

MEETING

PLANNING COMMITTEE

DATE AND TIME

THURSDAY 25TH JUNE, 2015

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Melvin Cohen
Vice Chairman: Wendy Prentice

Maureen Braun
Claire Farrier
Eva Greenspan

Barry Rawlings
Tim Roberts
Agnes Slocombe
Stephen Sowerby

Mark Shooter
Jim Tierney

Substitute Members

Richard Cornelius
Sury Khatri

Anne Hutton
Gabriel Rozenberg

Devra Kay
Laurie Williams

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

Andrew Charlwood – Head of Governance

Governance Service contact: Jan Natynczyk jan.natynczyk@barnet.gov.uk 020 8359 5129

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	1 - 4
3.	Absence of Members	
3.	Declarations of Members Disclosable Pecuniary Interests and Non-pecuniary Interests	
4.	Report of the Monitoring Officer (if any)	
5.	Public Questions and Comments (if any)	
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12.	Report of the Assistant Director Of Development Management and Building Control	
13.	Any Item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

18 May 2015

Members Present:-

AGENDA ITEM 1

Councillor Melvin Cohen (Chairman)
Councillor Wendy Prentice (Vice-Chairman)

Councillor Maureen Braun	Councillor Agnes Slocombe
Councillor Claire Farrier	Councillor Stephen Sowerby
Councillor Barry Rawlings	Councillor Mark Shooter
Councillor Tim Roberts	Councillor Sury Khatri
	Councillor Jim Tierney

Apologies for Absence

Councillor Eva Greenspan

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 26 March 2015 were agreed as a correct record and signed by the Chairman.

2. ABSENCE OF MEMBERS

Apologies had been received from Councillor Greenspan, with Councillor Khatri substituting for her.

3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was not a report.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

None.

6. MEMBERS' ITEMS (IF ANY)

None.

7. LAND OFF BRENT TERRACE

The Committee considered two reports on this matter, one in respect of Reserved Matters and the other relating to the submission under condition 2.4 for the variation of the width parameter associated with plots 53 and 54.

The Committee also considered the addendum to the report.

Representations were heard from Jim Gatten, Lesley Turner and Mike McGuinness (Applicant).

RESOLVED that

- 1. The Reserved Matters application be approved, subject to the conditions detailed in Appendix 1 of the report and subject to the amendments in the addendum;**

For: 6

Against: 4

Abstained: 1

- 2. The variation, as detailed in the second report, be approved.**

For: 6

Against: 4

Abstained: 1

8. LAND AT MORETON CLOSE MILL HILL LONDON NW7 2PH (MILL HILL WARD)

The Committee received the report.

Representations were heard from Mahmoud Noee-Tabrizi, Andrew Dismore and Andrew Ayles.

RESOLVED that the application be approved, subject to the conditions detailed in the report, the amendments in the Addendum and the following informative:

INFORMATIVE:

'The applicant is advised that the existing roads and or footpaths within the site may constitute a public right of way and therefore would be required to be stopped up, if the public has not been prevented from using these routes.'

For: 5

Against: 4

Abstained: 2

9. NON IMMEDIATE ARTICLE 4 DIRECTION - HOUSES IN MULTIPLE OCCUPATION

The Committee received the report.

RESOLVED that the making of a non-immediate borough wide Article 4 Direction to withdraw permitted development rights for changes of use from dwelling houses (Use Class C3) to small HMO's (Use Class C4) be approved.

For: 10
Against: 1
Abstained: 0

10. REPORT OF THE ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL

The Committee had considered the Addendum circulated under this item under the relevant applications.

11. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 21.05pm

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LOCATION: Clitterhouse Playing Fields and Claremont Open Space,
Claremont Road, London, NW2

AGENDA ITEM 7

REFERENCE: 15/00769/RMA

Received: 09 February 2015

Accepted: 09 February 2015

WARD: Golders Green, West
Hendon and Childs Hill.

Expiry: 12 May 2015

APPLICANT: Brent Cross Development Partners

PROPOSAL: Reserved Matters application within Phase 1A (North) of the Brent Cross Cricklewood Regeneration area, submitted pursuant to conditions 1.2.1.A, 2.1 and for the part discharge of condition 13.1 of Planning Permission F/04687/13 dated 23 July 2014 for the comprehensive mixed use redevelopment of Brent Cross Cricklewood, relating to Layout, Scale, Appearance, Access and Landscaping for the Open Spaces of Clitterhouse Playing Fields and Claremont Park, including the provision of a sports pavilion, maintenance store and associated car parking. Application is accompanied by an Environmental Statement Further Information Report.

1. APPLICATION SUMMARY

The proposal is a Reserved Matters Application for improvements to Clitterhouse Playing Fields and Claremont Open Space (which will become Claremont Park).

It includes the provision of enhanced open space, play areas, playing fields, a sports/park pavilion, maintenance store and office, ground re-profiling, improved site drainage, Clitterhouse Stream enhancements, revised access arrangements, car parking and associated landscaping works and boundary treatment under the Brent Cross Cricklewood Regeneration Scheme.

The application was submitted in January 2015 as part of a suite of applications for Phase 1A (North). Four separate RMAs were submitted covering the following:

- Development Plots 53 and 54, Brent Terrace (Reserved Matters consent granted on 9 June 2015);
- Clitterhouse Playing Fields and Claremont Park Open Spaces (subject to consideration by this committee);
- Central Brent Riverside Park; and
- Infrastructure (resubmitted in June 2015 and under consideration)

The proposal relates to works at both Clitterhouse Playing Fields and Claremont Park in the southern half of the regeneration area. The improvements to Clitterhouse Playing Fields will be delivered in two stages, (Clitterhouse Playing Fields Part 1 and Part 2). The current Reserved Matters Application (RMA) relates only to the works proposed under Part 1 although it will be noted that the site profiling and drainage works for Clitterhouse Playing Fields extend into an area that falls under Part 2 development to provide a temporary site profile in this area; this will minimise future disruption to this area and also provide a temporary site solution to address delivery of these elements through different phases.

The Part 2 works comprise the provision of artificial surface and multi-use pitches to the north east corner of the park to compensate for the loss of the existing artificial pitches linked to Whitefield School. In addition, the balance of the enhancement works to the Clitterhouse Stream corridor, including a wildlife pond, is included in the future Part 2 works. The Clitterhouse Playing Fields Part 2 works will be subject of a future RMA.

A separate application has been made against condition 2.4 and 2.5 of permission F/04687/13 to make minor changes to the content of the approved Development Specification Framework (DSF), Design and Access Statement (DAS) and Design Guidelines (DG), incorporating changes to Parameter Plan 012 for Clitterhouse Playing Fields as brought about through the submitted Phase 1A (North) RMAs. This condition application (Ref: 15/00664/CON) is also in front of the Committee for consideration. The changes to the approved Parameter Plan 012 sought under application 15/00664/CON are:

- General location of community play space moved from north of former Hendon FC to the east;
- Changes in proposed site levels;
- Retention of Clitterhouse Farm Buildings;
- Repositioning of the car park area to serve the park;
- Increase in the extent of defined multi-use games area; and
- Repositioning of the proposed maintenance store and office (albeit the Section 106 allows for a maintenance store to be built up to a 1000m²).

Initial assessment of the RMA application documents necessitated a number of subsequent minor amendments, including clarifications and minor changes following statutory consultation. The applicants submitted their revised proposals on 18th May 2015. The revisions have been subject to further statutory consultation.

The application is for approval of detailed matters reserved under the 2014 Section 73 outline planning permission (the '2014 S73 Consent'). The proposals are consistent with the earlier planning approval and accord with Development Plan and national planning policy and guidance.) It is

acknowledged that some elements of detail are still to be confirmed and further planning conditions are recommended to secure important details

This submission provides details of the layout, scale, appearance, access and landscaping of the proposed parks, open space provision, sports pitches and the two potential buildings that are proposed to house the park pavilion and maintenance store. The proposals are in accordance with all the parameters and principles (as may be revised under application 15/00664/CON) relevant to specific open space, sports facilities and play area provision.

It should be noted that Sport England have objected to the proposed layout of Clitterhouse Playing Fields as contained in this application on the grounds that it results in i) a reduction in the area available as formal playing pitches ii) the location and configuration of the pavilion iii) the orientation of the pitches. A response to this objection is included later in this report. Officers have carefully considered Sport England's comments but consider that the reduction to the area of formal playing pitches proposed between the illustrative layout at the outline stage and the pitch layout proposed in this Reserved Matter Application is minor and has not altered the emphasis from sports provision. These changes from the illustrative layout (at the outline stage) have been made in response to detailed discussions with the Council's Greenspaces officers. The revised layout contained in this Reserved Matter Application complies with the 6.23 hectares for sports pitch provision specified by Schedule 28 of the S106 agreement. The park is currently a significantly under-utilised resource with limited opportunities for recreation and for formal sport. The proposals represent a significant improvement to the quantity, quality and usability of the current sports pitch provision as agreed by the Council's Green Spaces Officer. Officers consider that this has resulted in a more satisfactory overall park layout which has not significantly compromised the area available for playing pitches but allows for a wider range of facilities to be provided which will benefit the wider existing and future communities. Conditions have been suggested to deal with the detail of pitch drainage and the detailed internal layout of the pavilion.

Clitterhouse Farm Buildings are to be retained under this proposal and are to be utilised in part as a park maintenance facility. A community proposal is under development for the Farm Buildings and a number of local residents and community groups have expressed disappointment that the whole of the Farm Buildings will not be retained for community use. This issue is discussed in the main body of this report. It should be noted that detailed proposals for the maintenance facility have yet to be finalised and will be controlled by condition. Any proposals for community use for the remainder of the building will need to be subject to a further planning application once proposals and funding are confirmed.

2. RECOMMENDATION

Recommendation 1

This application is recommended for **APPROVAL** subject to conditions attached in Appendix 1.

Recommendation 2

Members are asked to approve the consequent changes to Schedule 28 of the S106 (Outline Specification for Clitterhouse Playing Field and Claremont Park) and authorise officers to agree the changes outlined in Appendix 5.

3. BACKGROUND

3.1 Outline Consent

The principle of development at Brent Cross Cricklewood was first established by way of a site-specific Development Framework produced in April 2004 as Supplementary Planning Guidance (SPG) in accordance with the London Plan. The SPG established a vision to *'to create a new gateway for London and a vibrant urban area for Barnet'*.

The comprehensive redevelopment of the wider Brent Cross Cricklewood regeneration area, including the enhanced open space and sports pitches provision, was subsequently granted planning permission in outline in 2010 under planning permission C/17559/08 (the 2010 permission). Subsequently, this permission was revised under a Section 73 planning application (F/04687/13) which was approved on 23 July 2014 (the '2014 S73 Consent') described below:

Section 73 Planning application to develop land without complying with the conditions attached to Planning Permission Ref C/17559/08, granted on 28 October 2010 ('the 2010 Permission'), for development as described below: Comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 - A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary

works or structures and associated utilities/services required by the Development (Outline Application).

Both the 2010 and 2014 permissions were subject to Environmental Impact Assessment.

3.2 Phasing of the BXC Regeneration Scheme

The 2014 S73 Consent is a multi-phase scheme for delivery over a period of 16 years.

The 2014 S73 Consent proposes the phased delivery of acceptable comprehensive development for the whole site in accordance with the planning policy.

Phase 1 is proposed to be delivered in sub phases which are divided between north and south. This is to reflect the new delivery responsibilities including the Council's intention to procure a new development partner for the area south of the A406. The sub phases are as follows:

- Phase 1A (North) – this includes all the highways infrastructure to support the northern development including the key highways infrastructure to support the Phase 1 South, such as the improvements to the southern junctions of the A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements. In addition the River Brent re-routeing and Bridge works will be delivered as part of Phase 1A (North), along with the Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and the Claremont Park Improvements. The Living Bridge is included in (and its details will be approved before the commencement of) Phase 1A (North). Under the Revised Section 106 Agreement, its delivery will be triggered by the commencement of Phase 1B (North) and its delivery will be programmed to commence and be completed no later than before the occupation of Phase 1B North plots.
- Phase 1A (South) – A number of highway improvements needed to support Phase 1 of the Southern Development will be provided including the Waste Handling Facility (Diverted Geron Way/A5 junction; Claremont Park Road (Part 1); School Lane Works.
- Phase 1B (North) – This includes all of the plot development on the north side with the exception of the residential development within the Brent Cross West Zone. The sub phase also includes the new bus station, reconfigured shopping centre, Brent Cross Main Square, High Street North and other northern pedestrian routes, as well as elements of the Riverside Park, Sturgess Park Improvements and around 300 housing units. Commencement of this Sub-Phase will trigger the BXP's obligations to deliver the Living Bridge which will link into the buildings and public realm to be provided on the Plots forming part of this Sub-Phase.

- Phase 1B (South) – This includes the Market Square, the Clarefield Park Temporary Replacement Open Space the replacement food store, the Waste Handling facility, the CHP and the new and expanded Claremont School, in addition to more than 1000 residential units.
- Phase 1C – This will include the remaining plot development on the south side.

3.4 Phase 1A (North)

This application is one part of the Phase 1A (North) Reserved Matters applications.

Phase 1A (North) is largely an infrastructure phase. It includes necessary highways infrastructure to support the northern development as well as improvements to critical southern junctions including A5/A407 Cricklewood Lane and the A407 Cricklewood Lane/Claremont Road Junction improvements. The River Brent re-routeing and Bridge works will also be delivered as part of Phase 1A (North), along with the Living Bridge, Replacement Templehof Bridge; Clitterhouse Playing Fields Part 1 (excluding the Nature Park) and the Claremont Park Improvements.

The reserved matters for Phase 1A (North) have been broken down into four separate reserved matters submissions due to the size, scale and complexity of this initial sub phase of the Brent Cross Cricklewood Regeneration scheme.

Four Reserved Matters Applications were submitted to London Borough of Barnet for Phase 1A (North) in January, 2015. As a result however of discussions with the Development Partners, it was agreed that the Infrastructure and Central Brent Riverside Park Reserved Matter Applications would be withdrawn prior to registration whilst their design was progressed further. The two relevant RMAs were submitted in June 2015.

The reserved matters that make up Phase 1A (North) are shown in the table below:

Table 1.0

No.	Summary Description	Planning Reference	Status
1.	The residential development of Plots 53 and 54.	15/00720/RMA	Reserved Matters granted on 9 th June 2015.
2.	The Open Space Improvements of Clitterhouse Playing Fields (Part 1) and Claremont Park	15/00769/RMA	Subject of this Committee Report.
3.	Open Space proposals for Central Brent Riverside Park	15/03315/RMA	Submitted in June 2015, to be subject of a

			future Committee Report
4.	Infrastructure Proposals including Roads and Junctions, Templehof and Living Bridges and Relocation of the Brent River corridor.	15/03312/RMA	Submitted in June 2015 and to be subject of a future Committee Report.

3.5 Pre-Reserved Matters Conditions

The Section 73 consent ('S73 Consent') for the Brent Cross Regeneration project includes a number of Pre-Reserved Matters conditions intended to establish key principles of the forthcoming development. The majority of these require submission prior to applications for reserved matters being submitted to the Council. Reserved Matters applications are required to accord with commitments and strategies approved under these conditions where relevant.

There remain a number of pre-reserved matters applications which are yet to be approved. The wording of these conditions does not specifically require their discharge prior to the approval of Reserved Matters but in some instances there is a direct material relationship between the details of the reserved matters submission and the principals being captured within the conditions.

Appendix 3 of this report shows those S73 Consent Pre Reserved Matters Conditions for Phase 1A (North) which have relevance to the Open Spaces application but have yet to be formally determined. In some cases this is due to the lack of detail available regarding the outstanding reserved matters for Phase 1A (North); in other instances there remain issues subject to discussion between the development partners and the LPA which have yet to be resolved, a third category includes conditions where agreement has been reached but conditions have yet to be formally discharged. In all of these circumstances those sections relevant to the reserved matters application for Clitterhousee Playing Fields and Claremont Park Open Spaces have been confirmed in discussions between the LPA and the development partners and found to be acceptable.

Condition 1.31 (set out below) allows for the determination of relevant reserved matters applications in circumstances where conditions have yet to be approved:

“Where in these conditions any document strategy plan or other document or information is required to be submitted prior to any Reserved Matters Application or Other Matters Application required under this Permission, the grant of the relevant Reserved Matters Approval(s) or Other Matters Approval(s) shall be subject to the LPAs prior or simultaneous approval or confirmation (as the case may require) of the relevant document strategy plan or other document or information.

Reason: To ensure that an accurate and consistent interpretation is applied in the application and enforcement of these Conditions and the corresponding provisions in the S106 Agreement.”

As the relevant aspects of these conditions are acceptable to the LPA in the development of the Open Space provision at Clitterhouse Playing Fields and Claremont Park, Members are in a position to make a decision prior to the formal approval of these outstanding conditions.

4. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

4.1 Site Description and Surroundings

The application site comprises Clitterhouse Playing Fields and Claremont Park; both parks are located in the southern development area of the proposed Brent Cross Regeneration development site. The two parks are divided by Claremont Road which runs south to north; Claremont Park runs east to west to the north west of Clitterhouse Playing Fields northern entrance. The realignment of Claremont Road will result in minor changes to the northern entrance of Clitterhouse Playing Fields and eastern entrance of Claremont Park. A new Claremont Park Road will form the northern boundary of Claremont Park.

Clitterhouse Playing Fields currently occupy an area extending to some 17 hectares of amenity grassland. The site is bound by residential properties to the east (Prayle Grove) and the south (Cotswolds Gardens). At the south eastern section the site is bound by the existing Clitterhouse Stream and Prayle Grove to the immediate north. The western boundary is largely with Claremont Road, across which lie existing residential properties. A new residential development at the former Hendon FC ground will also adjoin the park on the western boundary. To the south west of the site is Clitterhouse Farm.

Clitterhouse Playing Fields is a significantly under-utilised resource located to the east of Claremont Road which is identified as Metropolitan Open Land (“MOL”). The area currently comprises extensive areas of undulating grassland, however due to poorly defined and lit access points it is underutilised by local residents. A limited number of sport pitches are currently provided during the summer months, however they are also

significantly under-utilised due to poor drainage and marking out, in addition to a lack of changing facilities.

To the east of Clitterhouse Stream are existing allotments that partially front onto Hendon Way. The park crowns at this mid point, slopes northwards down to the northern gateway and south eastwards towards Clitterhouse Stream. There are a number of existing access points to the park.

The existing Claremont Open Space is considerably smaller in area than Clitterhouse Playing Fields and is more wooded in character. The open space currently acts as a green buffer between residential properties on Clitterhouse Crescent and Claremont Industrial Estate. It is bound extensively by tree and shrub planting with open areas in the midst of the park. The open space is used as a thoroughfare connecting the area at Brent Terrace to Claremont Road and also providing connections direct through to the Industrial Estate.

There are no existing facilities at either Clitterhouse Playing Fields or Claremont Open Space with the exception of the limited playing field provision at Clitterhouse Playing Fields and a small children's play area.

The surrounding area is primarily residential in character although to the north of Claremont Open Space is the industrial estate and generally northwards the land use changes to include Whitefield School, retail parks, the North Circular Road and Brent Cross Shopping Centre. Further to the west of the area there are extensive railway lands. Cricklewood Station served by the Thameslink services lies to the south west.

4.2 Proposal

This reserved matters submission provides details of Layout, Scale, Appearance, Access and Landscaping in relation to Clitterhouse Playing Fields (part 1) and Claremont Park for the provision of enhanced open space, playing fields, a sports/park pavilion, maintenance store and office, ground re-profiling, improved site drainage, Clitterhouse Stream enhancements, revised access arrangements, car parking and associated landscaping works and boundary treatment under the Brent Cross Cricklewood Regeneration Scheme.

The main elements of the development proposal are:

Clitterhouse Playing Fields (part 1)

- Re-profiling of Clitterhouse Playing Fields to provide improved sports facilities, play areas, park facilities and recreation areas, including temporary profiling for the part 2 park area;
- Water management and site drainage strategy
- 3 senior and 2 junior pitches;
- 2 mini soccer 5-a-side and 2 mini soccer 7-a-side pitches

- 6 tennis courts/Mixed Use Games Areas;
- Informal grass pitches
- Parks Facilities building, including changing and toilet facilities, cafe and outdoor seating area
- Maintenance Store and Office
- Car park provision (total 26 spaces, including 4 accessible spaces);
- Play Area, comprising for different age groups:
 - Swings, springers and see-saw
 - Roundabouts, spinning seats;
 - Play towers, slides and sand pits
 - Rope nets
 - Multi platform climbing tower unit
 - Skate park, parkour area
- Picnic area
- Informal recreation facilities
- Footpath and cyclepath network
- Landscaping and boundary treatment, including tree works, tree planting and new habitat formation;
- Improvements to site ecology
- Primary and secondary gateway provisions
- Vehicular access from Claremont Road to serve the proposed car park.

Claremont Park

- Enlarged and enhanced open space area
- Terraced layout to utilise change in level
- New gateway entrances
- Pathways and through routes
- Enhanced amenity planting, formal and informal landscaping, tree management and tree planting and boundary treatment;
- Improved habitat areas and site ecology
- Play Area for different age groups, including:
 - Swings, springers, sea saw;
 - Slides, roundabouts, play towers;
 - Rope net, multi platform tower
 - Kickabout area

- Picnic area
- Informal recreation facilities

The area to the north into which Claremont Park extends is currently an industrial estate. The estate will be subject to Compulsory Purchase procedures and the buildings demolished to enable the park to extend.

Initial assessment of the application documents necessitated a number of subsequent minor amendments, including clarifications and minor changes following statutory consultation. The applicants submitted their revised proposals on 18th May 2015 thereby endeavouring to address the changes required to the initial application. The changes are encapsulated in the revised drawings package and supporting Design Development Report (DDR); these detail how the open space and its associated facilities will be developed. Condition 2.1 of the 2014 S73 Consent requires all RMAs to be accompanied by an Explanatory Report and a revised Explanatory Report has also therefore been submitted by the applicants. The revisions have been subject to further statutory consultation.

The application consequently is supported by the following amended /additional documents:

- Application Covering Letter (revised May 2015);
- Explanatory Report (revised May 2015);
- Environmental Statement – Further Information Report (additional note added in the revised covering letter)
- Design Development Report (revised May 2015)
- Application Detailed Plans (revised May 2015)
- Sustainability and Energy Statement (revised May 2015)
- Statement of Community Involvement
- Illustrative Reconciliation Plan
- Reserved Matters Transport Report

5. MATERIAL CONSIDERATIONS

5.1 Key Relevant Planning Policy

In this case, the Development Plan comprises the London Plan (Consolidated with Further Alterations since 2011) (March 2015) at the strategic level and, at the local level, Barnet's Local Plan (Core Strategy (2012)) and the Saved UDP Policies GCRICK and C1-C11, which apply to the application site and are supplemented by the Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework (2005).

The Council's Development Management Policies DPD (2012) states at paragraph 1.4.3 that it will not apply to planning applications for comprehensive development in the Brent Cross unless and until the Core Strategy is reviewed in accordance with Policy CS2 and Section 20:13 of the Core Strategy.

Detailed consideration of the application against key London Plan and London Borough of Barnet policies can be found in **Appendix 2**. Suffice to state here that the application is considered to be in accordance with Policy. The application is for matters reserved following the grant of the outline planning permission under the 2014 S73 Consent and as such the policy considerations have previously been considered and have been found to have been met.

Clitterhouse Playing Fields is protected Metropolitan Open Land which carries a general presumption against development that would impact on the character of the land. In the current application, the principles of development have already been established and given that the proposals are consistent with the S73 2014 planning permission, (as varied) the application is found to be in accordance with policy.

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.

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.

5.2 Assessment Against Outline Consent

The RMA must comply with the approved 2014 S73 Consent, or any subsequent variation to that permission. Condition 1.16 requires all RMA to be in accordance with the parameters and principles contained in Development Specification and Framework (DSF), Design Guidelines (DG), a Design and Access Statement (DAS). Also, the proposals are to be in accordance with the text within the Public Realm Open Space Strategy (PROSS) where specifically referenced in the definitions in the 2014 S73 Consent.

The relevant Parameter Plans approved in the DSF, in relation to Clitterhouse Playing Fields and Claremont Park, are 003: Public Realm and Urban Structure and 012: Clitterhouse Playing Fields. The former is development-site wide and shows how the open space provision fits into the wider development, including defining new and existing open spaces and public realm, green corridors and cycle and footpath connectivity. The latter provides enhanced detail of how Clitterhouse Playing Fields should be

developed and sets down the parameters to that development.

The masterplan approved under the 2014 S73 Consent included park provision areas of 18.2 hectares for Clitterhouse Playing Fields and 1.95 hectares for Claremont Park. Claremont Park is proposed to meet the 1.95 hectare target. The park area for Clitterhouse Playing Fields meets the 18.2 hectares requirement through the inclusion of the former Clitterhouse Farm Buildings area, previously excluded from the park open space provision, and the additional land to be formed as park land around the northern gateway.

The proposed development is, subject to the changes proposed under the application under Conditions 2.4 and 2.5 (15/00664/CON – see section 5.4 below), generally consistent with the requirements of the Section 73 2014 planning permission.

5.3 Public Consultations and Views Expressed

Public Consultation

2676 local residents were consulted by letter. The application was advertised in the local press on 19th February 2015 and 14 site notices were put up on site on 16/02/2015. The consultation letters allowed a 4 week period to respond with the consultation period expiring on 16/03/2015.

15 letters of objection and 3 letter of support were received in response to this initial consultation.

Following the receipt of amendments and clarifications to the submitted plans 2670 local residents were re-consulted by letter on 22/05/2015. (Duplication was identified resulting to a lower re-consultation number). The letters allowed a two week period for the re-consultation period expiring on 05/06/2015.

18 Letters of objection were received in response to this second consultation process.

A summary of the objections received and officer comments in response can be found under **Appendix 4** of this report.

The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

The S73 Consent includes a requirement under Condition 1.23 for submission of a Public Consultation Strategy This was submitted to the Council and considered under planning reference 14/07891/CON. It was approved on 31 March 2015. The developer's own consultation process are detailed in the Statement of Community Involvement submitted with the Phase 1A (North)

Reserved Matters Submission and accorded with the requirements of the approved strategy.

Consultation Responses from Statutory Consultees and Other Bodies

Sport England:

The Sport England letter welcomes the principle of improvements to Clitterhouse Playing Fields, however, they raise a number of comments which can be summarised as follows:

- 1) Sport England consider the submitted scheme to represent a shift in emphasis away from formal pitch sport and a reduction in quantum of playing fields for formal sport from the layout depicted in an illustrative plan within p.113 of the Public Realm and Open Space Strategy (“PROSS”) which was submitted with the 2014 S73 application;
- 2) Sport England consider that the location and specification of the changing pavilion does not place sport at its heart. Furthermore, they consider that the internal layout of the pavilion should be significantly amended to ensure its fit for purpose including providing an even number of changing rooms, changing for official/referees, and lockers external to the changing rooms; and
- 3) Sport England consider that ideally sport pitches should be orientated north-south.

As a result Sport England consider the proposals not fit for purpose for sport and they request that if LBB is minded to grant permission the proposals be referred to the National Planning Casework Unit under the Consultation Direction 2009 and the Mayor of London under the 2008 Order.

Officer Comment

- 1) *During the preparation of the proposals for Clitterhouse Playing Fields detailed discussions were held between the applicant and the Council's Greenspaces officers which have resulted in a repositioning of the play areas, car park, tennis courts and pavilion in the park layout submitted with this Reserved Matter Application when compared to the illustrative plan submitted with the 2014 S73 application. This has resulted in a minor decrease in the area available for formal playing pitches although it should be noted that the revised layout contained in this Reserved Matter Application still complies with the 6.23 hectares for sports pitch provision specified by Schedule 28 of the S106 agreement. Officers consider that this has resulted in a more satisfactory overall park layout which will provide facilities for a wider range of the existing and future community and has not significantly compromised the area available for formal playing pitches. The playing pitches will be significantly improved through drainage works which will also allow a longer playing season. The proposals represent a significant improvement to the quantity, quality and usability of the current sports pitch provision.*

- 2) *The location of the pavilion has been carefully considered by officers throughout the pre-application process and it is considered that the proposed location provides a focal point for all activity in the park as it is most central to the greatest number of facilities. Its central location in the park means that it will be overlooked and used by visitors other than just those using the sports pitches which is an important consideration given that the previous sports facilities were vandalised. Changes have been made to the detailed layout of the pavilion following initial discussions with Sport England to include lockers and shower cubicles. However officers share some of Sport England's concerns about the detail of the pavilion layout and a condition is proposed requiring the submission of further details of the internal arrangements of the pavilion, including changing rooms, showers etc, for the written approval of the planning authority.*
- 3) *The proposed sports pitches are orientated broadly north to south and are within the limits of the recommended pitch orientation as set out in Sport England's Natural Turf for Sport Guidance Note. A condition is proposed to deal with the detail of pitch drainage.*

Sport England's suggestion that referral is required to the Secretary of State and Mayor of London is not relevant in this case as the local planning authority at the Reserved Matter stage is limited to considering the Reserved Matter submitted and is not entitled to refuse a Reserved Matters application on matters determined at the outline stage.

Officers consider that the proposed park layout maintains a clear sporting focus whilst also providing facilities that respond to the needs of other park users. The proposal will bring back into active use playing fields that have not been used for a number of years.

Environment Agency:

Raised concerns regarding "localised stream widening", widening the stream would exacerbate existing flow issues. Satisfied with the Landscape and Ecology Management plans which have been submitted in accordance with Condition 27.9 to protect wildlife and improve habitat bio-diversity. Raised no concerns with Water Management Strategy; however, note that further detail will be forthcoming under Condition 1.27 to avoid adverse environmental impact.

Officer Comment

In response to the Environment Agency's concerns, the applicant has confirmed that their landscaping strategy will not include stream widening and the relevant plans have been updated accordingly.

London Fire Brigade:

No Objection Raised

Highways Agency:
No Objection Raised

Transport for London:

TfL identified the cycle and pedestrian route through Clitterhouse Playing Fields and their interest is to promote legible routes. TfL have advised that the underpass beneath the A41 linking into Clitterhouse Playing Fields (designation U4) known as A41/07.80 Ridge Hill Subway requires maintenance improvement works. TfL request that these works are funded by the developers.

Officer Response

A condition is proposed to require the applicant to develop detailed proposals for the improvement of the underpass in consultation with TFL.

Brent:

No Objection Raised

Metropolitan Police:

Raised concerns regarding park safety and security, and to prevent anti-social behaviour. CCTV should be registered and comply with the information commissioners. Proposed design of the pavilion may be attractive to rough sleepers.

Officers Response

Safety and security issues and anti-social behaviour issues have been carefully considered by the applicant and officers in the developing the detailed design of the parks.

Historic England:

Clitterhouse Playing Fields falls within the Childs Hill Area of Special Archaeological Significance and the first stage of field evaluation – a geophysical survey of Clitterhouse Fields – has been completed. The evaluation has discovered previously unknown heritage assets of archaeological significance and so it is necessary to consider the archaeological impact of the landscape design and define mitigation measures. The next step would be trial trenching.

Officer Response

A condition is proposed to require a programme of archeologically works to be produced in consultation with Historic England and approved by the local planning authority before development commences.

LBB Greenspaces:

The Council's Greenspaces Officer (email dated 4 June 2015) has provided the following response:

“Currently Clitterhouse Playing Fields offers very little value for the local area the existing football pitches are only used for summer football due to their condition and the lack of changing facilities, the small play area is in need of investment, there is no café, no sports courts and no focal point of the park where users can meet and socialise.

With the new design we wanted to see changes and improvements to the park that would address these issues and to make the space a more usable facility for different uses. The most recent design meets this aim providing various areas that offer different facilities and opportunities for a number of user needs.

Although Sport England are objecting on the loss of playing fields we don't agree with this objection as the new design will make the park a more accessible and usable facility for local residents to enjoy particularly with the inclusion of a café, improved play area, outdoor gym, sports courts and more formal garden/planting that will enhance Clitterhouse Playing Fields as a place to relax, play and take part in formal sports and activities.”

5.4 Application under Conditions 2.4 and 2.5 for the variation to the provision of facilities at Clitterhouse Playing Fields (ref: 15/00664/CON)

Conditions 2.4 and 2.5 of the 2014 S73 Consent allow for amendments to be made to the DSF, DAS and DG where changes brought about, through for example a Reserved Matters Application, necessitate such amendment. Following detailed pre-application discussions with the Councils' Green Spaces officers relating to the RMA for Clitterhouse Playing Fields Part 1, minor variations are to be made to the specification of the facilities to be provided in order to meet the requirements of the LPA and local residents.

An application has been submitted under condition 2.4 and 2.5 to vary Parameter Plan 012: Clitterhouse Playing Fields and to make minor modifications to the DSF, DAS, and DG where textual modifications are necessary and other associated Parameter Plans (15/00664/CON). These changes have been brought about following negotiation and discussion with the Council.

The modifications are summarised below:

Clitterhouse Playing Fields:

- The synthetic turf pitches in the south of the playing fields as shown in Parameter Plan 012 to be replaced with 6 number tennis courts/MUGAs (Parameter Plan 012);
- The relocation of the children's play area from the area to the north of the former Hendon FC site to the east of the Hendon FC site in a more central location within the park (Parameter Plan 012);

- A change in the level of Class D1 Community Facilities floor space within the DSF from 251m² to 325m² (DSF and Parameter Plan 014);
- Change in the maximum length for the scale threshold for buildings in the playing fields area from 30m² to 31.5m² (DSF);
- Relocation of the car parking zone to a more central position east of Hendon FC in the central square (Parameter Plan 012);
- Minor changes in proposed finished ground levels (Parameter Plan 012);
- The retention of Clitterhouse Farm buildings previously shown in the 2014 S73 Consent as being demolished, allowing their part re-use for the proposed maintenance store and offices (Parameter Plans 012 and 016); and
- Relocation of the maintenance store building area south from the 2014 S73 Consent position to the farm building area (Parameter Plans 012 and 016).

Claremont Park

- Change in proposed finished ground levels for Claremont Park (Parameter Plan 006)

Clitterhouse Farm – Provision of a Park Maintenance Facility

Of note is the re-positioning of the maintenance store and office. Whereas the 2014 outline planning permission envisaged the removal of Clitterhouse Farm buildings it is now intended to retain the buildings and bring them back into use. The Council's Greenspaces Service has identified a requirement to utilise a portion of the Farmhouse buildings in order to provide the maintenance store and depot within the Playing Fields area, as opposed to a new build solution within the park. The remainder of the building has been identified for potential use as a community facility.

The retention of the former Clitterhouse Farm buildings provides an opportunity to locate the park depot and maintenance facility within the existing buildings. The revision to Parameter Plan 012 allows for the maintenance depot to be provided in this location, either within the existing buildings or as a stand-alone building in the same location. The application under Condition 2.4/2.5 includes a change to Parameter Plan 012 which addresses the retention of the Farm Buildings within Clitterhouse Playing Fields. Other parameter plans require minor variation to ensure that they reflect the decision not to demolish the farm buildings.

The Clitterhouse Farm Project, a local group comprising local residents and groups who share an interest in 'saving and restoring the historic Clitterhouse Farm buildings' are seeking to re-use the farm buildings to transform them into a 'vibrant hub for imaginative community use'. The group hopes to 'provide a compatible and flexible space relevant to the needs of the local population' (*see Welcome to Clitterhouse Farm web site*).

Members are asked to note that should the local community interest group

proceed with their development aims, a separate planning application will be required to approve their proposals and that this will be brought forward at a later date. Whilst a spatial strategy provided in the DDR defines the layout of the proposed maintenance store, final layout details of the store and office will be required under a proposed planning condition requiring their submission for written approval from the Council.

The acceptability of such a variation from the approved parameters must be considered in terms of the acceptability of the development proposals now made when assessed against material planning considerations as well as any relevant standards or guidelines. If it is concluded that the development is acceptable in these terms and that it does not raise significant impacts relating to the Environmental Impact Assessment submitted and approved with the 2014 S73 Consent or have implications relating to the comprehensive delivery of the Brent Cross Cricklewood Regeneration Project, then through Conditions 2.4 and 2.5 a variation can be agreed to approved parameters in line with the flexibility inherent in the 2014 S73 Consent.

Assessment of the minor modifications (as set out in EIA Statement of Conformity letter from Waterman EED Ltd dated 15th May 2015 (ref. EED15221-100.C.2.1.1)) concludes that they are acceptable and that they neither prejudice the delivery of the wider aims of the Brent Cross Cricklewood regeneration development nor do they give rise to any material impacts not previously considered under the 2014 permission EIA (October 2013 Section 73 Environmental Statement) as supplemented by the Phase 1A (North) RMAs Environmental Statement: Further Information Report . The main changes relate to changes in the layout of the playing fields which do not impact on the overall scope or delivery, and an increase in the amount of ClassD1 floor space in an enlarged park pavilion facility which is regarded as both desirable and acceptable in principle. As noted elsewhere, the pavilion configuration is subject to further detailed consideration. The retention of Clitterhouse Farm buildings and the location of the park Maintenance Store within these buildings is also deemed an acceptable modification.

Application 15/00664/CON for the proposed changes under Conditions 2.4 and 2.5 is the subject of a separate committee report also before Members on this agenda.

5.5 Variation to Schedule 28 of the S106 Agreement

The 2014 S73 Consent was granted subject to a Section 106 Planning Agreement. Schedule 28 of the S106 Agreement details specific requirements within Clitterhouse Playing Fields and Claremont Park. Through pre-application discussion and agreement with the Council's Greenspaces service the developers propose to amend the content of Schedule 28 to reflect the Council's Greenspaces requirements. The specific changes relating to the sports pitches and play area details within the revised Schedule 28 are provided in Appendix 5 attached to this Report. Members are asked to approve these changes to Schedule 28 and authorise officers to agree these

changes by letter to the applicant as permitted by the terms of the Section 106 Agreement.

6. PLANNING ASSESSMENT

6.1 Assessment Against Parameters of the 2014 Section 73 Consent

The 2014 Section 73 Consent for Brent Cross Cricklewood is a 'hybrid' permission, in that planning permission has been granted in outline for the majority of the proposed development, whilst detailed permission has been granted in relation to the key gateway access junctions.

Parameters and principles are provided in the approved application documents, in particular within the Revised Development Specification and Framework and the Parameter Plans appended to it, to control the nature and timing of reserved matters applications to accord with the assessments undertaken within the EIA of the likely significant environmental impacts of the Scheme.

The 2014 S73 Consent is tied to those key parameters and principles in order to ensure that that proposed development is carried out, used and occupied in accordance with the assumptions which underpin the EIA Process. The current RMAs have been considered under the requirements of the EIA Regulations and it has been agreed that the assessment of the proposals can be dealt with by way of an Environmental Statement Further Information Report. The Further Information Report submitted in relation to the Open Space RMA has been supported by a subsequent statement that addresses the further revisions made to the RMA application after its original submission in January 2015. (EIA Statement of Conformity - letter from Waterman EED Ltd dated 15th May 2015 (ref. EED15221-100.C.2.1.1)).

The revised Development Specification and Framework (the 'DSF (2013)') sets out the updated physical and other parameters and principles to guide and govern the subsequent design and approval of details in accordance with conditions attached to the 2014 S73 Consent. The DSF (2013) identifies aspects of the proposed scheme that fall within the parameters and principles approved under the 2014 S73 Consent, and those that do not (the Reserved Matters) which are therefore subject to obtaining Reserved matters approval.

As with other large-scale redevelopment schemes, the need for flexibility was anticipated in framing the 2010 Permission in a way which was specifically designed so as to allow the BXC Development to evolve and respond to market forces and opportunities, as well as to enable improvements to be made to the design and delivery of the development in accordance with relevant development plan policies and other guidance.

It is considered that the proposed open space improvements for Clitterhouse Playing Fields and Claremont Park conform to the Parameter Plans and 2014

S73 Consent documents, as modified by application under conditions 2.4 and 2.5 (reference 15/00664/CON – see Section 5.4 above).

6.2 Approach to this Assessment

The single reserved matters planning application relates to the significant improvement of two separate open spaces within the wider Brent Cross Cricklewood regeneration project. The two open space areas are separated by Claremont Road, with Claremont Park located to the north west of Clitterhouse Playing Fields. As the provision of facilities and improvements in each park is different it would facilitate assessment to review each park separately. The overall approach however in terms of finishing materials, planting schedules, provision of play equipment etc is largely consistent between the two parks and the following assessment consequently considers the proposals in relation to both parks under a series of headings. Where the approach differentiates between parks or is unique to one or other of the parks then this is noted.

6.3 Principle of Use

The principle of use has previously been established through the granting of the original 2010 outline planning permission and the subsequent Section 73 outline planning permission (F/04687/13) (the 2014 S73 Consent). Condition 1.16 requires all RMA to be in accordance with the parameters and principles contained in the Development Specification and Framework (DSF), Design Guidelines (DG), and Design and Access Statement (DAS). Also, the proposals are to be in accordance with the text within the Public Realm Open Space Strategy (PROSS) where specifically referenced in the definitions in the 2014 Permission.

The DSF includes Parameter Plans 003: Public Realm and Urban Structure and 012: Clitterhouse Playing Fields which are relevant to the development proposals and which identify the significant enhancement of Clitterhouse Playing Fields and Claremont Parks. Clitterhouse Playing Fields is described in the Design and Access Statement as ‘The Green Heart’ of the Brent Cross Cricklewood Regeneration proposals. Included in Parameter Plan 012: Clitterhouse Playing Fields, is a set of proposed site levels; these reflect the re-profiling of the park in order to accommodate the new playing fields and other facilities.

Clitterhouse Playing Fields is identified in the 2014 S73 Consent as a Community Park (CP1) and Claremont Park as a Neighbourhood Park (NH2). The various 2014 S73 Consent approved documents define the scope and content of the two open space areas, including park facilities, sports pitch provision and play park provision.

Clitterhouse Playing Fields is a significantly under-utilised resource located to the east of Claremont Road which is identified as MOL. The area currently

comprises extensive areas of undulating grassland, however due to poorly defined and lit access points it is underutilised by local residents. Furthermore, although a limited number of sport pitches are currently provided during the summer months, they are also significantly under-utilised due to poor drainage and marking out, in addition to a lack of changing facilities.

Clitterhouse Playing Fields will be the most significant area of open space in the regeneration area and will provide recreational and sports facilities for both the existing and developing communities.

Claremont Way Open Space is an informal open area, laid predominantly to grassland with a number of mature trees, and informal meandering paths. It is located immediately north of the existing residential area of Clitterhouse Crescent, and extends from the junction of Claremont Road and Claremont Way in the east to the northern end of Brent Terrace to the west.

Claremont Park will provide a local park and play area facility. The park will extend northwards to occupy land currently housing industrial buildings; the buildings will be subject to compulsory purchase procedures and demolished to accommodate the park and later phases of development including highways infrastructure.

The London Plan contains revised policies relating to London's open space network, including Policy 2.18 (Green infrastructure: the network of open and green spaces), Policy 3.6 (Children and young people's play and informal recreation facilities) and Policy 7.18 (Protecting local open space and addressing local deficiency).

Policy CS 7 of Barnet's Core Strategy (adopted September 2012) aspires to create a greener Barnet. The policy aims to meet increased demand for open space through:

- Securing improvements to access, children's play and sports facilities.
- Maintaining and improving the greening of the environment through protection of green space, trees, hedgerows and watercourses and enabling green corridors to link green spaces.
- Ensuring development protects existing site ecology and makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contribution to local biodiversity improvements.

The planning history and support in principle for the development proposals is long established. Nevertheless, the current proposals must in the first instance be assessed against the 2014 S73 Consent documents, including any relevant planning conditions attached to that permission that may impact on or control the proposals.

6.4 Phased Provision of Open Space

The 2014 S73 Consent included an Indicative Construction Programme which highlighted a potential issue regarding the delivery of Clarefield Temporary

Open Space as this temporary space cannot be delivered until after the complete demolition of the Whitefield Estate. In order to avoid a period of time when there will be a deficiency in open space provision for existing and new residents the applicants agreed in the 2014 S73 Consent to bring forward the Clitterhouse Playing Fields Improvements (Part 1) and the Claremont Park improvements as an early delivery in Phase 1A(North). This commitment to mitigate the loss of open space is incorporated into the S106 Agreement and the Indicative Construction Programme.

Condition 20.20 of the 2014 planning permission requires the developers:

Not to close to the public or to redevelop any part of Clarefield Park unless and until the practical completion of Claremont Park and Clitterhouse Playing Fields Part 1 (excluding Clitterhouse Stream Nature Park) and their capability of opening for public use in accordance with all relevant Necessary Consents and the parameters and principles set out in paragraph 2.68 of the DSF and the Phase 1 Details relating to it.

Paragraph 2.68 of the DSF notes that the whole Brent Cross Cricklewood development scheme will result in an overall increase in open space of 9 hectares, this is identified in Parameter Plan 003. Table 5 in the DFS identifies that Clitterhouse Playing Fields will provide 18.20ha of open space (which compares to 17.6ha for the existing Playing Fields) and Claremont Park 1.95ha of open space and these requirements are met in the current proposals.

The 2014 S73 application considered that Condition 20:20 and the related planning obligations provides sufficient mitigation for the early loss of Clarefield Park as part of the delivery of the BXC Development. The applicants agreed to bring forward Clitterhouse Playing Fields Part 1 and Claremont Park to Phase 1AN thereby assisting in mitigating the quantitative loss of existing open space in the early phases through significantly enhanced qualitative improvements to these areas of open space.

The provision of the open space improvements at Clitterhouse Playing Fields and Claremont Park at an early stage in the development is therefore critical to ensuring other phases of development can take place as planned. The provision of the Clarefield Temporary Open Space to the north of Clitterhouse Playing Fields will still happen at a future date (as shown on Parameter Plan 019) and this would then be retained until that plot is required for development in the future.

With regard to the full provision of Clitterhouse Playing Fields, the park cannot be fully completed until the realigned Claremont Road is provided, as the current highway is moved northwards thereby forming an area that will fall into the park and provide the northern gateway to the park. The northern gateway is the primary entrance to the park and connects via a green corridor and the proposed Market Square to the new Living Bridge that will cross the A406 and connect into the redeveloped Brent Cross Shopping Centre. As the main

entrance, its design and full provision is critical to the early stages of development. Although the entrance gateways are set back from the new highway and should be provided, the plaza approach cannot be completed until the highway works are completed.

In terms of programming however the road realignment is not scheduled to take place until the park is near practical completion. Logistically, the road alignment works will continue at the end of the park provision phase however there is a risk (albeit marginal) that the park could be regarded as complete by the developers without the road realignment being made. In these circumstances the northern gateway completion as proposed in this application may be delayed. In order to address this issue, a programme of temporary works may be required to ensure that the northern gateway is completed to the satisfaction of the Council, even if this is for a temporary period. Without the northern gateway provision completed the Council will be unable to agree on practical completion of the park and this will have a consequent adverse impact on delivering subsequent development phases. It is consequently recommended that a condition is imposed to address this potential eventuality, should it occur.

Claremont Park

As regards Claremont Park, there is a similar issue in so far as the proposed park is due to align with a future Claremont Park Road to be delivered in a subsequent phase of development. The park can only be formed as proposed once the industrial buildings that it will extend into have been Compulsory Purchased and demolished. It is anticipated that the CPO works will be completed in time to allow the park works to be completed. There is however a time gap between the park provision and the subsequent phasing of development to the north, including provision of the new Claremont Park Road. The current proposals indicate that a temporary embankment will be provided northwards from Claremont Park to tie into existing or cleared ground levels north of the park (the existing ground levels adjoining the proposed park northern boundary vary from being level at the eastern gateway to demonstrating an approximate 3.5m difference at the western end. The proposed Claremont Park Road will be at a level adjoining proposed park finished levels and until that time a temporary embankment is required).

