

MEETING

PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 25TH JANUARY, 2017

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Melvin Cohen LLB

Vice Chairman: Councillor Wendy Prentice

Councillors

Maureen Braun
Claire Farrier
Mark Shooter

Eva Greenspan
Tim Roberts
Laurie Williams

Agnes Slocombe
Stephen Sowerby
Jim Tierney

Substitute Members

Anne Hutton
Reema Patel

Dr Devra Kay
Gabriel Rozenberg

Sury Khatri
Hugh Rayner

You are requested to attend the above meeting for which an agenda is attached.

Andrew Charlwood – Head of Governance

Governance Services contact: Sheri Odoffin 020 Sheri Odoffin sheri.odoffin@barnet.gov.uk
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ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of Last meeting	To Follow
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Underhill Stadium and Hockey Club, Barnet Lane, Barnet, EN5 (Underhill Ward)	5 - 82
7.	Barnet Copthall Leisure Centre - Erection of a two storey Leisure Centre, London NW7 (Mill Hill Ward)	83 - 118
8.	Barnet Copthall Leisure Centre - Development of a Green Spaces Operational Hub, London NW7 (Mill Hill Ward)	119 - 142
9.	101 Byng Road Barnet EN5 - Development of new children's hospice (High Barnet Ward)	143 - 162
10.	National Institute for Medical Research Centre - Redevelopment to provide 460 residential units , New B1 floorspace, gym and cafe, London, Hill, NW7 (Mill Hill Ward)	To Follow
11.	Victoria Recreation Ground, land west of Park Road EN4 - Erection of a two storey Leisure Centre (East Barnet)	To Follow
12.	Any item(s) that the Chairman decides are urgent	

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AGENDA ITEM 6

LOCATION: Underhill Stadium And Hockey Club, Barnet Lane, Barnet, EN5 2DN

REFERENCE: 16/5948/FUL Received: 12/09/2016

WARD: Underhill Expiry: 15/12/2016

APPLICANT: Bowmer and Kirkland / Education Funding Authority

PROPOSAL: Demolition of the former Underhill Stadium and associated structures and the redevelopment of the site to provide a part two, part three storey building for nursery, primary and secondary school, sixth form and sports hall; the provision of internal and external sports facilities including Sports Hall, MUGA, restoration of former sports pitches and the provision of car and cycle parking along with associated landscaping works

EXECUTIVE SUMMARY

The proposal constitutes EIA (Environmental Impact Assessment) development and is supported by an ES (Environmental Statement) to consider the impacts of the scheme, having regard to the surrounding context and cumulative effects of development in the area.

The application seeks permission for the comprehensive redevelopment of the site to provide a new all through school, accommodating up to 1680 pupils at primary, secondary and sixth form level. It is acknowledged that the development represents 'inappropriate development' on green belt land and as such is only justified if very special circumstances exist.

Recent appeal decisions from the planning inspectorate have accepted the need for school places can be a very special circumstance which could justify inappropriate development on green belt land. In this case, officers consider that there is a clear and demonstrable need for both primary and secondary school places. The Council's Education Department have been unequivocal in outlining this need and it is clear that the need for secondary school places is especially pertinent given that it results from an exceptional increase in primary school intake and thus those additional children that will need the secondary school places are already in the school system.

The special circumstances are reinforced by the lack of alternative sites that are available to facilitate development that could meet the identified need. The sequential assessment carried out in support of the application is considered to be robust and clearly demonstrates that all other sites of an appropriate size are unavailable, unsuitable or unviable with regards to providing an all-through, primary or secondary school that would meet the identified need.

Given that the development is on previously developed land, the development would not have an unacceptably detrimental impact on the openness of the green belt. The scale and height of the development steps down to integrate with the surrounding development and in this regard it is considered that it would not be visually incongruous within its context.

Subject to conditions, the development would not have an unacceptable impact on the amenity of the surrounding residential occupiers in terms of daylight, sunlight, overshadowing, privacy, outlook or noise.

One of the primary concerns arising from the consultation exercise was the potential for the development to have a detrimental impact on surrounding highway conditions in terms of traffic congestion, traffic safety and parking. In order to mitigate the impact of the development on the surrounding highways, the junctions of the A1000/Underhill and Underhill/Barnet Lane would be remodelled to ease traffic flow. Traffic modelling and forecasting demonstrate that the levels of congestion at each of these junctions would be within an acceptable range with regards to industry standard assessment criteria. The methodology for the modelling has been agreed with both TFL and Barnet Transport officers and is considered to be appropriate. A Grampian Condition is attached which would link the junction works to the development.

A parking survey was submitted as part of the Transport Assessment which assessed the projected impact of the development with regards to parking stress on the surrounding streets. Based on the projected modal split, the parking survey demonstrates that there is adequate existing capacity to accommodate any overspill parking not accommodated for within the on-site car park. Nevertheless, the applicant is committed to enter into a School Travel Plan as part of the S106 which would commit them to meeting car use targets. Should these targets not be met then a further parking review would be triggered which may necessitate a CPZ review which would mitigate any additional impact which may arise.

The application is accompanied by an Environmental Statement which has assessed topics as agreed with officers prior to the submission of the application. The ES has been fully assessed and demonstrates that the impacts of the development would not be significantly adverse and where adverse impacts have been identified, mitigation is secured.

RECOMMENDATION

Recommendation 1: Subject to the following conditions

- 1) This development must be commenced within three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

EFAAP-PE-01-000-1200;
 EFAAP-PE-01-01-DR-A-1201;
 EFAAP-PE-01-02-DR-A-1202;
 EFAAP-PE-02-00-DR-A-1200;
 EFAAP-PE-02-01-DR-A-1201;
 EFAAP-PE-02-02-DR-A-1203;
 EFAPP-PE-XX-ZZ-DR-A-9010;
 EFAPP-PE-XX-ZZZ-DR-A-9100;
 EFAAP-PE-XX-ZZ-DR-A-9200;
 EFAAP-PE-XX-ZZ-DR-A-9201;
 EFAAP-PE-XX-ZZ-DR-A-9300;
 North East View of Secondary School
 North West View of Sports Hall
 South East View of Primary School
 View of Secondary School Entrance
 EFAAP-ALA-00-ZZ-P-L-0001 PL1;
 EFAAP-ALA-00-ZZ-P-L-0002 PL2;
 EFAAP-ALA-00-ZZ-P-L-0003 PL1;
 EFAAP-ALA-00-ZZ-P-L-0004 PL1;
 EFAAP-ALA-00-ZZ-P-L-0006;
 EFAAP-ALA-00-ZZ-P-R-0014;
 CPW-15483-EX-100-01 P3
 1341—CUR-00-XX-DR-C-500 Rev 2;
 1341-CUR-00-XX-DR-C-501 Rev 2;
 1341-CUR-000-XX-DR-C-502 Rev 2
 160414 Acoustic ITT report ARK Pioneer; 160607 JG 034901 Impact noise assessment due to pupils in the playground
 2016-9 Delivery and Servicing Plan 16-011; 2016-09
 Draft Construction Logistics Plan 16-011; 2016-09
 EFAAP-ALA-000-ZZ-P-L-SK21 SKO
 M-700-P-01-01_PLANTROOM LAYOUTS
 Ark Pioneer Secondary Roof Plan

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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

- 3) Notwithstanding the details shown on the plans, hereby approved, no development (other than demolition, site clearance and ground works) shall be undertaken unless and until:
- (a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and

- (b) where appropriate, a sample brick panel shall be constructed on site or a location to be agreed, inspected and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

- 4) Prior to the 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. Calculations demonstrating the additional carbon emission reductions that would be achieved through the provision of additional panels shall also be submitted. The development shall be carried out and constructed in accordance with the approved details.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

- 5) The development authorised by this permission shall not begin until an agreement is in place for the transfer of ownership of the requisite land to enable the implementation of the junction remodelling set out in drawing ref: 16011/TA05. Thereafter the works shall be implemented under a Section 278 Agreement with the statutory Highway Authorities prior to the first occupation of the development.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and 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.

- 6) The development hereby approved shall not be occupied until the existing redundant crossover(s) is reinstated to footway by the Highway Authority at the applicant's expense.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7) The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and 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.

- 8) Before the development hereby permitted is occupied; parking spaces shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

- 9) Before the development hereby permitted is occupied a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian 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.

- 10) Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter.

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

- 11) Within 3 months of occupation a travel plan that meets the criteria of the current Transport for London travel plan guidance , currently 'Travel Planning for new development in London incorporating deliveries and servicing' and is ATTrBuTE compliant shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out the transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non car modes such as walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan should include the appointment of a Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3, and 5 in accordance with the targets set out in the Plan.

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

- 12) Before the development hereby permitted is occupied; details to show entering and egress arrangements and pedestrian walkways are to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full in accordance with the approved details.

Reason: To ensure that the access is satisfactory in terms of highway safety and 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.

- 13) No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- 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.

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

- 14) Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 10% active and 10% passive. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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

- 15) Prior to the occupation of the development a Waiver of liability and indemnity agreement must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and 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.

- 16) Before the development hereby permitted is first brought into use the vehicular access shall allow for 2.4 metre by 2.4 metre pedestrian visibility splays to the left and to the right of the access from 2m setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including Fencing or planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway.

Reason: In the interests of highway and pedestrian 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.

- 17) Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

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.

- 18) Prior to the commencement of the development hereby approved, details of any highways within each sub-phase to be stopped up under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure that adequate public access is provided throughout the development 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.

- 19) Prior to occupation full postcode data of prospective pupils shall be submitted to the Local Planning Authority to enable TfL to review school bus routes and define walking and cycling catchment.

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

- 20) Prior to occupation the applicant is to submit and agree a methodology to the LPA and carry out a PERS (Pedestrian Environment Review System) and CERS (Cycle Environment Review System) Audit. Any subsequent works are to be agreed with and funded by the applicant through agreement with the local highway authority.

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

- 21) Prior to occupation the applicant is to submit and agree a methodology to the LPA and carry out a School 20mph Zone Review. Any subsequent works identified are to be agreed with and funded by the applicant and implemented through agreement with the local highway authority.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and 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.

- 22) Notwithstanding the details of the application, hereby approved, the start times for the school shall be as follows unless otherwise agreed in writing by the Local Planning Authority:

- Primary - 8.30am-4pm
- Secondary - 9am-4.30pm
- Breakfast Club 8am- 9am
- After School Club 4pm – 6pm

Reason: So that on-street parking is not unduly affected 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.

23) Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

d) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

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 (adopted April 2013) and 5.21 of the London Plan 2015.

- 24) a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.
- b) The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 25) The level of noise emitted from the plant machinery hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

- 26) a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

- b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

- 27) a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.
- b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

- 28) a) No development other than demolition works shall take place until a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties is carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority
- b) The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the amenities of the neighbouring occupiers are not prejudiced odour and smoke in the immediate surroundings in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).

- 29) a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of construction dust impacts.

The development shall be at least "Air Quality Neutral" and an air quality neutral assessment for both buildings and transport shall be included in the report.

The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. This shall include mitigation for when air quality neutral transport and building assessments do not meet the benchmarks.

c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 3.2, 5.3 and 7.14 of the London Plan 2011

30) Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

31) a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler / CHP Plant shall be submitted to and approved by the Local Planning Authority. The emissions for CHP and / or biomass boilers shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014.

The report shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. It shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. Details of the plant and evidence to demonstrate compliance with the GLA's emissions standards will be required.

c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013). To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

32) An Air Quality and Dust Management Plan shall be submitted to, and approved by, the Local Planning Authority, before the development commences whose purpose shall be to control and minimise emissions attributable to the demolition and/or construction of the development. Reference shall be made to the Mayor of London's SPG, "The Control of Dust and Emissions during Construction and Demolition". The plan shall confirm:

- a) which air quality emission and dust control measures are to be implemented;
- b) which monitoring methods are to be implemented; and
- c) that construction machinery will meet NRMM standards

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality

33) An Air Quality and Dust Management Plan shall be submitted to, and approved by, the Local Planning Authority, before the development commences whose purpose shall be to control and minimise emissions attributable to the demolition and/or construction of the development. Reference shall be made to the Mayor of London's SPG, "The Control of Dust and Emissions during Construction and Demolition". The plan shall confirm:

- a) which air quality emission and dust control measures are to be implemented;
- b) which monitoring methods are to be implemented; and
- c) that construction machinery will meet NRMM standards

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality

34) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development (other than demolition, site clearance and ground works) shall be commenced until details are submitted to and approved in writing by the Local Planning Authority which specify the details of boundary treatments to be installed within the development. These details shall include materials, type and siting of all boundary treatments. The development shall be implemented in full accordance with the approved details prior to the first occupation of any residential unit and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings and in the interests of the appearance of the development, in accordance with polices DM01 and DM02 of the Barnet Local Plan.

- 35) No development (including demolition, site clearance and ground works) shall take place until details comprising a scheme of measures to be put in place to ensure that the clearance of the site and construction of the development hereby approved is compliant with development plan policy and legislation on the protection of breeding birds, bats, common toads and reptiles shall be submitted the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the scheme of measures approved for each phase under this condition.

Reason: To ensure that the development meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policy 7.19 of the London Plan.

- 36) No development (other than demolition, site clearance and ground works) shall take place until a detailed scheme of hard and soft landscaping and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree guards, planter depths and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
- existing site contours and any proposed alterations to these such as earth mounding;
- details of all proposed hard landscape, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

- 37) All work comprised in the approved scheme of hard and soft landscaping be shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 38) Any trees, hedges 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 and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 39) Prior to the first occupation of the development, hereby approved, details and specifications of all external lighting (including cowling) to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and thereafter be permanently maintained as such.

Reason: To ensure that appropriate lighting is provided as part of the development in accordance with policy DM01 of the Barnet Local Plan and 5.3 of the London Plan.

- 40) 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 on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 41) No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 7.30am or after 6pm on any other day.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

- 42) Notwithstanding the provisions of Part 32, Class A to schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order) no extensions to the school hereby permitted shall be erected without express planning permission first being obtained.

Reason: To enable the local planning authority to retain control over these matters in the interests of controlling the intensity of use.

- 43) Prior to the occupation of the new school building a community use agreement (prepared in consultation with Sport England) for the use of the school buildings, Playing Pitches and Multi Use Games Area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users, management responsibilities and include a mechanism for review. The approved scheme shall be implemented within three months of the occupation of the new school buildings.

Reason: To secure well managed safe community access to the sports and education facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan policy.

- 44) Prior to commencement of development, the following documents shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and
- (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy.

- 45) No development (other than demolition, site clearance and ground works) shall take place until details of the design and layout of Multi-Use Games Are (MUGA) have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The MUGA shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

- 46) Prior to the first occupation of the development, certification demonstrating compliance with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of community safety in accordance with London Plan Policy 7.3, London Borough of Barnet's Local Plan Policy CS12 of Core Strategy (September 2012) and Policy DM02 Development Management Policies (September 2012).

- 47) Prior to the first occupation of the development, further details of cooling systems to be installed within the school buildings shall be submitted to and approved in writing by the Local Planning Authority. The cooling systems shall thereafter be implemented prior to the first occupation of the development and shall be retained for the duration of the use.
Reason: To minimise the likelihood of internal overheating during warm weather periods in accordance with London Plan Policy 5.9.

- 48) No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

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 of seeking to secure the following:

- (a) **Legal Professional Costs Recovery**
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
- (b) **Enforceability**
All obligations listed to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
- (c) **Travel Plan**
- The applicant shall enter into a School Travel Plan (STP) which meets the TFL guidance 'What a School Travel Plan should contain'. To be submitted and approved no later than 3 months prior to occupation
 - The STP shall achieve at least bronze level STARS accreditation in year 1 and 2
 - The STP shall achieve gold STARS accreditation shall be achieved in year 3 and for the remaining duration of the STP
 - An annual 'hands up' survey for staff and pupils shall be included as part of the STP (to include numbers attending breakfast club and after school clubs), review updated and

resubmitted for approval annually until the school has all year groups in operation. So lifespan 7 years.

- Full consultation shall be carried out with the full school community and all other stakeholders within 3 months of occupation and updated STP resubmitted for approval..
- A STP champion shall be appointed for the life span of the STP
- Car-based travel proportions for primary and secondary pupils shall be no more than the percentages specified in Tables 8.3 and 8.4 of the submitted Travel Plan (November 2016) over the lifetime of the STP. These targets shall be subject to annual review

(d) Travel Plan Monitoring Fee

- A travel plan monitoring fee of £7000 (£1,000 per year)

(e) Parking Survey / CPZ Review

- The car use targets set out within STP subject to annual review
- Should the car use targets for primary and/or secondary pupils set out within the STP not be achieved or/and numbers attending breakfast club are less than 10% and after school activities less than 20%, a further parking survey shall be carried out. The methodology and scope of the survey shall be agreed with the LPA in advance. Parking survey to be submitted to the LPA to review –
- Subject to results of parking survey, a CPZ review may be triggered The applicant shall cover the cost of the CPZ review to a maximum cost of £13,800 and thereafter shall cover the cost of any implementation to a maximum amount of £81,900
- The clause to remain in place for life span of STP

(f) Traffic Management Order

- The applicant shall cover the cost of the removal of match day parking controls to be triggered if a CPZ is not required to a maximum cost of £20,000
- Installation of yellow ‘School Keep Clear’ markings up to a maximum of £5,000

(g) Highway Works

- Highway works required to facilitate the development to be carried out under S278 of the Highways Act 1980 and shall include as follows:
- Closure of existing crossover access on Westcombe Drive as shown on Drg.No.16011/TA01 Rev B or other approved.
- Access improvements to playing fields car parking on Barnet Lane as shown on Drg.No.16011/TA03 Rev B or other approved
- A1000 Barnet Hill/Underhill/Fairfield Way Junction Mitigation as shown on Drg.No.16011/TA05 or other approved.
- Barnet Lane/Underhill/Mays Lane Mitigation including uncontrolled crossing point, right turn lane as shown on Drg.No.16011/TA06 or other approved.
- Works identified in the PERS and CERS Audit subject to approval by LPA.
- Works identified from School 20mph Zone Review subject to approval by LPA

(h) Carbon Offset Contribution

- A scheme of additional Solar PV Panels to be installed shall be submitted for approval prior to the commencement of development including calculations showing any additional carbon emission reductions
- A contribution shall be paid on a basis of £60 per tonne over a period of 30 years for any shortfall below the 35% reductions beyond Part L that is required by London Plan Policy 5.2, up to a maximum contribution of £63964

(i) Replacement Landscaping Scheme

- A scheme of landscaping including replacement trees of an equivalent value to be submitted and agreed by the LPA for land adjacent to A1000/Underhill and Underhill/Barnet Lane junctions

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1 and subject to referral of the application to the Mayor of London and the Secretary of State, the Chief Planning Officer approve the planning application reference 16/5948/FUL under delegated powers and grant planning permission subject to the conditions and informatives set out in Appendix 1 and any changes to the wording of the conditions considered necessary by the Chief Planning Officer.

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. These were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The London Plan

The London Plan (2016) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land).

London's Transport

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

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)
CS7 (Enhancing and protecting Barnet's open spaces)
CS8 (Promoting a strong and prosperous Barnet)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive and integrated community facilities and uses)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development Standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM13 (Community and education uses)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)
Planning Obligations (April 2013)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Where permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

1.0 SITE DESCRIPTION

- 1.1 The application site relates to the former home of Barnet Football Club, Underhill Stadium, and the open space to the south of the stadium. The site is located to the east of Barnet Lane, to the south of Westcombe Drive and to the west of Fairfield Way and has an area of 4.17 hectares.
- 1.2 Underhill Stadium is the former home of Barnet Football Club who have since moved from the site to The Hive Stadium near Edgware. The now vacant stadium incorporates semi enclosed stands on three sides (east, west and south) which rise to a maximum height of 9.3 metres. There is an existing vehicular access point from Priory Grove which runs perpendicular to Westcombe Drive to the north of the site.
- 1.3 The land to the south of the vacant stadium consists of open space formerly used as Cricket and Hockey playing pitches along with an associated pavilion building, which is vacant. At the southern extremity of the red line site is an existing hardsurfaced car parking area which runs in a linear strip perpendicular to Barnet Lane. A further vehicular access from Barnet Lane point exists adjacent to the vacant Pavillion building.

1.4 Adjoining the site to the west, north and east are residential properties on Barnet Lane, Westcombe Drive and Fairfield Way respectively. To the south of the site is a large expanse of open space currently laid out as playing pitches.

1.4 The entire site is located within the green belt. The site is not located within a conservation area and there are no heritage assets within or near the site.

2.0 PROPOSED DEVELOPMENT

2.1 Permission is sought for the comprehensive redevelopment of the site to provide a new all through school, accommodating up to 1680 pupils at primary, secondary and sixth form level. The proposed pupil capacity is broken down as follows:

- Nursery: 60 places
- 2 FE Primary: 420 places
- Secondary School: 900 places
- Sixth Form: 300 places

2.2 It is proposed that the school would be opened on a phased basis, with the school having an initial intake of 60 pupils in reception year and 180 pupils in Year 7. The capacity would increase each year until reaching full capacity of 1,680 pupils by 2024. When at full capacity, it is anticipated that the school would employ 120 staff.

2.3 As part of the development, internal and external sports facilities including a sports hall, a Multi-Use Games Area (MUGA) will be provided along with the restoration of the sports pitches to the south of the site. The MUGA would be illuminated by floodlighting accommodated on 10 metre high columns located on the corners of the space. The applicant has indicated that the sports facilities would be available for use by the local community outside of school hours.

2.4 The school building would be built largely on the site of the existing football stadium to the north of the site which would be demolished. The school building would be part 2 storey and part 3 storey, having a height of approximately 11.5 metres at its highest point.

2.5 The layout of the proposed school is such that there would be two distinct elements; a largely rectangular 2/3 storey building comprising the primary school located to the north of the site adjacent to Westcombe Drive, and a separate 3 storey building comprising the secondary school located to the north of the sports pitches and laid out parallel to the primary school. Between the primary and secondary buildings would be an external courtyard area which would accommodate the primary school and nursery play area. Further hardstanding to the south of the secondary school building would provide an outdoor play area for the secondary school.

2.6 The primary and secondary school buildings would be linked by a linear 3 storey building running parallel to Priory Grove which would accommodate the main pedestrian entrance at ground floor level. The proposed sports hall would adjoin the south of the secondary school

building with a perpendicular relationship whilst an external basketball court would be located immediately to the south of the sports hall.

- 2.7 To the north of the site adjacent to Westcombe Drive, a car park would be provided with a total of 62 spaces (59 spaces plus 3 disabled spaces). Access to the car park would be from Westcombe Drive whilst egress would be via a separate point on Barnet Lane. Cycle parking would be laid out in a linear manner adjacent to the east elevation of the school buildings, opposite Priory Grove.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Underhill Stadium is the former home of Barnet Football Club who moved from the site in 2013. The following applications relate directly to the application site and are relevant to the consideration of the planning application:

- Planning permission was **granted** on 12th December 1990 for the erection of new turnstile entrance, new lavatories and internal fencing and new emergency exit gates (application ref: N02646D).
- A certificate of lawful use was **granted** on 30th June 1995 for conversion of offices under the West Stand to provide additional bar space (application ref: N02646P).
- Planning permission was **granted** on 2nd April 2001 for the erection of a single storey refreshment bar (application ref: N02646T/01).
- Planning permission was **granted** on 29 March 2006 for the extension of the access road, formation of hard-surfaced area and associated fencing to provide emergency access and egress improvements plus an enlarged parking area on the northern part of the cricket ground and pedestrian access (application ref: N02646Y/05).
- Planning permission was **granted** on 25 October 2006 for retention of administration offices and toilet block at south stand end, turnstiles to south and north west entrances to the ground, disabled access to Cricket Club Pavilion and 1.8m high fence and gates at Westcombe Drive entrance. Erection of turnstiles, catering and toilet blocks to the south, north and northwest entrances of the ground; new vehicular access and egress from Barnet Lane and a new access road to the south of the Cricket Club Pavilion; disabled parking and covered viewing at the north (application ref: N02646AA/06).
- Planning permission was **granted** on 1st February 2008 for improvements to Underhill Stadium including erection of part single, part two storey (plus accommodation in roof space) building fronting Westcombe Drive providing turnstiles, catering and toilet facilities, club offices, lounge, media, steward briefing and police control rooms and parking for 8 No. cars accessed from Westcombe Drive. Erection of part open/part covered North stand with disabled provision, toilet facilities and means of escape exit alongside No. 2 Westcombe Drive, in between 8 and 10 Westcombe Drive. Erection of covered South stand incorporating turnstiles, club shop, box office, toilets, catering

units, sponsors lounge, media room, disabled facilities and offices/sponsors boxes. Turnstiles and escape gates to south east entrance to Priory Grove. Erection of 4 No. 25m high floodlight pylons to replace the existing 8 floodlight pylons. Alterations to car and bicycle parking layout behind South stand. Erection of 2.4m high perimeter fence. Erection of single storey male, female and disabled changing rooms at north end of Barnet Cricket club site (application ref: N02646AB/07). It appears that this permission was only partially implemented; the floodlight pylons were installed and alterations were made to the south stand.

4.0 CONSULTATIONS

- 4.1 As part of the consultation exercise 1053 letters were sent to neighbouring occupiers in September 2016. The application was also publicised through site notices and a press notice was published in the Barnet Press on 29th September 2016. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this scale and nature. The extent of consultation exceeded the requirements of national planning legislation and Barnet’s own adopted policy on the consultation to be carried out for schemes of this nature.
- 4.2 As a result of the consultation, a total of 405 responses were received with 288 objections, 113 letters of support and 4 neutral responses.
- 4.3 A summary of the objections received is set out in table 1.1 below.

