

**Location**                    **Land West Of Edgwarebury Farm Edgwarebury Lane Edgware HA8 8QX**

**Reference:**                **15/00286/FUL**                    Received: 19th January 2015  
Accepted: 19th January 2015

Ward:                        Edgware                                Expiry 11th May 2015

Applicant:                 Mr Tony Menai-Davis

Proposal:                    Creation of an 18-hole golf course with clubhouse, associated car parking, landscaping and access from the A41

### **RECOMMENDATION I:**

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. Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan - £15000
4. The applicant shall enter into an appropriate lease with the equestrian business to provide alternative land at an agreed location for use by the business until 2025;
5. Submission and approval of a landscape and ecological management plan covering a 25 year period, to be implemented in accordance with details approved under Condition 15;
6. Monitoring of the Agreement.

### **RECOMMENDATION II**

That the application be referred to the Greater London Authority (under Article 5 of the Town and Country Planning (Mayor of London) Order 2008) and to the Secretary of State.

### **RECOMMENDATION III:**

That upon completion of the agreement and no direction being received to refuse the application and no direction being received that the application is called in for the Secretary of State to determine, the Service Director of Development Management and Building Control approve planning application 15/00286/FUL under delegated powers subject to the following conditions:

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 01-450-PA02, 02-450-PA01, PA03A, PA04A,

PA05, PA06, PA07, 120, 400 Rev A, 500, 501, 601, AL004, AL005A, AL010 Rev B, AL021, Access Drawing 11-T114 01A, 02A, 06,

Environmental Statement Volumes 1, 2 and 3, Outline Ecological Management Plan dated January 2015, Stage 1 Road Safety Audit dated May 2012, Transport Assessment dated May 2013, Transport Addendum dated February 2015, Energy Assessment Rev B dated July 2015, Icen Transport Note dated November 2015, Updated Arboricultural Implications Assessment Ref J46.26 dated 5 May 2015, Framework Construction Logistics Plan dated February 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 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 shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

4 a) Notwithstanding the submitted details, no development shall take place until details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highways and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

5 a) No development or construction works on the buildings hereby approved shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

6 a) No site works or works in connection with the development hereby approved shall be commenced until details of the protective measures to be implemented for the wildlife species identified by the report submitted with the application, and any other species subsequently identified on site protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

7 a) No development or site works shall take place on site until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;

- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 and 5.18 of the London Plan (2015).

8 a) Notwithstanding the details submitted with the application and otherwise hereby approved, the development hereby permitted shall not be first brought into use or occupied until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

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

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

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

11 a) No development shall take place on the construction of the clubhouse hereby approved until details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

12 a) The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed flood risk assessment (FRA) Environmental Statement Volume 1 Chapter 6: Flooding and Hydrology has been submitted to and approved in writing by the local planning authority. The drainage strategy

shall include a restriction in run-off to greenfield rates and surface water storage on site as outlined in the FRA.

b) The scheme shall subsequently be implemented in accordance with the approved details before the use of the development is commenced.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity, in accordance with Policy CS13 of the Local Plan Core Strategy, Policy DM04 of the Development Management Policies DPD, and Policy 5.13 of the 2015 London Plan.

13 a) The development hereby permitted shall not be commenced until a scheme to dispose of foul drainage has been submitted to and approved in writing by the local planning authority.

b) The scheme shall be implemented in accordance with the details as approved by this condition prior to the development being first brought into use.

Reason: To ensure the development makes proper provision for the disposal of foul drainage, in accordance with Policy CS13 of the Local Plan Core Strategy, Policy DM04 of the Development Management Policies DPD, and Policy 5.13 of the 2015 London Plan.

14 No infiltration of surface water drainage into the ground is permitted other than with the prior express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To prevent the development from increasing risk of water pollution, in accordance with Policy CS13 of the Local Plan Core Strategy, Policy DM04 of the Development Management Policies DPD.

15 a) No development shall take place until a landscape and ecological management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas of the site shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be implemented in accordance with the details as approved. The scheme shall include the following elements:

- Detail extent and type of new planting in the 'natural' areas of the course (NB: planting should only be of locally appropriate, UK native species).
- Details of maintenance regimes;
- Details of any new habitats created on site;
- Details of treatment of site boundaries;
- Details of buffer zones adjacent to watercourses;
- Details of proposed new waterbodies;
- Details of management responsibilities;
- Details of locations and styles of any bird/bat boxes

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with Policies CS9 and CS13 of the Local Plan Core Strategy, Policies DM01, DM15 and DM16 of the Development Management Policies DPD.

16 a) Prior to the development hereby permitted being first brought into use, details of the all-weather permissive path shown on drawing 02-450-PA03 Rev A including materials, levels, method of construction and route shall be submitted to and approved in writing by the Local Planning Authority.

b) The path shall thereafter be constructed in accordance with the details approved under this condition prior to the development hereby permitted first being brought into use, and maintained as such thereafter.

Reason: To preserve the openness and public accessibility of the site, in accordance with Policy 7.19 of the London Plan and Policies CS7 and DM15 of the Local Plan.

17 Before the development hereby permitted is first occupied or the use first commences the car parking and cycle parking spaces shown on Drawing No. AL004 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.13 of the London Plan 2015.

18 Prior to the first occupation of the development hereby approved, details (including manufacturers specification, light spillage diagrams, scaled plans and drawings detailing the size and direction, and proposed hours of use) of all external lighting to be installed on the building and in the car park hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the details approved under this condition and retained as such thereafter.

Reason: In order to protect the character and appearance of the site, and the amenities of the occupants of neighbouring properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

19 a) The non-residential development is required to meet the BREEAM 'Very Good' level.

b) 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 Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

20 Prior to the commencement of any works on site, a detailed Ecological Management Plan and details of the provision of an Ecological Clerk of Works, along with a schedule of monitoring, shall be submitted to and approved in writing by the Local Planning Authority. These shall expand upon the outline principles set out in the submitted Outline Ecological Management Plan and provide for the protection of species on the site, and for protection of existing and proposed habitats. The techniques, measures and

monitoring shall be implemented in full during the course of construction and prior to the first occupation of the development hereby approved, and maintained as such thereafter.

Reason: In order to protect the habitats and biodiversity of the site, in accordance with Policy DM16 of the Development Management Policies DPD.

21 Prior to the commencement of any development on site, a proposed phasing plan shall be submitted setting out the proposed phasing of the development hereby permitted. The development shall thereafter be implemented in accordance with the phasing plan as approved.

Reason: To protect the character and appearance of the area, to maintain highway safety and to safeguard biodiversity of the site in accordance with Policies DM01, DM16 and DM17 of the Development Management Policies DPD.