Condition 1.8 of the 2014 S73 Consent states that no development will commence unless and until full details and designs of the Temporary Works, Remediation Works and Site Engineering and Preparation Works, and all Critical Infrastructure have been submitted to and approved by the LPA, and Condition 1.8a states that the developers shall not begin or carry out any minor temporary works permitted under this Permission (such as temporary landscaping, and the erection of temporary fences and hoardings and associated works) on any part of the Site unless and until the details of such works on that part of the Site shall have been submitted to and approved by the LPA.. As the temporary embankment is required at the same time as Claremont Park is being developed it would be reasonable to assume that no work will commence on Claremont Park until details of the temporary

embankment have been submitted and approved.

The embankment however is not included within the RMA application site and in order to control the submission and approval of the necessary details prior to work commencing and to secure their subsequent provision at the same time as the park is formed, a planning condition is proposed requiring the embankment to be completed by the developers prior to Claremont Park being open to the public and practical completion of the Park being agreed by the Council.

A number of access links north from Claremont Park to connect into future development to the north cannot be fully provided as functional access points until the new Claremont Park Road is constructed and these will therefore remain closed once the park is developed until such time as the road is complete.

In addition, the eastern gateway to Claremont Park can only be fully completed as proposed once the realigned Claremont Road is provided. As noted above, the highway provision is currently programmed to follow practical completion of the open space provision. To ensure that a suitable gateway is provided to enable practical completion to be agreed with the developers a planning condition is recommended to bring forward temporary gateway completion works if required (as noted above in relation to Clitterhouse Playing Fields). The impact in regard to Claremont Park is in relation to a small plaza area fronting the eastern gateway as the entrance gates will be set back behind the plaza.

A full western gateway to the park is proposed as a later phase development, this will connect to the new station that is planned. In this first phase, gateway access is provided from Brent Terrace and an existing footpath that runs south to north into the industrial area will be re-graded, surfaced and retained as a temporary footpath. The future development phase will include enhanced western gateway arrangements

6.5 Timetable for delivery of different park elements

Both Clitterhouse Playing Fields and Claremont Park are to be delivered as part of the Phase 1A (North) development; the provision of the mixed use and artificial games pitches on the north east of Clitterhouse Playing Fields and the proposed Nature Park 1 relative to Clitterhouse Stream are part 2 developments for Clitterhouse, to be delivered at a later stage. The details of the part 2 elements are therefore not included with this application although the temporary site profiling of Clitterhouse part 2 and any associated drainage are part of the current proposals. In addition, the applicants have provided details, in the supporting Development Design Report (DDR) of how the nature park, including wildlife pond, could be provided in part 2. The part 2 site profiling works provide a temporary solution pending final layout design of this element. The provision of more extensive green corridor planting along the Claremont Road boundary is also reserved as part 2 works.

Completion of the proposed northern gateway entrance to Clitterhouse and eastern gateway entrance to Claremont Parks are, as noted above, ultimately dependant on the realigned Claremont Park Road being completed. The southern road infrastructure however is to be delivered later under Phase 1A North meaning that there will be an overlap in the completion of the gateway entrances for both parks and the road infrastructure provision.

In order to ensure that the parks are completed in a manner to the satisfaction of the planning authority it is recommended that a planning condition is imposed to ensure that the temporary completion works are agreed and implemented until such time as the new road infrastructure is in place.

In addition, the proposed park pavilion and the proposed maintenance store details have still to be finalised and will be subject to further submissions for the written approval of the Council. The pavilion is an integral part of the Playing Fields development and will be constructed through the park redevelopment to be ready for use once the park is at practical completion.

The maintenance store is proposed to be incorporated into the refurbished Clitterhouse Farm buildings; this is the Council's Greenspaces Officer preference and has been agreed in discussion with the applicants. The facility will provide storage and office accommodation and will occupy only part of the Farm buildings. The proposed community use (see below) for the remainder of the buildings would be subject to a separate planning application, still to be submitted, and may also be dependent on funding before the works can progress.

The current proposals as submitted are however for the farm buildings to be reinstated in part to accommodate provision of the maintenance store. The current application is supported by variations to the Section 106 Agreement and variations to parameter plans and principal supporting documents that form part of the 2014 planning permission, as detailed in the application under Conditions 2.4 and 2.5 (15/00664/CON). It is therefore expected that the maintenance store will be provided as proposed.

At this time it is envisaged that both the Clitterhouse Playing Fields and Claremont Park works will be subject of a 14 month work programme, commencing in September 2016.

6.6 Overall Design Principles

Clitterhouse Playing Fields

There are two buildings proposed within Clitterhouse Playing Fields, the park facilities building (or pavilion) and the maintenance store and office. Whereas the maintenance store was envisaged in the 2014 S73 Consent as a new build it is currently proposed to retain Clitterhouse Farmhouse and convert part of the existing buildings to accommodate this use. Details of an indicative

layout reflecting Greenspaces spatial requirements are provided in Section 8 of the accompanying revised Design Development Report. It is noted that at this stage final details have still to be agreed and consequently it is recommended that the final detail of this provision is subject to a planning condition requiring the submission of relevant details. The indicative layout does confirm however that Greenspaces requirements can be met. The reuse of the farm buildings is Greenspaces preference for their maintenance store location.

The pavilion building is an essentially rectangular building with a flat roof and nominal footprint of 31.3m x 11.5m; the proposed floor area extends to 325m². The height of the building is 3.75m and the cantilevered roof extends the coverage to 33.776m x 13.0m. As the Development Specification Framework accommodates the provision of 251m² of community facilities (Class D1) floor space in Clitterhouse Playing Fields, the increased floor space is subject to revisions to the DSF under application 15/00664/CON and Conditions 2.4 and 2.5 of the 2015 permission to vary the defined parameters.

The roof will be a green, living roof. Elevations are a combination of corbelled bond brickwork and stretcher bond brickwork. The entrances to the changing rooms are angled 45 degrees to the south elevation and the cafe service hatch is located on the east elevation, looking out to the covered seating area.

It is noted that Sport England has objected to the proposed pavilion, citing a number of different grounds. The location and scale of the pavilion is however generally acceptable to officers although officers agree that there could be improvements to the internal layout. Consequently it is recommended that a condition is imposed to enable further consideration of the pavilion's internal facilities and arrangements.

The boundaries to Clitterhouse Playing Fields are either adjoining existing residential property, to the south and north east, Clitterhouse Stream, to the east or to Claremont Road to the west. The site also abuts the proposed new residential development at Hendon FC. The Part 1 works relating to the park require the formation of green corridors along the eastern and southern boundary. The corridor facing onto Claremont Road is included as part of the Part 2 works. All boundaries are to be fenced and all entrances provided with lockable gates. The boundary fence will comprise a mild steel vertical bar fence with 1800mm panels and a top height of 1900mm. Where required at entrances, the fencing ties in with 2200mm high concrete flank walls and double leaf hinged gates of the same fence design and height.

Where there is flank wall space this will be subject to the inclusion of artwork. The current application includes indicative art work that could be applied to the entrances however it is recommended that this element requires further consideration and that a condition is imposed requiring further details to be submitted for Council approval. The secondary access gateways are provided with 'K-Frame' motorcycle gates to prevent motorbike access to the park.

Where appropriate, existing trees along the park boundary are retained and

where required tree planting is proposed to enhance the setting of the park. To the rear of Prayle Gardens and Cotswold Gardens green corridors of existing vegetation and tree cover are retained and supplemented where required. A native species hedge will be planted around the Hendon FC residential development boundary. The play area will also be bound by native hedge planting and 1.1m high bow top fencing.

The two principal access gateways are the northern gateway and Claremont Road gateway. The northern access will provide an open plaza area to the north of the formal fenced and gated park boundary. The plaza area will comprise an area of hard surfaced open space including mature tree planting, an ornamental planting area, boundary hedges and different seating combinations. Signage will be provided in accordance with the approved signage strategy although final details will be subject to a planning condition requiring their submission and final approval.

The Claremont Road entrance includes the vehicular access to the proposed car park and twin pedestrian and cycle path accesses. The vehicular and pedestrian and cycle path routes are segregated. The entrance gates and boundary fencing is set back from the highway, this will open up the area between Clitterhouse Farm and the proposed residential development at the Hendon FC site as a pleasant, natural entrance. Existing trees are to be retained where this is possible with these being supplemented as appropriate. The existing access to the Farm steading buildings to the south is retained to allow access to the proposed maintenance store. Park signage will be provided at the entrance in line with the signage strategy. Clitterhouse Farm House is not included within the RMA application boundary and no work to this property is included in these proposals.

The car park entrance leads to the proposed site car park, providing 22 spaces and 4 accessible, 26 in total. This is in accordance with the 2014 S73 Consent. The access route will be tree lined with a hedge bounding the southern boundary and a 400mm high timber knee rail along the route to prevent encroachment of vehicles onto grassed areas. The car park will be largely bound by native species hedging and set amongst a proposed avenue tree planting scheme. The pedestrian and cycle path routes through the park will be tree lined, creating avenue approaches from the north and west to the play areas and central square.

Additional fencing is provided for the play areas, car park and multi use games area and tennis courts. In the former case the fence style is a 1.1m high bow top fence whereas in the latter case fences are standard 3m high weldmesh with appropriate access gates.

The site is subject to extensive landscaping proposals, including tree, shrub and hedge planting. The planting strategy has been the subject of detailed pre-application discussion in order to ensure that the most appropriate species will be used for the different areas within the development as well as for the wider location. Different areas of grassland will be planted including wildflower meadows, damp grassland areas, amenity grass areas and sports

pitch seeding. Marginal habit planting is proposed to line Clitterhouse Steam. Extensive areas of ornamental planting are provided and an avenue of 'rain garden' planting is provided leading from the Claremont Road entrance. The park benefits from extensive seating located throughout the area, with some focus on the central square and cycle stand provision is made across the site.

Water management and drainage issues are discussed below although noted here that the SuDS features will also provide habitat opportunities. A more detailed discussion on the play areas and proposed play equipment is also provided below.

Claremont Park

The boundary and surface treatment for Claremont Park is similar to Clitterhouse, with 1.9m high vertical bar fencing predominant. The eastern entrance gateway will mirror to some degree that at Clitterhouse Playing Fields and comprise feature paving and planting in the entrance plaza. Retractable bollards form the boundary to the highway. A secondary access is provided at the end of Brent Terrace in the south west corner. The main western gateway entrance will be provided as part of subsequent phase works to provide access from the proposed future station development to the west. A number of secondary access routes along the northern boundary will remain closed until the future development works to the north are completed. The park will be developed to enable these future connections to be made seamlessly.

A green buffer corridor will be planted to the rear of residential properties along Clitterhouse Crescent, comprising tree planting and woodland wildflower mix planting.

The different levels in Claremont Park allow a terracing effect to be created as reflected in elements sitting at different levels. For example a cross section towards the eastern entrance shows an area of woodland buffer adjacent to the existing housing area next to a sunken garden which is bound to the south by an informal kick about area.

The park provides a through route to the proposed Market Square and from there to the Living Bridge access to Brent Cross. Whilst providing this through corridor use the park is also a neighbourhood park, providing local play and recreational facilities and open spaces for existing and proposed residents.

6.7 Drainage Strategy

A number of planning conditions attached to the 2014 S73 Consent relate to surface water management and flood risk. With particular regard to the current proposals, condition 44.5, relating to Surface Water Drainage requires Sustainable Urban Drainage Systems (SuDS) to be integral to each phase or sub-phase of development and must ensure a commitment to 25% reduction in surface water runoff or current 1 in 100 year flow plus 30% for climate

change through the incorporation of SuDS features such as detention basins, green roofs, swales, etc. It is a requirement of this condition for the applicants to demonstrate that SuDS has been maximised across the site.

In addition, condition 44.10 of the 2014 S73 Consent states that no development is to commence within any Phase or Sub-Phase until a detailed Water Framework Directive Assessment examining the impacts of proposed development on watercourse has been submitted to and approved in writing by the planning authority. This condition remains in force and the applicants will need to submit the necessary information in due course.

With regard to the current application a Water Management Strategy is included in the Design Development Report, Section 4.15. The proposals include a range of SUDS measures across the site, these are detailed on the planning application drawings, which is an acceptable approach. Rather than achieving a 25% reduction on current 1 in 100 year flow plus 30% climate change the strategy currently states that it proposes to restrict to the current mean 1 in 100 year flow plus 20% climate change. The difference has been raised with the applicants and they have confirmed that the requirements of condition 44.5 will be met, this statement has been supported by hydraulic calculations demonstrating this to be the case. The proposed strategy is considered to be satisfactory. Members should note that the requirements of conditions 44.5 and 1.27 in the 2014 S73 Consent will still need to be addressed by the developer at the appropriate time. Officers have consulted with the Environment Agency on this proposal and no adverse comments have been received.

The Clitterhouse Playing Fields topography dictates two different approaches to drainage as the northern section drains to the north and the southern section drains to the east towards Clitterhouse Stream. The various SuDS measures proposed include swales, detention basins, rain gardens, permeable hard surfaces, roof gardens and improved sports pitch drainage. Design details of the different measures are provided in the accompanying Design Development Report. Whereas the rain gardens will be a design feature in the principal access from Claremont Road, the swales and detention basins are located throughout the park, having a dual function of surface water attenuation and habitat formation.

Part of the planning gain to be achieved through the wider Brent Cross regeneration proposals is the significant enhancement to the sports pitch provision and availability at Clitterhouse Playing Fields. The 2014 S73 Consent envisaged a detailed drainage strategy to be submitted with the Reserved Matters Application demonstrating the drainage improvements and subsequent pitch provision. Officers have consulted with an agronomist to cross check the sports pitch drainage strategy and this is found to be acceptable. A series of lateral 80mm drains are proposed to cross the site at 5m intervals and these connect into the primary pitch drainage with 160mm pipework. Sand slits are also proposed and a series of silt trap inspection chambers are provided for maintenance purposes. Overall, the sports pitch drainage strategy has been assessed and found to be acceptable.

Claremont Park

The water management strategy for Claremont Park is similar and proposes a series of covered filter drains, swales and detention basins. The site slopes naturally towards the north and surface water would drain naturally away from adjoining residential properties. The SuDS provision is designed to attenuate water run-off to 'greenfield rates'. An existing surface water drain that services the industrial buildings will be retained and provide outfall capacity for the attenuated surface water.

6.8 Sport Pitch Provision

The 2014 S73 Consent outlines the sport pitch provision requirements as shown in Parameter Plan 012. Schedule 28 of the S106 Agreement to the 2014 S73 Consent sets out the specification for sports pitch provision, which is to extend to a minimum of 6.23ha split across Part 1 and Part 2, and Parameter Plan 012 (which controls the spatial distributions of facilities) identifies a zone for Natural Grass Playing Fields. An indicative layout for sports pitches is also included in the PROSS document submitted and approved with the 2014 S73 application.

Through pre-application discussion with the Council's Greenspaces, the type of sports pitches to be provided has changed slightly from that originally envisaged in the 2014 S73 Consent. These changes are encapsulated in the application under Condition 2.4 and 2.5 to revise the Development Specification & Framework, Design and Access Statement and Design Guidelines.

The Design Development Report includes narrative on the background to arriving at the provision now proposed. A number of options were developed and discussed with the Council's Greenspaces officers to ensure that the most desirable provision will be made. The options considered the optimum location for different pitches as well as the type of pitch provision that would in the view of the Council best meet local needs. The current proposals therefore have followed on from a number of options appraisals undertaken by the applicants in discussion with Council officers and which have been agreed with Greenspaces.

The following pitches will be provided:

- 3 no. senior pitches 110x74m;
- 2 no. junior pitches (9 aside) 80x50m;
- 2 no. mini soccer pitches (7 aside) 60x40m;
- 2 no. mini soccer pitches (5 aside) 40x30m;
- 6 no. tennis/MUGA 37x18.5m each. The courts will be laid out as 3 number separately fenced courts, and 1 shared MUGA court. The fencing will be a minimum of 3.0m increasing to 4.5m where the court

- layout demands; and
- Informal level grass pitch area to accommodate 3 no. mini soccer pitches, sizes 30 x 40m minimum.

All the principal sports pitches will be located to the east of the park, to be formed as natural grass pitches. The proposed drainage regime for the main natural grass pitches is designed to ensure that the sports pitches are properly drained to enable a longer playing season than currently exists. The overall enhancements will provide a considerably improved playing pitch experience than currently exists.

An informal pitch area is located west of the central north-south tree lined avenue and artificial pitches are proposed (as part 2 works and not part of the current application) to the east of the avenue to the north east of the park. The informal pitch area will accommodate 3 mini-pitches.

In addition, 6 tennis court and multi use games area (MUGA) are provided in the south west corner of the park. These will be adaptable in terms of configuration to allow flexibility between tennis court provision and MUGA provision. This provision is different than that envisaged in the 2014 S73 Consent however the introduction of MUGAs within the part 1 works recognises that they would not otherwise be provided until the park Part 2 works are taken forward.

The overall sports pitch provision is in accordance with the masterplan and has been agreed in pre-application discussion with the Council's Green Space officers. The DDR demonstrates that additional potential uses of the sports pitches can be accommodated, including baseball, soft ball and cricket pitches. This introduces an additional element of flexibility.

Sport England

An objection has been lodged by Sport England in respect of the Clitterhouse Playing Fields element of the planning application on the following grounds:

- i) a reduction in the area available as playing pitches
- ii) the location and configuration of the pavilion, and
- iii) the orientation of the pitches.

A detailed response to this objection is contained in the Consultation Section of this report (Section 5.3).

A series of discussions were held between the Applicants and the Council's Green Space team during the preparation of the RMA who provided guidance on the preferred combination of the 6.23ha pitch provision and the location of facilities. Officers also requested that 6 no. tennis courts/Multi Use Games Areas ("MUGA") be situated in the area identified for synthetic turf pitches to the south of the park. Furthermore, it was requested the play facilities and provision for youth activities be located in a centralized location to the east of

the former Hendon Football Club (and as a result the natural grass pitches were moved immediately to the north of the former Hendon Football Club).

This guidance has directed and shaped the final layout of Clitterhouse Playing Fields Part 1 which has led to minor alterations to Parameter Plan 012 of the 2014 Permission (as now submitted under Condition 2.4), but whilst continuing to meet the 6.23ha specified in the Section 106 Agreement.

As set out in the PROSS submitted in support of the applications that led to the 2010 and 2014 Permissions, Clitterhouse Playing Fields is significantly under-used particularly for sports purposes due to the poor quality nature of the pitches, poor drainage (which result in the pitches being unusable for long periods over the year) and lack of changing facilities. There is currently no formal sport at Clitterhouse Playing Fields owing to the fact that the changing rooms were vandalised over 10 years ago. However, over the summer there are 2 senior pitches and 2 junior pitches available, which provides informal sports pitch provision over the summer months at 1.67ha.

As a result the provision of 6.23ha represents a significant improvement to the quantity, alongside enhancements to the quality and usability of the current sports pitch provision at Clitterhouse Playing Fields.

The revised proposals now submitted are a direct result of the parameters within the 2014 Permission (and the changes under Condition 2.4) and the detailed engagement with Green Space officers.

Sport England make reference to the plan at page 113 of the PROSS. However, as Sport England point out the plan is wholly illustrative and is not a controlling document. It is acknowledged that the location of the play space/equipment has moved from that shown on Parameter Plan 012 (and the illustrative plan at Page 113 of the PROSS) however, this is in direct response to the requests of the Council's Green Space team, and has no detrimental impact to providing the required level of sport pitch provision.

As concluded by the Green Space Officer (email dated 4 June 2015) currently Clitterhouse Playing Fields offers very little value for the local area. The existing football pitches are only used for summer football due to their condition and the lack of changing facilities, the small play area is in need of investment, there is no café, no sports courts and no focal point of the park where users can meet and socialise. In design discussions with the developers the Greenspaces officers wanted to see changes and improvements to the park that would address the above issues and to make the space a more functional facility for a range of different users. The current design meets this aim providing a variety of distinct areas that offer different facilities and opportunities for a number of user needs whilst still achieving a dramatic improvement over the current sporting facilities.

Although Sport England are objecting on the grounds of the loss of playing fields, the new design and improvements will result in a significant uplift to the usable sports fields in Clitterhouse Playing fields with improved drainage and

changing facilities as well as on site park maintenance depot and offices. At the same time the proposals will make the park a more accessible and usable facility for local residents to enjoy with the inclusion of a café, improved play area, outdoor gym, sports courts and more formal garden/planting enhancing Clitterhouse Playing Fields as a place to relax, play and take part in formal and informal sports and activities. The park will also be more accessible with improved entrances and a network of pedestrian and cycle routes.

Section 3.5 of the CPF DDR identifies the options considered for the location of the pavilion relative to the sports pitches and facilities to be provided in the park identifying the advantages and disadvantages of each location. The options considered included the pavilion positioned within the centre of the park; to the north of the formal grass pitches; and to west of the formal grass pitches.

The Applicant considered these options alongside Green Space officers it was concluded that new pavilion should be situated on a plateau north-west of the sports pitches. This due to the fact that the pavilion in this location provides a central focal point for all activity within the park as it is most central to the greatest number of facilities, including the formal and informal sport pitches, the play area and the astro-turf pitches/MUGAs to be provided in Part 2. Furthermore, its placement in the centre of the park adds to its sustainability and safety as it will be overlooked and used by visitors other than just those using the sport pitches which is an important consideration given that the previous park facilities were vandalized.

Sport England state that sports pitches should ideally be orientated north to south. The proposed sports pitches within CPF are orientated broadly north-south and are within the limits of the recommended pitch orientation set out in Sport England's 'Natural Turf for Sport' Guidance Note. This has been demonstrated in Section 3.7 of the CPF DDR which shows the proposed pitches in relation to the Sport England recommended orientation compass.

The design and layout of the playing fields and the sports pavilion has been the subject of lengthy discussion between the Council and the developers to ensure that the enhanced park provides a range of facilities to meet the needs of different users in addition to sport. The parameters and principles of development have already been approved by the Council. The development proposals are found to be generally consistent with the parameters of the 2014 S73 Consent. In response to the matters raised by Sport England, the design of the proposals is generally regarded to be acceptable from a Planning and Greenspaces perspective.

Officers however do share some of the concerns expressed by Sport England relating to the detailed layout and internal arrangements of the pavilion building and although the overall location and size of the pavilion are considered acceptable a planning condition is proposed to reserve approval of the detail of the pavilion. This will require the submission of further details of the internal arrangements of the pavilion, including changing rooms, showers etc, for the written approval of the planning authority.

Overall with minor updates to the parameters and principles for the 2014 S73 Consent the improvements to the playing fields are in accordance with the outline planning permission and comply with planning policy in that the improved playing fields will be of better in terms of quantity, quality and accessibility.

Claremont Park

There is no formal sports pitch provision within Claremont Park although an informal kick about area is proposed, together with basketball hoops.

6.9 Play Area Provision

Clitterhouse Playing Fields

The provisional location of the play areas has been identified in the approved 2014 S73 Consent PROSS document BXC07 with detailed requirements incorporated in Schedule 28 to the S106 Agreement. The current proposals have been agreed following a number of workshop meetings between officers and the applicants and through extensive pre-application consultation. The content of the play areas has therefore been agreed in principle with Greenspaces.

The issue of facilities layout for Clitterhouse Playing Fields has considered a number of different options for the layout of the sports pitches together with the layout of the play areas. The current application proposals consequently reflect the optimum requirements as agreed in relation to the location of the different elements.

The 2014 S73 Consent requires a minimum of 5000m² of play area to be provided at Clitterhouse, catering for different age groups. The play area provision proposed therefore combines different play areas for different age groups and is centrally located within the park. In addition to the formal facilities, an outdoor gym area is included to the east of Central Square. The level of play provision minimum requirement is also dictated in S106 Schedule 28. Following pre-application discussion with the Council's Greenspace team it has been agreed to amend Schedule 28 to reflect the Council's current requirements. The following play provision therefore has been agreed to be provided in the centrally located play area as shown in more detail in drawings number 1065-08-023 Rev E and 1065-08-021 Rev E, and comprises adjoining areas for under 5's, 5 – 12 year olds, and 12yrs +. The play area facilities proposed are:

Under 5 Play Provision – a minimum of 1000m² providing at least 6 pieces of equipment to include:

- Swings, with a minimum of 4 bays – 3 Toddler swings and 1 no inclusive swing

- Springers
- 1 no. see-saws
- Roundabout
- Spinning seats
- Multi-Platform tower unit with a series of play features, access points and slides
- Sand pit with diggers etc min 30sqm
- 1 junior or toddler slide

5 to 11 year old provision – a minimum of 2,000m² providing at least 7 pieces of play equipment to include:

- Swings, with a minimum of 4 bays – 3 Toddler swings and 1 no inclusive swing
- 1 no. 2 bay basket swing/ 1 no. aerial cable way
- Roundabout
- Rotating discs
- Cone climber or similar
- Rope net
- Multi-Platform climbing tower unit with a series of play features such a climbing, hanging and traversing etc, slides, and access points.
- 1 no. seesaw
- 1 no. slide (inclusive compliant)
- 3 no. seats min

12 + years – 2,000m² of play area to be provided. The S106 requirement was for either/or a combination of an agility high energy sports area, climbing wall, MUGA, skate park etc. laid out for basketball or similar as may be approved, including seating and shelter.

Following pre-application discussions the S106 is to be revised so that this area is now to be developed as a skate park/parkour and table tennis, passive seating and spectator area, trees for shade and shelter, provision of challenging activity/sports equipment and basket swings and a minimum of 3 no. seats. Further details of the actual provision are required to be submitted for the written approval of the Council.

Additional informal recreation facilities are proposed, including:

- seating and rubbish bins distributed to ensure there is sufficient coverage along the primary circulation routes, with increased numbers at natural gathering points such as the gateways, play areas and the pavilion. The seating has been specified to accommodate a wide range of users with seating at different heights and designs in accordance with good practice. The informal recreation facilities to be provided are in accordance with the PROSS;

- Landforms are provided as part of the play experience. Planting is kept to a minimum in the play area, with clear stem trees providing definition to different play zones and shelter for seating beneath with a minimum of 3 no seats provided;
- A picnic area to be provided with 5 no picnic tables and seats in proximity to the under 5's play area - minimum area 200m².
- Dog exercise area: a minimum of 2,000m² is required to be provided and the applicants have indicated this will be to the east of the playing fields toward the Clitterhouse Stream.

Claremont Park

As with the facilities at Clitterhouse Playing Fields, the play equipment provision has been subject to pre-application discussion between the applicants and the Council Green Space service and agreement reached on the general provision. The level of play provision minimum requirement for Claremont Park is dictated in S106 Schedule 28 and following pre-application discussion with the Council's Greenspaces it has been agreed to amend Schedule 28 to reflect the Council's current requirements. The following play provision has been agreed:

Under 5 Play Provision – a minimum of 500m² providing at least 5 pieces of equipment to include:

- Swings, with a minimum of 2 bays –to include 1 no Toddler swing and 1no accessible swing
- Springers
- 1 no see-saw
- Roundabout
- Spinning seats
- 1 no junior or toddler slide or similar approved
- Multi-Platform tower unit with a series of play features, access points and slides
- 3 no seats min

5 to 11 year olds – Minimum 1,000m², provide a minimum of 7 pieces of play equipment to include:

- Swings and/or Basket swings with a minimum of 4 bays – 3 no Junior and 1 no accessible swings
- Roundabout/Rotating disc
- 1 no cone climber
- 1 no rope net for climbing

- Multi-Platform tower unit with a series of play features such a climbing, hanging and traversing etc,
- slides, and access points.
- 2 no seats min

12 + years – 500 m2 of space is required under the 2014 S73 Consent. Schedule 28 states that this should be provided as either a skate park or basketball area with hardstanding and/or climbing wall or similar approved. Following discussions with the Council, Schedule 28 is to be revised so that the area now accommodates a kickabout area, basketball hoops, basket swing, and to include agility/high energy sports equipment.

Additional informal recreation facilities are also provided throughout the park, including the following:

- Seating and rubbish bins distributed throughout the park providing sufficient coverage along the primary circulation routes with increased numbers at natural gathering points such as the gateways, play and activity areas. The seating specification accommodates a wide range of users with seating at different heights and designs in accordance with good practice;
- The proposed landform provides part of the play experience; and
- A picnic area is provided to the west of the park, including 6 tables and seats.

6.10 Transport, Access and Parking

A Phase 1 Phase Transport Report (PTR) has been submitted under Condition 37.2. (Ref 15/00812/CON). The PTR covers the entire Phase 1 area north and south of the A406 which extends to circa 370,000sqm of development floorspace which includes 1,840 residential units. The limited floor space proposed within the Playing Fields represents a very small component of the development floor space considered.

A Reserved Matters Transport Report was submitted with the Infrastructure RMA in January 2015. This has not been updated in relation to the current RMA revisions. The RMTR sets out in more detail the specific transport characteristics of the Phase 1A North RMAs. Claremont Park is a neighbourhood park designed to serve the local community and its development has no transport impacts. Clitterhouse Playing Fields on the other hand will attract a wider community and has consequently been designed to connect into existing cycle and footpath networks as well as being accessible to public transport services.

The subsequent minor revisions to the RMTR can be summarised

- Increase in cycle parking stands from 60 to 75;
- Increase in parking provision from 21 to 26;

- minor changes to the segregated cycle/pedestrian routes through the park; and
- pedestrian access and movement around car park adjusted to improve safety of pedestrians.

In terms of existing cycle access to the site, an existing route runs alongside Claremont Road linking with a 'route signed or marked for cyclists' on Prayle Grove. The route on Prayle Grove links with a shared footway/cycleway into Clitterhouse Playing Fields. The route then follows the eastern side of the playing fields along a shared footway/ cycleway before turning towards the A41. The route passes underneath the A41 via a subway before emerging on Ridge Hill to the east of the A41. The subway is for shared cycle and pedestrian use although cyclists are required to dismount.

The proposed development will provide a number of key enhancements in terms of non vehicular routes into and through the playing fields. A number of 5m wide segregated cycle paths/footpaths will cross the site using the gateway access points. A north south route connects the northern gateway with the Cotswolds Gardens access to the south and a west east route connects Claremont Road with Ridge Hill via Hendon Way underpass. A route from Prayle Grove to Ridge Hill provides additional access. The routes all connect with each other and area supplemented by additional non segregated routes through the park.

There are six gateway access points to Clitterhouse Playing Fields with principal gateways off Claremont Road at the northern gateway and adjacent to Clitterhouse Farm. Other gateway access points are at Cotswold Gardens, Hendon Way, Prayle Grove and an additional access off Claremont Road. The north-west – south-east route and north-east – south-west routes are included in the Secondary Pedestrian and Cycle Network, the west – east route is a Tertiary Pedestrian and Cycle Network route. Both secondary and tertiary routes connect with the existing London Cycle Network. There is therefore good site access to the site for both cyclists and pedestrians.

There are a number of bus stops along Claremont Road and on Hendon Way for people using buses to access the site. In addition the Brent Cross Underground Station is a short distance via the Hendon Way A41 underpass. Claremont Road bus stops are served by bus routes 102, 189 and C11.

All pathways are a minimum of 5 meters wide to accommodate both pedestrians and cyclists. Details of how the paths will be segregated for different user groups has been provided in the DDR, Section 4.5, Two alternative methods have been suggested however the raised whit line segregation would suffice.

There is a single vehicular grade access route off Claremont Road at Clitterhouse Farm to the proposed car park. The access will allow public access to the car park which provides spaces for 26 vehicles, including 4 accessible parking spaces. The gateway access at Claremont Road is set back from the highway. The access is close to the existing access to

Clitterhouse Farm which is intended to be re-used as the Council's maintenance store and office accommodation. The access is also close to the mini-roundabout on Claremont Road. The former vehicular access to the Hendon FC site is to be relocated to the north along Claremont Road as part of the redevelopment of that site for housing. A vehicle height restriction barrier will control vehicular access. Details of this barrier are still to be submitted for Council approval.

The 2014 S73 Consent required a minimum of 15 parking spaces to be provided and the 26 spaces proposed is acceptable. The limited number of parking spaces is in accordance with wider aims to encourage use of public transport and non-car based travel. The car park provides car parking spaces only and the access to the car park will be bound by hedging and/or discreet barrier fencing.

Ample cycle parking is provided within the park and a proposed lighting strategy will ensure that the routes and entrance gateways are suitably lit.

All access points will be provided with lockable gates and the secondary access points will include 'K-frame' gates to prevent motorcycles accessing the park.

The northern gateway to Clitterhouse Playing Fields can only be fully formed once the realigned highway works are completed. Details of a temporary expedient to providing an acceptable gateway have not been provided with this application and a planning condition is therefore recommended in order to ensure that the planning authority agrees with the developer a scheme that will ensure suitable temporary provision is made.

The existing eastern underpass access at Hendon Way will be upgraded as part of these works. The proposals will include improved lighting and signage, boundary enhancements and improved footway and cycle routes through the underpass into the park. A condition is proposed to ensure that the final details of these improvements are agreed with the Council and other stakeholders prior to implementation. The underpass is the responsibility of Transport for London and they have been consulted on the upgrading requirements. The approval of TfL will also be required as the underpass is under their control.

The applicants' access consultants have developed an inclusive access strategy with the majority of the path network at a gradient of 1 in 60 or less. The main exception is the path that leads east from the pavilion north of the sports pitches. The park is well provided with seating options throughout and cycle stands are strategically located throughout the park.

Claremont Park

Claremont Park has similarly been designed by the applicants with the input of their appointed access consultants. The nature of Claremont Park is however different from Clitterhouse as it is designated as a neighbourhood

park, essentially for use by local residents.

Graded routes have been provided throughout the park to provide access to all areas, with play areas and other key facilities located off primary graded or at grade routes in different locations through the park. Appropriate seating provision with backrests and armrests has also been provided at regular intervals along main routes through Claremont Park. Some stepped pathways are proposed towards the western section of the park in order to address more significant level changes however an accessible access route is available through the park.

Adequate cycle rack parking will be made available.

6.11 Pavilion Facility

The approved 2014 S73 Consent masterplan includes the provision of a park pavilion. The location of the pavilion has been amended through the revised Parameter Plan 012 under the Condition 2.4/2.5 application 15/00664/CON, and has been moved slightly to the north to a high point in the park. The location of the pavilion is central within the park but close to the sports pitches to the east of the park and the children's play area. The 2014 S73 Consent anticipated the inclusion of a cafe/kiosk, toilets and changing facilities within the pavilion. The S106 Schedule 28 required additional facilities to be provided within the pavilion.

The proposed pavilion provides 325m² of floorspace, measures 31.3m x 11.51m and will be 3.8m in height. Facilities include the cafe/kiosk, five changing room facilities incorporating toilets and showers, a dedicated officials' changing facility, separate male and female public toilets, a baby changing facility and plant and storage areas. The cafe serves a 52.3m² external seating area.

The provision of Class D1 facilities within Clitterhouse Playing Fields is restricted within the 2014 S73 Consent to 251m². As the application now proposes a larger building at 325m² this increase in floor space needs to be addressed through the Condition 2.4/2.5 application. The increase in Class D1 floor space in this sub phase is marginal compared to the overall availability within the full masterplan area.

The building has a cantilevered overhang extending over two elevations, including the external seating area, which will provide a degree of shelter as well as discouraging unauthorised access to the roof of the building. The roof is proposed as a green roof. The main changing room elevation is designed as a saw tooth detail and the proposed brickwork is designed as corbelled bond brickwork which will add some interest to the otherwise blank elevations.

The provision of the park pavilion is in accordance with the masterplan parameters, as varied. Sport England however objects to the location and configuration of the building and whilst the structure is generally acceptable

Officers share some of the concerns expressed by Sport England regarding configuration. As the location and scale of the building is regarded as acceptable a condition is therefore recommended to require the provision of revised configuration details for the written approval of the planning authority. In this way, an internal configuration can be secured that is acceptable to the Council.

The building will meet BREEAM Very Good and will have a grass roof. No building servicing details have been provided in the application, for example stocking the cafe. There is no direct vehicular access to the pavilion and servicing will be via the proposed car park.

6.12 Clitterhouse Farm Buildings

The 2014 S73 Consent anticipated the farm buildings being demolished and removed with the site potentially accommodating the required maintenance store in a new build. The S106 Agreement associated with the 2014 S73 Consent acknowledged that there may be an aspiration to retain these buildings. There has been a desire expressed by some parties to retain the buildings if feasible and the Council's Greenspaces team have expressed a preference to use the buildings for their maintenance store requirements. The current proposal therefore retains the existing buildings and proposes to reuse one section to convert its use to provide the maintenance store and associated office accommodation. The 2014 S73 Consent approved parameter for Class D1 floor space for the community facility in Clitterhouse Playing Fields (the pavilion) is 251m² whereas the application seeks approval for 352m² of pavilion floor space. Parameter Plans 012: Clitterhouse Playing Fields and Parameter Plan 016: Existing Buildings and Spaces are consequently amended to accommodate this change through the application under Conditions 2.4 and 2.5 (15/00664/CON).

The Section 106 Agreement provides for a maintenance store and office of up to 1000m². The following indicative requirements have been defined by Greenspaces:

- Internal office/staff accommodation including toilets and mess room at 27m²
- Internal equipment storage area, for mowers, materials, tools etc at 111m²
- External hard standing area for oil tank, skips, materials bays, wash down areas at 131m²

The spatial requirements noted above have been transposed onto indicative layout plans in Section 8 of the DDR showing how the property could be developed to provide the necessary accommodation.

As the layout is currently indicative it is recommended that a planning condition is imposed to secure final details for the written approval of the

planning authority. Vehicular access is via the existing farm buildings access from Claremont Road.

As noted above in section 5.4, the remainder of the Farmhouse buildings are proposed to be taken over by the Clitterhouse Farm Project as a community facility. Any works that may be proposed by the group will need to be the subject of a further planning application and will be dependent on funding being secured by the group.

6.13 Clitterhouse Stream Improvements

The proposed development includes improvements to Clitterhouse Stream within the Part 1 works area; additional works will provide further improvements downstream included in the Part 2 works. The stream currently includes areas of concrete banking and it is intended that these are removed to form a more natural river bank environment.

The stream banks will be formed using pre-seeded coir pallets to provide 1 in 5 graded bank, where space allows. The coir 'pallets' will be anchored by coir rolls and timber stakes planted with marginal plants. The marginal planting will help improve the local habitat.

In addition, hazel hurdles will replace existing concrete retaining walls to form a more naturalised edge; where existing trees are to be retained a more vertical edge will be used.

6.14 Ecology, 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. One of the principal aims of this application is to significantly enhance local habitats, landscaping, ecology and biodiversity whilst providing a significantly greater recreational and sports related offer within Clitterhouse Playing Fields and to a lesser more localised extent at Claremont Park.

The habitat at both parks is fairly mundane with Clitterhouse Playing Fields being largely made up of amenity grassland and Claremont Park comprising an area of poorly maintained green space with undermanaged tree cover that provides a through route from Brent Terrace to the Brent Retail Park and Claremont Road. There is consequently an opportunity to considerably enhance the habitat and ecology offer in the area.

Clitterhouse Stream provides some habitat and ecological interest although the stream currently comprises a relatively poor marginal environment with concrete banking in places. As discussed in Section 6.13 the applicants

propose to significantly enhance this feature through improvements to the river banks, providing a more naturalised environment. Marginal habitat planting will also contribute to an improved habitat area. The Stream will accommodate improved ecology with a richer habitat matrix and enhanced ecological interest.

Extensive planting regimes, providing different planting mixes for different functioning areas of the park, will be provided. In part, some of these areas will assist in surface water drainage regimes, providing localised damp environments that utilise site drainage and which will additionally attract specific types of flora and fauna.

The amenity grassland that currently predominates will be varied through the introduction of different grassland approaches, including wildflower meadows as one example.

The planting strategy for Clitterhouse Playing Fields has been developed to provide a variety of habitats to support wildlife and to provide distinctive and attractive backdrops to the wide range of facilities to be provided.

Woodland edge planting with appropriate under storey is proposed to the eastern and southern boundaries to complement existing boundary planting and to provide a variety of habitats and enhance the biodiversity of the park.

Larger growing native trees will be planted to create a strong framework to the park, with native shrub planting beneath and a shade tolerant wild flower edge along the boundaries and in key locations to the western boundaries.

Groups of larger growing feature trees will be used to provide focal points in key locations, such as the park Pavilion, in the heart of the park and the northern entrance, while smaller growing seasonally interesting and productive tree species will be used around the play and activity areas to provide shade and interest without being 'overpowering'.

Detailed plans have been submitted to show areas of vegetation and tree cover that are to be removed and those that are to be protected and retained. In addition, the application includes extensive planting proposals. Moreover, a full tree survey and Arboriculture Impact Assessment has been submitted for the entire site including an Arboriculture Method Statement and Tree Protection Plan. The assessment identifies individual trees and groups of trees including information on condition, age, girth, crown height and recommendations on remedial works, their protection or removal. The full implementation of the method statement will be secured through the imposition of a planning condition.

The DDR includes biodiversity strategies for both parks. The strategies, supported by the detailed plans accompanying the application include details of bat box types and locations, bird boxes and log pile sizes and their location. In addition, an enhanced habitat is proposed for Clitterhouse Stream which will contribute to improved biodiversity.

The biodiversity strategy has been developed by the applicants' ecology consultants and generally seeks to protect existing habitats and species whilst creating new opportunities for local wildlife. Fruit and flower bearing trees are proposed in order to provide valuable habitat and food resource for bees and other wildlife.

As noted in the supporting documents, the applicants have submitted an invasive species strategy to address existing issues in this respect. A number of areas have been identified where there is an existing problem; the strategy to address invasive species includes future monitoring to counter and likelihood of re-occurrence

Claremont Park

The biodiversity strategy for Claremont Park differs from that for the Playing Fields. The strategy seeks to build upon and reinforce the character of the park as a woodland area with open spaces and continuing to provide a through route from Brent Terrace to Claremont Road. Native species planting will be used to supplement existing areas of woodland and boundary tree cover. The Arboriculture Method Statement and Tree protection plan identifies individual and groups of trees that will be retained, removed or managed. Tree planting plans show the extensive planting that is proposed.

The main objectives for Claremont Park are the same as Clitterhouse Playing Fields, to protect existing species and habitats and whilst creating new opportunities for local wildlife. Bat boxes, bird boxes and log piles will be provided to enhance wildlife in the area.

6.15 Archaeology

The 2014 S73 Consent includes Condition 43 requiring the approval and implementation of a programme of archaeological investigation in the following terms:

Prior to beginning the Development an over-arching Scheme of Archaeological Investigation will be submitted to the LPA setting out the process for assessing and mitigating the impact of development on archaeological interest, including appropriate post-excavation analysis, archiving and publication.

No part of the Development shall begin within any Phase or Sub Phase unless and until proposals have been submitted to and approved by the LPA for a site-specific Scheme of Archaeological Investigation to preserve or record any archaeological evidence within the Phase or Sub Phase.

Each Phase or Sub-Phase of the Development shall take place in accordance with the approved over-arching Scheme of Archaeological

Investigation and the site-specific Scheme of Archaeological Investigation approved for that Phase or Sub-Phase.

In order to meet these requirements the applicant's archaeological consultant has been liaising with GLAAS, with the first stage of field evaluation, a geophysical survey of Clitterhouse Fields, having been completed and a report submitted. The evaluation has discovered previously unknown heritage assets of archaeological interest and it is consequently necessary to consider the archaeological impact of the proposed development works at this stage and thereafter define mitigation measures as necessary.

The archaeological strategy works are ongoing and full investigation is not at this time complete. In order to protect the potential heritage interests on the site it is necessary to impose a planning condition requiring the scope of investigation to be completed in consultation with Historic England and approved by the local planning authority. The condition will ensure adequate investigation is undertaken, recorded and reported with such mitigation as may be deemed necessary undertaken prior to work commencing on the proposed development.

6.16 Clitterhouse Playing Fields Part 2

It is noted above that the development of enhanced open space at Clitterhouse Playing Fields is to be delivered in two stages. The works included in this application are part 1 works. Subsequent part 2 works comprise the provision of the Clitterhouse Stream nature park and the all weather and mixed used pitches to the north east of the park. In the latter case the preliminary ground profiling and drainage for will be implemented as part 1 works.

6.17 Associated Infrastructure Works

The Open Space works under this planning application include works that extend the existing open space at Claremont Park into an area currently occupied by industrial buildings and that extend Clitterhouse Playing Fields to the north to tie in with the proposed realignment of Claremont Road. The industrial buildings are subject to separate Compulsory Purchase Order procedures that will enable the park space to be extended to tie in with a new proposed road, Claremont Park Road, that will run along the northern boundary of the park. Those properties within the existing Claremont Industrial Estate required to allow the Claremont Park improvements to proceed are included in Compulsory Purchase Order plan CPO1; they may however be acquired through agreement.

The provision of the new Claremont Park Road will be delivered in a subsequent phase of development. The land adjacent to the north of the extended Claremont Park will be formed as a temporary embankment with

appropriate landscaping, to compensate for ground level differences, until such time as the new road is brought forward (Claremont Park Road is scheduled to be delivered in a later phase). As the embankment works are however not included within the current application site for the proposed Park formation it is necessary to ensure that these works are provided in a timely manner. Conditions 1.8 and 1.8a of the 2014 S73 Consent prevent commencement of work on any development phase or sub phase until such time as details of the temporary works within that phase are approved by the planning authority.

It is essential however that the temporary embankment works are completed at the same time as Claremont Park is formed and not just the case that the detail is approved. As the temporary works are not included in the current application, and given the new Claremont Park Road is not currently programmed for delivery in the current phasing the embankment delivery must be secured. It is therefore advised that practical completion of the open space provision will only be achieved once the temporary embankment is formed and landscaped and a planning condition is therefore recommended in order to ensure these works are completed in timely fashion.

The realignment of Claremont Road, between Clitterhouse and Claremont Parks will also be provided under the Phase 1A(N) proposals but at a later stage in development. The road realignment impacts on both the eastern gateway to Claremont Park and the northern gateway to Clitterhouse Playing Fields. The road realignment means that the Clitterhouse Playing Fields open space area will be extended northwards to tie into the new road, occupying land that is currently highways land. Temporary northern gateway entrance works may be required before the Clitterhouse park site achieves practical completion. There is a similar impact on the eastern gateway to Claremont Park.

6.18 Energy, Sustainability, and Resources

The proposed development is required by condition 35.6 of the S73 Consent to comply with the approved Revised Energy Strategy which requires non-domestic elements to achieve a 25% CO2 reduction compared to a Building Regulations Part L 2010 compliant scheme.

A condition has been applied to the reserved matters application for compliance to be demonstrated. This condition allows a degree of flexibility subject to the development continuing to accord with the requirements of the Revised Energy Strategy.

7. OWNERSHIP, MANAGEMENT AND MAINTENANCE

Ownership of Clitterhouse and Claremont Park will remain with the London Borough of Barnet.

Final details of the management and maintenance arrangements for the parks are still under discussion with the applicant. The latest draft of the pre – reserved matter condition in respect of the Estate Management Strategy was submitted on the 6 June and is under consideration by officers.

The applicant has proposed (by letter) that they should be responsible for the maintenance of the hard works and soft works elements of the landscape proposals (as well as furniture) for a 24 month liability period. This will be extended for a 5 year liability period in respect of trees.

A condition is proposed to confirm the management and maintenance arrangements before development commences.