Objection	Officer Response
The development would result in an unacceptable increase in traffic and congestion on surrounding roads, particularly at the junction of Underhill and the A1000. The potential for road safety problems would increase. Emergency vehicle access would be harmed.	Works are proposed to junctions serving the site, including the junction of Underhill and the A1000. Traffic modelling carried out by the applicant and assessed by both TFL and LBB transport officers demonstrates that when at full capacity in 2024, the school would not result in excessive traffic congestion at the surrounding junctions. A full assessment of the impact of the development on surrounding traffic conditions is set out fully in Section 8 of this report.
The development would result in unacceptable levels of noise and disturbance to neighbouring residential occupiers.	The development is accompanied by an Environmental Statement which shows that noise levels at the site would be within acceptable range. The information has been reviewed by the Council’s Environmental Health officers whom,
There is no justification for the school in terms of school places. The secondary school is not needed as the existing Totteridge Academy is located in close proximity and is under subscribed. There are existing primary schools in the local area, diminishing the need for the	Officers consider that there is a clear and demonstrable need for both primary and secondary school places in the borough as set out in paragraphs 5.1-5.28 of this report. The Totteridge Academy is under capacity however even if the existing capacity were utilised then

<p>primary school. Why aren't existing schools expanded to accommodate the additional school places needed?</p>	<p>additional secondary school places would still be needed.</p>
<p>The school buildings would result in overlooking of neighbouring residential occupiers.</p>	<p>All of the school buildings would be located in excess of the recommended separation distances necessary to minimise overlooking, 23 metres.</p>
<p>There is inadequate parking proposed and the development would result in increased parking stress in the local area.</p>	<p>The application has been subject to extensive discussion with both LBB and TFL transport officers</p>
<p>The development could result in an unacceptable increase in discharge to the local sewerage system.</p>	<p>A condition is attached which would require the submission of details relating to the site drainage. This condition would mean that the sewerage connections and discharge would be assessed by the local statutory undertaker for sewers to ensure that it would be appropriate.</p>
<p>The scale of the development is excessive and would result in an unacceptable loss of outlook for adjoining residential occupiers.</p>	<p>The height of the school has been amended through pre-application discussions in response to concerns regarding the outlook of adjoining residential occupiers. Specifically, on the northern wing of the building the 3 storey height has been cut back from the west elevation which projects closest to the surrounding residential properties. In the context of the surrounding residential properties, the 3 storey element would be in excess of 23 metres from the surrounding rear elevations minimising the impact on outlook. With regards to the 2 storey element of the development, this would be of a similar scale to that of the residential properties and at its closest point would have a separation distance over 23 metres.</p>
<p>There is inadequate justification for the development on green belt land.</p>	<p>It is acknowledged that the scheme represents 'inappropriate development' on green belt land however it is considered that there is adequate justification in terms of the need for school places and the lack of alternative sites. The justification for the development on green belt land is set out fully in Section 5 of this report.</p>
<p>The development encroaches onto the previously undeveloped open space to the south of the stadium.</p>	<p>The structural mass of the development is limited to the previously developed land to the north of the site currently comprising the former Barnet FC stadium. The MUGA would marginally encroach onto the existing fields however the</p>

	encroachment would be marginal, Sport England have outlined no objection to the application on this basis.
Construction traffic associated with the development would result in road blockages and reduced road safety.	A condition is attached requiring the submission of a construction management plan for approval by the LPA. The plan would be required to demonstrate how construction traffic would minimise road blockages and minimise the risks to road safety.
The applicant has failed to commit within the application to give an undertaking that local residents will be able to have an effective say in the management of issues that affect their amenity.	The day to day operation of the school would be managed by Ark. The applicant has been made aware of the desire for local residents to be engaged in the management of issues which may arise and systems will be put in place to facilitate such engagement. A condition on the planning permission requiring details of such systems would be inappropriate.
The school would not serve local children and is likely to be filled by children from elsewhere in the borough.	The geographical origin of pupils at the school in itself is not a material planning consideration. The trip generation data submitted by the applicant accounts for pupils travelling from outside of the local area for the secondary school element and it is shown that this would not result in any unacceptable parking/traffic congestion issues.
The scale and intensity of the use would result in significant noise and disturbance to neighbouring residential occupiers.	The application has been assessed by the Council's Environmental Health officers who considered that the noise levels emanating from the site could be adequately controlled through condition.
The development would result in additional stress being placed upon the public transport network.	The application has been assessed by TFL with regards to public transport impact who found that the impacts would not be unacceptable.
No information has been provided relating to the community use of the school site in terms of hours or activities.	A condition is attached requiring the submission of a community use plan which would set out how the school would be made available outside of school hours for wider community use.
Not enough open space is provided to serve the needs of the school.	The school would be served by the large playing fields to the south of the site along with a MUGA which is considered to be adequate open space for the school.
The pick-up and drop off facility is not a feasible	The pick-up and drop off facility proposed to the

<p>option and parents will inevitably drop off children at the entrance, causing road safety problems.</p>	<p>south of the school playing fields, is the only feasible and safe location to provide a pick-up and drop-off facility. Walking buses would be provided by staff to accompany younger children from the pick-up/drop-off area to the school and pro-active initiatives encouraging parents not to utilise on street drop offs would be required as part of the travel plan.</p>
<p>The concept of an all-through school is flawed; children should experience a change of environment</p>	<p>Information on the benefits of the all-through school model is set out within the Planning Statement submitted by the applicant.</p>
<p>The development would result in additional pollution within the immediate vicinity.</p>	<p>The application has been fully assessed by LBB Environmental Health officers who considered that the scheme, subject to appropriate conditions, would not result in unacceptable levels of pollution.</p>
<p>The development would negatively impact on local wildlife.</p>	<p>The application was referred to Natural England who offered no objection to the scheme.</p>
<p>The 3 storey height of the building is not in keeping with the surrounding context.</p>	<p>The area surrounding the application site is characterised by mainly two storey development of a residential scale with the development comprising a mix of two and three storey elements. The three storey elements of the development would be located away from the site boundaries with the development stepping down to two storeys in height at sensitive points adjoining the surrounding residential development. It is considered that this graduated height would ensure that the development would visually integrate with its surroundings. It is considered that the three storey elements would be located a sufficient distance from the surrounding development so as not to create any visual incongruity.</p>
<p>Additional evening and weekend use would result in additional noise and disturbance to neighbouring residential occupiers.</p>	<p>The use of the school outside of school hours for community purposes would be controlled through a community use plan to be approved by the LPA through condition. The plan would restrict hours of use to minimise the risk of additional noise and disturbance to neighbouring residential occupiers.</p>
<p>The applicant has made no provision for the on-site parking associated with "community use" of the sports facilities.</p>	<p>The parking associated with the community use could be accommodated both in the on-site car parking and on the surrounded streets where capacity has been demonstrated by the parking beat surveys.</p>

4.4 An objection was received from Andrew Dismore (London Assembly Member for Barnet and Camden), the objection can be summarised as follows:

- The development would result in an unacceptable increase in traffic
- Inadequate parking is proposed which would result in increased parking stress on surrounding streets
- The development could result in blockages which may delay emergency service vehicles
- The development is inappropriate on green belt land
- There is potential for overlooking of adjoining residential properties from the school buildings

4.5 A representation was received from Theresa Villiers MP (Member of Parliament for Chipping Barnet), the representation can be summarised as follows:

- The need for additional school places is recognised
- Ark have a proven track record of delivering good schools
- There are serious concerns around the traffic impact that would arise from the scheme
- The development could result in additional parking stress on surrounding streets
- The height of the proposed buildings is excessive and could result in overlooking of neighbouring residential properties
- Consideration should be given to reducing the size of the school to address concerns

4.6 Summary of Responses from External Consultees

Sport England - No objection to this application which is considered to meet exceptions E3 and E5 of adopted Playing Fields Policy subject to conditions relating to the submission of a Community Use Agreement, playing field improvement details and surface and construction information for the proposed Multi-Use Games Area.

Natural England – No objection to application. LPA should assess the application in accordance with its own policies.

Historic England – No archaeological requirement

Greater London Authority (GLA) – The proposed school development is ‘inappropriate’ on Green Belt land. The pressing the need for school places, lack of alternative sites, and enhanced community use could be accepted as very special circumstances on the previously developed part of the site, the larger built form needs further justification. The applicant should therefore submit a detailed views assessment.

Partial loss of the existing sports and recreation facilities could be acceptable if outweighed by the benefits of the proposal, including the proposed improvements to sports provision and the community use of facilities. The applicant should continue working with Sport England and the local people in the production of the community use plan, which demonstrates the extent of proposed community use of the facilities, in a form that can be secured by the Council to ensure delivery.

The applicant should submit further detailed visual assessment that demonstrates the visual impact the built form will have on the open quality of the Green Belt. This assessment should include ‘before and after’ CGI visuals from key viewpoints to enable officers to make an informed judgement.

The total site wide carbon emission savings for each stage of the energy hierarchy (in tonnes per annum) should be provided to allow for a full assessment against London Plan policies. The applicant should amend the proposal to reflect the London Plan SuDs hierarchy in accordance with London Plan policy 5.13.

TfL requires further discussion with the applicant regarding the proposed highway alterations on Barnet Hill. The applicant should provide bus trip assignment data, undertake a PERS audit and address any outcome, clarify the location of ECVPs, the provision of enlarged Blue Badge spaces and the location of short stay cycle parking. A construction logistics plan and full school travel plan should be secured by conditions. Measures to reduce car parking and drop off by car should be encouraged and secured through the school travel plan.

Transport for London (TfL) - A more restrained approach to car parking rather than accommodating all staff expected to drive should be considered. TfL do not support the principle of using off site car parks as this encourages car use. TfL view is the highway improvements are necessary and justified by the impact of the school when fully operational.

The location of ECVPs and the provision of enlarged spaces should be provided. Additional information was subsequently provided by the applicant showing the location of the ECVPs.

The timescale for providing cycle parking, the type of stands to be used and the location of short stay parking should be provided. The requisite additional information was subsequently submitted which addressed the outstanding issues.

TfL requests the applicant address the issues in regards to the transport assessment. A PERS audit should be secured by condition and should also consider the quality of walking bus routes as well as public transport infrastructure.

Thames Water – No objection to the scheme subject to conditions.

4.7 It should be noted that the following bodies were consulted on the application and did not respond:

London Green Belt Council
Environment Agency
London Fire Brigade
Campaign for Protection of Rural England (CPRE)

4.7 Summary of Responses from Internal Consultees

LBB Education – Fully supportive of the application on the basis that there is a need for school places in the borough at both primary and secondary level. The school place need is fully discussed in Section 5 of this report.

LBB Environmental Health – Air quality is not a significant issue and the findings of the report are accepted. Deliveries to the school should be considered to minimise risk of additional air pollution.

Land contamination can be addressed through conditions. It is advised that more sampling points should be taken for intrusive investigation in areas such as the landscaped areas/sports fields.

Additional information is requested from the applicant with regards to noise impact. The requisite information was subsequently submitted and found to be acceptable subject to conditions.

LBB Traffic and Development – No objection to application subject to conditions and S106 obligations securing adequate mitigation. Comments are set out fully in Section 8 of this report.

LBB Travel Plans – Travel Plan should be subject to a review mechanism which monitors if the school is hitting targets with regards to sustainable methods of transport. If necessary, a CPZ review would be triggered if targets are not met.

- 4.8 It should be noted that the following parties were consulted on the application and did not respond:

LBB Children's Services
LBB Highways (Drainage)
LBB Waste and Recycling
LBB Green Spaces

5.0 LAND USE / PRINCIPLE OF DEVELOPMENT

- 5.1 Officers consider that there are two critical issues to take into consideration in determining the acceptability of the principle of development, the first of which relates to the green belt status of the land. The development involves the redevelopment of a site located on green belt land and as such, it is necessary to consider the implications of the development on the green belt in the context of green belt policies.
- 5.2 Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
- 5.3 Paragraphs 89 and 90 of the NPPF goes on to outline certain types of development which may be appropriate on green belt land including agriculture, forestry, outdoor sport and recreation uses. An educational facility is not included on the list of appropriate uses and as such can be considered to be an 'inappropriate' development. Paragraph 87 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (paragraph 88).
- 5.4 Policy 7.16 (A) of the London Plan states that 'the Mayor strongly supports the current extent of London's Green Belt, its extension in appropriate circumstances and its protection from inappropriate development.'
- 5.4 Policy DM15 of the Barnet Development Management Policies Document states that except in very special circumstances, the Council will refuse any development in the Green Belt or

MOL which is not compatible with their purposes and objectives and does not maintain their openness.

- 5.5 With regards to the policy context set out above, it is clear that the development represents inappropriate development on green belt land. Given that inappropriate development is by definition harmful, the proper approach in assessing applications seeking to demonstrate very special circumstances is whether the harm by reason of inappropriateness and the further harm caused to the openness and purpose of the Green Belt is counterweighed by the benefit arising from the development so as to amount to very special circumstances justifying an exception to the Green Belt policy. This approach was established in *Doncaster Metropolitan Borough Council v Secretary of State for the Environment, Transport and the Regions* [2002].
- 5.6 A recent appeal on Land at Henley Road, Maidenhead, Berkshire SL6 6QL (Appeal ref: APP/T0355/V/15/3011305) was allowed by the Planning Inspectorate and endorsed by the Secretary of State. The appeal was allowed on the basis that the education need for the school on the appeal site was compelling and should be given substantial weight and the weight of other material considerations outweighs the totality of the harm caused by the development so that the very special circumstances exist to justify the construction of the appeal scheme in the Green Belt. Whilst this school related to children with special educational need, it demonstrates that there is some precedent for educational need being used as a special circumstance.

Need for School Places

- 5.7 The application relates to the provision of an all-through free school, the Ark Pioneer Academy, providing for children from nursery to Year 11 plus a sixth form. Whilst the application is made by the Education Funding Authority, The Education Act 1996 states that Local Authorities have a duty to educate children within their administrative area and to provide a school place for each child within the borough who requires one. To this end, the Council's Education Department were consulted on the application and outlined the existing situation with regards to school places in the borough at both primary and secondary level.
- 5.8 Barnet has experienced an unprecedented demand for primary school places in recent years and that the increase is projected to continue until 2020. The overall number of children on roll at a school within the borough has been increasing each year since 2009/10 with the number of children in the Reception year in a Barnet school having risen significantly from 3,548 children in January 2009 to 4,477 in January 2016 – an increase of 929 children. The number of pupils starting in year 7 has also been rising and is projected to reach over 5,000 pupils by 2023/24, compared to 4,450 in September 2015.
- 5.10 The existing situation with regards to primary and secondary school places and pupil projections at both primary and secondary level are set out in the subsequent sections of this report. The pupil projections are generated by the Greater London Authority (GLA) and take the following into account:

- The number on roll at Barnet schools from the January Census;
- Housing development data;
- Births, migration and fertility data.

5.11 To calculate the deficit/surplus of school places, the Council carries out a comparison of the number of permanent school places against the pupil projections to estimate how many additional forms of entry are likely to be required. The GLA projections are one source of data and the school place planning is also supplemented by local knowledge of parental preference and admissions data. To allow for parental preference and in-year movement of pupils, the Council allows a 3% margin on GLA projections to ensure there is sufficient capacity.

Primary School Places

5.12 Primary provision in Barnet is planned across six geographically based planning areas and school places are offered to Reception applicants within a 2 mile 'safe walking distance' of their home address. In relation to the primary provision planned at Ark Pioneer, a two-mile radius around Ark Pioneer Academy captures the majority of High Barnet, Underhill, East Barnet, Oakleigh and Totteridge wards.

5.13 The table below contains local primary schools within a two mile radius of the application site and sets out the Pupil Admission Number for each primary school (how many places are available in Reception each year for pupils starting school), the number of children in Reception, the number of vacancies in Reception, the waiting list for current Reception and the number of first time preferences for Reception September 2016.

School	2016/2017 PAN	Reception Vacancies (September 2016)	Reception Waiting List (September 2016)
All Saints N20	30	0	13
Christchurch	30	0	17
Cromer Road	60	0	47
Danegrove	90	0	23
Foulds	45	0	39
Grasvenor Infant	30	4	0
Livingstone	30	0	33
Monken Hadley	20	0	9
Queenswell Infant	90	0	2
Sacred Heart	60	0	28
St Andrews	30	0	8
St Catherines	60	0	46
St Johns N20	30	0	28
St Marys EN4	30	0	8
Trent	30	0	13
Underhill	60	0	2
Whitings Hill	60	0	45
Woodridge	30	0	46

- 5.14 The table above, based on the methodology set out in paragraphs 5.10-5.11, sets out that at least one further form of entry is required to meet the basic need for primary school places in the borough. The Council’s Education Department have also outlined that in 2 out of the last 3 years, the Council has had to commission a ‘bulge’ class in this primary school area in order to ensure that every child was allocated a reception place.
- 5.15 It should also be noted that the emerging Dollis Valley development of up to 631 new homes will have a substantial child yield all of whom will require primary school places in the local area. The application seeks permission to provide 2 forms of primary school entry which would meet the existing demand, set out above, and would reduce the need for bulge classes to be added to existing schools. The additional form of entry will provide capacity to meet the growing demand of primary school places in the context of new housing developments that are emerging in the local area.

Secondary School Places

- 5.16 Pupil place planning at secondary level is undertaken on a borough-wide basis due to the lower number of secondary schools and the expectation that pupils can travel further distances, with places offered to secondary school place applicants within a 3 mile ‘safe walking distance’.
- 5.17 In relation to the secondary provision proposed to be offered at Ark Pioneer, the map below shows a radius of 3 miles to allow for a safe walking distance. The number of children requiring a Year 7 place in Barnet has been increasing steadily and GLA projections indicate that this growth will rise rapidly and then continue through to 2023/24.
- 5.18 A significant number of additional primary school places have been provided at schools in the east of the borough, including the bulge classes set out in paragraphs 5.12-5.15 above. The children taking up these additional primary school places will require a secondary school place at the end of the primary stage.
- 5.19 Barnet does currently have a small surplus of secondary school places, in specific schools (Totteridge Academy, Whitefields in Cricklewood and Bishop Douglass, a catholic school in East Finchley). The table below outlines the secondary schools in the east of the borough close to the application site and sets out their current capacity. As is demonstrated in the table below, all of the secondary schools in the area, with the exception of Totteridge Academy, are already either at or over capacity.

School	PAN	At or Over Capacity 2016/2017
East Barnet School	210	Yes
Totteridge Academy	180	No
QE Girls School *	180	1 Vacancy
QE Boys*	180	Yes
Finchley Catholic*	180	Yes
Friern Barnet School	162	No
Compton School	210	Yes

<i>Wren Academy *</i>	180	Yes
<i>JCoSS*</i>	180	Yes
Ashmole Academy	180	Yes
<i>St Andrews the Greek Apostle*</i>	150	Yes

**Indicates that school has admission restrictions*

- 5.20 In the east of the borough, there has been a significant increase in demand for primary school places which has resulted in Alma, Monkfrith, Brunswick Park, Martin and Moss Hall schools being permanently expanded to take on 30 additional children per year in addition to 60 additional children per year at the Wren Academy. By 2016/17 this has resulted in 210 additional permanent primary school places being provided in the aforementioned schools.
- 5.21 In addition to this permanent increase, and as outlined in paragraphs 5.12-5.15, primary schools in the east of the borough have had to take on bulge classes in recent years. The table below shows the bulge classes that have had to be taken on in the school years since 2009/2010.

School	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17
All Saints					30			
Church Hill		30						
Coppetts Wood				30				
Danegrove	15		30					
Grasvenor Infants					30			
Holly Park		30		30				
Holy Trinity					30			
Livingstone					30	30		
Manorside			30			30	30	
Northside					30			
Queenswell Infants				30				
St Catherines				30				
Summerside				30	30		30	
Tudor	30	30						30
Underhill				30			30	30
Woodridge			30					
Total	45	60	120	180	180	60	90	60

- 5.22 It is clear from both the scale of the increase in permanent additional primary school places and the number of bulge classes that have been commissioned, that there are a significant number of additional children currently in the primary school system that will require a secondary school place. The cumulative number of children arising from both the permanent additional places and the bulge classes is set out below.

	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17
Additional Reception Places	45	60	180	270	300	210	300	270
Year that Cohort will enter Secondary School	Sept 2015	Sept 2016	Sept 2017	Sept 2018	Sept 2019	Sept 2020	Sept 2021	Sept 2022

5.23 It is clear from the table above that there has been a clear and significant increase in primary school intake and it is inexorable that the children currently in the primary school system will need a secondary school place. The proposed development would have its first intakes at reception and year 7 level in September 2018 and of the secondary schools in the borough with the exception of Totteridge Academy (along with negligible capacity elsewhere) are at full capacity. There is therefore a clear and demonstrable need for additional secondary school places and this will continue to be the case in subsequent school years.

Conclusion

5.24 The proposed development would provide a 2FE primary (60 pupils) school along with a 6FE secondary school (180 pupils). Given the unprecedented increase in primary school demand outlined, officers consider that it is clear that 1FE of entry needed at primary school level in the current context. Given increasing demand for primary school places, an additional FE would help to provide future capacity and avoid the requirement to commission bulge classes in existing primary schools.

5.25 Given the increase in the additional primary school places being required and the lack of sufficient existing capacity in secondary schools in the borough, there will be an inexorable resultant increase in demand for secondary school places when the increased primary school intake reach Year 7. There is existing capacity at Totteridge Academy however even if all of this capacity were utilised then additional places would be required. Given the fact that these children are already in the school system makes the need for additional secondary school place especially imperative.

5.26 Having regard to all of the above, it is considered that there is a clear and strong need for both primary and secondary school places in the borough.

Lack of Alternative Sites

5.27 Having established that there is a very strong need for additional school places in the borough, in order to satisfy the policy test set out in the NPPF regarding very special circumstances it is also necessary to assess the availability of alternative sites within the borough which could be developed to meet the established school demand.

5.28 As part of the application, the applicant has carried out a sequential assessment identifying alternative sites for the proposed school, either located on brownfield land or on sites that would have lesser impact on the openness of the Green Belt. The assessment incorporates

consideration of the sites' suitability to accommodate either an all-through school or a separate primary or secondary school to meet the established demand for school places.

- 5.29 The parameters of the site search area incorporated all of the borough along with the western areas of Enfield and the southern areas of Hertsmere which neighbour the borough and which form part of the wider catchment area for secondary schools. The search criteria in terms of site area is based on EFA guidelines with the minimum site area required for an all through school being set at 1.6 hectares. This is inclusive of space for all school buildings and outdoor recreation and sport. The minimum site areas for primary and secondary schools were set at 0.3 hectares and 1.3 hectares respectively.
- 5.30 On the basis of the criteria set out above, the following sites were identified using the Council's UDP and we're assessed as part of the document. The sites are set out below along with the site area and a summary of the applicant's conclusions on the reasons for discounting the sites.

Site	Area	Reason for Discounting
Arkley Reservoir, Rowley Green Road	2.6ha	Area of developable land only 0.37ha and allocated for housing. Unavailable and unsuitable.
Watling Avenue Car Park, Burnt Oak	1.33ha	The land is subject to long term development plans by LB Barnet. The site is also located in a flood plain and cannot be developed without significant flood alleviation. Unavailable, unsuitable and unviable for primary or secondary provision.
North London Business Park	15.8ha	The land is currently the subject of a planning application (15/07932/OUT) which seeks to deliver a residential led mixed use scheme. Whilst the scheme would replace the school currently on site, the school is earmarked for a Greek Orthodox School. Unavailable.
Colindale Hospital	6.6ha	Currently being redeveloped. Unavailable.
New Barnet Gas Works, Albert Road	4.9ha	The land has recently been granted permission for redevelopment with work set to commence. Unavailable.
Land Adjacent to the North Circular Road slip road off the High Road, known as 'The Roughlands'	1ha	The land is public open space and incorporates woodland which provides a valuable nature resource. The land is council owned but has not been made available for development. Unavailable and unsuitable for primary or secondary provision.
Scratchwood Local Nature Reserve	48ha	The site is allocated as a Local Nature Reserve, is located in the Green Belt and is listed as a site of Metropolitan Importance in the Barnet Local Plan Unavailable and unsuitable.
Edgware Station	1.4ha	The site is currently in operational use as a bus

		station. The operational purpose of the site would have to be retained as part of any redevelopment. Unavailable and unsuitable for primary or secondary provision.
Edgware Forumside	1.3ha	The site would require land assembly due to multiple ownerships with consequent impacts on the public purse. Provision of a school in such a prime town centre location would not be an appropriate use. Unavailable and unsuitable for primary or secondary provision.
College Farm, Fitzalan Road	3.85ha	The site is in operational use as a farm and incorporates listed buildings. Unavailable and unsuitable.
Land above, and to the north of, the entrance to New Southgate Station	1.2ha	Land is currently not available for development. Unavailable for primary provision.
Land adjacent to 907 Finchley Road, Golders Green, NW11	0.8ha	Land on main retail frontage. Unavailable and unsuitable for primary provision.
Land at the Rear of 120-204 High Street, Chipping Barnet	2.12ha	Site is occupied by existing built development with further approved development coming forward. Unavailable and unsuitable.
Land at the rear of 98-140 High Street, Barnet	0.8ha	Site is occupied by existing built development with further approved development coming forward. Unavailable and unsuitable.
Middlesex University Hendon Campus, The Burroughs, NW4	5.2ha	Site is in operational use as a university. Unavailable.
Inglis Barracks, Bittacy Hill, Mill Hill, NW7	40ha	Land currently being redeveloped as Stonebrook. Unavailable.
Brent Cross, New Town Centre (Ref: 31) and Cricklewood Eastern Lands	NA	Extant permission for a strategic level mixed use development. Unavailable.
Welsh Harp Nature Reserve	51ha	The site is a Site of Special Scientific Interest (SSSI) and a Local Nature Reserve Unavailable and unsuitable.
Barnet FC, Underhill	1.7ha	Vacant football stadium with club having relocated and land has been purchased by the EFA so is available. Size appropriate for all-through school. Land is in green belt. The site is the subject of the current application.

5.31 The Colindale Area Action Plan (AAP) sets out the framework for future development and change in the Colindale area and as part of the document, potential development sites are identified within Colindale. The applicant has also assessed these sites as part of the sequential assessment document with these sites set out below.

Barnet College Site	5ha	Being redeveloped for college and residential. Unavailable.
Grahame Park Estate, Lanacre Avenue	35ha	Strategic redevelopment with an agreed masterplan. Unavailable.
Adastral South	4.6ha	Unavailable as part of Grahame Park masterplan area.
Middlesex University Student Accommodation	2.2ha	Currently in operational use as student accommodation. Unavailable.
RAF Museum Site	0.6ha	Currently in operational use as a museum and due to be expanded. Unavailable for primary provision.
Beaufort Park	10ha	The site is mid-way through implementation of a major residential led mixed use development. Unavailable.
Land between railways lines (Colindale)	0.7ha	There is an extant permission for redevelopment and developable land is too small. Unavailable and unsuitable for primary or secondary provision.
Watford Way	0.7ha	Currently occupied by housing. Unavailable.
Farrow House	0.9ha	Land currently occupied for educational use (North London Grammar School). Unavailable.
Peel Centre East and Site no.13 Peel Centre West	24.8ha	Land is currently being developed for 2900 homes, with a primary school funded through planning obligations. School site not available in short term. Unavailable.
Colindale Hospital Site	NA	Land is currently being redeveloped for a residential led mixed use scheme. Unavailable.
National Blood Service Expansion Site	0.6ha	Land is safeguarded for expansion of health facility. Unavailable for primary provision.
British Library	2.3ha	Land is currently being redeveloped for a residential led mixed use scheme. Unavailable.
Brent Works	0.7ha	Land is currently being redeveloped for a residential led mixed use scheme. Unavailable for primary provision.
Zenith House Site	1ha	Residential led mixed use scheme recently completed. Unavailable for primary provision.
Former National Grid/Kidstop Site	0.6ha	Residential led mixed use scheme recently completed. Unavailable for primary provision.
Merit House	1ha	Currently in operational use as offices. Unavailable for primary provision.

5.32 In addition to the sites identified from the UDP and Colindale AAP documents and set out above, the applicant also identified and assessed the following sites.

Former School site adjacent to the recently constructed Broadfields Primary School, Roseberry Drive, Edgware, Middlesex HA8 8JP	1.82ha	Extant permission for residential redevelopment. Unavailable and unviable.
Former St Joseph's College, Mill Hill, NW7 4JZ	NA	Residential led mixed use scheme recently completed. Unavailable.
Former Northways School, The Fairway, Mill Hill, NW7 3HS (15,568m ²)	1.58ha	Extant permission for residential redevelopment. Unavailable and unviable.
National Institute For Medical Research (NIMR) The Ridgeway London NW7 1AA	19ha	Site acquired by Barratts and currently subject to planning application for residential redevelopment. Unavailable.
Barnet/King George V Playing field Playing Fields, EN5 2DA	12.37ha	The land is public open space, in green belt and is not available for development. Land is not sequentially preferable to application site. Unavailable and unsuitable.
Oak Hill Park, EN4 8JP	33.48ha	The land is public open space, Metropolitan Open Land and is not available for development. Land is not sequentially preferable to application site. Unavailable and unsuitable.
New Southgate Recreation Ground, N11 1HJ	5.86ha	The land is public open space, Metropolitan Open Land and is not available for development. Land is not sequentially preferable to application site. Unavailable and unsuitable.
Bying Road Playing Fields, EN5 4NS	6.46ha	The land is public open space, in green belt and is not available for development. Land is also site of Local Importance for Nature Conservation Land is not sequentially preferable to application site. Unavailable and unsuitable.
Montrose Playing Fields, NW9 5JX	11.04ha	The land is public open space and is not available for development. Unavailable and unsuitable.
Whitings Hill Open Space, EN5 2AL	15.12ha	The land is public open space, in green belt and is not available for development. Land is not sequentially preferable to application site. Unavailable and unsuitable.
Old Elizabethans Cricket Club, EN5 2AH	6.16ha	The land is public open space, in green belt and is not available for development. Land is not sequentially preferable to application site. Unavailable and unsuitable.
Moat Mount Open Space, NW7 5AL	18.49ha	The land is public open space and a nature reserve. The site is located within the Green Belt and allocated as a Site of Local Importance for Nature Conservation. Land is not sequentially preferable to application site.

		Unavailable and unsuitable.
Finchley Golf Club, NW7 1PU	NA	The site is currently in use as a golf club and is not currently available for development. In addition, the site is located within the Green Belt and is therefore not more sequentially preferable to the application site. Unavailable and unsuitable.
Watling Park, HA8 0NS	10.9ha	Land is It is public open space and not currently available for development. Unavailable and unsuitable.
Childs Hill Park, NW2 2AT	3.02ha	Land is It is public open space and not currently available for development. Unavailable and unsuitable.
Sunny Hill Park, NW4 4XA	21.54ha	Land is It is public open space and not currently available for development and is also allocated as Metropolitan Open Land and a Site of Local Importance for Nature Conservation. Unavailable and unsuitable.
Elstree Open Space	NA	Land is in the green belt and is Site of Local Importance for Nature Conservation. Unavailable and unsuitable.

5.33 In the initial Stage 1 response, the GLA requested that the scope of the sequential assessment be expanded to include an assessment of the potential for the proposed school to be co-located with existing schools and other uses. In addition, following consultation responses outlining potential alternative sites for the school such as the Whalebones site in Barnet, the applicant was also requested to assess these additional sites. A supplementary sequential assessment was subsequently submitted by the applicant incorporating the requisite additional assessment.

5.34 Many of the consultation responses received as part of the consultation exercise raised the potential for the existing Totteridge Academy to be expanded or for the new school to be co-located with the existing TTA. In the first instance in terms of expansion, it has been outlined by the Council's Education Department that it is not EFA policy to expand underperforming schools. The TTA site is also located on green belt land with most of the surrounding land used as sports playing pitches with any development of a new educational facility likely to result in a loss of playing pitches and green belt, making it not more sequentially preferable than the application site. The additional co-location scenarios are summarised below.

Finchley Catholic High School, Woodside Lane	3ha	Insufficient available land, TPO trees on site and Grade II listed buildings. Unavailable and unsuitable.
Friern Barnet School, Hemmington Avenue	1.54ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. Unsuitable.
JCoSS, Castlewood Road	4.5ha	The only developable part of the site is currently

		occupied by sports pitches so any development of the land would result in substandard provision. The land is also designated MOL. Unsuitable.
Livingstone Primary and Nursery School, Baring Road	2.6ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. The land is also designated MOL. Unsuitable.
Mill Hill School Foundation, The Ridgeway	36.46ha	The site is in an exposed green belt location and is occupied by an independent school. Any development would also result in loss of sports pitches. Site is not sequentially preferable to application site. Unsuitable.
St James Catholic High School, Great Strand, Colindale	5.27ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. Site is outside of the area where there is a demonstrated need for primary school. Unsuitable.
St Michaels Catholic Grammar School, Nether Street	1.8ha	The amount of developable land is insufficient for any scenario. Unsuitable.
The King Alfred School, North End Road	2.2ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. Unsuitable.
Frith Manor Primary School, Lullington Garth	2.9ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. The land is also undeveloped designated green belt so not sequentially preferable to application site. Unsuitable.
St Mary's and St John's Primary School, Prothero Gardens	2ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. Unsuitable.
The Orion Primary School, Graeme Park Way	5ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. Unsuitable.
Underhill Primary School and Children's Centre, Mays Lane	1.96ha	The only developable part of the site is currently occupied by sports pitches so any development of the land would result in substandard provision. Constrained access arrangements. Unsuitable.
Elmbank, Barnet Road (Whalebones Site)	1.57ha	Extant planning permission for residential redevelopment. Unavailable and unviable.