22 Prior to the first use of the development hereby permitted, details of the renewable energy installations as proposed in the submitted energy statement shall be submitted to and approved in writing by the Local Planning Authority. These should thereafter be installed in accordance with the approved details prior to the first use of the development hereby approved and maintained as such thereafter.

Reason: To ensure the proposed development meets the London Plan targets for Carbon Dioxide reductions in accordance with Policy DM04 of the Development Management Policies DPD.

23 The club house building hereby approved shall be used only for purposes ancillary to the use of the site as a golf course. It shall not be used by external organisations as a function venue.

Reason: To safeguard the amenity of the Green Belt and in the interest of highway safety, in accordance with Policies DM15 and DM17 of the Development Management Policies DPD.

24 The use hereby permitted shall not be open to members of the public before 07:00 or after midnight between Saturday or Thursday and on Bank and Public Holidays, or before 07:00 or after 01:00 on Fridays and Saturdays.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

25 a) Prior to the first occupation of the development hereby approved, details of a footpath with access rights to users of the equestrian facility as a bridleway to be constructed around the perimeter of the site in the location shown on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority., and in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority.

b) The footpath shall thereafter be constructed in accordance with the details as approved, with access made available in accordance with the details as approved under this condition, and permanently maintained as such thereafter.

Reason: In order to improve access to the Green Belt and to ensure the equestrian business retains access to land, in accordance with Policies DM01 and DM15 of the



Development Management Policies DPD and policies 2.18 and 3.19 of the London Plan 2015.

#### **RECOMMENDATION IV:**

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 1 December 2015, unless otherwise agreed in writing with the Service Director of Development Management and Building Control, the Service Director of Development Management and Building Control **REFUSE** the application under delegated powers for the following reasons:

1) The proposed development does not include a formal undertaking to secure the delivery of sustainable transport objectives and the associated costs and monitoring. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

2) The proposed development does not include a formal undertaking to secure the provision of alternative land for use by the equestrian business and as a result would result in a detrimental impact on rural business and enterprise. The proposal would therefore not address the impacts of the development, contrary to Paragraph 28 of the NPPF, Policy 3.19 of the London Plan 2015, Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

3) The proposed development does not include a formal undertaking to secure the submission, approval and implementation of a long-term landscaping and ecological management plan, and therefore would not preserve the landscape character or ecological value of the site. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), DM01 and DM16 of the Development Management Policies DPD (September 2012) and the Planning Obligations SPD (adopted April 2013).

#### **Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 3 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://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.
- 4 The applicant is advised that written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in

accordance with Historic England Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs.

- 5 The applicant is advised that Transport for London has recommended that during the construction works, no construction vehicles shall stop/ park/ load/ unload on the Strategic Road Network or Transport for London Road Network to ensure there is no detrimental impact on the free flow of traffic.
- 6 The applicant is advised that this development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency. The Environment Agency should be consulted prior to the submission of an Environmental Permit application as the proposed development and use of waste may be regarded as a disposal activity. The applicant should satisfy themselves that if waste cannot be used the development is still viable using non-waste materials (e.g. more extensive cut and fill on site). This may require a modification to this planning permission to reduce the final restoration contours to a lower level than has been identified. Where we conclude that this is a disposal activity (rather than recovery), the applicant would require an Environmental Permit for landfill before the importation of waste could proceed. This would need to comply with the Waste Core Strategy, the North London Waste Plan and meet the requirements of the Landfill Directive. No importation or deposit of waste may occur as part of this development until an Environmental Permit has been issued. Failure to meet this requirement would be a contravention of section 33 of the Environmental Protection Act (1990). We strongly advise that the applicant contact Rob Devonshire on 01707 632463 to discuss the above issues in more detail.
- 7 The applicant is advised that the septic tank proposed for this development will require a permit under the Environmental Permitting Regulations (2010) from the Environment Agency, unless an exemption applies. The applicant should contact Ijaz Sawar on 01707 632739 to discuss the issues likely to be raised.
- 8 The applicant is advised that the abstractions proposed for this development are likely to require an abstraction licence from the Environment Agency. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights. The applicant should contact Alastair Wilson at the Environment Agency on 01707 632729 to discuss this matter further.
- 9 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.
- 10 The applicant is advised that it is their responsibility 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. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921.

The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.

- 11 The applicant is advised that the Ecological Management Plan and mitigation strategies should be produced in collaboration or consultation with the RSPB and any other related bodies.
- 12 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £49805 payment under Mayoral CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 13 The applicant is advised that, in respect of Condition 7, the details of routing of construction vehicles should ensure such vehicles would not use any residential roads, or Edwarebury Lane, to access the site.
- 14 The applicant is advised that, in respect of the formation of the new access, a S278 agreement must be entered into with Transport for London.
- 15 The applicant is reminded that as the owner of the land with a Public Right of Way (PROW), that the PROW must be kept clear of all obstructions and maintained open for public access.
- 16 The applicant is reminded that trees and hedgerows at and adjacent to this site are protected, and are included within a Tree Preservation Order. This grant of planning permission confers no rights for any treatment (including any cutting of roots or branches) of the trees or hedges or any other work to be undertaken to trees included within a Tree Preservation Order at or adjacent to the site, with the exception of the three trees identified on Drawing 02-450-100 Rev H for removal. If any treatment is proposed, an application would be required in accordance with the Tree Preservation Legislation.

## **Officer's Assessment**

### **1. Site Description**

The application site is located to the north of Edgware and to the west of Mill Hill. The site bordered by the M1 to the north, the A41 to the south-west and Edgwarebury Lane to the east.

The site is comprised of mixed arable and grazing agricultural land with small areas of woodland. There are no buildings on the site itself. However to the east of the application site is Bury Farm, in use primarily as an equestrian business with riding school and livery stables.

The application site is within the Green Belt, and contains trees covered by tree preservation orders. A public right of way (footpath) crosses the site from the A41 to Edgwarebury Lane.

Part of the land beyond the southern boundary of the site is designated as the Edgware Way Rough Site of Metropolitan Importance for Nature Conservation. Beyond the south east boundary of the site is the Edgwarebury Park site of Local Importance for Nature Conservation. The Edgwarebury Brook Site of Borough Importance for Nature Conservation is adjacent to the eastern boundary of the site.

The site is also identified as an area of special archaeological significance.

### **2. Site History**

H/04377/13: Creation of an 18-hole golf course with ancillary clubhouse. Associated car parking and landscaping. Withdrawn.

### **3. Proposal**

This application proposes the creation of an 18 hole golf course with driving range, with a clubhouse, maintenance building, car park, associated landscaping, and a new vehicular access from the A41.

