

LOCATION: Old Stationers Playing Fields, Barnet Lane, Barnet, Herts EN5
2DN
REFERENCE: B/00513/14 **Received:** 31 January 2014
Accepted: 31 January 2014
WARD(S): Underhill **Expiry:** 02 May 2014

Final Revisions:

APPLICANT: Hadley Wood Sports Trust

PROPOSAL: Variation to condition 14 (Floodlights - details) pursuant to planning permission B/04218/12 dated 17/06/13 to allow the details of the floodlights to be submitted prior to their installation.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

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

- Drawing Nos. 287/PL(0)010A, 102D, 202, Design and Access Statement, and Consultation Document (received 26 May 2009)
- Supporting Planning Statement (received 28 May 2009)
- Drawing Nos. 287/PL(0)110F and 112, and Floodlighting Specification (received 11 June 2009)
- Email from agent (received 18 November 2009)
- Drawing Nos. 287/PL(0)101D and 111A, and email from agent (received 23 November 2009)
- Flood Risk Assessment 880414R1(0) and WYG Daytime Bat Assessment A080982 dated 21 March 2013 (received 26 March 2013)

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2 This development must be begun within three years from the date of the original grant of planning permission, being 17 June 2013.

Reason:

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

3. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site 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 ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

4. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) 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 character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

5. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

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

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 Adopted Barnet Development Management Policies DPD (2012).

7. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

8. 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.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

9. 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

10. The non-residential development is required to meet the following generic environmental standard (BREEAM) and at a level specified in Table 2.19 of the adopted Sustainable Design and Construction Supplementary Planning Document (April 2013). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

11. No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

12. The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
- If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
- Reason:
To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.
13. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.
- It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).
- Reason:
To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.
14. Notwithstanding the information already submitted, details of the proposed floodlights including measures to prevent light shining in the trees surrounding the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the installation of the floodlights. The floodlights shall be implemented and permanently maintained in accordance with the details as approved.
- Reason:
To ensure that the proposal protects local biodiversity and the character and appearance of the area, in accordance with Policies DM01 and DM16 of the Development Management Policies DPD.
15. The floodlights hereby approved shall only be used between the hours of 4:00pm to 9:30pm Monday to Saturday, and 4:00pm to 7:00pm Sundays. The floodlights shall not be used at any time on Bank or Public Holidays.
- Reason:
To ensure the floodlights are operating appropriately and to minimise light pollution, in order protect the character of the area in accordance with Policy DM01 of the Development Management Policies DPD.

16. Notwithstanding the details already submitted, before the development hereby permitted is brought into use details of the site enclosures and proposed fencing both around and within the site shall be submitted to and approved in writing by the Local Planning Authority, and installed in accordance with the approved details thereafter. The submitted details should have regard to the ecological value of the site.

Reason:

To ensure that the proposed development does not prejudice the character and appearance or openness of the Green Belt and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM16, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

17. Before the pavillion hereby permitted is first occupied, the proposed hours of use must be submitted to and approved in writing by the Local Planning Authority. The pavillion shall thereafter be used only in accordance with the hours of use as previously approved in writing.

Reason:

To ensure that the amenities of neighbouring properties are protected from the development in accordance with Policy DM01 of the Development Management Policies DPD.

18. Before development commences, a noise assessment will be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval. The report will assess the likely impacts of noise. This report must be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before the use commences.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development, in accordance with Policy DM01 and DM04 of the Development Management Policies DPD.

19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment dated March 2013 (880414 R1(0)) and the following mitigation measures detailed within:

- Section 6 - Surface water drainage techniques.
- Section 8.1 - Floor level set at approximately 300mm above the highest 1 in 100 year plus climate change flood level (76.08mAOD)(above Ordnance Datum).
- Section 8.2 - A flood plan detailing action to take in a flood event shall be drawn up.
- Section 8.3 - The development shall be constructed using the latest best practice flood resistant construction techniques.

Reason:

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

20. Any site clearance works, including the demolition of the pavilion building, shall be carried out outside of the bird nesting season, which lasts from October to February inclusive.

Reason:

To ensure birds are not disturbed during the nesting season, in accordance with Policy DM16 of the Development Management Policies DPD.

INFORMATIVE(S):

1. In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

2. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road traffic noise (1988);

3. Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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 July 2011:

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.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5 and CS7.

Relevant Development Management DPD (2012): Policies DM01, DM03, DM13, DM15, DM16 and DM17.