8. ENVIRONMENTAL IMPACT ASSESSMENT

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the ‘Regulations’), EU Directive 85/337/EEC (as amended), as well as the National Planning Practice Guidance (2014).

Regulation 8 of the Regulations requires local planning authorities to consider whether or not the environmental information already before them (i.e. the ES submitted with the 2013 hybrid application F/04687/13 and any additional environmental information) is adequate to assess the environmental effects of the development:

To demonstrate the continued acceptability of the ES associated with F/04687/13 in the context of the detailed reserved matters applications for Phase 1A (North) an Environmental Statement Further Information Report (the ‘ES FIR’) has been submitted.

Within the ES FIR it is necessary to consider the impact of all relevant aspects of Phase 1A (North). The report therefore considers the likely significant effects of the development with all of the Reserved Matters submissions to date and their individual and cumulative effects.

The information assessed within the ES FIR is based upon the likely significant effects of the development incorporating the proposals within the Reserved Matters submissions made to the Council in January, including those withdrawn prior to registration and resubmitted in June 2015 (EIA Statement of Conformity (letter from Waterman EED Ltd dated 15th May 2015 (ref. EED15221-100.C.2.1.1)).

The amendments and additional information submitted against the reserved

matters application for Clitterhouse Playing Fields and Claremont Park have been considered in a further supporting statement submitted by the applicants' environmental consultant to accompany the revision to the RMA. The supporting statement concludes that there are no new or different significant effects so as to warrant changes to the relevant parts of the ES FIR.

The existing Environmental Statement associated with the 2014 permission supplemented by the ES FIR and the other additional environmental information previously submitted adequately identifies and assesses satisfactorily assess and address the likely significant effects impacts of the development for the purposes of determining the Clitterhouse Playing Fields and Claremont Park Open Spaces Reserved Matters application.

9. 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 will be DDA compliant although at this stage further details of the internal configuration of the pavilion and maintenance store have still to be agreed and are controlled by planning conditions. There is a limited number of

parking spaces available to car born visitors to the playing fields park and 4 of these are dedicated accessible spaces.

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.

10. CONCLUSION

This reserved matters application proposes significant enhancements to both Clitterhouse Playing Fields and Claremont Open Space (which will become Claremont Park) and extends to the provision of children's play areas in both parks, the provision of formal sports facilities in Clitterhouse Playing Fields, including improved sports pitches. The proposals for the Playing Fields include re-profiling of the existing park and the adoption of a water management strategy to address surface water run off attenuation in accordance with current policy as well as in compliance with the requirements of the 2014 planning permission. The water management strategy will in addition specifically improve the drainage to the sports pitches at Clitterhouse and allow more extensive use of the pitches than is currently the case.

The development at Clitterhouse includes improvements to Clitterhouse Stream in order to enhance existing habitats and improve biodiversity.

The Playing Fields will also accommodate a new park facilities pavilion which will include male and female toilets, showers and changing room facilities, including disabled facilities. A new cafe kiosk is included together with an outdoor seating area.

Claremont Park extends the existing open space area into the adjoining industrial estate which will be achievable following the purchase of the existing estate buildings and site clearance.

The redevelopment of both parks is an integral element of the wider Brent Cross Cricklewood regeneration proposals and the proposals follow on from the 2014 outline planning permission. The development principles have already been established although the detail now proposed must be in compliance with the requirements of the 2014 S73 Consent and regard had to current development plan policies. The proposals have been developed in lengthy pre-application consultation with the applicants and the officers have therefore had an opportunity to influence the development proposals as submitted.

There are a number of matters that still require addressing in terms of some fine details and consequently there are a number of further conditions proposed. The application has been subject to statutory consultation and a number of third party representations have been made. No significant issues have been raised that have not been addressed or which would move officers to recommend refusal.

The reserved matters application is in accordance with the existing planning permission (as amended through Condition 2.4 and revisions to the S106 Agreement) and the principle of development has therefore been established. An assessment against Development Plan policy supports the application

Overall, officers find the proposals acceptable and recommend that the application is approved subject to conditions as outlined in Appendix 1.

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APPENDIX 1

Conditions and Informatives

Conditions

The term 'development' in the conditions below means the development permitted by this consent.

1	Approved plans		
	The development hereby permitted shall be carried out in accordance with the following approved plans (subject to Condition 7) unless minor variations are agreed in writing after the date of this reserved matters consent with the Local Planning Authority:		
	Clitterhouse Playing Fields Plans		
	Landscape General Arrangement	1065-08-001	J
	Proposed Site Levels	1065-08-012	G
	Landscape GA Plan 1	1065-08-020	E
	Landscape GA Plan 2	1065-08-021	E
	Landscape GA Plan 3	1065-08-022	F
	Landscape GA Plan 4	1065-08-023	F
	Landscape GA Plan 5	1065-08-024	E
	Landscape GA Plan 6	1065-08-025	F
	Tree Retention and Removal	1065-08-050	E
	Tree Retention and Removal	1065-08-051	E
	Tree Retention and Removal	1065-08-052	F
	Tree Retention and Removal	1065-08-053	G
	Tree Retention and Removal	1065-08-054	F
	Site Sections	1065-08-060	B
	Site Sections	1065-08-061	B
	Planting Plan 1	1065-08-201	C
	Planting Plan 2	1065-08-202	C
	Planting Plan 3	1065-08-203	D
	Planting Plan 4	1065-08-204	C
	Planting Plan 5	1065-08-205	C
	Planting Plan 6	1065-08-206	C
	Planting Plan 7	1065-08-207	C
	Planting Plan 8	1065-08-208	D
	Planting Plan 9	1065-08-209	D
	Planting Plan 10	1065-08-210	C
	Planting Plan 11	1065-08-211	C
	Planting Plan 12	1065-08-212	D
	Planting Plan 13	1065-08-213	D
	Planting Plan 14	1065-08-214	C
	Planting Plan 15	1065-08-215	D
	Tree Pit in Soft Under 20cm girth	1065-08-401	A
	Tree Pit in Soft 20cm girth and over	1065-08-402	B
	Typical Rain Garden Detail	1065-08-403	C

Tree Pit in Hard Landscape Area	1065-08-404	A	
Weldmesh Sports Fence and Gate	1065-08-410	B	
Perimeter Fence 1.5m and Entrance Gate Detail	1065-08-411	B	
Bow Top Fencing 1.1m High	1065-08-412	A	
Seating Steps Detail to Youth Activity Area	1065-08-414	A	
Freestanding Handrail and Steps to Outdoor Gym	1065-08-415	A	
Safety Surface wet pour	1065-08-419	B	
Consolidated Gravel	1065-08-420	A	
Games Court	1065-08-421	B	
Typical Concrete Finish	1065-08-422	B	
Coloured Hot Rolled Asphalt	1065-08-423	B	
Safety surface Artificial Grass	1065-08-424	B	
Cycle Stand Detail	1065-08-425	B	
Bollard Detail	1065-08-426	B	
Retractable Bollard Detail	1065-08-427	A	
Picnic Bench	1065-08-430	B	
Pre-cast concrete bench	1065-08-431	B	
Bench with no arm or back	1065-08-433	A	
Double Sided Bench	1065-08-434	A	
Individual Seat	1065-08-435	A	
Bench / Seat at various levels	1065-08-436	B	
Planters to Central Square	1065-08-437	A	
Timber Knee Rail	1065-08-438	-	
Gateway Typical Elevations	1065-08-439	-	
Freestanding Recliner Seats	1065-08-443	-	
Main Gateway Plan and Elevation	1065-08-444	-	
Claremont Park Plans			
Landscape General Arrangement	1065-04-001	J	
Tree Retention and Removal	1065-04-012	E	
Site Sections	1065-04-007	C	
Site Sections	1065-04-008	C	
Site Sections	1065-04-009	C	
Site Sections	1065-04-010	C	
Site Sections	1065-04-020	C	
Proposed Site Levels	1065-04-021	C	
Planting Plan	1065-04-201	D	
Planting Plan 2	1065-04-202	C	
Planting Plan 3	1065-04-203	C	
Tree Pit in Soft Under 20cm girth	1065-04-401	A	
Tree Pit in Soft 20cm girth and over	1065-04-402	A	
Tree Pit in Hard Landscape Areas	1065-04-403	B	
Perimeter Fence 1.5m	1065-04-406	B	
Hinged Entrance Gate	1065-04-409	B	
Bow Top Fencing 1.1m High	1065-04-410	A	
Consolidated Gravel	1065-04-411	A	
Typical Concrete Finish	1065-04-412	B	
Safety Surface Artificial Grass	1065-04-414	B	

	Safety Surface Wet Pour	1065-04-415	B
	Consolidated Gravel and Concrete Detail	1065-04-416	B
	Freestanding Recliner Seats	1065-04-420	A
	Bespoke concrete plinth bench/seat	1065-04-421	B
	Picnic Bench	1065-04-422	B
	Bollard Detail	1065-04-423	A
	Retractable Bollard Detail	1065-04-424	B
	Cycle Hoops	1065-04-425	B
	Individual Seat	1065-04-428	A
	Concrete plinth bench	1065-04-429	B
	Typical Retaining Wall Detail	1065-04-433	A
	Typical Step Detail with Free Standing Handrail	1065-04-434	B
	Gateway Elevations	1065-04-437	-
	Filter Drain Detail	1065-04-438	-
	Storm Water Planter 1	1065-04-439	-
	Storm Water Planter 2	1065-04-440	-
	<p>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, of the Barnet Local Plan and policy 1.1 of the London Plan.</p>		
2	Temporary gateway solutions		
	<p>Prior to the commencement of any works approved under this Reserved Matters Approval details of any temporary boundary treatments including gates, fences and hard and soft landscaping for the Clitterhouse Playing Field northern gateway and Claremont Park eastern gateway areas affected by the proposed realignment of Claremont Road shall be submitted to and approved in writing by the Local Planning Authority. Details will be submitted alongside a timeline confirming the period during which such temporary measures shall remain in place prior to the delivery of the final Park Layout. The development shall be delivered in accordance with the temporary measures and accompanying timetable.</p> <p>Reason: To ensure the satisfactory appearance and security of the parks during the construction programme in accordance with Policy 7.5 of the London Plan FALP (March 2015); Policies CS5 and CS7 of the Local Plan Core Strategy DPD (Adopted September 2012) and Policy C2 of Barnet's UDP Saved Policies (Saved September 2012)</p>		
3	Motorcycle Barrier		
	<p>Notwithstanding the submitted details prior to commencement of development details of the proposed Motorcycle barrier gates shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details approved.</p>		

	<p>Reason: To ensure inclusive access to the park and a high quality appearance.</p>
4	<p>Temporary Embankment Works, Claremont Park</p> <p>Prior to the planning authority agreeing with the developers that practical completion of Claremont Park has been achieved, the developers shall ensure that the proposed temporary embankment works adjacent to the northern boundary of Claremont Park are complete in accordance with landscaping details to be submitted to and agreed in writing by the Local Planning Authority. No practical completion of Claremont Park can be agreed until these temporary works are fully implemented.</p> <p>Reason: To ensure the satisfactory temporary appearance of the northern boundary of the Park.</p>
5	<p>Lighting</p> <p>Prior to commencement of the development approved by this Reserved Matters Approval, full details of the proposed lighting strategy, including:</p> <ul style="list-style-type: none"> - Locations - Materials - Lux levels - Operating hours <p>shall be submitted to and approved in writing by the LPA. The development shall thereafter be implemented in accordance with these approved details.</p> <p>Reason: To ensure appropriate lighting provision to address issues of security, and functionality for users of the open spaces whilst protecting the amenities of neighbouring occupants and minimising impacts to wildlife.</p>
6	<p>Pavilion and Depot -Non Resi Energy Strategy</p> <p>Prior to commencement of the development of the Pavilion; and the Maintenance Store and Depot, a report demonstrating compliance of that building with the Revised Energy Strategy (submitted and approved against condition 35.6 of planning permission ref: F/04687/13, or any amended Revised Energy Strategy) shall be submitted to and approved in writing by the LPA.</p> <p>The report shall include details of any Carbon reducing measures required, in order to achieve compliance with the Revised Energy Strategy.</p> <p>The development shall thereafter be implemented in accordance with these approved details.</p> <p>Reason: To secure the maximum practicable reduction in carbon emissions and</p>

	optimal use of renewable energy.
7	Play Area and Activity Areas
	<p>Notwithstanding the submitted plans and supporting documentation prior to commencement of development of the play or activity areas details including layout and equipment proposed shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with these approved details.</p> <p>Reason: To ensure delivery of the park in accordance with the needs of the local population.</p>
8	Outdoor Gym
	<p>Prior to commencement of development full details of the proposed Outdoor Gym shall be submitted to and approved in writing by the LPA. The development shall thereafter be implemented in accordance with these approved details.</p> <p>Reason: To provide a range of fitness equipment to meet the needs of local residents.</p>
9	Signage
	<p>Prior to commencement of the development approved by this Reserved Matters Approval, full details of the proposed signage strategy shall be submitted to and approved in writing by the LPA. The development shall thereafter be implemented in accordance with these approved details.</p> <p>Reason: To ensure that a legible and inclusive environment that accords with details approved under condition 1.26 of F/04687/13.</p>
10	Park Pavilion
	<p>Notwithstanding the submitted plans details of the proposed park pavilion building including internal layout, design, appearance and materials shall be submitted to and agreed in writing by the local planning authority prior to work commencing on this element of the proposal. The pavilion shall thereafter be constructed as approved.</p> <p>Reason: To ensure the provision of a high quality facility that will fully accommodate the sporting needs of users of the Clitterhouse Playing Fields.</p>
11	Drainage
	<p>Notwithstanding the submitted plans prior to commencement of development, full details of the proposed drainage strategy, including specific SuDS details for the proposed natural grass sports pitches and</p>

	<p>spoil management shall be submitted to and approved in writing by the local planning authority .</p> <p>For the avoidance of doubt the proposed lateral pipework drainage within the Grass playing fields shall be provided at 5m centres.</p> <p>Reason: To ensure the quality provision of playing fields and appropriate drainage infrastructure 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 FALP (March 2015).</p>
12	Public art strategy
	<p>Notwithstanding the submitted plans, prior to the commencement of any works in relation to this development a detailed public art strategy, including artwork on the principal entrance gateways shall be submitted to the local planning authority for its approval and shall be implemented in the manner approved by the Council.</p> <p>Reason: To provide the park with a cohesive sense of character within the context of the local area and the wider Brent Cross Cricklewood Regeneration area.</p>
13	Implementation Programme
	<p>Development shall be implemented in accordance with the Clitterhouse Playing fields Implementation Works Programme submitted in Appendix 1 and the Claremont Park Landscape Implementation Works Programme of the Explanatory Report (May 2015). Revisions to the programme as a result of the approval of the Detailed Delivery Programme under Condition 5.1 or for any other minor revisions shall be submitted to and approved in writing by the LPA.</p> <p>Reason: To ensure the satisfactory appearance and timely delivery of the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy C1 and C4 of the Chapter 12 saved UDP Policies the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.</p>
14	Landscaping / LEMP
	<p>The detailed planting proposals, hereby approved, shall be fully implemented to the satisfaction of the planning authority and shall be completed prior to the Council agreeing that practical completion of the parks has been attained.</p> <p>The implemented landscaping strategy shall be maintained in accordance with the Clitterhouse Playing Fields Landscape and Ecology Management Plan within Appendix G of the Clitterhouse Playing Fields</p>

	<p>Design Development Report (May 2015) and with the Claremont Park Landscape and Ecology Management Plan within Appendix B of the Claremont Park Design Development Report (May 2015).</p> <p>Reason: To ensure the satisfactory a</p>
15	Initial Developer Management Period
	<p>Details of the initial maintenance and management period during which the developer remains responsible for the landscaping of the approved open spaces shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>As a minimum in accordance with the letter dated 8th June from Quod the developer will be responsible for the maintenance of the hardworks and softworks elements of the landscape proposals including the proposed park furniture for a 24 month liability period. Furthermore any existing trees shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, or become severely damaged or diseased within five years of completion of development shall be replaced by the BXC with trees or shrubs of appropriate size and species in the next planting season.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (Adopted September 2012); and, Policies C2 and C4 of Barnet's UDP Saved Policies (Saved September 2012).</p>
16	Car park vehicular access barrier
	<p>Prior to the commencement of works, details of the proposed vehicle control barrier to control access to the proposed car park shall be submitted to the local planning authority for its written approval. The barrier shall be installed prior to the car park being operational and shall be maintained in perpetuity.</p> <p>Reason: To ensure the proper and safe management of the Car Parking area.</p>
17	U4 Underpass
	<p>The development approved by this Reserved Matters Approval shall not be regarded as being practically complete until the U4 underpass improvement works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning authority in consultation with Transport for London.</p> <p>The U4 Underpass improvement works shall include:</p> <ul style="list-style-type: none"> - Lighting - Signage - Removal of bollard at the Western approach

	<ul style="list-style-type: none"> - Repainted railings - Surface improvements <p>Reason: To improve the pedestrian environment and security of this key link across the A41.</p>
18	Claremont Road/Playing Fields Car Park Junction
	<p>The proposed car park junction with Claremont Road shall be designed and operate as a left in – left out junction. Details of the design of the junction and any central reservation requirements shall be submitted to the local planning authority, in discussion with the roads authority, for its written approval prior to the commencement or any work on the development hereby approved. The junction shall be provided as approved.</p> <p>Reason: In the interest of vehicular and pedestrian safety for the access to the proposed car park.</p>
19	Maintenance Store and Depot
	<p>Prior to commencement of development detailed designs of the proposed Maintenance Store and Depot located in the Clitterhouse Farm Buildings area outlined in red on plan 'A150' within Section 8 of the Clitterhouse Playing fields Design Development Report (May 2015) shall be submitted to and approved in writing by the Local Planning Authority. The Maintenance Store and Depot shall as a minimum include the areas detailed in part 3.11 of the Clitterhouse Playing Fields Design Development Report (May 2015) under the heading 'Clitterhouse Maintenance Accommodation' and shall include layout, materials, vehicular access arrangements including swept paths and associated car parking.</p> <p>The development shall thereafter be implemented in accordance with these approved details prior to occupation of the development or practical completion of the works being agreed with the planning authority.</p> <p>Reason: To ensure satisfactory provision of the facility and the future management and upkeep of the Open spaces in accordance with the agreed S106 requirements.</p>
20	Archaeology
	<p>No development permitted by this Reserved Matters Approval shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the developer in consultation with GLASS and approved in writing by the local planning authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all</p>

	<p>recording and recovery of any archaeological evidence within the development site for this Reserved Matters Approval is undertaken to the satisfaction of the local planning authority in consultation with GLASS.</p> <p>Reason: To enable archaeological investigation of the site and to minimise or mitigate harm to remains of archaeological interest.</p>
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Informatives

01	<p>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 and the Approved S73 Consent.</p>
02	<p>In accordance with Reg 3 (4) and Reg 8 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, it is considered that:</p> <p>the submission of Reserved matters reveals , with regard to the subject matter of the application, that there are no additional or different likely significant environmental effects than is considered in the environmental information already before the Council (the Environmental Statement (ES) (BXC02) submitted with the Section 73 application (F/04687/13) and any further and/or other information previously submitted; and</p> <p>the environmental information already before the Council (the ES submitted with the Section 73 application and any further and/or other information previously submitted) remains adequate to assess the environmental effects of the development.</p>

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APPENDIX 2

Analysis of Scheme Compliance with Regional and Local Planning Policy

Table 2.1: Analysis of the proposals compliance with London Plan (March 2015) Policies

Policy	Content Summary	Extent of compliance and comment
Policy 1.1 (Delivering the strategic vision and objectives for London)	Strategic vision and objectives for London including managing growth and change in order to realise sustainable development and ensuring all Londoners are able to enjoy a good and improving quality of life. Improving environments which are easy, safe and convenient for everyone to access.	Compliant: As a London Plan Opportunity Area, the approved BXC scheme seeks to make the most of brownfield land to meet wider growth requirements in terms of housing, retail and commercial activities in a location accessible by a range of transport modes. The provision of improved open space and recreational facilities will assist in achieving the wider sustainable aims of the Plan.
Policy 2.6 (Outer London: vision and strategy);	Work to realise the full potential of outer London and enhance the quality of life for present and future residents. Understand the significant difference in the nature and quality of neighbourhoods; improvement initiatives should address these sensitively and draw upon strategic support where necessary.	Compliant: The proposed development represents one of the most important opportunity areas in outer London. The BXC Opportunity Area represents a significantly underutilised area of accessible brownfield land in need of regeneration. More specifically, in relation to the current application, the provision of enhanced sports facilities and play areas, including amenity space will improve the quality of existing neighbourhoods.
Policy 2.13 (Opportunity Areas and Intensification Areas)	Support the strategic policy directions for the opportunity areas, and where relevant, in adopted opportunity area planning frameworks Support wider regeneration, including in particular improvements to environmental quality, and integrate development proposals to the surrounding areas especially for regeneration.	Compliant: With regard to the current application, the provision of enhanced facilities at Clitterhouse Playing Fields and Claremont Park will set the context for amenity and open space provision for future phases of development. Their early delivery will allow these areas to become established as other phases are delivered to complement them.
Policy 2.14 (Areas for regeneration)	Boroughs should identify spatial areas for regeneration and spatial policies to bring together regeneration.	Compliant: The BXC site is identified as a London Plan Opportunity Area (See Policy 1.1 above) in need of comprehensive regeneration and capable of accommodating significant housing, jobs and community infrastructure. Clitterhouse Playing Fields will be developed as a Community Park and contributes to the wider regeneration aims, with Claremont Park being developed as a Neighbourhood Park.

Policy	Content Summary	Extent of compliance and comment
Policy 2.18 (Green infrastructure: the multi-functional network of green and open spaces)	Development proposals should protect, promote, expand and manage the extent and quality of, and access to, London's network of green infrastructure.	Compliant: The specific proposals deliver a range of green infrastructure, including enhancements to existing open spaces and the creation of new open spaces as part of an overall increase of approximately 9 hectares of open space. A network of cycle and pedestrian routes will be provided which will link areas of open space.
Policy 3.1 (Ensuring equal life chances for all)	Development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving loss of these facilities without adequate justification or provision for replacement should be resisted.	Compliant: It is considered that the impact of the development on existing social infrastructure provision has been appropriately considered and that the proposed provision will be adequate to meet forecasted need in accordance with this policy.
Policy 3.2 (Improving health and addressing health inequalities)	New developments should be designed, constructed and managed in ways that improve health, promote healthy lifestyles and wellbeing of communities.	Compliant: The design of the development has been influenced by the desire to create a healthy environment. The proposal is found to be compliant with the objectives of this policy. Provision of new open space and play areas (including some early in Phase 1), such as the improvements to Clitterhouse Playing Fields (Part 1 excluding Nature Park) and Claremont Park, will provide opportunities for higher levels of physical activity in accordance with policy requirements.
Policy 3.6 (Children and young people's play and informal recreation facilities)	The Mayor and appropriate organisations should ensure that all children and young people have safe access to good quality, well-designed, secure and stimulating play and informal recreation provision, incorporating trees and greenery wherever possible.	Compliant: The distribution of play areas and spaces expressed in the PROSS, Design and Access Statement and Design Guidelines as approved in 2010 and updated as part of the S73 application are based on a play strategy which accords with policy. Both Clitterhouse Playing Fields and Claremont Park will be provided with dedicated play areas for different age groups and it is considered that the provision of play space as proposed is acceptable.

Policy	Content Summary	Extent of compliance and comment
Policy 3.19 (Sports Facilities)	Development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted. Temporary facilities may provide the means of mitigating any loss as part of proposals for permanent re-provision. Wherever possible, multi-use public facilities for sport and recreational activity should be encouraged. The provision of sports lighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the sports lighting gives rise to demonstrable	Compliant: It is considered that there will be a substantial improvement to the quality of sports facilities, resulting from the planned improvements to Clitterhouse Playing Fields as well as other new and enhanced open spaces. Furthermore, dedicated, and segregated, footpaths and cycleways will encourage walking and cycling activity.
Policy 5.10 (Urban greening); Policy 5.11 (Green roofs and development site environs)	Development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm. Elements that can contribute to this including tree planting and soft landscaping Proposals should be designed to include site planting to deliver as wide a range of the objectives associated with such planting as possible.	Compliant: The wider development includes an increase of approximately 9 hectares of open space/public realm which will significantly contribute to the urban greening of BXC. This includes the provision of a range of spaces such as Nature Parks, City Gardens, Riverside Parks and Community Parks. It also includes the proposed significant improvements to the existing open space at Clitterhouse Playing Fields, to be developed as a Community Park and Claremont Park, developed as a Neighbourhood Park. A network of cycle and pedestrian routes, and green corridors will provide access and connectivity through the Playing Fields to link to existing networks and other areas of open space. It is noted that the proposed park facilities building will be provided with a green roof and will be constructed to meet BREEAM Very Good standard.
Policy 5.12 (Flood risk management); Policy 5.13 (Sustainable drainage)	Proposals must comply with the flood risk assessment and management requirements of set out in the NPPF and supporting Technical Guidance. Proposals should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so and should aim to achieve Greenfield runoff rates and ensure that surface water runoff is managed as close to its source as possible. Drainage should be designed and implemented in ways that deliver other objectives of the London Plan.	Compliant: The proposals have been based on a comprehensive flood risk assessment that has been previously accepted by the Environment Agency. It is therefore considered that the application complies with this policy. A range of sustainable urban drainage systems are proposed as part of the SUDS strategy to be submitted and approved under conditions 1.27 and 44.5 of the 2014 planning permission.
Policy 6.1 (Strategic approach);	The Mayor will work with all relevant partners to encourage a high quality public realm where appropriate, a	Compliant: The proposed public realm improvements will see the provision of a network of green corridors

Policy	Content Summary	Extent of compliance and comment
	corridor-based approach should be taken to ensure the needs of street users and improvements to the public realm are co-ordinated.	connecting different green spaces with the proposed park improvements connecting via the proposed Market Square and the Living Bridge to Brent Cross Centre.
<p>Policy 6.9 (Cycling);</p> <p>Policy 6.10 (Walking)</p>	<p>Proposals should identify and implement a network of cycle routes. Contribute positively to an integrated cycling network for London by providing infrastructure that is safe, comfortable, attractive, coherent, direct and adaptable and in line with the guidance set out in the London Cycle Design Standards (or subsequent revisions).</p> <p>Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space by referring to Transport for London's Pedestrian Design Guidance. Promote the 'Legible London' programme to improve pedestrian way finding. Encourage the use of shared space principles, such as simplified streetscape, de-cluttering and access for all.</p>	<p>Compliant:</p> <p>The Area Wide Walking and Cycling Study and the Pedestrian and Cycle Strategy will ensure that a network of cycle and pedestrian routes is provided on a phase by phase basis as part of the scheme, including appropriate links between the site and adjacent communities. The developers will be required to fund appropriate improvements and mitigation measures in the light of these studies, as well as the relevant transport reports and the monitoring strategy.</p> <p>The proposed development includes dedicated cycle paths and provides cycle parking within the development sites.</p>
Policy 6.13 (Parking)	The maximum standards in the London Plan should be applied to planning applications and developments should also provide electrical charging points, parking for disabled people and cycle parking in accordance with the London Plan standards. Delivery and servicing needs should also be provided for.	<p>Compliant:</p> <p>The development of Clitterhouse Playing Fields includes car parking for 26 cars, including 4 accessible spaces and this is considered acceptable to the Council.</p>
Policy 7.1 (Lifetime Neighbourhood)	Development should enable people to live healthy, active lives; should maximize the opportunity for community diversity, inclusion and cohesion; and should contribute to people's sense of place, safety and security. Places of work and leisure, streets, neighbourhoods, parks and open spaces should be designed to meet the needs of the community at all stages of people's lives, and should meet the principles of lifetime neighbourhoods.	Compliant: A key objective of the BXC scheme is to create a sustainable and balanced community. Residents will benefit from new community and social facilities
Policy 7.3 (Designing out crime)	Development proposals should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.	Compliant: a number of steps have been taken through the design stage for the parks to reduce the opportunity for criminal behaviour. These include boundary fencing to the whole of the site and the use of lockable gates at entrances, a

Policy	Content Summary	Extent of compliance and comment
		lighting strategy and effective landscaping.
<p>Policy 7.4 (Local character);</p> <p>Policy 7.5 (Public realm);</p> <p>Policy 7.6 (Architecture)</p>	<p>Buildings, streets and open spaces should provide a high quality design that has regard to the pattern and grain of the existing spaces in orientation, scale, proportion and mass. Contributes to a positive relationship between the urban structure and natural landscape features.</p> <p>Development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.</p> <p>Architecture should make a positive contribution to a coherent public realm, incorporate the highest quality materials and design appropriate to its context.</p>	<p>Compliant: The urban design principles that underpin the BXC masterplan as set out in the Revised Design and Access Statement, Design Guidelines, DSF and Parameter Plans fulfil the key criteria of these policies to provide high quality buildings, streets and spaces. The development incorporates the principles of “Secured by Design”</p> <p>The public realm areas within the proposed parks has been designed to ensure that it is accessible and user friendly.</p> <p>The design of the proposed park facilities pavilion is considered acceptable.</p>
Policy 7.17 (Metropolitan Open Land)	The strongest protection should be given to London’s Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL.	Compliant: Clitterhouse Playing Fields is designated as MOL. This designation is respected and the open space will be protected and improved although modified as part of the development. New building proposed includes the re-provision of the astro-turf pitches, a small pavilion for changing rooms and associated uses which is related to the use of the playing fields.
Policy 7.18 (Protecting open space and addressing deficiency)	The loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate	<p>Compliant: The development contains an increase of approximately 9 hectares of open space/public realm net.</p> <p>Provision will be strategically phased in order to avoid any deficiency throughout the construction. The wider development results in the loss of existing Clarefield Park and small open spaces off Brent Terrace (as shown on Parameter Plan 016), which are re-provided in alternative locations across the site. These open spaces are removed in</p>

Policy	Content Summary	Extent of compliance and comment
		<p>Phase 1 and as a result early qualitative improvements are made to Clitterhouse Playing Fields Part 1 and Claremont Park, before an area of temporary open space (circa 1.2 ha) immediately north of Clitterhouse Playing Fields (as shown on Parameter Plan 019) is provided. The temporary open space will be retained until the land is required for redevelopment.</p> <p>The proposals for Clitterhouse Playing Fields and Claremont Park therefore comply with this strategy.</p>
<p>Policy 7.19 (Biodiversity and access to nature)</p>	<p>Proposals should:</p> <ul style="list-style-type: none"> - Wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity. - Prioritise assisting in meeting targets in biodiversity action plans and/or improve access to nature in areas deficient in accessible wildlife sites. - Be resisted where they have significant adverse impacts on the population or conservation status of a protected species, or a priority species or habitat identified in a biodiversity action plan. 	<p>Compliant: Regard has been paid to nature conservation and biodiversity and it is considered that the development will result in a net gain in biodiversity in terms of habitat quality and connectivity, particularly in the habitat around Clitterhouse Stream.</p>
<p>Policy 7.21 (Trees and woodlands)</p>	<p>Existing trees of value should be retained and any loss as a result of development should be replaced. Wherever appropriate the planting of additional trees should be included in developments.</p>	<p>Compliant: The applicant has undertaken a complete tree survey, including other vegetation areas and habitat areas identifying those trees that will be removed and those that will be protected. A detailed landscaping plan is included in the proposals.</p>
<p>Policy 7.27 (Blue Ribbon Network: supporting infrastructure and recreational use).</p>	<p>Development proposals should protect and improve existing access points to (including from land into water such as slipways and steps) or alongside the Blue Ribbon Network (including paths)..</p>	<p>Compliant: The aspirations of this policy are achieved through improvements to the environment around Clitterhouse Stream</p>
<p>Policy 7.30 (London's canals and other river's and waterspaces)</p>	<p>Development proposals along London's canal network and other rivers and waterbodies (such as reservoirs, lakes and ponds) should respect their local character and contribute to their accessibility and active water related uses, in particular transport uses, where these are possible.</p>	<p>Compliant: It is considered that the development will contribute to the overall improvement of the habitat of rivers, brooks and streams in accordance with this policy.</p>

Table 2.2: Analysis of the proposals compliance with Barnet's Local Plan Policies
(September 2012)

Policy	Content Summary	Extent of Compliance and Comment
Core Strategy		
CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)	Take a positive approach to proposals which reflect the presumption in favour of sustainable development and approve applications that accord with the Local Plan, unless material considerations indicate otherwise. Where there are no policies relevant to the proposal or the relevant policies are out of date permission should be granted, unless material considerations indicate otherwise.	Compliant: the proposal is considered to constitute sustainable development in accordance with the NPPF and which complies with Local Plan taken as a whole. It has therefore been recommended for approval.
CS1 (Barnet's place shaping strategy – the three strands approach)	<p>As part of its 'Three Strands Approach' the council will:</p> <ul style="list-style-type: none"> - Concentrate and consolidate growth in well located areas that provide opportunities for development, creating a high quality environment that will have positive impacts. - Focus major growth in the most suitable locations and ensure that this delivers sustainable development, while continuing to conserve and enhance the distinctiveness of Barnet as a place to live, work and visit. - Ensure that development funds infrastructure through Section 106 Agreements and other funding mechanisms. - Protect and enhance Barnet's high quality suburbs. 	<p>Compliant: the proposal is considered to show the influence of this policy and demonstrates compliance with its key objectives.</p> <p>As an Opportunity Area in the Mayor's London Plan, the BXC scheme has been developed with the consideration that the site has significant capacity for new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.</p> <p>The proposed development relates to matters reserved following the grant of planning permission in 2014. The redevelopment of Clitterhouse Playing Fields as a Community Park and Claremont Park as a Neighbourhood Park will provide significant enhancements to the provision of open space and recreational facilities to serve the existing and future residents of the area.</p>
CS2 – Brent Cross - Cricklewood	<p>The Council will seek comprehensive redevelopment of Brent Cross – Cricklewood in accordance with the London Plan, the saved UDP policies (Chapter 12) and the adopted Development Framework. The Policy makes provision for the following:</p> <ul style="list-style-type: none"> • It is considered likely that comprehensive regeneration will be achieved in accordance with the planning permission. If this is not achieved, the Council will 	<p>The 2014 consent of the S73 application continues to ensure the comprehensive redevelopment of Brent Cross Cricklewood in accordance with this policy and the Saved UDP policies. The current Reserved Matters Application for the proposed Open Space developments at Clitterhouse Playing Fields and Claremont Park is consistent with the 2014 permission.</p> <p>The proposed development is included in Phase 1A(North) of the proposed Brent Cross Cricklewood Regeneration proposals and early delivery of qualitative open space and recreational facilities is</p>

Policy	Content Summary	Extent of Compliance and Comment
	<p>consider whether in the circumstances the Local Plan needs to be reviewed.</p> <ul style="list-style-type: none"> • Specific monitoring indicators for Brent Cross – Cricklewood are set out in Appendix B of the Core Strategy On the basis of these indicators it is expected that comprehensive re-development will commence in relation to Phase 1 at some time between 2015 and 2017. • If these milestones are not achieved (or are not likely to be capable of being delivered) we will consider the possible need for a review of the Core Strategy Policy on Brent Cross – Cricklewood • The key milestone for the regeneration of Brent Cross – Cricklewood is likely to be the Phase 1 Compulsory Purchase Order (CPO). If by the end of 2014 any CPO that is required to deliver Phase 1 and commence the development has not been made and submitted for confirmation we will instigate a review of the policy framework for Brent Cross – Cricklewood. 	<p>critical to delivery of future stages in the wider regeneration programme.</p> <p>The provision of significantly improved open spaces will provide facilities for existing residents in the area as well as future residents in subsequent years as new housing is brought forward.</p>
<p>CS5 (Protecting and enhancing Barnet's character to create high quality places)</p>	<p>The council will ensure that development in Barnet respects local context and distinctive local character, creating places and buildings with high quality design.</p> <p>Developments should:</p> <ul style="list-style-type: none"> - Address the principles, aims and objectives set out in the relevant national guidance. - Be safe attractive and fully accessible. - Provide vibrant, attractive and accessible public spaces. - Respect and enhance the distinctive natural landscapes of Barnet. - Protect and enhance the gardens of residential properties. - Protect important local views. - Protect and enhance the boroughs 	<p>Compliant: It is considered that the S.73 scheme takes into account the requirements of different groups and sectors of the community, providing sports pitches, play areas for different age groups, recreational facilities, amenity grassland and quality open space for existing residents as well as future residents in the area.</p> <p>Clitterhouse Playing Fields is defined as a Community Park, meeting the needs of the wider community and Claremont park is a neighbourhood park, designed for local user groups. Both parks offer recreational open space for residents Both parks have been planned in order to ensure that different community needs are met. The security of park users and local residents has been addressed through a proposed lighting strategy, secure park entrances, boundary fencing and lockable gates at entrances. The choice of landscaping will also discourage rough sleeping and wild camping in the parks.</p> <p>The proposed development is consistent with approved Parameter Plan 012: Clitterhouse Fields.</p>

Policy	Content Summary	Extent of Compliance and Comment
	<p>high quality suburbs and historic areas and heritage.</p> <ul style="list-style-type: none"> - Maximise the opportunity for community diversity, inclusion and cohesion. - Contribute to people's sense of place, safety and security. 	
CS7 (Enhancing and protecting Barnet's open spaces)	<p>Protection and enhancement of Metropolitan Open Space</p> <p>Create a greener Barnet by:</p> <ul style="list-style-type: none"> - Meeting increased demand for access to open space and opportunities for physical activity. - Improving access to open space in areas of public open space deficiency. - Securing improvements to open spaces including provision for children's play sports facilities and better access arrangements, where opportunities arise. - Maintaining and improving greening by protecting incidental spaces, trees, hedgerows and watercourses. - Protecting existing site ecology and ensuring development makes the fullest contributions enhancing biodiversity. - Enhancing local food production - Improve the green networks 	<p>Compliant. The delivery of Clitterhouse Playing Fields (metropolitan open land) and Claremont Park being brought forward as part of the Phase 1A(N) developments counters the loss of Clarefield Park to accommodate the Living Bridge and the time lapse prior to a temporary Clarefield Park being provided. The proposals will provide significant enhancement to existing open space.</p> <p>The proposals provide qualitative open space, both for local residents and for future residents, with Clitterhouse providing facilities for the wider recreational community.</p> <p>The level of sports pitch provision, other sports facilities and the different play areas for different age groups have all been agreed in discussion with the Council's Greenspaces service.</p> <p>The proposed park developments will link into the proposed network of green spaces, in particular the connections through the proposed Market Square to the north and then by way of the proposed 'Living Bridge' corridor into the redeveloped Brent Cross Centre.</p> <p>Within this first phase of development there are proposals to improve the habitat and environment of Clitterhouse Stream where this abuts the application site.</p> <p>An extensive planting strategy and landscaping proposals, together with enhanced habit and ecology areas further ensures that the development complies with this policy.</p>
CS9 (Providing safe, efficient and effective travel)	<p>Developments should provide and allow for safe effective and efficient travel and include measures to make more efficient use of the local road network.</p> <p>Major proposals should incorporate Transport Assessments, Travel Plans, Delivery and Servicing Plans and mitigation measures and ensure that adequate capacity and high quality safe transport facilities are delivered in line with demand.</p> <p>The council will support more environmentally friendly transport</p>	<p>Compliant in so far as these specific proposals seek to improve cycle path and footpath provision through Clitterhouse Playing Fields and into the wider network. The provision of cycle stands within the Playing Fields park will encourage visits by cyclists, as will the segregated footpath/cyclepath routes.</p>

Policy	Content Summary	Extent of Compliance and Comment
	networks, including the use of low emission vehicles (including electric cars), encouraging mixed use development and seeking to make cycling and walking more attractive for leisure, health and short trips.	
CS10 (Enabling inclusive and integrated community facilities and uses)	The council will ensure that community facilities are provided for Barnet's communities and expect development that increases the demand for community facilities and services to make appropriate contributions towards new and accessible facilities.	Compliant: the proposed sports and recreational facilities at Clitterhouse Playing Fields are available for the wider community and cater for a wide range of sports. The proposed age related play areas have been designed in discussion with the Council's Greenspaces service to ensure that the relevant user groups' needs are met.
CS11 (Improving health and wellbeing in Barnet)	Will improve health and wellbeing in Barnet through a range of measures including supporting healthier neighbourhoods, ensuring increased access to green spaces and improving opportunities for higher levels of physical activity.	Compliant: the provision of new and improved open space, recreational facilities, sports pitches and play areas such as those proposed in the redevelopment of Clitterhouse Playing Fields and Claremont Park will provide opportunities for higher levels of physical activity and access to open spaces and recreational facilities in accordance with policy requirements.
CS12 (Making Barnet a safer place)	<p>The Council will:</p> <ul style="list-style-type: none"> - Encourage appropriate security and community safety measures in developments and the transport network. - Require developers to demonstrate that they have incorporated community safety and security design principles in new development. - Promote safer streets and public areas, including open spaces. 	<p>Compliant: the proposed parks will be bound by secure fencing and gateway park entrances will be provided with lockable gates to control access outwith daylight hours.</p> <p>The proposed landscaping strategy for each park has been designed with security of local residents in mind, with the planting regime discouraging wild camping within the parks.</p> <p>The gateway entrances and principal routes through the parks will be lit and the applicants have prepared a lighting strategy to ensure the provision is adequate.</p>
CS13 (Ensuring the efficient use of natural resources)	<p>The council will:</p> <ul style="list-style-type: none"> - Seek to minimise Barnet's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. - Promote the highest environmental standards for development to mitigate and adapt to the effects of climate change. - Expect development to be energy efficient and seek to minimise any wasted heat or power. - Expect developments to comply with 	<p>Compliant: the proposed park facilities pavilion is designed to achieve BREEAM 'Very Good' rating.</p> <p>The development proposals will be subject to an area wide SuDS strategy in order to attenuate and minimise surface water run-off.</p>

Policy	Content Summary	Extent of Compliance and Comment
	<p>London Plan policy 5.2.</p> <ul style="list-style-type: none"> - Maximise opportunities for implementing new district wide networks supplied by decentralised energy. - Make Barnet a water efficient borough, minimise the potential for fluvial and surface flooding and ensure developments do not harm the water environment, water quality and drainage systems. - Seek to improve air and noise quality. 	
CS15 (Delivering the Core Strategy)	The council will work with partners to deliver the vision, objectives and policies of the Core Strategy, including working with developers and using planning obligations (and other funding mechanism where appropriate) to support the delivery of infrastructure, facilities and services to meet needs generated by development and mitigate the impact of development.	Compliant: the Section 73 permission was subject to a S106 Agreement. The current RMA sits under the S73 permission and the requirements of the s106 are still applicable. Where required, the s106 will be varied in order to secure deliver of specific elements within the current application.
Adopted UDP (May 2006) Saved Policies (May 2009) as referred to in Core Strategy Policy CS2 – Chapter 12 of the UDP: Cricklewood, Brent Cross and West Hendon Regeneration Area		
GCrick Cricklewood, Brent Cross and West Hendon Regeneration Area	<ul style="list-style-type: none"> - The Council seeks integrated regeneration in the Cricklewood, Brent Cross and West Hendon Regeneration Area. - All development to the highest environmental and design standards - Aim to develop a new town centre over the plan period. 	Compliant: the development is consistent with this strategic aim, falling as it does within the terms of the S73 permission.
C1 Comprehensive Development	<ul style="list-style-type: none"> - The Council seeks the comprehensive development of the regeneration area in accordance with the area framework and delivery strategy. - Development proposals will need to meet policies of the UDP and their more detailed elaboration in the development framework. 	Compliant: The scheme accords with this policy. The proposals are Phase 1A(N) proposals within the scope of the S73 permission, the first phase of development within the wider Brent Cross Cricklewood regeneration project.
C2 Urban Design & Quality	-The Council will seek to achieve the standards of urban design for the Regeneration Area to result in a development of landmark quality.	Compliant: The LPA considers that the development will deliver a high quality environment in accordance with accepted principles of good urban design and this policy. Clitterhouse Playing Fields in particular is to be developed as a Community Park and will be subject to significant improvement in terms of the

Policy	Content Summary	Extent of Compliance and Comment
		facilities being offered to residents.
C3 Urban Design – Amenity	-The development should protect and improve the existing amenities of existing residents.	Complaint: The development will deliver improved park facilities and services for existing residents, offering a wide range of sports facilities at Clitterhouse and age related dedicated play areas in both parks. The proposals provide improved access for residents whilst protecting residents’ existing amenity.
C4 Sustainable Design	<p>The Council will seek to ensure that the Regeneration Area pursues the highest standards of environmental design, including:</p> <ul style="list-style-type: none"> • meet high performance standards for environmentally sustainable design and construction • an integrated network of public open spaces • Ensure the restoration and enhancement of the River Brent, without detrimental impact to the Brent Reservoir SSSI. • There must be a buffer zone, appropriate protection of legally protected species, and opportunities taken to enhance the biodiversity of the area. 	<p>Compliant: It is considered that the development will maximise the use of land and improve open space, cycle and pedestrian networks in accordance with the planning conditions and obligations.</p> <p>The development will result in a net gain in biodiversity in terms of habitat quality and connectivity. Substantial improvements are proposed to Clitterhouse Playing Fields, Claremont Park and Clitterhouse Stream and it is therefore considered that all criteria of this policy are met.</p> <p>A detailed landscaping scheme, habitat study and biodiversity strategy ensure that where required protected species will be protected and across the site the development will deliver enhanced habitat and ecology.</p> <p>Statutory consultees have not raised any objections to the proposal and the application is considered to demonstrate the influence of this policy.</p>
C7 Transport Improvements	<p>Transport improvements - the following should be provided through planning conditions and/or Section 106 agreements:</p> <ol style="list-style-type: none"> i. Connections and improvements to the strategic road network. ii. Sufficient transport links to and through the development, to include at least one vehicular link across the North circular Road and one vehicular link crossing the railway to the Edgware Road. iii. A new integrated railway station and new integrated bus station at Cricklewood, linked by a rapid transport system to Brent Cross Bus Station and Hendon Central and/or Brent Cross Underground Stations on the Northern Line. 	Compliant in so far as an integrated pedestrian and cycle path strategy has been developed to facilitate connectivity through the development sites to connect into existing networks. The proposals will provide enhanced connectivity.

Policy	Content Summary	Extent of Compliance and Comment
	<p>iv. A new bus station at Brent Cross, to north of the North Circular Road, with associated improvements to the local bus infrastructure.</p> <p>v. An upgrade of the rail freight facilities.</p> <p>vi. Provision of an enhanced, rail-linked waste transfer station serving North London.</p> <p>vii. Priority measures for access to disabled persons, pedestrians, buses and cyclists throughout the Regeneration Area.</p>	
C8 Parking Standards	This sets out maximum parking standards of 1 space per residential unit within the Regeneration Area, with retail parking provision to accord to London Plan standards.	Compliant., the s106 required a minimum of 15 spaces to serve the Clitterhouse playing fields development and 26, including 4 accessible spaces are to be provided.
C11 Implementation	The Council will require developers to provide on-site and off-site infrastructure, facilities and services to support the regeneration of the area.	Compliant. The proposed park redevelopment will align with revisions to the road network, including the provision a new Claremont Park Road and a realigned Claremont Road
UDP Specific Proposals (2006) Site	<p>Parts of the BXC development site are subject to site-specific proposals as shown in the Proposals Map (2006) (as saved). The aspirations for these sites are set out below:</p> <ul style="list-style-type: none"> • Brent Cross New Town Centre (Site 31) – new town centre, comprising a mix of appropriate uses, improved public transport and pedestrian access, landscaping and diversion of the River Brent; • Cricklewood Eastern Lands (Site 37) – mixed use including residential, office, leisure, local and neighbourhood shops, education, community uses and open space; • New Railway Station Cricklewood (Site 38) – railway station and public transport interchange; • New Waste Transfer Station (Site 39) – waste handling facility. 	Compliant – the proposals are consistent with the Proposals Map.