The proposed clubhouse would be a single storey building. It would be approximately 4.5 metres high, 64 metres in width and 34 metres in depth. It is proposed to be constructed of light coloured rendered blockwork with teak cladding to the curved flank walls and stone insets. The rear elevation (facing west) would be primarily glazed. The building would have two flat green roofs at different heights. An area for PV panels and plant equipment is reserved on the roof. It would be of a contemporary appearance, and would contain a reception area, kitchen, bar/restaurant, lounge, pro-shop, and ladies and gents changing and toilet facilities. It would be positioned toward the centre of the site, in one of the lowest parts of the site and approximately 160 metres from the A41. A car park would be provided to the north of the proposed clubhouse, containing 96 standard parking spaces, along with 7 disabled parking bays and 4 cycle spaces.

The proposed maintenance building would be located to the south of the proposed access point, 20 metres away from the A41 at its closest point. It would measure approximately 15 metres by 11 metres and would have a pitched roof approximately 4 metres high. It would be constructed of profiled metal.

The new vehicular access to the site would be from the A41, approximately 180 metres north of the southern site boundary and approximately 570 metres north of the Spur Road

roundabout. The formation of the new access would include works to the A41 to narrow the existing lanes and provide a central lane for right-hand turns into the site.

The course itself would be formed of two loops of nine holes, routed to allow the retention of existing trees. The formation of the course would require earthworks to be undertaken. Most levels changes would take place around proposed teeing grounds and the greens. The changes in levels would not exceed +/- 0.75m. More extensive earthworks would be required to form a screen from the M1, to partially screen the electricity pylons, and to improve drainage and introduce features including water bodies. The re-shaping would require inert material (typically soil and stones) to be imported. This is estimated by the agent to be in the region of 245,000 cubic metres. The construction of the course would be phased over 4-6 years. The applicant advises that the majority of construction activities would be seasonal, avoiding the winter months with construction movements generally between 50 and 80 vehicles per day up to a maximum of 120 vehicles per day. Vehicular movements would be 08:00-17:00 Monday to Friday and 08:00-12:00 Saturdays. The maximum number of movements on a Saturday would be 50.

The proposal would include a new permissive path running around the perimeter of the site. The agent has advised this would be an all-weather bridleway. The existing footpath would also be reinstated, running north to south close to the eastern boundary of the site.

The application is accompanied by the following supporting documents (content summarised)

#### Planning Statement (January 2015)

- The total area of the site extends to just under 70ha and is comprised of mixed agricultural land with small areas of woodland.
- This application has been submitted following the withdrawal of a previous planning application in January 2014, which was withdrawn following requests for further information by the GLA. Since the withdrawal, further consultations have been undertaken with the equestrian business and farmer who both currently have a tenancy agreement with the landowners, and with local representatives of the London Wildlife Trust and RSPB in respect of ecology.
- Golf is one of England's top 10 sports in terms of active participation. The English Golf Partnership aims to increase the number of golfers by 5% and active club member by 40,000 between 2004 and 2020.
- A report in 1988 argued that golf was significantly undersupplied. This, together with the economic boom of the late 80s, triggered a marked growth spurt of new golf courses in the 1990s. This has led to a view that available participants are spread too thinly and that certain sectors are under financial pressure. Whilst some facilities are under financial strain, it is evident that these difficulties have largely been driven by the construction of the wrong product, built in the wrong locations and to a low specification with poor drainage and facilities.
- The applicant considers that the current commercial context for golf development is positive in London and the South East for the right product in the right location. The demographics of the city and wider region indicate consistent population growth. There is also evidence that these areas have resisted the full effect of the economic downturn. These factors are likely to only increase golf demand across the region. Moreover, on the basis of the industry standard of one course per 25,000 residents, there is currently an undersupply of course in the north London and south Hertfordshire area - the current ratio within a 20 minute drive of the site is 1:29,200.
- The Shire London opened in 2007 at the onset of the recession but is successful, and the proposed club would be run on a similar operational structure.

- Only three trees would need to be removed for the construction of the whole project, however one of these is dead and two are poor quality specimens.
- The clubhouse would be located centrally, at one of the lowest points on the site and set down within the valley. The green roof, curved timber clad walls and stone clad half walls would help it assimilate into its surroundings. The car park would be to the north of the clubhouse and landscaped to make it more discreet than the clubhouse.
- The Greenkeeper's maintenance building would be of functional design and agricultural in appearance, finished in profiled metal. The building and its yard would be screened by mounding and woodland planting.
- Five water bodies would be constructed for flood balancing, water storage for irrigation and strategy purposes. A further underground storage facility would be built under the practice range.
- Earthworks would be limited across most of the golf course area. Localised level changes would be required around teeing grounds and the greens but in many cases would require no significant change to the topography, within +/- 0.75m. More extensive earthworks would be required along the northern part of the course as a screen from the M1 and its traffic, and also to improve drainage. In order to minimise the re-shaping of the site, some inert material (typically soils and stones) would need to be imported to supplement the existing excavated soil. This would be kept to a minimum and estimated to be in the region of 245,000 cubic metres.
- The large majority of the site would not require any tree planting. It is proposed to retain the overall parkland-like and open character of the site. Extensive woodland planting is proposed along the northern boundary of the site to assist, in combination with the mounding, to provide a screen from the traffic on the M1. Other smaller woodland areas or copses and new hedges, with hedgerow trees, would be planted as features and to strengthen some boundary edges.
- The site is currently mixed in arable and pasture use. The arable fields are relatively intensively farmed with standard applications of agricultural fertilisers and pesticides. The pasture areas are all maintained through grazing and occasional hay cutting. These are also occasionally fertilised and sprayed for weed growth but at a reduced intensity from arable land. Fertiliser and pesticide applications for golf course playing areas are at levels akin to areas of grazing pasture.
- Ecological enhancement measures include the significant increase in the range of habitat on the site, with an increase in the biodiversity of the land. The measures include five new water bodies and new scrub planting. Specific mitigation measures are also to be employed for two of the protected species on site. More detail is in the Ecological Report and Management Plan.
- The internal accommodation in the clubhouse is considered to be essential and the minimum necessary for economically viable and sustainable modern golf.
- The applicant has draft agreements in place with the equestrian business that alternative nearby and more convenient land be made available under a new lease until 2025. There would be a time lapse included between the business taking possession of the alternative land, and giving up all of their current land.
- The site is crossed by a public footpath, however the route is not walked by the public as there are no suitable points to cross intervening hedgerows and fences. Historically, the public have and currently walk the existing track between the A41 and Edgwarebury Lane. This is not part of the formal public footpath. The proposed layout retains the formal footpath line and would provide suitable access provision. In addition a new 3.25km all-weather permissive Bridleway would be provided around, but within the perimeter, of the site for access by walkers and riders. This would be used by the adjacent equestrian business and would be a significant enhancement in public access in this part of Edgware.
- It is envisaged that the course would be built in five phases over a period of 4-6 years.