Conclusion

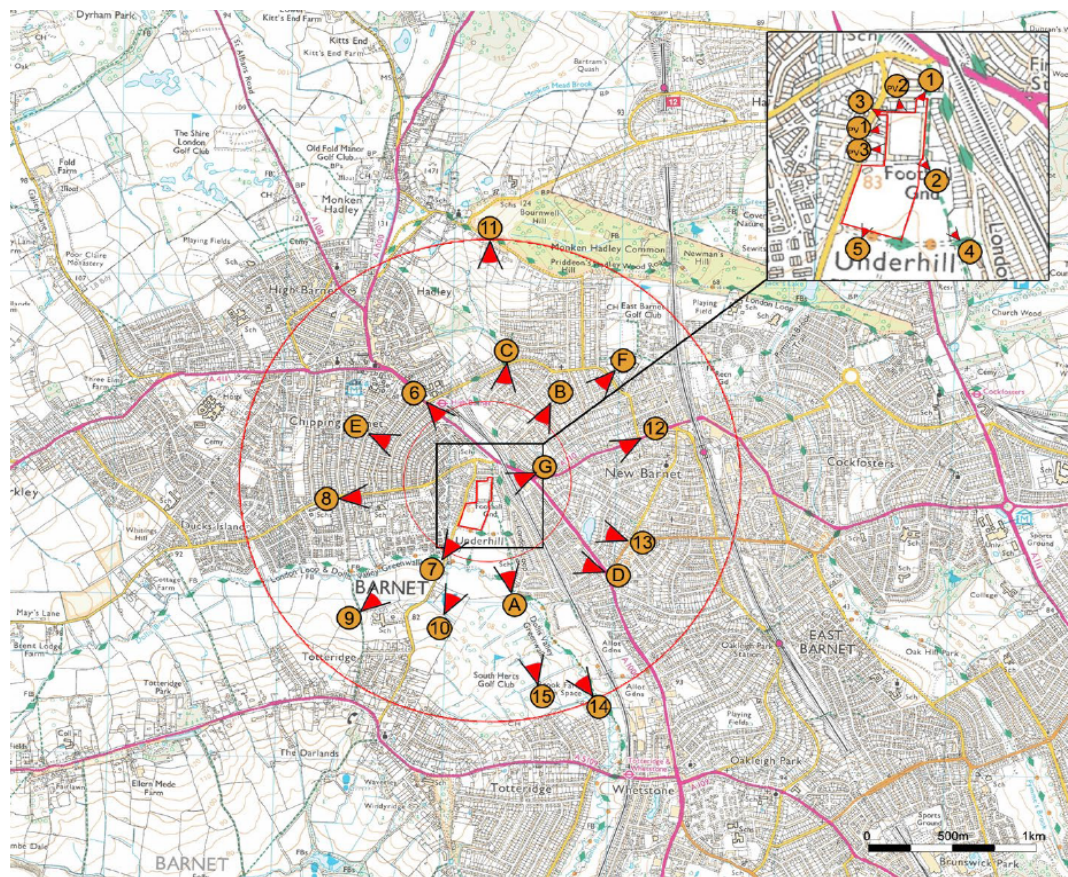
- 5.35 Officers consider that the methodology and scope of the sequential assessment carried out is appropriate. The methodology and scope also satisfied the requirements of the GLA. The assumptions and the deductions made within the document are considered to be reasonable, based on the assessment it is evident that there is a clear lack of alternative sites which are available, suitable and viable for redevelopment to provide either an all-through school or a primary or secondary school in isolation.

Visual Impact on Green Belt

- 5.36 The built form of the development would be limited to the northern part of the site, which is the site of the existing vacant football stadium. Whilst this part of the site is designated Green Belt land, it represents previously developed land and in this context, Para 89 of the NPPF advises that exceptions to the presumption against inappropriate development in the Green Belt can be considered where this involves *'the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'*.
- 5.37 It is therefore necessary to assess the visual impact of the proposed development in the context of the existing built form on site and any resultant additional impact on the openness of the green belt. To this end, a Landscape and Visual Impact Assessment (LVIA) was undertaken by Ares Landscape Architects and was submitted as part of the Environmental Statement (Chapter 8).
- 5.38 In order to carry out a thorough and robust LVIA and assess the impact of the proposed development, it is necessary to establish the existing baseline conditions. The submitted LVIA establishes the baseline conditions by setting an approximate area from where the development could be potentially visible. For the purposes of the assessment, such an area was set at 1.5km around the site. It should be noted that the area does not impact on any of the London Plan Strategic Viewing Corridors and does not feature within the backdrop of any Strategic Views.
- 5.39 As part of pre-application discussions, key viewpoints of the application site were agreed with the applicant in order to establish the appropriate scope for the assessment. The agreed viewpoints constituted several points from Green Belt land to the south along with private viewpoints from properties on Barnet Lane and Westcombe Drive. All of the agreed viewpoints have been assessed as part of the LVIA and are set out below.
- V1 – looking south-west from Westcombe Drive
 - V2 – looking north-west from Priory Grove/Barnet Playing Fields
 - V3 – looking south-east from Barnet Lane
 - V4 – looking north-west from the Dollis Valley Green Walk National Trail
 - V5 – looking north-east from the London loop/Dollis Valley Green Walk National Trail
 - V6 – looking south-east from A1000 Chipping Barnet

- V7 – looking north-east from the London loop/Barnet Lane
- V8 – looking east from Mays Lane/Chipping Barnet
- V9 – looking north-east on the PRoW from the Totteridge Academy
- V10 – looking north from Barnet Lane and Stables Horse Activity Centre
- V11 – looking south from PRoW from Monken Hadley Conservation Area
- V12 – looking south west from Station Road, New Barnet
- V13 – looking west from Lyonsdown Road/Gloucester Road, New Barnet
- V14 – looking north from the Dollis Green Walk
- V15 – looking north from Brook Farm open space/Totteridge
- VP-A – looking north-west from the Dollis Valley Greenwalk
- VP-B – looking south-west from Prospect Road
- VP-C – looking south-west from Meadway
- VP-D – looking north west from Great North Road
- VP-E – looking south-east from Normandy Avenue
- VP-F – looking south-west from Potters Road
- VP-G – looking due west from Great North Road
- PVP-1 – no.26 Barnet Lane
- PVP-2 – no.14 Westcombe Avenue
- PVP-3 – no.16 Barnet Lane

5.40 The viewpoints assessed are shown more clearly in the map excerpt below including a more detailed inset for localised views in and around the site.



- 5.41 The LVIA can be broken down into two separate but intrinsically related elements; a landscape character assessment and a visual amenity assessment.

Landscape Character Assessment

- 5.42 The existing landscape character of the area was established using various documents including the Characterisation Study of London Borough of Barnet Final Report (2010). 16 character areas were identified, the following of which surround the application site:

- Dollis Valley (London Green Belt) Character Area
- Chipping Barnet Character Area
- New Barnet Character Area
- Totteridge Character Area
- Whetstone and Woodside Park Character Area

- 5.43 Table 8.12 of the LVIA assesses the impact of the proposed development on the established character of the areas outlined above and concludes that there would be a minor (negligible) or minor (not significant) impact on all of the character areas. These conclusions are reached due to various factors including distance from the character areas to the application site, the existence of screening and the existence of built form already on the site. Officers consider that the conclusions are reasonable.

Visual Amenity Impacts

- 5.44 A description of the baseline conditions of the viewpoints outlined above are set out within Table 8.11 of the LVIA. Table 8.13 then goes on to assess the likely impact of the development on these viewpoints in terms of the magnitude and the significance of the impact. The LVIA also provides visual montages of the existing view along with a CGI of the proposed view. The viewpoints where a notable impact is identified are set out below along with an officer assessment.

- 5.45 *V1 (Medium Adverse Impact)* – the north elevation of the proposed development would present clearly in this view and would represent a change from the existing view. Whilst the development would rise higher than the existing built form of the stadium and create a new skyline, the extent of the additional impact is not considered to be significant. The applicant has outlined that the foreground view would also be improved by boundary planting which would be secured by condition.

- 5.46 *V2 (High Adverse Impact)* – the south east corner of the proposed development would present clearly in the foreground of this view. Given the existing view of the south and west stands of the football stadium, it is considered that the development would not be incongruous in this view.

- 5.47 *V4 (Medium Adverse Impact)* – the development would present a break in the prevailing vegetation in this view. Given the scale of the development in the context of the tree screening present either side and the removal of the existing large floodlights which project

above the treeline it is considered that the development would not be significantly harmful in this view.

- 5.48 *V5 (Medium Adverse Impact)* – whilst the development would rise above the prevailing tree line on the horizon and would represent a marked change in this view, it would not be wholly incongruous and would offer a more ordered elevation.
- 5.49 *PVP1 (High/Major Impact)* – the west elevation of the development would be clearly present in this view. Whilst it would not rise above the existing ridge line of the West Stand, it would extend further horizontally across the view. Nevertheless, given the prominence of the existing West Stand, it is considered that the proposed development would not be wholly incongruous in this view. The applicant has outlined that the foreground view would also be improved by boundary planting which would be secured by condition.
- 5.50 *PVP2 (High/Major Impact)* – the north elevation of the development would present clearly in this view and would represent a significant change. An existing ball net and floodlights present in this view however do not have the same solidity and scale as the north elevation of the development.
- 5.51 *PVP3 (Medium Adverse Impact)* – the west elevation of the proposed development would rise slightly higher than the ridge line of the existing West Stand however would be largely screened by existing trees. Additional tree planting is proposed by the applicant which would reinforce the screening and would be secured by condition.
- 5.52 Aside from the views outlined above, the visual impact of the development is identified as being negligible in all other views.

Conclusion

- 5.53 The LVIA sets out that the impact on the identified character areas would be either minor or negligible. The majority of viewpoints assessed would experience negligible change as a result of the development however as identified above there would be a marked change in some of the views. The most significant impacts would be experienced by the properties to the west and the north of the (PVPs 1 and 2). In both cases, the view would be somewhat mitigated by the planting of screening trees however there would still be a clear and demonstrable impact. Whilst these viewpoints are sensitive given that they represent residential curtilages, a balanced view must be taken in terms of the scale of the impact in the context of the green belt and in the context of the wider benefits of the scheme.

Green Belt Conclusion

- 5.54 As set out in paragraph 5.6 of this report, recent appeal decisions from the Planning Inspectorate accepted the need for school places as a very special circumstance which could be used to justify development on green belt land. Officers consider that there is a clear and demonstrable need for both primary school and secondary school places in the borough. The need is especially pertinent for secondary school places given that the increased

demand has arisen from an exceptional increase in primary school intake and thus the children needing the additional secondary school places are already in the school system.

- 5.55 The proposed school would provide 2FE at primary level and 6FE at secondary level. It is clear that the 6FE proposed would meet the existing and future demand for secondary school places that has resulted from the temporary and permanent increase in primary school intake. The 2FE at primary school level would address existing demand and would reduce the need for the commissioning of bulge classes.
- 5.56 Having established a clear and compelling need for school places in the borough, officers also consider that it has been clearly demonstrated that all other sites within the borough have been adequately considered and assessed with regards to their suitability for providing the development and meeting all or some of the school need. The methodology and scope of the sequential assessment is considered to have been appropriate, going over and above the minimum search criteria. It is clear that all of the other sites considered are unavailable, unsuitable or unviable to provide any of the development scenarios considered.
- 5.57 In the absence of any alternative suitable sites, the application site represents the only feasible development option to meet the identified need for school places. Nevertheless given the green belt context, it is still necessary to consider the impact of the development on the openness of the green belt.
- 5.58 Although the application site is designated as Green Belt, the northern portion of the site which would accommodate the built form of the development is presently occupied by the Underhill Stadium which in practice represents previously developed land. The openness of the existing open space to the south of the site would be retained and provided as sports pitches.
- 5.59 The LVIA shows that from most of the agreed viewpoints, the development would not have a significantly harmful impact on the openness of the green belt. In some localised views from residential properties to the north and west, the development would have a major adverse impact. Notwithstanding the major adverse impact, the level of the harm identified must be weighed against the wider exceptional circumstances identified. In light of the compelling need for school places and the lack of alternative sites, officers consider that the localised adverse impacts on the openness can be tolerated. It should also be noted that mitigation measures in the form of screening trees are proposed which would lessen the extent of the impact over and above the existing situation. Taking a holistic and balanced view, it is considered that the development would not unacceptably diminish the openness of the green belt.
- 5.60 Having regard to all of the above, it is considered that very special circumstances have been demonstrated. Officers have taken a balanced view and consider that the application is in accordance with paragraphs 79, 80 and 87-89 of the NPPF, Policy 7.16 of the London Plan and Policies CS 7 and DM15 of Barnet's Local Plan.

Impact on Sports Playing Pitches

- 5.61 The application site comprises the existing Underhill Stadium, with an intrinsic football pitch and associated stands, terraces and buildings in the northern part of the site. The football ground including the pitch has been unused since Barnet FC moved to The Hive in 2013. The southern part of the site comprises 22,587sqm of former playing fields which are currently unused and overgrown. The playing pitches previously comprised 3 football pitches, a cricket pitch and a cricket training area.
- 5.62 Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 5.63 The development as proposed prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). It was therefore necessary to consult Sport England on the application as a statutory consultee.
- 5.64 It is Sport England's policy to object to the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply. These are set out below.
- Exception 1 - *'A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport'*.
 - Exception 2 - *'The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use'*.
 - Exception 3 - *'The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing areas of any playing pitch or the loss of any other sporting/ancillary facilities on the site'*.
 - Exception 4 - *'The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development'*.

- Exception 5 - *'The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields'*.

5.65 The development would result in the complete loss of the existing football pitch within Underhill stadium and the development would also marginally encroach onto the land to the south. Sport England have outlined in their consultation response that exceptions 3 and 5 are relevant to the consideration of the application.

5.66 Barnet FC moved to a new facility 'The Hive' in 2013 which incorporates a football stadium and playing pitch. The Hive has directly replaced Underhill and Sport England are of the view that the sports provision at the new site is sufficient to mitigate the implications of the lost playing pitch as part of this development. The element of the proposal contained within the northern part of the site is therefore considered to fall within the aforementioned exception E5.

5.67 A Multi Use Games Area (MUGA) is proposed to the south of the main school building which would mostly be located on the existing car park but would also encroach onto the existing playing field. It has been outlined by Sport England that the extent of the encroachment is negligible and would not impact on the fields' ability to provide playing pitches. Furthermore, subject to appropriate conditions, the proposed MUGA would be constructed in accordance with Sport England's design guidance, would be floodlit and would be available for community use. Sport England therefore consider that this element of the proposal would meet Sport England exceptions E3 and/or E5 as the development would partly affect land incapable of forming a playing pitch or would provide a facility of sufficient benefit to sport.

5.68 In summary, subject to appropriate conditions including a Community Use Plan being secured through condition, Sport England have no objection to the proposed application and have outlined that the policy exception tests with regards to development on playing fields have been met. The application would therefore not result in any unacceptable loss of playing field land and is in accordance with Paragraph 74 of the NPPF.

6.0 DESIGN ASSESSMENT

6.1 Paragraphs 56-58 of the NPPF set out the importance of good design. This is reflected in Policy CS5 and DM01 of the Barnet Local Plan, which seeks to achieve a high quality design in all developments.

6.2 The proposed development comprises of a school building which would be of a part two, part three storey height and would be accommodated on the northern part of the site within the footprint of the existing stadium.

Layout

- 6.3 The layout of the proposed school is such that there would be two distinct elements; a largely rectangular two/three storey building comprising the primary school located to the north of the site adjacent to Westcombe Drive, and a separate three storey building comprising the secondary school located to the north of the sports pitches and laid out parallel to the primary school. Between the primary and secondary buildings would be an external courtyard area which would accommodate the primary school and nursery play area. Further hardstanding to the south of the secondary school building would provide an outdoor play area for the secondary school. The layout of the school is considered to be logical and responds to the site characteristics and surrounding pattern of development.

Height, Scale and Massing

- 6.4 The area surrounding the application site is characterised by mainly two storey development of a residential scale with the development comprising a mix of two and three storey elements. The three storey elements of the development would be located away from the site boundaries with the development stepping down to two storeys in height at sensitive points adjoining the surrounding residential development. It is considered that this graduated height would ensure that the development would visually integrate with its surroundings. It is considered that the three storey elements would be located a sufficient distance from the surrounding development so as not to create any visual incongruity.

Design and Appearance

- 6.5 The proposed school buildings will predominantly comprise buff brick at ground floor level and metal cladding to the storeys above. The fenestration would be of an aluminium fabrication. The development would introduce cladding of varying colours to provide visual relief and to identify key entrances.
- 6.6 The design and the form of the school is very much driven by its function as an educational facility. Given the use of the building and its location within its own grounds, it would be inappropriate for the development to attempt to pastiche the appearance of the surrounding development. In this regard it is considered that the detailed design and form of the school and its material palette would create an intrinsically high quality development in its own right.

Conclusion

- 6.7 It is considered that the scheme would represent a high a quality development that would not be incongruous within its surrounding context and thus is accordant with Paragraphs 56-58 of the NPPF and Policies CS5 and DM01 of the Barnet Local Plan.

7.0 Impact on Residential Amenity

- 7.1 Policy DM01 of the Barnet Local Plan states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Daylight, Sunlight and Overshadowing

- 7.2 A daylight and sunlight was carried out by Arup and was submitted as part of the Environmental Statement (Chapter 15 (Volume 1) and corresponding Appendices (Volume 2)). All daylight and sunlight assessments should be carried out in accordance with BRE Report BR209: 2011 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is confirmed within the ES text that the assessment was carried out in line with these guidelines.
- 7.3 The following residential properties with windows facing the application site were assessed:
- 2-20 Westcombe Drive (South Side)
 - 6-22 Barnet Lane
 - 24-30 Barnet Lane
- 7.4 The scope of the assessment carried out is considered to be wholly appropriate for the scale of the proposed development and its likely impact on the surrounding development.
- 7.5 The standardised assessment methodology for daylighting is set out within the BRE document Site Layout Planning for Daylight and Sunlight (BRE, 2011). Within this document it is set out that the primary tool is the Vertical Sky Component (VSC) and that the target value for windows to retain the potential for good daylighting is 27% or more than 0.8 times its former value.
- 7.6 The daylight assessment carried out indicates that all of the surrounding residential windows assessed would have a VSC of over 27% demonstrating that they will not experience a noticeable loss of daylight.
- 7.7 In terms of sunlight, BRE guidance recommends that the Annual Probable Sunlight Hours (APSH) received at a given window in the proposed case should be at least 25% of the total available including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.
- 7.8 The results from the sunlight assessment carried out demonstrate that the APSH and WPSH for the surrounding residential properties would be equal to or greater than the target values of 25% and 5% respectively indicating that sufficient light from the sky would reach the windows.
- 7.9 The assessment from Arup also considers the overshadowing impact of the development. The overshadowing study demonstrates that all of the residential gardens surrounding the application site would receive at least 2 hours of direct sunlight on over 50% of the 21st March. This is in accordance with BRE guidelines. Consideration has also been given to the potential overshadowing of the proposed play areas of the development which demonstrates that minimal shading would occur.

Outlook

- 7.10 The height of the development steps down to a two storey height adjacent to the boundaries with adjoining residential properties on Barnet Lane and Westcombe Drive. The separation distance from the surrounding residential windows to these two storey elements would be a minimum of 21 metres which is considered to be adequate to ensure that the development would not cause any unacceptable loss of outlook for existing and future neighbouring residential occupiers.

Privacy and Overlooking

- 7.11 The Barnet Supplementary Planning Document on Sustainable Design and Construction outlines that new developments should provide a minimum separation distance of 21 metres to neighbouring facing habitable room windows and 10.5 metres to the boundary of neighbouring residential curtilages. The development achieves these minimum distances and as such it is considered that it would not give rise to any unacceptable degree of potential overlooking of neighbouring occupiers.

Noise

- 7.12 The Environmental Statement submitted in support of the application assesses the noise impact of the proposed development (Chapter 11). The application documents including the ES have been fully reviewed by the Council's Environmental Health officers. The major issue for consideration is the operational noise impacts of the school on the living conditions of surrounding residential occupiers.

- 7.13 One of the key areas identified with the potential to generate noise is from servicing and deliveries through the main entrance on Westcombe Drive. The proximity of residential properties and the potential for an 'island effect' means that mitigation is required to minimise noise generation. Council EH officers have outlined that servicing and deliveries should be carefully managed to ensure that they are not undertaken at unsociable hours when likely to cause greater disturbance. A condition is thus attached restricting the hours of servicing and deliveries.

- 7.14 Council EH officers have also identified the potential for noise generation from external play areas with the surrounding brick walls shaped with the potential to amplify sound. With this in mind and bearing in mind the relationship of the external playgrounds to the surrounding residential properties, acoustic fencing on the boundaries of the application site would be required in order to mitigate the potential noise impacts identified. The acoustic fencing is required by condition and would cover the following properties:

- Properties to north of no.40 Barnet Lane;
- Properties to north of no.19 Fairfield Way;
- 2-20 Westcombe Avenue.

- 7.15 Upon review of Chapter 11 of the ES, it was evident that no baseline data had been collected in respect of the use of the school outside of hours. In the absence of baseline data, any assumptions made on the potential noise impacts of the community use of the school

premises outside of normal hours would not be robust. The applicant was subsequently asked to provide the additional baseline data for review by Council EH officers. In light of the supplementary baseline data and the projections made for the noise impact of such community use outside of hours, it is considered that the community use of the school grounds outside of normal hours would not result in any unacceptable noise disturbance to surrounding residential occupiers. This is subject to the submission of a community use plan through condition which would include maximum hours for community use of the school.

- 7.16 In addition to the above, conditions are also attached relating to the noise generation from on-site plant and machinery. Subject to the conditions outlined, it is considered that the development would not give rise to any unacceptable noise impacts to surrounding residential occupiers.

Conclusion

- 7.17 Having regard to all of the above officers consider that the development, subject to conditions, would not result in an unacceptable impact on the residential amenity of the neighbouring residential occupiers in line with Policy DM01.

8.0 Transport and Highways

- 8.1 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Accessibility:

- 8.2 The application site is situated to the east of Barnet Lane, within a primarily residential area. Barnet Playing Fields are situated immediately south of the site, whilst rear gardens of residential properties along Westcombe Drive and Barnet Lane adjoin the site to the north and west. Priors Grove runs to the east of the site providing access to a St John Ambulance depot and scout hut. APA is located 1.0km south of High Barnet local centre, and 1.5km west of New Barnet local centre both within the London Borough of Barnet. Between these centres and around APA there is, typically, high density residential development whilst open space including Barnet Playing Fields and King George V Playing Fields cover a large area of land to the south. Vehicular access to APA will be supported by a one-way traffic circulation movement with entry from Westcombe Drive (modification of an existing crossover for the previous stadium use) and exit onto Barnet Lane (via the established dropped kerb crossover for the previous stadium use). The modifications required on the public highway will require a S278 Agreement with the local highway authority.

- 8.3 Barnet Lane to the west of the site benefits from consistent street lighting, wide footways on both sides of the carriageway, and where pedestrian desire lines exist, crossings are provided with dropped kerbs. Barnet Lane is within a 30mph speed limit zone. Continuous footways on both sides of the carriageway provide connecting pedestrian routes to nearby residential streets, e.g. Westcombe Drive, Brent Place and Mays Lane which also benefit from lit footways on both sides of the street. At the point where Barnet Lane's western footway terminates, it provides a direct cut-through to the Dollis Valley Estate, and also a controlled pedestrian crossing over Barnet Lane allowing onward movement along the eastern side of Barnet Lane. Dropped kerbs are provided at the crossovers of each of the junctions with Westcombe Drive and Brent Place to aid safe pedestrian crossing. The local TfL cycle guide shows that there is a network of signed and recommended routes for cyclists within the vicinity of APA. Notably, these routes, which include the Dollis Valley Greenwalk, connect the site with residential areas and potential pupil catchments to the south and west of the site. Where dedicated cycle routes are not present, carriageway widths are wide enough to accommodate both cyclists and vehicles and visibility is generally of a good level aiding inter-visibility between cyclist and vehicles.
- 8.4 A wide range of services are provided from northbound and southbound bus stops located along Barnet Hill (A1000), approximately 200m and 350m from APA respectively. These bus stops serve routes 34, 84/84A, 107, 234, 263, 307, 326, 384, and 389. The northbound stop is located adjacent to the Underhill / Barnet Hill (A1000) signalised T-junction and the southbound stop is opposite High Barnet Underground Station. The stops can be reached within 4-5 minutes respectively on foot. Additional stops on Mays Lane within a 180m walking distance serve routes 326 and 389 only. Stops on Mays Lane are provided with poles and timetable information whilst stops on Barnet Hill are also provided with shelter and flags. All services below operate regularly within the APA catchment area with stops throughout High Barnet, New Barnet and Whetstone residential areas.
- 8.5 High Barnet London Underground (LU) station is the northern terminus of the Northern Line which runs into Central London. High Barnet LU station is located approximately 500m to the north of APA. The station provides direct services to a range of destinations in London including Euston, Kings Cross and London Bridge, and average daytime frequency of departures is every 3 minutes. Changing at Camden Town provides onward access to the Edgware Branch, and further north London destinations. New Barnet mainline rail station is on the East Coast Main Line from Kings Cross, and is located 1.4km to the east of the site. The station is served and managed by Great Northern, who provide regular half hourly stopping services between Moorgate and Welwyn Garden City. Both stations are located in Travelcard Zone 5.
- 8.6 Using the PTAL methodology / formula, a PTAL has been calculated for APA. The results of this assessment are included as Appendix 4 and it can be seen that APA has an AI value of 17.8 or a PTAL banding of 4, with 8 frequent bus services at Barnet Hill (A1000) and High Barnet LU station within walking distance.
- 8.7 Barnet Lane is subject to a 30mph speed limit and is provided to a width of c. 7m in proximity to the site and benefits from lit footways on both sides of the carriageway. The footway on the western side measures approximately 2m in width whilst the footway on the eastern side is set back from the carriageway by a grass verge and measures approximately 2.4m in width. Single yellow line restrictions exist along both sides of the carriageway indicating no waiting is allowed between 10am - 11pm on match days (Tuesdays and Saturdays). The street features signage indicating this, however since the relocation of

Barnet Football Club there are clearly no match days to require compliance to these restrictions. Westcombe Drive junctions with Barnet Lane via a simple priority arrangement and runs to the north of APA.

- 8.8 The carriageway measures approximately 5.8 m in width flanked by footways on both sides measuring c. 1.8m in width. Double yellow line restrictions extend on both sides of the carriageway from its priority junction with Fairfield Way, 50m on its northern side and 60m on its southern side. Westcombe Drive links Barnet Lane with Fairfield Way, which runs in a north-south direction to the east of APA. Fairfield Way is also primarily residential in character and has unrestricted parking to the south of its junction with Westcombe Drive. Lit footways are also present on both sides of the carriageway and the street is subject to a 30mph speed limit. The road provides direct access to Barnet Hill (A1000) to the north via a priority junction arrangement, and transitions to Grasvenor Avenue and Sherrards Way to the south.
- 8.9 To the north-west, Barnet Lane junctions with Underhill and Mays Lane via a priority junction, with Underhill leading east and proceeding to link with Barnet Hill (A1000) in the form of a signalised junction. Mays Lane runs westwards, linking Barnet Lane to various neighbourhoods, residential estates and local amenities to the south-west of Barnet. Fairfield Way, as previously mentioned, provides access to the A1000 Barnet Hill via a dual carriageway T-junction, with ghost island, allowing onward access to High Barnet Underground Station and Barnet Town Centre to the north whilst New Barnet can be accessed to the east, via Station Road (A110). In terms of the wider highway network, the northbound A1000 Barnet Hill junctions with Wood Street (A411) which leads westward towards the A1 via the western residential suburbs of Barnet. Further north, the A1000 becomes The High Street, before linking with the A1081 St Albans Road which provides direct access to both the M25 and A1(M) at Junctions 23 and 1 respectively. The southbound A1000 provides access to the North Circular Road approximately 5.6km to the south of the site, via Great North Road, Pricklers Hill and High Road, passing through Totteridge, Whetstone and Finchley.