Policy	Content Summary	Extent of Compliance and Comment
Cricklewood, Brent Cross, West Hendon Regeneration Area Development Framework SPD 2005.		
<p>The Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework was adopted by the council and the Mayor of London as Supplementary Planning Guidance in 2005. This Development Framework was produced in collaboration with the Mayor and the Greater London Authority, landowners and developers in order to guide and inform the design and delivery of the development with the aim of achieving high quality comprehensive redevelopment of the area around a new sustainable mixed use town centre spanning the North Circular Road.</p> <p>The London Plan and the UDP saved policies combined with the Development Framework establishes a series of strategic principles for the comprehensive redevelopment of the area to create a new town centre, the overall vision for which is set out in UDP Policy GCrick.</p> <p>With regard to Clitterhouse Playing Fields the Framework seeks the relocation and improvement of sports pitches, community gardens and casual recreation areas for toddlers and teenagers, multipurpose sports courts, improved tree planting, and a new pedestrian and cycle network. The area will be a focus for shared community and education playing fields.</p> <p>With regard to Claremont Park the Framework seeks improved open space that will utilise the existing Claremont Way Open Space, its landscape upgraded, and provided with new facilities to create an attractive contiguous new expanded facility linked to Clitterhouse Fields</p>	<p>Compliance in relation to the proposed Open Space works: The parameters and principles of the BXC scheme are considered to be in accordance with the principles set out in the guidance contained in the adopted Development Framework (2005) generally and taken as a whole.</p> <p>The general proposals for both Clitterhouse Playing Fields and Claremont park are consistent with the vision and aims of the Development Framework. A hierarchy of open spaces will be provided across the Brent Cross Cricklewood regeneration project and the enhancements for Clitterhouse and Claremont Parks ensure compliance with those aims and will connect into the proposed network.</p>	

Key relevant local and strategic supplementary planning documents

Local Supplementary Planning Documents and Guidance:

- Infrastructure Delivery Plan (2011)
- Sustainable Design and Construction (2013)
- Planning Obligations (Section 106) (April 2013)

Strategic Supplementary Planning Documents and Guidance:

- Accessible London: Achieving an Inclusive Environment (April 2004)
- Sustainable Design and Construction (May 2006)
- Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
- Providing for Children and Young People's Play and Informal Recreation SPG (2008)
- London's Foundations SPG (March 2012)

APPENDIX 3

Pre Reserved Matters Conditions Under consideration with Relevance to the Reserved matters application 15/00769/RMA

Pre RMA Planning Reference	Description	Registration Date Status	
15/00660/CON	Illustrative Reconciliation Plan to clear condition 1.17 for Phase 1a (North) of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	02.02.2015	Under Consideration
14/07888/CON	Site measurement of Open Space to address condition 2.3 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	09.12.2014	Under Consideration
14/08110/CON	Pedestrian and Cycle Strategy for Phase 1A North to address condition 2.8 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	17.12.2014	Under Consideration
15/00667/CON	Estate Management Framework to address condition 7.1 for Phase 1a (North) of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	02.02.2015	Under Consideration
14/08109/CON	Car Parking Management Strategy to address condition 11.1 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	17.12.2014	Under Consideration

14/08108/CON	Phase Car Parking Standards and the Phase Car Parking Strategy for Sub Phase 1A North to address condition 11.2 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	17.12.2014	Under Consideration
14/07897/CON	Existing Landscape Mitigation Measures in relation to Phase 1a North to address condition 27.1 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	09.12.2014	Under Consideration
14/07896/CON	Tree Protection Method Statement in relation to Phase 1a North to address condition 27.2 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	09.12.2014	Under Consideration
14/08106/CON	Revised Energy Strategy to address condition 35.6 of S73 Planning Application Ref: F/04687/13 approved 23/07/2014 for the Comprehensive Mixed Use redevelopment of the Brent Cross Cricklewood Area	17.12.2014	Under Consideration

APPENDIX 4

CONSULTATION RESPONSES

First Consultation Responses for Consultation Period Ending 16/03/2015

<u>Clitterhouse Playing Fields:</u>	Officer Comments
<u>Justifying the loss of open space:</u>	
<p>1. Improvements to Clitterhouse Playing fields should not be used as a justification for any loss of green space in the area. Particularly given the vast increase in the local population expected by the end of the regeneration development.</p>	<p>Principles established initially with the approval of Outline permission ("2010 Permission) Ref No C/17559/08 and subsequently within the S73 Planning Permission Ref No F/04687/13 allow the development of some areas of open space in recognition of the uplift in open space that would result with the complete delivery of the Development. .</p>
<p>2. There is a lack of green spaces given that the proposed regeneration would increase the population growth in the area. We lost the Hendon FC playing fields to the Fairview development, we will lose the green triangles to build replacement housing for the Whitefield Estate; additionally lose green space to develop the proposed car park, MUGA's and other sport pitches facilities.</p>	<p>The amount of green space proposed has been established in principle with the approval 2010 Permission and 2014 Permission</p> <p>The current proposal represents an improvement to both Clitterhouse Playing Fields and Claremont Open Space which aims to make both of these sites more accessible to a range of local residents.</p> <p>The loss of the private playing fields at The Hendon Football Club has been established in the permission granted under application H/02747/14. It is not considered that this development which falls outside of the Brent Cross Cricklewood Regeneration area has a significant effect upon the acceptability of the Current RMA application or upon the wider Brent Cross regeneration Scheme.</p>

<p>3. A section of the open space will be lost to Whitefield School; this loss of open space is not made clear anywhere in the documentation.</p>	<p>This principle was established in the approval of the 2010 Permission and 2014 Permission. The proposals do not form a part of this reserved matters application being within the Clitterhouse Playing Fields Part 2 Works falling within Phase 2. .</p> <p>The current reserved matters application includes a degree of level changing in this area but in no way restricts access to or use of this space.</p> <p>There is no reduction in area proposed, although part of the grassed area of the park will be replaced by synthetic turf pitches to be used in conjunction with Whitefield School. The all weather pitches will be terraced into the park to minimise their visual impact and a landscape buffer will be provided to limit noise and light pollution to adjoining residential properties. Drainage will be improved to the remaining grassed sports pitches and this should ensure the number of playing hours will increase.</p> <p>It is intended that the 'all weather' sports pitches are managed to ensure that they are publicly available outside of school hours.</p>
<p>4. What is the Justification for Whitefield School being transferred to Clitterhouse Playing Fields and why does the school have to be moved?</p>	<p>Whitefield School is not to be moved to Clitterhouse Playing Fields. See the above answer in relation to the all weather pitches.</p>
<p>5. Schedule 8 Plan 015 illustrates the Section 106 Agreement plan and indicates that the trees on the boundary of Clitterhouse Playing Fields next to the re-sited school will be still be part of the Playing Fields. This is inaccessible space which could potentially encourage rough sleepers and other anti-social behaviour.</p>	<p>Details of the final landscaping in this location will be submitted with the submission of reserved matters relating to the Clitterhouse Improvement works Part 2 in Phase 2.</p> <p>The landscaping proposals within the Part 1 improvements are intended to deter rough sleeping and other anti-social behaviour. In particular to the southern boundary proposals result in a reduction of shrubbery providing clear view lines and also reduce the area in which rough sleeping can occur. The provision of swales to the north of the sport pitches also help reduce rough sleeping as the flat surfaces on which to camp are reduced. To an extent the increased activity in the park alone will assist in controlling such activities.</p>

<p>6. The development partners claim that the Playing Fields will be increased from 17.8 hectares to 18.2 hectares. Since there are no overlays or clear comparisons between the amounts of green space that is being proposed, it is unclear where the extra 0.6 hectares is proposed. Please Clarify how this uplift in open space arises.</p>	<p>Within part 1.5 of the Clitterhouse Playing Fields Design Development Report a plan is included indicating the existing area of 17.63 Ha and the proposed area of 18.2. This plan clearly indicates the increased areas of the playing fields including an extended area to the northern reach of the park as well as the addition of Open space and the Farm buildings to the south of the Hendon Football Club site.</p>
<p>Facilities proposed and open space for the public</p>	
<p>1. Concerns are raised over the proposed play facilities has the mix of these been discussed with the Local Authority?</p>	<p>The play facilities proposed are in accordance with the minimum requirements as detailed within the approved S106 Agreement schedule 28 Part F. This mix of equipment was established following discussions with the Council. Further to this the submitted layout and make up of the Play area has been subject to discussions with the Council's Green Spaces officer.</p> <p>In addition a condition is attached to this recommendation which allows a variation to the layout following public consultation.</p>
<p>2. Proposals at the Clitterhouse Playing Fields are too focused on sport facilities thereby excluding large parts of the population who do not engage in these activities.</p>	<p>The range and extent of uses proposed on the Clitterhouse Playing Fields has been subject to extended consideration. Principles have been established within the S73 Approval including a minimum area of playing fields (S106 Schedule 28 part 1, e) of 6.23ha.</p> <p>The Proposal includes a range of play facilities and landscaped areas of informal park space.</p>
<p>3. It is unclear how the existing levels of the park have been taken into consideration when planning the sport pitches, considerable work will have to be done to level them.</p>	<p>Please see the main report for a discussion of this issue. The sport drainage proposals have been checked by a specialist in sports drainage (an agronomist).</p>

<p>4. Object to the proposal to convert additional space to the north of Clitterhouse Playing Fields into sport pitches in later phases. This will limit open space usage to the general public. Such changes could also impact on the land's designation as Metropolitan Open Land.</p>	<p>Officers consider that the proposals for Clitterhouse Playing Fields strike an appropriate balance between sports use and more informal open space uses.</p>
<p>5. Concerned that little thought has been given to 'free-to use' space for everyone to use eg. for those who wish to walk their dogs, those who wish to walk and just enjoy the open space. Most of the area is for sports pitches which will only provide occasional benefit to a select few. The amount of space which is to be made 'use-specific' is disproportionate resulting in a clinical and artificial space.</p>	<p>Please see the main report for details of the proposal. Facilities for dog walkers and for informal park use are provided.</p>
<p>6. There is a lack of clarity on how 'open' the Clitterhouse Playing Fields will be. Concerns are raised that the new development will limit public access.</p>	<p>There is no intention to limit public access. Ownership of the playing fields will remain with the London Borough of Barnet and opening hours will be agreed at a later date.</p>
<p>7. What does the metropolitan open land currently cover and do officers agree with the changes to the size of the area made in this application?</p>	<p>This aspect of the planning application was considered at the outline stage. There are no proposals in this reserved matter planning application that would significantly impact upon the MOL designation.</p>
<p>8. Insufficient effort has been made to integrate the stream at the east edge of the park. It appears disconnected from the main area of the park and the Playing Fields. The stream should be promoted as a resource for wildlife, study and enjoyment for the public.</p>	<p>Please see the main body of the report for discussion of this issue.</p>

<p>9. Is it necessary to remove the existing mature grove of native trees? We are concerned about the loss of trees and feel that effort should be made to maintain and enhance the positive qualities that currently exist.</p>	<p>A tree survey of the trees has been undertaken and as many of the mature trees as possible have been retained. In addition, a tree planting strategy is proposed and this will enhance the tree cover in the park.</p>
<p>10. Concerned that there will be a cost to access these spaces and that these costs may be high.</p>	<p>The park will remain in the ownership of LBB. There are no plans to charge for access to the park although it is likely that there will be a charge for use of sports facilities. No details of likely charges are available at this time.</p>
<p><u>Access to the playing fields:</u></p> <p><i>Pedestrian access:</i></p> <p>1. Access at the south-western corner of the playing fields is of concern in respect of the interaction between cars and the flow of pedestrians within the park. The proximity of the access point to a roundabout on Claremont Road and the adjoining Primary school means that careful consideration is necessary to minimise potential incidents.</p>	<p>Please see the main report for a discussion of this issue. The vehicular access to the proposed car park is segregated from the pedestrian and cycle access.</p>
<p>2. The proposed barriers at the park entrances to restrict anti-social motorcycling are unsuitable and would hinder access for many users. A solution needs to be user friendly for all. The current design is not mobility friendly and will restrict access for cyclists, wheelchairs users, mobility scooters and parents with pushchairs. The 2014 London Cycle Design Standards (LCDS) suggests that barriers are not encouraged as they can have a major impact on access. Such barriers are not in use in nearby parks or open spaces</p>	<p>A condition is proposed to agree the detail of entrance gates before development commences.</p>
<p>3. Concern that a 4m wide footpath is not wide enough to accommodate a shared surface for cyclists and</p>	<p>The shared cycle and pedestrian routes will be designed in accordance with TfLs London Cycling Design Standards. Details are given in Section 4.5 of the Clitterhouse Playing Fields Design Development</p>

<p>pedestrians?</p>	<p>Report and the footpaths measure 5m in width.</p>
<p>Access for cyclists:</p> <ol style="list-style-type: none"> 1. The RMA submission illustrates that the cycling and pedestrian route through Clitterhouse Playing Fields would be segregated; however, there is no indication as to how this will be achieved. 	<p>See answer above.</p>
<ol style="list-style-type: none"> 2. Is the proposed cycling strategy illustrated for Clitterhouse Playing Fields in line with the planning guidance provided by the Mayor of London? Cycling provision must be in line with planning guidance from the Mayor of London, which would physically segregate cyclists and pedestrians, except at crossover points and junctions. 	<p>See answer above.</p>
<ol style="list-style-type: none"> 3. There is a lack of cycling routes through the playing fields to the North east and nothing alongside the stream 	<p>The overall cycling provision for the development is the subject of a number of pre-reserved matter conditions currently under consideration including the Area Wide Cycling and Study and the Pedestrian and Cycle Strategy for Phase 1AN. The cycle network through Clitterhouse Playing Fields conforms with these strategies.</p>
<ol style="list-style-type: none"> 4. Drawing 1065-04-5076 illustrates a cycle plan; however, many of the routes just stop in the middle of nowhere; there needs to be more thought to ensure cycle routes are joined up. 	<p>See answer above</p>

<p><i>Vehicular access and proposed car park:</i></p> <ol style="list-style-type: none"> 1. Will internal paths and roads within the open spaces be covered by the Highways Act 1980? Will there be sufficient light and who will maintain and own them? 	<p>Internal paths and roads will be owned and managed by the LBB and a condition is proposed to agree details of lighting before development commences.</p>
<ol style="list-style-type: none"> 2. The numbers of car parking spaces that have been proposed for the playing fields are limited. Prayle Grove and Wallcote Avenue are both very busy roads during the weekends and have restrictive covenants. Overflow parking from the park will make it difficult for residents to park vehicles on nearby congested roads. 	<p>The number of car parking spaces has been agreed by the Council's Green Spaces and Highways officers. The number of spaces represents a compromise between the need for car parking and the need to keep as much of the open space useable for the local community as park and playing fields.</p>
<ol style="list-style-type: none"> 3. Why is the car park situated in the middle of the playing fields? Would it not be convenient if it was situated near Claremont Road? 	<p>Green Spaces officers have supported the proposed location of the car park as the most convenient for users of the pavilion.</p>
<ol style="list-style-type: none"> 4. As a secondary school which caters for physically disabled students as well as able bodied students our concerns with regard to the development of Clitterhouse Playing Fields is what effect it will have on the traffic in the area. Our physically disabled students are dropped off and collected by Brent and Barnet vans each day, not to mention parents dropping their children of and our concerns are that the development works will cause additionally traffic problems which will impact on the students getting to school on time. 	<p>The traffic impact of the proposals for Clitterhouse Playing Fields was considered at the S73 Application stage. This Reserved Matter application is in accordance with the outline application.</p>
<p><u>Proposed Buildings:</u></p>	

<p>1. Centralising the buildings in Clitterhouse Playing Fields seems unnecessary and will create clutter in the centre. The Clitterhouse Farm buildings site would have been an ideal site and there are concerns on why this site was not considered?</p>	<p>Please see the main report for discussion of this issue. The proposed location for the pavilion was considered the most appropriate in relation to the playing pitches and play area. In addition there is a community proposal in development for the Clitterhouse Farm Buildings.</p>
<p>2. There are a number of buildings proposed on Clitterhouse Playing Fields these could potentially become brownfield sites if the park is not maintained properly.</p>	<p>The Pavilion is the only new building. The Clitterhouse Farm buildings are retained buildings. Management and maintenance arrangements are to be agreed but all park facilities – including the buildings – are likely to remain the responsibility of the applicant for the first two years.</p>
<p>3. The proposal for a centrally located kiosk as well a café within the Clitterhouse farm buildings could lead to competing business. The services should support each other. Is the Kiosk necessary?</p>	<p>It is considered that they are complementary rather than competing. The kiosk is situated close to the play area and is intended to provide a facility for users of the play area and sports pitches. The proposals for the café use in the Farm Buildings is not a fully developed proposal - no details of what is proposed are currently available. (It should be noted that the proposals for the Farm Buildings will be subject to a further planning application)</p>
<p>4. The proposed Pavilion has increased from being 251Sqm to 325sqm, why is this increase proposed?</p>	<p>Detailed design of the pavilion – particularly the changing rooms – has resulted in this need to increase the size to provide adequate facilities.</p>
<p>5. The increase in building sizes in Clitterhouse Playing Fields are disproportionate and could be an attempt to provide the authority with depot and office spaces that could be moved out of other borough parks, has this been discussed within the Local Authority?</p>	<p>The full detail of the proposals for the Park Maintenance Facility has not been finalised at this stage. It is anticipated that the depot will provide a base from which maintenance of nearby parks could be carried out – for instance Claremont Park. The detail of the Park Maintenance Facility will be controlled by planning conditions.</p>
<p>Maintenance Depot:</p>	
<p>1. It is not clear from the relevant documentation or drawings where the maintenance depot will be sited.</p>	<p>The revised submission identifies the location of the maintenance facility in part of the Clitterhouse Farm Buildings.</p>
<p>2. Why is 1000sqm required for a maintenance store?</p>	<p>This area proposed for the maintenance depot has been reduced in the revised submission.</p>

<p>And do other parks in Barnet meet this requirement?</p>	
<p>3. We understand that there may be a proposal for a maintenance depot which is proposed to be located within the farm buildings where the Clitterhouse Farm Project is based. The inclusion of the Maintenance depot and store will impact upon the community use and value this heritage site.</p>	<p>Please see the main report for discussion of this issue.</p>
<p>4. The maintenance depot should be placed elsewhere in the wider regeneration area; however, if both are located on the same site the old buildings and courtyard should be given to the community to use and a new development should be integrated and considered on the southern part of the site for recreational team to use.</p>	<p>Green Spaces have identified the area of the Farm Buildings as the most appropriate location for a maintenance depot. This is principally because of its location close to Claremont Road.</p>
<p>5. The Playing Fields should have a dedicated team of park wardens to maintain the facilities and enforce stern discipline.</p>	<p>Management and maintenance details will be agreed at a later date. There are no proposals from the applicant to fund park wardens.</p>
<p>Farm Buildings</p>	
<p>1. The playing fields stands in an area of Archaeological significance, the plans presented do not adequately integrate this aspect and future uses of the Farm buildings into the surrounding public space.</p>	<p>Please see the main report for a discussion on archaeological aspects of the proposal.</p>
<p>2. We object to the removal of all the hard standing in front of Clitterhouse Farm buildings, this space is currently used to facilitate community events. It should be kept in some form and landscaped to cater for a multitude of uses.</p>	<p>Officers consider that the Community Lawn proposed is an appropriate replacement for the area currently occupied by the hard standing to the rear of the Farm Building.</p>

<p>3. The aim of the Clitterhouse Farm Project is to make use of <i>all</i> existing original Victorian farm buildings and outbuildings, there are currently plans to apply for restoration grants and this could clash with the needs of indoor and outdoor space. It is proposed that this space could be accommodated by a new building running along the southern edge of Clitterhouse Farm.</p>	<p>Green Spaces have identified part of the area of the Farm Buildings as the most appropriate location for the park maintenance facility. The Farm Project proposals are still under development and in this situation it is considered appropriate to propose part of the existing Farm Buildings for the maintenance depot.</p>
<p>4. The Clitterhouse farm project should be incorporated into this proposed development.</p>	<p>Please see the above answer.</p>
<p><u>Claremont Open Space</u></p>	
<p>1. Claremont Open space open space should provide local play facilities and activities. It will become impossible to access the space with the highly structured layout and multiple levels.</p>	<p>Officers Comments Claremont Park will provide local play facilities – please see the main report for details.</p>
<p>2. The RMA submission states that Claremont Open Space currently measures 2.3 hectares, does this measurement include Brent Terrace green triangles?</p>	<p>The measurement of 2.3 hectares includes the Brent Terrace Triangles</p>
<p>3. In accordance with the Section 106 Agreement Claremont open space is required to have a minimum area of 1.95ha; however no detailed explanation has been supplied to explain how this has been achieved.</p>	<p>Please see the map in the Claremont Park Design Development Report</p>

<p>4. The current shape of Claremont Open space looks completely different to the proposed design. We are unable to determine whether land has been added or removed. Please explain.</p>	<p>Land is added to the proposed new Claremont Park from the surrounding buildings to the north. Please see the main report for a discussion of this issue.</p>
<p>5. What do the developers mean by stating that Claremont open space 'could have 2 distinct levels'? How is this applied to the distinct woodland character sought.</p>	<p>Please see the main report for a description of the proposal for Claremont Park.</p>
<p>6. How will level changes and retaining walls be incorporated to prevent them from being a hazard for cyclists or pedestrians?</p>	<p>Officers consider that the design proposed will be safe for pedestrians and cyclists.</p>
<p>7. Who will maintain Claremont open space?</p>	<p>Claremont Park will be owned by LBB and the detail of the management and maintenance is still to be agreed. The applicant has suggested that they should be responsible for a period of two years.</p>
<p>8. There are too many proposed footpaths for a small open space. There needs to be less pathways and more open space. Furthermore, there is no direct route through the open space. It is important to know that this space is currently used by residents to cut across to access Claremont Road, if there is no direct route it would be difficult for elderly pedestrians.</p>	<p>The design of routes through Claremont Park should be considered in relation to future phases of the BXC development – including access to the new Thameslink Station. The network of footpaths is currently under consideration as part of the Area Wide Walking and Cycling Study and the Phase 1 AN Pedestrian and Cycle Strategy. The paths proposed through Claremont Park are in accordance with these strategies.</p>
<p>9. Are all the foot paths and areas with hard standing permeable? There are many problems with flooding and drainage in this particular area.</p>	<p>Please see the main report for a discussion of the drainage issues.</p>

<p>10. The main entrances at either end of the open space have a lot of hard surfacing. What is the reason for this?</p>	<p>These proposed gateways to the park are considered appropriate. Particularly in relation to future phases of the BXC development.</p>
<p>11. Can it be justified why there are so many entrances to the open space on the north side? There is less play area and more hard surfaces.</p>	<p>Please see the answer to question 8 above.</p>
<p>12. Why is there a temporary embankment on the north side of the park? How long will this embankment be there for and will it be replaced by?</p>	<p>Please see discussion of this issue in the main report.</p>
<p>13. The proposed planting along the boundary of the south side of Claremont Park will allow usage by rough sleepers. What measures are proposed to prevent this?</p>	<p>The current proposals have considered this aspect and the shrubbery will be reduced in this area. Increased activity in the area should also help to reduce a range of anti-social behaviours.</p>
<p>14. It is proposed that the remainder of Claremont Park will be developed during phase 5. Will Argent be able to make changes to the master plan? And what will be proposed to safeguard the future additions of the park?</p>	<p>It is assumed that this is a reference to the industrial building to the north of Brent Terrace that will be retained in Phase 1AN but will eventually form the link between Claremont Park and Brent Terrace Park. Detailed proposal will be brought forward as part of future Reserved Matter proposals for that particular phase and should be in overall conformity with the outline Master Plan.</p>
<p>15. There is hardly any recreational space or picnic areas. This space is not community friendly or multi-functional. Proposed design works against the encouragement of community activity dissecting the space into a series of hard standing zones.</p>	<p>The area is intended to be both multi-functional and community friendly. Please see the main report for details.</p>

<p>16. The level of planting and hardstanding should be reduced to widen the scope for community activity; this would help to improve safety for local residents and allow sufficient space for recreational walkers and runners.</p>	<p>Officers consider that an appropriate balance has been struck between planting and hard standing.</p>
<p><i>Question in relation to both Clitterhouse Playing Fields and Claremont Open Space:</i></p> <ol style="list-style-type: none"> 1. Clitterhouse Playing Fields are identified as being a community parks on Parameter Plan 002 and Claremont Park is identified as a Neighbourhood Park. Why are they designated differently and what is the difference? 	<p>These designations relate to the functions of various open spaces across the BX area developed as part of the original Master Plan.</p>
<ol style="list-style-type: none"> 2. It is significant to understand that these open spaces are recognised as an important gateway to the southern development and integrated into the wider scheme; can assurance be provided that these considerations have been thought through? 	<p>These proposals are consistent with the original Master Plan. Please see the main report for discussion in relation to this issue.</p>
<p><u>RMA Submission Consultation:</u></p>	
<ol style="list-style-type: none"> 1. The planning authority has unreasonably validated this RMA application. The short consultation period between has not allowed local residents to fully consider and comment on the impacts of the proposed development. The timescale provided is unreasonable making this consultation period an unfair process. 	<p>The consultation periods exceeded the statutory minimum. Please see the main report for details.</p>

<p>2. No reasonable adjustments have been made for those residents for whom English is not their first language.</p> <p>3. There has been a lack of public consultation and not enough effort has been made to engage with local people in the park's design. Now the southern development partner has been selected, plans should be developed through consultation</p> <p>4. We were initially informed that four RMA submissions will be submitted. Could you explain the delay and whether the Local Authority has misled the public? Has the Local Authority not been able to validate or examine the RMA submissions? If this is the case could you explain how the public is supposed to comment and review these applications?</p> <p>5. What are the risks that Claremont Park or buildings on the Brent Terrace triangles are never carried out?</p>	<p>It is not Council policy to provide translations of planning documents.</p> <p>Consultation has been carried out by the applicant and by the Council in relation to the approved Master Plan. Specific consultation has been carried out in relation to this Reserved Matter Application.</p> <p>Any future applications will also be subject to public consultation.</p> <p>Please see the main report – including the summary – for discussion of this issue.</p> <p>The Brent Terrace Triangles RMA has been determined, the Clitterhouse and Claremont Park RMA is before this Committee for consideration and the two remaining RMAs were re-submitted in June are under consideration at the moment.</p> <p>This is not a question for the planning committee.</p>
<p><u>Compliance of the Proposed Development with the Outline Application</u></p> <p>1. It was impossible to comment on the 2009 Planning Committee as no one was permitted to take any form of notes. This action by the Authority is in breach of the Humans Rights Act 1998.</p>	<p>Many comments were made by residents and community groups on the 2010 permission. Planning Application and these were reported to the planning committee.</p>

<p>2. Could you provide an analysis and the relationship between this RMA submission and other relevant RMA submission and explain the difference between the 2008 Outline Planning Application, the Planning Application consented in 2010 and the Section 73 2014 Application.</p>	<p>Please see the main report for an explanation of this process.</p>
<p>3. Residents feel they have not been consulted properly and feel since the Southern developer has been appointed a sufficient period of time should have been given to review plans. There has been a lack of effective consultation and collaboration with the local community and park users.</p>	<p>This application has been submitted by the existing BXC partner and should be considered by the planning committee as submitted and on its merits. The proposed southern development partner has not been involved in the production of this planning application.</p>

<u>Support</u>	Officer Comments
<p>1. Some residents support the proposals submitted alongside this RMA application and have highlighted that the open spaces need to be improved. Clitterhouse Playing Fields in particular is regularly vandalised and suffers from fly-tipping and rough sleepers. The open spaces need to be maintained and provide facilities for the community to use.</p>	<p>Noted</p>
<p>2. In support for a wide range of sport facilities and Multi use pitches.</p>	<p>Noted</p>
<p>3. The proposal to improve Claremont Park will be beneficial to the environment and local area.</p>	<p>Noted</p>
<p>4. In support of the addition of a baseball pitch in the plans for Clitterhouse Playing Fields as currently there no facilities for baseball.</p>	<p>No baseball is currently proposed but the playing fields could be adapted to accommodate baseball as shown in the Design Development Report.</p>

Second Consultation Responses for Consultation Period Ending 5/06/2015

<u>Clitterhouse Playing Fields: Farm buildings</u>	Officer Comments
<p>1. The use of the Southern two storey buildings as Council Maintenance buildings would have a significant impact upon the Clitterhouse Farm Project business plan. This could have a negative impact on the project's financial sustainability. We have explored the use of this wing of the Farm Buildings as a versatile space for renting shared desk spaces and studios to stimulate revenue and income to the business.</p>	<p>Please see the main report for discussion on this issue.</p>
<p>2. The developers initially acknowledged the farm buildings as a community asset. It was confirmed that the community farm group would be allowed to retain these buildings. The outbuildings around the farm yard work as a unit with the remaining buildings. They should be maintained as such.</p>	<p>Officers are not aware that Clitterhouse Farm has been registered as a community asset.</p> <p>Please see the main report for discussion of this issue.</p>
<p>3. The council are legally and morally obliged to inform the community regarding the proposed plans. They are legally obligated under the Localism Act 2012 to offer the community the chance to obtain the community asset and put together a suitable business plan.</p>	<p>There is no specific provision in the Localism Act 2011 which relates to consultation on green spaces. Section 122 of the Act inserted a new section 61W into the TCPA 1990. That section places a duty on developers to carry out pre-application consultation with local communities before applying for planning permission for certain types of development. Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015 states that the duty to consult introduced by the Act only applies to developments for wind farms.</p> <p>Since the Brent Cross scheme is not such a development, the duty to consult under section 122 of the Act does not arise.</p> <p>Developer consultation as detailed in the submitted Public Consultation Strategy is</p>

	considered to meet their requirement to consult.
4. Why has it been proposed to use part of the farm buildings as a maintenance store and depot? Why not place the Maintenance depot on a more suitable site?	Please see the answers to questions in relation to the Maintenance Depot above.
5. How is adding a maintenance depot beneficial to the community?	The maintenance depot will provide a facility for machinery and operatives to allow the easy maintenance of the improved park facility.
6. The council's park team have stipulated a requirement of 269m ² of internal and external space; however, the red line boundary (General Arrangement Plan) represents a greater area, especially with regard to the external yard space. By taking a larger share of the yard space will ruin the historical space. There is no clear explanation and we are very concerned and require clarification.	Green Spaces officers have outlined to the applicant the areas they will require to operate an effective maintenance depot. This includes an outside area for the storage of materials.
7. Relationships have been developed with Middlesex University for a creative community on site. The revised changes to the RMA submission would limit the potential for community use and interaction.	It is understood that the community group are developing their proposal – including identifying sources of funding. The involvement of Middlesex University is noted and is welcomed.
8. We would like time for our architect to work in collaboration with the developers to draw up a design which caters for both needs and a design which does not jeopardise the future viability of the Farm project organisation but yet still provided the	The detailed proposals for the part of the Farm Buildings required for the maintenance depot is subject to a planning condition and will be coming forward at a later date.

necessary space for the parks team. The planning documentation produced fails to acknowledge the Clitterhouse Farm project or our concerns.	
9. The amended design should have been treated as a separate planning application	Please see answer to question 8 above.
10. The size and the scale of the proposed maintenance depot are unreasonable. The characteristics and court yard feature of the Victorian Farm buildings would be lost and it is a shame to lose a historical aspect of the buildings.	Please see answers to earlier question
11. The creation of a maintenance store and depot would create potential health and safety risks for anyone using the facilities in the farm project buildings; in particular if activities were offered to children. There needs to be assurance that machinery would not cause potential hazards or risks.	Noted. This issue will need to be considered further as detailed proposals for both the community use of the farm buildings and the detail of the maintenance depot are brought forward
12. .There has been a vast amount of consultation regarding Clitterhouse Playing Fields; however, there seems to be little evidence which demonstrates public engagement regarding Claremont Open Space.	Both parts of this application have been subject to the same amount of public consultation.
13. There has been a notable absence of site notices required under the Town and County Planning Act to alert local affected residents and other users of the facilities to this Reserved Matters Application.	Please see the main report for details of the number of site notices displayed
14. The re-consultation of this RMA submission does not clearly highlight the changes in the application. It appears time consuming to navigate the relevant	The covering letter outlines the changes made in the revised submission.

<p>changes.</p>	
<p>15. Concerns were raised that The Environmental Statement Further Information Report and supporting technical information saved under reference '15/00732/BXE' was not available to view on the councils website.</p>	<p>The case officer has not been contacted about this issue by any members of the public.</p>
<p>16. The revised RMA documentation illustrates that work on both parks will commence in September 2016. Presumably this means that both parks will be closed to the public whilst work is carried out. This will coincide with the construction work on the Brent Terrace green space triangles. According to the original conditions all these green spaces were not supposed to be unusable by the public. The Environmental Impact Assessment should have been updated to reflect this impact on the physical and psychological health impacts of the community due to the closure of all these green space.</p>	<p>This concern is noted. Works are likely to take place at the same time but consideration will be given as to how much of the park can be kept open.</p>
<p>17. Concerns have been raised by a sports development organisation. Consideration for minority sport should have been considered in more detail. It would have been beneficial if a full size court could be used for events, training and games for basketball.</p>	<p>Green Spaces officers have advised on the most appropriate configuration of sports pitches based on their local knowledge. It would be possible to use the pitches for other sports and the applicants Design Development Report demonstrate this.</p>

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APPENDIX 5

CONFORMITY WITH S73 CONSENT DEVELOPMENT SPECIFICATION AND FRAMEWORK

Revised Design Specification and Framework (RDSF) and Parameter Plans (PP)	Requirement relevant to Reserved Matters at Clitterhouse Playing Fields and Claremont Park	Compliance
<p>Clitterhouse Playing Fields and Claremont Park Open Spaces</p>		
<p>Parameter Plan 001- Development Zones</p>	<p>Parameter Plan 001 identifies Development zones including Clitterhouse Playing Fields (CPF). Claremont Park is not specifically identified as a separate development zone and falls within the Market Square development zone.</p> <p>Parameter Plan 012 relates specifically to Clitterhouse Playing Fields. Whereas Clitterhouse Playing Fields is defined as a Community Park, Claremont Park is identified as a Neighbourhood Park</p> <p>The Development Zones reflect areas of character within the S73 Consent site. With regard to Clitterhouse Playing Fields the revised Development Specification Framework (RDSF) identifies the playing field development as providing improved and enhanced existing open space, including dual use education and community facilities.</p>	<p>The proposed redevelopment of Clitterhouse Playing Fields is within the development zone identified in Parameter Plan 001. The proposals comply with the requirements of the RDSF in so far as they deliver ‘improved and enhanced open space’. In addition, the playing fields development includes a park facilities building that provides an element of Class D1 floor space that is not specifically identified in the parameter plan although the development overall includes a figure of Class D1 floor space for the whole development site.</p> <p>The requirements for Claremont Park are less onerous and less defined given the park is a neighbourhood park rather than a community park.</p>

	<p>The total development floorspace is stated in Table 1 of the RDSF and this is divided between development zones in accordance with the Zonal Floorspace Schedule contained within Appendix 5 of the RDSF. The plan also identifies a series of Building Zones within each Development Zone which are defined by the approximate location of roads/routes and open spaces, as shown on the remaining Parameter Plans.</p> <p>The floorspace allocated to each Development Zone is further sub-divided across each Building Zone, as described in Parameter Plan 014.</p>	
<p>Parameter Plan 002- Transport Infrastructure</p>	<p>Parameter Plan 002 identifies the principal access to CPF from Claremont Road in the location of Clitterhouse Farm. A new at grade pedestrian crossing is shown adjacent to this access point on Claremont Road.</p> <p>A new highway junction is shown at the east of Claremont Park, this new junction will also give access to a new road that will define the northern boundary of Claremont park (Claremont Park Road).</p> <p>An existing underpass gateway is identified on the eastern edge of CPF at Hendon Way.</p>	<p>Access to CPF will be gained principally from Claremont Road. There will be limited vehicular access to the proposed car park as well as the Clitterhouse Farm buildings which are now to be retained.</p> <p>Claremont park has been designed to abut the proposed Claremont Park Road in compliance with this parameter plan.</p> <p>The Ridge Hill/Hendon Way underpass has been identified for improvements in the reserved matters application.</p>
<p>Parameter Plan 003- Public Realm and Urban</p>	<p>Parameter Plan 003 identifies a network of new</p>	<p>Application drawing number 1065-08-001 Rev I</p>

<p>Structure</p>	<p>and existing public spaces and the routes between them for cyclists and pedestrians.</p> <p>CPF is defined as a community park (CP1) with a minimum area requirement of 18.2ha, Claremont Park is identified as a neighbourhood park (NH2) with a minimum area requirement of 1.95ha.</p> <p>A number of Green Corridors (GC 3 – 5) are delineated for inclusion in the CPF proposals; these are proposed along the southern, eastern and north eastern park boundaries.</p> <p>A number of secondary and tertiary cycle and pedestrian routes are proposed in order to provide access to the site at the gateway access points and providing connectivity through CPF.</p>	<p>shows the general arrangements for the park, and demonstrates compliance with Parameter Plan 003 requirements, including the provision of the green corridors and cycle/pedestrian links through CPF.</p> <p>More detailed drawings of the park layout are shown in dwgs 1065-08-020 to – 025. Detailed planting proposals are shown in dwgs 1065-08-201 to – 215.</p> <p>The proposals accord with Parameter Plan 003.</p>
<p>Parameter Plan 006 – Proposed Finished Site Levels</p>	<p>The site levels for Clitterhouse Playing Fields are addressed separately in Parameter Plan 012.</p> <p>Parameter Plan 006 shows a proposed ground level at the western end of Claremont Park of 48.00m AOD</p>	<p>Parameter Plan 006 has been amended to show a proposed ground level at the western end of Claremont Park of 49.00m AOD, an increase on the S73 permission approval of 1.0m and a proposed road level for the new Claremont Park Road of 49.51mAOD.</p> <p>The change allows a DDA compliant footpath link to Claremont Park.</p>
<p>Parameter Plan 012 – Clitterhouse Playing Fields</p>	<p>Parameter Plan 012 defines that Clitterhouse Playing Fields are to be substantially enhanced as</p>	<p>As agreed in discussion with the LPA, Parameter Plan 012 is to be amended in order to</p>

	<p>part of the development proposals and identifies the general location of uses within Clitterhouse Playing Fields, as now defined within the current Reserved Matters Application.</p> <p>The plan identifies the general area for new all-weather pitches, which will be used in conjunction with the adjacent education campus (Plot E1 on Parameter Plan 001), as well as by the local community (note that these pitches fall within part 2 development phasing for CPF).</p> <p>Included in the Parameter Plan is greater details of the gateway access points, the green corridors the indicative location for community play area, an area to accommodate natural grass playing pitches, indicative locations for a park pavilion and maintenance store buildings as well as an indicative car park area.</p> <p>It is intended through the detailed application stage that the park's current poor quality formal sports pitches will be improved to maximise the potential number of hours for play and an additional area will be retained as predominantly amenity grassland with areas of habitat and/or planting defined within the site.</p> <p>The Parameter Plan also defines proposed ground levels in order to show how the site will be re-</p>	<p>accommodate a revised layout. The facilities proposed in Parameter Plan 012 remain constant however an application under Conditions 2.4 and 2.5 of the S73 permission has been submitted (under reference 15/00664//CON) in order to vary the layout of Clitterhouse Playing Fields. The application under conditions 2.4 and 2.5 is reported to members under separate cover alongside this RMA.</p> <p>The proposed development is therefore consistent with the proposed amendments to Parameter Plan 012.</p> <p>Application drawings 1065-08-020 and 1065-08-020 to 025, show the general layout of the proposed CPF and more detailed drawings of each area within the park.</p> <p>The revisions have been agreed with Council officers, with Greenspaces officers having significant input into the location, design, layout and content of the community play area which is designed, in accordance with the requirements of the Section 106 Agreement, Schedule 28, to provide a range of different age related play areas.</p> <p>The location of the pavilion has changed to the centre of the site and the maintenance store, to</p>
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	<p>profiled to accommodate the improvements and new facilities.</p> <p>Clitterhouse Farm Buildings are shown as being demolished.</p> <p>The accompanying text notes that the works also intend to maintain and improve the existing access route to the south east of Clitterhouse Playing Fields, involving cosmetic upgrade to the existing A41 pedestrian underpass as shown on Parameter Plan 002 (Ref U4), which will link up with the wider pedestrian routes and the existing London Cycle Network toward Childs Hill and on to Hampstead Heath.</p> <p>Claremont Park is shown as a Neighbourhood Park (NH2) however no further details for the park layout are defined in Parameter Plan 012.</p> <p>Para 5.32 of the RDSF however does state that Claremont Park will have a distinct woodland character and include play facilities for children.</p> <p>Para 5.67 recognises that in enhancing the playing fields area the proposals must also respect the Metropolitan Open Land designation.</p>	<p>be used by Greenspaces, has been defined in the area around Clitterhouse Farm buildings to allow the existing buildings to be retained and developed partially for that purpose. The proposed car park to serve the park has been relocated to a more central location closer to the pavilion building.</p> <p>The proposed synthetic turf pitches in the south west corner of CPF have been replaced with agreement from officers with a combination of tennis courts and multi use games area (MUGA).</p> <p>The natural grass playing fields to the immediate east of the former Hendon FC site have been removed in order to accommodate the play area. In so doing however the overall S106 agreement requirement to provide 6.23ha minimum of sports pitches can still be met in the area further to the east.</p> <p>Details of the proposed Water management Strategy have been submitted, including drainage details specifically related to the upgrade to the grass pitches that will be available. Once implemented, the reprofiled sports pitches will benefit from the improved drainage provision to ensure that the critical requirement of extending the availability of the pitches for use throughout the year is met. Greenspaces officers have</p>
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		<p>confirmed that the proposal would achieve desired improvements. A condition is nevertheless proposed to ensure that the drainage is implemented as planned.</p> <p>No details of the underpass (U4) improvements are included on the application drawings although indicative details of the improvements are included in the supporting Development Design Report for CPF. The details have generally been agreed with Transport for London, the Development Partners and the Council. Delivery of the upgrade will be controlled by planning condition.</p> <p>Clitterhouse Farm buildings are now shown as being retained as these can be utilised in part by Greenspaces as their Maintenance Store. Only part of the building is required for this purpose and the remainder is identified by the Clitterhouse Farm Project group as a community based facility. The retention of the buildings and future use as a maintenance store is reflected in the amended Parameter Plan 012.</p> <p>Some minor changes have also been made to the proposed ground levels.</p> <p>Claremont park includes children's play areas as agreed with the Council's Greenspaces team.</p>
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<p>Parameter Plan 014 - Floor Space Thresholds</p>	<p>Parameter Plan 014 Table 6 identifies an approved development floor space threshold of 251sqm for CPF.</p>	<p>Consistent with Parameter Plan 014 and accompanying Table 6 as varied by application under Condition 2.4 and 2.5, 15/00664/CON, the proposed development floorspace to reflect the increase in size of the park facilities pavilion is 351sqm.</p>
<p>Parameter Plan 016 – Existing Buildings and Open Spaces</p>	<p>Parameter Plan 016 identifies those buildings on site which are to be demolished. The plan also identifies those buildings to be retained and incorporated into the scheme.</p>	<p>As noted above, whereas the S73 permission proposed the demolition of Clitterhouse Farm buildings, these are now to be retained to provide accommodation in part for the Greenspaces Maintenance Store.</p> <p>The proposed amendment has been captured in the application under Condition 2.4 and 2.5 and the development now proposed is in accordance with amended parameter plan 012.</p>
<p>Paragraph 2.18 –2.22 (Floorspace and Development Zones)</p>	<p>Paragraph 2.19 of the RDSF states that the total floorspace for the development is set out within Table 1. Table 1 identifies that the total Social and Community Infrastructure floorspace (Class D1) permitted within the 2014 Permission is 34,615sqm.</p>	<p>The proposed development amends through application 15/00664/CON Table 1 to increase the total Class D1 floor space to 34,689sqm to reflect the increase in floorspace of the park pavilion.</p>
<p>RDSF Appendix 5 – Zonal Floorspace Schedule</p>	<p>Appendix 5 includes a community facilities (Class D1) floorspace of 251 sqm for Clitterhouse Playing</p>	<p>This has been increased to reflect the proposed park pavilion floorspace of 325sqm</p>

	Fields.	
Section 6 Implementation and Reconciliation Mechanism, Table 11 and 11a	<p>Table 11 shows PDP floor space for Clitterhouse Playing Fields at 251 sqm of Community Facilities, Class D1.</p> <p>Table 11a shows a total Class D1 floor space provision of 9,338 sqm.</p>	<p>The amendment to Table 11 reflects the increase in Class D1 floor space for CPF of 325sqm.</p> <p>Table 11a is amended to show total Class D 1 floor space of 9,412sqm.</p>
Appendix 10 Scale Thresholds	<p>Appendix 10 includes building scale thresholds for buildings in CPF. The maximum length of the building in the S73 permission is 30m.</p>	<p>Appendix 10 Table 17 has been supplemented by table 17C to show an amended maximum building length of 31.5m.</p>
Paragraph 2.69 – Open space and sustainability and energy	<p>Paragraph 2.69 – 2.87 of the RDSF require a minimum of 10% of available roof areas, where possible and distributed across the site. Green or brown roofs will be limited to flat roofs or roofs with a slope of up to 35° and created using substrate and vegetation from invertebrate rich locations on the Site, as far as possible.</p> <p>Standards of sustainability and energy commitments have been captured in the Explanatory Report. Controls have been placed through the Section 73 Planning conditions and the Revised Energy Statement (BXC9)</p>	<p>The only building proposed in the current RMA is the park pavilion. The pavilion is designed with a flat green roof for the whole structure.</p> <p>Details of the planting to be incorporated are subject to a recommended planning condition requiring written approval from the Council.</p>
Section 2, Table 8 - Sustainability Features Delivered	<p>Table 8 includes the following requirements relating to open space provision:</p> <ul style="list-style-type: none"> - Provision of new habitats and green 	<p>The development of both CPF and Claremont Park meet these requirements. Habitat, ecology and biodiversity matters have been subject to lengthy pre-application discussion and negotiation to</p>

	<p>corridors for flora and fauna</p> <ul style="list-style-type: none"> - Drought tolerant planting and use of native species - Area of relative tranquillity to be created in main parks 	<p>ensure that the optimum provision is achieved.</p> <p>CPF is provided with informal amenity grassland areas and community garden spaces.</p>
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APPENDIX 6
REVISED SCHEDULE 28

SCHEDULE 28

PHASE 1A (NORTH) PARK IMPROVEMENTS – SPECIFICATION OF OUTLINE DESIGN PRINCIPLES

Part 1

Clitterhouse Playing Fields Outline Specification

The following outline specification has been prepared in support of the Section 106 Agreement detailing the provision of the key components, which applies unless otherwise agreed in writing between CRL and the LPA. The improvements are divided in two parts as referenced below.

References to "**Part 1**" below are references to the Clitterhouse Playing Fields Improvements (Part 1) and references to "**Part 2**" are references to the Clitterhouse Playing Fields Improvements (Part 2).

