ-DR-A-00-2005	C1	A3

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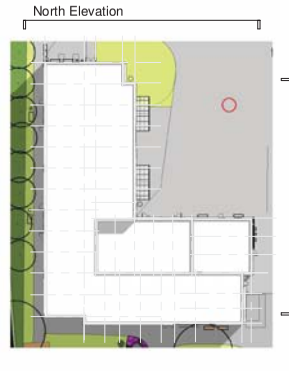
North Elevation
1:100



Elevation North + East Key plan
1 : 500

East Elevation
1:100

Rev	Description	Date	Drn By	Chk By
C1	Issued for planning	10.08.2018	PW	MvE

jmarchitects

Project
Walker Primary school

Title
Rendered Elevations 1 of 2

Client
Spacial Initiative

Purpose
Planning

Scale	Drawn By	Chkd By	Issue Date
1:100@A1	MvE	AI	08/09/18

Drawing Number
Project - Originator - Zones - Level - Type - Role - Class -
102007-JMA-01-ZZ-DR-A-00-2004

Revision	Status
C1	A3

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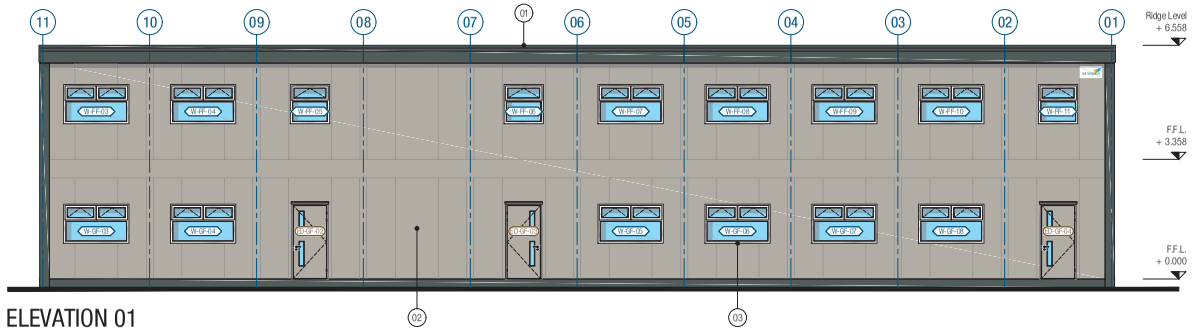
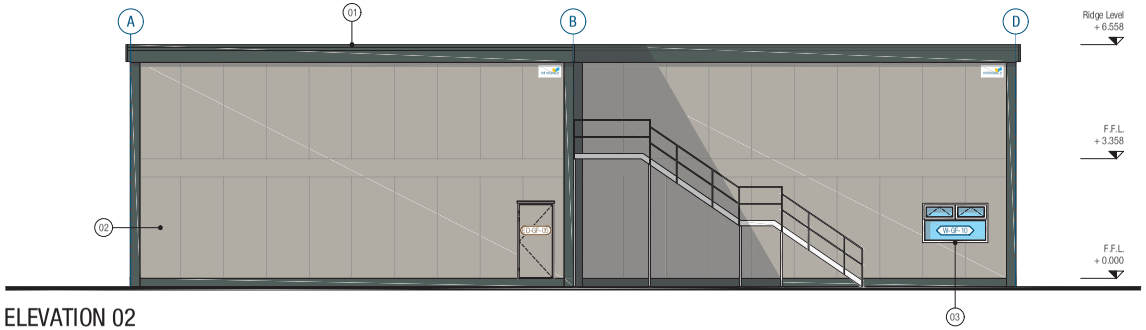
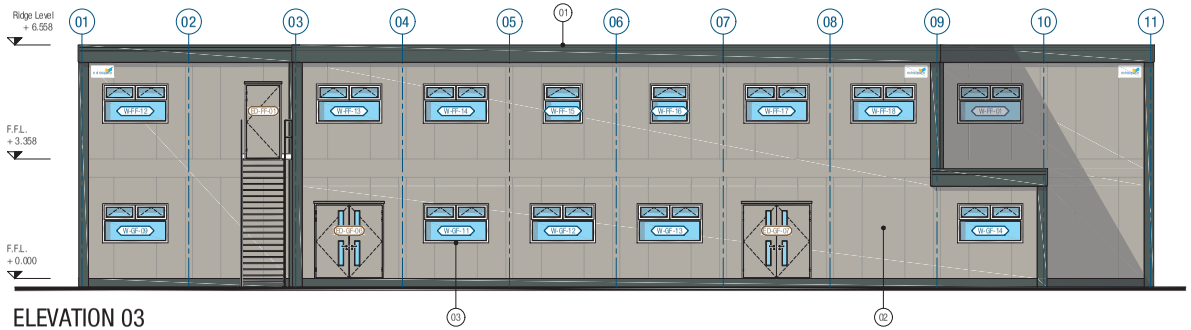


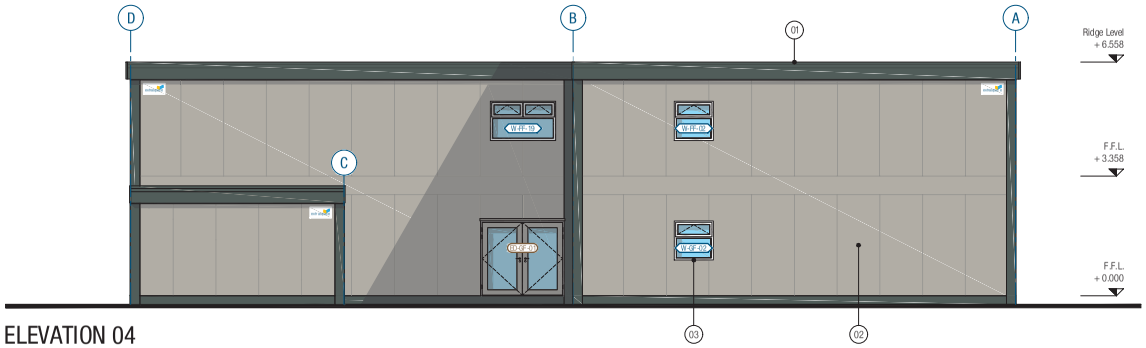
ELEVATION 01



ELEVATION 02



ELEVATION 03



ELEVATION 04

EXTERNAL FINISHES LEGEND:

01: Plastisol coated steel trims - Colour: Merlin Grey

02: Plastisol steel external finish - Colour: Goosewing Grey

03: uPVC framed double glazed windows - Colour: White

NO:	BY:	REVISION:	DATE:
P4	JQ	Elevation 04 Added	11/09/18
P3	JQ	Temporary Kitchen Added	31/08/18
P2	JQ	As per Architects Comments	05/07/18

STAGE: PRELIMINARY

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- M33 7BU

CLIENT: Education & Skills Funding Agency

PROJECT: Walker Primary School
Temporary Accommodation

DRAWING TITLE: Elevations

DRAWN BY:	CHECKED BY:	DATE:
J.Quinlan	-	July '18
SCALE: 1:150 @ A3		PROJECT NO: 2058
DRAWING NO: 2058-ESS-XX-ZZ-DR-A-300		REV: P4

Phasing/ Logistics

Phase 1 Demolition:

1. Temporary accommodation installed
2. Commence demolition
3. Install temporary school entrance inc. admin refurbishment works

Temporary accommodation occupied by the school

Demolish EFAA

Install / construct temporary entrance

School vehicle and pedestrian access maintained

Gate operated and monitored by banksman

- Construction Access
- School Access
- Occupied by school
- Demolition
- Site Setup
- Hoarding