Road Safety Analysis

- 8.10 Analysis has been undertaken to determine if there are any trends in the types or location of accidents on the local road network in the vicinity of APA. A total of 23 PIAs occurred on nearby roads/junctions, 4 of which have been classified as 'serious', and 19 as 'slight' (minor). Two of the 'serious' PIAs were recorded close to the Barnet Hill / Fairfield Way junction. The first involved a vehicle passing too close to a pedal cyclist causing the rider to fall and the second was a result of a passenger falling as a bus pulled away from a stationary position. Two further 'serious' incidents were recorded, one of which took place at the A1000 Barnet Hill /Underhill junction where a vehicle turned right into the path of an oncoming emergency vehicle. This incident was attributed to failure to look properly and poor turn or manoeuvre. The final 'serious' incident took place at the Mays Lane / Underhill / Barnet Lane junction whereby a vehicle turning right collided with a pedal cyclist causing the rider to fall. The incident was attributed to failure to look properly and misjudgement of path or speed. The 'slight' (minor) incidents that took place within the search were a result of, either pedestrians failing to look properly and disobeying the crossing signals or vehicle drivers failing to look properly, poor manoeuvring and carelessness. It should be noted that no PIAs were recorded within the vicinity of the site accesses on Westcombe Drive or Barnet Lane and no incidents were recorded at the Barnet Lane / Westcombe junction and the Fairfield Way / Westcombe Drive junction.

Modal Split and Trip Generation:

8.11 In respect of modal split information, data has been provided by the LB Barnet Travel Plan officer for all Primary and Secondary schools with operational Travel Plans in the Barnet administrative area. The data provided has then been filtered by the number of form entries (for Primary and Secondary elements) and school type (i.e. Community, Independent or Voluntary-Aided). In order to supplement the above data with operator-specific travel patterns Ark Academy have provided pupil modal split data based on their established operations at Wembley and Enfield (allthrough Academies). The average modal split for this data is provided below, noting that an overall modal split is indicated across both Primary and Secondary elements. Staff modal split has been based on Ark Academy Enfield although in a less accessible area has been assumed to be the same for assessment as a robust analysis. The Park and Stride trips are derived from availability of off-site car parking described in the following pages.

Ark Academy Average Pupil Modal Splits (Wembley & Enfield)					
Mode	Percentage	Mode	Percentage	Mode	Percentage
Bus	23.2%	Car Share	2.3%	Rail	2.8%
Car	18.6%	Cycle	3.4%	Walk	47.1%
		Park & Stride	2.6%	Other	0.0%

Predicted Modal Split				
Mode	Nursery	Primary	Secondary	Staff
Bus	9.5%	9.5%	40.6%	19.6%
Car	32.9%	12.6%	11.8%	37.3%
Car Share	1.8%	0.8%	1.5%	5.9%
Cycle	2.8%	2.8%	1.3%	7.8%
Park & Stride	0.0%	21.3%	10.1%	-
Rail	1.0%	1.0%	2.7%	19.6%
Walk	51.1%	51.1%	31.7%	7.8%
Other	0.9%	0.9%	0.4%	2.0%

8.12 The trip generation using the above modal splits is as follows.

Mode of Travel	Peak Arrivals and Departures
Bus	562
Car	271
Car Share	31
Cycle	42
Park & Stride	209
Rail	65
Walk	638
Other	12
TOTALS	1,830

- 8.13 Trip distributions have been derived for Primary and Secondary age pupils based on 2011 Census Middle Layer Super Output Data. This data has been used to generate the number of Primary and Secondary aged pupils by output area, which have then been plotted against existing school locations and capacities. Nursery distributions have been based on data for Primary age pupils. An exercise has been undertaken working outwards from the site until reaching a point where the number of school age pupils exceeds the capacity of local schools by 420 (in the case of Primary) and 1,200 (in the case of Secondary). It should be noted that this is by no means representative of a school catchment, but indicates the concentrations of school age children within the local population.
- 8.14 Traffic distribution of staff trips this has been undertaken using NOMIS Travel to Work inflow data for the Barnet administrative area. The database has been used to select the ten local authority areas outside of Barnet which generate the highest volume of travel to work trips.

Parking Provision:

- 8.15 An on-site staff car parking area will provide marked bays for c. 62 vehicles including 4 allocated as 'car share only', 3 disabled bays. In accordance with London Plan standards 10% of parking bays will be provided with active electric vehicle charging points and a further 10% will be provided with passive charging facilities ie. with the underlying infrastructure provided to be fully connected at a later date. There is also parking space and loading space for a mini-bus. Detailed layouts showing parking layouts, parking allocation and electric charging points will be conditioned to be submitted for approval as part of the planning permission.
- 8.16 Cycle parking facilities will be provided to accord with London Plan standards of 1 cycle parking space per 8 staff / students. Cycle parking will be provided in secure, covered locations and will be increased in line with the projected rise in pupil numbers. Additional 'short-stay' cycle parking will be provided to a standard of 1 per 100 pupils. Scooter parking for Primary-aged children will be co-located with cycle parking 40 scooter parking spaces for student use with numbers monitored and increased in line with demand. Details of cycle and scooter parking will be conditioned to be submitted for approval as part of this planning permission.
- 8.17 Due to the number of car based trips it is proposed to use an existing off street car park immediately south of the APA site as a drop-off / pick-up facility. In respect of Primary age pupils, it is proposed that parents approaching from the south, west and north (i.e. via Mays Lane, Barnet Lane or A1000(N)) use the car park. Primary drop-off would take place predominantly in the 15-minute period before Primary registration with pick-up in the 15-minute period following Primary end of day.
- 8.18 In respect of Secondary age pupils, it is proposed that parents approaching from the south and west (i.e. via Mays Lane or Barnet Lane) use the car park. Secondary drop-off would take place predominantly in the 15-minute period before Secondary registration with pick-up in the 15-minute period following Secondary end of day. The staggering of Primary / Secondary start / finish times will assist in managing any 'crossover' between Primary / Secondary drop-off and pick-up activity.
- 8.19 The car park has a capacity of c. 60 spaces, that could allow c. 90 Primary aged pupils and 120 Secondary aged pupils to be dropped off / picked-up at this location. This makes allowance for vehicles to 'turnover' x 1.5 at the start and end of the Primary Academy day

and twice at the start and end of the Secondary Academy day. It is considered that the more independent nature of Secondary age pupils allows parents to drop-off and collect pupils at a faster rate than Primary age pupils.

- 8.20 It should be noted that on arrival at the Barnet Estate car park, pupils will be grouped by trained staff /stewards and escorted to the APA site via a series of 'Walking Buses'. Pupil groups will be no larger than 10 with at least one staff member / steward per group with additional presence at key crossovers and crossing locations on the route to APA. Likewise, pupils will be escorted back to the car park at the end of the day where parents will collect their children.
- 8.21 The car park requires patch re-surfacing, full 'spray and chip' and introduction of physical drainage features to resolve current ponding (either through surface re-grading and / or gulleys), lining and designated walking routes. The car park access requires resurfacing and upgraded entrance / egress separation feature eg. kerbed or grassed island. These works will be conditioned to be submitted for approval and works on the public highway are to be progressed through a S278 Agreement with the local highway authority.
- 8.22 However, based on the predicted level of car-based trips associated with pupil travel to APA there will still be a residual proportion of pupils who will be dropped off / picked up on local streets surrounding the site. In order to assess the current level of available on-street parking in the vicinity of APA, parking demand data has been obtained. On-street parking beat surveys have been carried out by an independent survey company during the anticipated APA drop-off / pick-up periods; between 07:30-10:00 and 14:30-17:00 on Thursday 14th January 2016. The parking beat surveys established the demand for parking in 15-minute intervals throughout the survey periods. The total number of available spaces within the survey cordon, excluding established driveways and accesses.

Time	No On-Street Parking Restrictions				Single Yellow Line Restrictions			
	Total Number Parked		Spare Capacity		Total Number Parked		Spare Capacity	
	Number	%	Number	%	Number	%	Number	%
0730-0745	57	70%	24	30%	23	20%	94	80%
0745-0800	53	65%	28	35%	25	21%	92	79%
0800-0815	50	62%	31	38%	25	21%	92	79%
0815-0830	46	57%	35	43%	30	26%	87	74%
0830-0845	46	57%	35	43%	31	26%	86	74%
0845-0900	45	56%	36	44%	30	26%	87	74%
0900-0915	46	57%	35	43%	29	25%	88	75%
0915-0930	49	60%	32	40%	28	24%	89	76%
0930-0945	49	60%	32	40%	28	24%	89	76%
Average	49	60%	32	40%	28	24%	89	76%

Time	No On-Street Parking Restrictions				Single Yellow Line Restrictions			
	Total Number Parked		Spare Capacity		Total Number Parked		Spare Capacity	
	Number	%	Number	%	Number	%	Number	%
1430-1445	59	73%	22	27%	29	25%	88	75%
1445-1500	60	74%	21	26%	29	25%	88	75%
1500-1515	56	69%	25	31%	27	23%	90	77%

1515-1530	52	64%	29	36%	29	25%	88	75%
1530-1545	51	63%	30	37%	28	24%	89	76%
1545-1600	51	63%	30	37%	22	19%	94	81%
1600-1615	53	65%	28	35%	21	18%	96	82%
1615-1630	54	67%	27	33%	21	18%	96	82%
1630-1645	55	67%	26	32%	21	18%	96	82%
Average	55	67%	27	33%	25	22%	91	78%

- 8.23 On the basis that 15% of pupils will attend Breakfast Clubs, on-street drop-offs for Breakfast Clubs total 36, with 48 on-street drop-offs prior to Primary registration, and 136 drop-offs prior to Secondary registration. Given the average availability of 121 spaces over the AM peak period it is considered that the level of on-street drop-offs could be absorbed particularly given that not all drop-offs will occur at exactly the same time and therefore there is the ability for drop-offs to ‘turn over’ more than once during the 15-20-minute drop-off windows before APA start times.
- 8.24 The modal split targets are linked to travel plan measures and number of pupils who will attend breakfast clubs and after school activities. Parking availability may fluctuate during different times of year and increase overtime. To safeguard any on-street parking issues that could evolve from the occupation of the APA to full occupancy the applicant will be required to carry out an annual parking review to be submitted for approval. Subject to the results a Controlled Parking Zone (CPZ) Review may be triggered to be carried out by the local highway authority and the applicant shall cover the cost and thereafter shall cover the cost of any implementation. Contributions shall be set out in a S106 legal agreement.
- 8.25 Due to the change of use of the site the match day parking controls that surround the site will require removal only if no other on-street parking controls are required following full occupation. Contributions shall be set out in a S106 legal agreement.

Traffic Impact

Arm	Base				Base + Development			
	Weekday AM Peak		Weekday PM Peak		Weekday AM Peak		Weekday PM Peak	
	Degree of Saturation	Queue	Degree of Saturation	Queue	Degree of Saturation	Queue	Degree of Saturation	Queue
A1000 Barnet Hill (S) Left	66.3%	10.8	55.5%	8.0	64.9%	10.5	58.2%	8.5
A1000 Barnet Hill (S) Ahead	104.1%	58.0	93.3%	25.6	101.9%	48.9	97.8%	31.8

Underhill Right Left	100.1%	23.2	93.4%	17.3	115.2%	57.0	96.8%	21.6
A1000 Barnet Hill (N) Ahead Right	85.9%	20.0	89.5%	21.7	146.7%	45.4	131.1%	47.7
PRC%	-15.6%		-3.7%		-63.0%		-45.7%	

8.26 The TA includes capacity analysis of junctions surrounding the site. Base surveys were undertaken and growths to 2024 being the date that the proposed Academy will be at full capacity. Analysis is summarised below (Capacity Analysis of A1000 Barnet Hill / Underhill signalised T-junction – 2024):

8.27 From the table above it can be seen that the signalised T-junction will function above overall capacity under both 2024 'Base' and 'Base + Development' AM and PM peak conditions. The Underhill approach arm in particular will experience higher degrees of saturation and queuing under 'With Development' conditions, notably in the AM peak period with an increase from 23.2 to 57.0 PCUs. On the basis that the introduction of APA traffic would reduce the operational efficiency at this key node in the local highway network.

Capacity Analysis of A1000 Barnet Hill / Fairfield Way T-Junction – 2024

Arm	Base				Base + Development			
	Weekday AM Peak		Weekday PM Peak		Weekday AM Peak		Weekday PM Peak	
	Max RFC	Queue	Max RFC	Queue	Max RFC	Queue	Max RFC	Queue
Fairfield Way	3.726	137.95	1.815	69.80	9.490	351.09	4.175	296.39
A1000 Barnet Hill RT	0.122	0.140	0.077	0.080	0.146	0.17	0.087	0.09

8.28 From the table above it can be seen that under Year 2024 'Base' and 'Base + Development' traffic flow conditions the priority junction will function well over capacity and with excessive queues on the minor arm in particular. Queuing on Fairfield Way is likely to increase by 50% or more following the introduction of APA traffic flows.

Capacity Analysis of Barnet Lane / Underhill / Mays Lane T-Junction – 2024

Arm	Base				Base + Development			
	Weekday AM Peak		Weekday PM Peak		Weekday AM Peak		Weekday PM Peak	
	Degree of Saturation	Queue	Degree of Saturation	Queue	Degree of Saturation	Queue	Degree of Saturation	Queue
Underhill	38.3%	0.3	30.9%	0.2	41.9%	0.4	33.8%	0.3

Barnet Lane	37.2%	0.3	46.5%	0.4	59.5%	0.7	68.5%	1.1
Mays Lane	102.2%	67.0	58.1%	0.7	128.5%	172.3	80.1%	2.0

8.29 From the table above it can be seen that junction performance and queuing by arm is generally unaffected by the introduction of APA traffic, save for the Mays Lane approach where the additional volume of right turners would cause queuing to more than double under Year 2024 'Base + Development' conditions.

Capacity Analysis of Barnet Lane / Westcombe Drive T-Junction – 2024

Arm	Base				Base + Development			
	Weekday AM Peak		Weekday PM Peak		Weekday AM Peak		Weekday PM Peak	
	Max RFC	Queue	Max RFC	Queue	Max RFC	Queue	Max RFC	Queue
Westcombe Drive	0.524	1.08	0.250	0.33	1.061	11.74	0.621	1.58
Barnet Lane RT	0.386	0.77	0.372	0.74	0.759	5.49	0.744	5.18

8.30 From the table above it can be seen that with the introduction of APA traffic the junction still performs generally within capacity. The only exception is the Westcombe Drive approach where during the AM peak period queuing is expected to increase from 1 to 12 vehicles under Year 2024 'Base + Development' conditions. It should however be noted that for the purpose of junction capacity assessment a robust volume of APA-related traffic flows has been directed via Westcombe Drive, whilst in reality drop-off / pick-up trips will be discouraged at this location, and potentially controlled with parking / waiting restrictions. As such it is not envisaged that such a queuing scenario would actually materialise.

Capacity Analysis of Fairfield Way / Westcombe Drive T-Junction – 2024

Arm	Base				Base + Development			
	Weekday AM Peak		Weekday PM Peak		Weekday AM Peak		Weekday PM Peak	
	Max RFC	Queue	Max RFC	Queue	Max RFC	Queue	Max RFC	Queue
Westcombe Drive	0.410	0.69	0.480	0.91	0.835	4.50	0.965	12.08
Fairfield Way RT	0.308	0.47	0.155	0.19	0.820	4.75	0.565	1.38

8.31 From the table above it can be seen that the junction will function within capacity under Year 2024 'Base' and 'Base + Development' traffic flow conditions with increases in queuing that can be accommodated within the available roadspace.

Capacity Analysis of Barnet Lane / A5109 Totteridge Village T-junction– 2024

Arm	Base				Base + Development			
	Weekday AM Peak		Weekday PM Peak		Weekday AM Peak		Weekday PM Peak	
	Degree of Saturation	Queue	Degree of Saturation	Queue	Degree of Saturation	Queue	Degree of Saturation	Queue
A5109 (S) Ahead Right	66.3%	1.0	81.9%	2.2	73.4%	1.4	87.2%	3.2
A5109 (N) Ahead Left	67.9%	1.1	56.8%	0.7	69.6%	1.1	58.2%	0.7
Barnet Lane (W) Right	55.7%	0.6	33.1%	0.2	61.2%	0.8	39.5%	0.3
Barnet Lane (N) Left	101.7%	37.3	45.3%	0.4	108.4%	50.9	51.9%	0.5

8.32 From the table above it can be seen that with the addition of APA related traffic, junction performance and queuing is generally unaffected with the only notable queue increase experienced on the Barnet Lane (N) approach during the AM peak hour period. Given that this approach arm already functions over capacity under ‘Base’ conditions and that junction impact is limited to two concentrated periods of the day, it is not considered that additional mitigation is warranted.

Construction:

8.33 In order to minimise disturbance to local residents, a number of mitigating measures will be implemented and enforced throughout the duration of the construction period, the details of which will be provided within a full Construction Logistics Plan (CLP) to be prepared by the site contractor. A framework CLP is included as part of the application and provides swept path analysis to confirm that construction vehicle access can be gained to the site, with the ability to turn on site and depart in forward gear. A full Demolition and Construction Management Plan will be conditioned to be submitted for approval as part of the planning application approval.

Deliveries & Servicing:

8.34 The number of service vehicles that deliver to APA on a daily or weekly basis will be minimal. These would be limited to waste collection, and canteen and general supplies. The principles of delivery and servicing at APA are:

- Canteen and general supplies are serviced using the vehicular access from Westcombe Drive to Barnet Lane. Servicing will generally be restricted to out-of-hours, and certainly outside of the start and finish hours of the Academy day;
- Delivery times are specified to each supplier so as to eliminate the occurrence of multiple vehicles arriving or being on-site at the same time;
- The refuse store is located within APA grounds and at collection time the bins are wheeled out, no more than 30 minutes before the specified out-of-hours collection time.

8.35 A Framework Delivery and Servicing Plan is included as part of the application and provides delivery and refuse vehicle swept path analysis demonstrating that vehicles can gain access

to the relevant locations on site and are able to enter and exit in a forward gear. A full Delivery and Servicing Plan will be conditioned to be submitted for approval as part of the planning application approval.

Mitigation:

- 8.36 APA encourages cycling as a viable method of travel for Secondary age pupils, in particular. Given that a large proportion of APA pupils will be drawn from southeast of the site, it is considered that additional connectivity through the field immediately southeast of the site (connecting the east-west cycle route between Barnet Lane and Grasvenor Avenue with Priory Grove) would benefit pupil connectivity. This field is under the control of LB Barnet Greenspaces. Such a route would also be connecting existing public footpaths / cycleways and therefore be of wider benefit to the local community, allowing cyclists and pedestrians to move between Grasvenor Avenue / Barnet Lane and Westcombe Drive via a fully metalled route. From pre-application discussions with LB Barnet Greenspaces this was not supported as would mean the field could not fully used for recreation and there is an increase in maintenance and build cost where there are suitable signed routes on Barnet Lane and Fairfield Way to serve the school.
- 8.37 TfL have confirmed that Mayoral funds are available to mitigate the public transport impacts of free school developments. As such, following provision of home postcode locations for the first year intakes at the APA (Spring 2018), TfL will undertake analysis to confirm if any local bus routes are operating at or over capacity and how these would be impacted by APA related trips. It will be conditioned for this data to be submitted for analysis.
- 8.38 A scheme has been developed, that delivers the following improvements within land predominantly under the control of LB Barnet Highways.
- Signalise Fairfield Way / Barnet Hill T-junction and integrate into signal staging with Underhill;
 - Provide continuous two-lanes southbound on Barnet Hill with give-way controlled right turn facilities for entry to Underhill and Fairfield Way;
 - Provide continuous two-lanes northbound on Barnet Hill with left-turn facilities on nearside lanes;
 - Provide two-lane approaches from Underhill and Fairfield Way arms with nearside lanes offering left and right turn facilities, and offside lanes right-turn only;
 - Provide staggered and signal-controlled crossing facilities over Underhill and Fairfield Way integrated into signal staging.
- 8.39 It should be noted that to deliver the scheme additional land-take would be required that is under the control of LB Barnet Estates and Greenspaces departments. Whilst alternative schemes could be delivered solely within the highway boundary, considering the minimal land required and wider benefits of delivering the highway scheme outlined it is considered that suitable landscaping compensation could be developed to facilitate the proposals.
- 8.40 A junction assessment was submitted in the TA using LINSIG but following further discussions with TfL this was refined and a new assessment was carried out using TRANSYT and is summarised below.

Capacity Analysis of A1000 Barnet Hill / Underhill signalised T-junction – 2024 (Proposed Junction Layout)

Arm	Base + Development			
	Weekday AM Peak		Weekday PM Peak	
	Degree of Saturation	Queue	Degree of Saturation	Queue
A1000 Barnet Hill (S) Ahead Left	85.0%	20.7	65.0%	11.2
A1000 Barnet Hill (S) Ahead	75.0%	16.2	64.0%	11.5
Fairfield Way Left	81.0%	7.0	77.0%	6.7
Fairfield Way Right	81.0%	6.8	77.0%	6.4
A1000 Barnet Hill (S) Int. Ahead Left	54.0%	6.6	45.0%	4.9
A1000 Barnet Hill (S) Int. Ahead	78.0%	9.7	71.0%	9.0
Underhill Left	82.0%	7.7	67.0%	6.6
Underhill Right	81.0%	7.7	67.0%	6.8
Barnet Hill (N) Ahead	38.0%	5.2	40.0%	5.6
Barnet Hill (N) Ahead Right	40.0%	5.2	42.0%	5.7
Barnet Hill (N) Int. Ahead	43.0%	6.8	40.0%	6.5
Barnet Hill (N) Int. Ahead Right	50.0%	7.1	50.0%	6.8
PRC%	6.0%		17.0%	

- 8.41 It is evident from the results above that the proposed highway modifications would deliver a significant benefit in terms of queuing and junction capacity. This is noticeable when comparing 'base' conditions under the existing highway layout with 'base + development' conditions under the proposed arrangement. The proposals mitigate the impact of APA traffic, whilst providing the additional safety benefit of controlling access to and from Fairfield Way and delivering controlled crossing points over Underhill and Fairfield Way. On this basis it is considered that the highway mitigation proposals are fit for purpose and offer a wider benefit for the local community in terms of highway operation and safety.
- 8.42 The capacity analysis for Mays Lane / Underhill / Barnet Lane Priority Junction demonstrated that this junction already functions over capacity under 2024 'Base' conditions. The addition of APA traffic further exacerbates queuing conditions on Mays Lane in particular during the AM peak for ahead / right turn movements. It is therefore proposed to implement an improvement scheme comprising the widening of the Mays Lane carriageway on its northern side to allow for the addition of a dedicated right-turn lane facility into Barnet Lane.
- 8.43 The improvement scheme will also provide a refuge island crossing point to the east of the junction improving connectivity on the desire line between Barnet Lane and High Barnet London Underground Station. This will not only be of benefit to pupils and staff of APA but the local community alike. It should, again, be noted that to deliver the scheme additional land-take beyond the Highway Boundary would be required that is under the control of LB Barnet Greenspaces. Junction capacity analysis of the proposed highway modifications has been undertaken using LINSIG and is summarised for the AM and PM peak below.

Capacity Analysis of Barnet Lane / Underhill / Mays Lane T-Junction – 2024 (Proposed Junction Layout)

Arm	Base + Development			
	Weekday AM Peak		Weekday PM Peak	
	Degree of Saturation	Queue	Degree of Saturation	Queue
Underhill	41.9%	0.4	33.8%	0.3
Barnet Lane	59.5%	0.7	68.5%	1.1
Mays Lane	105.2%	63.4	56.0%	0.6

- 8.44 The table above shows that the improvement proposals would actively mitigate the increased queuing on Mays Lane in the AM peak hour period. The remaining approach arms operate within capacity and with minimal queuing over both peak hour periods.
- 8.45 Highway works required to facilitate the development to be carried out under S278 of the Highways Act 1980 and shall be included in a S106 legal agreement.
- 8.46 A full review is required on the pedestrian and cycle facilities within the APA catchment once full postcode data has been received and reviewed. The applicant is to submit and agree a methodology to the LPA and carry out a PERS (Pedestrian Environment Review System) and CERS (Cycle Environment Review System) Audit and this will be conditioned as part of the planning approval. Any subsequent works are to be implemented through a S278 Agreement with the local highway authority.
- 8.47 Due to the increase in traffic flows and pedestrian crossing movements a review of vehicle speeds is required surrounding the APA and recommendation on if a 20 mph zone is appropriate for school safety. The applicant is to submit and agree a methodology to the LPA and carry out a School 20mph Zone Review and this will be conditioned as part of the planning approval. Any subsequent works are to be implemented through a S278 Agreement with the local highway authority.

Travel Planning:

- 8.48 A Travel Plan has been submitted as part of the planning application and this has been consulted with the Travel Plan Officer who has made the following comments.

Travel patterns

- It is stated that the site is central to the catchment demand for Nursery, Primary and Secondary pupils but this is not evidenced in any way within the STP.
- Reference is made to the APA catchment area in the STP but this is not explained or delineated. No reference is made to the proposed school's admissions criteria.
- Access arrangements – it is not clear from the small plans in the STP which is the formal entrance to be used by visitors and/or by staff.
- Will the secondary pupil entrance have suitable lighting?
- Cycle parking - reference to table 4.1 is not correct.

- More details needed of the strategies in place to manage and monitor drop off and pick up on-street to reduce impact on residents. This is not included in the measures section or the monitoring section.

Site Accessibility

- As a PERS audit has not been provided it has not been demonstrated that the bus stops in all directions are easily and safely accessed due to crossing roads to get to the nearest bus stops via the most direct route.
- The 251 bus is not included within the bus list despite the potential for use from the Mill Hill, Burnt Oak and Edgware directions
- The walk and bus routes to High Barnet and New Southgate stations should be considered as secondary students and staff may make use of these routes. 36 pupils and 29 staff are predicted to travel by rail by 2024/25.

Travel Plan Management

The TPC should also be in charge of liaising with STP Champions from nearby schools and other organisations with travel plans to discuss shared issues, share best practice and to coordinate shared activities.

- A wide range of measures have been included that are aimed to influence both student and their family's travel as well as staff travel. Some, however, are proposals or will be investigated so have not been committed to. Staff lockers are provided but no commitment is given for student lockers. These will need to be provided for those cycling to store their helmet, lights and other equipment. Provision of student lockers also reduces the equipment needing to be carried each day and therefore decreasing the need to be taken to and from school by car.
- 4 car sharing bays are proposed and not confirmed.
- The suggestion that TfL will fund any identified additional bus services for the school needs confirmation. The pre-existing 251 bus capacity issues needs to be considered.
- Staggering start and finish times is welcomed as long as this does not increase the time that parents wait if picking up at different times so reducing parking space turnover. Staggering also with the near-by schools will also reduce congestion on the road and in the car park on Barnet Lane.
- The suggestion of a park and stride scheme from a local car park is sensible however current use by local schools has not been reported so future capacity has not been predicted. The route from the car park to the site is shown as using the secondary pupil entrance but it is not clear how primary pupils will then access the primary entrance.
- Normal practice is for walking buses to only run in the mornings as there are safety issues in the afternoons if families are late to pick up a child. It is also not discussed how safety will be maintained while pupils meet up with their adult in a car park where there could be conflicts between pedestrian and vehicle movements.
- Pupil to adult ratios of 1:8 junior aged pupils and 1:4 for infant aged pupils will need to be met with no less than 2 adults at any time rather than the described on staff member to no more than 10 pupils.
- It is suggested that further park and stride locations will be investigated on gaining a greater understanding of the pupil home locations. In order to achieve the predicted pupil targets success of park and stride is essential.
- How will driving 6th form students be prevented from parking in the car park it is proposed that the park and stride will run from?

Targets

- The action plan contains a number of different actions but it needs to be checked that they are appropriate for the age of the students in the school at the time. Actions should also be included to add additional measures as the different years groups become operational EG Junior Travel Ambassadors should be appointed annually once Year 5 and 6 are in operation.
- Targets are split for primary and secondary pupils as staff as previously recommended
- The TA includes Nursery pupil mode splits for 2024/25 and peak arrivals and departures but these are not included in the TP.
- No specific targets are set for the 6th Form where there are likely to be students who drive to school.
- Experience has shown that when a new school opens with just Reception aged pupils car use is high (around 70%) as families have to take other siblings to other educational establishments. Over time the car use reduces as all year groups are filled. The proposed targets on occupation for both primary and secondary pupils have 70% shared across car, car share and park and stride with the majority in park and stride; 43.5% and 31.4% respectively, giving a park and stride percentage way above the Borough average from the 2015 STP travel data of 7.79%. Only 2 schools in the borough have park and stride percentages over 30% but that is following the successful implementation of a Travel Plan for several years.
- Large reductions in park and stride percentages are predicted over the life of the STP but it is not explained how this will be achieved.
- Only 0.8% of primary pupils are predicted to car share which equates to less than 2 children in 2018/19, 2019/20 and 20120/21.
- No increase is anticipated in primary car sharing despite the numbers of pupils in the school expanding year on year making it easier to find suitable car sharing families
- Secondary car use is predicted at 37.1% for 2018/19, a higher rate than the primary and is predicted to remain higher than the primary percentage until 2022/23. This is opposite to the pattern seen at other primary and secondary schools across the borough. The 2015 STP data shows a car use average for primary pupils of 36% and secondary of 23.9%.
- The secondary car use targets show an increase in the number of children arriving by car from 67 children in 2018/19 up to a maximum of 142 in 2021/2022 which is predicted to be retained for the following 3 years.
- No consideration has been given to the am peak departures of families leaving the site having dropped off their child.
- The Mode share in the TA for staff is incorrect as the secondary pupil mode split has been used.
- Staff targets are given for full occupation in 2024/25 with 37.3% (56 staff) predicted for car and 5.9% (9 staff) which can be accommodated in the proposed 62 parking spaces on site. No indication is given of the staff mode split at the opening of the school or for the following years through to 2024/25.