Supplementary Planning Documents and Guidance

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Relevant Planning History:

Site Address:	Old Stationers Playing Fields, Barnet Lane, Barnet, EN5 2DN
Application Number:	B/01802/09
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	01/02/2010
Proposal:	Construction of new pavilion with refuse store to replace existing. Formation of 2 grass pitches and an artificial turf pitch with 8 associated flood lights and mesh fencing. New perimeter security fence, all in connection with use of site as a football training ground.

Site Address:	Old Stationers Playing Fields, Barnet Lane, Barnet, Herts EN5 2DN
Application Number:	B/04218/12
Application Type:	Full Application
Decision:	Approve with conditions

Decision Date: 05/07/2013

Proposal: Extension of time limit to implement previously approved application Ref: B/01802/09 dated: 09/12/2009 for "Construction of new pavilion with refuse store to replace existing. Formation of 2 grass pitches and an artificial turf pitch with 8 associated flood lights and mesh fencing. New perimeter security fence, all in connection with use of site as a football training ground."

Consultations and Views Expressed:

Neighbours Consulted: 214 Replies: 4 letters of objection have been received, including one from the Barnet Borough Group of the London Wildlife Trust.

Neighbours Wishing To Speak: 1

The objections raised may be summarised as follows:

- There are old oak trees in close proximity to the proposed playing field, with numerous potential bat roost holes. Bats are a species protected by law.
- Mitigation measures must be submitted before or together with, but not after, all other planning conditions are considered.
- Given recent flooding, the application should be totally reconsidered.
- Public parkland should not be privatised.
- Proposal encourages encroachment into the Green Belt.
- Site is used by numerous species of bird.
- Floodlighting should not be introduced where protected species are foraging.
- Use of pesticides and herbicides will result in a reduction of biodiversity.

Date of Site Notice: 20 February 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located on the eastern side of Barnet Lane, and is part of a larger complex of playing fields which extend from Barnet Football Club to the north, down to South Herts Golf Course to the south. The site is between Barnet Lane and Grasvenor Avenue.

The site contains a disused single storey pavilion, and grass football pitches. The boundary treatment fronting Barnet Lane is an open wire fence. A concrete slab from a previous pavilion still remains on the site.

The application site is within the Green Belt.

Proposal:

The application proposes the demolition of the existing pavilion on the site and its replacement with a new pavilion building in a similar position within the site to provide new changing room facilities, coaching rooms and a social area. The replacement pavilion would measure approximately 10.5 metres in depth by 36.5 metres in width. It would have a pitched roof with a height of 4.2 metres. The roof of the pavilion would overhang 1.8 metres to the east elevation, forming a covered area.

The application also proposes a new full size grass football pitch (100.5m by 64m), a smaller grass pitch (45.7m by 27.4m) and a full size artificial pitch (100m by 65m).

The artificial pitch would include eight floodlights. These would each have a height of 15 metres from ground level. This pitch would be set approximately 40 metres back from Barnet Lane, 65 metres from properties on Crocus Field and over 200 metres from the rear boundary of properties fronting Grasvenor Avenue. The artificial pitch would be enclosed by 3 metre high fencing, rising to 5 metres high behind each goal.

A new refuse store and boundary fencing are also proposed. The refuse store would be 2 metres high, and located in the same position within the site as the existing. The new perimeter fencing would be 2 metres high.

The current application proposes a variation to the wording of condition 14, to allow the submission and approval of details relating to the flood lights to take place prior to the installation of the flood lights rather than prior to the commencement of any works on site. No alterations are proposed to any other element of the development.

Planning Considerations:

Condition 14 attached to the previous grant of planning permission required details of the proposed flood lighting, including measures to prevent light shining in the trees surrounding the site, to be submitted to and approved in writing by the Local Planning Authority prior to any of the development approved by the planning permission taking place. This wording means that any elements of the development which are not related to or do not require the flood lighting (ie construction of the pavilion, grass pitches or perimeter fencing) cannot be undertaken until a detailed specification of the proposed floodlights has been submitted to and approved in writing by the Local Planning Authority.

The applicant seeks to amend the wording of this condition, to allow details of the flood lighting to be submitted and approved prior to the installation of the flood lighting equipment. The revised wording would result in the same outcome as the existing condition, allowing the Local Planning Authority to fully assess the details relating to the flood lights before the flood lights are installed. However, the proposed variation to the wording would allow the remainder of the development (subject to compliance with any other relevant conditions) to be implemented.