- The land is classified as subgrade 3b agricultural land, and suffers a significant soil wetness which adversely affects seed germination and inhibits the development of a good root system. This restricts the flexibility of the land. Given the findings of the Agricultural Land Classification study and that only 93 acres are currently in agricultural production, the proposals will have a negligible impact on agricultural production in the region. The applicant has confirmed that the farmer farms a significant acreage elsewhere in Hertfordshire, and this land is separated from his other landholdings and is relatively inaccessible by modern large-scale farming machinery.
- Golf Courses are a feature of London's Green Belt. It has been consistently held that golf courses are a form of outdoor recreation and in policy terms are in principle not an inappropriate use in Green Belt. The applicants do not consider that very special circumstances need to exist for this proposal to be approved. However, if required it is considered that the very special circumstances are the strong economic case (new jobs), the social case (enhancement to public access to the Green Belt and recreational uses) and the environmental case (sustainable credentials of the clubhouse and long-term benefits for biodiversity).

#### Design and Access Statement

- Raises no comments of note which are not already raised in the Planning Statement.

#### Arboricultural Implications Assessment

- The proposal would require the removal of three Category U trees.
- The scheme intends on retaining all other trees to provide a mature and varied setting to the golf course

#### Ecology

- Ecological surveys have highlighted the presence of several protected species within the site.
- Badgers are present and a small sett was utilised during the late autumn/winter period of 2012.
- Three species of bat have been recorded at the site. Bat activity was found to be strongly correlated with structured/linear habitat features such as hedgerows, tree lines and woodland edges, with significantly less activity recorded within open fields. The greatest impacts will be from increased lighting, disturbance and displacement. A number of trees with high potential to support roosting bats were subject to emergence survey, no bats were seen to emerge from these trees.
- Breeding bird surveys have recorded a typical assemblage of farmland birds, most noteworthy a pair of breeding hobby in 2013. This species is a rare breeder within Greater London. Breeding lapwing were also noted.
- The majority of plant species recorded are common species associated with open farmed landscapes. No nationally rare or scarce plants were found.
- It was considered unlikely that the site supports dormouse, due to the poor quality of the habitat on site that lacks the species composition and vegetation structure needed.
- Two species of reptile were recorded on site - slow worm and grass snake.
- No species of newt were recorded on the site. Habitat Suitability Index assessments found the water bodies fall into the 'poor' category for suitability for great crested newts.
- 59 species of breeding bird were identified. 11 considered to have bred on the site are on the red or amber lists. The assemblage of species is typical of open farmland.
- Wintering bird surveys recorded 47 species.
- New habitats created on site will take time to mature. Activities associated with golf course management have the potential to impact habitats. With mitigation, impacts to habitats are considered to be not significant.



### Response to Ecology Comments raised by LBB's Ecology Advisor - January 2015

- The current location of breeding lapwing on site will no longer be viable as this area falls close to the clubhouse and will become part of the rough grassland areas of the course. The large waterbody proposed to be created between fairway 14 and fairway 2 will include a low profile gravel island, designed to provide a suitable alternative breeding location for lapwing. The total area covered by the additional habitat is 1.6ha. Whilst this equates to a small reduction in suitable breeding habitat, there are four other waterbodies on site as suitable feeding habitat for the species.
- Hedgerows C and D will have no severance. Therefore there will be no potential impact on dormouse in these areas.
- The trees to be felled were not found to support roosting bats. It is recommended that the felled wood is used to create a 'habitat pile' within the site.
- Lighting associated with the development will be exclusively associated with the clubhouse and car park. The road from the clubhouse to the A41 will not be lit. The proposed lights should have the characteristics that reduce their potential impact on bats. LED lighting should be used at a low lux level, and at a higher level of the light spectrum to reduce levels of blue light.

### Outline Ecological Management Plan

- Management plan aims to protect and enhance ecology of the site.
- Species will be planted to encourage butterflies, to provide berries for migrant birds, and to provide habitat. Native species will be used for hedgerows and waterbody planting.
- Rough areas will provide habitat for wildlife.
- Construction of less-intensively landscaped water bodies will be based on guidance provided in the great crested newt handbook.
- Artificial Hobby nests will be erected within suitable trees within the adjacent Bury Farm site.
- The large waterbody between fairway 14 and 2 will include a low profile gravel island to provide a suitable alternative breeding location for lapwing.
- A new badger sett will be created.
- Lighting will be designed to minimise the impact on bats.

### Flood Risk Assessment

- Two minor watercourses, one within the site boundary and one to the east, join to form the Edgwarebury Brook which passes beneath the A41 to the south of the development. This Brook forms one of the tributaries of the Silk Stream located further to the south east. Two storage areas constructed near to the site, Bury Farm and Edgwarebury Park, form two of six structures designed to alleviate downstream flooding associated with the Silk Stream.
- The site is within Flood Zone 1. No historic flood events have been identified or recorded on the Environment Agency Historic Flood Map within the site boundary. The North London Strategic Flood Risk Assessment advises as a result of local geology there is a low risk of ground water flooding within the Borough.
- The proposed development will incorporate Sustainable Drainage Systems.

### Transport Assessment May 2013

- The A41 is a two way single carriageway road with lane widths of approximately 3.4 metres in either direction. The road is lit and subject to a 60mph speed limit, and forms part of TfL's Red Route London Clearway. To the north is the M1 where on and off slips connect to the A41.
- Personal injury accident (PIA) data has been obtained from TfL for the five year period from 31 October 2006 to 31 October 2011, providing details of all PIAs occurring with the whole of the A41 in front of the site from the junction with the M1 to the junction with the

A410. During this period, 7 accidents occurred - 6 slight and 1 fatal. The accidents were due to driver error and were not the result of vehicles entering or exiting accesses onto the A41. Furthermore, a dedicated footway/cycleway has recently been provided on the south side of the A41.

- It is proposed to narrow the north bound and south bound lanes to 3m on the A41 within close proximity to the proposed access. This is to provide for a right turn lane of 3.5 metres. The existing farm access will be closed.
- From TRICS analysis, the proposed golf course, in comparison to the existing traffic flow on the A41, will have a very low impact on the existing network.

**OFFICER NOTE:** A number of studies within the Transport Assessment were out of date at the time this application was submitted. An addendum dated February 2015 has been submitted, which updates the Automated Traffic Count (ATC) data, Stage 1 Safety Audit, and Personal Injury Accident (PIA) Data.