Monitoring and Review

- Annual staff and students surveys are correctly included. These will need to continue annually for the life of the STP. Consultation with all of the school community as per the Transport for London STP guidance will need to be completed within 3 months of occupation and the STP revised, updated and resubmitted for approval. As well as monitoring of the cycle parking, monitoring of the scooter storage and electric charging points will need to be completed so that additional provision is installed when triggered

by need. 4.15 commits to monitoring on-street impact so should be included in the monitoring section.

Conclusion

- 8.49 Having regard to all of the above and subject to conditions and S106 obligations, officers consider that the application would be acceptable from a transport and highways perspective and is accordant with

9.0 Sustainability

- 9.1 London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

- 9.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

- 9.3 Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrates compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

- 9.4 The application is accompanied by an Energy Statement from Couch Perry Wilkes which seeks to demonstrate how the buildings have been designed to achieve a reduction in Carbon Dioxide (CO₂) emissions by 35% as required by the London Plan (2016). The sustainability of the scheme has been fully assessed by both Council and GLA officers against the London Plan hierarchy and a summary is set out below.

Be Lean

- 9.5 A range of passive design features and demand reduction measures are proposed within the Energy Statement to reduce the carbon emissions of the proposed development. The demand for cooling will be minimised through a proportionate amount of glazing which will be orientated to reduce solar gains. Exposed concrete soffits are proposed in the majority of occupied spaces with windows being openable to reduce reliance on the heat recovery unit. No active cooling is proposed, except for in the server room.

- 9.6 The limits of thermal comfort are set out within Technical Memorandum 52 (TM52) from the Chartered Institution of Building Services Engineers (CIBSE). The Energy Statement sets out that the limits of TM52 would be exceeded with the proposed measures outlined above. Following initial review from GLA Sustainability officers, supplementary information in

respect of the methodology used and the weather scenarios tested was submitted by the applicant. It was outlined that LondonDSY05 methodology was used with modelling against TM49 which was welcomed by GLA officers.

- 9.7 The results of the overheating assessment show that some spaces would fail against the tests incorporating ‘a year with a very intense warm spell’ and ‘a year with a prolonged period of sustained warmth’. GLA officers have been clear in advising that cooling systems to mitigate the potential overheating should be installed and to this end a condition is added requiring details of such provision to be submitted for approval and thereafter implemented.

Be Clean

- 9.8 There are no existing or proposed district heating networks in the local area and thus the applicant has ensured that the site heating would be future proofed to allow for future connection should any district network come forward.

- 9.9 The development would be served by an on-site heat network which would be supplied from a single energy centre comprising a plant deck and tank room. Details have been provided showing that all buildings would be linked to the network. Officers are satisfied that the details provided are acceptable.

Be Green

- 9.10 The applicant has investigated the feasibility of providing Combined Heat and Power (CHP) however it is outlined that the development’s heat profile would be significantly less than 5000 hours per annum and thus CHP is not considered to be viable which is accepted.

- 9.11 A Solar Photovoltaic (PV) installation is proposed which could provide up to 27 tonnes per year in carbon savings. The installation would cover an area of 384.2 square metres at roof level and would have an output of 52.47 kWp. At the request of GLA officers, the applicant investigated whether additional solar panels could be incorporated to increase carbon savings however it was outlined those additional panels would result in insufficient retained roof to allow for servicing and maintenance of the installation.

Conclusion

- 9.12 Following initial review, an updated Energy Statement was submitted by the applicant which states that the measures outlined above, in line with the London Plan energy hierarchy combine to provide the following overall carbon reductions.

Measure	Carbon Emission Savings	% Carbon Reduction for Building
‘Be Lean’- Fabric First Approach (BRUKL)	26,801 TonnesCO2/year	11%
‘Be Green’ – Photovoltaic Panels	22,901 TonnesCO2/year	6.80 %
Total CO2 Emission Reduction	45,702 TonnesCO2/year	20.4%

- 9.13 In addition to the figures outlined above, the applicant has provided supporting information on how additional energy efficiency/passive measures, including comparison against a theoretical air conditioned school would be implemented which could further reduce emissions.
- 9.14 For the purposes of assessment, these additional passive measures cannot be accounted for in the Part L modelling. Whilst these additional measures are fully supported they cannot be counted towards the Policy 5.2 carbon emission target as they do not form part of the approved Part L methodology, for which the performance of all developments is assessed against.
- 9.15 With this in mind, it is clear that the development falls short of the 35% target by 14.6%. Where such a shortfall is identified, the Mayor's Sustainable Design and Construction SPG outlines that a carbon offset contribution should be made by the applicant. Currently, the Council do not have an established carbon offset fund however one will be established in the emerging Local Plan and as such the Council will secure a contribution through the Section 106 Agreement. The contribution would be ring-fenced to be spent on making up the shortfall off site.
- 9.16 Mayor's Sustainable Design and Construction SPG states that where boroughs do not have an established price, a figure of £60/tonne for a period of 30 years should be applied. In this case the development falls short of the requisite carbon reductions by 35.536 tonnes however the applicant has committed to a review of the provision of Solar PV Panels to increase the number at roof level. Any shortfall identified following installation of the additional PV panels would be secured as a contribution through the S106 Agreement. Subject to the planning obligation, it is considered that the application is in accordance with London Plan Policy 5.2 and Barnet Local Plan policies DM01 and DM04.

10.0 Flood Risk

- 10.1 Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".
- 10.2 Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:
1. store rainwater for later use
 2. use infiltration techniques, such as porous surfaces in non-clay areas
 3. attenuate rainwater in ponds or open water features for gradual release
 4. attenuate rainwater by storing in tanks or sealed water features for gradual release

5. discharge rainwater direct to a watercourse
6. discharge rainwater to a surface water sewer/drain
7. discharge rainwater to the combined sewer.

10.2 A Flood Risk Assessment was carried out in support of the application and is included as part of the Environmental Statement (Chapter 12). The FRA confirms that the site is located within Flood Zone 1 which is considered to be an area least susceptible to flooding. Nevertheless, small areas of the site are identified as at risk of surface water flooding, specifically adjacent to the western and southern site boundaries. Nevertheless, the extensive green spaces within the application site means that the development is capable of meeting London Plan requirements for green-field run off rates.

10.3 Using the SuDS hierarchy outlined above, the applicant has outlined the following sequential approach to the SuDS attenuation measures proposed.

1. Store rainwater for later use – rainwater harvesting has not been adapted for school developments in London;
2. Use infiltration techniques, such as porous surfaces in non-clay areas – The drainage consultant has requested that infiltration testing is carried out on-site by the contractor. Soakaways were considered but were deemed an unsuccessful form of Sustainable Drainage, due to the presence of London Clay formation. Once infiltration testing is carried out on site, the proposed drainage strategy, based on the results of the testing, will be reviewed and infiltration techniques will be implemented if this is deemed acceptable.
3. Attenuate rainwater in ponds or open water features for gradual release – Due to the landscape in this location and the proposed site layout and building footprint, it is not possible to locate a pond within the site
4. Attenuate rainwater by storing in tanks or sealed water features for gradual release – This form of Sustainable Drainage is proposed. However, following infiltration testing, as stated in Point 2, these measures can be reviewed.

10.4 It is considered that the approach outlined above is appropriate and would ensure that the application is accordant with Barnet Policy CS13 and London Plan Policy 5.13.

11.0 Biodiversity

11.1 The application is accompanied by an Ecological Assessment. The site does not include any area of Special Interest for Nature Conservation (SINCs) and the surveys undertaken in support of the Ecological Assessment did not identify or provide evidence of any protected species on site. The proposal is thus considered to comply with Paragraph 118 of the NPPF, Policy 7.19 of the London Plan (2015) and Barnet Local Plan policies CS7 and DM16.

12.0 Air Quality

12.1 The Environmental Statement incorporates an assessment of the impact of the development on air quality in the surrounding area by Aether (Main Report, Chapter 14 (Volume 1)). The air quality assessment has been fully reviewed by the Council's Environmental Health

officers who largely concur with the findings of the report which concludes that any incremental increase in pollution would be negligible.

- 12.2 Nevertheless, the Council's Environmental Health officers identified a potential area of conflict where the reception playground would be located adjacent to a car parking area and the main vehicular thoroughfare of the site. This creates some potential that higher than usual levels of air pollution could be experienced due to stationary and slow moving vehicles carrying out deliveries. To address this, a condition has been attached which would control the hours of delivery to ensure that they are not undertaken during the school day when children may be using the playground.

13.0 Ground Conditions

- 13.1 The Environmental Statement incorporates an assessment of existing ground conditions, carried out by Arcadis/EC Harris (Main Report, Chapter 16 (Volume 1)).

- 13.2 A desk study of the site and surrounding areas informed the baseline conditions that form part of the assessment and indicates that historically the surrounding area comprised agricultural fields. A railway line and embankment approximately 100m north east of the site was developed in 1896. Since 1914 the land to the north, east and west of the site has been developed for residential and commercial purposes. To the south the land has remained undeveloped as playing fields. Since 1935 the northern part of the site has been developed to provide the football stadium including provision of the football pitch, terraces, stands and several small buildings.

- 13.3 In terms of potential contamination, the desk study identified possible contaminants on site including metals, asbestos, methane and carbon dioxide. No methane was detected during the monitoring and the development site is located in an area of low unexploded ordnance (UXO) risk. The assessment concludes that any risk in terms of land contamination is negligible.

- 13.4 Whilst the findings of the ground conditions assessment are accepted, officers consider it prudent to attach a condition requiring further investigation to further minimise any risk. Such further investigation should utilise more sampling points and intrusive investigation in areas such as the landscaped areas/ sports fields.

14.0 Historic Environment / Archaeology

- 14.1 The Environmental Statement incorporates a Heritage Assessment from DPP (Main Report, Chapter 9 (Volume 1)). For the purposes of the assessment, the study area was extended to 250 metres from the site boundary.

- 14.2 The application site and study area are not located within any designated conservation area with the nearest being located 750 metres away, nor are they located within an Area of Special Archaeological Significance. One listed building is located within the study area; the Everyman Cinema, which is Grade II listed and located 200 metres to the east of the site on Great North Road.

14.3 Given the site context above, the development would have no or a negligible impact on the historic environment. To this end, Historic England (Archaeology) were consulted on the application and had no comments to make.

15.0 Socio-Economic Impact

15.1 The socio-economic impact of the development has been considered and assessed as part of the Environmental Statement through a report from Zeta Economics (Chapter 7). The report covers the social and economic environmental conditions prior to the development and then provides an analysis of future economic and social impacts during the construction and operational phases.

15.2 During the construction it is likely that there would be beneficial impacts on the local economy with regards to construction and supply chain. During the operational phase of the development, the total estimated net additional employment would be 42 FTE jobs generating £3.249 million of GVA has been would provide a negligible benefit to the economy of the Borough of Barnet. There will also be minor beneficial impacts from pupil, staff, and parent spending at local shops and food and drink businesses within the Study Area. Some negligible adverse health and traffic impacts may result however mitigation is proposed with regards to delivery management plans and the proposed junction works which would bring congestion to an acceptable level.

16.0 Lighting

16.1 Policy DM01 Protecting Barnet's Character and Amenity states that development proposals for lighting schemes should not have a demonstrably harmful impact on residential amenity or biodiversity. A lighting assessment has been carried out as part of the Environmental Statement through a strategy from CPW (Chapter 17 of the Main Report (Volume 1)).

16.2 The baseline conditions established through the assessment set out that there are street lighting installations to the east, north and west of the site along with four 25 metre high floodlights in the corners of the existing stadium, though the floodlights haven't operated since the football club moved.

16.3 The development would provide the following elements of lighting which is outlined along with the proposed illuminance levels.

- Lighting to the car park to the north of the school buildings (5 lux);
- Lighting to pedestrian walkways (5 lux);
- Lighting around the building perimeter (5 lux)
- Lighting to the vehicular route from the access point on Westcombe Drive to the egress point on Barnet Lane (10 lux);
- Lighting to the bin store to the north of the school buildings (20 lux); and
- 10m lighting columns with floodlights to the MUGA to the south of the school buildings (120 lux).

- 16.4 The proposed illuminance level of the lighting outlined above other than the MUGA lighting columns, would have a negligible impact on the surrounding residential properties.
- 16.5 The illuminance of the MUGA lighting would be significantly higher at 120 lux which would have the potential to result in significant glare and light spill. Nevertheless, the location of the MUGA and the significant distance from the nearest residential properties would reduce the extent of the impact. The lighting assessment concludes that the lighting columns would be likely to have a moderate adverse impact.
- 16.6 A community use plan is required by condition which would mitigate the impact of the floodlighting through the control of the hours of use. It is considered that the hours of use restriction and the distance from the nearest residential units would be sufficient to ensure that no unacceptable impact would occur. Nevertheless, a condition is attached requiring the submission of further details of the lighting including cowling to reduce light glare.

17.0 Planning Obligations

- 17.1 Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.
- 17.2 In accordance with development plan policies the following obligations are required to be secured through a legal agreement with the developer. If permission were granted it is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure that is necessary to support the scheme.

Travel Plan

- 17.3 In accordance with policy DM17 of the Local Plan the applicant would be required to enter into a School Travel Plan for the development which would seek to reduce reliance on the use of the private car and promote sustainable means of transport.
- 17.4 The full requirements of the Travel Plan are set out in the Heads of Terms within the preface of this report. The headline targets for the plan would be for car use to be no more than 26% for primary pupils and 38% for secondary pupils. The Travel Plan would also be subject to a monitoring fee of £7000 (£1000 per year).

Parking / Controlled Parking Zone Review

- 17.5 The targets for the car modal share will be subject to an annual review and should the targets not be achieved then a further car parking review would be triggered. Subject to the findings of the parking survey and subject to the necessary consultation procedure, a Controlled Parking Zone may be implemented to restrict parking. All of the costs associated

with this process would be met by the developer. The full details of the review mechanism are set out in the Heads of Terms within the preface of this report.

Traffic Management Order

- 17.6 Whilst vacant, the existing use of the application site is as a football stadium and thus there are extant match day parking controls in place. The application seeks to change the use of the site and as such the match day controls would be removed through the S106 at a cost of £20,000 paid by the applicant. 'School Keep Clear' markings would also be installed adjacent to the entrances at a maximum cost of £5000.

Section 278 / Highways Works

- 17.7 As set out in Section 8 of this report, in order to ensure that traffic congestion at surrounding junctions was not unacceptably affected by the proposed development – the junctions at both the A1000/Underhill and Underhill/Barnet Lane would be remodelled to ease traffic flow. These works would be carried out under S278 of the Highways Act 1980.

- 17.8 The following additional works would also be carried out under Section 278:

- Closure of existing crossover access on Westcombe Drive as shown on Drg.No.16011/TA01 Rev B
- Access improvements to playing fields car parking on Barnet Lane as shown on Drg.No.16011/TA03 Rev B
- A1000 Barnet Hill/Underhill/Fairfield Way Junction Mitigation as shown on Drg.No.16011/TA05
- Barnet Lane/Underhill/Mays Lane Mitigation including uncontrolled crossing point, right turn lane as shown on Drg.No.16011/TA06
- Works identified in the PERS and CERS Audit
- Works identified from School 20mph Zone Review

- 17.9 Given the nature of the phased opening of the school, the Section 278 works would be required to be carried out at an appropriate point of development so as to mitigate any unacceptable highways impact.

Carbon Offset Contribution

- 17.10 The Mayor's Sustainable Design and Construction SPG states that where boroughs do not have an established price, a figure of £60/tonne for a period of 30 years should be applied. In this case the development falls short of the requisite carbon reductions by 35.536 tonnes however the applicant has committed to a review of the provision of Solar PV Panels to increase the number at roof level. Any shortfall identified following installation of the additional PV panels would be secured as a contribution through the S106 Agreement.

Replacement Landscaping Scheme

- 17.11 The junction works to the A1000/Underhill and Underhill/Barnet Lane would require existing narrow strips of green space to be given over to the highway. At this stage, the detailed junction design work has not been undertaken and thus the exact extent of the land

required is not defined. With regards to the road widening of the A1000 adjacent to the Underhill junction, this could potentially result in some existing street trees being lost. Until such time as the detailed design work and accompanying tree surveys have been undertaken, it is not possible to establish the impact on the trees.

- 17.12 With this in mind, an obligation is required that would necessitate the submission of a replacement landscaping scheme for agreement with the council including the replacement of any trees to an equivalent value to mitigate any loss of green space and planting.

18.0 Crime Prevention / Community Safety

- 18.1 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.
- 18.2 The development would benefit from perimeter fencing and the northern part of the site would be lit between 07.00 until 23.00. CCTV and lighting would also be incorporated to increase security on site. A condition requiring the development to achieve Secured by Design accreditation would be attached to any permission.

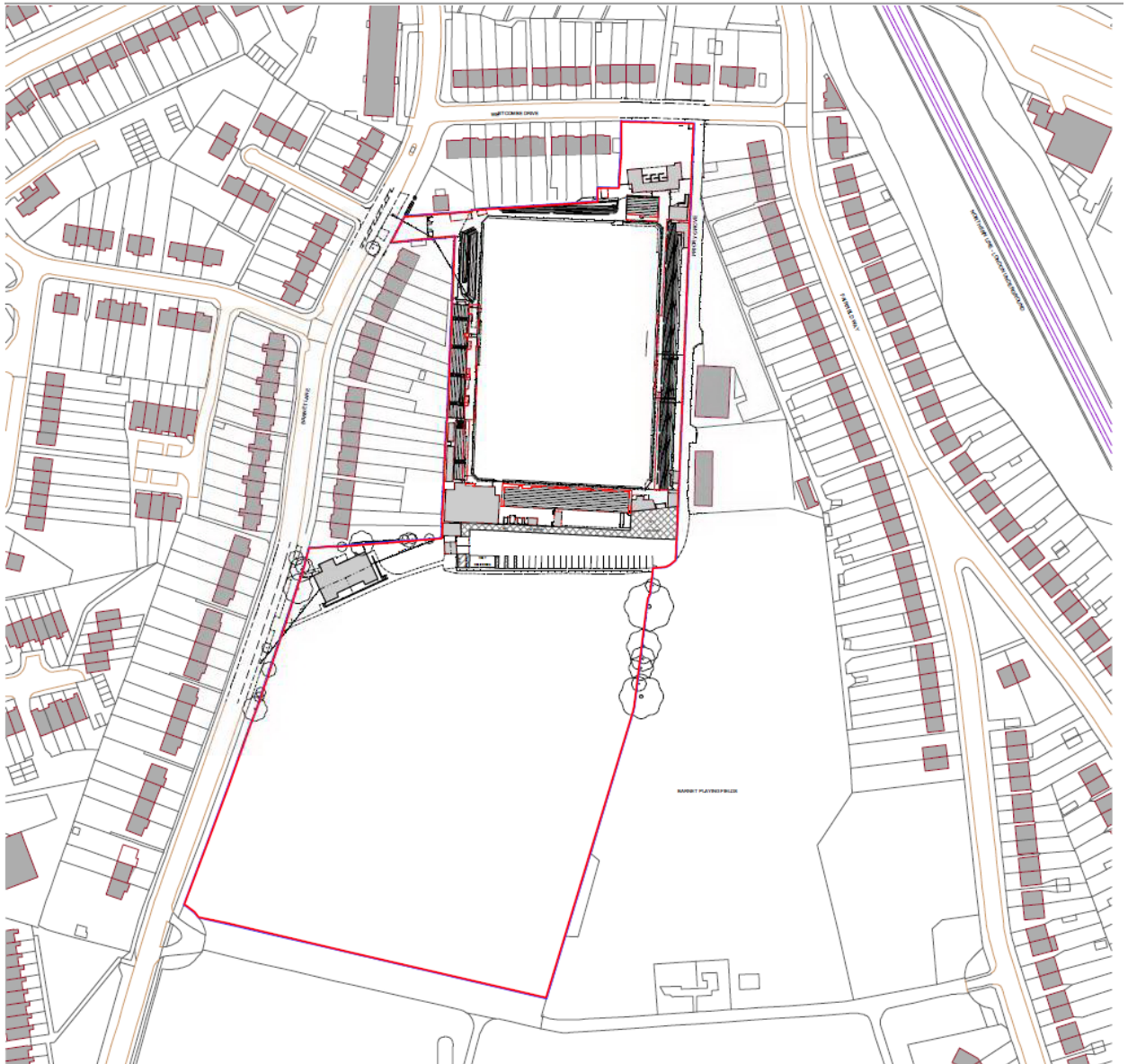
19.0 Conclusion

- 19.1 The application seeks permission the comprehensive redevelopment of the site to provide a new all through school, accommodating up to 1680 pupils at primary, secondary and sixth form level. It is acknowledged that the development represents 'inappropriate development' on green belt land and as such is only justified if very special circumstances exist.
- 19.2 Recent appeal decisions from the planning inspectorate have accepted the need for school places can be a very special circumstance which could justify inappropriate development on green belt land. In this case, officers consider that there is a clear and demonstrable need for both primary and secondary school places. The Council's Education Department have been unequivocal in outlining this need and it is clear that the need for secondary school places is especially pertinent given that it results from an exceptional increase in primary school intake and thus those additional children that will need the secondary school places are already in the school system.
- 19.3 The special circumstances are reinforced by the lack of alternative sites that are available to facilitate development that could meet the identified need. The sequential assessment carried out in support of the application is considered to be robust and clearly demonstrates that all other sites of an appropriate size are unavailable, unsuitable or unviable with regards to providing an all-through, primary or secondary school that would meet the identified need.
- 19.4 Given that the development is on previously development land, the development would not have an unacceptably detrimental impact on the openness of the green belt. The scale and

height of the development steps down to integrate with the surrounding development and in this regard it is considered that it would not be visually incongruous within its context.

- 19.5 Subject to conditions, the development would not have an unacceptable impact on the amenity of the surrounding residential occupiers in terms of daylight, sunlight, overshadowing, privacy, outlook or noise.
- 19.6 One of the primary concerns arising from the consultation exercise was the potential for the development to have a detrimental impact on surrounding highway conditions in terms of traffic congestion, traffic safety and parking. In order to mitigate the impact of the development on the surrounding highways, the junctions of the A1000/Underhill and Underhill/Barnet Lane would be remodelled to ease traffic flow. Traffic modelling and forecasting demonstrate that the levels of congestion at each of these junctions would be acceptable. The methodology for the modelling has been agreed with both TFL and Barnet Transport officers and is considered to be appropriate. A Grampian Condition is attached which would link the junction works to the development.
- 19.7 A parking survey was submitted as part of the Transport Assessment which assessed the projected impact of the development with regards to parking stress on the surrounding streets. Based on the projected modal split, the parking survey demonstrates that there is adequate existing capacity to accommodate any overspill parking not accommodated for within the on-site car park. Nevertheless, the applicant is committed to enter into a School Travel Plan as part of the S106 which would commit them to meeting car use targets. Should these targets not be met then a further parking review would be triggered which may necessitate a CPZ review which would mitigate any additional impact which may arise.
- 19.8 The application is accompanied by an Environmental Statement which has assessed topics as agreed with officers prior to the submission of the application. The ES has been fully assessed and demonstrates that the impacts of the development would not be significantly adverse and where adverse impacts have been identified, mitigation is secured.
- 19.9 Officers consider that the planning obligations sought through the S106 Agreement would mitigate the impacts of development where necessary.
- 19.10 Having regard to all of the above and making a balanced recommendation, officers consider that the development is acceptable and as such approval of the application is recommended.
- 20.0 Recommendation: To approve application ref: 16/5948/FUL subject to the conditions and planning obligations outlined and subject to referral to the Mayor of London and the Secretary of State.**

Appendix: Site Location Plan



LOCATION: Barnet Copthall Leisure Centre, Champions Way London NW7 2EQ
REFERENCE: 16/6074/FUL
WARD: Mill Hill

Received: 19 Sep 2016
Accepted: 12 Oct 2016
Expiry: 11 Jan 2017

APPLICANT: London Borough of Barnet

PROPOSAL: Erection of a two storey leisure centre (Use Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) of 5,175 sq.m on land to west of the existing Barnet Copthall Leisure Centre, Champions Way, Mill Hill, incorporating swimming, fitness suite, studios, changing facilities, 5 court sports hall, ancillary offices and welfare facilities, reception, cafe and plant, refurbishment and enlargement of the existing car park, demolition of the Copthall Green Spaces Depot, demolition of the existing Barnet Copthall Leisure Centre and return the site to open space, and associated landscaping.

Recommendation 1

The application being one of strategic importance to London and also due to its location within the Metropolitan Green Belt must be referred to the Mayor of London and also the Secretary of State. As such any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London and the Secretary of State

Recommendation 2:

That subject to Recommendation 1, the Chief Planning Officer approve the planning application reference 16/6074/FUL under delegated powers and grant planning permission subject to the following conditions and any amendments to the wording, additions or deletions of the conditions considered necessary by the Chief Planning Officer.

Conditions

Approved Plans

1. **Approved Plans**

No development shall take place unless in accordance with the following Approved Parameter Plans and substantially in accordance with the supporting documents:

- 1425-P-CP-011 Rev C
- 1425-P-CP-012 Rev C
- 1425-P-CP-013 Rev C

1425-P-CP-100 Rev C
 1425-P-CP-201 Rev B
 1425-P-CP-202 Rev C
 1425-P-CP-504 Rev A
 1425-P-CP-801 Rev B
 1425-P-CP-802 Rev A
 COP-CAP-00-VES-DR-A-0002 Rev P01.1
 COP-CAP-ZZ-G00-DSP-LA-940-005 Rev P1
 COP-CAP-ZZ-G00-DSP-LA-940-003 Rev P1
 COP-CAP-00-G00-DSP-CE-100-001 Rev P00
 COP-CAP-00-G00-DSP-CE-100-003 Rev P00
 COP-CAP-00-G00-DSP-CE-100-004 Rev P00
 COP-CAP-00-G00-DSP-CE-100-005 Rev P00
 COP-CAP-00-G00-DSP-CE-1100-001 Rev P00
 COP-CAP-00-G00-DSP-DR-500-001 Rev P000
 CP-CAP-00-G00-DSP-CE-100-002 Rev P00
 CPH-CAP-EGN-00-DR-V-0002 Rev P01
 COP-CAP-00-G00-DAS-500-004 Rev P00
 COP-CAP-00-G00-DAS-DR-500-002 Rev P00
 COP-CAP-00-G00-DAS-DR-500-003 Rev P00
 COP-CAP-ZZ-G00-DSP-LA-940-001 Rev P1
 COP-CAP-ZZ-G00-DSP-LA-940-002 Rev P1
 COP-CAP-ZZ-G00-DVF-LA-940-004 Rev P1
 COP-CAP-00-G00-DSP-CE-100-003 Rev P00
 COP-CAP-00-G00-DSP-CE-100-002 Rev P00
 COP-CAP-XX-XX-DR-E-7050200 Rev 01
 COP-CAP-00-G00-DSP-CE-700-001 Rev P00
 COP-CAP-00-G00-DSP-CE-700-002 Rev P00
 COP-CAP-00-G00-DSP-CE-900-001 Rev P00
 COP-CAP-00-G00-DSP-CE-900-002 Rev P00
 COP-CAP-ZZ-G00-DSP-LA-940-005 Rev P1
 Sport and physical activity project resident engagement sessions March 2016
 Sport and physical activity project resident engagement July 2016
 Final Report Phase 4 of the SPA Consultation November 2015
 Barnet Copthall Ventilation Statement
 SPA Sites – Copthall Ground Conditions
 Visual Impact Assessment LVIA August 2016 Volume 1
 Volume of Visualisations, Plans and Appendices LVIA August 2016 Volume 2
 Arboricultural Method Statement September 2016
 Ecological Impact Assessment August 2016 including appendices
 Copthall Leisure Centre Transport Assessment September 2016 including appendices
 Energy & LZC Feasibility Study Rev 0 dated August 2016
 Air Quality Assessment July- October 2016
 Planning Statement September 2016

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 (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

2. **Time Limit**

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. **Demolition of Existing Buildings**

Within 12 Months of the completion of the development or in accordance with an alternative timescale to be submitted to and approved by the Local Planning Authority, the existing leisure centre shall be demolished, and the land restored in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In order to safeguard the character and appearance of the Metropolitan Green Belt in this locality in accordance with the provisions of the NPPF, London Plan Policy 7.16 and Local Plan Policies CS7 of the Core Strategy and DM15 of the Development Management Plan.

4. **Samples of Materials**

Prior to any above ground work for the construction of any building, details and appropriate samples of the materials to be used for the external surfaces of the buildings, and prior to the laying of any hard surfaces, details and appropriate samples of the materials to be used for the hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved and maintained for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

5. **Levels**

Prior to the commencement of development, details of the levels of the proposed buildings, roads, footpaths and other areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied within the relevant phase.

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 amenities of the area and neighbouring occupiers and the health

of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

6. Parking

Before the development hereby permitted is occupied, parking shall be provided in accordance with the approved plans. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

7. Construction Management Plan

No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Plan submitted shall include, but not be limited to, the following information:

- 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.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 ,

CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan 2015.

8. Delivery and Servicing Plan

Before the permitted development is first used a full Delivery and Service Management Plan (DSMP) including details of the routing of the service vehicles shall be submitted to and agreed by the Local Planning Authority.

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.