It is hereby agreed by the LPA that where in this Schedule 28 references are made to minimum areas, dimensions, numbers of items or specifications then if the details submitted for approval pursuant to **Condition 13.1** of the S73 Permission meet those minimum requirements the LPA shall not withhold its approval of those details pursuant to **Condition 13.1** of the S73 Permission on the basis that in its opinion the details should exceed the relevant minimum unless and to the extent that such additions to the minimum areas, dimensions, numbers of items or specifications are reasonable and/or justifiable in the light of relevant legal or policy standards or guidance and/or the reasonable requirements contained in the representations of consultees.

General

- Clitterhouse Playing Fields should comprise an area of no less than 18.2 ha.
- The boundary of the playing fields will be marked by fencing, bollards etc and will have lockable gates at all entrance points so as to secure the park with a specification to be approved in accordance with **Condition 13.1** of the S73 Permission.
- Key pathways will be lit with a lighting specification to be approved in accordance with **Condition 13.1**.
- there will be a minimum of 40 seats of type Taylor Made RN6 or similar

- there will be a minimum of 40 litter bins of type Trevor Isles night close topped galvanised lockable bins or similar.

The improvements to Clitterhouse Playing Fields will comprise the works set out below and be in accordance with Parameter Plan 003 and Parameter Plan 012.

Works to Clitterhouse Playing Fields shall comprise the following works:

a) Green Corridors

Part 1

Includes the provision of Green Corridors GC3, GC4 east / west section only and GC5 shown on Parameter Plan 003.

Part 2

Includes the north / south section of GC4 and the sections of boundary planting adjacent to Nature Park NP1 and the area for the All Weather Pitches with artificial grass surface and Multi Use Games Area with asphalt surface comprised in Part 2 of the works relating to the Sports Pitch Provision under section (e) below.

The Green Corridors will provide a minimum 5m width of native hedge and woodland edge planting along the boundary edges as shown on Parameter 003, and/or improvements to existing boundary planting in these areas.

b) Network of Pathways

Part 1

Provision of a clear network of pathways across the park to link park entrances and key facilities, as indicated on Parameter Plans 003 and 012. The network to be developed in parallel with the proposals for sports pitches to ensure compatibility between the two elements. The pathways to be a minimum of 5m wide to accommodate a number of users and cyclists where cycle provision is to be made in accordance with Parameter Plan 003, and to be compliant with the BXC Inclusive Access Strategy. All entrances to be clearly defined, with no obstructions, and to be designed in parallel with other park facilities to ensure compatibility of uses. A variety of surface finishes should be provided such as tarmacadam or bonded gravel or concrete etc reflecting the status of the footpath.

c) Park Facilities

Part 1

Park Facilities as located on Parameter Plan 012 maybe provided within 1 separate building as shown on the Parameter Plan 012. The park facilities should include the changing accommodation for the sports pitches. The design of the changing rooms will be commensurate to the final sports pitch provision, and based on the current Sport England guidance.

The final design, accommodation and location will be subject to future consultation with the Council and the LPA's approval in accordance with **Condition 13.1**.

Schedule of accommodation to include subject to the LPA's final approval under **Condition 13.1:**

- 22 sqm Café Kiosk
- 32sqm Park and Café Storage. including area for Services.
- Male WC – 2 cubicles & 4 urinals
- Female WC – 5 Cubicles
- Accessible WC / Baby Change
- Accessible Changing Room / Shower Room
- 14.5sqm dedicated officials Changing Room
- 5no. 26 Bench/8 shower Changing Rooms
- 15 linear metres of Fixed sheltered external seating along the length of the building
- 50 sqm of sheltered café terrace including 7 linear metres of fixed seating

Car Park: minimum spaces to be provided 15 no, including DDA compliant provision close to a main entrance to the park, but not to compromise main routes into the park.

Cycle Parking: secure cycle parking to be provided at a number of key locations throughout the park e.g. café/entrances etc. Minimum of 30 no cycle stands in total.

d) Dog Exercise Area

Part 1

A minimum of 2000m² to be provided for the exercising of dogs within the park in accordance with the Design Guidelines. An area or areas to be provided which are readily accessible without compromising the comfort of other park users.

e) Sports Pitch Provision

Sports pitch provision should be a minimum of 6.23 hectares.

The following sports pitches and sports courts will be provided for a variety of user groups and split between Part 1 and Part 2 as listed below.

In developing the design of both the artificial and natural turf pitches, there will be a focus on refining the ground modelling to ensure the new sports provision delivers a solution within the existing parameters that is more robust than the current situation, and in accordance with good practice. The final sports pitch layout and associated re-grading should be developed to fully consider other community events, with access and gradients not precluding such uses.

Part 1

This area will provide the majority of the formal natural grass pitches within Clitterhouse Playing Fields. The area can accommodate a variety of winter and summer sports as listed below. The final combination of pitches has been determined following consultation with the Council.

- 3 no senior pitches 110x74m
- 2 no junior pitches (9 aside) 80x50m
- 2 no mini soccer pitches (7 aside) 60x40m
- 2 no mini soccer pitches (5 aside) 40x30m
- 6 no tennis/MUGA 37x18.5m each. The courts will be laid out as 2 number separately fenced courts, and 1 no shared MUGA courts. The fencing will be a minimum of 3.0m increasing to 4.5m where the court layout demands.
- Informal level grass pitch area to accommodate 3 no mini soccer pitch sizes 40x30m min.

The pitch sizes above comply with the relevant Sport England or relevant governing body guidance and will have the necessary bespoke sports pitch drainage to deliver a more robust surface for increased use to suit the final surface that is selected. A drainage plan for the sports pitches is to be developed by a specialist in sports pitch drainage (such as a turf agronomist) to ensure the playing surface is fit for purpose.

The area will be remodelled to achieve suitable gradients within the existing site parameters. The area will be left open with no specific pitch lighting or fencing.

- 1no. All Weather Pitches with artificial grass surface – overall size 80x46m

The pitch size complies with the relevant Sport England Guidance and will have the necessary drainage provision to suit the final surface that is selected.

Part 2

This area is suitable to accommodate a number of separate sport courts, the dimensions and current combination of sports / pitches are listed below.

- 2no. All Weather Pitches with artificial grass surface – overall size 101.4x61m
- 4no. Multi Use Games Courts with asphalt surface – overall Area74x38m

The pitch sizes above comply with the relevant Sport England Guidance and will have the necessary drainage provision to suit the final surface that is selected. The fencing will be a minimum of 3.0m increasing to 4.5m where the court layout demands with lighting subject to final design.

The type, size and exact number of pitches to be determined following Public and Stakeholder Consultation and having regard to the findings of the Council's Sports and Physical Activity Study, to establish local need for a particular type of pitch in the local area and community.

f) Play Provision

General

All play areas should conform with GLA best practice and be appropriately fenced with self closing gates, safety surfacing in all appropriate areas and be fully wheelchair and pram accessible

Part 1

Provision of destination play area to be a minimum of 5000m² in total. Provision to be made for 3 age groups, either in 1 single location, or separate locations as indicated on Parameter Plan 012.

Minimum requirements as follows:

- Under 5 years old – Min 1000 m², provide a minimum of 6 pieces of play equipment to include but not limited to:
 - Swings, with a minimum of 4 bays – 3 Toddler swings and 1 no DDA compliant swing
 - Springers
 - 1 no. see-saws
 - Roundabout
 - Spinning seats
 - Multi-Platform tower unit with a series of play features, access points and slides
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 - Sand pit with diggers etc min 30sqm
 - 1 junior or toddler slide
- 5 to 11 year olds – Minimum 2000 m², provide a minimum of 7 pieces of play equipment to include but not limited to:
 - Swings, with a minimum of 4 bays – to include 3 no Junior and 1 no DDA compliant swings
 - 1 no. 2 bay basket swing 1 no. Aerial Cable-way
 - Roundabout
 - Rotating discs
 - Cone climber or similar,
 - Rope net
 - Multi-Platform climbing tower unit with a series of play features such a climbing, hanging and traversing etc, slides, and access points.
 - 1 no. seesaw
 - 1 no. slide (DDA compliant)
 - 3 no. seats min
- 12 + years – 2000 m², provided as a skate park/parkour and table tennis, passive seating and spectator area with seats and tree planting for shade and shelter and provision of challenging activity/sports equipment and basket swings. 3 no. seats min
- Landforms to be provided to form part of the play experience. Planting to be kept to a minimum in the play area, with clear stem trees providing definition to different play zones and shelter for seating beneath. Min of 3 no seats.
- Picnic area to be provided - a minimum of 5 no picnic tables and seats in close proximity to the under 5's play area - minimum area 200m².

g) Public Gardens

Part 1

Provision to be made for public gardens to provide space for quiet recreation, separate from intensive sports provision. To include areas of seasonal and attractive planting, trees for shelter, pathways and seating. Details to be agreed at the Reserved Matters stage. Minimum of 3no areas of minimum area 500m² to be provided close to entrances, or along primary routeways.

h) Informal Recreation Facilities

Part 1 –

Provision to be made for a variety of informal recreation facilities across the park. There will be adequate seating and rubbish bins distributed to ensure there is sufficient coverage along the primary circulation routes and increased numbers at natural gathering points such as the gateways, play area and pavilion. The seating will be specified to accommodate a wide range of users with seating at different heights and designs in accordance with good practice.

In addition there will be 1no picnic area – with a minimum of 5 no. tables and benches. Informal recreation facilities to include an outdoor gym with a minimum of 5 pieces of equipment.

i) Maintenance Store and Office

Part 1

The following maintenance store and office accommodation is to be provided within the farm outbuildings and yard, as confirmed by LBB 9 July 2014.

Internal Office/Staff Accomodation	Size m2
Office	12
Mess Room	10
Drying/Locker Room	5
Toilets M/F	Min Req
Shower x 1	Min Req
Sub Total	27

Internal Storage Area

Vehicle Garage (6.6 L x 3.4 W)	23
Ride on mowers	50
Pedestrian mowers, markers etc	20
Materials Store	8

Tool Store	10
Sub Total	111

External Hard Standing Area

Gas Oil Tank	6
Chem Safe Cabinet	1.5
Petrol Safe Cabinet	1.5
Skip	15
Material bays x 2	35
Wash Down area inc water points	12
Circulation/parking	60
Sub Total	131

Other points to note:

CCTV and Lighting would be required

A 3m high perimeter fencing/boundary treatment where required to secure the compound.

Vehicular access would be from the existing entry point to the farm courtyard.

Consideration should be given to providing space to house the Clitterhouse Mobility Scheme Scooters in this area – 15sqm min required, and a Dog Wash Down Area.

Part 2

Claremont Park Outline Specification

The following outline specification has been prepared in support of this Agreement detailing the provision of the key components, which applies unless otherwise agreed in writing between CRL and the LPA.

General

- Claremont Park should comprise an area of no less than 1.95ha.
- the boundary of the park will be marked by fencing, bollards etc and will have lockable gates at all entrance points so as to secure the park with a specification to be approved in accordance with **Condition 13.1** of the S73 Permission.
- Key pathways will be lit with a lighting specification to be approved in accordance with **Condition 13.1**.
- There will be a minimum of 15 seats of type Taylor Made RN6 or similar.
- There will be a minimum of 15 litter bins of type Trevor Isles night close topped galvanised lockable bins or similar.

The improvements to Claremont Park will comprise of the following works, in accordance with Parameter Plan 003, and with the indicative spatial layout set down in the Design Guidelines on page 31 and in the PROSS page 116 for this park:

a) Buffer Planting

Provision of buffer planting to the southern boundary of the park to form a screen between existing residential properties and the new park area. Buffer planting to be a maximum of 3m width of native hedge planting along the boundary, and/or improvements to existing boundary planting in these areas.

b) Network of Pathways

Provision of a clear network of pathways through the park to link park entrances and key facilities. The pathways to be a minimum of 2m wide to accommodate a number of users and maintenance vehicles. Primary routes to be DDA compliant. A variety of surface finishes should be provided such as tarmac or bonded gravel, concrete etc reflecting the status of the footpath.

All entrances to be clearly defined and with no obstructions and to be designed in parallel with other park facilities to ensure compatibility of uses and optimum design. The entrances and boundary treatment to prevent unauthorised vehicular access with the detail of this treatment to be approved in accordance with **Condition 13.1**.

c) Play Provision

General

All play areas should conform with GLA best practice and be appropriately fenced with self closing gates, safety surfacing in all appropriate areas and be fully wheelchair and pram accessible.

Provision of a Neighbourhood Play Area to be a minimum of 2000m² in total. Provision to be made for 3 age groups, either in one single location, or separate locations as indicated on the indicative spatial layout set down in the Design Guidelines for this park.

Minimum requirements as follows:

- Under 5 years old – minimum 500 m², provide a minimum of 5 pieces of play equipment to include but not limited to:
 - Swings, with a minimum of 2 bays – to include 1 no Toddler swing and 1 no DDA swing
 - Springers
 - 1 no. See-saw
 - Roundabout
 - Spinning Seats
 - Multi-Platform tower unit with a series of play features, access points and slides
 - 3 no. seats min
- 5 to 11 year olds – Minimum 1000 m², provide a minimum of 5 pieces of play equipment to include but not limited to:
 - Swings, and/or Basket swings with a minimum of 4 bays – 3 no. Junior and 1 no. DDA compliant swings
 - Roundabout/Rotating disc
 - 1 no. cone climber
 - 1 no. rope net for climbing
 - Multi-Platform tower unit with a series of play features such a climbing, hanging and traversing etc, slides, and access points.
 - 2 no. seats min.
- 12 + years – minimum 500 m², provided as a kickabout area, with basketball hoop and basket swing, and agility/equipment , 3no seats min..

Landforms to be provided to form part of the play experience.

Picnic area to be provided - a minimum of 3 no picnic tables and seats in close proximity to the under 5's play area - minimum area 200m².

d) Informal Recreation Facilities

Provision to be made for informal recreation facilities provided in open grass areas, minimum of 1,000m² and seating through the park. Seating and rubbish bins to be distributed to ensure there is sufficient coverage along the primary circulation routes and increased numbers at natural gathering points such as the gateways, play and

activity areas The seating will be specified to accommodate a wide range of users with seating at different heights and designs in accordance with good practice.

LOCATION: Brent Cross Regeneration Area

REFERENCE: 15/00664/CON

Received: 02 February 2015 **AGENDA ITEM 8**

Accepted: 02 February 2015

WARD: Childs Hill, Golders
Green, West Hendon

Expiry: 30 March 2015

APPLICANT: Brent Cross Development Partners

PROPOSAL: Submission under conditions 2.4 and 2.5 for revision of the Development Specification and Framework and Design and Access Statement attached to Section 73 permission reference F/04687/13 for the Comprehensive mixed-use redevelopment of the BXC Regeneration Area. Changes relate to proposals for Clitterhouse Playing Fields and Claremont Open Space.

APPLICATION SUMMARY

Application has been made under Conditions 2.4 and 2.5 to vary the Development Specification and Framework and Design and Access Statement as approved under S73 application F/04687/13.

The Development Specification and Framework (DSF) relating to the controls applied therein to delivery of Clitterhouse Playing Fields and Claremont Park. Furthermore and update to the a number of parameter plots 53 and 54 in the event that these sites are developed in accordance with reserved matters application 15/00720/RMA.

Justification for the variation proposed is established within the assessment of the acceptability of Reserved Matters application.

RECOMMENDATION

Approve.

4. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

4.1 Site Description and Surroundings

The 151 hectare application site is defined to the west by the Edgware Road (A5) and the Midland Mainline railway line and to the east by the A41 and is bisected east to west by the A406 North Circular Road. It is adjacent to Junction 1 of the M1 (Staples Corner) and includes the existing Brent Cross Shopping Centre and Bus Station to the north of the A406.

To the south of the North Circular Road the area contains the Brent South Shopping Park, existing Tesco store and Toys 'R' Us store, the Whitefield estate (approximately 220 units), Whitefield Secondary School, Mapledown Special School and Claremont Primary School; Hendon Leisure Centre, Brent

Cross London Underground Station to the east; Clarefield and Claremont Parks and Clitterhouse Playing Fields (Metropolitan Open Land); the Hendon Waste Transfer Station, Claremont Way Industrial Estate and Cricklewood Railway Station to the far south. The application site includes parts of Cricklewood Lane, including the open space in front of the B & Q store.

The variations proposed against condition 2.4 relate to DSF changes relating to Clitterhouse Playing Fields and Claremont Park.

Both parks are located in the southern development area of the proposed Brent Cross Regeneration development site. The two parks are divided by Claremont Road which runs south to north; Claremont Park runs east to west to the north west of Clitterhouse Playing Fields northern entrance. The realignment of Claremont Road will result in minor changes to the northern entrance of Clitterhouse and eastern entrance of Claremont parks. A new Claremont Park Road will form the northern boundary of Claremont Park.

Changes to The DAS under condition 2.5 relate to the change of phasing phasing of plots 53 and 54, two triangular areas of open space located to the east of Brent Terrace.

PROPOSAL

The 2014 Permission is supported by a suite of documents which together provide the parameters and principles, as well as the framework of controls, for the realisation of the Brent Cross Cricklewood development. The 2014 Permission is also subject to a S106 Agreement which, along with Planning Conditions, provides a further layer of control for the implementation of the development.

Condition 1.16 requires all RMAs to be in accordance with the parameters and principles contained in the DSF, the DAS and DG. However, it is recognised that as detailed designs are developed in the form of RMAs, it may be necessary to make minor revisions to these documents, subject to obtaining approval from London Borough of Barnet (“LBB”).

Conditions 2.4 and 2.5 are structured to specifically enable changes to the DSF, the DAS and the DG subject to confirmation that the proposed amendments will not give rise to significant adverse environmental effects.

The exact wording of conditions 2.4 and 2.5 can be found in Appendix 1.

The design and layout of Clitterhouse Playing fields and Claremont Park have been subject to an extended period of pre application discussion with the Council regarding the design approach and the best use that can be made of this valuable open space.

The following amendments to the Development Specification and Framework are proposed under Condition 2.4:

Variations relating to Clitterhouse Playing Fields and Claremont Park

Parameter Plan 006 – Proposed Finished Site Levels (Appendix 2 DSF)

Parameter Plan 006 details the proposed finished site levels for the Brent Cross Cricklewood Development. To the North of Claremont park Claremont Park Road is Proposed in Phase 1a (South). This will run between the Claremont Road Junction to the east and the Spine Road Junction in the west. In order to achieve a uniform gradient along the road and to facilitate DDA Compliant access to Claremont Park whilst reducing the gradient of graded routes between the northern entrances of Claremont Park and Brent Terrace. The Parameter Plan allows a level of deviation of +/-1m from that shown on the Parameter Plan. An AOD of 49.51m is proposed thereby exceeding the allowed deviation by +0.51m. A variation is proposed to a spot level to the western end of Claremont Park from 48.00m to 49.00m (detail of this change and its location can be seen in Appendix 3.)

Parameter Plan 012 – Clitterhouse Playing Fields (Appendix 2 DSF)

Parameter Plan 12 controls the layout and features within Clitterhouse Playing Fields. The following Changes are proposed:

1. Amendments to a zone for the provision of synthetic turf pitches to the south west of the playing fields to provide 6 no. tennis courts/MUGAs. These courts/MUGAs are proposed to extend further to the east than the synthetic turf pitches were previously proposed.
2. The zone within which the Natural Grass Playing fields would be provided is reduced.
3. The Car Parking Zone is relocated from its proposed location to the south of Hendon Football Club to the east of the Hendon football Club site.
4. Proposed new ground levels would be subject to minor changes to allow the provision of sports pitches to Sport England Standards.
5. The Clitterhouse Farm Buildings are shown as retained where previously demolition had been proposed.
6. The location for the Maintenance store and Office which was previously located to the south of the Hendon Football Club site has been relocated to the retained farm buildings. A level of deviation of up to 50m is retained.
7. The location of the proposed play facilities is moved from the north of the Hendon Football Club site to the east of this site into an area previously identified as a zone for the Natural Grass Playing Fields.
8. The explanatory text to Parameter Plan 12 is also amended to incorporate the proposed changes. Appendix 2 to the report pro

(A Comparison between the approved Parameter Plan 012 and the Amended Parameter Plan 012 following changes under condition 2.4 is located in appendix 2)

Parameter Plan 016 (Appendix 2 DSF)

Parameter Plan 016 identifies buildings to be retained or demolished.

The submission varies the parameter plan to retain the Farm buildings which were previously identified for demolition.

Table 1 (p18 DSF)

Total development floorspace is captured within Table 1 of the DSF broken down by use classes.

Social & Community Infrastructure is increased by 74m² from 34,615m² to 34,689m² to accommodate additional floorspace proposed within the Pavilion building.

Table 6 (Appendix 2 DSF– Parameter Plan 014)

Table 6 presents floorspace thresholds for the Brent Cross Cricklewood Building Zones. Clitterhouse Playing Fields (Building Zone CPF) has a floorspace threshold for its primary use of 251m². It is proposed to increase this to 325m² in accordance with the 74m² increase of the Pavillion Building. This table appears as accompanying text to Parameter Plan 014.

Zonal Floorspace Schedule (Appendix 5 DSF)

The Zonal Floorspace Schedule identifies the use class for development areas within the Building zones. The proposed uplift of 74m² is incorporated to bring the floorspace in D1 usage within Clitterhouse Playing Fields up to 325m².

Tables 11 and 11a

Tables 11 and 11a detail the proportions of floorspace anticipated within the primary development package and have been updated in accordance with the uplift of 74m² to the Pavilion Building within Clitterhouse Playing Fields.

Building Scale Threshold (Appendix 10)

Appendix 10 of the DSF provides a scale Threshold for buildings within the Clitterhouse Playing Fields Development Zone. In order to accommodate the increase in size of the proposed Pavilion a minor increase of the maximum length parameter allowed within the Clitterhouse Playing Fields Development Zone is proposed from 30m to 31.5m.

Variations Proposed relating to Plots 53 and 54

Changes to Tables 11, 11a and 11b of the DSF resulting from the variation in Phasing of plots 53 and 54 from 1C to 1A (North) under application against condition 4.2 (F/05552/14 approved on 2 February 2015) and the fixing of Residential Floorspace within Reserved Matters Application 15/00720/RMA approved 9 June 2015.

Changes under Condition 2.5

Update to Appendix 2 of the Design and Access Statement of indicative sub phase 1 Plans to account for the phasing change to Plots 53 and 54 as approved under Application F/05552/14 on 2 February 2015.

MATERIAL CONSIDERATION

When considering submission against conditions 2.4 and 2.5 for variations to the DSF or the DAS the key determining factor of acceptability is to ensure that such changes are likely to materially affect the findings of the October 2013 s.73 ES submitted with the 2014 Permission F/04687/13.

It is considered unlikely that the deviations as listed within this Condition 2.4 and the 2.5 Explanatory Report, will result in any significant environmental

effects not previously identified in the s.73 nor would the changes materially affect the outcome of the assessments or mitigation measures presented in the s.73 ES.

The deviations have will be described and considered as part of the Phase 1A (North) RMA ES Further Information Report as they are inherent to the detailed design. The following deviations in particular, although not considered to give rise to significant impacts not identified in the s.73 ES, are considered further within the technical EIA studies:

- The retention and refurbishment of Clitterhouse Farm Buildings will be considered within the Archaeology and Cultural Heritage, Landscape and Visual and the Ecology chapters. Any changes to potential effects identified in the s.73 ES however are likely to be beneficial since Clitterhouse Farm is considered to be of some historical interest (although not a listed or locally listed building) and supports a bat roost. The s.73 ES assumed that the farm buildings would be removed as part of the Development;
- The change of synthetic pitches at Clitterhouse Playing Fields to tennis courts and MUGA courts will be considered within the Water Resources and Flood Risk and Landscape and Visual chapters in regards to potential changes in drainage and visual impacts, although it is considered unlikely that these would be significant;

All other deviations have been reviewed and are not considered to be significant in terms of the findings of the s.73 ES which therefore remain valid.

This conclusion is made with reference to the EIA Regulations in terms of changes to an already authorised development as well as subsequent applications and on the basis of considering the impacts of the whole Development as updated with these deviations and not just considering the changes in isolation.

The submission against conditions 2.4 and 2.5 are therefore acceptable as they will not materially affect the findings of the October 2013 s.73 ES.

In considering the acceptability of the changes in terms of their impact upon the design of the Clitterhouse Playing fields and Claremont Open Space consideration must be had of the Reserved Matters submission under consideration by the Committee under Planning Application 15/00769/RMA.

In relation to the changes associated with the phase changes to plots 53 and 54 and the fixing of floorspace through the approval of reserved matters such issues have been considered against Reserved Matters Application 15/00720/RMA and changes are responsive to the approval of this application. Proposed variations do not materially affect the findings of the October 2013 ES.

CONCLUSION

It is not considered that the proposed variations under conditions 2.4 and 2.5 will materially affect the findings of the October 2013 s.73 ES. The changes proposed result from extended pre submission engagement between the Council and the developer to achieve the best layout for the widest group of users within these valuable open spaces. The proposed changes are therefore recommended for approval in line with the recommendation for approval of the Reserved Matters for Open Space improvements to Clitterhouse Playing Fields and Claremont Park open space under application '15/00769/RMA'.

APPENDICIES:

1. WORDING OF CONDITIONS 2.4 AND 2.5
2. COMPARISON OF APPROVED PARAMETER PLAN 012 AND CHANGES PROPOSED
3. EXTRACT OF PROPOSED AMENDMENT TO PARAMETER PLAN 006 LEVELS

APPENDIX 1

CONDITION 2.4 AND CONDITION 2.5 OF F/04687/13

- 2.4 The DSF shall be revised by the Developer (subject to obtaining approval in accordance with this Condition) from time to time in order to incorporate approved revisions into the Reconciliation Mechanism reflecting any changes brought about through:
- 2.4.1.1 Reserved Matters Approvals, Other Matters Approvals or best practice guidance, or any other matters; and/or
 - 2.4.1.2 any Further Section 73 Permission and/or Alternative Energy Permission and/or any Additional Planning Permission; and/or
 - 2.4.1.3 any consequential changes as a result of any approved variation of the Phases in accordance with condition 4.2.
- 2.4.2 Any application for a proposed revision pursuant to condition 2.4 will be determined in accordance with the requirements of the EIA Directive.
- 2.4.3 The development of each Plot or other part of the Development approved thereafter shall be designed and carried out in accordance with such approved revised Development Specification and Framework.

Reason: To ensure the ongoing implementation of comprehensive, high quality urban design within the overall scheme in accordance with the parameters and principles which are approved in this permission.

- 2.5 The Design and Access Statement and Design Guidelines shall be revised by the Developer (subject to obtaining approval in accordance with this Condition) from time to time to incorporate approved revisions into the Reconciliation Mechanism reflecting any changes brought about through:
- 2.5.1.1 Reserved Matters Approvals, Other Matters Approvals or best practice guidance, or any other matters; and/or
 - 2.5.1.2 any Further Section 73 Permission and/or Alternative Energy Permission and/or any Additional Planning Permission and/or
 - 2.5.1.3 any consequential changes as a result of any approved variation of the Phases in accordance with condition 4.2.
- 2.5.2 Any application for a proposed revision pursuant to condition 2.5 will be determined in accordance with the requirements of the EIA Directive as appropriate.
- 2.5.3 The development of each Plot or other part of the Development shall thereafter be designed and carried out in accordance with such approved revised Design and Access Statement.

Reason: To ensure the ongoing implementation of comprehensive, high quality urban design within the overall scheme in accordance with the parameters and principles which are approved in this permission.

APPENDIX 2

PARAMETER PLAN 12 VARIATIONS

PARAMETER PLAN 012 CLITTERHOUSE PLAYING FIELDS AS APPROVED F/04687/13

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Notes:
L.O.D. for Main connections will be as per that identified for the corresponding routes on parameter plan 002.

Secondary pedestrian & cycle network, managed pedestrian & cycle network and tertiary pedestrian & cycle network are approximate.



<ul style="list-style-type: none"> Planning Application Boundary Building Zones Community Park Neighborhood Park Main Connections 	<ul style="list-style-type: none"> Key Frontage Existing London Cycle network Secondary Pedestrian & Cycle Network Managed Pedestrian & Cycle routes Tertiary Pedestrian & Cycle Network 	<ul style="list-style-type: none"> Multuse Games Area (MUGA) (L.O.D. +/- 20m) Synthetic Turf Pitches (L.O.D. +/- 20m) Green Corridor (L.O.D. +/- 20m) Natural Grass Playing Fields (L.O.D. +/- 20m) Nature Park 	<ul style="list-style-type: none"> Park Facilities (approximate location) Maintenance Store & Office (L.O.D. +/- 50m) Car Parking Zone (L.O.D. +/- 20m) +57.00 Proposed New Ground Level with L.O.D. of +/- 1.00m 	<ul style="list-style-type: none"> Access Points (L.O.D. +/- 20m) Links to School (illustrative only) Community Play Space (approximate location)
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012 Clitterhouse Playing Fields

130904
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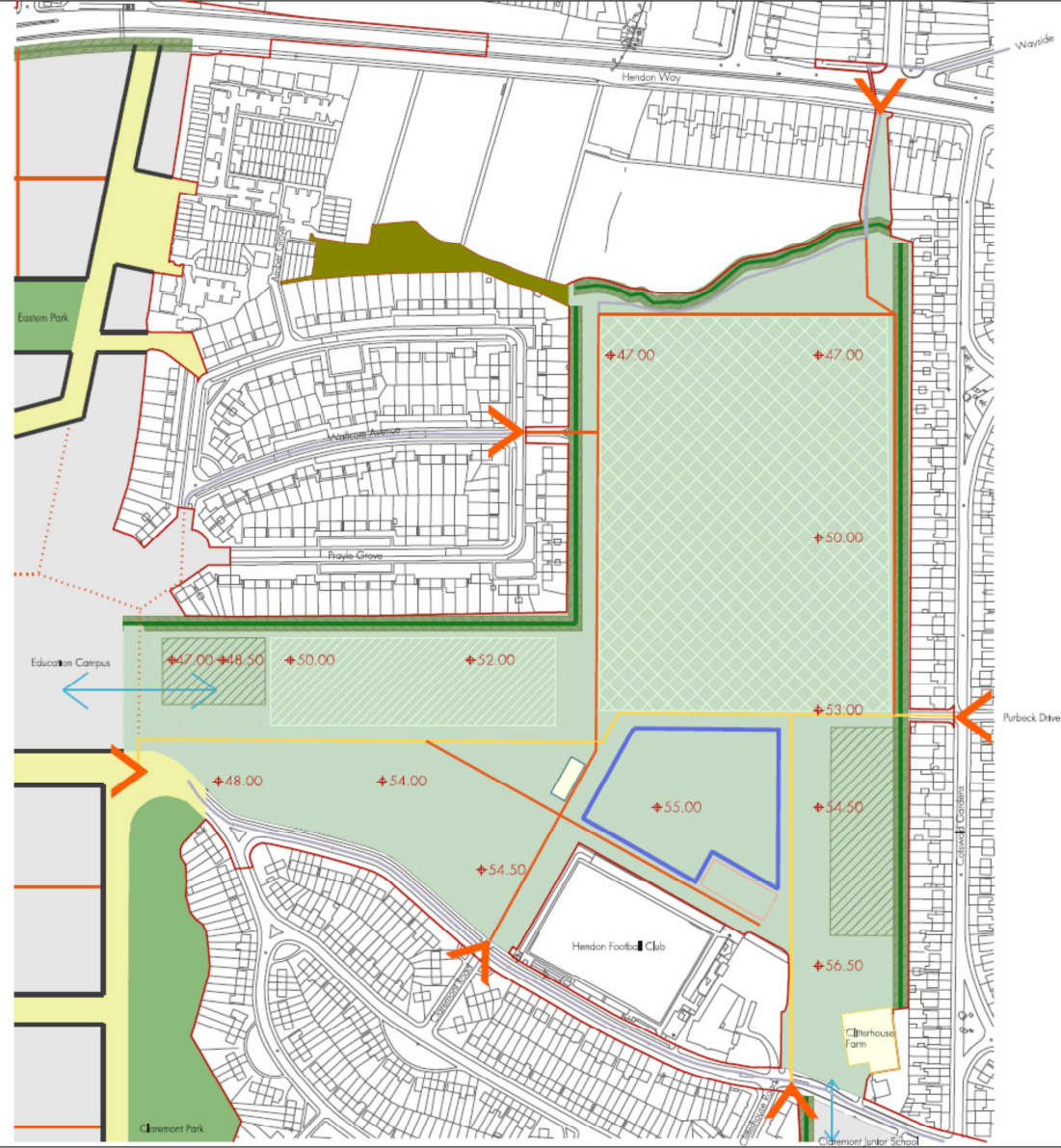
BXC

PARAMETER PLAN 012 PROPOSED CHANGES UNDER CONDITION 2.4

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Notes:
L.O.D. for Main connections will be as per that identified for the corresponding routes on parameter plan 002.

Secondary pedestrian & cycle network, managed pedestrian & cycle network and tertiary pedestrian & cycle network are approximate.



<p>Key:</p> <ul style="list-style-type: none"> Planning Application Boundary Building Zones Community Park Neighborhood Park Main Connections Key Frontage Existing London Cycle network Secondary Pedestrian & Cycle Network Managed Pedestrian & Cycle routes Tertiary Pedestrian & Cycle Network Multiuse Games Area (MUGA) (L.O.D. +/- 20m) Green Corridor (L.O.D. +/- 20m) Natural Grass Playing Fields (L.O.D. +/- 20m) Nature Park Synthetic Turf Pitches (L.O.D. +/- 20m) Park Facilities (approximate location) Maintenance Store & Office (L.O.D. +/- 50m) Car Parking Zone (L.O.D. +/- 20m) + 57.00 Proposed New Ground Level with L.O.D. of +/- 1.00m < Access Points (L.O.D. +/- 20m) <=> Links to School (illustrative only) Community Play Space (approximate location)
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012 Clitterhouse Playing Fields

0 50 100 150 200 250 M

950212

PARAMETER PLAN 012 SUPPORTING TEXT WITH TRACK CHANGES

Clitterhouse Playing Fields 012

1. Clitterhouse Playing Fields are to be substantially enhanced as part of the development proposals. Parameter Plan 012 identifies the general location of uses within Clitterhouse Playing Fields, which will be defined at the detailed stage.

2. The plan identifies the general area for new all-weather pitches, which will be used in conjunction with the adjacent education campus (Plot E1 on Parameter Plan 001), as well as by the local community. The area will comprise synthetic pitches with lighting columns to the perimeter to a maximum height of 15m. The exact location will be defined at a detailed design stage.

3. The park's current poor quality formal sports pitches will be improved to maximise the potential number of hours for play and an area will be retained as predominantly amenity grassland with areas of habitat and/or planting.

4. The parameter plan also identifies areas/zones for:

- Multi Use Sports Games Area;
- Car parking;
- Community play space;
- A zone for a new park facilities which may potentially contain a café / kiosk and changing facilities;
- A zone for maintenance storage and park administration including 5 car parking spaces for staff;
- Existing and proposed pedestrian and cycle routes;
- New and/or improved access points into the park;
- A pedestrian crossing point from the adjacent Claremont Primary School and education campus (Plot E1); and
- Proposed new ground levels in metres above AOD, which may vary by up to 1 metre.

5. The works intend to maintain and improve an existing access route to the south east of Clitterhouse Playing Fields. The works will involve a cosmetic upgrade to the existing A41 pedestrian underpass as shown on Parameter Plan 002 (Ref U4), which will link up with the wider pedestrian routes and the existing London Cycle Network toward Childs Hill and on to Hampstead Heath.

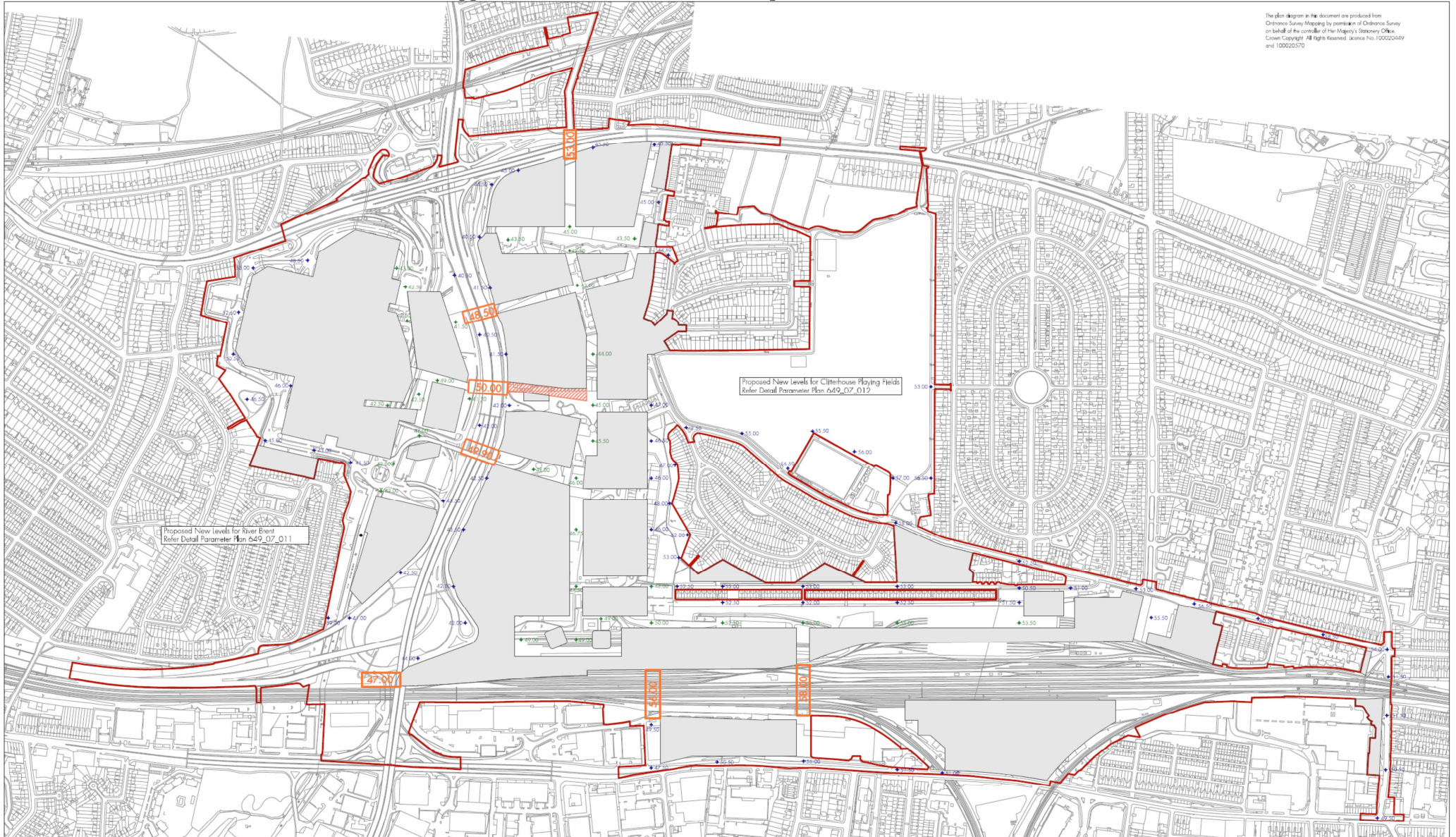
6. Clitterhouse Farm Buildings may be retained and refurbished. The use will be established at the RMA stage and may potentially include storage, community uses and/or a café.

APPENDIX 3

VARIATION IN LEVELS PARAMETER PLAN 006

Approved Parameter Plan 006 – Proposed Finished Site Levels

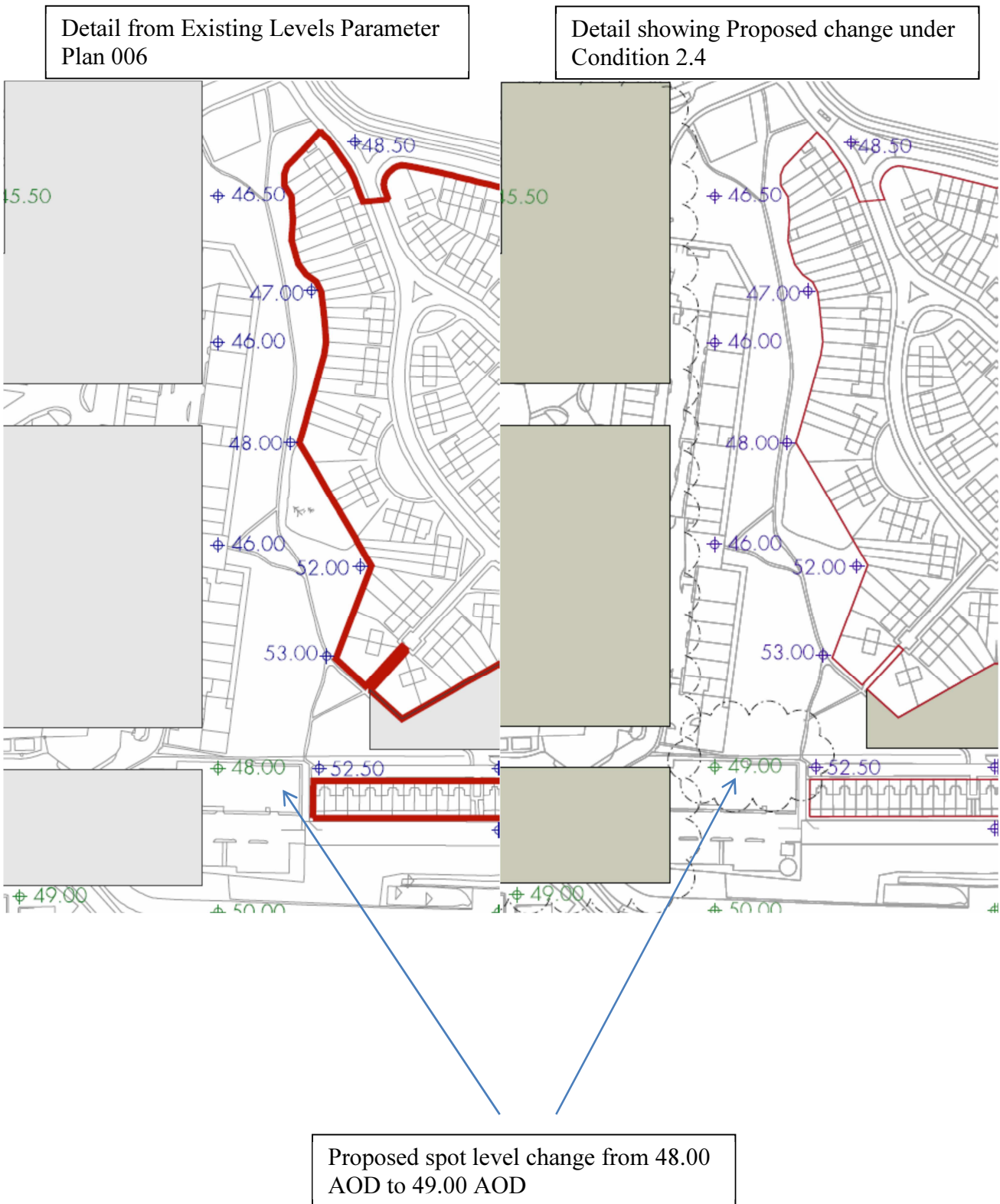
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|---|--|
| <ul style="list-style-type: none"> Planning Application Boundary Building Zones Pedestrian Ramp (Max Gradient 1 in 25) | <ul style="list-style-type: none"> ▲ 49.00 Proposed New Ground Level with L.O.D. of +/- 1.00m 50.00 Bridge Deck Level with L.O.D. of +/- 2.00m
L.O.D. = Limit Of (Vertical) Deviation ▲ 60.50 Existing Site Level |
|---|--|

BXC
006 Proposed Finished Site Levels
130904
0 50 100 150 200 250 M
649_07_006

Detail Showing Proposed Change under 2.4 against existing Levels as approved



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LOCATION: Phase 4a, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ **AGENDA ITEM 9**

REFERENCE: 15/01546/RMA **Received:** 9 March 2015

Accepted: 20 March 2015

WARD(S): Mill Hill **Expiry:** 19 June 2015

Final Revisions: 17 June 2015

APPLICANT: Taylor Wimpey (North Thames)

PROPOSAL: Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 4a of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 114 units 6 x 5 bedroom houses, 37 x 4 bedroom houses, 12 x 3 bedroom houses, 52 x 2 bedroom apartments and 7 x 1 bedroom apartments together with details to discharge the requirements of:
Conditions 5 (Reserved matter details), 8 (Affordable housing), 26 (Access points), 27 (Details of Estate Roads), 29 (Internal access roads), 32 (Shared Footways/ Cycleways), 35 (Petrol/oil interceptors), 48 (Open space), 52 (Children's playing space), 69 (Noise from Plant), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).

RECOMMENDATION: Approve Subject to Conditions

- 1 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.

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

Site Location Plan - 2001

Existing Site Levels - 2002

Tree Plan - Retained / Removed - 2003

Proposed Site Plan - GF entry level- 2004

Proposed levels plan - site / slab levels- 2005

Proposed Roof Plan- 2006

Proposed Boundary Plan- 2007

Proposed Building Materials Strategy Plan - (Contained within Design and Access Statement)

Proposed External Materials Plan- (Contained within Design and Access Statement)

Proposed Car Parking Plan- 2010

Proposed Waste Storage and Collection Plan- 2011

Proposed Street Elevations (Sheet 1 of 3)- 2012

Proposed Street Elevations (Sheet 2 of 3)- 2013

Proposed Street Elevations (Sheet 3 of 3)- 2014

Area E - Plots 99 - 101 sheet 1- 2021

Area E - Plots 99 - 101 sheet 2- 2022

Area E - Plots 94 -97 sheet 1- 2023

Area E - Plots 94 - 97 sheet 2- 2024

Area E - Plots 93 & 98- 2025

Area F1 - Plots 102 - 104 sheet 1- 2026

Area F1 - Plots 102 - 104 sheet 2- 2027

Area F1 - Plots 105 - 108 sheet 1- 2028

Area F1 - Plots 105 - 108 sheet 2- 2029

Area F1 - Plots 109 - 111 sheet 1- 2030

Area F1 - Plots 109 - 111 sheet 2- 2031

Area F1 - Plots 112 - 114 sheet 1- 2032

Area F1 - Plots 112 - 114 sheet 2- 2033

Area H - Plots 68 - 75 sheet 1- 2034

Area H - Plots 68 - 75 sheet 2-2035

Area H - Plots 76 - 80 sheet 1- 2036

Area H - Plots 76 - 80 sheet 2- 2037

Area H - Plots 81 - 84 sheet 1- 2038

Area H - Plots 81 - 84 sheet 2-2039

Area H - Plots 85 - 91 sheet 1- 2040

Area H - Plots 85 - 91 sheet 2- 2041

Area H - Plots 85 - 91 sheet 3- 2042

Area H - Plot 92- 2043

Area J - Plots 1 - 51 sheet 1 (GA Plans) LG- 2044 Rev A

Area J - Plots 1 - 51 sheet 2 (GA Plans) G- 2045 Rev A

Area J - Plots 1 - 51 sheet 3 (GA Plans) 1st- 2046 Rev A

Area J - Plots 1 - 51 sheet 4 (GA Plans) 2ND- 2047 Rev A

Area J - Plots 1 - 51 sheet 5 (GA Plans) 3RD- 2048 Rev A

Area J - Plots 1 - 51 sheet 6 (GA Plans) MEZZ- 2049 Rev A

Area J - Plots 1 - 51 sheet 7 (GA Elevs) ROOF- 2050 Rev A

Area J - Plots 1 - 51 sheet 8 (GA Elevs)- 2051 Rev A

Area J - Plots 1 - 51 sheet 9 (GA Elevs)- 2052 Rev A

Area J - Plots 1 - 51 sheet 10 (GA Sections)- 2053

Area J - Plots 52 - 55 sheet 1- 2054

Area J - Plots 52 - 55 sheet 2- 2055

Area J - Plots 56 - 61 sheet 1- 2056

Area J - Plots 56 - 61 sheet 2- 2057

Area J - Plots 56 - 61 sheet 3- 2058
Area J - Plots 62 - 67 sheet 1- 2059
Area J - Plots 62 - 67 sheet 2- 2060

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).