- New ATC data suggest a 2.6% increase in total two way annual average flows. The level of traffic is of a comparable number and the slight uplift would not be discernable from daily fluctuations. The trip generation remains consistent with the original Transport Assessment and therefore would still have a very low impact on the existing network.
- Updated PIA data has been obtained, from October 2009 to September 2014. A total of 44 accidents occurred. 42 were slight in severity, 1 serious and 1 fatal. Over the 5 year period there was an average of 8.8 accidents. Slight severity accidents equate to 95.5% of all accidents. The serious and fatal were the result of individual/vehicle errors and not the safety of the highway network.

**OFFICER NOTE:** The applicant has advised that the reason for the large discrepancy in PIA data (7 accidents between October 2006 and October 2011, compared to 44 between October 2009 and September 2014) results in part from the spatial area over which the data is taken. The 44 accidents between October 2009 and September 2014 includes accidents at and around the Spur Road roundabout, to the south of the site. This area is not counted as part of the earlier data.

#### Stage 1 Road Safety Audit May 2012

#### Stage 1 Road Safety Audit JB15/343 RSA1 February 2015

#### Framework Construction Management Plan

- It is proposed to use one access point onto the site, which will be in the form of a new priority junction. An internal haul road will be constructed, leading vehicles to the site compound. These areas will be designed to eliminate the need for vehicles to wait on the A41. Two way working will be employed at all times and no vehicles will be permitted to queue on the A41.
- Vehicles will turn left into the site.
- Subcontractors will be encouraged to use public transport or car share to travel to the site.
- Wheel washing and dust suppression will be used.

#### Lighting Design Concept

- Discussed in the appraisal below.

#### Landscape and Visual Impact Assessment

- The requirement for landscape mitigation is minimal. The only screen planting for views from outside the site into the site considered to be necessary would be to provide two lengths of new hedgerow with hedgerow trees to 'gap-up' the existing hedge and scrub vegetation along the site's southern boundary with the A41.

- The woodland planting would, in time, screen views across much of the site from the elevated overbridge of the M1.
- The visual impact of the proposals would be limited in extent and degree. The landscape has a moderate to high capacity to absorb golf development of an appropriate scale and design. The maintenance building would be of a typical agricultural appearance appropriate in a countryside location.
- The landscape impact of the clubhouse and carpark is considered to have been minimised.

#### Archaeology

- No nationally designated heritage assets are located in the site.
- The site is generally of low archaeological potential, although this increases to medium along its west edge.

#### Socio-Economic Impacts

- The development will provide for a new sports facility of exceptionally high quality and will create employment opportunities for construction and landscape firms as well as permanent jobs for staff.
- There will be indirect benefits including enabling economic prosperity as visitors to the area stay in local hotels and spend money in other hospitality businesses.

### **4. Consultation**

#### **4.1 Public Consultation**

As part of the initial consultation process, letters were sent to 945 neighbouring properties. A site notice and press notice were also displayed. 141 responses have been received, up to March 2015, comprising 132 letters of objection, 5 letters of support and 3 letters of comment.

The objections received can be summarised as follows:

- Neighbouring golf courses are only half full and there is no demand for another course. There are 30 golf clubs within a 10 mile radius of the site and 19 within 5 miles.
- Existing golf courses are struggling to survive as the number of golfers are spread too thinly amongst existing clubs.
- Proposal would have an adverse effect on Edgwarebury Farm, which relies on the fields for its living.
- Proposal would result in a loss of farm land.
- Increase in vehicles would be dangerous and make existing traffic problems worse.
- Access point on the A41 will be dangerous and add to congestion.
- This land is used by all members of the community and with differing degrees of mobility for exercise, with mental and physical health benefits.
- Horses and wildlife are going to be destroyed by the presence of golfers and their cars.
- Site is ecologically important, home to dozens of bird species.
- Golf courses do not provide the right conditions for native wildlife.
- This land is already becoming a concrete jungle.
- The area is currently widely used as a free recreational facility.
- Barnet suffers from a lack of open space.
- The number of wild areas supporting wildlife are diminishing.
- Unacceptable for a lovely peaceful environment to be vandalised so that a few people can play golf.
- Edgwarebury Lane does not cope with the current traffic situation and will not cope with the additional traffic caused by a new golf course [Officer Note: The proposed golf course would take its access from the A41, not from Edgwarebury Lane].

- This application has nothing to do with creating another golf course - it is about making a fortune from landfill.
- Proposal would compromise flood defences.
- Ecological management plan ignores the key issue of disturbance by humans of the natural habitat.
- Ground nesting birds such as skylark and lapwing will be vulnerable to this development and its associated disturbance. The food relied upon by lapwing would be destroyed by treatments to the golf course.

The letters of support received can be summarised as follows:

- The land is under-utilised and often flooded. As a golf course it will enhance amenities in the area and put the land to better use.
- Traffic is not an issue as the access will be from the A41 where there are no houses and few pedestrians.
- Proposal will enhance the value of properties in the area and provide a much needed amenity.
- Golf course would enhance the skyline and landscape and be a major asset to Edgware.

A petition has been lodged on the council's website ([petitions.barnet.gov.uk](http://petitions.barnet.gov.uk)) as follows:

"We the undersigned petition Barnet Council to Reject planning application 15/00286/FUL for of an 18-hole golf course on Land West Of Edgwarebury Farm Edgwarebury Lane Edgware HA8 8QX". The petition has attracted 386 signatures.

Cllr Joan Scannell has objected to the proposal, in line with the objections from the North West London RSPB Group (see below)

Cllr Helena Hart has submitted the following objections:

- Inappropriate and unjustified decimation of a much loved and well-used area of local amenity.
- There is no call from local residents for another golf course.
- Approval would create a precedent for the destruction of the Green Belt.
- Loss of opportunity for physical exercise.

Cllr John Hart has submitted the following comments:

- Support the arguments advanced by the Mill Hill Preservation Society against the proposal.
- Whilst sporting facilities that do not mar the openness of the Green Belt are acceptable where there is a perceived need, there is none strictly speaking in this case. The over-provision of golf courses is well documented.
- The constantly mown and treated sward that is a feature of golf courses is inimical to wildlife. The land is neutralised with a loss of cover, loss of habitat, loss of natural appearance of farmland and roods in favour of a manicured landscape.

Andrew Dismore AM raised the following objections (summarised):

- This is a narrow and vulnerable part of the Green Belt, and the proposal would involve building on the Green Belt but also change the shape, contours and appearance of the land. Obstacles would be built through landfill to create a different landscape altogether.
- Well used public rights of way would be closed off and public informal recreational space for walking and horse riding would be lost.
- Proposed access is restricted and would be dangerous. Narrowing of lanes would lead to traffic congestion and danger.
- Wildlife habitat will be destroyed by the development.