9. Electric Charging Points

Before the development hereby permitted is first used full details of the electric vehicle charging points to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include for the provision of 20% active and 10% passive parking spaces with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation and maintained thereafter.

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

10. Car Parking Management Plan

Before the development hereby permitted is first used, a Car Parking Management Plan to serve the residential development shall be submitted to and approved in writing by the Local Planning Authority. This should include:

- i. The location and layout of car parking spaces,
- ii. The location and layout of coach parking spaces,
- iii. The means by which vehicles are instructed to park.
- iv. The allocation of car parking spaces and any associated charges;
- v. Details of any on site parking controls;
- vi. The enforcement of unauthorised parking; and
- vii. Disabled driver parking spaces

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason:

To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian 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. **Cycle Parking**

Notwithstanding the content of the plans hereby approved, details of proposed long and short stay cycle parking facilities shall be submitted to and approved by the local planning authority before the development hereby permitted is occupied. The Cycle parking spaces shall be provided in accordance with the agreed details and shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building 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 which in turn refers to London Plan Parking Standards.

12. **Travel Plan**

Within 3 months of occupation a Travel Plan that meets the requirements of the Transport for London document 'Travel planning for new development in London' and is ATTrBuTE compliant shall be submitted and approved by the Local Planning Authority. This should include the appointment of a Travel Plan Champion. The Travel plan should be reviewed in accordance with Transport for London's 'standardised approach to monitoring'.

Reason: To encourage the use of sustainable forms of transport to the site 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. **Hours of Construction**

No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days unless in accordance with previously agreed emergency procedures for deviation.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

11. **Noise from Plant**

The level of noise emitted from any plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

12. **Contaminated Land**

Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

d) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

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 (adopted April 2013) and 5.21 of the London Plan 2016.

11. **Noise Report for Leisure Centre use**

Before development commences, a report should be carried out by an approved acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development with regards to its use as a Leisure Centre. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations.

The approved measures shall be implemented in their entirety the use commences.

Reason: To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policy DM01 of Development Management Policies (2012).

12. **Non Road Mobile Machinery**

All Non Road Mobile Machinery of net power between 37kW and 560kW shall meet at least Stage IIIA of EU Directive 97/68/EC and its amendments. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Prior to works commencing on site, all Non Road Mobile Machinery of net power between 37kW and 560kW shall be registered on the website <https://nrmm.london/>

Reason: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14

13. **CHP Plant**

a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, CHP Plant shall be submitted to and approved by the Local Planning Authority. The emissions for CHP shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014.

The report shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. It shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be

submitted to and approved by the Local Planning Authority prior to development. Details of the plant and evidence to demonstrate compliance with the GLA's emissions standards will be required.

c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013). To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

14. **Hard and Sort Landscaping**

All hard and soft landscaping shall be carried out in accordance with the landscaping scheme as hereby approved and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of the development, dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason:

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

15. **Arboricultural Method and Protection Statement**

The development shall be carried out in strict accordance with the provisions and tree protection methods outlined in the submitted Arboricultural Method Statement by Capita dated September 2016.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

16. **Biodiversity Enhancements**

Prior to the commencement of development, details comprising a scheme of measures to enhance and promote biodiversity within the relevant phase shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the development is first used.

Reason: To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan 2016.

17. **Lighting Plan**

Notwithstanding the details shown on plans otherwise hereby approved and prior to the installation of any lighting a detailed external lighting scheme including siting of lighting columns and a site plan with lux lines shall be submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by a statement from a qualified ecologist confirming that the proposed lighting plan will not adversely affect bats or other wildlife. The development shall be implemented in accordance with such details as approved.

Reason: To safeguard the visual amenities of the locality and prevent disturbance to existing and future occupants thereof and to ensure that any

protected species present are not adversely affected by the development in accordance with Policies DM01, DM04 and DM16 of the Development Management Policies (2012).

18. **BREEAM**

The Proposed development hereby approved shall achieve BREEAM 'Very Good' level of environmental performance. Before the development is first used the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan 2016.

19. a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2016.

INFORMATIVES:

1. In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

National Planning Policy Framework

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. 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, is indivisible from good planning, and should contribute positively to making places better for people". 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.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

London Plan 2016

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are as follows:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

- 2.2 (London and the Wider Metropolitan Area)
- 2.7 (Outer London Economy)
- 2.8 (Outer London Transport)
- 2.13 (Opportunity Areas and Intensification Areas)

London's People

- Policy 3.6 (Children and young people's play and informal recreation facilities)
- Policy 3.19 (Sports facilities)

London's Response to Climate Change:

- 5.1 (Climate Change Mitigation)
- 5.2 (Minimising Carbon Dioxide Emissions)
- 5.7 (Renewable Energy)
- 5.10 (Urban Greening)
- 5.11 (Green Roofs and Development Site Environs)
- 5.12 (Flood Risk Management)
- 5.13 (Sustainable Drainage)
- 5.21 (Contaminated Land)

London's Transport:

- 6.1 (Strategic Approach)
- 6.2 (Promoting Public Transport Capacity and Safeguarding Land for Transport)
- 6.3 (Assessing Effects of Development on Transport Capacity)
- 6.4 (Enhancing London's Transport Connectivity)
- 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure)
- 6.7 (Better Streets and Surface Transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.11 (Smoothing Traffic Flow and Tackling Congestion)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)

London's Living Places and Spaces:

- 7.16 (Green Belt)
- 7.4 (Local Character)
- 7.6 (Architecture)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing and Managing Noise)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)

Mayoral Supplementary Guidance**Sustainable Design and Construction (May 2006)**

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development. In terms of waste, the preferred standard seeks to provide facilities to recycle or compost at 60% of waste by 2015. The SPG also states that the siting of recycling facilities should

follow consideration of vehicular access to the site and potential (noise) impacts on amenity.

The Mayor’s Climate Change Mitigation and Energy Strategy (October 2011)

The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

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Relevant Local Plan (2012) Policies

Barnet’s Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

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)

CS7 (Enhancing and Protecting Barnet’s Open Spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet’s character and amenity)

DM04 (Environmental considerations for development)

DM14 (New and existing employment space)

DM13 (Community and education uses)

DM15 (Green Belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are

material considerations for the determination of planning applications:

Local Supplementary Planning Documents and Guidance:
Sustainable Design and Construction SPD (April 2013)

Copthall Planning Brief

The Council adopted the Copthall Planning Brief following extensive public consultation in September 2016. The brief sets out the spatial strategy for the development of the wider Copthall site. The brief includes provision for the relocation of both the Parks Maintenance Facility and the leisure centre to the positions indicated in the relevant application. The current application is therefore in full accordance with the Brief.

1.2 Key Relevant Planning History

In relation to the current swimming pool, the following history is contained on our electronic records

Application Ref.	Description of Development	Decision and Date
W00344F	Erection of a building to provide squash courts, changing facilities and clubhouse, and the formation of a car park on a site to the north of the recently constructed swimming pool at Copthall.	Granted 14/06/1978
W00344S	New lantern rooflights over main staircase and cafe	Granted 16/03/1993
W00344T	Erection of two storey building comprising 400 sq.m. for use as Adventure World/Fitness Centre, sited directly to the north of Copthall	Granted 03/02/1995

There are also 3 current planning applications on the wider Copthall Site which are currently pending determination. These include:

An application for the relocated Council's Green Spaces operation hub (planning reference 16/6153/FUL) the report for which forms part of this agenda;

An application for the construction of a new combined Boys and Girls school (planning reference 16/6662/FUL), which is currently under determination;

An application for the extension of the existing community stadium at Allianz Park including the demolition and rebuild of the existing west stand (planning reference 16/8173/FUL) which has recently been submitted and is awaiting validation at the time of writing this report.

1.3 Pre Application Consultation undertaken by the applicant

The application is accompanied by a Statement of Community Involvement which details the Applicant's consultations with the local community including local residents, community groups and ward Councillors. In the case of the current application two drop in public sessions were held at the site of the existing leisure centre. The first session was held at the end of March and the second session was held in the middle of July. In general the feedback was positive in relation to the principle of the scheme and the overall design, with detailed comments provided in relation to the interior arrangement. Concern was also expressed by some respondents concerning the loss of the diving facilities.

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

101 local residents were consulted on the planning application by letter on 12 November 2016. A site notice was also erected on 12th October 2016 and the application was also published in the Local Press on the 20th October 2016.

Number of Responses from Residents and Businesses

As a result of the public consultation public responses have been received from 69 persons of which 65 are in opposition and 4 persons make representations neither opposing nor supporting the application.

The comments received from members of the public have been summarised as follows:

Loss of Diving Facility

Petition to save diving at Copthall has been signed by over 9,000 persons

Loss of Diving is against government policy to encourage sport and exercise and squanders the success of Rio 2016

Nearest Diving Facilities are in Luton and Stratford, which is too far for existing users of the diving facility to travel.

Loss of Diving Pool in relation to its current use for synchronised swimming, water polo, sub Aqua activities for those with disabilities and other activities requiring the use of deep water facilities.

Sports Hall unnecessary (as existing sports hall located in close proximity to the site) and should be replaced by a diving facility.

Process Issues

Lack of Publicity for application

Application ignores comments made during pre-application consultation

Documents on website are hard to navigate.

Highway Issues

Site is in an unsustainable location, being not easily accessible by public transport.

Due to Saracens being located in close proximity, there is no car parking available for users of the pool on match days.

Other Representations

Site of the demolished leisure centre should contain tennis courts rather than a football pitch as shown.

Loss of Trees, should be built on site of existing leisure centre

Consultation Responses from Statutory Consultees and Other Bodies

Greater London Authority

The Greater London Authority has made the following comments:

Principle of development: The development comprises a replacement leisure centre in the Green Belt that is not larger than the existing centre and is therefore considered to be appropriate development in accordance with the NPPF and is supported; however, the reprovision of a suitable pitch for Gaelic Sports and the submission of the financial model used to determine the assumptions presented in the feasibility report in respect of the lack of provision of diving facilities in the new leisure centre are required before the proposal can be considered compliant with paragraph 74 of the NPPF and Policy 3.19.

Sustainable development/ Climate change: Broadly supported; however, additional information is required to verify carbon dioxide savings.

Transport: Broadly acceptable, but further clarifications/ commitments related to car, coach and cycle parking, and impact assessment are required.

Recommendation: That Barnet Council be advised that whilst the application is broadly acceptable in strategic planning terms, the application does not yet comply with the London Plan for the reasons set out in paragraph 42 of this report. However the resolution of these issues could lead to the application becoming compliant with the London Plan.

Transport for London

Transport for London have made the following comments:

Access

The site will have two vehicular access junctions, next to each other on Champions Way. The left junction will be used as access only by coaches, whilst the right will be access and egress for all cars and egress for coaches. The applicant has produced a swept path diagram showing every manoeuvre that is expected on site. The applicant has identified several pedestrian and cyclist routes around the site. The surrounding pedestrian and cycling network is of a good quality and layout of the building corresponds to the pedestrian and cycle routes which should encourage walking and cycling.

Car Parking

The applicant intends to add 10 spaces to the existing car park to provide 150 spaces overall, of which 15 will be designated as Blue Badge. The applicant has identified demand for the additional spaces through surveys, however, TfL would encourage the applicant to not increase the overall parking provision and promote the use of

sustainable travel given the quality of the pedestrian and cycle network. The provision of Blue badge parking is compliant with London plan standards, and TfL find it well located in relation to the building entrance

The applicant intends to fit 10% of the agreed quantum of parking spaces with Electric Vehicle Charging Points (ECVPs) with a further 10% passive provision. TfL welcome this and request the applicant identify where they will be located. Full details of car parking should be secured by condition.

The applicant has proposed 3 parking spaces for coaches, but there have been 6 coaches on site in a 2016 survey. TfL request the applicant clarify how the demand for coach parking will be regulated in that instance.

Cycle Parking

The development proposal is for a 6617sqm of D2 sports facility TfL understands that 50 cycle spaces will be provided in a secure store on site. The London plan states that there should be a minimum of 1 long stay cycle space per 8 staff and 1 short stay cycle space per 100sqm. TfL require the applicant to identify the number of staff to assess the suitability of long stay cycle parking, and TfL find the provision of short stay cycle parking below London Plan standards and request it be increased to meet London plan standards.

TfL have no objection to the location of cycle parking but require the applicant to identify the type of stand to be used, as 5% of long stay spaces should be able to accommodate larger cycles. For guidance on designing cycle parking see London Cycling Design Standards (LCDS)

<https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit#on-this-page-1>

TfL request the council secure full details of cycle parking, by condition, in consultation with TfL.

Impact Assessment

The applicant has forecast trip generation and mode share based on surveys taken at the existing centre. Surveys have been conducted in the AM and PM peak and the busiest hours at the leisure centre. The survey has not identified how many visitors have used public transport. TfL would need to see this in order to assess the impact on the transport network.

Furthermore the applicant has not forecast an increase in the number of visitors to the site and therefore implies that there will be no additional impact on the transport network as a result of this development.

Servicing and Construction

Deliveries and servicing will access the site from Champions Way and use a dedicated servicing area in the north-west of the site. The applicant has provided a swept path diagram showing clear room for a fire engine to turn around. TfL have no objection to the proposed arrangements and request that a Delivery and Servicing Plan (DSP) is produced, forecasting the number of servicing trips expected on site.

The applicant has outlined construction traffic expected on site, a full Construction Logistics Plan (CLP) should be secured by condition. The CLP should be produced in accordance with TfL guidance.

Highways England

No Objections.

Sport England

Holding Objection received concerning the following issues:

1. The submitted documentation refers to the provision of a Gaelic football pitch at another site but there are limited details of this site, including whether it will be of equivalent quantity, quality and accessibility as the existing pitch. Furthermore, the information suggests that this potential replacement site is already a playing pitch but no consideration appears to have been given to any displaced demand from this potential replacement site. It is also unclear if the clubhouse referred to in the Planning Statement would be located at the proposed replacement playing pitch. Comprehensive details of the proposed replacement Gaelic football facility and pitch, including information of the pitch quality, size and how this would be delivered is required. Sport England are currently concerned that the replacement provision would not be delivered and would need to ensure that the impact on the other sites affected is acceptable.
2. The proposed development would affect the use of the site for rugby as it is not clear whether the proposed development would encroach on the existing playing pitches, including the 'run-off' area, and there would be less space to rotate pitches and for training. The RFU have confirmed that the reduction in space would require the existing playing pitches to have drainage and maintenance upgrades as the onsite rugby activity would be condensed within a smaller area thereby resulting in a more intensive use of the resultant playing field. This would have a negative impact on the quality of the playing pitches. Please therefore provide details of playing field improvements and a drawing showing the proposed pitch layouts on the playing field.
3. The proposed replacement playing field/pitch would be provided once the existing leisure centre is removed but this is indicated to be marked out for a junior football pitch. It is unclear if there is a need for a junior football pitch in this location and would not address the loss to rugby and Gaelic football. To assist in mitigating the loss to rugby this should be changed to a rugby squares/training area and an agronomy report should be submitted to ensure that the land can be brought up to sufficient quality for that purpose.
4. The proposed wetland drainage system and the proposed path that would intersect the area of playing field to the north of the proposed leisure centre would considerably reduce the usable area of the playing field. Please, therefore, amend the scheme by removing the wetland drainage system from the scheme if it would affect the sporting capacity of the playing field, move the proposed leisure centre closer to the proposed car park and reroute the proposed path around the periphery of the area to the north of the proposed leisure centre.

5. Please clarify the justification for the proposed facility mix within the proposed leisure centre, including the reason for proposing 2 x 25 metre swimming pools opposed to 50 metre swimming pool(s) and the omission of the diving facilities. Also, details of the nearby diving facilities accessible to Barnet's community and those facilities demand/capacity should be provided. This would enable Sport England to provide an informed assessment of the proposal, including whether the proposed facility is of sufficient benefit to sport to outweigh the loss of part of the playing field.
6. Please also provide details of the diving and synchronised swimming club, including member numbers, catchment area and the frequency of use/training sessions so Sport England can assess the implications of the proposal and its overall benefit to sport.

Officer Comment: *discussions between the applicant and Sports England have taken place and current matters of disagreement are predominately limited to matters of detail and a firm commitment to providing the replacement Gaelic Sports pitch.*

Historic England (Archaeology)

Following receipt of archaeological desk-based assessment no need for any additional investigations.

Natural England

No objections raised, reference made to standing advice.

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should

your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

Although this is not Thames Waters area, there is a Thames Water Trunk main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Hendon and District Archaeological Society

'Section 2.4 of the Planning, Design and Access & Technical Statement indicates that this site is within an Area of Special Archaeological Significance, and acknowledges that a condition may be imposed requiring further investigative works in this regard. We ask the Council to do so. I am copying this to Sandy Kidd of Historic England'

Officer Comment: Historic England (Archaeology) have advised that they do not require any further investigation following an assessment of an archaeological desktop assessment.

Mill Hill Preservation Society

Object to loss of diving.

Consider design unsatisfactory and material palette too cluttered

Supportive of landscape and ecology strategies.

Consider tennis court, hockey pitch or basketball court should be provided on site of old leisure centre.

Mill Hill Neighbouring Forum

Consider design unsatisfactory

Consider that discussions should take place with TFL to provide a bus route direct

to the leisure centre to encourage access other than by car.

Query whether the new Leisure Centre has been sized to take into account all of the potential additional users.

Concerned Sports Hall cannot easily be expanded to a 12 court hall at a future date.

Internal Consultation responses

Transport and Regeneration

No comments received. Any comments will be reported in the Addendum.

Travel Plan

- Full Leisure Centre Travel Plan that meets the Transport for London Travel Plan Guidance Nov. 2013.
- To be submitted and approved at least 3 months prior to occupation and to include travel survey data from existing leisure centre, and to relate to all travel movements to and from the leisure centre as well as take account of travel movements and travel plans for other Copthall Estate organisations.
- Monitoring (TRICS/SAM compliant) within 4 months of occupation and in years 1,3 and 5 with updated Travel re-submitted for approval £15,000 Travel Plan monitoring fee TP Champion at least 3 months prior to occupation and for lifespan of TP – at least 5 years.
- Electric charging points 10% active 10% passive.

Environmental Health

No Objections subject to recommended conditions concerning plant noise and contamination.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The proposed leisure centre is located within the wider Barnet Copthall site located between the areas of Mill Hill, Hendon and Finchley in the London Borough of Barnet. The proposed site sits on the Southern end of the M1 and A1 south of Borehamwood. The Barnet Copthall site is a sports focused combination of public and private sports based activities which includes;

- Allianz Park (Home of Saracens Rugby Football Club)
- Barnet Copthall Leisure Centre
- Metro Golf Centre
- Mill Hill Rugby Club
- Numerous other outdoor grass sports pitches and pavilion.

Within the Barnet Copthall site itself, the proposed development site is currently proposed on the Gaelic Rugby Pitch, directly adjacent to the existing leisure centre. The existing centre will remain operational until the new centre has been completed to ensure 'no loss of service'. Once the new centre opens the existing centre will be demolished and put back to green space to off-set the green space lost to develop the new centre. The new centre is surrounded by two established (Oak) tree lined boundaries to the south and east. Site access will continue to be via 'Champions Way' and the existing car park will be reconfigured. The wider site has a cross fall from west to east which is accommodated in the design and external management of the new building. This has also been considered in the design and massing of the building to minimise the presence of the new centre over the existing building.

The nearest residential property is a single dwelling Copthall Cottage which is located to the south of the site. The amenities of this property, which backs onto the Allianz Stadium site, will not be affected by this proposal. Beyond Copthall Cottage the nearest residential properties are located in Page Street and Pursley Way between 370 and 400 metres respectively from the application site. The site has a PTAL rating of 0 and as such has poor public transport accessibility.

2.2 Background and Description of the Proposed Development

The existing leisure centre which was built in the 1970's does not accord with modern standards in particular in relation to energy. This results in a building which is expensive to run and maintain and will not be sustainable in the long term and as such the Council has identified that the most cost effective approach would be to rebuild the existing leisure centre.

The site of the proposed leisure centre is located to the west of the existing sports centre. The site has been selected to avoid the loss of important hedgerows and trees and as close as possible to the existing centre. It is essential that the existing centre remains in operation during the construction of the new centre. This is to maintain membership and usage of the sports centre; enable the re-use of the existing car park and vehicle access; not diminish sports facilities within the borough, albeit for a temporary period; and maintain the commercial viability of Copthall as a central sports destination. The existing leisure centre will be closed and demolished on completion of the new centre and the land on which the centre is built returned to open space uses. The existing car park will be extended slightly and refurbished to serve the new leisure centre.

In terms of the details of the new swimming pool the application seeks full planning approval in respect of a two storey leisure centre (use class D2) of 5,175 sqm (Gross Internal Floor Area) incorporating:

- Entrance, Cafe and reception area
- 8 lane, 25m competition pool
- 6 lane, 25m community pool
- Learning pool
- Pool viewing area for up to 200 spectators
- 5 court sports hall
- 115 station fitness centre

- 2 studios
- Ancillary offices and plant room
- Wet changing village
- Dry changing village
- Car parking for 149 vehicles
- Coach parking for 3 coaches
- Cycle parking for 50 bikes
- Associated hard and soft landscaping, including a boardwalk to connect the car park to the centre, and swales
- Rear service yard
- Associate signage and external lighting

3. PLANNING CONSIDERATIONS

3.1 **Principle of Development**

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that that accords with an up-to-date Local Plan should be approved.

Land Use

The application site and, indeed, the whole Barnet Copthall Leisure complex is designated Metropolitan Green Belt within which National, Strategic and Local Planning policies place strict restrictions on the development of land.

Relevant policies are set out in the National Planning Policy Framework (NPPF), London Plan Policy 7.16 as well as Local Plan Policies CS7 of the Core Strategy and DM15 of the Development Management Plan.

Paragraph 79 of the NPPF advises that:

‘The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.’

In relation to the purpose of the Green Belt Paragraph 80 advises that:

‘Green Belt serves five purposes:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.’*

In relation to what is considered as appropriate development within the Green Bent NPPF paragraph 89 advises that:

'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;*
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'*

In the case of the application proposal, the application is for a sports and recreational use, a use which is identified as an appropriate use within the green belt subject to the tests above. The proposed leisure centre is a replacement for the existing leisure centre and is of a similar size, with a slightly larger footprint, smaller floorspace, and whilst it has a slightly higher maximum height is predominately lower than the existing building. The application is accompanied by a Landscape visual impact assessment which assesses the impact of the proposal from various. The images demonstrate that the proposal would not result in any significant impacts on key views.

Based on these factors the erection of the replacement leisure centre in this location is considered acceptable representing an appropriate use as defined in the NPPF and London and Local Plan policies and would not conflict with the purposes of including the site within the Metropolitan Green Belt.

3.2 Impact on Playing Pitches.

The siting of the proposed leisure centre is on land currently used by Mill Hill Rugby club who also sublet part of the space to the St Kiernan's Gaelic Sports Club who have a Gaelic Sports pitch in this location. In relation to rugby, the proposal would not significantly affect the provision of rugby due to a re-orientation of the existing playing pitches and the provision of a replacement pitch (to be used as a multi-purpose pitch for football or rugby) and also due to an amendment resiting an access path allowing the space above the leisure centre to be used as a potential additional pitch.

However in relation to the Gaelic Sports use it is acknowledged that this use will be displaced by the proposal. Barnet Council is committed to finding a new home for the St Kiernan's Gaelic Sports Club and have negotiated with Barratt's London to incorporate a Gaelic Sports facility with club house at the National Institute for Medical Research (NIMR) site. This facility would represent an improvement over

the existing facility.

It is acknowledged that the NIMR site is subject to planning and as such the Council has also proposed the provision of Gaelic Sports as part of the Montrose Park playing pitch strategy. This is required in any event as a temporary arrangement irrespective of the eventual planning decision at the NIMR site. Sports England have indicated that they are broadly supportive of this approach subject to some additional clarification and demonstration of the Council's commitment to ensure its delivery. These matters are still progressing and will need to be resolved before the application can be referred back to the GLA for Stage 2 or to the Secretary of State.

3.3 Proposed mix of Leisure Centre Uses

As partly mentioned above the application will provide 2 pools including a 8 lane 25m competition pool which is Amateur Swimming Association (ASA) compliant which the current leisure centre does not have, along with a smaller 6 lane 25m pool designated as a leisure pool which allows for a mixture of users to utilise the existing pool at the same time, i.e. allowing lessons in one pool while casual swimmers utilise the other pool. A learner pool is also provided.

The new leisure centre also includes a 5 court sports hall which will be partly used by Middlesex university. This is smaller than the 12 court hall originally desired by Middlesex University, however due to cost constraints and also due to a desire to minimise any increase in the size of the leisure centre due to its green belt location, the size of this facility was reduced to 5 fairly early in the design process.

The upper floors of the leisure centre will include a fitness suite and various multi-function spaces similar to the existing leisure centre including the provision of a plus 55 club. The full range of activities including dimensions is set out in the following table which is an extract from the planning statement and Design and Access statement.

Use	Sq m
Entrance, cafe and reception area	250
5 court sports hall	880
Learner Pool	240
Competition Pool	804
Community Pool	540
Viewing area	55
Pool Store	85
First Aid	9
Ground Floor Plant	527
Village Change	470
Fitness Suite	500
Studios (Combined)	240
Dry changing	160

Consultation rooms	35
Staff and Server Rooms	30
First Floor Plant*	350
Total floor space (net internal)	4,675

Loss of Diving.

The most controversial aspect of the current application, is that while the existing leisure centre included diving facilities, which were provided over the learner pool which had a moveable floor, the current facility does not incorporate any diving facility.

The 16th December 2015 Policy & Resources Committee unanimously approved the proposed core facilities mix for the redevelopment of Barnet Copthall Leisure Centre, from which diving was excluded.

Subsequently prior to the submission of the application when the final design for the leisure centre was signed off, Policy and Resources Committee in September 2016, while signing off the scheme included a resolution to review the feasibility of including diving within the core facilities mix of the proposed new Barnet Copthall Leisure Centre. The Policy and Resources Committee asked officers to identify:

- The additional capital costs of including diving
- The impact of including diving on revenue costs and income.
- The participation numbers for diving and other aquatic activities.
- Planning implications as a result of the possible inclusion of diving.

The feasibility report was reported back to the Policy and Resources Committee on 1st December 2016 who resolved to refer the case up to Full Council who discussed the case on the 13th December 2016.

The report to both the Policy Resources and Full Council provided two worked up options for including diving including a shared use diving pool where a movable floor was included in the 25m leisure pool (option 1) as well as a standalone pool provided to the north of the competition pool (option 2). The costing for these proposals showed that the capital costs of providing diving was £2,428,437 for option 1 and £4,517,319 for option 2. The estimated total cost including the increased cost of running the enlarged pool was estimated as costing 3.6 million over the course of 30 years in relation to option 1 due to the need to restrict swimming times and the increased building footprint. The cost in relation to option 2 was estimated at 5.9 million due to the increased size of the scheme and the need to heat another body of water.

An assessment was also made of the number of different users of the leisure centre. The report advised that there are currently 132- 140 participants in total who participate in diving or synchronised swimming activity per week. The numbers participating in swimming are per week are approximately; 3,511 (this does not include casual swimmers, which would increase this number). The inclusion of diving in the community pool would displace approximately 332 individual swimming participants per week and/or 16,603 swimming visits per year.

The report concluded that it would be too expensive to incorporate diving facilities in the Cophall Centre. The conclusion also expressed concern regarding any impact on the number of swimmers which could use the centre in relation to option 1, which is the primary aim of the leisure centre as well as the impact on build programmes should the application be delayed due to the need to redesign the scheme.

The full Council meeting subsequently moved to approve the leisure centre as it stands in order to not delay the scheme. However the leader of the Council advised that the Council would provide an area of land for the construction of a purpose built diving facility and would contribute monies towards its construction, with the understanding that the balance of funding would have to come from other bodies.

In relation to the planning implications of the above, while the loss of diving is a planning consideration it is not the role of the planning system to regulate the operation of the leisure centre. The decision to not include diving in the mix of facilities is a financial decision of the Council rather than due to planning constraints. While both of the options included in the report would have increased the height and/or footprint of the building, informal advice from officers was that this increase would not be likely to result in the scheme being considered unacceptable due to the impact on the green belt, although obviously this would be subject to public consultation and a full assessment of the resultant scheme.

It is noted that the main purpose of the replacement leisure centre is to provide sports and recreational facilities for people within the London Borough of Barnet and the proposed scheme would allow for the continued and long term future of the facility allowing Barnet to provide swimming lessons to local schools and the community. The inclusion of an ASA compliant competition pool would also allow the centre to host regional and national competitions at the centre. The addition of the 5 court hall would further increase the range of activities which can take place in the centre improving sports participation with the resultant health benefits.

It is also noted that while the current scheme does not include diving, the proposals do not preclude the applicant from submitting a future amendment to the scheme in the form of a S73 application to amend the scheme to incorporate diving should future finance become available, while at the same time allowing work to commence on site to ensure that the primary purpose of the centre in providing swimming facilities is not jeopardised. The scheme is therefore considered acceptable in this regard and it is considered that the exclusion of the diving pool would not justify the refusal of this planning application.

3.4 Design

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes

beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

In the case of the current application, the application is for the erection of a two storey building. The starting point for the design of the centre concerned an assessment of how persons would approach the building. In this regard the design and access statement notes that the Barnet Copthall site has multiple visitor entry points, and that while people predominantly arrive by car. There are also pedestrian links particularly from the north via existing paths/bridleways.