3. Before the development hereby permitted is occupied the car parking spaces shown on Drawing No. AA4962-2010 submitted with the planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

4. Before the development hereby permitted is occupied Electric Vehicle Charging Points (ECVP) as shown on the submitted Drawing No. AA4962-2010 shall be provided including a minimum of 37(20% of approved parking spaces) as Active ECVP and a minimum of 37(20% of parking spaces) as passive EVCP in accordance with the London Plan Parking Standards. 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.

5. Before the development hereby permitted is occupied the cycle parking spaces shown on Drawing No. AA4962-2010 submitted with the planning application shall be provided shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

6. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards. The applicant is expected to sign a Waiver of Liability and Indemnity Agreement to indemnify the Council against any claims for 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.

7. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing details, including samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

8. All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of each phase 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).

9. The development shall be carried out in strict accordance with the provisions and tree protection methods outlined in the submitted Arboricultural Method Statement by aspect arboriculture dated March 2015.
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).

10. The development shall accord with the provisions contained within the submitted Construction Management Plan by Taylor Wimpey dated January 2015, except as otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard residential amenity in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

11. Privacy panels shall be provided to all balconies and roof terraces in accordance with the agreed details and shall thereafter be maintained for the Life of the Development.

Reason: In the interest of residential amenity in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

12. The development shall be carried out in accordance with the approved Landscape Management and Maintenance Plan and the management and maintenance regimes shall be reviewed on an annual basis for a minimum period of 5 years as set out in the approved document.

Reason: To secure opportunities for the enhancement of nature conservation value of the site in accordance with policy CS7 of the Core Strategy (2012) and DM16 of the Development Management Policies (2012).

13. This permission does not extend to destroy, fell, lop or top the existing trees which are inside or outside the application site and which are shown on the approved plans to be retained. These trees shall be protected during the implementation of the development in accordance with recommendations set out in BS 5837 (2012) and any supplementary protection requested by the Local Planning Authority. Before excavation can commence, drawings shall be submitted to the Local Planning Authority giving details of the method of excavation, type of foundation proposed for the buildings and indicating how the roots of these trees shall be protected. In addition, drawings shall be submitted showing the layout of underground services. No construction works shall commence until such drawings have been approved in writing by the Local Planning Authority.

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).

14. In this condition “retained tree” means an existing tree which is to be retained in accordance with approved plan and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.
- (a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work);
- (b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and the tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority;
- (c) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the recommendations set out in BS 5837 (2012) and the approved plans and particulars before demolition or any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

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).

15. An arboricultural consultant shall be employed to supervise tree protection during the course of development including demolition and construction phases.

Reason: To protect existing trees during the construction works in order to ensure that the character and amenity of the area are not impaired in accordance with policies CS5 and CS7 of The Core Strategy (2012) and DM01 of the Development Management Policies (2012).

16. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

17. Notwithstanding the details shown on plans otherwise hereby approved and prior to development commencing 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. 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 the free flow of vehicular and pedestrian traffic and security of the site in accordance with Policies CS9 of the Core Strategy (2012) and DM01, DM04 and DM17 of the Development Management Policies (2012).

INFORMATIVE(S):

- 1 The applicant is reminded that the conditions and planning controls in the outline permission H/04017/09 dated 22/09/2011 are still relevant and must be complied with. There are also conditions that require to be discharged prior to the occupation of the development.
- 2 The costs of any associated works to the public highway, including temporary traffic order making and related implementation works and reinstatement works will be borne by the applicants and carried out either

under rechargeable works Agreement or may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Section – Environment, Planning and Regeneration Directorate.

3. The applicant is advised that the refuse stored within the lower ground floor will need to be brought to ground level for collection.

1. BACKGROUND TO THE CURRENT APPLICATION

1.1 The Mill Hill East Area Action Plan

Mill Hill East is designated as an Area of Intensification in the London Plan (2011) and as a key growth area in the Barnet Core Strategy (2012). The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; International Bible Students Association (IBSA House); the Council Depot and recycling centre; Bittacy Court; the Scout Camp and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The area was first highlighted as an area which could be redeveloped in the London Plan in 2004. This is primarily as a result of Project MoDEL (Ministry of Defence Estates London) which involves the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008 thereby providing an opportunity for redevelopment. The Council recognised that Mill Hill East was an area where more detailed policies were required to guide future development and in 2009 adopted an Area Action Plan (AAP) which covered an area of 48 hectares focused primarily on the former Inglis Barracks site. The aim of the AAP is to seek to ensure that development takes place in a balanced and coordinated manner by setting out a comprehensive framework to guide the delivery of housing, employment, leisure and associated community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

A partnership comprising of a number of the key landowners and developers including Barnet Council (the Inglis Consortium) prepared and submitted the outline application in 2009 for the comprehensive redevelopment of most of the area covered by the AAP.

1.2 The outline planning permission

In September 2011 outline planning permission was granted for the redevelopment of Mill Hill East regeneration site (now also known as Millbrook Park). This site covers an area of approximately 33.6 hectares (83 acres) and is located within the Mill Hill ward. The site is bounded to the east by Frith Lane, to the north by Partingdale Lane and to the west by Bittacy Hill (B552). Bittacy Business Park is

immediately to the south of the site and Mill Hill East Underground station (Northern Line) lies to the south west.

The site is divided into a number of Development Land Parcels (DLP) or otherwise known as phases. Following approval of the site wide pre-commencement requirements, reserved matters applications will be brought forward for all detailed elements of the development, which would deal with all matters not fully addressed within the outline consent – the ‘reserved matters’ (layout, design, appearance and landscaping). This is controlled by Condition 5 of the outline permission (ref H/04017/09, dated 22nd September 2011).

In addition to the plan drawings submitted, the following information was also submitted in support of the application and forms the supporting information:

- Acoustic Assessment Report by RPS;
- Arboricultural Method Statement by Aspect Arboriculture;
- Code for Sustainable Homes Pre Assessment Report by Energist;
- Construction Management Plan by Taylor Wimpey;
- Design and Access Statement by Taylor Wimpey and PRP;
- Drainage Strategy by PRP Drawing No. JNY8373-120.
- Energy Statement by Energist;
- Landscape maintenance schedule by PRP Landscape;
- Soft Landscape Specification by PRP Landscape;
- Planning Statement by Bilfinger GVA; and
- Site Waste Management Plan by Reconomy.

2. MATERIAL CONSIDERATIONS

2.1 Key Relevant Planning Policy

National Planning Policy Guidance / Statements: The National Planning Policy Framework (NPPF)

On March 27th 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. The NPPF replaces 44 planning documents, primarily Planning Policy Statements (PPS’s) and Planning Policy Guidance (PPG’s), which previously formed Government policy towards planning.

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, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan: March 2015 2.13 (Opportunity Areas and Intensification Areas), 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), 3.7 (Large Residential Development), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.11 (Green roofs and development site environs), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD).

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing Need), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE2 (Housing), MHE7 (Parks and Public Open Space), MHE8 (Children's Play Space), MHE9 (Protection of Green Belt and Biodiversity), MHE10 (Making the Right Connections), MHE12 (Sustainable Transport), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE17 (Conserving Built Heritage), MHE18 (Delivering the AAP).

Approved Design Code

The approved Design Code pursuant to Condition 4 of the outline consent (ref H/04565/11, 21st Dec 2011) also sets out the guidelines for how the site, its neighbourhoods, open spaces and key amenities could be designed and built. It informs the formulation of individual reserved matter applications related to specific phases of development. Site-wide or phase related reserved matters must be in compliance with the agreed Design Code unless satisfactorily justified and this will be assessed in detail below.

2.2 Relevant Planning History

Application Reference:	H/04017/09
Case Officer:	Jo Dowling
Proposal:	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	Outline Application
Decision	Granted
Decision Date	22/09/2011

Application Reference:	H/04655/11
Case Officer:	Colin Leadbeatter
Proposal:	Demolition of existing buildings within the curtilage of the Millbrook Park development (formerly Inglis Barracks) as approved under outline application reference H/04017/09 (Approved September 2011)
Stat Start Date	12/11/2011
Application Type	Prior Notification (Demolition)
Decision	Granted
Decision Date	20/12/2011

Application Reference:	H/00480/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 1A of Millbrook Park (Mill Hill East) pursuant to outline planning permission reference H/04017/09 dated:

	22/9/2011
Stat Start Date	07/02/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	19/04/2012

Application Reference:	H/00642/12
Case Officer:	Colin Leadbeatter
Proposal:	Reserved matters application seeking approval for advance infrastructure works in relation to Phase 2 of Millbrook Park (Mill Hill East), pursuant to outline planning permission H/04017/09 dated 22/09/2011
Stat Start Date	20/02/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	20/04/2012

Application Reference:	H/03057/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for landscaping works to Officers' Mess Gardens (including associated infrastructure works) for Phase 2 (public open space OSI) of Mill Hill East development, pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space)
Stat Start Date	13/08/2012
Application Type	Reserved Matters
Decision	APC
Decision Date	23/10/2012

Application Reference:	H/03548/12
Case Officer:	Thomas Wyld
Proposal:	Reserved matters application seeking approval of Appearance, Landscaping, Layout and Scale in relation to Phase 1a for the erection of 58 houses comprising 39 x 3 bed houses and 19 x 4 bed houses at 'Millbrook Park' (Inglis Barracks) submitted to meet the requirements of Condition 5 of outline planning

	application H/04017/09 dated 22 September 2011.
Stat Start Date	17/09/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	31/01/2013

Application Reference:	H/03904/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 2 of Mill Hill East development pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 103 dwellings comprising 3 x one bed flats, 20 x two bed flats, 45 x 3 bed houses, 25 x four bed houses and 10 x five bed houses. Approval of layout and landscaping works to Phase 2 public open space (OS2), together with details to discharge the requirements of: Conditions 12 (relating to Plot L only); 57 (relating to plots within Phase 2 only); and 8,26, 27, 29, 48, 52, 70, 80, 83, 85 and 91 all in relation to Phase 2 only.
Stat Start Date	08/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	28/03/2013

Application Reference:	H/04080/12
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 1 of Mill Hill East development (Millbrook Park) pursuant to Condition 5 of Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 133 residential dwellings comprising 31 x one bed flats, 61 x two bed flats, 14 x three bed houses and 27 x four bed houses, including associated infrastructure, access roads, car parking, landscaping and approval of layout and landscaping works to Phase 1 public open space OS5, together with details to discharge the requirements of

	conditions 8, 13, 26, 27, 29, 32, 48, 52, 70, 80 and 85.
Stat Start Date	29/10/2012
Application Type	Reserved Matters
Decision	Granted
Decision Date	29/04/2013

Application Reference:	H/04386/12
Case Officer:	Kevin Waters
Proposal:	Construction of a three storey primary school (3 forms of entry) with nursery, community facilities and associated works and landscaping, including staff parking, hard play and sports games area, retaining walls, drainage attenuation measures and provision of a temporary drop off car park
Stat Start Date	10/12/2012
Application Type	Full Planning Application
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/00668/13
Case Officer:	Wing Lau
Proposal:	Reserved matters application seeking approval for construction of associated advanced infrastructure works and landscaping associated with Phase 3 (public open space OS4) of Mill Hill East development to create 'Panoramic Park' and advance infrastructure works in relation to Phases 3, 4a, 4b and 5, pursuant to Conditions 5 and 5b of Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirements of conditions 26 (Pedestrian and Vehicular Access Points), 48 (Design of Open Space) and 52 (Children's Play Space). Ground re-profiling works to Phases 10, 11 and part of Phase 7.
Stat Start Date	12/02/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	22/04/2013

Application Reference:	H/03441/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval for

	Phase 3a (Central Community Park) and advanced infrastructure works in relation to phases 3a, 8, 9, 10 and 11 of Millbrook Park (Mill Hill East) pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, together with details to discharge the requirement of condition 5 (Reserved matter details), 25 (East-West and North-South links), 26 (Pedestrian and vehicular access points), 48 (Design of open spaces) and 52 (Children's play spaces).
Stat Start Date	06/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	13/02/2014

Application Reference:	H/03860/13
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3 of Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011 involving the erection of 138 units 7 x 5 bedroom houses, 41 x 4 bedroom houses, 47 x 3 bedroom houses, 26 x 2 bedroom apartments and 17 x 1 bedroom apartments together with details to discharge the requirements of: Conditions 5 (Reserved matter details), 8 (Affordable housing), 12 (Noise Survey along Boundary with IBSA House), 26(Access points), 27 (Details of Estate Roads), 29(Internal access roads), 35 (Petrol/oil interceptors), 48(Open space), 52 (Children's playing space), 57 (Boundary treatment/buffer), 70 (Home standards), 80 (Sustainable homes), 83 (Grey water/rainwater recycling),85 (Green/brown roofs).
Stat Start Date	28/08/2013
Application Type	Reserved Matters
Decision	Granted
Decision Date	12/11/2013

Application Reference:	H/00065/14
Case Officer:	Andrew Dillon
Proposal:	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3

	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 3a of Mill Hill East development involving the erection of 92 dwellings comprising 27 x 1 bed flats, 42 x 2 bed flats, 13 x 3 bed houses and 10 x 4 bed houses to meet the requirements of Condition 5 of outline planning application H/04017/09 dated 22 September 2011.
Stat Start Date	23/01/2014
Application Type	Reserved Matters
Decision	Granted
Decision Date	20/03/2014

2.3 Consultations and Views Expressed

Public Consultation

Neighbours Consulted: 187

Replies: 7

Neighbours Wishing 0

To Speak

At the time of writing six letters from neighbouring residents raising the following comments (in summary):

- Proposed pedestrian access to Partingdale Lane is unnecessary would encourage cars to park in Partingdale Lane to the detriment of highway safety, would be prejudice the setting of the listed building at Partingdale Manor and would also potential facilitate criminal activity and anti social behaviour;

Officer's response:

One proposed crossing is located in the north east corner of the plot however this does not form part of the consideration of this application and will be subject to a separate planning application. The original plans submitted in support of the application showed a crossing in the centre of the plot which was in error and has not shown in the current drawings.

The principle of pedestrian access points between Millbrook Park and Partingdale Lane is already established under the parameter plans approved under the outline approval.

The proposal incorporates dedicated car parking spaces within the development, in line with the parking rations approved under the Outline Consent. It is therefore considered that sufficient parking is provided on site to prevent overspill parking in nearby roads.

Reconsultation

Properties were reconsulted on the 21st May 2015 for a period of 21 days as a result of amended plans being received reducing the height of the proposed apartment block fronting the Panoramic Park as well as correcting errors contained within the original submitted drawings. The comments which have been received, with the exception of the comments received from the Mill Hill Preservation Society (discussed below) relate to the scheme as a whole rather than the amendments proposed are discussed above.

Residents Associations and Amenity Groups.

1 Letter received from the Mill Hill Preservation Society dated 24th April 2015 making the following comments:

- 'We consider that the scheme should be refused planning as it stands, because in our opinion it does not conform to the approved Design Code and represents an overdevelopment of the site alongside Panoramic Park. Further, it does not provide enough affordable dwellings in accordance with the Design Code and there seem to be infrastructure issues.'

A subsequent letter was received dated 8th June 2015 following the reconsultation and following a presentation of the scheme by the project architects. This letter welcomes the changes which have been made but still expresses concerns regarding the scheme. The main issues are considered the height of the proposed apartment block including the recessed top storey. Concerns also expressed regarding the landscaping and privacy distances.

Officer Response:

The revised proposals are considered acceptable for reasons outlined in greater depth in the design section below. The main storeys of the proposed apartment blocks are in compliance with the parameter plans and the recessed roof form does not provide any extra accommodation, is set back from the relevant roof edges and would be lower than if the proposal had incorporated a pitched roof, which would otherwise be allowable under the approved parameters and design code. The proposed landscaping including planting will in conjunction with planting along the main road proposed under the advanced infrastructure works application (Ref: H/00668/13) are considered implementable and will complement the design proposals.

Internal /external and Other Consultations:

Highways

The Council's Highway Officer has confirmed no objection to the proposal subject to the attachment of appropriate conditions. Detailed comments are incorporated into officer report below.

Environmental Health

The Council's Environmental Health Team have not raised any in principle objections subject to clarification regarding plant noise, remediation and construction method.

Officer Comment:

Appropriate Conditions are attached to accord with the comments received from Environmental Health which would satisfactorily safeguard residential amenity of existing and future residents.

Trees and Landscape

Concerns Expressed that the proposal may impact upon additional trees due to position of hardstandings and underground services.

Officer Comment:

The applicant has provided additional information to demonstrate that the mitigation measures will safeguard retained trees. Suitable Safeguarding Conditions are also attached.

Transport for London

TfL observe that the cycle parking proposals do not accord with the standards in the London Plan 2015 and this will need to be increased to 233 spaces from the 184 currently proposed.

Officer Comments:

Comments noted. Outline Planning Approval was granted in 2011 which predated the current standards set out in the London Plan (Consolidated with Alterations since 2011) 2015. The proposal is in compliance with the standards in force at that time and is considered acceptable.

Thames Water

An initial letter was received objecting to the application, however this objection was subsequently withdrawn following discussions with the applicant given the mitigation measures provided for in the outline planning consent.

London Fire Brigade

No Objections.

Metropolitan Police

No objections raised subject to the applicant following the general requirements to achieve secured by design accreditation.

Officer Comments:

A condition is attached requiring the development to submit details regarding how they intend to achieve secured by design accreditation.

3. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

3.1 Site Description and Surroundings

Site in relation to the outline consent:

This application site submitted for assessment falls within Phase 4a of the outline consent, which is in the northern eastern part of the Mill Hill East regeneration area (also known as Millbrook Park) and covers an irregular shaped area approximately 1.98 hectares (Ha) in size. The site is bounded by Partingdale Lane to the north, the approved Phase 3 Site to the west currently being built out by Linden Homes and the consented Panoramic Park to the South. The remaining area that surrounds the site to the west is the existing cleared site associated with the future Millbrook Park phase 4c.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding 3 storeys in height. Development within the central slopes east character zone allows a higher density of development although predominately limited to 3 storeys with some 4 storey elements.

Physical features:

The site has a predominately flat topography, however there are significant changes in level in the south eastern corner of the site with levels dropping by approximately 3 metres. This particularly affects the apartment complex building fronting the Panoramic Park and how the proposed design responds to it.

The site will be accessible via the future internal road network to Bittacy Hill and Frith Lane to the west, south and east. The site has a public transport accessibility level (PTAL) of 2. Mill Hill East underground station is approximately 800m to the south of

the site. The 221 and 240 bus routes run along Bittacy Hill with stops located between 320 and 340 metres from the application site

3.2 Description of Proposal

The proposal is to seek approval of matters reserved under outline planning consent ref H/04017/09 (layout, scale, appearance and landscaping) to redevelop the site for residential purposes. An Environmental Impact Assessment Screening Opinion for this phase has been submitted separately which is currently under consideration (application ref 15/01548/EIA).

Housing:

The proposals would be for a mix of 1, 2, 3, 4 and 5 bedroom units) providing a total of 114 dwellings as follows:

9 x one bed flats
50 x two bed flats
12 x three bed houses
37 x four bed houses
6 x five bed houses

The above includes 14 affordable housing units with the following mix:

Affordable Rented

5 x two bed flats
1 x three bed houses
4 x four bed houses

Intermediate

3 x two bed flats
1 x three bed houses

The proposed apartments are located along the southern edge of the plot, including the three storey affordable housing block to the west of the internal road to the south west and the main private block to the east fronting the Panoramic Park. This building is four storey in height with a roof top pop out providing access to private roof terraces. The building steps down on the eastern edge to account for the changes in levels and in order to respond to the parameters of the outline consent.

The rest of the development consists a mixture of short terraces, semi-detached and detached houses which are between 2.5 and three storeys in height with additional pop up elements on some of the houses backing onto the apartment building. The housing density is greatest on the southern portion of the site and along the northern boundary with Partingdale Lane. Internal access roads and footpaths to the properties are proposed.

Landscaping:

Parameter Plan 2 (Landscape) of the outline consent, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase.

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space to be provided across the whole Millbrook Park site. It stipulates that not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in a number of areas across the development site. In relation to Phase 4a the outline planning approval it was envisaged that this would be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares including both phases 3 and 4. This was subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. Phase 3 has already delivered 0.28ha, leaving a balance of 0.14ha to be provided with Phase 4a.

The Planning Statement submitted in support of the application advises that a total of 0.1825ha of public open space will be incorporated within this phases in the form of pocket parks, which is in excess of the minimum required for this phase. The open space will incorporate the retained areas of trees along Partingdale Lane and a belt of retained trees internal to the development and will incorporate 'door step' play facilities.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting to reinforce the Green Edge.

Discharging of conditions

This application also involves the partial discharging of a number of planning conditions attached to the outline consent that require information to be submitted for each phase of the development. Those conditions that are to be approved in relation to Phase 4a are as follows:

- 5 – Reserved Matters Details

Sets out the submission requirements for submission accompanying each reserved matters application.

- 8 – Housing Mix and Location of Affordable Housing Units

This requires prior to commencement of the development details of the proposed amount and mix of relevant residential development within that Phase and the proposed Affordable Housing Scheme to be submitted and approved.

- Condition 26 – Pedestrian and Vehicular Access Points

This requires details of access points, estate roads and footways to be submitted and approved.

- Condition 27 – Details of Estate Roads

This requires details of lighting, pedestrian facilities, crossing points, cycle facilities, signing, bus stops/shelters, bus standing/layover facility, bus driver facilities, highway improvements and estate road layout and gradient.

- Condition 29 – Internal Access Roads

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 32 – Shared Footways/ Cycleways

This requires the construction of the highway intended to serve that dwelling before any dwelling is occupied within any phase of development (scheme to be approved by the LPA).

- Condition 35 – Petrol/ oil interceptors

This requires details of petrol/ oil interceptors or justification concerning why this is not required.

- Condition 48 – Design of Open Space

This requires details on the construction of any communal open space and should be in accordance with the principles and parameters contained within Parameter Plan 2, Landscape (A6157/2.1/04) and the Revised Public Realm and Open Space Strategy (MHE/OPA/5.1).

- Condition 52 – Children’s Play Space

This requires details of children’s play areas to be submitted and approved and shall be provided within 12 months of the first occupation of any dwelling located within that phase.

- Condition 69 – Noise from Plant

This condition requires details of any plant and machinery proposed as part of this development.

- Condition 70 – Design to Lifetime Homes Standards & Wheelchair Standards

This condition requires all residential units to be built in accordance with Lifetime Homes Standards. Furthermore 10% of the units shall be designed to be fully wheelchair accessible.

- Condition 80 – Code for Sustainable Homes

A statement to be submitted to demonstrate measures incorporated to achieve a minimum standard of Code for Sustainable Homes Level 4 (with a minimum level of Code Level 6) by 2016.

- Condition 83 – Greywater/Rainwater Recycling Provision

This requires details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings to be submitted and approved.

- Condition 85 – Green/Brown Roofs Provision

This requires details to demonstrate the provision of Green or Brown roofs into each of the buildings to be submitted. Details shall also include a reconciliation plan or table showing how the proposed provision complies with the 10% target fixed by condition 84.

4. PLANNING CONSIDERATIONS

4.1 The Principle of Development

The principle of constructing 114 residential dwellings and provision of public open space is established by the outline planning consent. Condition 5 (Reserved Matters Details) seeks details (layout, scale, landscaping and appearance) to be submitted to and approved by the Local Planning Authority (LPA) prior to the commencement of development.

The reserved matters currently under consideration are:

Scale – the height, width and length of each building proposed in relation to its surroundings.

Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

Appearance – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

Landscaping – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

Access – The internal road layout within this phase was established at outline stage. This current application shows the internal estate roads in the same location in compliance with the outline parameters for access. A proposed pedestrian link to Partingdale Lane will be provided in the north eastern corner of the site, however the details of this are not included in this application as this would require a separate planning application as part of the proposed access would be located outside the redline boundary. Whilst, the application does not formally seek the approval for access, the internal access points, circulation and routes for pedestrians and vehicles are still considered as part of the overall scheme and for the discharge of conditions 26, 27 and 29.

The outline planning permission consists of a series of parameter plans which establish a series of parameters and principles to create a clear framework of planning control and fix the quantum of development, land uses, levels and access arrangements.

The key parameter plans of relevance to the consideration of this application are:

- Parameter Plan 1: Access and Movement
Establishes the main vehicular and pedestrian access points and vehicular movement hierarchy.
- Parameter Plan 2: Landscape
Establishes the location and extent of areas of public open space.
- Parameter Plan 3: Land use
Establishes the location and distribution of land uses and open spaces.
- Parameter Plan 4: Scale
Establishes the maximum height permissible across the whole Millbrook Park site.
- Parameter Plan 5: Character Areas
Establishes the extent and disposition of the strategic character areas.
- Parameter Plan 6: Levels Strategy
Establishes the proposed spot levels at street junctions and maximum permissible gradients along each of the streets.

In order to support the detail contained within the parameter plans the outline consent has a number of additional documents that form a 'strategic development framework' in accordance with the requirements of Policy MHE18 of the AAP. The 'framework' establishes a series of development principles that will be used to guide detailed elements and the preparation of reserved matter applications. Of relevance to the consideration of this application are the following documents:

- Design Principles Document;
- Phasing and Delivery Strategy
- Technical/Infrastructure Strategy
- Revised Public Realm and Open Space Strategy
- Technical and Infrastructure Strategy
- Revised Phasing and Delivery Strategy

Design Code

In addition to the above a site wide design code was approved in 2011 pursuant to the clearance of condition 4 of the outline application and forms the guide to the assessment of reserved matters applications. This reserved matters application for Phase 4a is therefore considered within the framework of established broad development principles, Parameter Plans, and a detailed design code.

The applicant has submitted a statement of compliance with this application to describe the proposed development and demonstrates general compliance with the outline planning permission. There are several areas where the application does not conform and the applicant has provided justification for any deviations. These are explained in the sections below.

Deviation from outline

Application as Submitted

Each phase within the Millbrook Park site is made up of smaller plots as identified in Parameter Plan 4 (Scale) and in the approved Development Schedule (DS) at outline stage. This schedule provides a plot by plot breakdown of the accommodation and in this instance Plots E, F1, H and J falls within Phase 4a.

As submitted the number and mix of units for the Phase 4a reserved matters application is as per the s.106 accommodation schedule attached to the Outline permission. The proposed total number (114) and mix of units is as per the approved DS when plots E, F1, H and J are added together. However, the application deviates from the schedule at a plot-by-plot level as a response to detailed design work. It is the distribution of the units across Phase 4a that is different to the approved schedule. The applicant has submitted a separate s.96a application to amend the DS which has been approved under ref 15/02774/NMA and the details are summarised in the following table contained within the Planning Statement submitted in support of the application.

Table 6.2 Plot-by-Plot Distribution of Housing*

Plot		1BF	2BF	3BH	4BH	5BH	Total
E	Approved	0	0	1	5	3	9
	Proposed	0	0	1	5	3	9
F1	Approved	0	0	3	8	3	14
	Proposed	0	0	2	11	0	13
H	Approved	0	12	5	12	0	29
	Proposed	0	8	9	8	0	25
J	Approved	7	40	3	12	0	62
	Proposed	7	44	0	13	3	67
Total	Approved	7	52	12	37	6	114
	Proposed	7	52	12	37	6	114

As seen above, it is the location of the dwelling types within Phase 4a that is changed and does not alter the number, the mix of apartment and house types or size of the units. 14 units are to be affordable dwellings (both rented and

intermediate) in accordance with the S106 Agreement and the rest to be private sale properties. Due to the detailed design work, the distribution of units has altered as illustrated in the amended plot schedule above.

One of the rationales for the DS is to ensure that units are not squeezed into certain plots as the scale of the building are already set under Parameter Plan 4. Any deviation from the DS would be acceptable provided all other matters such as the size, scale and layout of the development would not cause adverse harm and the standard of accommodation for residents are not compromised.

Amendments of the 19th May 2015

Amended Plans were submitted on the 19th May 2015, reducing the height of the proposed apartment block in plot J. As a result of the scheme, the proposal will provide two fewer two bed units and two additional one bed units altering the housing mix specified in the outline approval. The applicant advises that these two bed units will be reprovided in the future 4C application on the adjoining plot which is also being built out by Taylor Wimpey. A S96a application for a non material amendment will also be submitted to ratify this change, which will be submit prior to the submission of the reserved matters application for this future phase.

4.2 Amount of Development

Housing

The amount and mix of development for 114 dwellings in Phase 4a is substantially, in line with the outline consent, the latest approved phasing plan and the s.106 schedule of accommodation. 14 units are to be affordable dwellings (both rented and intermediate) and the rest to be private sale properties. Condition 8 (Housing Mix and Location of Affordable Housing Units) of the outline consent requires the submission of details of affordable housing, and the proposed submission is considered to accord with this requirement.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established, with the development as a whole providing 114 units within this phase.

Public Open Space

Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space to be provided across the whole Millbrook Park site. It stipulates that not less than 5.95 Hectares of open space shall be provided in the development which will consist of a target provision in a number of areas across the development site. In relation to Phase 4a the outline planning approval it was envisaged that this would be in the form of pocket parks located throughout this phase providing an anticipated total of 0.35 hectares including both phases 3 and 4. This was subsequently increased to 0.42 hectares as a result of a shortfall in an earlier phase. Phase 3

has already delivered 0.28ha, leaving a balance of 0.14ha to be provided with Phase 4a. The Planning Statement submitted with the application

The Planning Statement submitted in support of the application advises that a total of 0.1825ha of public open space will be incorporated within this phases in the form of pocket parks, which is in excess of the minimum required for this phase. The open space will incorporated the retained areas of trees along Partingdale Lane and a belt of retained trees internal to the development and will incorporate 'door step' play facilities.

The application also proposes associated hard and soft landscaping works across the site. The landscape included along the Partingdale Lane frontage will include the introduction of new tree and hedgerow planting to reinforce the Green Edge. The proposal is therefore considered in accordance with Condition 15.

4.3 Scale



Parameter Plan 4 (Scale) indicates a 3 storey maximum permissible height for the majority of the phase 4a area with the exception of Plot J fronting the Panoramic Park which is set to a 4 storey maximum permissible height. The majority of properties including all properties in Plots E, F1 and H are in accordance with the above parameters.

However in relation to the apartment building fronting the Panoramic Park contained within Plot J, a recessed top fifth storey is incorporated throughout the building which does not strictly comply with the approved parameters. The inclusion of these areas

was subject to significant pre application discussions. Roof terraces are also provided at fourth floor level on the houses which make up the rest of Plot J. With small pop ups containing stairwells and a small enclosed storage areas.

The top storey provides access to private rooftop terraces for the third floor (fourth storey) units. This storey is linked to the third floor (fourth storey) units and contains a small area of internal enclosed space including stair access from the lower storey, although the majority of the roof space to the front is formed of a series of framed roof terraces, which provides a valuable amenity area for the flats concerned. The top storey is set back from all sides and would be of limited visibility except from long views. It is noted that the Design Code allows for the installation of a steeped pitched roof over the fourth storey and the proposed top storey is lower and takes up a significantly lower volume than if the scheme had been designed with a traditional pitched roof. On balance it is therefore considered that the proposed apartment is broadly in accordance with the scale parameter plans.

Roof terraces are also provided at 3rd floor (fourth storey) level on the houses which make up the rest of Plot J. With small pop ups containing stairwells given access to the roof terraces and a small enclosed storage areas. This is also considered acceptable as the space is predominately limited to an external amenity area and results in significantly less bulk than pitched roof buildings would in this location and also results in a symmetry of design within this plot.

Officers consider that the proposals substantially accord with the scale parameter plan, and the guidance contained within the Design Code.

The ridge heights throughout Phase 4a are within the maximum heights as set out in the scale parameter plan. The proposal also complies within the required width and length parameters (minimum and maximum) stipulated within Parameter Plan 4.

As highlighted above, Millbrook Park outline planning consent is split into 4 character areas (as shown on Parameter Plan 5) as follows:

Green Belt Edge – low density houses, green character

Central Slopes - medium density, mix of houses and apartments up to 4 storeys in height

Southern Hub – highest density, predominantly apartments up to 6 storeys in height.

Mixed Use/retail/community – mixed uses around public square and new primary school.

The approved Design Code for the scheme further splits the Central Slopes Character Zone into East (CZE) and West (CZW) character zones.

The site falls predominantly within the Green Belt Edge character zone, with the southern section of the scene falling within the central slopes east character zone (as defined in the Design Code for Millbrook Park). The Design Code advises that with the Green Belt Edge Zone housing should be low density housing not exceeding

3 storeys in height of a 'garden housing layout' comprising of smaller blocks composed of detached, semi-detached and terraced houses and the occasional small apartment buildings. Development within the central slopes east character zone can accommodate a mixture of 'garden housing' and higher density 'garden court' style housing involving medium density development providing a block perimeter layout including the use of communal parking courts.

The design and layout of the scheme predominately follows the above parameters with lower density suburban houses to the rear along Partingdale Lane and higher density housing in the form of short terraces and apartment buildings along the southern edge of the site. The scheme does not include any communal parking courts with parking being provided either within house plots, directly in front of the building or in the form of a communal basement car park serving the flats and houses in Plot J. The provision of parking in this form for Plot J allows for the use of a podium deck maximising the amount of amenity area and would result in a more satisfactory visual appearance.

The existing vegetated bank and mature trees partially screen the proposed houses, from Partingdale Lane to the north. No houses outside of the Millbrook Park development directly adjoin this phase although a line of properties is located about 100m to the west comprising a short terrace and pair of semi detached properties at Frith Manor Cottage a detached cottage (Mews Cottage) and a Grade II Listed detached property further to the west (Partingdale Manor). The traditional form of the houses fronting Partingdale Lane is considered to be a satisfactory response to the character of these properties and surrounding area.

Density

The amount of development and minimum/maximum building dimensions have already been approved at the outline stage and therefore the target residential density is also established, with the development as a whole providing 114 units within this phase.

4.4 Layout

Policies CS5 and DM01 require development to be of a high quality design and should ensure attractive, safe and vibrant streets which provide visual interest. Proposals should also create safe and secure environments, reduce opportunities for crime and minimise fear of crime. The proposals demonstrate an internal road and building layout in broad accordance with the Illustrative Masterplan and the Access and Movement Parameter Plan 1.

The primary distributor roads are named 'secondary general' which runs along the southern perimeter of the phase and 'northern street' which provides access to the rear portions of the site and also links through to the earlier phase 3 and the future phase 4c developments. Other small branch roads form short cul de sacs with no through access. These roads will link through to the wider Millbrook Park Estate

Road network connecting through to Bittacy Hill to the south and west and Frith Lane to the East. The proposed layout is in compliance with the parameter plans and the Illustrative Masterplan.

Site Boundaries

Within Phase 4a there is one key primary site boundary, this being the relationship with Partingdale Lane to the North.

The relationship with Partingdale Lane is considered to be of paramount importance to the overall acceptability of the scheme, marking the transition from the development to the rural green belt edge to the north. The proposed houses along the northern boundary are predominately low density detached properties set back from the edge of the site. Existing trees and other landscaping is proposed to be retained and augmented where necessary with additional planting and a new pedestrian path created running along this boundary incorporating door stop play elements.

Parking

Parking throughout the development is either on plot, on street in close proximity to the dwellings or in an underground car park in relation to the apartment building fronting the Panoramic Park in Plot J. Access to the basement car park will be secured and all surface car parking areas are overlooked in accordance with secured by design principles.

The level of parking is discussed in the highways section of this report.

Access

The Design Code has been approved to enable the delivery of a permeable and legible new neighbourhood. The approved parameter plan includes new roads and the provision of a pedestrian crossing between the application site and Partingdale Lane in the north east corner of the site. Permission for this crossing is not being sought under this reserved matters application as some of the land is located outside the redline boundary on highway land and will be subject to a separate future planning application.

The proposed layout follows the layout indicated on the approved parameter drawings. And is considered to provide for a legible and permeable development. The scheme also provides a pedestrian footpath running along the northern boundary of the site along Partingdale Lane further increasing the accessibility of the site.

Crime

The proposed layout predominately follows a perimeter block approach, which ensures that all street and public open spaces benefit from being overlooked by active frontages. The Metropolitan Police have not raised any objections to the scheme subject to the scheme achieving Secured by Design accreditation. A suitable condition is recommended requiring the applicant to submit information concerning the incorporation of crime prevention measures in their scheme.

Levels

Phase 4a is relatively level throughout the majority of the site, with sharp changes in level in the south eastern corner of the plot with a level change of over 3m. This portion of the site also incorporates the highest density within the Phase. The application utilises the change in levels to provide an underground car park within Plot J, with podium garden deck on top. The roofline of Plot J has also been stepped to respond to the level change. The application has sought to maintain existing levels where possible while also proposing safe level access to dwellings in accordance with the Equality Act 2010 with all dwellings achieving lifetime house standards. The proposal is also in accordance with the approved levels parameter plan and the Design Code and is therefore considered acceptable.

Deviation from Development Schedule

As previously mentioned, due to amendments which have been made to reduce the height of the proposed apartment building a minor amendment to the configuration of the units has been made providing two additional one bed and two fewer two bed units. These units will be reprovided on the adjoining phase at 4C which is also due to be built out by Taylor Wimpey but has yet to come forward for reserved matters. Given the layout of the scheme is considered acceptable in terms of density, overlooking and scale there are no objections to the deviation and the deviation is not considered to cause any adverse harm in terms of character or other assessments.

4.5 Appearance

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.

As discussed, Phase 4a is located within both the GBE and CSE character zones and as such it is necessary for the scheme to provide for a subtle transition between the more dense form of housing development in the southern part of the development and the lower density form of development on the northern part of the site.

The development consists of 4 separate development parcels separated by estate roads incorporating 3 differing block typologies, Green Belt Edge, Central Slopes and the Apartment Building in Plot J fronting the Panoramic Park.

Green Belt Edge

The houses towards the Green Belt Edge are of a looser form to development in the southern portion of the site, containing larger 4- 5 bedroom houses in the form of detached and semi- detached houses with some short terraces. The design of these houses is based on traditional forms with crisp contemporary detailing. The properties incorporate large format windows to maximise internal light levels within the dwelling whilst creating good active frontages enabling good natural surveillance to the street. Traditional elements such as steeply pitched gables, double height projecting bays, set back garages, chimneys and dormers are all employed to reinforce the residential character of the place and to create a sense of rhythm along the streets.

Central Slopes

The design of the houses in the southern portion of the site forms a similar broad design to the green belt edge, with a greater density in the form of terraces of houses set around a perimeter court layout. The properties along the northern edge of Plot H facing the approved Phase 3 development consists of a line of terraces houses with forward facing gables, projecting two storey bays, inset garages and dormer windows. The return streets on this plot contain semi-detached dwellings transitioning down to the 3 storey flat roof affordable apartment building in the south eastern corner of this plot.

The terraced houses to the rear of Plot J containing the apartment building, while of a similar scale, differ significantly in design, incorporating a more clean appearance interspersed with projecting triple height bays and roof top protrusions giving access to roof terraces on these buildings. The appearance of these buildings is to some extent designed to complement the more contemporary approach of the apartment building, while also reducing the maximum height of the proposal to allow for the transition between the central slopes character area and the green belt edge to the north. This design approach extends around the sides of the building where it meets the apartment building.

Apartment Building Fronting the Panoramic Park

The most significant building within the Phase, in terms of massing and visual impact is the apartment building fronting the Panoramic Park. As submitted the proposal envisaged a crescent shaped building maintaining the same height across its length. Due to the change in levels, this meant that the portion of this building in the south eastern corner of the plot was five storeys in height with a recessed sixth storey which exceeded the site wide parameters pursuant to the outline consent. The plans

were subsequently amended to incorporate a step down in this portion so that no part of the building exceeds 4 storeys with a recessed fifth floor.

The design of the building is of a contemporary appearance with a flat roof, double height glazed windows, recessed balconies and light brick vertical and horizontal banding helping the frame and break up the building. The building steps down to the south east due to the changes in levels and also steps down and in on the return elevations, in transition to the lower height houses which make up the rest of this plot.

Conclusion for External Appearance

The mixture of the traditional form of the properties located within the green belt edge and the more contemporary form of the apartment block and perimeter houses to the north of the Panoramic Park is considered appropriate to this location and also provides for variety and legibility. It is considered that the architectural approach would result in a high quality development in accordance with the requirements detailed within the Design Code and Policies CS5 and DM01.

Material Specification

The Design Code stipulates that a warm red brick GBE character area while either warm red or buff coloured bricks may be used in the CSE character area. The Design code also specifies that the material palette along the Partingdale Lane frontage should include clay plain tile or natural slate roofs, high performance timber windows and black coated aluminium rainwater goods.

The scheme proposes two different material patterns for the development.

1. Apartment Building fronting Panoramic Park and Central Slopes Character Area

The materials proposed in this phase are Plain Tiles/ natural Slate, timber or aluminium fascias and soffits. Black/ grey aluminium rain water goods. A mixture of light buff stock bricks and rusticated red/ brown stock, reconstituted stone banding, dark grey frame windows. Projecting metal surround. Planked external doors, prefabricated projecting porches, dark grey composite doors and light grey cladding panels.

2. Green Belt Edge

Plain brown tiles and blue/ grey slate, timber fascia and soffits, black aluminium rain water goods, rusticated stock bricks, light grey framed windows, planked external doors and prefabricated projecting porches.

While no specific details concerning issues such as the make of brick and the colour finish of the windows has been provided, the broad material approach outlined in the

submission is considered acceptable according with the principles of the design code. Conditions are attached requiring physical samples to be provided prior to the commencement of the development.

4.6 Landscaping

The 'Revised Public Realm and Open Space Strategy' approved at outline stage sets out the principles for a landscape and open space strategy for Millbrook Park and provides detailed design guidance for reserved matters applications. The approved Design Code adds another layer of detail and requires a number of landscaping features in Phase 3.

Partingdale Lane frontage

The Design Code advises that the existing boundary vegetation should be reinforced to maintain and strengthen the positive vegetated edge and that additional boundary treatment such as metal railings should be installed ensuring no disturbance to trees and hedgerows.

The proposal advises that existing trees along Partingdale Lane will be retained and augmented with new hedgerow planting. This is considered to accord with the principles outlined in the Design Code and is considered acceptable.

Green Spaces

As discussed above, Condition 15 (Level of Open Space) of the outline consent sets out the level/target of open space for Phases 3 and 4a. Parameter Plan 2, the approved 'Revised Public Realm and Open Space Strategy' and the Design Code identify the general location and extent of land to be used as public open space within this phase.

The Planning Statement submitted in support of the application advises that a total of 0.1825ha of public open space will be incorporated within this phases in the form of pocket parks, which is in excess of the minimum required for this phase. The open space incorporates the retained areas of trees along Partingdale Lane and a belt of retained trees internal to the development and will incorporate 'door step' play facilities. A new footpath is also proposed along the rear curtilage of the properties fronting Partingdale Lane.

Play space

Play provision in the form of toddler's 'doorstep play' is proposed along the northern edge of the plot fronting Partingdale Lane alongside the proposed path and under the canopies of retained trees. Proposed equipment include timber trails, cast stone boulders and other natural elements suitable for young children are proposed.

No formal neighbourhood play provision is proposed as a part of Phase 4a due to its close proximity to a Local Area of Play in the Panoramic Park within the Millbrook Park Masterplan. The details submitted satisfy Conditions 48 (Design of Open Space) and 52 (Children's Play Space).

Trees

This Phase contains a large number of existing trees that have been identified to be retained to maintain the 'green edges' to the site along with a belt of trees in the centre of the plot.

Parameter Plan 2 at outline stage had indicated the trees that are to be lost, followed by the approval of Condition 53 (Protective Fencing Around Trees). A further Application for the demolition of existing buildings (Ref: H/04655/11) was granted in December 2011 which included details of tree retention, felling and protection measures.

The application proposes the removal of ten trees including three trees in addition to those already consented under previous consents, these include a Norwegian Maple, a common ash and an English Oak. These trees are identified as being in poor condition and no objection in principle is raised to their approval. In mitigation the application proposes the planting of 60 new trees and 666 new shrubs throughout the phase.

Protection of existing trees

The applicant has submitted an Arboricultural Method Statement and accompanying plans to indicate the protection measures for the retained trees. The RPA encroachments to retained trees are mainly attributable to proposed roads, footpaths and other hardstanding. The method statement proposes to utilise tree protection measures including protective fencing, a trenchless drainage installation method and the provision of a Geocellular confinement system within Root Protection Area. The Council's Tree Officer has examined the submitted details and has concerns that the proposal could potentially result in damage to proposed trees and/ or future pressure to fell or lop.

It is noted that the broad position of the proposed houses has already been established in the Outline Consent and the trees in question are not subject to any statutory protection, although they provide substantial group amenity value and screening to the boundaries of the site. It is therefore recommended that appropriate conditions are attached requiring the submission of a foundation method statement, the supervision of relevant works by a qualified arboriculturalist and details of hard and soft landscaping including the requirement for replacement planting in the event of future loss.

Maintenance

Areas of public open space, estate roads and parking court areas are to be transferred to the Millbrook Park Residents Management Company (RMC1) for ongoing maintenance, in accordance with the approved Estate Management Framework approved pursuant to Condition 10 of the outline consent (ref H/01219/12). The submitted Landscape Management Plan provides specifications for replacement planting and identifies site specific management requirements for establishment period (years 1-5) and management beyond this period should be reviewed.

Hard areas

A simple, robust palette of materials is provided in accordance with the requirements of the Design Code and the contrast for different street types and areas help to distinguish between the private and public realm. The materials have also been chosen to respond to the proposed sustainable drainage strategy (SUDs).

Positions of street lights along the southernmost street have been approved under application ref. H/00668/13 (the advance infrastructure works application). In accordance with condition 9 of this consent, the approved positioning of street lights will be revisited following approval of this application.

A condition is also suggested requiring the provision of a detailed lighting plan prior to the commencement of development for this phase.

Conclusion for Landscaping

The landscaping approach is considered to be in accordance with design principles set in the Design Code and parameter plans. It will preserve the verdant Partingdale Lane frontage and will frame and complement the architectural approach whilst increasing the overall biodiversity of the site's environment. It complies with Policies CS5 and DM16.

4.7 Amenities of Future Occupants

Dwelling outlook and daylighting

Development plan policy requires that new dwellings are provided with adequate outlook. The layout proposed for Phase 4a maximizes the outlook of occupiers of the new dwellings, with all houses being located on a north south or east west axis. All of the proposed apartment buildings are either dual aspect or southern facing and it is considered that all units will receive adequate levels of daylight and sunlight.

Privacy

Across the majority of the site privacy distances are considered to be in keeping with policy requirements with rear to rear distances meeting the minimum policy requirement of 21m. Front to front distances are lower dropping to a minimum of 12m, however this reflects the relationship of houses facing one another across a street which accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas and similar separation distance have been accepted on earlier phases and is considered acceptable. In these circumstances the relationship achieved is considered to be acceptable without compromising privacy levels.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor's Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon the same standards.

