

Location **Old Stationers Recreation Ground Barnet Lane Barnet EN5 2UA**

Reference: **15/01129/S73** Received: 23rd February 2015
Accepted: 27th February 2015

Ward: Underhill Expiry 24th April 2015

Applicant: Mr Aron Sharpe

Proposal: Variation to condition 1 (Plans) pursuant to planning permission B/04218/12 dated 08/11/2012 for "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.". Variation include replacing the approved pavilion, bin store and hardstanding with a smaller modular pavilion, bin storage area and car parking arrangement. The plans also reduce the 8 floodlight column design down to a 6 floodlight column design and adjust the fence height on the pitch from 3 and 5m to 4.5m all round.

Recommendation: Approve subject to conditions

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

Design and Access Statement, and Consultation Document (received 26 May 2009)

Supporting Planning Statement (received 28 May 2009)

Floodlighting Specification (received 11 June 2009)

Email from agent (received 18 November 2009)

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)

MUK1154-12, 13, 14, 16, 18 (received 23 February 2015)

MUK1154-01 Rev E, 02 Rev H, 03 Rev D, 04 Rev E, 05 Rev B, 06 Rev C, 07 Rev C, 08 Rev D, 09 Rev D, 10 Rev D, 11 Rev A, 15 Rev C, 17 Rev B (received 2 June 2015)

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 planning permission B/04218/12 (17 June 2013).

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

- 3 The development hereby permitted shall be constructed in accordance with the levels details on drawing MUK1154-02H and shall be retained as such thereafter.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policy DM01 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 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 All existing trees to be retained as outlined on Drawing MUK1154-08 Rev D shall be retained.

Reason: In order to protect the character and appearance of the locality in accordance with Policy DM01.

- 8 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 (April 2013) and policies 5.2 and 5.3 of the London Plan (2011).

- 9 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 10 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 policy DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 11 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.

- 12 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.

- 13 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.

- 14 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.

- 15 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 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. 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 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 3 The applicant is advised that due to the large number of schools and school children in the area, site deliveries during the construction period should not take place between 0800hrs - 0900hrs and 1500hrs - 1600hrs. Careful consideration must also be given to the optimum routes for construction traffic and the Traffic and Development section should be consulted in this respect.
- 4 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.

Officer's Assessment

1. Site Description

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 former Barnet Football Club site 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 a wire fence. A concrete slab from a previous pavilion still remains on the site.

2. Site History

B/01802/09: 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. Approved 2010

B/04218/12: 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." Approved July 2013.

B/00513/14: 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. Approved May 2014.

3. Proposal

This application seeks to vary condition 1 attached to planning permission B/04218/12, in order to substitute drawings which propose amendments to the approved scheme.

Planning permission was granted (originally in 2010, and renewed in 2013) for the construction of a new pavilion and refuse store to replace existing, the formation of two grass pitches and an artificial turf pitch with eight flood lights and mesh fencing, a new perimeter security fence, all in connection with use of site as a football training ground

The current scheme seeks the following amendments to that original planning permission:

- The approved scheme included fencing around the artificial pitch with a height of 3 metres along the sides and 5 metres behind the goals at either end. The current application seeks to amend this fencing to 4.5 metre high fencing around the entire pitch.
- The previously approved scheme included a metal clad pavilion, measuring approximately 10.5 metres in width by 37.2 metres in depth. It had a pitched roof 4.2 metres high. In the current application the proposed pavilion would measure 10.4 metres in width by 21.5 metres in depth. It would have a shallow pitched roof 3.2 metres high.
- The number of floodlighting columns has been reduced, from eight columns (each containing three lights) to six columns (each containing two lights). The height of each column remains as previously approved at 15 metres. The floodlighting columns would be installed to the synthetic pitch only. 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.

- A new storage unit is proposed, on the approved concrete hardstanding adjacent to the proposed synthetic pitch. This unit would measure 2.4 metres by 3 metres and have a flat roof 2.5 metres high.
- The areas of hardstanding to the rear of the goals and to the side of the synthetic pitch are proposed to be increased. At either end of the pitch the areas would be increased from 2 metres by 10 metres to 3 metres by 30 metres. Additional goal recesses are introduced on the sides of the pitch.
- The refuse storage area has been moved further from Barnet Lane.

When the current planning application was first submitted it included alterations to hard surfacing to provide car parking within the site. That element of the proposal has since been removed.

It should be noted that the perimeter fence has been constructed.

4. Public Consultation

Consultation letters were sent to 189 neighbouring properties. Two letters of objection have been received, in addition to the consultation responses listed below. The objections received can be summarised as follows:

- Fencing a park and providing floodlights is immoral.
- High fencing will be detrimental to migrating birds.
- Use of Herbicides will damage the environment.