The building aims to address those by improving the pedestrian movements around the building and from the residential areas to the north and by creating a sympathetic façade treatment along these pedestrian routes. The existing car park located to the east of the proposed building will continue to be accessed from Champions Way; Visitors arriving from this direction will clearly be able to identify the new centre as they approach the site. The principal entrance will also be clearly visible from multiple approaches through the landscape design and the architecture.

The massing of the building has been designed to sit comfortably into the park setting. The building will be limited to two stories in height with double height space over the competition pool, community pool and the sports hall. Above the plant area to the north of the building, a roof level plant area will be provided to accommodate air handling services and photovoltaic panels in line with the projects sustainability ambitions, as required by the London Plan. The plant will be screened with acoustic louvres.

Overall the design of the building is considered appropriate to its context, representing a satisfactory quality of design which is sympathetic to its green belt setting. While the comments of the Mill Hill Neighbouring Forum and Preservation Society are noted, design is by its nature subjective and as such there are likely to be more than one view of the appropriateness of the design. It is noted that in comparison with the existing Barnet Copthall Leisure Centre, which has been constructed on a plinth above the ground, the proposed new leisure centre sits comfortably within the proposed landscaping around the building and represents a visual improvement.

3.5 Amenity

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2011 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

Impact of Proposed Buildings

Due to the limited height of the buildings and distance from surrounding residential properties it is not considered that the proposed buildings would in themselves result in any impact upon daylight, sunlight or privacy.

Noise and general disturbance

Due to the location of the leisure centre within the centre of the wider Copthall site far from the curtilage of any residential properties it is not considered that the uses proposed would result in any significant impact upon residents in the vicinity of the site. Scientific Services have also raised no objections to the proposal subject to the attachment of conditions concerning plant noise which is attached to this recommendation.

Construction impacts

It is not considered that the proposed construction of the Leisure Centre would result in any significant issues of noise and disturbance due to the site's location in the centre of the Copthall site and as such is not adjacent to any residential boundaries. It is also considered that disturbance to neighbouring residents can be further minimised through appropriate safeguards. These include the submission of a detailed construction management plan and the limiting of hours of construction to normal working hours.

3.6 Transport, highways and parking

Policy context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

The proposed leisure centre effectively uses the existing car park which currently serves the old leisure centre located to the east. The application does involve some modifications to the car park including an increase in the number of spaces from

140-150, the introduction of soft landscaping and the provision of safe pedestrian routes and disabled spaces and electrical charging points. These are considered acceptable and will result in the provision of an appropriate level of parking with an improved appearance over the existing car park.

It is noted that the public transport accessibility of the site is limited with a PTAL of 0 however this is no worse than the existing transport situation and does not warrant the refusal of the application. The comments from the Mill Hill Neighbouring Forum regarding the desirability of a bus route being diverted so that it stopped directly outside the swimming pool are noted. However it is not within the control of the London Borough of Barnet to implement this as bus services are under the control of TfL. It is also noted that the transport situation is not worsened by the current application, and that the application proposes improvements to cycle parking provision and as such improves accessibility to the site by more sustainable means.

It is considered that the issues raised by Transport for London can be covered by appropriate conditions including a requirement for the applicant to provide a Construction Management Plan, Delivery and Servicing Plan and Car Park Management Plan. It is also required that the applicant enters into a travel plan, provides electric charging facilities and also provides appropriate cycle parking provision. Suitable conditions are included under the recommendation section above.

3.7 Energy, Sustainability, and Resources

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all major developments to achieve a 40% reduction in carbon dioxide emissions on 2010 Part L Building Regulations. The London Plan Sustainable Design and Construction SPG 2014 updated this target of 35% on 2013 Part L Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

The application is accompanied by a BREEAM pre assessment report which advises that the application will achieve BREEAM 'very good'. The application documents also advise that the new leisure centre will receive an overall on-site reduction of 36% in regulated emissions which exceeds the London Plan target. This is achieved through the use of passive design features, demand reduction measures and renewable technology including PV panels and Air Source Heat Pumps. It is also proposed to install a communal network and Combined Heat and Power Unit. The GLA have advised that they are broadly supportive of this subject to some additional clarification which will need to be submitted before Stage 2 approval is sought.

3.9 Landscaping and biodiversity

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2011 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

Trees

The application has been located so as to minimise the impact on existing trees, in particular the line of mature oak trees currently fronting Champions way, which are safeguarded under the proposals.. The development will however require the removal of 7 trees and 2 groups of trees in order to facilitate the development. The application is accompanied by an arboricultural method statement which also outlines measures to retain and protect existing trees. Non of the trees on the site are protected by Tree Preservation Orders and the Council is satisfied that the application has safeguarded existing trees as far as is possible given site constraints.

Landscape Strategy

A series of swales is proposed around the proposed leisure centre, with the aim of creating a sustainable wetland drainage system that is rich in biodiversity and creates vibrant ecological habitats. The surrounding wetland development creates a soft edge to the proposals and helps mitigate the development into the surrounding park setting.

Existing mature trees and hedgerows have been maintained along all the main boundaries and they provide natural screening for the new building.

The remaining area surrounding the proposed building and car park has been designed to, ultimately, be an extension of the adjacent parkland landscape. The area has been identified for future green space development and sufficient space has been set aside for a variety of uses such as natural play areas, informal seating and sports provision. It is proposed that these areas will help create an attractive pedestrian route from Pursley Road in accordance with the aims of the Copthall Planning Brief.

Planting Strategy

The application proposes a variety of planting from trees and hedges to shrubs, wetland planting and bio-retention areas. The different planting types have been chosen for both their function and aesthetic. A mix of evergreen and deciduous planting is proposed to provide variety and to ensure the landscape can offer a diverse habitat for a range of species and year round interest. The species range has been chosen in consultation with the applicant's ecologists to ensure that the plants are suited to their habitat.

Overall the planting strategy appears well throughout and will help to integrate the building into the surrounding landscape. Suitable conditions are attached to ensure implementation and appropriate maintenance.

Biodiversity

The applicant has submitted an ecology statement in support of the planning application which concludes that the majority of the site comprising the existing playing fields are considered to offer low ecological value due to the nature of this space. The buildings comprising the existing park maintenance facility and leisure centres were considered to have a low to moderate value as due to the age of these buildings having cracks and ivy growth which potentially could provide access for bats. The tree and hedge lines surrounding the site were considered of high value providing opportunities for roosting bats, nesting birds and other mammals such as dormice.

The ecology report makes a series of recommendations for ecological enhancements, which have informed the submitted landscaping and planting plans. A condition is also attached requesting details of further measures to enhance biodiversity and to safeguard any protected species as a result of construction.

3.10 Other matters

Flooding

The proposed development is located entirely within Flood Zone 1, which is land assessed as "having a less than 1 in 1000 annual probability of river or sea flooding (<0.1% AEP)." As the site is greater than 1ha, a site specific Flood Risk Assessment was conducted for the proposed development as per footnote 20 of the National Planning Policy Framework (NPPF).

The proposed development is classified as 'Less Vulnerable,' in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance (PPG). Table 3: Flood risk vulnerability and flood zone 'compatibility' of the PPG specifies that 'Less Vulnerable' developments are appropriate within Flood Zone 1.

In accordance with the NPPF a review of all sources of flood risk was undertaken, including actual and residual risk from fluvial, pluvial, groundwater and artificial sources. A review of the Environment Agency Flood Maps identifies that the site is at low risk of flooding from fluvial, tidal, groundwater and artificial sources. The site is considered to be at medium risk of surface water and sewer flooding.

Notwithstanding the above findings, the development has been designed to ensure that there is no impact on flooding capacity. This is achieved by the introduction of swales running around the building. These swales will also improve to some extent drainage from the retained rugby pitches to the west of the site although they have not been designed for this purpose.

Ground conditions and Contamination

In regards to potential contamination, the scientific services team have recommended a standard land contamination condition as this site was previously developed. Subject to the attachment of this condition the application is considered acceptable in this regard. It is noted that the end use is not a sensitive use as defined in legislation.

4. 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;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

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 important legislation.

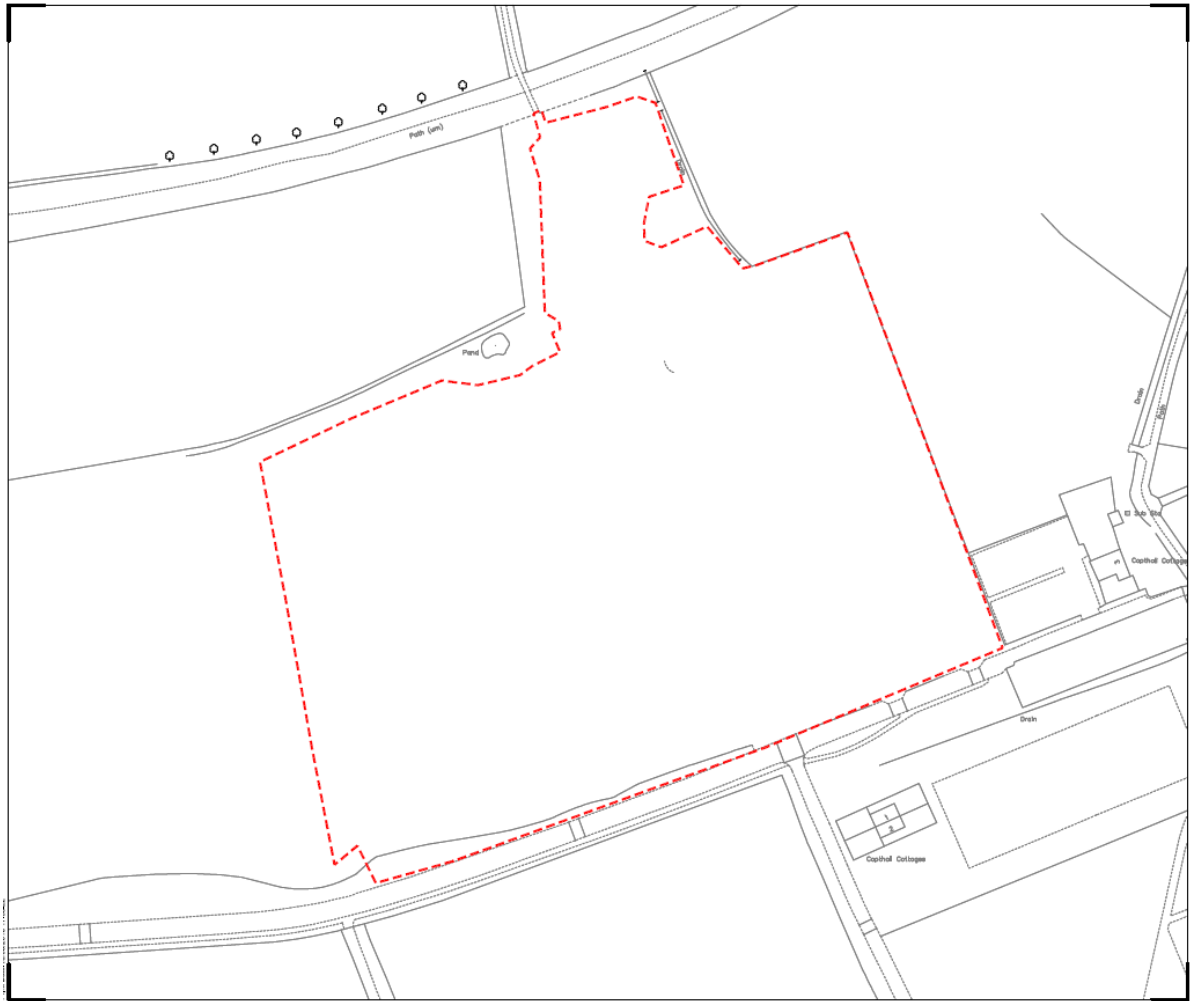
The site is accessible by various modes of transport, including by foot, bicycle, public transport (with a walk) and private car, thus providing a range of transport choices for all users of the site.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

7. CONCLUSION

In conclusion, the scheme is considered acceptable on balance having regard to relevant policies and guidance.

APPENDIX 1: Site Location Plan



LOCATION: Land North Of Mill Hill Rugby Club Off Champions Way
 London NW7 2EQ

REFERENCE: 16/6153/FUL

WARD: Mill Hill

Received: 21 Sep 2016
Accepted: 14 Oct 2016
Expiry: 9 Dec 2016

APPLICANT: London Borough of Barnet

PROPOSAL: The development of a Green Spaces Operational Hub on land north of Champions Way, Mill Hill to include a single storey building of 252 sqm incorporating staff office and welfare facilities, storage for green spaces equipment and small maintenance workshop, with a roof top 55sqm photovoltaic array, and 1,187 sqm of external storage for green spaces vehicle parking, green waste, small fuel store and ancillary machinery, plus security fencing and associated landscaping.

RECOMMENDATION: Approve Subject to Conditions

Approved Plans

1. **Approved Plans**

No development shall take place unless in accordance with the following Approved Parameter Plans and substantially in accordance with the supporting documents:

- BGS-CAP-00-00-DR-M-001 REV T1: MECHANICAL FACILITY
- BSG-CAP-00-XX-DR-L-103 REV P01: TREE REMOVAL AND PROTECTION PLAN
- BSG-CAP-00-ZZ-DR-A-3001 Rev P02: PROPOSED SITE SECTIONS
- BSG-CAP-00-XX-DR-L-100 REV P02: LANDSCAPE MASTER PLAN
- BSG-CAP-00-XX-DR-L-101 REV P02: PLANTING PLAN
- COP-CAP-00-G00-DAS-500-004 REV 00: POUND & SWALE SYSTEM
- COP-CAP-00-G000-DSP-500-001 REV P01: DRAINAGE STRATEGY LAYOUT
- BSG-CAP-00-ZZ-DR-A-2002 REV P01: PROPOSED RENDERED PLANS AND ELEVATIONS
- BSG-CAP-00-ZZ-DR-A-1000 REV P00: SITE LOCATION PLAN
- BSG-CAP-00-ZZ-DR-A-1002 REV P00: BLOCK PLAN
- BSG-CAP-00-XX-DR-L-101 REV P01: PLANTING
- BSG-CAP-00-XX-DR-L-100 REV P01: LANDSCAPE MASTERPLAN
- BSG-CAP-00-XX-DR-L-101 REV P01: PLANTING PLAN
- BSG-CAP-00-ZZ-DR-A-1001 REV P01: PROPOSED SITE PLAN
- BSG-CAP-00-ZZ-DR-A-2001 REV P02: PROPOSED PLANS AND ELEVATIONS
- XF300/EXT -1A ISSUE 1: GREEN ROOF SYSTEM

Design and Access Statement & Technical Statement September 2016
Ecological Impact Assessment September 2016
Energy Statement & L:ZC Feasibility Study Rev 0 September 2016
Flood Risk Statement July 2016
Cophall Parks Maintenance Facility Desk-based Assessment December 2016.

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 (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

2. **Time Limit**

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. **Demolition of Existing Buildings**

Within 12 Months of the completion of the development, or within an alternative timescales to be submitted to and agreed by the Local Planning Authority, the existing park maintenance facilities shall be demolished, and the land restored in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In order to safeguard the character and appearance of the Metropolitan Green Belt in this locality in accordance with the provisions of the NPPF, London Plan Policy 7.16 and Local Plan Policies CS7 of the Core Strategy and DM15 of the Development Management Plan.

4. **Samples of Materials**

Prior to any above ground work for the construction of any building, details and appropriate samples of the materials to be used for the external surfaces of the buildings, and prior to the laying of any hard surfaces, details and appropriate samples of the materials to be used for the hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved and maintained for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

5. **Levels**

Prior to the commencement of development, details of the levels of the proposed buildings, roads, footpaths and other areas relative to adjoining

land and any other changes proposed in the levels of the site associated with the works have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied within the relevant phase.

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 amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

6. **Access Points**

Before the development is commenced; a scheme showing details of access points (Pedestrian and Vehicular), in accordance with the siting, size, dimensions and other details shown on the approved drawing shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7. **Cycle Parking**

Before the development hereby permitted is occupied, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building 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 which in turn refers to London Plan Parking Standards.

8. **Travel Plan**

Within 3 months of occupation a Travel Plan that meets the requirements of the Transport for London document 'Travel planning for new development in London' and is ATTrBuTE compliant shall be submitted and approved by the Local Planning Authority. This should include the appointment of a Travel Plan Champion. The Travel plan should be reviewed in accordance with Transport for London's 'standardised approach to monitoring'.

Reason: To encourage the use of sustainable forms of transport to the site 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.

9. **Construction Management Plan**

No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests 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.

10. **Hours of Construction**

No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days unless in accordance with previously agreed emergency procedures for deviation.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

11. **Noise from Plant**

The level of noise emitted from any plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

12. **Contaminated Land**

Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the

site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

d) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

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 (adopted April 2013) and 5.21 of the London Plan 2016.

13. **Hard and Soft Landscaping**

All hard and soft landscaping shall be carried out in accordance with the landscaping scheme as hereby approved and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1,

Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which, within a period of 5 years from the completion of the development, dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased, shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to, any variation.

Reason:

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

14. **Arboricultural Method and Protection Statement**

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

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

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

15. **Ecology Report**

a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an ecological method statement and management plan has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.

b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

INFORMATIVES:

1. In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

National Planning Policy Framework

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. 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, is indivisible from good planning, and should contribute positively to making places better for people". 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.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

London Plan 2016

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are as follows:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

London's Economy:

4.1 (Developing London's Economy)

4.4 (Managing Industrial Land and Processes)

London's Response to Climate Change:

5.1 (Climate Change Mitigation)

5.2 (Minimising Carbon Dioxide Emissions)

5.7 (Renewable Energy)

5.10 (Urban Greening)

5.11 (Green Roofs and Development Site Environs)

5.12 (Flood Risk Management)

5.13 (Sustainable Drainage)

5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach)

6.2 (Promoting Public Transport Capacity and Safeguarding Land for Transport)

6.3 (Assessing Effects of Development on Transport Capacity)

6.4 (Enhancing London's Transport Connectivity)

6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure)

6.7 (Better Streets and Surface Transport)

6.9 (Cycling)

- 6.10 (Walking)
- 6.11 (Smoothing Traffic Flow and Tackling Congestion)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)

London's Living Places and Spaces:

- 7.16 (Green Belt)
- 7.4 (Local Character)
- 7.6 (Architecture)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing and Managing Noise)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)

Mayoral Supplementary Guidance

Sustainable Design and Construction (May 2006)

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development. In terms of waste, the preferred standard seeks to provide facilities to recycle or compost at 60% of waste by 2015. The SPG also states that the siting of recycling facilities should follow consideration of vehicular access to the site and potential (noise) impacts on amenity.

The Mayor's Climate Change Mitigation and Energy Strategy (October 2011)

The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

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Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

- 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)
- CS7 (Enhancing and Protecting Barnet's Open Spaces)
- CS8 (Promoting a strong and prosperous Barnet)
- CS9 (Providing safe, effective and efficient travel)

- CS10 (Enabling inclusive integrated community facilities and uses)
- CS11 (Improving health and wellbeing in Barnet)
- CS13 (Ensuring the efficient use of natural resources)
- CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

- DM01 (Protecting Barnet’s character and amenity)
- DM04 (Environmental considerations for development)
- DM14 (New and existing employment space)
- DM13 (Community and education uses)
- DM15 (Green Belt and open spaces)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

Local Supplementary Planning Documents and Guidance:
Sustainable Design and Construction SPD (April 2013)

Copthall Planning Brief

The Council adopted the Copthall Planning Brief following extensive public consultation in September 2016 .The brief sets out the spatial strategy for the development of the wider Copthall site. The brief includes provision for the relocation of both the Parks Maintenance Facility and the leisure centre to the positions indicated in the relevant application. The current application is therefore in full accordance with the Brief.

1.2 Key Relevant Planning History

The application site location was last used as the site of Copthall Girls School prior to their relocation. This was consented under the application below.

Application Ref.	Description of Development	Decision and Date
W04226	Demolition of school buildings on south site and some buildings on north site; erection of replacement school buildings on north site (5,560 sq.m.).	Granted 13/12/1993

There are also 3 current planning applications on the wider Copthall Site which are currently pending determination. These include:

An application for the relocated Copthall Swimming Pool (planning reference 16/6074/FUL) the report for which forms part of this agenda;

An application for the construction of a new combined Boys and Girls school (planning reference 16/6662/FUL), which is currently under determination;

An application for the extension of the existing community stadium at Allianz Park including the demolition and rebuild of the existing west stand (planning reference 16/8173/FUL) which has recently been submitted and is awaiting validation at the time of writing this report.

1.3 Public Consultations by the Council and Views Expressed

Public Consultation

104 local residents were consulted on the planning application by letter on 7 November 2016. A site notice was also erected on 20th October 2016.

Number of Responses from Residents and Businesses

As a result of the public consultation one public response has been received from the Hendon and District Archaeological Society raising the following comment:

‘Section 2.4 of the Planning, Design and Access & Technical Statement indicates that this site is within an Area of Special Archaeological Significance, and acknowledges that a condition may be imposed requiring further investigative works in this regard. We ask the Council to do so. I am copying this to Sandy Kidd of Historic England’

Officer Comment: Historic England (Archaeology) have advised that they do not require any further investigation following an assessment of a archaeological desktop assessment.

Consultation Responses from Statutory Consultees and Other Bodies

Highways England

No Objections.

Sport England

No Objections.

Historic England (Archaeology)

Following receipt of archaeological desk-based assessment no need for any additional investigations.

Natural England

No objections raised, reference made to standing advice.

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Internal Consultation responses

Transport and Regeneration

No objections to proposal subject to appropriate conditions and informatives. Comments incorporated in officer report below.

Environmental Health

No Objections subject to recommended conditions concerning plant noise and contamination.

Trees and Landscaping

Approximately 83 trees will be removed to facilitate this development. The quality of these trees has not been evaluated by the project arboriculturist. However they are self-seeded trees growing through a hard surfaced area and therefore the value can be considered low individually.

The proposed landscape plan provides for 45 specimen trees and 191 trees within a wildlife buffer. This level of planting will adequately offset the loss of trees for the development in the medium term.

The landscape plan also provides for features such as hedgerows and wet areas as recommended in the ecological report.

Recommendations

Applicant to provide an arboricultural method statement detailing how retained trees will be protected throughout all the development stages. Applicant to provide an ecological method statement that details protective measures

to ensure the identified species are not harmed by this development.

Applicant to fully implement the landscape design.

Reason: To protect visual tree amenity in the local area in accordance with DM01.

The ecological impact assessment identifies species and habitats that are supporting slow worms, amphibians and birds. The report recommends a number of mitigation measures that should be deployed for the development.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site covers an area of approximately 0.14 hectare, close to the junction of Page Street and Champions Way. The site is currently not in use, but formed part of the former Copthall Girls High School. It is considered as a previously developed site with evidence of former hard standings and access roads.

The site is part of the Copthall leisure area within Mill Hill in the heart of the Borough. It borders the Mill Hill Rugby Club, which has its club house abutting the southern boundary of the site.

To the south of the site is located the Hasmoreon Girl's School and land currently used as public open space, and to the north a wooded area which also forms part of the former Copthall Girls School. The Copthall Leisure estate is typified by a mix of playing fields for rugby (for private club and general public use), football and cricket, as well as a golf centre, Power League Soccer, the Allianz Stadium (home to Saracens Rugby Club and Shaftesbury and Barnet Harriers Athletics Club, and open spaces.

2.2 Background and Description of the Proposed Development

The proposed new Copthall Parks and Green Spaces Maintenance/Operations Hub will replace the existing depot which is located on Champions Way some 400 metres to the east. The existing depot will need to be relocated to facilitate the development of the new Copthall Leisure Centre, which is the subject of a separate planning application. In addition, coinciding with this requirement is the disposal of the Council's main depot at Bittacy Hill, in Mill Hill.

Planning permission has been granted for a new central depot at land off Oakleigh Road South near Friern Barnet, and construction of that new depot is underway. However, the Council is seeking to retain a satellite facility at Copthall given the need for a current facility, its central location and accessibility that affords to the open spaces in the Borough and the substantial open spaces and sports estate at Copthall itself.

The existing facility includes an L-shaped double height building set back between 10 and 20 metres from Champion Way. To the front of the brick buildings is a security wall and hard standing forecourt. To the eastern flank of the building is an outside storage area. There are a number of containers stored on the site. The facility is unattractive and in a prominent location.

The existing depot will be demolished on completion of the new base and the site landscaped as open space associated with the new Copthall Leisure Centre.

The existing depot in Champions Way, currently provides part of the Green Spaces maintenance service including (but not exclusively) the following maintenance operations:

- grass and hedge cutting,
- shrub and rose bed maintenance
- seasonal bedding planting and maintenance
- cleansing of parks
- sports pitch/facilities maintenance and marking
- park infrastructure maintenance – play areas, benches, bins, buildings etc.
- emergency response – storms, snow clearance Etc.

In order to deliver these operations the site provides for the storage of machinery, equipment, materials and the facilities for rubbish disposal, supported by associated vehicles. The current site provides welfare facilities for staff and a small office. The maintenance operation fluctuates according to the seasons, working longer hours in the summer and shorter in the winter, the quantum of staff also varies accordingly. At peak service delivery times (summer) the following teams are situated at Copthall Depot (this can also vary with small movements of teams across the operational delivery estate.

- 2x Horticulture Team (5 staff)
- 3x General Grass Cutting Teams (12 staff)
- 2x Fine Turf Teams (4 staff)

The proposed development will see these operations relocate, together with some additional Green Spaces operations from the Mill Hill depot site. Overall the

operations on the site will include (again there may be small number fluctuations according to service demand/ seasonality):

- 2x Horticulture Team (5 staff)
- 5x General Grass Cutting Teams (20 staff)
- 4x Fine Turf Teams (8 staff)
- 1x Response Team (2 staff)
- 3x Litter Teams (2 staff)

The new replacement facility will have the same type of operations as the existing site and therefore similar facilities to support these operations:

- Supervisors office
- Welfare facilities including kitchenette, toilets and shower
- Parking for Green Spaces vehicles, including supervisor vans and transit cage vans (majority of which will not be on-site overnight)
- Storage for Green Spaces equipment, internal secure storage of machinery and vehicles (mowers etc), and secure outside storage of materials, trailers, and water bowsers
- Small fuel store, provision for mowers and associated rubbish disposal facilities i.e. green waste

The site currently and as proposed provides a base for Green Spaces operational and supervisory staff. The majority of those who will use the site, would work off site throughout the borough during the day. Generally staff will arrive in their work vehicles (vans) to collect their days work and respective equipment, tools etc and then return at the end of the working day. The duration of visits would be around an hour.

The operating times of the facility vary with the seasons, with starting times from 6.00 am and core finishing times at 18.00 in the summer and 16.00 in the winter.

The current facility and the replacement facility also support occasional emergency call outs and during the summer the watering of bedding which may involve one to six staff visiting the depot outside of the core operating hours.

3. PLANNING CONSIDERATIONS

3.1 Background

3.1 Principle of Development

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that that accords with an up-to-date Local Plan should be approved.

In relation to the historic use of the land, the land previously formed part of the Copthall Girl's School. Planning Permission for the Girl's School to move to a new site in Pursley Road was granted in 1993. It was a condition of that consent that the old school be demolished and the land restored to recreational fields.

The application site and, indeed, the whole Barnet Copthall Leisure complex is designated Metropolitan Green Belt within which National, Strategic and Local Planning policies place strict restrictions on the development of land.

Relevant policies are set out in the National Planning Policy Framework (NPPF), London Plan Policy 7.16 as well as Local Plan Policies CS7 of the Core Strategy and DM15 of the Development Management Plan.

Paragraph 79 of the NPPF advises that:

'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'

In relation to the purpose of the Green Belt Paragraph 80 advises that:

'Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;*
- to prevent neighbouring towns merging into one another;*
- to assist in safeguarding the countryside from encroachment;*
- to preserve the setting and special character of historic towns; and*
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

In relation to what is considered as appropriate development within the Green Belt NPPF paragraph 89 advises that:

'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;*
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt*

and does not conflict with the purposes of including land within it;

- *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'*

In the case of the application proposal, the site would provide a facility for the storage of facilities necessary for the maintenance of public open space within the borough including the Copthall site where this application is proposed. The proposed buildings replace existing buildings which are located in a prominent position further along Champions Way in close proximity to the existing leisure centre. While the proposed replacement site is larger in site area (1400 sq.m in comparison to 1200 sq.m), the percentage increase is relatively small at less than 17% and account needs to be taken of the impact of the replacement location in relation to the degree in which it maintains the openness of the greenbelt.

The proposed new location is located closer to the entrance to the site from Page Street in a portion of land previously occupied by the Copthall School (South) site. The area of land is currently gated off and there is no public access to it. The proposed buildings are set in back in the site and would be of very limited visibility from the public realm, particularly following the installation of the proposed landscaping. On these basis the erection of the Green Spaces Operational Hub in this location is considered acceptable representing an appropriate use as defined in the NPPF and London and Local Plan policies and would not conflict with the purposes of including the site within the Metropolitan Green Belt.

3.3 Design

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or

enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

In the case of the current application, while the proposal is for the erection of a single storey building measuring 7.88m in depth and 36m in width (283 sq.m), measuring 3.925m at eaves with a mono pitched roof rising to 5.067m. Photovoltaic panels are proposed on the roof, with the remainder of the roof proposed to be a sedum green roof. The overall appearance of the building is considered acceptable given its single storey nature and its position set back in the site.