All of the units proposed would have a gross internal floor area which exceeds the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Amenity space

The approved Design Code requires the provision of 10 sq.m of amenity space for a 1 bed flat, 15 sq.m for a 2 bed flat, 40-55 sq.m for a 3 bed house, 55-85 sq.m for a 4 bed house and 85 sq.m for a 5 bed house.

Every dwelling has access to some form of private amenity space. The houses all have individual rear gardens with the houses in Plot J also having roof terraces. The proposed flats will all have access to a private amenity area, in the form of a balcony, roof terrace or patio along with access to a shared amenity area. The following reconciliation table has been submitted in support of the application which demonstrates that the proposal comfortably exceeds the relevant minimum requirement.

Unit Details		Amenity Space Requirement		Amenity Space Provision
Unit Type/Size	No. of Units	Design Code Standard (sqm)	Design Code Total Requirement	
1BF (3 habitable rooms)	7	15sqm	1,145sqm	2293.4sqm (of which 853.7sqm is private amenity space)
2BF (4 habitable rooms)	52	20sqm		
3BH (5-7 habitable rooms)	12	55-85sqm	855sqm	995.1sqm private amenity space
4BH (6-8 habitable rooms)	37	70-85sqm	3,015sqm	3,515.2sqm private amenity space
5BH (10-11 habitable rooms)	6	85sqm	510sqm	679.2sqm private amenity space
Total	114	-	5,525sqm	7482.9sqm

4.8 Impacts on amenities of neighbouring and surrounding occupiers and users

Properties on Partingdale Lane

Partingdale Lane contains a line of cottages (Frith Manor Cottages) which face onto Partingdale Lane, another cottage (Mews Cottage) which contains no windows facing towards the development, although it has a rear garden to the side fronting Partingdale Lane and Partingdale Manor a Grade II listed building located further to the west which has a projecting 2 storey front wing fronting Partingdale Lane.

The development at 4a does not directly face these properties being located approximately 100m to the east of the closest property on Partingdale Lane and as such would not materially affect the amenities of these properties.

Phase 3 Development

The development adjoins the Phase 3 development of Millbrook Park to the east, across existing and proposed estate roads. There are no back to back relationships between the phases. The front to front separation distances when they do occur are at distances of between 12 and 15m, however this reflects the relationship of houses facing one another across a street which accords with good urban design principles of ensuring satisfactory overlooking of public space and vehicular parking areas. These figures are also comparable to distance separations between properties on the earlier Phase 3 development and are considered acceptable. In these circumstances the relationship achieved is considered to be acceptable without compromising privacy levels.

Future Phases

The periphery of the site is delineated by the internal estate roads including the 'secondary general', 'northern street' and 'community streets' which will also serve future phases. Due to this layout proposed dwellings will either face front or sideways onto future phases and as such it is considered that the proposal would not significantly affect the amenities of dwellings contained within future phases or be unduly impacted upon by future development.

4.9 Transport, parking and highways matters:

Access

The access points have already been established and the main internal estate roads have been laid out in accordance with the Illustrative Masterplan. The use of the permeable block paving for secondary streets and private driveways is in compliance with the Design Code. The 'movement hierarchy' anticipated in the Design Code will be achieved.

Pedestrian Facilities

Access and movement principles for pedestrians were established as part of the outline application. The proposal incorporates a pedestrian footpath along the northern boundary with Partingdale Lane, separate footpaths along the main distributor roads and 'Pedestrian favoured streets' and shared surfaces within the community streets in accordance with within the Design Code.

Pedestrian permeability with the surrounding area would be strengthened by the proposed future pedestrian link with Partingdale Lane to the north east of the phase which will be subject to a future planning application. Details to discharge Conditions 26 (Pedestrian and Vehicular Access Points), Condition 27 (Details of Estate Roads) and Condition 29 (Internal Access Roads) are satisfactory. Condition 29 requires the internal access roads to be constructed and in place before any dwelling is occupied.

Parking

Condition 23 of the outline consent limits the number of residential parking spaces to 2,522 (plus limited visitor parking) across the whole site.

The table below shows the parking requirement for the proposed development.

No. of units	Types	Parking Ratio	Parking Req.
7	1b	1.0	7
52	2b	1.0	52
12	3b	1.5	18

43	4b+	2	86
Total			163

A total of 184 parking spaces are proposed comprising 163 allocated parking spaces, 20 unallocated parking spaces for residents and visitors and 1 service vehicle parking space.

37 parking spaces are being provided with Electrical Vehicle Charging Points (ECVP) within the lower ground floor level for the flatted development. Further 37 parking spaces within private houses and adjacent parking spaces have been identified for the future installation with ECVP which is in accordance with TfL Parking Standards.

The Parking Standards set out in the Local Plan Policy DM17 are as follows:

- (i) 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms)
- (ii) 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms) and
- (iii) 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)

The quantity of parking proposed is within the ranges specified in Policy DM17 and it is considered therefore that the scheme provides adequate car parking and would not result in significant overspill to neighbouring roads.

A Parking Management Strategy has also been submitted in support of the application, explaining how parking will be allocated and illegal parking enforced. The content of this document is considered acceptable.

Residents have raised concerns regarding potential parking in Partingdale Lane, however given the adequate level of parking proposed within the development which is within the range specified by Policy DM17, together with the narrow width and limited parking facilities in Partingdale Lane it is not considered that the local highway network will be significantly impacted.

Accessibility and Inclusivity

The submitted planning documents advise that 10% of units will be built to wheelchair standards which is in compliance with Condition 70 (Design to Lifetime Homes Standards and Wheelchair Standards) of the outline consent. The allocated car parking spaces to these properties are in close proximity to their entrance points.

The topography of Phase 4A is challenging with some of the east - west street streets having gradients of 1:10 in the worst case and others which are less steep with gradients of between 1:15 - 1:20. These are not ideal for wheelchair users;

however, all houses are designed to provide level thresholds at the main entrance. In addition, the internal layouts to all houses and flats are designed to the Lifetime Homes Standard's design criteria, which follow underlying principles of inclusivity, accessibility, adaptability, sustainability and good value which meet the differing and changing needs of households as they experience life events. Wherever possible, the width of the primary car parking space for the house or apartment to which it is related can be enlarged to 3300mm to meet disabled standards. However, there are a number of instances where it will not be possible due to the building typology which responds to the topography of the site.

Given the topography of the site which is outside the applicants control and given that the proposal complies with the standards internally, the application is considered satisfactory to meet Condition 70. The scheme has followed principles of inclusivity and accessibility.

Sustainable travel

The submitted drawings show the provision of 184 secure cycle parking spaces throughout the phase. This includes cycle storage for 90 cycles in the lower ground floor of the proposed apartment building with the cycle parking for the houses being either within garages or other enclosures within the plots. TfL have advised that the cycle parking provision should be 233 cycle parking spaces in order to be in accordance with the current cycle parking standards specified in the London Plan 2015. However as the level of cycle parking provision established under the outline approval was approved under the previous TfL parking standards the provision of 184 cycle parking spaces are acceptable.

Throughout the phase 37 parking spaces are being provided with Electrical Vehicle Charging Points (ECVP) within the lower ground floor level for the flatted development. A further 37 parking spaces within private houses and adjacent parking spaces have been identified for the future installation with ECVP which is in accordance with TfL Standards.

Waste Management

Household recycling and refuse waste collection facilities have been designed in accordance with the requirements set out in London Borough of Barnet's guidance note; 'Information for developers and architects, Provision of household recycling and refuse waste collection services.'

The submitted plans show the proposed location for refuse bins and the direction they will be taken on collection day. In principle, the majority of houses and the affordable flats will have a dedicated location for refuse storage and residents will bring these forward to the front boundary on collection day and empty bins will be retrieved by residents and stored in their original location.

For Block J the refuse storage and collection will be operated by a management company. The storage is located mainly within the basement area with a single storage area at grade in the western end of the block.

Turning circles and vehicular tracking diagrams have been included in the application proposal demonstrating that refuse lorries (and emergency vehicles) can adequately access the development. The main internal estate road and other roads serving this development are not proposed to be offered for adoption. Nevertheless, the roads and other shared surfaces on this development must be constructed to withstand the largest type loads of vehicles proposed to enter/exit these areas. An indemnity condition (No. 34) has been included on the outline application for all phases.

Street lighting

The provision of adequate and well designed lighting will influence potential criminal behaviour and should help to reduce the risk of crime and fear of crime for those people living and visiting within this latest phase of the Mill Hill East development.

Positions of street lights along the southernmost street have been approved under application ref. H/00668/13 (the advance infrastructure works application). In accordance with condition 9 of this consent, the approved positioning of street lights will be revisited following approval of this application. A condition is also suggested requiring the provision of a detailed lighting plan including lux lines prior to the commencement of development for this phase. Similar Conditions were attached to the earlier phases of development.

Conclusion for Transport, Parking and Highways

In summary, the application provides for adequate parking without harming the local highway network and promotes sustainable modes of travel and complies with Policies CS9 and DM17.

4.10 Environmental issues

Construction management

A Construction Management Plan for the whole of Millbrook Park was approved pursuant to Condition 17 of the outline consent (ref H/04183/11). The document incorporates the view that succinct method statements will be required for each reserved matters application. A Construction Management Plan has been submitted in support of this reserved matters application sets out the approved construction routes to and from the site and arrangements that will be implemented to ensure the environmental issues are managed and the impact on the surrounding environment

by this development is kept to a minimum with regards to noise disturbances, vibration, dust, smoke, plant emissions and traffic.

Contamination

A contamination strategy for the whole site has been dealt with under Condition 63 of the outline consent (ref H/00643/12, approved April 2012). This condition is split into 4 parts and parts i) and ii) which includes desk top studies and site investigation have been approved. Parts iii) of the condition requires the approval of a remediation strategy on a phase by phase basis and part iv) requires a verification to be submitted for each phase.

This reserved matters application has not submitted any information to discharge the remainder of Condition 63, but an informative shall be imposed to remind the applicant of this requirement prior to the commencement of development. A similar informative was attached to earlier phases.

4.11 Energy, climate change, biodiversity and sustainable construction matters:

Sustainable design and construction

The application is accompanied by a Sustainability Statement, Energy Strategy and Code for Sustainable Homes Pre-Assessment. The applicant is committed to achieving Code for Sustainable Homes Level 4 (35% improvement over the Part L 2013 Target Emission Rate), as is required by London Plan policies and Condition 80 (Code for Sustainable Homes) of the outline consent. This is mainly achieved by implementing high building fabric specifications and energy efficient measures. The submitted information is considered sufficient to meet the requirements of Condition 80 which can be discharged in relation to Phase 4a.

An overarching energy strategy for the whole of Millbrook Park was submitted and approved pursuant to Condition 79 of the outline consent (ref H/00560/12). The approved strategy outlines how a centralised energy supply to the south of the site will be delivered, and a decentralised supply to the north. The south of the site will be served by a District Heating Network provided by a single Energy Centre while the north of the site is expected to adhere to the Mayor's Energy Hierarchy by utilising an energy efficient building fabric and where applicable photovoltaic panels (PV).

The Mayor's Energy Hierarchy sets out three methods for achieving a minimum 35% reduction in carbon emissions:

- 1 Be lean: use less energy (fabric efficiency standards)
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

The submitted energy strategy proposes a combination of fabric first, in which the insulation of the buildings is improved, along with PV panels on the roof of the apartment building potentially with a CHP plant within the apartment building which will achieve a greater than 35% improvement over the Part L 2013 Target Emission Rate which accords with the Mayor's Energy Hierarchy. It is therefore considered to that Condition 79 can be satisfactorily discharged in relation to Phase 4a.

Water resource

The drainage strategy for Phase 4a is developed from the principles identified in the approved site wide drainage strategy produced by Halcrow pursuant to Condition 43 (Drainage Strategy, H/04340/11, April 2012) of the outline consent.

The surface water drainage system to serve Phase 4a will follow best practice using Sustainable Urban Drainage Systems (SUDS) to attenuate and treat runoff from roofs, roads, car parks and other permeable areas. Waterbutts, pervious pavements and geocellular storage structures are proposed to reduce the impact of surface water runoff from the new development. Thames Water have confirmed no objections to the proposed drainage strategy and the proposal is considered satisfactory in this regard.

Condition 82 (Greywater/Rainwater Recycling Target) of the outline consent requires a minimum of 10% of rainwater to be collected on site and used to provide for irrigation needs of the development. Condition 83 (Greywater/Rainwater Recycling Provision) requires the submission and approval of details demonstrating the incorporation of either rainwater or grey water recycling facilities into each of the buildings of the phase and this should include a reconciliation plan or table showing how the provision complies with the 10% target fixed by Condition 82.

The applicant advises that waterbutts will be installed on all properties with garden areas. Kitchens and bathrooms will also be fitted with restricted flow taps and dual flush toilets to achieve a target consumption of 105 Litres/ per person. This is considered broadly satisfactory and it is considered that Condition 83 can therefore be discharged insofar as the information relates to Phase 4a only.

Biodiversity and Ecology

The AAP encourages the planting of native species to encourage biodiversity. The Environmental Statement at outline stage concluded that there are no overriding concerns with respect to ecology and nature conservation preventing redevelopment taking place.

A site wide Ecological Mitigation and Management Plan (EMMP) was submitted and approved (H/04184/11, November 2011) pursuant to Condition 60 of the outline consent. It was considered that the document as approved demonstrated a

comprehensive overall management plan for ecological assets on the application site.

No specific survey has been submitted with the current application, although the application proposes the retention of the majority of the existing trees on the site and the planting of new hedgerows and trees within the Phase. The advanced Infrastructure Planning Consent for this phase (Ref: H/00668/13), includes a requirement for details to be provided concerning the provision of bat and bird boxes. The proposed landscaping proposals which are discussed in more detail along with the proposed mitigation matters are considered acceptable.

Green roofs

Condition 84 (Green/Brown Roofs Target) of the outline consent requires a minimum of 10% of green or brown roofs across the whole of Millbrook Park site. Condition 85 (Green/Brown Roofs Provision) requires details to be submitted and approved demonstrating this provision across the whole site including a reconciliation plan or table showing how it meets the 10% target fixed by Condition 84.

The application proposes 1090 sq.m of green and brown roofs throughout the phase which is equivalent to 13.2% of the total roof area of the phase. This complies with the requirements of Conditions 84 and 85 and it is considered that these details can be discharged as so far as they relate to this phase.

5. EQUALITIES 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;

- 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 the above legislation. Issues concerning level access and disable parking are addressed in sections 4.4 and 4.9 of this report.

6. CONCLUSION

As conditioned the proposal would not compromise the outline planning permission (H/04017/09) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in both the approved outline application for the former Inglis Barracks site and the Design Code.

In relation to Plot J while it the top recessed storey is in excess of the four storeys allowed for under the approved site wide scale parameters, the recessed roof form does not provide any extra accommodation, is set back from the relevant roof edges and would be lower than if the proposal had incorporated a pitched roof, which would otherwise be allowable under the approved parameters and design code. On balance it is therefore considered that the proposed apartment is broadly in accordance with the scale parameter plans.

The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality family housing that would have a good standard of accommodation including outlook, privacy and access to daylight.

The mixture of the traditional form of the properties located within the green belt edge and the more contemporary form of the apartment block and perimeter houses to the north of the Panoramic Park is considered appropriate to this location and also provides for variety and legibility. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider Millbrook Park site.

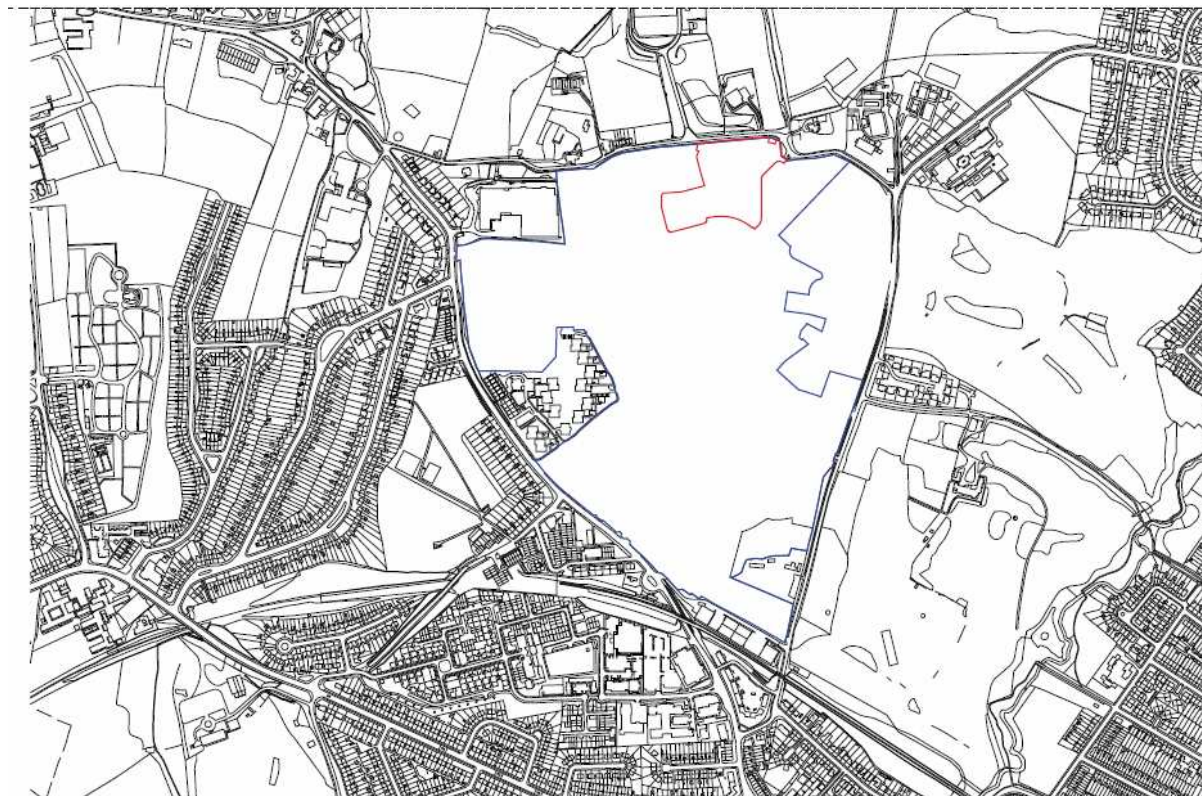
A large number of new trees and the landscaping scheme would mitigate the additional loss of the existing trees, contributing to the 'green edge' in this part of Millbrook Park site. The accessible public open spaces proposed would provide for quality green recreational spaces for existing residents nearby and future residents of the development.

The application also satisfies the requirements of Conditions 5, 8, 12, 26, 27, 29, 32, 35, 48, 52, 57, 69, 70, 80, 83 and 85 of the outline consent.

It is recommended that the application be **approved** subject to the attached conditions.

SITE LOCATION PLAN: Phase 4a, Millbrook Park (former Inglis Barracks), Mill Hill East, London, NW7 1PZ

REFERENCE: 15/01546/RMA



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LOCATION: Land at Pavilion Way, Burnt Oak, Edgware, HA8 9YA

REFERENCE: 15/02616/FUL **Received:** 28/04/2015 **AGENDA ITEM 10**
Accepted: 05/05/2015

WARD: Burnt Oak **Expiry:** 30/06/2015

APPLICANT: Mr Keith Kirby of Galliford Try

PROPOSAL: Installation of a temporary (for a period of up to three years) school modular building (use class D1) of 230 sqm (GEA) for up to 60 pupils and associated facilities and works including the formation of new tarmac pedestrian access and bin store area; repair works to surface treatment of existing parking and hard court area; laying of artificial grass surface to part of hard court for informal play; the provision of refuse and recycling storage facilities; use of existing vehicular access and the provision of parking for 16 cars, cycles and scooters; repairs to existing fencing; erection of new fencing; and the making of various alterations to the hard and soft landscaping of the site.

RECOMMENDATION

That the Assistant Director – Development Management and Building Control approve the planning application reference 15/02616/FUL under delegated powers and grant planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Assistant Director – Development Management and Building Control:

1. Time Limit for Implementation
 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.

2. Time Limit for Consent
 This permission shall be for a limited period only expiring on the 26th June 2018. By the 26th June 2018 the use hereby permitted shall be discontinued and the buildings and works carried out under this permission shall be removed from the site and the land reinstated in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing.
 Reason:
 To ensure that the consent granted accords with the permission sought and considered and to protect the amenities of the area.

3. Approved Plans
 The development hereby permitted shall be carried out in accordance with the following approved plans:
 TP(00)100 (Revision P2); TP(00)101 (Revision P2); TP(00)102 (Revision P2); L150104-101 (Revision C); HED.1154.200; HED.1154.201; HED.1154.210;

email from Scott Brownrigg – Planning sent 8th June 2015 at 16:51; and Phase I Report (version Final V5) by Ecology and Habitat Management Ltd.

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 in the Barnet Local Plan and London Plan.

4. Materials

The external surfaces of the buildings, means of enclosure, hard surfaced areas and other structures which form part of this consent shall be implemented in full accordance with the details specified in the email from Scott Brownrigg – Planning sent 8th June 2015 at 16:51 before the development is occupied or brought into use.

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 2012 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5. Hours of Construction

No construction work in relation to the development hereby approved 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 in accordance with policies DM01 and DM04 of the Barnet Local Plan.

6. Construction Management Plan

Prior to the commencement of the development hereby approved a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved plan. The Demolition and Construction Management Plan submitted shall include, but not be limited to, the following information:

- Details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- site preparation and construction stages of the development;
- details of provisions to be made for the recycling of materials.
- the provision on site of a storage and delivery area for any plant, site facilities, waste and materials.
- 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;
- the methods to be used and the measures to be undertaken to control

- the emission of dust, noise and vibration arising from construction works;
- noise mitigation measures for all plant and processors;
- details of contractors compound and car parking arrangements;
- details of interim car parking management arrangements for the duration of construction; and
- 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 a sustainable waste management 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.

7. Tree Protective Fencing

Before the development hereby permitted is commenced temporary fencing shall be erected around existing trees at the site which are to be retained in accordance with details that have been previously submitted to and agreed in writing by the Local Planning Authority. The details shall conform with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. This fencing shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policies DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

8. Tree Works – Detailed Specification

No tree felling or pruning of trees on the site shall be carried out in relation to the development hereby approved until a detailed tree felling and pruning specification has been submitted to and approved in writing by the Local Planning Authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policies DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

9. Parking

Before the development hereby permitted is occupied or brought into use the parking spaces and parking facilities shown on approved plan numbers TP(00)102 (Revision P2) and HED.1154.200 shall be provided at the site. These parking spaces and parking facilities shall remain in place for the duration of this permission and shall not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason:

To ensure that the free flow of traffic and highway and pedestrian safety is not prejudiced in accordance with Barnet Local Plan Policies CS9 and DM17.

10. Cycle Parking

Facilities for the parking of cycles (not less than 12 cycles) and scooters shall be provided at the site in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing prior to the development hereby permitted being brought into use.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with policies CS9 and DM17 of the Barnet Local Plan and policy 6.13 of the London Plan.

11. School Travel Plan

Prior to the first occupation of the development hereby approved a School Travel Plan (STP) that meets the most recent Transport for London School Travel Plan criteria shall be submitted to and approved in writing by the Local Planning Authority. The submitted STP shall set out the school's transport policy to incorporate measures to reduce trips to school by the private car and encourage non car modes such as walking, cycling and public transport. The School Travel Plan shall include the appointment of a School Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The development shall be occupied and managed in accordance with the STP approved under this condition. Monitoring of the approved STP shall be completed in line with Transport for London's 'standardised approach to monitoring' with consultation completed with pupils and their families, staff, Governors and other stakeholders within 6 months of the occupation of the development and an annual 'hands up' survey with staff and pupils completed within 3 months of occupation of the development and annually thereafter. The STP shall be reviewed annually and the updated document submitted to the Local Planning Authority for their approval annually. Following the annual STP reviews the STP shall be revised to incorporate any comments made by the Local Planning Authority within 6 weeks of these being provided.

Reason:

To encourage the use of sustainable forms of transport to the site in accordance with policies CS9 and DM17 of the Barnet Local Plan.

12. Refuse Storage and Collection

Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:

- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. satisfactory points of collection; and
- iii. details of the refuse and recycling collection arrangements

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details in perpetuity.

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policy DM01 of the Barnet Local Plan.

13. Hours of Use

The development hereby permitted shall only be occupied or in use by pupils and visiting members of the public between the hours of 7.30am and 6.00pm on a Monday, Tuesday, Wednesday, Thursday or Friday and between the hours of 9.00am and 6.00pm on a Saturday, Sunday or Bank Holiday or in accordance with other times previously specified in and agreed by the Local Planning Authority as part of the Community Use Agreement submitted under condition 14 of this consent.

Reason:

To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

14. Community Use Agreement

Prior to occupation of the school hereby permitted a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement submitted shall include, but not be limited to, details of the following:

- (i) Hours of opening for the community facilities provided at the site.
- (ii) Pricing policy on charging for use of the facilities provided at the site.
- (iii) Policy on access and availability to the sites facilities for non-school users and non-members.
- (iv) Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement.
- (v) Parking arrangements for users of the site.
- (vi) Code of conduct for users of the site.

The development shall be occupied in full accordance with the approved Community Use Agreement.

Reason:

To secure well managed access and appropriate availability to the community facilities provided by the scheme in accordance with policy CS10 of the Barnet Local Plan.

15. Delivery and Servicing Plan

Before the development hereby permitted is occupied a full Delivery and Servicing Plan (DSP) providing details of the delivery and servicing arrangements for the school shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied in full accordance with the DSP as approved in perpetuity.

Reason:

In the interest of highway safety in accordance with policies CS9 and DM17 of the Barnet Local Plan.

16. Removal of Permitted Development Rights

Notwithstanding the provisions of Part 7, Classes M and N to schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that order) no extensions or

alterations to the development hereby permitted shall be carried out without express planning permission first being obtained.

Reason:

To enable the local planning authority to retain control over the development in the interests of controlling the intensity of the use and safeguarding the amenities of the locality in accordance with policy DM01 of the Barnet Local Plan.

17. Noise from Site Plant

The level of noise emitted from any air conditioning or any other plant installed on the site in connection with the development 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 from the air conditioning or plant 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 policy DM04 of the Barnet Local Plan and policy 7.15 of the London Plan.

18. Breeding Bird and Bat Protection

The site clearance works and construction works associated with the implementation of the development hereby approved shall be carried out in full accordance with the nesting and breeding bird and bat protection measures identified on pages 12 and 13 of the Phase I Report (version Final V5) by Ecology and Habitat Management Ltd submitted as part of this application.

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.

19. Biodiversity Enhancement

Prior to the occupation of the development hereby approved details comprising a scheme of measures to enhance and promote biodiversity at the site as proposed shall be submitted to the Local Planning Authority and approved in writing. The approved scheme of biodiversity enhancement and promotion measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

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.

20. Details of Ramps

Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, before this development is occupied full details of the ramps

to be installed to provide access to the proposed school shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the details as approved under this condition prior to the occupation of the development.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policy 7.2 of the London Plan and policy DM01 of the Barnet Local Plan.

21. Landscaping

Prior to the occupation of the development hereby approved a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping details submitted shall include, but not be limited to, the planting of not less than 1 new tree. All work comprised in the approved scheme of hard and soft landscaping shall be carried out before the first occupation of any part of the building or completion of the construction of the development, whichever is sooner. Any existing tree or hedge shown to be retained or trees or hedges to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within three 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.

22. Total Number of Pupils

At no time shall the total number of pupils in the school hereby approved exceed 60.

Reason:

To ensure that the proposed development does not exceed the parameters assessed under this application or prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies in the Barnet Local Plan and London Plan.

Informatives

It is recommended that the following informatives be included on the decision notice in respect of this application:

1. The applicant is advised that any alteration to the public highway (if necessary) will require prior consent of the local highways authority. The costs of any associated works to the public highway, including any fees or costs associated with a legal agreement, will be borne by the applicant. The applicant may also be required to enter into a Section 184 or 278 Agreement under the Highways Act 1980 for proposed works on the public highway. An estimate for this work may be obtained from the Re Traffic and Development Team, Building 4, North London Business Park, Oakleigh Road South, London N11 1NP.

2. Please be advised that Deansbrook Road is part of a Traffic Sensitive Route from 8.00am to 9.30am and 4.30pm to 6.30pm Monday to Friday.
3. Before commencing construction works adjacent to the public highways, the applicant must obtain any necessary Highways Licenses. These can be sought by calling 0208 359 2000.
4. All works carried out in pursuance of this planning permission will be subject to the duties, obligations and criminal offences contained in legislation covering the protection of certain species and habitats, including the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the any such legislation may result in a criminal prosecution.
5. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that 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 it is recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk.
6. 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 Ground Water. 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 0845 850 2777.

1. MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

The London Plan

The London Plan (March 2015) is the development plan in terms of strategic planning policy. The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); and 2.18 (Green Infrastructure: The Multi Functional Network of Green and Open Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.16 (Protection and Enhancement of Social Infrastructure); 3.18 (Education Facilities); and 3.19 (Sports Facilities)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.4A (Electricity and Gas Supply); 5.6 (Decentralised Energy in Development Proposals); 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); 6.3 (Assessing Effects of Development on Transport Capacity); 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 (Lifetime Neighbourhoods); 7.2 (An Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes); 7.18 (Protecting Local Open Space and Addressing Local Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy. The relevant documents comprise the Core Strategy and the Development Management Policies documents (both adopted in September 2012). The Local Plan development plan policies of most relevance to the determination of this application are:

Barnet 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)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Barnet 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)
- DM06 (Barnet's Heritage and Conservation)
- 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 and documents are material to the determination of the application.

Local Supplementary Planning Documents and Guidance:

Sustainable Design and Construction Supplementary Planning Document (2013)

Strategic Supplementary Planning Documents and Guidance:

- Accessible London: Achieving an Inclusive Environment (2004)
- Planning for Equality and Diversity in London (2007)
- All London Green Grid (2012)
- Shaping Neighbourhoods: Play and Informal Recreation (2012)
- Sustainable Design and Construction (2014)
- Accessible London: Achieving an Inclusive Environment (2014)

National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This document was published in March 2012 and it is a key part of reforms by national government 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 and the document includes a 'presumption in favour of sustainable development'. 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.

Relevant Planning History

Former LTE Sportsground, Deansbrook Road, Edgware:

W01591A 'Residential development at 85 habitable rooms per acre (209 h.r.h) on 7.90 acres (3.21 hectares) and use of 3.30 acres (1.34 hectares) as sports field with changing rooms and car parking (outline); and including full details of 2, three-storey blocks of bedsits and flats, and 10, two-storey houses as show premises, together with car parking and landscaping' Granted subject to conditions (1986).

Consultation and Views Expressed

Public Consultation

A total of 214 local properties and other bodies were consulted on the application by letter and email in May 2015. The application was also advertised on site and in the local press at that time. Responses to the comments received are provided in the relevant section of the committee report.

Number of Responses from Residents

1 response objecting to the proposal was received. The objector did not request to speak at committee. 1 response was also received confirming that the respondent neither objected nor supported the proposal. This respondent requested to speak at committee. **No** responses supporting the proposal were received.

Comments from Residents

The comments made in the objection received to the application can be summarised as follows:

- The proposal would exacerbate the existing traffic and parking problems on Pavilion Way and in the wider area.
- People may park in their car parking spaces.
- Construction related traffic and parking would impact on them unacceptably.
- The proposal is inconsiderate to the needs of locals and the area.

Response: The comments made by the resident are responded to in the relevant sections of the report below.

Consultation Responses from Elected Members

Mr Andrew Dismore AM:

Has **objected** to the application as a resident and elected member and **requested to speak at planning committee.**

The objections raised by Mr Dismore can be summarised as follows:

- The land to which the application applies is part of a larger site, which also comprises a full size football pitch.
- The site and wider area was transferred to the Council as part of an agreement to develop homes on the Pavilion Way estate. This whole area was subject to a covenant which stated that the pitch and pavilion should be used for sports for local people.
- The site has been neglected but is still in substantial use. Local people cleared the land to train for and play football.
- The local community worked with sports bodies to develop an outline plan to bring the facility into full repair. The plan showed they needed a sufficiently long lease to secure the investment available, but the Council refused to grant this lease.
- A year ago the Council attempted to plan a scheme to build a free school and block of flats on the whole site, but that fell through.

- While this application refers to part of the site, it is a 'Trojan Horse' for the whole site. This application is inevitably a precursor for an application for development on the grassed football pitch too.
- The sports facilities which will be lost through the proposal are badly needed. This is the only full size pitch and all weather surface in this deprived area.
- Whilst the application refers to the need for school places, this school is in the wrong location for the expected population growth in the borough. It would make more sense for it to be provided on land in the regeneration scheme for Grahame Park, the developments in Colindale or in West Hendon.
- The proposal would be contrary to planning policies on parking, highway and pedestrian safety, the free flow of traffic and conflicting highway movements.
- At peak hours, which coincide with school hours, Deansbrook Road is heavily congested. This congestion makes it difficult to emerge from Pavilion Way onto Deansbrook Road. It also relies on other vehicles giving way to allow access to Pavilion Way for eastbound vehicles. This scheme will contribute further to congestion as extra backed up right turn school traffic into Pavilion Way will extend the existing tailbacks.
- As the school place demand is in Colindale and West Hendon it is inevitable that there will be a significant increase in vehicular traffic bringing children to school on both Deansbrook Road and other roads in the local road network, with consequent increased congestion, including on Pavilion Way itself.
- 'Drop off' traffic will lead to Pavilion Way being blocked, as the road is a narrow one with no space for stopping traffic without holding up traffic flows. This additional traffic will add to the existing congestion for current vehicles in Pavilion Way at peak times.
- The schemes highways impacts will get worse as the school expands to its full intake across the year groups.
- The proposal will create additional traffic that will increase road safety issues on the local road network.
- Pavilion Way does not have a footpath on the west side of the road and children will need to cross the road to access the school on what is a partially blind corner for traffic travelling north on Pavilion Way.
- The proposal includes insufficient parking and will increase parking pressure on local roads to the detriment of residents.
- The proposal is contrary to development plan policies as it would result in a net loss of sports and recreational facilities and open space.
- Local children regularly use the site for football and the Council's signs on the land give licence to people to use the site for recreation. The covenant on the land cannot be overlooked. The land is designated for sports use by the covenant for the benefit of local people and should remain so. The land is also used informally as open space by walkers and those exercising their dogs.
- This proposal does not make the playground facilities available to the wider community, retaining exclusive use for the school. There is therefore no corresponding replacement of sports use or open space in the scheme.
- Sport England are objecting due to the loss of playing field and built sports provision (as contrary to paragraph 74 of the NPPF) and Mr Dismore objects on the same grounds as those set out in their objection.

- The application is contrary to planning policies which resist the loss of community uses.
- The submitted ecology survey is woefully inadequate. Even so, this report does not give carte blanche to the development as it refers to breeding and nesting birds, and the potential presence of many other protected species.
- The ecology of the all weather surface area cannot be separated from that of the wider area, including the grassed area to the north and the tree cover boundary of that land on each of its boundaries.
- The report makes it clear that clearance work should not take place between the bird breeding months of March and September and if the scheme is approved it should be subject to a planning condition accordingly.
- The tree survey does not take account of the impact on the wider site, which it should do.
- The archaeological survey is only desk based. It is clear from the report that there is potential archaeology on the site given what has been found not far away, and this should be properly investigated on site by test pit excavation.

Response: The comments made by Mr Dismore are responded to in the relevant sections of the report below.

Consultation Responses from Statutory Consultees and Other Bodies

Sport England:

Have responded to the consultation and **objected** to the application. Sport England has provided the following comments:

“Given the lapse in time since the site was last used as playing field (more than five years) Sport England is not be a statutory consultee to this application under the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No. 2184).

At pre application stage, Sport England advised as follows:

“...the last know use of the site was playing field and therefore, were Sport England to be consulted, it would assess any development against paragraph 74 of the National Planning Policy Framework. The local planning authority would be required to do likewise. In doing so, the application would be treated as a loss of playing field irrespective of when it was last used. This approach has been tested at appeal where PINS held that para 74 was not time limited. The that appeal (ref APP/U4610/A/12/2176169) the Planning Inspector considered what constitutes a playing field and whether there would be a requirements of replace this playing field under the provisions of Para 74. In that case, it was held that:

“...there is no physical feature that makes the site inherently unsuitable for use for outdoor sport...”

“There is no distinction between privately and publicly available sports provision in the National Planning Policy Framework. In paragraph 74, it is specified that existing open space, sports and recreational buildings and land, including playing

fields should not be built upon unless various criteria are complied with. This is sufficiently broad to cover the last use of the relevant part of the application site.”

“There is no definition of the word ‘existing’ in the glossary. Although the site is not currently in active use, it is capable of being used for that purpose for the reasons given earlier in my decision. There has been no argument that the land has any other lawful use.”

In light of the above, it might be worth considering first submitting an “Application for a Lawful Development Certificate for an Existing use” to establish a ‘nil use. or the site of you consider that the former use has since been abandoned. If a nil use were established through this process, Sport England would accept that position. However in the absence of that, it is likely that Sport England would conclude that the development is contrary to para 74 of the NPPF.”

The scheme has not changed since pre application stage and the advice given by Sport England appears not to have been taken into account. Sport England must therefore reiterate that the development would result in the loss of playing field and built provision (tennis courts) which has not been justified in the context of paragraph 74 of the NPPF. It should be noted that the strength of Para 74 of the NPPF has been tested recently at appeal. In a recent appeal (ref APP/U4610/A/12/2176169) the Planning Inspector considered what constitutes a playing field and whether there would be a requirements of replace this playing field under the provisions of Para 74. In that case, it was held that:

“...there is no physical feature that makes the site inherently unsuitable for use for outdoor sport...”

“There is no distinction between privately and publicly available sports provision in the National Planning Policy Framework. In paragraph 74, it is specified that existing open space, sports and recreational buildings and land, including playing fields should not be built upon unless various criteria are complied with. This is sufficiently broad to cover the last use of the relevant part of the application site.”

“There is no definition of the word ‘existing’ in the glossary. Although the site is not currently in active use, it is capable of being used for that purpose for the reasons given earlier in my decision. There has been no argument that the land has any other lawful use.”

On that basis of the above, the PINS held that, in accordance with Local Plan Policy and National Planning Policy Framework, compensatory replacement provision is necessary and should be provided as part of the scheme. It therefore falls that compensatory replacement provision should be provided as part of the current planning application in order to meet the requirements of the NPPF. It should also be noted that, preventing sports use of the site in the future, will not prevent it from being considered under the provisions of Para 74 of the NPPF, as the lawful use of the site shall remain as a playing field land until such time as permission is formally granted for some alternative use.

In light of the above, Sport England registers a formal objection as the proposed development would result in the loss of playing field land and built provision (tennis courts) contrary to para 74 of the NPPF.”

Response: A response to the comments made by Sport England is provided in the report below.

London Playing Fields Foundation:

Have responded to the consultation and have **objected** to the application. In summary the concerns raised comprise that:

- The land is subject to a restrictive covenant that it be used for local sports provision.
- There is strong local opposition to the scheme, as the facilities have been neglected for a number of years but are still used informally by young people in the area.
- A number of local organisations have tried unsuccessfully to acquire the site, but as the council could only offer a one year license they have been unable to attract any external funding.
- This part of the site (the tennis courts) and the wider site of which it forms a part could be brought back into use as playing fields with suitable investment. Once a playing field is lost it is lost forever.
- The potential loss of these facilities will have a serious adverse impact on opportunities for sports participation in North West London.
- Barnet do not have an adopted up to date Playing Pitch Strategy so the current proposal is not based on a robust assessment of supply and demand statistics.
- An un-adopted Playing Pitch Assessment in 2009 showed that in the Hendon area there was a significant demand for junior football and that the number of pitches available did not cater for that demand. It also identified a deficit of junior and mini-pitches across the borough and in some respects this was attributed to the high incidence of junior and mini teams using senior pitches.
- Find that if the temporary accommodation goes ahead it would be contrary to the NPPF if one considers the whole of the site.
- The proposal fails to provide an objectively assessed evidence of need for open space, sport and recreation facilities and opportunities for new provision in the area and therefore any decisions taken at this stage would be premature and would be in contradiction of the London 2012 dream of inspiring a generation to play more sport.
- Barnet’s Core Strategy identifies that despite good geographical coverage of playing pitches there is demand for additional provision because of issues related to the quality of existing pitches and the lack of accessibility.
- The council singularly fails to address the sport and recreation needs of the local community.
- The proposal would be contrary to London Plan policy 3.19 and the Mayor’s Legacy Plan.
- Playing pitches are important as recreational and amenity features. They provide open space in both urban and rural landscapes. Their development for purposes other than recreation has serious repercussions, not only through the reduction of leisure facilities and the resulting increase in pressure

on those remaining, but also in the visual impact created by the loss of open space.

- Many of the potential participants of the site if it were brought back into use are young people and with one in three London children being overweight or obese the ground could make a significant contribution to the health of the local population at a time when obesity is estimated to cost the country £162 per second.

Response: A full response to the comments made by the London Playing Fields Foundation is provided in the report below.

Natural England:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed on any consent that is granted.

Historic England (Archaeology):

Have responded and have not raised any objections to the application or requested that conditions are placed on any consent granted. Historic England conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Internal Consultation Responses

Traffic and Development Team:

The Traffic and Development Team response is set out in greater detail in the report below. In summary, they have confirmed that subject to the imposition of suitable conditions they have no objections to the development and find the proposal to be acceptable in respect of traffic, parking and highways related matters.

Education and Skills Service:

Education and Skills Service have confirmed their support for the application. They have also identified that the school is needed specifically to meet demand for school places in the local area and that children have already been registered to attend the school.

Environmental Health Service:

The Environmental Health Service response is set out in greater detail in the report below. In summary, they have confirmed that subject to the imposition of suitable conditions in respect of noise matters they raise no objection to the development.

Property Services:

Property Services have noted that the land was laid out as an all weather pitch, grassed area, changing facility and parking area in 1988 and was subsequently managed by the Council until 1995. It is understood that the Council were unable to manage the facility on a financially viable basis and it was offered under a lease to sports operators to try and maintain the use for the community. The facility was successfully leased until 2003 when, following rent arrears, the lease was surrendered back to the Council. Further attempts to secure an operator have been made, but it is understood that a proposal with a viable business plan has not been forthcoming. The changing rooms have been boarded up as a result of vandalism

and unlawful occupation and barriers were installed across the entrance to the car park on the site. The site has become overgrown and in a state of disrepair and significant quantities of fly tipping are removed several times a year. Property Services are of the view that the cost of bringing the property back to a standard that would enable effective sports use would be substantial and that this further depletes any potential for future occupation of the site. This has led the Council to investigate solutions to enable the investment to be made in the site.

Description of Proposed Development

The application seeks planning permission for a temporary period of up to 3 years to carry out various works associated with the formation of a school (use class D1) for up to 60 pupils.

The key elements of the proposed works include the:

- Installation of modular buildings providing 230 square metres of floorspace for the proposed school, including two classrooms.
- Formation of new tarmac pedestrian access and surface for a bin store area.
- Carrying out of repair works to the surface treatment of the existing parking and hard court areas at the site, primarily so that they can be used as parking and playground facilities.
- Laying of artificial grass surface to part of hard court area to provide an informal play space.
- Provision of refuse and recycling storage facilities.
- Formation of parking for 16 cars (accessed from the sites existing vehicular access point on Pavilion Way).
- Provision of facilities for parking cycles and scooters.
- Carrying out of repairs to the existing fencing and the erection of new fencing.

A plan showing the layout of the proposed development is provided at Appendix 1 of this report.

The main (modular) school building would be located on the central part of the site and accessed by either a ramp or steps. Play areas would be located to the north and west of the main building and the parking area for the school would be positioned to the south of the main building. The main school building would be a single storey structure that is rectangular in plan. The approximate maximum dimensions of this building would be 24m long, 9.6m wide and 3.1m in height.

A single tree (Category C Maple) would be removed as part of the proposed works. This is not covered by a Tree Preservation Order and would facilitate the installation of the cycle stands proposed.

It is noted that comments have been received that this application is a precursor to a proposal for a larger development on a wider site, which includes adjoining land, and that this application should be considered and evaluated on this basis. Comments have also been made in relation to previous proposals for the site which did not come to fruition. While these points are fully acknowledged officers take the view that this application must be considered on the basis applied for in light of all relevant material planning considerations. Any subsequent applications for this site, or a

wider site, would need to be considered in light of the material planning considerations at that time. It would not be appropriate or reasonable to require this application to evaluate a different proposal which may or may not come forward in due course for a development on a potentially different site.

Description of Site and Surrounding Area

The application site comprises a broadly rectangular area of land, covering approximately 0.34 hectares in size, situated on the west side of Pavilion Way in the Burnt Oak Ward. The site currently includes a mixture of surfaces, including a fenced all weather playing surface, a parking area (hardstanding), hard surfaced access routes and soft landscaped areas.

The use of the site is discussed in detail in subsequent sections of this report. The lawful use of the land is considered to be as a playing field (primarily an all weather playing surface) with ancillary facilities (for example parking). A grassed playing field adjoining the site to the north and a changing pavilion building adjoining the site to the south-east do not form part of the land to which this application relates.

It is understood that the playing field facilities at this site, and the facilities at adjoining sites (the grassed playing field and pavilion building), were delivered as part of a wider consent which included new dwellings on land adjoining Deansbrook Road.

A group of trees adjoining the site directly to the south-west are covered by a Group Tree Preservation Order (reference TRE/HE/51). Land to the east of the site (east of Hutton Row and Compton Close) has been designated a Conservation Area. Historic England (Greater London Archaeological Advisory Service) has confirmed that the site does not fall within an archaeological priority area.

Referral to Secretary of State

The Town and Country Planning (Consultation) (England) Direction 2009 sets out when a Local Planning Authority in England is required to consult the Secretary of State before granting planning permission for certain types of development.

The Direction applies to any application for planning permission which:

- (a) is for Green Belt development, development outside town centres, World Heritage Site development, playing field development or flood risk area development; and
- (b) is received by a planning authority on or after 20 April 2009.

Paragraph 7 of the Order states that for the purposes of the Direction, “playing field development” means development of a description where –

- (a) the land (or any part of the land) which is the subject of the application –
 - (i) is land of a local authority; or
 - (ii) is currently used by an educational institution as a playing field; or
 - (iii) has at any time in the five years before the application is received been used by an educational institution as a playing field; and

- (b) the English Sports Council (“Sport England”) has been consulted pursuant to article 10(1) of the Order, and has made representations objecting to the whole or part of the development on one or more of the following grounds –
- (i) that there is a deficiency in the provision of playing fields in the area of the local authority concerned;
 - (ii) that the proposed development would result in such a deficiency; or
 - (iii) that where the proposed development involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which would be lost.

Assessment

Sport England has provided comments on the application and confirmed that they formally object to the development proposed (for the reasons detailed in previous sections of this report). In their response Sport England have also confirmed that they are not a statutory consultee to this application under the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (the Order).

The land to which the application relates is presently owned by the Local Authority. However, it is considered that the application does not fall within the remit of Paragraph 7(b) of the Town and Country Planning (Consultation) (England) Direction 2009. This is because Sport England has not responded to a consultation on the application made specifically pursuant to a request under the Town and Country Planning (Development Management Procedure) (England) Order. Instead they have responded to the consultation on the application in the way that any party who considers that they have an interest in any application might do.

Therefore while Sport England object to the proposal, and the Local Planning Authority has taken careful account of their comments, the current application is not required to be referred to the Department for Communities and Local Government to enable the Secretary of State to decide whether or not they wish to call the application in for determination.