- The land has been used for farming since before the Romans conquered Britain and is probably the oldest and largest surviving farm in London. The farm and stable business will be destroyed.

- The impact on water supply and drainage has not been considered. Recently constructed flood defences could be compromised, increasing the risk of flooding downstream.

- This would be the 22nd golf course within a five mile radius of Edgwarebury Lane. There is insufficient demand to support the existing courses.

The objection letter was accompanied by a petition containing 190 signatures, stating "I object to the scheme to build a golf course on Bury Farm land for the following reasons: 1) The area of proposed development is in the Green Belt. 2) Access to the site from A41 is restricted and dangerous. 3) Wildlife habitat will be destroyed by this development. 4) Loss of farm land and existing business. 5) Impact on utilities. 6) High density of existing golf courses and lack of demand. I call upon the Mayor of London and Barnet Council to refuse planning permission for this very damaging and unwanted scheme.

Matthew Offord MP raised the following objections (summarised):

- Golf course would dramatically alter the appearance of the land that has been open space for hundreds of years. Bury Farm is a medieval landscape and possibly one of the oldest continually existing farms in the greater London area. It is an ecological barrier between London and the neighbouring counties, and is the lungs of Edgware.

- Golf course would restrict public access and recreational use of the land for walking and horse riding

- Proposed access from the A41 is dangerous - turning vehicles will cause traffic to slow.

- The site is of significance for wildlife and harm would be caused by subjecting the farm and adjoining land to the manicured and heavy industrialised practices of golf course cultivation and management. Not convinced that the proposals in the Ecological Management Plan are robust to secure the sustainability of the area.

- There is no demonstrable demand for another golf course in an area which is already well served by golf courses. The additional club may threaten the viability of some existing clubs.

North West London RSPB Group Object.

- Bury Farm is of considerable ornithological importance and is an important community resource, enabling local residents and visitors to reconnect with nature. The site is species rich, and supports Swallow and House Sparrow colonies, as well as Hobby Falcons.

- The rural agricultural character will be lost and drastically transformed into an intensively managed private golf course.

- The enjoyment of the countryside will be lost if a private golf course is permitted.

- Any planning consideration must include strict planning conditions.

London Wildlife Trust - Barnet Borough Group

- RSPB members have been monitoring this site for over 20 years and have records of over 100 species of bird, of which 48 have bred. We would struggle to name many nature reserves with such an impressive species list. Whilst the individual habitats present are not rare, the combination of habitats in this location is exceptional.

- The proposed golf course offers great potential for new habitat creation, including new waterbodies with marginal planting, hedgerows and trees. However, construction and operation of the golf course also has the potential to disturb many of the species present and may result in the loss of species.

- The measures in the ecological management plan are welcomed and should be conditioned.

- The loss of a Badger sett should be avoided, however the reasoning is recognised and it is welcomed that an artificial sett will be provided in mitigation.

- New waterbodies are likely to make the site more attractive for bats, both roosting and feeding.
- Welcome proposals to monitor hobby falcons during construction.
- Welcome the creation of a new permissive route and maintenance. Care should be taken when planting to avoid enclosing large sections within woodland, as this would prevent the public enjoying the panoramic views.
- New trees and hedgerows should be native species.
- All construction should take place outside of the breeding season.
- Lapwing are ground nesting and the works will destroy their habitat. The phased implementation over a number of years may allow the lapwings to continue to breed on the site. The gravel island may also be attractive to Terns.
- Subject to the incorporation of conditions, the LWT Barnet Group support the approval of this application.

Broadfields Residents Association - Opposed to this application

- The subject land is designated as Green Belt and therefore should be considered by all parties as land on which development of any sort should not take place. The land will be altered, carved up, filled in, given surfaced access roads, built upon with a club house and ancillary buildings. This should not be permitted as Green Belt land is a precious commodity which maintains the defence against the attack of urban sprawl.
- Local people do not need a golf course here. A number of golf courses within a 20 minute drive of the site have low membership.
- Access from the A41 cannot be considered as anything else but dangerous.

Mill Hill Preservation Society - Wish to object to the proposals:

- The site is in an open area of farmland, in the Green Belt and close to an area of Borough Importance of Nature Conservation. It adjoins sites of Metropolitan and Local Importance for Nature Conservation, contains protected trees, is an Area of Special Archaeological Significance, an Area of Special Character and an area designated as Heritage Lane. It is within the Watling Chase Community Forest and contains a stream. The site has a high ecological value.
- The council has a duty to consider the merits of the application under the terms of the NPPF and to apply the appropriate tests to ensure the proposed use of the site meets the planning requirements.
- There is no doubt that the proposed use would cause harm to the Green Belt but no exceptional circumstances have been put forward by the applicant to justify the damage.
- There is no reference that searches have been undertaken to find alternative sites, nor any analysis why this site more than any other is appropriate for the use proposed.
- North West London has numerous golf courses within a few miles of Edgwarebury Farm, most of which are under subscribed and seeking new members. There is no demonstrable need for yet another golf course in this part of London.
- The site contains a working farm, whose viability would be jeopardised by the creation of a golf course. It provides employment for local people and food production. The associated riding facilities also provide access to the Green Belt.
- The proposal is ill considered, inappropriate for the location and does not meet the requirements of the NPPF.

Mill Hill Neighbourhood Forum -Object:

- There are no very special circumstances that should allow the application to get around the robust protection to the Green Belt.
- No demand exists for more golf clubs in this part of North London.
- This application will destroy wildlife habitats and the openness of the Green Belt.
- Volume of landfill proposed will ruin the landscape and present a flood risk.

- A site on the opposite side of the A41 was redesigned as pitch and put with much landfill and is now derelict and an eyesore.
- The Farm and farmland should be cherished and its output maximised for local sale.

#### Mill Hill Residents' Association - Opposed to this application

- The development is in the Green Belt, and a golf course with fairways, bunkers and landscaping will completely destroy the original farmland. Footpaths will be closed off and public informal recreation space for walking and horse riding will be lost.
- Proposal will increase traffic congestion.
- Proposal will result in a loss of an existing farm business and farm shop.
- This would be 22nd golf course in a five mile radius. There is no demand and this will threaten viability of existing golf clubs.

#### Campaign to Protect Rural England -Object:

- There are more than sufficient golf courses of the appropriate standard within the immediate area, all with ample vacancies.
- Application is at variance with London Plan Policy 2.18, namely the promotion etc of local food production.

In June 2015, an additional period of consultation was opened, as a result of the receipt of updated documents from the applicant. 27 letters of objection and 2 letters of support were received. It is noted that many were received from interested parties who had already provided comments. No new comments were raised that have not already been detailed above.