3.5 Amenity

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2016 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

Impact of Proposed Buildings

Due to the limited height of the buildings and distance from surrounding residential properties on the opposite side of Page Street it is not considered that the proposed buildings would in themselves result in any impact upon daylight, sunlight or privacy.

Noise and general disturbance

Due to the proposed operating hours between 6.00 am and 6pm (4pm in the winter) it is not considered that the uses proposed would result in any significant impact upon residents in the vicinity of the site. Scientific Services have also raised no objections to the proposal subject to the attachment of a condition concerning plant noise which is attached to this recommendation.

Construction impacts

The majority of the buildings are at least partly prefabricated structures which will result in a shorter construction time period. Nevertheless other site preparation work will also be required including the site preparation and tree felling. It is considered that disturbance to neighbouring residents can be minimised through appropriate safeguards. These include the submission of a detailed construction management plan and the limiting of hours of construction to normal working hours.

3.6 Transport, highways and parking

Policy context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

The scale of movements likely to be generated by this development are likely to be minimal with 37 staff using the site has a base. The site includes provision for the parking for Green Spaces vehicles, including supervisor vans and transit cage vans. The site also provides storage for machinery and vehicles such as mowers.

The Council's highway officers have not raised any objections to the scheme subject to conditions concerning site access details and conditions requiring the applicant to enter into a travel plan and provide appropriate cycle parking provision. Suitable conditions are included under the recommendation section above.

3.8 Energy, Sustainability, and Resources

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all major developments to achieve a 40% reduction in carbon dioxide emissions on 2010 Part L Building Regulations. The London Plan Sustainable Design and Construction SPG 2014 updated this target of 35% on 2013 Part L Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest

standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

Due to the size of the building the application does not need to achieve a BREEAM rating and also does not need to meet the specific carbon targets of the London Plan, which are applicable to major applications. Notwithstanding this the applicant has used the structure and principles of energy assessment for London Plan compliance as a guide for the development of the energy strategy for this development.

The application proposes a variety of measures including thermally efficient building fabric, low energy lighting and fittings, and the provision of openable windows for ventilation. The application also proposes 55 sq.m of solar panels on the roof. These measures are considered satisfactory and appropriate given the scale of the building.

3.9 Landscaping and biodiversity

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

Trees

Approximately 83 trees will be removed to facilitate this development. The quality of these trees has not been evaluated by the project arboriculturist. However they are self-seeded trees growing through a hard surfaced area and therefore the value can be considered low individually.

The proposed landscape plan provides for 45 specimen trees and 191 trees within a wildlife buffer. This level of planting will adequately offset the loss of trees for the development in the medium term. The landscape plan also provides for features such as hedgerows and wet areas as recommended in the ecological report.

The Council's Arboricultural Consultant has advised that they concur with the above and consider the proposed landscaping appropriate. No objections are raised

subject to appropriate conditions which are attached.

Biodiversity

The applicant has submitted an ecology statement in support of the planning application which advises that the development site is of high nature conservation value, providing foraging and community for bats, birds, and other reptiles and mammals and also contains a known colony of Slow Worms. While slow worms are protected the relocation of slow worms does not need a licence from Natural England although any removal should only be made by licenced individuals. The ecology report advises that providing the development includes appropriate mitigation, the development would not result in any significant ecological harm. Suggested mitigation measures include the submission of a detailed method statement and mitigation strategy and management plan prior to the commencement of development and providing appropriate mitigation measures through the proposed landscape strategy and providing bat and bird boxes. Suitable conditions are attached to require the submission of the method and mitigation strategy and to ensure the implementation of the submitted landscape strategy.

3.10 Other matters

Ground conditions and Contamination

In regards to potential contamination, the scientific services team have recommended a standard land contamination condition as this site was previously developed. Subject to the attachment of this condition the application is considered acceptable in this regard. It is noted that the end use is not a sensitive use as defined in legislation.

Fire and Explosive Risk from storage of Fuel on Site

The application contains a small fuel store on site. Any fuel stored would have to comply with the relevant legislative standards and is controlled by the Health and Safety Executive. The proposal is also not dissimilar to petrol filling stations which are often located close to residential properties. Approval by the fire service is also required as part of Building Regulation Approval. As such as this matter is covered by other legislation it is not considered that the potential risk would warrant the refusal of the application.

4. 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;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

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 important legislation.

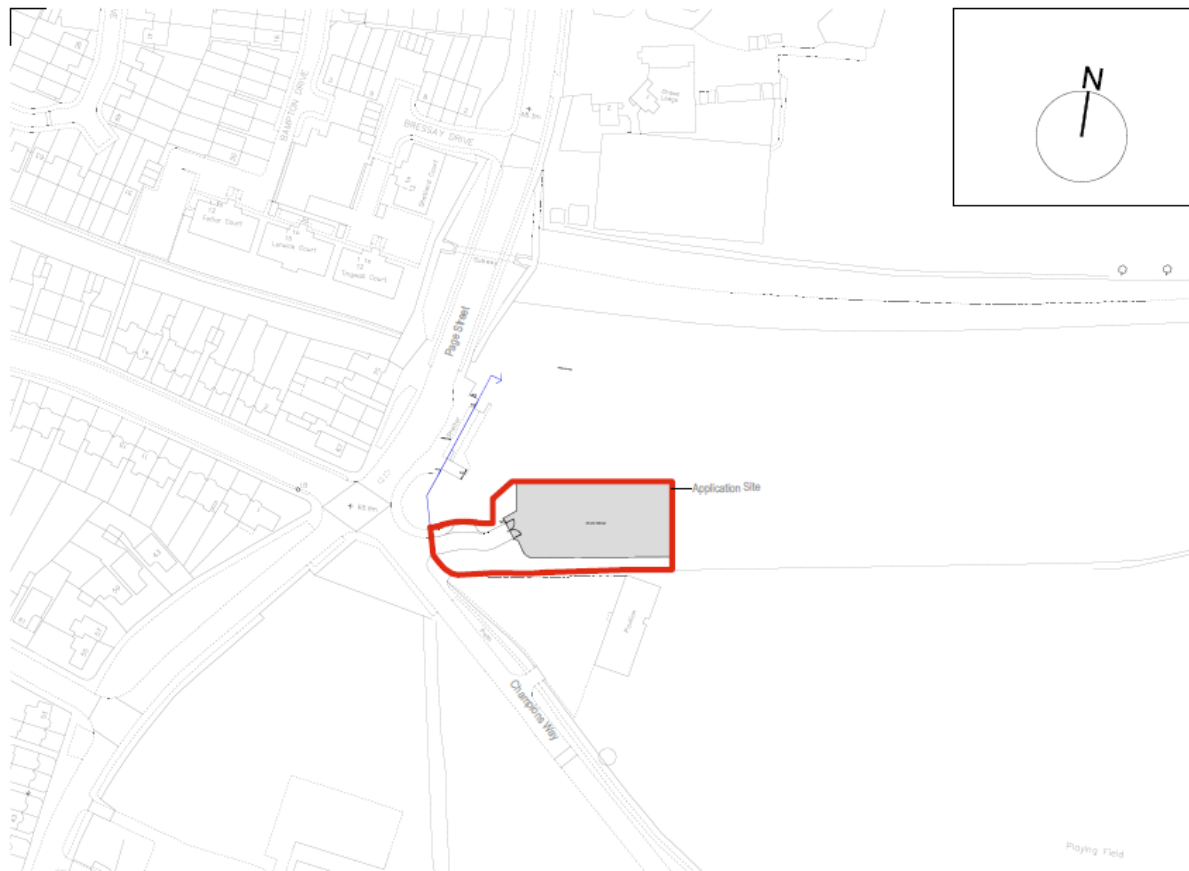
The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

7. CONCLUSION

In conclusion, the scheme is considered acceptable on balance having regard to relevant policies and guidance.

APPENDIX 1: Site Location Plan



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Location **101 Byng Road Barnet EN5 4NS**

AGENDA ITEM 9

Reference: **16/5151/FUL**

Received: 4th August 2016

Accepted: 16th August 2016

Ward: High Barnet

Expiry 15th November 2016

Applicant: Noah's Ark Children's Hospice

Proposal: Development of new children's hospice (Class C2) within a single storey building plus lower ground floor with car parking and ancillary development

Recommendation: Approve following legal agreement

- 1 The development hereby permitted shall be carried out in accordance with the following approved drawings:

Existing Site Location Plan by Squire & Partners, Dwg. No. 15032_JA12_P_00_001

Demolition plan by Squire & Partners, Dwg. No. 15032_JA12_P_00_002

Proposed Site Location Plan by Squire & Partners, Dwg. No. 15032_G100_P_00_001

Proposed East Site Elevation by Squire & Partners, Dwg. No. 15032_G100_E_E_001

Proposed Ground Floor Plan by Squire & Partners, Dwg. No. 15032_G200_P_00_001

Proposed Lower Ground Floor Plan by Squire & Partners, Dwg. No. 15032_G200_P_LG_001

Proposed Roof Plan by Squire & Partners, Dwg. No. 15032_G200_P_RF_001

Proposed East Elevation by Squire & Partners, Dwg. No. 15032_G200_E_E_001

Proposed North Elevation by Squire & Partners, Dwg. No. 15032_G200_E_N_001

Proposed South Elevation by Squire & Partners, Dwg. No. 15032_G200_E_S_001

Proposed West Elevation by Squire & Partners, Dwg. No. 15032_G200_E_W_001

Proposed Building Section by Squire & Partners, Dwg. No. 15032_G200_S_001

Proposed Bay Study 01 by Squire & Partners, Dwg. No. 15032_G251_E_AL_001

Proposed Bay Study 02 by Squire & Partners, Dwg. No. 15032_G251_E_AL_002

Proposed Bay Study 03 by Squire & Partners, Dwg. No. 15032_G251_E_AL_003

Proposed Bay Study 04 by Squire & Partners, Dwg. No. 15032_G251_E_AL_004

Proposed Bay Study 05 by Squire & Partners, Dwg. No. 15032_G251_E_AL_005

Proposed Bay Study 06 by Squire & Partners, Dwg. No. 15032_G251_E_AL_006

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 DM01 of the Adopted Barnet Development

Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages indicated on Drawing No. Proposed Site Location Plan by Squire & Partners, Dwg. No. 15032_G100_P_00_001 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 4 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

- 6 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 before the development hereby permitted is commenced.

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 April 2013) and 7.21 of the London Plan 2015.

- 8 The premises shall be used for a Children's Hospice only and no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area and the use as a children's hospice constitutes a very special circumstance which means the proposal is acceptable in principle in green belt terms.

- 9 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

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) and the Sustainable Design and Construction SPD (adopted April 2013).

- 10 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

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

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

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

12 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

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

Reason: In the interests of highway safety 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 April 2013) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 15 a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an ecological survey has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.
- b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 16 Before the development is occupied a full Travel Plan shall be submitted and to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan co-ordinator. No development shall take place until details of the arrangements to meet the obligation for monitoring the development to ensure the objectives of the Travel Plan are met.

Reason:

To encourage the use of sustainable forms of transport to the site in accordance with Policy DM17 of the Development Management Policies DPD and Policy CS9 of the Local Plan Core Strategy (adopted September 2012).

- 17 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 20% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan 2015.

- 18 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 19 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

20 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2015.

21 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

22 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 40% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 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 Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 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 Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 Any new crossovers will be subject to detailed survey by the as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. Any street furniture, road markings or parking bays affected by the proposed works would be relocated at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 4 The applicant advised that if the development is carried out, where possible, the applicant should seek to provide appropriate pedestrian visibility splays at either side of the vehicular crossover.

Officer's Assessment

1. Site Description

The application site is located on the south western side of Byng Road and relates to previously developed land which is designated as Green Belt. There are schools and playing fields to the north east and south of the site and allotment gardens and open land further to the north.

The Friends of Barnet Environment Centre is located in the northwest of site. This building was consented as part of the previous application for the Children's Hospice now proposed as part of this application (LPA ref# B/04065/11).

The wider site (not subject of this application) is used by the Friends of Barnet and is open land. The open land has been used and landscaped by the Hertfordshire Wildlife and Countryside Centre as an educational resource and is now occupied by the Friends of Barnet who work in association with the London Wildlife Trust (LWT). This is designated in the Local Plan as of local importance to nature conservation. This part of the site is well treed, and some of the trees form two small wooded areas to the west of the site. The quality of the trees varies across the site.

The site has a built appearance as viewed from the streetscene of Byng Road and from the adjoining footpath to the south. The surrounding residents clearly see the established built form on site as the buildings cover the main frontage. The existing buildings which were demolished in the summer of 2016 were concrete and brick built and there also included portacabins and a large area of hardstanding. The existing buildings had a total floor area of 1100m².

The site levels fall from the south of the site to the north and present a difference of 3m. The main building fronting Byng Road is raised due to this levels decrease and is sited on a concrete slab to keep the building on one level.

2. Site History

Ref: B/00942/09

Type: Outline Application

Description: Demolition of existing buildings and erection of single storey building plus lower ground floor for use as a children's hospice (Class C2), erection of a single storey building for use as a countryside centre.

Decision: Approved

Date: 12 June 2009

Ref: B/04065/11

Type: Full application

Description: Demolition of existing buildings and erection of single storey building plus lower ground floor for use as a children's hospice (Class C2) and a new single storey countryside centre with roof terrace. Development to include the provision of 26 car parking spaces (including 4no. disabled spaces and 2no. mini bus spaces), a cycle, bin and re-cycling storage area, 3no. equipped play areas, new drainage pond, new footpath adjacent to Byng Road, new fencing and hard and soft landscaping including timber walkways.

Decision: Approve

Date: 3 February 2012

Ref: B/04816/13

Type: S73 (Minor Material Amendment)

Description: Variation to wording of conditions relating to car parking, materials, enclosures, refuse storage, ventilation and extraction equipment, noise, landscaping, tree protection, tree method statement, travel plan, landscape management plan and disabilities access statement attached to planning permission B/04065/11 (for demolition of existing buildings and erection of single storey building plus lower ground floor for use as a children's hospice (Class C2) and a new single storey countryside centre with roof terrace. Development to include the provision of 26 car parking spaces (including 4no. disabled spaces and 2no. mini bus spaces), a cycle, bin and re-cycling storage area, 3no. equipped play areas, new drainage pond, new footpath adjacent to Byng Road, new fencing and hard and soft landscaping including timber walkways). Variations to enable the phased implementation of the planning permission with construction of the countryside centre first, and to allow the addition of a new external door, the replacement of a roof light with a ventilation stack, and the installation of an external sink.

Decision: Approve

Date: 29 April 2014

3. Proposal

The applicant proposes the development of new children's hospice (Use Class C2) within a single storey building plus lower ground floor with car parking and ancillary development.

The building is a crossed shape presenting four discrete wings that protrude from a central atrium with a footprint of 1,806m². The external materials are largely proposed to be glass, brick, and timber. Car parking and vehicle service areas are largely located on the Byng Road frontage and screened from view, with the exception of an emergency vehicle access/egress toward the rear of the building.

4. Public Consultation

105 consultation letters were sent to neighbouring properties.

A site notice was erected on 25 August 2016.

A press notice was published on 25 August 2016.

4 responses have been received, comprising 3 letters of objection, 4 letters of support and 1 letters of comment.

The objections received can be summarised as follows:

- The proposed realignment of the footpath on the boundary of 99 Byng Road will increase adverse amenity impacts on this property in terms of noise and litter.
- During construction there may not be enough turning area to access the site from Byng Road without using the grass verge on the east (Christ Church School) side of Byng Road.
- It appear that delivery vehicles are proposed to be directed in from and out to St Albans Road (A1081) along Alston Road. There is a width restriction near the junction with Strafford Road making the suggested route unusable by large vehicles.
- Temporary parking restrictions should be imposed on surrounding roads to allow construction vehicles to access the site.
- The timing of refuse collection must be strictly controlled.
- There should be control of vehicles reversing into the service area of the site, ensuring that the grass verge on the east side of Byng Road adjacent to Christ Church School and its playing field is not adversely affected.

- Details of the proposed footpath along the Byng Road frontage should be made clearer.
- The loss of the Friends of Barnet Environment Centre parking area.
- Details of the drainage scheme must be fully considered.
- The proposed 1.4m high southern boundary treatments may cause security issues for the wider site, including for the Friends of Barnet Environment Centre.
- The proximity of footpaths around the building could have a detrimental impact on existing vegetation and the fauna that occupy it.
- The proximity of the "Contemplation Garden" is too close to the Friends of Barnet Environment Centre Garden.

The representations received can be summarised as follows:

- Details of compensatory planting must be made clearer.
- Details of the northern boundary hedging must be made clearer.
- The loss of the Friends of Barnet Environment Centre parking area.

5. Consultation

5.1 Greater London Authority

This application was referred to the Greater London Authority (GLA) on 2 September 2016 (Stage 1). On 10 October 2016 the GLA objected to the application on the following grounds:

- Principle of the land use due to the potential visual impact symptomatic of the proposed scale and volume of the building.
- The lack of a visual assessment that illustrates the degree of visual impact on the greenbelt.
- The lack of information that demonstrates that the building could be connected to a district heating network in the future.
- The lack of information about why additional PV panels have not been proposed.
- The BRUKL sheet appears to be erroneous and needs to be amended.

The GLA also recommended that a green roof be considered and that conditions be imposed by the LPA that secure inclusive design, electric vehicle charging points (EVCP), and appropriate flood risk management. Further, it was also recommended that a travel plan, and any shortfall in CO2 reduction is secured via other means (i.e. a s106 Agreement).

The GLA required that if Council was to resolve to approve the application that it had to be referred back to the GLA for further comment, otherwise it did not.

On 28 November 2016 the applicant responded to the GLA's concerns. The following was provided:

- A Green Belt Study by HDA to address concerns about the visual impact.
- An amended BRUKL sheet.
- Confirmation that 6 EVCPs could be provided.
- Confirmation that provision for a future connection to a district heating network would be provided.
- Additional PV panels would not be provided due to reasons of feasibility, unless external funds were made available (e.g. from Council).
- Confirmation that a green-roofed scheme was being considered.

Assessment: At the date of writing this report a full response from the GLA was outstanding. If Committee resolve to grant this application it is recommended that the application is referred back the GLA (Stage 2) for assessment.

5.2 Transport for London

Transport for London (TfL) raise no objection to the application subject to the applicant providing Electric Vehicle Charging Points (EVCPs) and the Travel Plan Coordinator monitoring the demand for cycle parking. Both these recommendations are seconded and will be controlled via conditions and a legal agreement.

5.3 Lead Flood Authority

The Lead Local Flood Authority have advised on 2 September 2016 that the flood risk is deemed acceptable, however, additional details are required about the drainage scheme. It is recommended that conditions are imposed to require the submission and approval of the drainage scheme prior to commencement.

5.4 Natural England

Natural England advised on 31 August 2016 that they had 'no comment' in relation to the application. This implies that that they do not consider that the development is likely to have a significant impact on the statutorily listed nature conservation site.

6. Planning Considerations

6.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 27 March 2012. 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, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS9, CS13
- Relevant Development Management Policies: DM01, DM02, DM03, DM15, DM16, DM17

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.

6.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the use would be acceptable in Green Belt
- Whether the proposal would be a visually obtrusive form of development which would detract from the character and appearance of the Green Belt
- Whether the proposal would be a visually obtrusive form of development which would detract from the character and appearance of the street scene
- Whether the proposal would constitute an acceptable flood risk
- Whether the proposal would have an unacceptable impact on Highways
- Whether the proposal would be sufficiently inclusive
- Whether the proposal would unacceptably impact upon the ecological values of the site
- Whether harm would be caused to trees of special amenity value
- Whether harm would be caused to the living conditions of nearby residents
- Whether the development would impact on public rights of way
- Whether the development has sufficient sustainability credentials

6.3 Assessment of proposals

Whether the principle of the use would be acceptable in Green Belt

Assessment: Unless there are 'very special circumstances' new buildings in the Green Belt will not normally be supported. Whilst the proposed redevelopment of the site for the Children's Hospice does not fall within one of the defined 'appropriate' Green Belt uses, neither does the existing use of the site or the extant consent that the site currently benefits from. It is therefore necessary to consider whether or not very special circumstances exist to justify the proposed Children's Hospice.

The applicant has stated that "Noah's Ark is ideally placed to fill the need for additional palliative care services for children in North London. The hospice building will provide a central hub for local charities and health and social care service providers to work effectively in partnership and provide outstanding care to children and young people and their families".

Furthermore, the applicant also finds that "...nationally and internationally recognised papers show that there is an increase in children with life limiting or life threatening conditions within our area of operations and importantly, that they will due to technology be living longer".

The principle of the 'very special circumstances' were established by the extant consent (TP REF: B/04816/13) and according to the evidence provided in support of the application the circumstances have not changed. It is therefore considered that 'very special circumstances' have been demonstrated to justify granting planning permission for the proposed development. Consequently, no objection is raised by Officers in this regard.

Whether the proposal would be a visually obtrusive form of development which would detract from the character and appearance of the Green Belt

Assessment: The applicant has stated that the extant consent (TP REF B/04816/13) is not necessarily reflective of current patient needs and hence has applied for planning permission for an alternate scheme. While current patient needs form part of the justification for the principle of the use and inherently inform the design, the visual impact must be considered separately as adopted Policy DM15 focuses on maintaining the openness of the Green Belt where new buildings are introduced and hence requires a design response. It should be noted that the recommendation herein has factored the extant permission has a material consideration.

It is acknowledged that the proposed buildings provide an additional 300m² of footprint or a 20% increase. However, the extant permission also features an internal courtyard, which, if factored in to the overall footprint of the building (i.e. measured to the extremities) equates to a comparable footprint. Furthermore, the volume of the proposed building increases by 597m³ or by 11%. Again, when the internal courtyard is factored for the extant consent the overall volume actually decreases by 80%. In terms of overall height, for assessing the wider impact on the Green Belt, the heights are comparable It is acknowledged that the highest point of the proposed building is the atrium at approximately 7m high, which is higher than the extant consent. However, by and large the building is 3.4m high. For reference purposes the extant consent is largely 4.5m high. However, while these metrics are important to understand the overall scale of the building, they are not sufficient to assess it within its context.

The proposed building features a much higher level of articulation relative to the extant consent. The main visual consequence of crossed shape, despite extending further into the Green Belt, is that when viewed from key view points, such as the adjacent playing field, it appears as several smaller built elements, rather than a more solid, obtrusive object, thereby more effectively maintaining the openness of the Green Belt. Refer to the Noah's Ark Hospice, High Barnet - Green Belt Study by HAD (ref# 836.1) submitted in support of this application which confirms this. Overall, this is considered to better advance the intentions of adopted Policy DM15. In combination with the propose mix of timber, brown/grey brick, and glass, this creates a softer appearance that responds more sensitively to the context within the Green Belt relative to the extant consent. In order to secure the final external material specification it is recommended that a condition is imposed that requires the submission and approval of the specification by the LPA.

Therefore, subject to the abovementioned condition, the proposed design as shown on the drawings recommended for approval is not considered to be a visually obtrusive form of development which would detract from the character and appearance of the Green Belt. Consequently, no objection is raised by the Officer in this regard.

Whether the proposal would be a visually obtrusive form of development which would detract from the character and appearance of the street scene

Assessment: Adopted Policy DM01 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". Therefore, in addition to the Green Belt, the proposal must also be considered in the context of Byng Road.

When viewed in the context of the residential part of the Byng Road, just south of the site, the proposal is by and large not visible. Refer to the Noah's Ark Hospice, High Barnet - Green Belt Study by HAD (ref# 836.1) submitted in support of this application which confirms this. Therefore, in this respect, the Officers raise no objection.

When viewed in the wider context of the Byng Road street-scene the proposal sits at the transition from higher density residential uses to the south and lower density, lower scale, more open Green Belt to the north. The peak of the atrium which presents as a gabled end to Byng Road is of a similar height and form to the residential development to the south, whereas the wings of the building are more similar to the Friends of Barnet Environment Centre to the north. This creates sensitive transition between the opposing built-forms which is considered to have responded to local characteristics by respecting the appearance, scale, mass, height and pattern of surrounding buildings. As such, the proposal is considered to advance the intentions of adopted Policy DM01. Consequently, Officers have no objection in this regard.

Whether the proposal would constitute an acceptable flood risk

Assessment: On 18 August 2016 Thames Water advised there was sufficient capacity in the sewer to accommodate the development. Further, the Lead Flood Authority advised on 2 September 2016 that the residual flood risk from the post-development scenario was acceptable. However, the Lead Flood Authority advised that there was insufficient information available to properly assess the proposed drainage scheme and subsequently recommended that a condition be imposed to require further details to be submitted to be assessed and approved by Council prior to commencement. Officers agree with this recommendation.

Whether the proposal would have an unacceptable impact on Highways

Assessment: It is acknowledged that the consent of this application would result in the loss of the existing car park for the Friends of Barnet Environment Centre. The existing car park was constructed in accordance with the extant consent (LPA ref# B/04065/11), an application which also featured the Children's Hospice in its previous design. Highways Officers have assessed the application and found that there are no changes to the previous levels of parking, trip generation and refuse collection and therefore there is no highway objection to the proposals subject to a s106 Agreement to secure the provision of a travel plan and the conditions contained herein. Further, the Demolition and Construction Management Plan/Traffic Management Plan conditioned herein should consider the provision for parking for the Friends of Barnet Environment Centre during construction. Therefore, subject to the conditions recommended herein, and a s106 Agreement to secure a travel plan the Officers raise no objections in this regard.

Whether the proposal would adhere to principles of inclusive design.

Assessment: The proposal features level access to all external doors to the hospice and within the building including the main reception area (where ramps are used they are integrated into the landscape), way-finding to direct pedestrian traffic, and disabled parking

bays. These features are considered to advance the intentions of adopted Policies DM02 and DM03, the adopted Sustainable Design & Construction SPD, and Policy 2 of the London Plan. It is noted that the GLA have previously expressed support in this regard and recommended that Council secure the inclusive measures by condition. This recommendation is seconded and conditions requiring compliance with the drawings submitted, as well as assessment and approval of detailed landscaping proposes and levels are recommended. Therefore, subject to the conditions recommended herein the Officers raise no objections in this regard.

Whether the proposal would unacceptably impact upon the ecological values of the site or result in harm to trees of special amenity value

Assessment: It is acknowledged that a number of trees of moderate quality with an estimated remaining life expectancy of at least 20 years are proposed to be removed, in addition to a number of low quality trees that are protected by a Tree Protection Order (TPO). Further, it also acknowledged that the site is a statutorily designated nature conservation site and that some of these trees would not have to be removed to build the extant consent. It is considered that these trees provide some level of amenity and ecology value to the overall site. As such, the applicant has proposed to offset the loss of this vegetation with additional planting via a detailed scheme. It is recommended that the detailed scheme is submitted for further consideration and approval by Council prior to commencement of the development. Further, a pre-commencement condition is also recommended to require the submission and approval of environmental offsets. Therefore, subject to the conditions recommended herein the Officers raise no objections in this regard. Moreover, it is noted that Natural England advised on 31 August 2016 that the proposal was not deemed to have a significant impact on the designated nature conservation site.

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

Assessment: Arguably the most impacted neighbour would be 99 Byng Road as this is the closest residential use. The closest part of the proposed building is approximately 19m away and 3.4m high with no outlook from this part. The proposal also features a number of landscape treatments to the boundary which separates these uses. Overall the proposal is considered not to have a significant impact on the living conditions of nearby residents. Nonetheless, it is recommended that the applicant is conditioned to submit and have landscaping details approved prior to commencement so this can be considered in further detail. Therefore, subject to the conditions recommended herein the Officers raise no objections in this regard.

Whether the development would impact on public rights of way

Assessment: There is a public right of way on the southern boundary of the site. It is acknowledged that the consent of the development would require the diversion of this right of way. However, given that it will remain for pedestrian and cycle traffic only, the diversion is not considered to have a significant impact on the adjoining residential uses and is therefore considered to be acceptable. Please be advised that the diversion of this public right of way will require a separate application. Therefore, subject to the conditions recommended herein the Officers raise no objections in this regard.

Whether the development has sufficient sustainability credentials

Assessment: Adopted Policy 5.2 (Minimising carbon dioxide emissions) requires that for major residential buildings consented between 2016 - 2031 must achieve 0 carbon. At present the Council is not requesting contributions to achieve the zero carbon policy. Application of this policy is under consideration by the Council and further information on implementation and when contributions will be required will be provided in due course. However, this application will also be subject to a Stage 2 referral to the GLA who may require compliance with this policy. As a fall back the development has been conditioned to comply with the 2013 - 2016 targets of 40% improvement on the 2010 Building Regulations. Therefore, subject to the conditions recommended herein the Officers raise no objections in this regard.

6.4 Response to Public Consultation

All issues raised in objections and representations received have been considered in Section 6.3 Assessment of proposals.

7. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

8. Conclusion

Having taken all policy and material considerations into account, it is considered that the main issues for consideration raised in Section 6.2 have either been overcome by the application, or can be acceptably conditioned, or mitigated through a legal agreement to make the development acceptable in planning terms. Therefore, it is considered that, subject to the conditions recommended herein, as well as a legal agreement to secure the implementation of a Travel Plan, the application can be supported.



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