

LOCATION: Barnet Copthall Leisure Centre, Champions Way London NW7 2EQ

REFERENCE: 16/6074/FUL

Received: 19 Sep2016

Accepted: 12 Oct 2016

WARD: Mill Hill

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 policies 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 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).

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 draining 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 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 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 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 Copthall 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