## **4.2 Other Consultation Responses**

### Environment Agency

The Environment Agency (EA) initially raised objections to the scheme. However, additional information was supplied by the applicant and in their letter dated 30 March 2015 the EA removed their objections, subject to conditions:

- The proposal will only meet the NPPF policy to ensure flood risk is not increased elsewhere if conditions are attached requiring a detailed surface water drainage scheme, foul drainage disposal scheme, and control of surface water drainage are attached.
- A landscape management plan should be secured by condition to ensure the protection of wildlife and supporting habitat, and to secure opportunities for the enhancement of the nature conservation value of the site.

### Transport for London

Subject to a formal agreement to facilitate the works to the access, and subject to a condition to secure a construction logistics plan, no objections are raised.

### LBB Traffic and Development

- Cycle parking: 4 cycle spaces will be provided in the form of 2 Sheffield Stands in accordance to the London Plan.
- Vehicular Access Arrangement: The vehicle access to the development is proposed via a single access point forming an all movement priority junction with A41 Edgware Way. The applicant has confirmed in the Transport Assessment that Transport for London (TfL) has been consulted for the proposed access point off the A41 Edgware Way it is part of the Transport for London Road Network. TfL had requested a Stage 1 Road Safety Audit which the applicant has carried out and the designer's response has been included in the TA.

- Pedestrian Access Arrangement: A Public footpath H28 crosses the site. The access to the public footpath must be maintained at all times. Any proposal to alter or amend the public footpath will require consultation and approval of the Council.
- Vehicular Access Arrangements and Stage 1 Safety Audit (RSA): The Transport Assessment submitted by EAS Transport Planning Ltd., on behalf of the applicant included a Stage 1 Road Safety Audit. Highway improvement works proposed public highway in the RSA would require submission of details to the Highway Authority for technical approval. The approved works will be undertaken under S278 of the Highways Act.
- In comparison to the existing traffic flow on A41, the predicted traffic flow for the proposed golf course, on the Watford By-pass / Edgware Way (A41) is likely to have a very low impact on the existing network. The A41 will continue to operate within its recognised capacity levels.

#### Greater London Authority - Initial Response

- The Mayor considers while the application is generally acceptable in strategic planning terms, the application does not yet comply with the London Plan. However, the requested information could lead to the application becoming compliant with the London Plan.
- The London Plan seeks to encourage and support thriving farming and land-based sectors in London, particularly in the Green Belt. GLA consider that the loss of poor quality agricultural land is not of strategic concern and that the applicant has suitable arrangements in place with the current tenants so that there would be very little detrimental effect to the businesses. The applicant states the proposal would generate between 26 and 28 full time jobs, with a further 10 part-time and seasonal jobs. The arrangements with current tenants indicate there would be very limited, if any, loss of jobs from the current tenant activities. The proposals meet the requirements of Policy 7.22.
- London Plan Policy 3.19 supports development proposals that increase or enhance the provision of sports and recreation facilities; however it also states they will need to be considered carefully in light of policies on the Green Belt. Since the grazing land will be re-provided elsewhere, there will be no loss of sport and recreation facilities, and almost the entirety of the site would become available for sport and recreation use as a golf course and bridleway. The proposal meets the requirements of Policy 3.19.
- London Plan Policy 7.16 states that the strongest protection should be given to London's Green Belt. According to the definition of exceptions to inappropriate development in the NPPF, the proposal would be of an appropriate type of facility. In terms of its size, the applicant has provided evidence that the uses of the clubhouse are essential and the minimum necessary for modern golf developments. They have demonstrated the facilities are similar to other golf courses in and around London. Neither the overall size of the building, nor the size of the catering space, is considered to be excessive. The submitted Landscape and Visual Impact Assessment, and photomontages, demonstrate the clubhouse will have a very limited impact on the openness of the Green Belt. The parkland-like character of the site would largely be retained, with existing trees retained. The character of the landscape will change with the creation of the golf course but GLA consider this will not have a detrimental impact on the openness of the Green Belt. More information is required relating to the proposed access road.
- A new all-weather permissive bridleway would be provided as part of the application, within the perimeter of the site. The existing public footpath would be retained and improved. The proposal would be an enhancement in public access to the Green Belt and would add to the existing public rights of way network.
- London Plan Policy 7.19 seeks to protect and enhance biodiversity. The existing landscape has been altered over many years, through farming, as well as construction work relating to the M1 and the Northern underground line. The applicant states that fertiliser and pesticide applications for golf course playing areas are at levels similar to areas of grazing pasture, although the greens and tee areas are at higher levels than this.



The applicant states none of the golf course playing surfaces would be treated with fertilisers at the intensity of arable land. The construction would be phased to take into account the management of protected species. Ecological enhancement measures have been detailed, including an increase in the range of habitats on the site with five new water bodies with wetland margins, new scrub planting and areas of long grassland and wildflower meadow. Mitigation to limit disturbance is also proposed. A large lake and breeding island have been included as a mitigation measure for lapwing as part of phase 1 works, with the existing lapwing habitat retained until phase 4. The proposals are likely to impact on biodiversity during construction, however the applicant will need to meet their legal obligations in respect of protected species. The other mitigation measures proposed are acceptable.

- Further information is required in respect of CO2 emission reductions.

#### Greater London Authority - Further Response

- The applicant has provided evidence of a reduction of 48% in CO2 which exceeds the target at Policy 5.2 of the London Plan.

- The applicant has provided sections to demonstrate how the access road would sit in the landscape.

#### Hertsmere Borough Council

No objections subject to no construction traffic permitted through Hertsmere Borough.

#### Sport England

Sport England does not wish to comment on this particular application.

#### Natural England

The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated sites, landscapes or species. It is for the LPA to determine whether this application is consistent with national or local policies on biodiversity and other bodies. Natural England's Standing Advice should be consulted.

#### Historic England

A programme of archaeological investigation should be secured by condition.

## **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 sets out that there are three dimensions to sustainable development: economic, social and environmental. These give rise to the need for the planning system to perform an economic role (contributing to building a strong, responsive and competitive economy), a social role (supporting strong, vibrant and healthy communities) and an environmental role (contributing to protecting and enhancing the natural, built and historic environment).

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.

Policy 2.18 - Enhancements to London's green infrastructure should be sought from development.

Policy 3.19 - 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. Wherever possible, multi-use public facilities for sport and recreational activity should be encouraged. Where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt.

Policy 5.2 - Development proposals should make the fullest contribution to minimising carbon dioxide emissions, by being lean (use less energy), clean (supply energy efficiently), and green (use renewable energy).