Given that the development as a whole is, subject to compliance with the relevant planning conditions, capable of implementation, the current application would not alter the nature of the development in any way, but only impacts on the order the development can be implemented. On this basis, no objections are raised as the proposed development would not differ from the extant approval.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The development remains identical in all respects to that already approved, with this application only impacting on when details relating to the floodlights should be submitted for the LPA's consideration.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

In accordance with the requirements of the NPPF and Local Policy DM15, the proposal is considered to constitute an essential facility for outdoor sport. The proposal would be consistent with Green Belt policies and the purposes of including

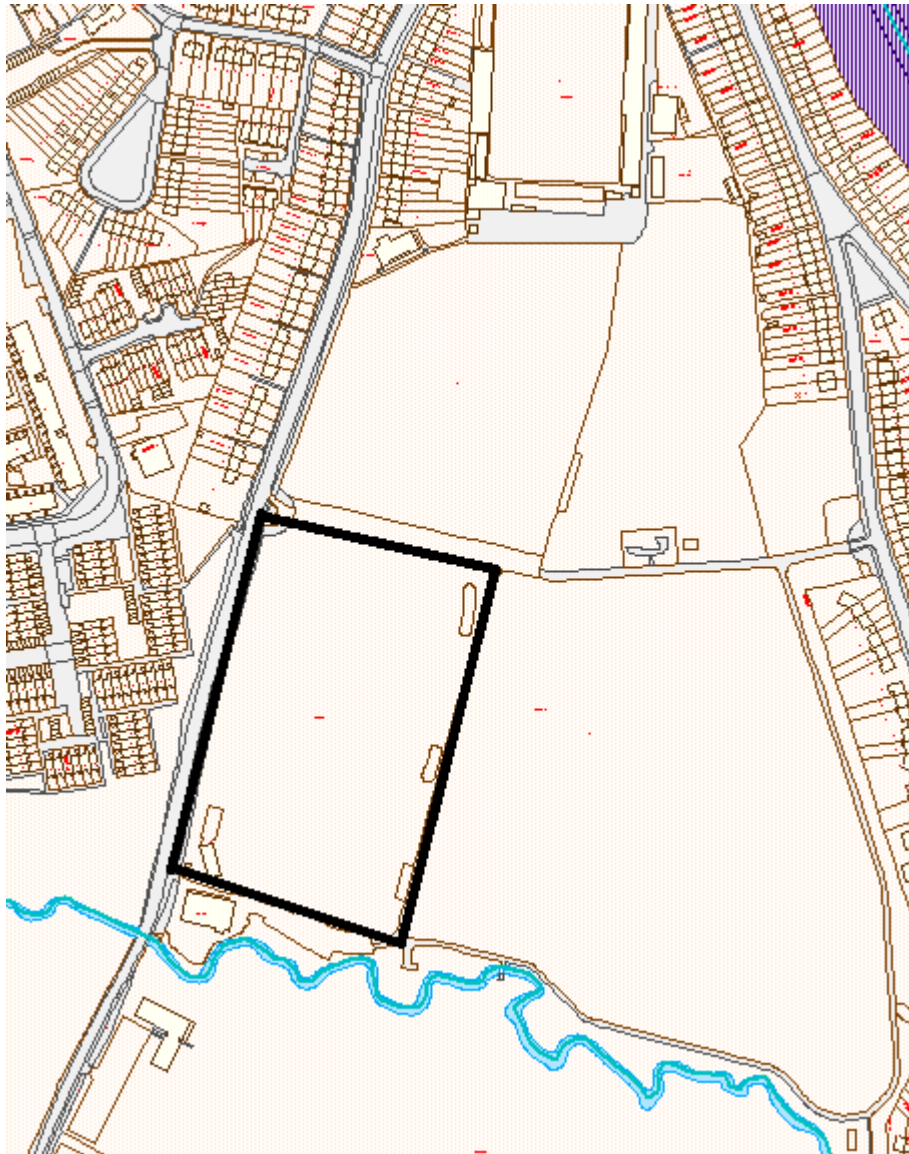
land within the Green Belt. It is not considered to have an adverse effect on the character and appearance of the locality or on the amenities of the occupants of nearby residential properties. The variation of the wording to condition 14 would not change this. Subject to planning conditions, the proposal would not be detrimental to biodiversity or trees within the site, and as a result is recommended for approval.

**SITE LOCATION PLAN:
Barnet, Herts EN5 2DN**

Old Stationers Playing Fields, Barnet Lane,

REFERENCE:

B/00513/14



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