NW London RSPB Group: Object to the proposals due to:

- Privatisation of public parkland and amenity space.
- Urban blight which encourages encroachment onto the Green Belt.
- Security fencing will transform open parkland into a commercial sports complex.
- Openness of the fields is part of their ascetic (sic) appeal and attractiveness to open ground feeding birds.
- Proposal would adversely affect biodiversity, including birds, and would result in the loss of habitat.
- Floodlighting should not be introduced where it would interfere with bats, and there is evidence of bats on the site.

London Wildlife Trust (Barnet Borough Group):

- No objections to the change to a modular pavilion and to the bin stores.
- No more car parking should be permitted.
- Reduction in floodlighting column numbers is welcome, but their height is visually intrusive. Lighting should only be used in the winter months. Floodlighting columns should be laid horizontally outside the winter months.
- Gaps should be left in the perimeter fence for hedgehogs and small mammals to move freely.

Environment Agency: Providing that the proposed amendments to the scheme will not impact upon the developer's ability to meet the requirements of the surface water drainage condition requested, we do not have any objections to the variation of these plans.

Environmental Health: No comment.

Sport England: The proposed alterations to the approved plans result in a lessor scheme and it is noted that the number of floodlighting columns and pavilions specification has been decreased. However the amended scheme is still considered acceptable in the

context of Sport England's policy. Therefore, Sport England does not wish to raise an objection to this application.

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 and CS7.
- Relevant Development Management Policies: DM01, DM03, DM13, DM15, DM16 and DM17.

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

The main issue for consideration is whether the proposed alterations since the previously approved scheme would be detrimental to the openness of the Green Belt, to the character of the area, to the amenities of neighbours or to the protection of biodiversity.

5.3 Assessment of proposals

Pavillion

As noted above, the size of the previously approved pavilion is proposed to be reduced by approximately 16 metres. The proposal would still provide facilities for outdoor sport and recreation. On this basis, given the same use is proposed but a smaller building, it is considered that the proposed pavilion would represent a reduced impact on the openness of the Green Belt when compared to the approved scheme. The reduced pavilion is therefore considered acceptable.

Fencing to synthetic pitch

The alterations to the fencing enclosing the synthetic pitch would see a reduction in approved height of 0.5 metres behind the goals, and an increase of 1.5 metres in all other parts. However, the style of fence remains a mesh-type which is visually permeable. Furthermore, this fencing would be within the wider site which currently benefits from perimeter fencing. On this basis it is not considered that the amended fencing would be detrimental to the openness of the Green Belt.

Flood lights

The current scheme represents a reduction in the number of floodlights. This would improve the overall appearance of the site, and reduce the number of additional structures proposed within the Green Belt. On this basis, the reduced number of floodlights is considered acceptable.

Storage unit

A storage box is proposed adjacent to the synthetic pitch. This would be a functional structure, small in size and directly abutting the pitch. Subject to being finished in an appropriate colour, it is considered that the storage box would be an acceptable addition to the site which would be required for outdoor sport and recreation and would not represent inappropriate development in the Green Belt. This structure is therefore considered acceptable.

Alterations to hardstanding

Whilst alterations are proposed to the hardstanding around the pavilion and synthetic pitch, these are minor alterations when compared to the approved scheme and would directly abut the synthetic pitch or the existing areas of hardstanding. On this basis it is not considered that the additional hardstanding would be detrimental to the openness of the Green Belt or to the character of the area.

Refuse store

- The refuse storage area has been moved further from Barnet Lane. This would reduce its impact on the street scene and would be an acceptable alteration.

Other Matters

The original planning application was accompanied by a bat report and the recent amendments were accompanied by subsequently updated reports. These have all confirmed that subject to the imposition of appropriate conditions relating to minimising light spillage from floodlights onto the trees surrounding the site, the proposal would not be detrimental to this protected species. The current application would be subject to the same planning conditions as the previous application in respect of the floodlights, in order to safeguard the bats, and on this basis no objections are raised in respect of the impact of the proposal on protected species.

5.4 Response to Public Consultation

The objections raised are on the whole addressed in the report above. It is noted that planning permission has previously been granted at this site for a development which is

capable of implementation. The current application seeks to reduce the size of the proposed pavilion and make other minor alterations to the development as proposed. The current scheme does not change the principle of the proposed development which includes fencing around the site and the formation of a synthetic sports pitch.

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.

7. 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 conditions to enable the abovementioned changes would only result in minor changes to the approved scheme, and therefore, subject to planning conditions, the proposal is recommended for approval.

**SITE LOCATION PLAN: Old Stationers Playing Fields, Barnet Lane, Barnet, Herts
EN5 2DN**