2. PLANNING APPRAISAL

Principle of the proposed development

As previous sections of this report have identified the application site comprises open space, the lawful use of which is considered to be as a playing field. The thrust of national, regional and local planning policy is to resist the loss of open space and playing fields unless it can be demonstrated that they are surplus to requirements or equivalent or better provision can be made within the area. In this instance the clear and strong protection given by planning policies to playing fields, sporting facilities and open space needs to be considered carefully alongside the significant support given by national planning guidance to the provision of new state funded schools. These matters are therefore explored further below.

Principle of an educational use at the site

The Department for Communities and Local Government has published two documents which are of significance in the determination of planning applications for educational facilities such as this:

- Policy Statement - Planning for Schools Development (August 2011)
- National Planning Policy Framework (March 2012)

Each of these documents gives strong support to the provision of new, state funded educational facilities and they go as far as creating a presumption in favour of educational development.

The National Planning Policy Framework states at section 72 that:

“The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted.”*

It goes on to identify that planning authorities should:

“only refuse planning permission for a new school if the adverse planning impacts on the local area outweigh the desirability of establishing a school in that area”

The policy statement ‘Planning Schools Development’ should be given weight in the making of planning decisions on relevant applications (such as this). It states that:

“The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools”

It then identifies that:

‘There should be a presumption in favour of the development of state funded schools, as expressed in the National Planning Policy Framework’.

It is clear that national policy is strongly in favour of providing state funded schools, and this is a material consideration in the determination of this planning application.

In principle Barnet’s Local Plan policies are generally supportive of new school development proposals. The Council as the Local Education Authority (LEA) has a statutory duty to provide primary and secondary school places for children aged from 5 to 16 years. In order to meet the educational needs of Barnet’s growing population the Council will seek to ensure that there is an adequate provision of education facilities in the borough and supports proposals for education facilities which will help meet an identified need.

Barnet Core Strategy policy CS10 identifies that the Council will work with its partners to ensure that schools and facilities for older and younger people are provided for Barnet's communities. It also promotes the role of schools as community hubs. The policy goes on to state that in addressing educational needs in Barnet the Council will support proposals for parent promoted or free schools that:

- Conform with Department for Education guidance on becoming a new school; and
- Meet parental demand for school places; and
- Provide educational facilities that conform with basic school requirements as set out in relevant Department for Education guidance.

Policy DM13 of the Barnet Development Management Policies document identifies that new education and community uses:

- Should be located where they are accessible by public transport, walking and cycling, preferably in town centres.
- Should ensure that there are no significant impacts on the free flow of traffic and road safety.
- Will be expected to protect the amenity of residential properties.

This policy also states that the loss of community or educational uses will only be acceptable in exceptional circumstances where:

- New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or
- There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

The Council's Education and Skills Service have confirmed their support for the application. They have also identified that the school is needed specifically to meet demand for school places in the local area and that children have already been registered to attend the school. At the time of writing this report it is understood that 38 local pupils have accepted a place at the school the subject of this application and that a further 19 pupils have been offered a place at the school and are yet to respond to this offer (all subject to the outcome of this application). All of these potential pupils meet the requirement of living within a 2 mile safe walking distance of the site and many are closer.

It is recognised that concerns have been expressed that a new school would be more appropriately situated in one of the Council's growth areas to meet the demand for school places being generated. However, on the basis of the above information it is accepted that there is a clear local need for the places this school would provide.

The submission confirms that the facilities provided by the school have been developed through engagement with representatives of the Education Funding Agency and that the new school would meet the requirements of the Department for Education Building Bulletin 103 Area Guidelines for mainstream Schools.

In accordance with the objectives of policy CS10 it has been agreed that the new school would be available to provide facilities for the wider community outside of the hours of school use. Delivery of this would be ensured through the conditions recommended. This wider community benefit is considered to be a material planning

consideration which weighs in support of the proposal.

It is concluded that there is a clear local need for the places which this school would deliver and that, having considered the relevant elements of planning policy and guidance, the principle of developing the site for an educational use is acceptable and compliant with development plan policies, subject to the need for careful consideration of the proposal against planning policies on the protection of open space, sporting facilities and playing fields. This matter is therefore evaluated below.

Matters relating to the acceptability of the school in respect of accessibility, impacts on the flow of traffic and road safety, the protection of the amenity of residential properties, biodiversity impacts and design and character matters are addressed in detail in subsequent sections of this report. However, the proposal is considered to be acceptable and compliant with policies in all these regards.

It is noted that objections have been raised that the development would result in the loss of community facilities. Viewing the existing facilities at the site specifically as a community facility (subsequent sections of the report consider them as open space, playing fields and sporting facilities), it is considered that the proposal would provide replacement educational facilities of better quality than the existing community facilities at the site and that the development would therefore be acceptable and meet the objectives of development plan policy in this regard.

The schemes impact on playing fields, sporting facilities and open space

Paragraph 74 of the National Planning Policy Framework (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; or*
- *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; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”*

The Sport England document ‘A Sporting Future for the Playing Fields of England’ (1996) provides further guidance on development relating to playing fields.

London Plan policy 3.19 states that proposals which result in a net loss of sports and recreation facilities, including playing fields, should be resisted. Policy 7.18 states that the loss of local protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.

Policy CS7 (Enhancing and protecting Barnet’s open spaces) of the Barnet Core Strategy identifies that the council will:

- Meet increased demand for access to open space and opportunities for physical activity by tacking deficiencies and under provision.
- Secure additional on-site open space or other open space improvements in the identified growth areas.
- Improve access to open spaces particularly in areas of public open space deficiency.
- Securing improvements to open spaces including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space.

Policy DM15 of the Barnet Development Management Policies Document states that open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:

- (i) The development proposal is a small scale ancillary use which supports the use of the open space; or
- (ii) Equivalent or better quality open space provision can be made.

Any exception to this will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.

If approved the proposal would result in the change of the site from open space comprising a playing field with sporting facilities (primarily all weather playing surface providing tennis courts) and ancillary parking to an educational use which includes a new school building. The scheme would not provide equivalent or better provision of open space, sports facilities or playing field in terms of quantity and quality. The development would therefore result in a net loss of open space, playing field and sporting facilities. The application is not accompanied by an assessment which shows that the open space, playing field and sporting facilities on the land are surplus to requirements and it is recognised that the site is located more than 1.2km from the nearest district park and more than 400m from the nearest local park (Watling Park). The development must therefore be considered on this basis. In light of these factors it is found that the proposal is contrary to national guidance and development plan policies on the protection and loss of open space, playing fields and sporting facilities.

Having acknowledged this position it needs to be evaluated if there are material planning considerations which would outweigh the harm caused by the schemes conflict with planning policies on open space, playing fields and sporting facilities. As the previous section of this report explores the provision of new school places for which there is an identified local need is a very important material planning consideration and significant weight is placed on this by Officers.

While it is fully accepted that the application is in conflict with national guidance and development plan policies on the protection of open space, playing fields and sporting facilities, in this instance there are considered to be factors which, to some extent, limit the actual harm caused by this conflict with policy.

The site is currently in a poor state of repair and would appear to have been for some time. Several comments on the application identify that the former use of the

all weather surface was as tennis courts. At present this area is not in a fit condition to be used as tennis courts and, while the points around the use of the site raised in the objections are noted, it would appear to officers that this has been the case for a significant period of time. It is recognised that objections have been raised that the site has been neglected and allowed to fall into its current poor condition. However, this does not alter the position that the site is presently in a poor condition. It is also recognised that the officers in the Council's Property Service are of the view that the cost of bringing the property back to a standard that would enable effective sports use would be substantial.

This application has only sought consent for a temporary period of up to three years. Following the expiration of the three years, with the conditions recommended, the site would be re-instated in accordance with details that had previously been agreed with the Local Planning Authority. As such this application would not preclude the future use of the site as open space with playing fields or sporting facilities. It is also considered relevant and material that the development proposed in this application would not prevent the use of the adjacent area to the north of the site or the pavilion building to the south-east as open space, playing field or sporting facilities.

It is recognised that objections have been raised that the land is covered by a covenant which states that the pitch and pavilion should be used for sports for local people. However, it is not considered that this would constitute a reasonable basis on which to refuse this application for planning permission.

Conclusions on the principle of the proposed development

The assessment of this application requires the clear and strong protection given by planning policies to playing fields, open space and sporting facilities to be considered carefully alongside the significant support given by national planning guidance to the provision of new state funded schools.

Having evaluated the relevant development plan policies and material planning considerations in this case officers conclude that while the application is contrary to development plan policies and national guidance on the protection of playing fields, sporting facilities and open space, on balance, in the specific circumstances of this proposal the actual harm caused by the conflict identified is outweighed by other important material planning considerations in the form of the planning benefits that the development would deliver. Primary to these is the provision of school places for which there is an identified local need.

This is not a position which officers reach lightly. The schemes conflict with planning policies and the objections raised by Sport England, the London Playing Fields Foundation and Mr Dismore AM in respect of the proposals adverse impact on open space, playing fields and sporting facilities (set out in detail above) have all been carefully considered by officers in reaching this recommendation. However, on balance, it is not found that the adverse planning impacts of the scheme on the local area outweigh the desirability of establishing a school in the area. It is therefore found that the refusal of the school in principle (other matters are evaluated below) would not be justified in this instance.

For the reasons outlined above the principle of the development is, on balance, considered to be acceptable.

Design and character matters

The NPPF makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document makes it clear 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. The statement also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations. It then makes it clear that good design also involves integrating development into the natural, built and historic environment.

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 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.

The main school building proposed is a single storey structure located in the central part of the site on an existing hard surfaced area (see plan in Appendix 1). Play areas would be located to the north and west of the main building, the parking area for the school would be positioned to the south of the main building and the development would utilise the existing vehicular access to the site. Officers consider this to be an acceptable and policy compliant approach to designing and laying out the site given the planning constraints. It is not considered that the scheme would result in any unacceptable visual impacts.

In general terms the site is currently in a dilapidated state. The proposal would repair and refurbish several elements of the site, including existing hard surfaces and fencing. It is considered that these works would represent a positive contribution to the character and appearance of the area. Tree matters are considered more fully in subsequent sections of this report. However, the proposals would retain a group of trees located along the site's eastern edge. This is considered beneficial for the natural screening of the site that it would achieve for dwellings to the east of the site.

It is acknowledged that the modular structure proposed for the main school building is fairly functional in form and design. This is found to be of an appropriate scale in

relation to neighbouring buildings and, subject to the conditions recommended, is also considered to be of a sufficient design quality for the circumstances of the site and scheme. The more minor elements of the development proposed (as detailed in earlier sections of this report) are also all considered to be acceptable in terms of their design quality. It is found that the new school building would be provided with an adequate setting and the hard and soft landscaping proposed is considered to be acceptable and compliant with the objectives of planning policies more widely (subject to the imposition of the conditions recommended). The refuse and recycling facilities proposed are also considered to be acceptable subject to the conditions recommended.

Parking, access and highway safety matters are addressed more fully in subsequent sections of this report. However, the design approach is found to be acceptable in all these respects.

The application is found to deliver an appropriate design solution in all regards which, subject to the conditions recommended, is found to be acceptable and compliant with development plan policies as they relate to design and character matters. Landscaping matters are addressed in section 2.6 of this report.

Impacts on amenities of neighbouring and surrounding occupiers and users

Local Plan policies, such as policies DM01 and DM13, seek broadly to create quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design and the appropriate management of new development. For the reasons set out below the development is found to be compliant with the objectives of these policies, subject to the imposition of the conditions recommended.

Privacy, Outlook, Daylight and Sunlight

Policy DM01 of the Local Plan states that developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

The site is bounded to the west by trees and a rail line, to the north by open space, to the east by trees and Pavilion Way and to the south by the access route into Wicket Court. To the south-east the site adjoins a changing pavilion building. In terms of its siting the main school building proposed is positioned in the central part of the site. Play areas would be located to the north and west of the main building and the parking area for the school would be positioned to the south of the main building.

The single storey school building proposed would be located approximately 25m from the nearest residential property and it is considered that the design, size, layout and siting of the proposed school building and associated spaces are such that they would not have an unacceptable impact in terms of outlook, privacy, light and overshadowing at the uses surrounding the site, including the adjacent residential properties. The application is therefore considered to be acceptable and compliant with development plan policy in these respects.

Noise Impacts

Development plan policies state that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

It is anticipated that a level of noise would be generated from the development during the hours of use of the school. However, noise from children generated during the day is expected from primary schools and in this instance it is not considered to be such that it would be detrimental to the amenities of surrounding occupiers and users (subject to the imposition of the conditions recommended) or would justify a refusal of planning permission.

A condition has been recommended limiting the hours of use of the new facility. This would ensure that their use is kept within reasonable hours. A condition has also been included in those recommended to ensure that any noise from plant installed on the site is kept within acceptable parameters. Subject to the imposition of the conditions recommended Environmental Health officers have confirmed that they do not object to the proposal.

A condition requiring the submission of a Construction Management Plan has been included in those recommended. This would ensure that the construction of the development did not have an unacceptable impact on the amenities neighbouring properties in terms of noise matters (and in other regards).

Lighting Impacts

Local Plan Policy DM04 states that lighting proposals for developments should not have a demonstrably harmful impact on residential amenity. In this instance no new lighting has been proposed as part of the development sought.

Creating inclusive environments for all members of the community

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Statements should be submitted with proposals explaining how the principles of inclusive design have been integrated into the development for which consent is sought.

The documents provided with the application identify a number of ways in which the design of the proposed development has been influenced by the desire to make it accessible for all members of the community. This includes the provision of features such as suitably ramped accesses to and from the new school building, the inclusion of two disabled standard parking spaces and the delivery of appropriate routes into and through the site. Generally the design of the development would be undertaken with reference to Part M of the Building Regulations.

Conditions have been recommended to ensure that the development provides appropriate facilities for all members of the community in variety of regards, for example the provision of two disabled standard parking spaces. Subject to these controls and the requirements in place under other legislation officers conclude that the design and layout of the proposal is such that it is acceptable in terms of creating

a development that is accessible, useable, permeable and inclusive for all members of the community.

Trees, landscaping and biodiversity matters

Trees and Landscaping

Policy DM01 identifies that proposals will be required to include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

The policy also states that trees should be safeguarded and when protected trees are to be felled the council will, where appropriate, require replanting with trees of an appropriate size and species.

There are a number of trees on and adjacent to the site and since the submission of the original application documents an Arboricultural Impact Appraisal and Method Statement, prepared by Barrell Tree Consultancy, has been provided to the Local Planning Authority in respect of the scheme.

The development proposed would result in the removal 1 tree (a Category C Maple) from the site. This tree is not covered by a Tree Preservation Order. Officers consider that the landscaping which would occur as part of the development provides adequate mitigation for the tree which would be lost in this instance. Conditions have been recommended to ensure that the landscaping implemented under the consent would be of a sufficient quality and would include the planting of at least 1 new tree (to replace the tree lost). Officers take the view that appropriate consideration has been given to trees and the desire to retain as many trees as possible. Conditions have been recommended to ensure that appropriate measures are taken to protect the trees proposed for retention during works to implement the scheme. More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces and provides an appropriate setting for the buildings proposed.

Matters relating to access, parking, biodiversity and habitat provision are addressed in other sections of this report in full. However, in each of these regards the landscaping proposed is found to be acceptable.

It is concluded that the scheme provides adequate mitigation for the landscaping features which would be lost as part of the works proposed and that the development is acceptable and compliant with policy in respect of tree and landscaping matters.

Biodiversity

Policy DM16 of the Barnet Local Plan states that when considering development proposals the Council will seek the retention and enhancement, or the creation of biodiversity. Planning authorities are obliged (by the Natural Environment and Rural Communities (NERC) Act 2006) to make sure that they have all the relevant information on the presence of protected species at a site before they make a decision on an application for planning permission.

An Extended Phase 1 Habitat Survey of the application site was carried out by Ecology and Habitat Management Limited and a report identifying the results of this has been submitted with the application. The report sets out the following conclusions and recommendations:

- The site has a number of habitats which could support breeding and nesting birds.
- It is recommended that any vegetation clearance work is undertaken outside of the bird breeding season (March to September inclusive) or under the supervision of an ecologist following a breeding bird survey.
- The broadleaved trees at the sites boundaries form potential feeding and commuting habitat for bats and habitat for hedgehogs and these should be retained.
- The potential presence of other protected species was considered to be low.
- The site offer opportunities for biodiversity enhancements through the installation of bird boxes (Sparrow Terraced Nest Boxes) and the use of native plant species during any planting.

The conditions recommended would ensure that the biodiversity protection, mitigation and enhancement measures identified in the report would be delivered.

Natural England has responded to the consultation and they have not raised any objections to the proposal.

The landscaping conditions recommended (both in respect of the protection of existing features and new landscaping) are considered sufficient to ensure that these aspects of the scheme are acceptable from a biodiversity perspective. It is noted that the tree which is proposed for removal from the site is not located in a part of the land where it has been identified that trees should be retained to potential feeding and commuting habitat for bats and habitat for hedgehogs.

Subject to the controls in place under the conditions recommended and the requirements in place under other legislation the proposal is found to be acceptable and compliant with policy on biodiversity and nature conservation matters.

Noise and air quality impacts

Air Quality Impacts

The borough has been designated an Air Quality Management Area (AQMA). This relates to exceedences of the annual mean nitrogen dioxide objective, however, it does not mean that the objective is exceeded across the entire borough. Local Plan

policy DM04 requires that development proposals ensure they are not contributing to poor air quality. It also identifies that where there is a localised source of air pollution buildings should be designed and sited to reduce exposure to air pollutants. Proposals should include air quality assessments where appropriate. An air quality assessment, prepared by Redmore Environmental, has been submitted with the application.

The air quality assessment submitted has been evaluated by officers in the Council's Environmental Health Service. Officers conclude that the proposal would have a negligible impact on local air quality. It is also found that in this location the school itself would not be expected to be exposed poor air quality. In light of these findings the proposal is deemed to be acceptable and compliant with the objectives of development plan policy in these respects.

Noise Impacts

Local Plan policy DM04 identifies that proposals to locate noise sensitive developments (such as schools) in areas with existing high levels of noise will not normally be permitted. The application is accompanied by a noise report prepared by Acoustic Consultants Ltd. Officers in the Council's Environmental Health Service have assessed the submission, including this report. It is found that the development would not be subject to unacceptable levels of noise impacts from the surrounding area. The proposal is therefore considered to be acceptable and compliant with the objectives of planning policy in this regard. Matters relating to the noise impacts arising from this development have been assessed earlier in this report.

Transport, parking and highways matters

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, take a comprehensive approach to tackling the school run, ensure that development is matched to capacity, deliver high quality transport systems in regeneration areas and town centres, seek more environmentally friendly transport networks 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.

Proposals with the potential for significant transport implications will be expected to be in locations which are, or will be made, accessible by a range of modes of transport and supported by a Transport Assessment that that fully assesses the transport implications of the development across all modes. The occupiers of new

schemes are also required to develop, implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Policy DM13 (Community and education uses) specifically identifies that new education uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres, and should ensure that they do not result in significant adverse impacts on the free flow of traffic and road safety.

Existing Conditions

The Public Transport Accessibility Level for the site using Transport for London model is calculated as 3. This would be considered a medium accessibility level. Bus routes 32, 142, 204, 251, 288,292,302,303 and 305 are within walking distance of the site.

A Pedestrian Environment Review System (PERS) audit was conducted for an agreed area in the vicinity of the site. The PERS Audit indicates that the existing pedestrian environment in the area studied is generally of a good quality, with all of the selected links, crossings and public transport areas achieving average to good scores. A signalised pedestrian crossing of Deansbrook Road is present approximately 270m to the west of the site and a pedestrian refuge island is situated approximately 160m to the east of the site.

Personal Injury Accidents (PIAs) occurring within a 640m radius of the site over a 36 month period (ending in October 2014) were assessed as part of the Transport Statement submitted with the application. Of the total PIAs recorded 63 accidents were recorded as 'slight' and 3 were recoded as 'serious'. A total of 12 slight personal injury accidents were recorded on Deansbrook Road in reasonable proximity to the site. These included no recorded fatalities. 4 incidents involved cyclists and 2 involved pedestrians. No personal injury accidents were recorded on Pavilion Way itself. No personal injury accident trends or patterns were observed in the vicinity of the site which were likely to be exacerbated by the development proposed.

The Proposal

Key highway, access and parking related elements of the proposal comprise:

- Vehicular access provided from Pavilion Way.
- The formation of on-site car parking facilities (on an existing parking area) to achieve 6 car parking spaces for staff and pick up, drop off and visitor parking for up to 10 cars.
- The inclusion of 2 of the on-site parking spaces as disabled standard parking spaces.
- The provision of 12 cycle parking spaces and scooter parking facilities on the site.
- The formation of a pedestrian access from Pavilion Way which is segregated from the vehicular access (in the interests of safety). This route also leads to the cycle and scooter parking facilities proposed.
- The provision of refuse and recycling storage facilities on the eastern part of the site.

On-Site Parking

The layout proposed provides a total of 6 car parking spaces on-site for staff. The development would also provide an on-site drop off and pick up area that is able to accommodate 10 cars. These facilities would also be used to provide visitor parking. Two of the parking spaces proposed would be provided as disabled standard spaces. The car parking and drop off and pick up facilities proposed are considered to be acceptable and sufficient to meet the car parking demands generated by this proposal.

12 cycle parking spaces are proposed. This quantum of cycle parking is in accordance with the London Plan cycle parking standards and is found to be acceptable.

Conditions have been recommended to ensure that the car and cycle parking facilities proposed are implemented prior to the school being brought into use. Subject to these the proposal is considered to be acceptable and compliant with the objectives of development plan policies in terms of the parking facilities proposed.

Trip Generation, Highway and Pedestrian Safety and Accessibility

The proposed development is predicted to generate approximately 28 vehicular (car) trips associated with parents and pupils, including 4 'park and walk' trips, in the Peak Period. 5 staff vehicular trips are predicted to occur as a result of the development during this period. The vehicular trip generation arising from the application is considered unlikely to have a detrimental impact on the highway network. The application is therefore found to be acceptable and policy compliant in this regard.

The development is expected to generate a total of 8 public transport (rail and bus) trips during the peak period. When viewed in the context of the current public transport facilities available in the vicinity of the site it is not considered that the proposal would have a material impact on public transport services. The application is therefore found to be acceptable in this regard. It is also concluded that the site is sufficiently accessible by public transport, walking and cycling to meet the objectives of development plan policy in this regard.

It is considered that the design and layout of the development proposed are such that it would provide suitable access arrangements for pedestrians and vehicles and that it would not raise any specific concerns from a highway and pedestrian safety perspective, subject to the conditions recommended. The application is therefore found to be acceptable and compliant with the objectives of development plan policy in these regards.

Delivery and Servicing Management

Servicing is proposed to take place on-site within the car parking area accessed from Pavilion Way. All deliveries are to be scheduled outside school start and end times to minimise conflict with pedestrians and with peak pick-up and drop-off activity. Refuse and recycling collection activity for the temporary school will take place from Pavilion Way. It is understood that the arrangements have been agreed with the Council's Waste Collection service.

The conditions recommended include a requirement for the operation of the site in accordance with a Servicing and Delivery Plan that has previously been agreed with the Local Planning Authority. Subject to this condition the proposal is found to be acceptable in this regard.

Construction Vehicles

The conditions recommended include requirements for the submission and implementation of a Construction Management Plan, in order to ensure that potential construction logistical issues and highways impacts are adequately addressed. Subject to this the proposal is found to be acceptable in this regard.

School Travel Plan

In accordance with the requirements of planning policies an appropriate School Travel Plan will need to be provided and implemented in respect of the development to encourage shifts to more sustainable modes of transport. A condition securing this has therefore been recommended. Subject to the imposition of this condition the application is found to be acceptable and compliant with the objectives of development plan policies in this regard.

Transport, Parking and Highways Conclusions

The Council Traffic and Development Team have assessed the application and found the proposed development to be acceptable and compliant with the objectives of planning policy on transport, parking and highway matters, subject to the controls in place under the conditions recommended.

Sustainable design and construction matters

London Plan policies state that applications should demonstrate that sustainable design standards are integral to a proposal, including its construction and operation, and that they are considered from the beginning of the design process. Barnet Local Plan policy DM01 states that developments should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation.

The documents submitted with the application identify a number of ways in which the proposal would be constructed and operated in a sustainable way. These are discussed in more detail in the various relevant sections of this report, but include elements such as the creation of new education facilities for the community, the retention of trees, the provision of appropriate recycling storage equipment and the installation of facilities for cyclists.

It is acknowledged that as the scheme is for a temporary consent to deliver a facility which is relatively small in scale (the building would deliver 230m² of floorspace) the application does not propose the inclusion of certain sustainable design features (for example on-site renewable energy equipment) which would be expected for a larger permanent development. The approach proposed is found to be acceptable and reasonable for the permission that is sought in this instance. It is considered that the details provided in the submission are acceptable and policy compliant in respect of sustainable design and construction matters and that, taken in the round, the

application would result in a development which reaches an appropriate standard in respect of sustainable design and construction matters.

Archaeological matters

The application is accompanied by a desk based Archaeological Assessment (prepared by AOC Archaeology). Historic England Archaeology has responded to the consultation on the application and, having reviewed the submitted assessment, they have not raised any objection to the proposal or request that any pre or post application determination archaeological assessment or evaluation of the site is carried out. Officers support this position and find the proposal acceptable in terms of archaeological matters.

3. EQUALITIES 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;
- 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 development proposed as part of the application would be required to comply with current legislative requirements in respect of equality and diversity related matters, for example access for the disabled under Part M of the Building Regulations. In addition to this the proposal, as controlled by the conditions recommended, would ensure that in several regards the development constructed would exceed the minimum requirements of such legislation. An example of this is the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report). With the conditions recommended the proposal is

found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development.

It is acknowledged that the scheme would result in the loss of playing field and open space. However, due to the poor state of the existing site it is considered that the school proposed under this application would represent a community facility which goes further towards meeting equality and diversity objectives than the current facilities on the land achieve. In this regard the development proposed would have a positive effect in terms of equalities and diversity matters.

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

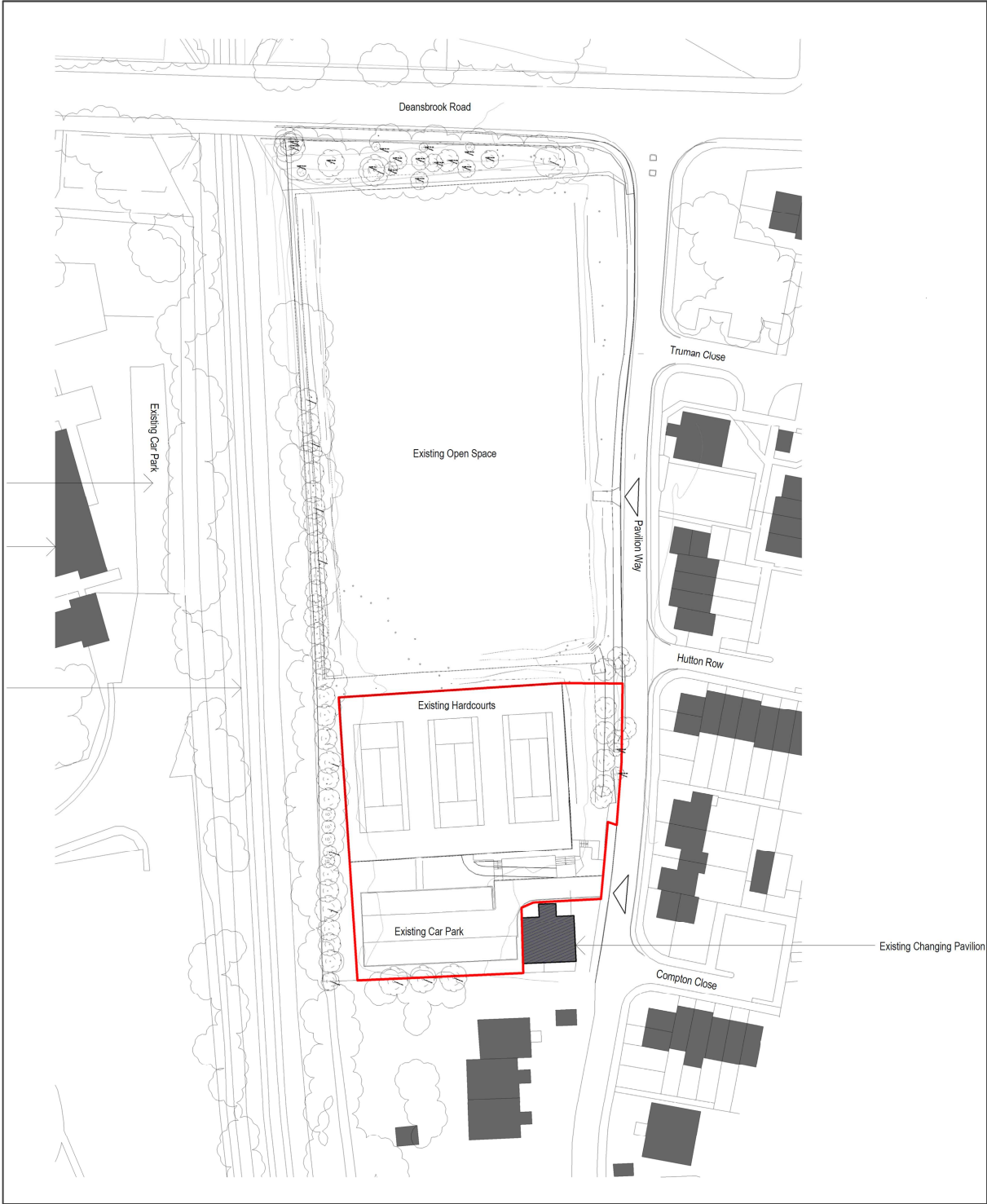
4. CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material planning considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.


For the reasons set out in detail in the previous sections of this report Officers conclude that the proposed development generally and taken overall accords with the relevant development plan policies and planning guidance, except as they relate to the protection of open space, playing fields and sporting facilities. In respect of the protection of open space playing fields and sporting facilities, it is considered that the proposed development would provide substantial planning benefits, in particular the delivery of school places for which there is an identified local need, and that, on balance, given the particular circumstances of the development these are sufficient to outweigh the schemes conflict with development plan policy and any harm caused in this respect. As such it is considered that there are material planning considerations which justify the recommendation to grant planning permission in this instance. The application is therefore recommend for APPROVAL subject to conditions, as set out in the Recommendations section at the beginning of this report.

APPENDIX 2: SITE LOCATION PLAN

APPLICATION REFERENCE: 15/02616/FUL



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	AGENDA ITEM 11 Planning Committee 25 June 2015
	Title 31 Stanhope Road, London, N12 9DX – F/05737/14
Report of	Head of Governance
Wards	Woodhouse
Status	Public
Enclosures	Appendix A – Report to Finchley and Golders Green Area Planning Committee Appendix B – Addendum to the Report to Finchley and Golders Green Area Planning Committee Appendix C – Amended recommendation
Officer Contact Details	Salar Rida, Governance Officer (Acting) salar.rida@barnet.gov.uk 020 8359 7113

<h3>Summary</h3>
Agenda Item 9 (31 Stanhope Road, London, N12 9DX, reference F/05737/14) of the Finchley and Golders Green Area Planning Committee on 29 April 2015 was referred up to Planning Committee by two members in accordance with the Constitution. Planning Committee is therefore requested to consider the recommendations and take a decision on them.

<h3>Recommendations</h3>
1. That Planning Committee consider and vote on the recommendations contained in the report previously considered by Finchley and Golders Green Area Planning Committee on 29 April 2015.

WHY THIS REPORT IS NEEDED

- 1.1 The Constitution allows a certain number of members of a Committee or Sub-Committee to refer any decision of the Committee or Sub-Committee up to the next practicable meeting of the relevant Committee to which it reports, by indicating immediately after the decision is taken that they require the decision to be referred up. The report to the relevant Committee to which the Committee or Sub-Committee reports on the referral shall set out the reasons for the referral.
- 1.2 The attached report was considered by the Finchley and Golders Green Area Planning Committee on 29 April 2015. The Committee resolved to approve the planning application as per the officer's recommendation, subject to the amendments set out in the addendum, the amended recommendation 1 tabled at the meeting and the following amended/ additional conditions and informative in recommendation 2 (Appendix C).

Amended condition 7:

7a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not commence, including the demolition of the Network building, 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. Acoustic fencing shall be erected parallel to the boundaries with the Castle Road car park, 39 Stanhope Road and 29 Castle Road and the submitted plans shall show an access point through the fence for maintenance purposes.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the development (including demolition of the Network building) and retained as such thereafter.

New condition 8:

Submission of Construction management Plan in relation to removal of asbestos.

a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution; the safe removal of asbestos.

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 Policy 5.21 of the London Plan (2015).

New condition 9:

Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no buildings or structures shall be erected in the new playground (on the site of the current network building).

Reason: To safeguard the amenities of occupiers of adjoining residential properties and the appearance of the area in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

Additional Informative 3:

The school are requested to consult with the adjoining residents when designing the landscaping scheme in respect of the acoustic fence.

1.3 REASON FOR REFERRAL

- 1.3.1 Immediately following the decision, two members of the Committee supported a referral of the decision to the Planning Committee in accordance with the Council's Constitution, noting that there was a significant interest in the application which warranted attention from the Planning Committee and to allow residents to make further representations at the Planning Committee.

2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out in the substantive report.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 As set out in the substantive report.

4. POST DECISION IMPLEMENTATION

- 4.1 As set out in the substantive report.

5. IMPLICATIONS OF DECISION

- 5.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2 As set out in the substantive report.

5.3 Legal and Constitutional References

5.3.1 Constitution, Responsibility for Functions- Paragraph 6- Members Rights to Refer Matters to Parent Body states that:

“A specified number of Members of a Committee or Sub-Committee may require that any decision of the Committee or Sub-Committee is referred up to the next practicable meeting of Full Council or the relevant Committee to which the Committee or Sub-Committee reports, by indicating immediately after the decision is taken that they require the decision to be referred up. The report to Full Council or the relevant Committee to which the Committee or Sub-Committee reports on the referral shall set out the reasons given for the referral.”

5.4 Risk Management

5.5 As set out in the substantive report.

5.6 Equalities and Diversity

5.7 As set out in the substantive report.

5.8 Consultation and Engagement

5.9 As set out in the substantive report.

6. BACKGROUND PAPERS

6.1 None

REPORT CLEARANCE CHECKLIST
(Removed prior to publication and retained by Governance Service)

This checklist must be completed when the final report is submitted to the Governance Service for publication. Failure to complete the checklist may result in your report not proceeding to committee for decision.

The **minimum clearance standard** is: Committee Chairman; Chief Officer or Commissioning Director or Delivery Unit Director; HB Public Law; Finance; and Governance. Clearance officers require a minimum of 5 working days to review draft reports and provide clearance. Clearance cannot be guaranteed for reports submitted outside of this time. Committee Chairmen are normally consulted after internal clearances have been obtained. Fully cleared reports must be submitted to the Governance Service by 5pm the day before the statutory publication deadline (5 clear working days before the meeting)

Report authors should also seek clearance from internal boards and/or other relevant officers (as detailed in italics below) if the decision being taken impacts the services under their remit.

AUTHOR TO COMPLETE TABLE BELOW:

Who	Clearance Date	Name
Committee Chairman		
Chief Officer / Commissioning Director / Delivery Unit Director		
HB Public Law		
Finance		
Governance		
<i>Enabling Board / Delivery Board</i>		
<i>Commissioning and Policy</i>		
<i>Equalities & Diversity</i>		
<i>HR Business Partner</i>		
<i>Strategic Procurement</i>		

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Location **31 Stanhope Road, London, N12 9DX**

Reference: **F/05737/14**

Received: 21st October 2014

Accepted: 22nd October 2014

Ward: Woodhouse

Expiry 17th December 2014

Applicant: Mr J Newman

Proposal: Two storey rear extension to provide two additional classrooms. New external covered playground. Demolition of the Network building to create a new playground. New replacement fencing around site.

Recommendation: Approve subject to conditions

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

Site Location Plan; 1124_P_501; 100; 101; 102; 103; 110; 111; 112; 115; 120; 121; 122, 123; 130; 131; 132; 135; 136; 140 Rev 02; Design and Access Statement

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

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

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

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

The details should include a sample board, details of the playground surfacing material and all boundary treatments including the acoustic fence shown on drawing number 140 revision 02.

- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition and these shall be maintained accordingly thereafter.

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 2011.

- 4
- a) A scheme of hard and soft landscaping, including details of proposed climbing plants to the approved acoustic fencing 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 2011.

- 5
- The new playground, hereby approved, shall only be used during the week between 8am and 6pm and not at all on Saturdays, Sundays and Public Holidays.

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).

- 6
- Before the building hereby permitted is first occupied the proposed window(s) in the side and rear elevations facing 39 Stanhope Road and 29 Castle Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 7
- 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 2011.

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. 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 applicant is advised to ensure any asbestos removal is undertaken in accordance with the relevant regulations.

Officer's Assessment

1. Site Description

The application site is located on the southern side of Stanhope Road, within the Woodhouse ward.

The application property is a two-storey faith primary school.

The property is not listed and does not fall within a conservation area and the area is predominantly residential in character.

To the west of the site a public car park is sited. To the east of the site a row of terraced residential properties are sited with 39 Stanhope Road marking the boundary of the application site. To the south, at the rear of the site another public car park is sited.

There is a single storey warehouse / shed-type building at the south-eastern corner of the site. This building separates the existing playground from the gardens of neighbouring residential properties along Castle Road at the rear of the site.

2. Site History

Reference: F/05836/13

Address: 31 Stanhope Road, London, N12 9DX

Decision: Insufficient Fee

Decision Date: 2 April 2014

Description: Retention of construction of basement plant room to replace existing external plant room. Construction of two storey rear extension following demolition of existing single storey rear section. Repositioning of rear external staircase, and additional roof lights to the main pitched roofs.

Reference: F/00123/13

Address: 31 Stanhope Road, London, N12 9DX

Decision: Approved subject to conditions

Decision Date: 30 April 2013

Description: Submission of details of conditions 5 (Refuse) and 6 (Boundary Treatment) pursuant to planning permission F/01544/12 dated 04/07/12.

Reference: F/01544/12

Address: 31 Stanhope Road, London, N12 9DX

Decision: Approved subject to conditions

Decision Date: 4 July 2012

Description: New single storey front/side extension. Demolition of 2no. rear buildings to form an external play area including a covered canopy area. Replacement of all existing windows. New external stair at the rear. New single storey plant room at the rear. Roof extension including enlargement of existing dormer with new rooflights. New link extension at roof level. Provision of refuse in the front. New landscaping including perimeter fence and hard surfacing. Associated internal and external works including internal lift.

3. Proposal

This application seeks consent for the following works;

- new two-storey rear extension to provide two additional classrooms
- new external covered playground
- demolition of Network building to create new playground
- new replacement fencing around site

4. Public Consultation

Consultation letters were sent to 336 neighbouring properties.

319 responses has been received, comprising 16 letters of objection and 303 letters of support

The objections received can be summarised as follows:

- loss of privacy
- overlooking
- loss of light
- impact on traffic and parking
- noise disturbance
- Over bearing appearance
- Concerns about the safe removal of asbestos from the Network building roof

Other / internal consultation

LB Barnet Property Services: Object on behalf of Adult Social Care team as the Network building is an operational Council service providing short-term support to people with mental health problems, giving the opportunity to gain/ regain skills and confidence to participate fully in the community. Without their building in North Finchley they would be unable to provide this service.

Environmental Health -as we discussed, we would be happy with a 3meter high acoustic fence providing that it is weather proof absorbent at least. It would also help, in terms of noise, if they incorporate any other soft / absorbent features such as the sort of soft flooring you get in modern playgrounds.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 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 2015

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 2031. 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, CS10
- Relevant Development Management Policies: DM01, DM02, DM04, DM13

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

5.2 Main issues for consideration

Two storey rear extension

The proposed two-storey rear extension would continue out from the existing two-storey rear projection on site at the same height, replacing the existing modest two storey rear extension, projecting an additional 8m depth from the existing rear elevation into the existing playground area.

The design of the proposed rear extension is considered to be an improvement on the existing rear extension which does not relate well to the original building. The new extension would match the materials of the existing main rear extension which is constructed from London Stock brick at ground floor with Slate cladding on the upper floor.

Given that the rear playground is flanked by the Stanhope Road car park to the west, the Castle Road car park to the south and the existing Network building to the east the

extension which is located some distance from any residential built form is considered to be acceptable on amenity grounds.

New dormer windows would be provided to the eastern roof slope, obscured below 1.7m with clear glass above and openable fan lights. The new dormer windows would face into the rear gardens of 39 Stanhope Road and 29 Castle Road. It is considered that the obscuring of the lower sections of these windows will ensure there is no potential loss of privacy or overlooking to occupiers of these properties. A condition is suggested to ensure these windows are obscured.

Other windows proposed in the two-storey extension face into the car parks that surround the site and as such they are not considered to result in any significant loss of privacy or overlooking.

External covered playground

The proposed enlarged and relocated external covered playground would start in front of the proposed two-storey rear extension and extend to the eastern boundary, to provide a secure play environment for the youngest children at the school.

The proposed covered playground is discreet in its design, with timber low level fencing of 1m height to mark the perimeter with a fixed timber and Perspex canopy above to allow light to penetrate through. The proposed height would be 3.2m.

There is no objection to the provision of the external covered playground. The height of the canopy, although visible above the boundary fence, due to its light-weight construction is not considered to give rise to any loss of visual amenity to neighbouring occupiers.

Demolition of Network building to create new playground

There is no objection in principle to the demolition of the existing Network building. The building holds no special character or designation to warrant its retention.

It should be noted that despite the assertions in the submitted design and access statement the Network building is in use by Barnet Council Adult Social Services. The building is land-locked on three sides, as opposed to four with access provided through the Castle Road car park.

The applicant does not own the land on which the Network building sits and has served Notice on the Council as landowner as part of the planning application. The objection received from Adult Social Services is noted. Clearly it is for the Council as landowner to decide whether or not to sell or lease the land to the school. However, this does not prevent the Council as Local Planning Authority from making a decision on the planning application.

In policy terms, there would be no loss of community use were the land to be used by the school so the proposal accords with policy DM13.

Significant concerns were initially raised in regard to the provision of new playground in place of the existing Network building. At present the existing building acts as noise buffer shielding residents, in particular 29 Castle Road, from excessive noise disturbance resulting from the existing playground at the rear of the school.

Following consultation with the Council's Environmental Health department the boundary treatment along the boundary with 29 Castle Road has been amended to overcome these concerns; this is discussed in more detail below. A condition is suggested restricting the hours of use of the playground area to help ensure there is no noise disturbance outside of school hours.

Replacement fencing

Consent has been given under an earlier application (our reference: F/01544/12) for the boundary treatment, and the works have been carried out on both the north and west elevations.

The proposed replacement fencing therefore only relates to the rear of the site at the south where the Castle Road car park is located, and part of the eastern boundary.

At the rear of the site facing the Castle Road car park it is proposed to have a brick wall of 1.8m height with mesh and metal railing above to a total height of 3m, to match that along the western boundary with the Stanhope Road car park.

Along the eastern boundary adjacent to the rear garden of 29 Castle Road it is proposed to retain the existing 2m high boundary fence. A space of 2m would be provided before a 3m high acoustic fence is erected with a climbing plant attached to soften its appearance and improve the visual amenity to neighbouring occupiers. This is considered to be a visual improvement on the Network building which is sited there presently.

5.4 Response to Public Consultation

The objections raised are noted. To overcome the concerns relating to loss of privacy and overlooking the proposed new windows to the side and rear of the proposed two-storey rear extensions are to have obscured glazing. A condition is suggested requiring this to be installed.

In regards to the potential loss of light, given the position of the proposed extension and the distance of the residential properties away from it, the proposed development is not considered to give rise to any potential loss of light. Even the proposed new fencing along the south and eastern boundaries is not considered to present any issues with light loss.

The impact on traffic and parking would only be during peak school drop-off and collection times. There is an existing CPZ on Stanhope Road which ensures only residents can park in the road during the day. As such it is not considered that the proposed development will result in any significant detrimental impact on the traffic and parking in the area.

It is recognised that there is a level of noise disturbance resulting from a school. However, the proposed acoustic fencing is considered to reduce the potential noise disturbance to residents along the eastern boundary of the site. Appropriate playground surfacing would also provide some mitigation.

The objections raised regarding the overbearing appearance of the proposed extension are noted. However, it is considered that due to the distances of any residential development away from the extension itself, it will not be visually detrimental to the amenities of neighbouring occupiers.

In regards to the concern raised regarding the safe removal of asbestos when demolishing the Network building, this is not a matter dealt with as part of the planning application. An informative is suggested to be attached to this permission informing the applicants of their obligations.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities. The proposal would provide additional teaching and ancillary space for an established school and appropriate mitigation is proposed to mitigate any impact on neighbouring residents.

The issue of whether to relocate the existing Adult Social Services use into alternative premises is a matter for the Council as landowner.

7. Conclusion

On balance, the proposals, with amended boundary treatment along the eastern boundary with 29 Castle Road are considered to accord with the requirements of the Development Plan and therefore this application for two-storey rear extension and new playground are recommended for approval.



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FINCHLEY AND GOLDERS GREEN AREA PLANNING COMMITTEE

29th April 2015

ADDENDUM TO ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL'S REPORT

Page 19

Ref: F/05737/14

Site: 31 Stanhope Road

Amended plans to reflect the alterations to the acoustic fencing and site boundary have been provided;

Amend condition 1: The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan; 1124_P_501; 100; 101; 102, 103; 110; 111; 112; 115; 120 rev 01; 121; 122, 123; 130 rev 01; 131; 132; 135; 136 rev 01; 140 Rev 02;
Design and Access Statement

Amend condition 6 - Obscure glazing. Given that the rear elevation overlooks the Castle Road car park it is considered unnecessary to require the windows to be obscure glazed.

Amend condition 6: Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing 39 Stanhope Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Page 23

On page 23 the report notes that 336 consultation letters have been sent. To clarify, 111 consultation letters were originally sent. When there was a re-consultation on the amended plans all the original consultees and all respondents were re-consulted.

Further letters were received re-iterating previous objections.

Page 25

On page 25, 2nd paragraph, the report notes;

“New dormer windows would be provided to the eastern roof slope, obscured below 1.7m with clear glass above and openable fan lights. The new dormer windows would face into the rear gardens of 39 Stanhope Road and 29 Castle Road. It is considered that the obscuring of the lower sections of these windows will ensure there is no potential loss of privacy or overlooking to occupiers of these properties. A condition is suggested to ensure these windows are obscured.”

Any reference to dormer windows should be removed and replaced with 'windows'. The extension, although tiled at first floor level, would in effect be a 2 storey extension with vertical elevations and a flat roof, as shown on the submitted plans.

Page 29

Ref: 14/07380/FUL

Site: Cornelius Court

Following consultation on amended plans, the original objections were re-submitted.

F/05737/14

31 Stanhope Road

Amended Recommendation:

Recommendation 1:

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

1. Paying the Council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. An obligation to ensure that work does not commence on building the extension the subject of this planning application until such time as the provision of alternative playground apace has been secured;
4. Preparation of a School Travel Plan and payment of a contribution of £5000 towards monitoring of that Travel Plan.

Recommendation 2:

That upon completion of the agreement the Assistant Director Development Management and Building Control approve the application reference F/05737/14 under delegated powers subject to the conditions set out in the agenda.

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