Policy 7.16 - The strongest protection should be given to London's Green Belt, in accordance with national guidelines. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance.

Policy 7.19 - Development proposals should make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy 7.22 - The Mayor will seek to encourage and support thriving farming and land-based sectors in London, particularly in the Green Belt.

#### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS9, CS11, CS13.
- Relevant Development Management Policies: DM01, DM04, DM06, DM15, DM16, 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 issues for consideration in this case are:

- The principle of changing the use of the land;
- The principle of the proposed development in the Green Belt;
- The impact of the proposed development on the openness and visual amenities of the Green Belt;
- Impact on agricultural land supply;
- Impact on the amenities of neighbours;
- Impact on highway safety and parking;
- Impact on trees and landscaping;
- Impact on ecology and biodiversity;
- Impact of lighting;
- Impact on flooding and drainage;

## **5.3 Assessment of proposals**

### Principle of the development in the Green Belt

The NPPF states at Paragraph 89 that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Paragraph 81 states that LPAs should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity.

This application proposes the change of use of the land to a golf course, with associated alterations to topography and landscaping within the site, as well as the construction of a clubhouse, car park, access road and maintenance building.

The proposed use as a golf course is not considered to adversely affect the openness of the Green Belt in itself. The golf course use would not conflict with the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. Being a facility for outdoor sport and recreation, the proposed use is considered in principle as appropriate in the Green Belt.

In relation to new buildings, the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions to this are the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The proposed clubhouse would contain a reception area, kitchen, bar/restaurant, lounge, pro-shop, ladies and gents changing and toilet facilities, offices and other ancillary storage and plant areas. The applicant argues that these are all essential and the minimum necessary for economically viable and sustainable modern golf development. The applicant notes that the uses and scale of the clubhouse are similar to those at The Shire. Having regard to the fact that smaller facilities are unlikely to be viable, and that the proposed building would be an appropriate facility for outdoor sport, it is considered that the proposed clubhouse would comprise appropriate development in the Green Belt.

### Impact of the development on the openness and visual amenities of the Green Belt and the character of the area

The proposed clubhouse would be single storey only, and set in the lowest part of the application site. It would be clad in timber, with stone on the lower halves of the walls to the side, whilst the rear would be glazed and the front rendered. It would have a green roof and be a low profile building. It would barely be visible from public vantage points, and is considered to have only a very limited impact on the openness of the Green Belt or the visual amenities of the Green Belt. Landscaping would assist in softening the visual impact of the proposed car park, which would also be discreetly located within the site.

The proposed maintenance building would have a functional agricultural design and appearance, and be well screened by existing soft landscaping, proposed woodland planting and mounding. It would have a limited ridge height and is also considered to be an appropriate facility which would not harm openness or the visual amenities of the Green Belt.

The application site would retain its open parkland-appearance, with the existing mature trees being retained and additional soft landscaping proposed. The character and appearance will change, with some areas being managed more intensively than others and with topography changing. However, the overall site will continue to appear open and it is not considered that the proposed use would be detrimental to the visual amenities of the area. The area is not subject to any specific landscape designations.

It has been noted previously that a public footpath crosses the site, although it is impassable because of inadequate points to cross hedgerows and fences. The proposal would reinstate the public footpath, opening up and improving access to the Green Belt. In addition, an all-weather permissive bridleway is proposed within the site's boundary, around its perimeter. This would be open to use by walkers and horse riders, and would benefit the adjacent equestrian business. This route would enhance public accessibility to the site and to the Green Belt. The NPPF states at Paragraph 75 that planning policies should protect and enhance public rights of way and access. The proposal would meet this requirement.

The Greater London Authority have raised no objections to the proposal in respect of its impact on the Green Belt, concluding that the proposed buildings are appropriate development, that the changes to the landscape will not have a detrimental impact on the openness of the Green Belt, and that the proposal would enhance public access to the Green Belt.

Of relevance to this matter is an appeal decision from August 2010, relating to Edgwarebury Cemetery on Edgwarebury Lane (on the opposite side of Edgwarebury Lane to the current application site). That application proposed an extension to the size of the existing cemetery by changing the use of an agricultural field. The appeal was allowed. In discussing the character and appearance of that site, the Planning Inspector noted that 'the appeal site lies within the urban fringe, a transitional zone where the Hertfordshire Countryside merges with the edge of the London metropolis. The immediately surrounding area is not notably picturesque and traditional management and existing landscape features in the agricultural landscape are in decline'. The Inspector continues 'elements such as the M1 motorway and London Gateway service area, the busy Thameslink railway line, and prominent electricity pylons in close proximity, all have an effect on its perceived character. On that basis I agree...that in essence this is not a landscape that is intrinsically sensitive to further change'. It is acknowledged that the site subject of the current application is further from the London Gateway Services and railway line than the cemetery site. However the site is between the M1 and the A41, and contains prominent electricity pylons, and these urban features all affect the existing character and sensitivity

of the site. Given this prevailing character, it is not considered that the proposal would result in a change which is detrimental to the character or appearance of the site or visual amenities of the Green Belt.

A visual impact assessment has been undertaken, and accompanies the application. This concludes that the visual impact of the development would be limited in extent and degree. The only 'moderate' impact would be from the public right of way at the bridge over the M1 at Edgwarebury Lane. The impact from the other viewpoints selected, which include from Edgwarebury Park, Bury Farm, various points alongside the A41 and Edgwarebury House Farm to the north would be only slight or negligible. The proposed landscaping would act to further reduce the visual impact of the development over time.

It is noted that the site is also within the Watling Chase Community Forest. The aim of the Forest is to see the area under positive and appropriate management, including a substantial increase in trees and woodland. The current application includes the management of existing trees and the planting of new areas of woodland along the northern boundary.

Therefore, it is considered that this scheme comprises a use which is appropriate in the Green Belt. The proposed buildings would be appropriate facilities for outdoor sport and recreation and would therefore be appropriate development in the Green Belt. The alterations to landscaping and the buildings would not detract from the openness of the Green Belt or be detrimental to the visual amenities of the Green Belt. The proposed use and buildings would not conflict with the purposes of including land within the Green Belt, and would provide enhanced access to the Green Belt whilst retaining the current landscape, the visual amenity of the site and the site's biodiversity. Therefore no objections are raised in respect of the impact of the proposal on the Green Belt or the character and appearance of the area.

#### Loss of agricultural land

As noted by the GLA, the site currently includes mixed arable and grazing land. London Plan Policy 7.22 seeks to 'encourage and support thriving farming and land-based sectors in London, particularly in the Green Belt'. The applicant's Agricultural Land Classification Report states that the land suffers from a 'significant soil wetness limitation' due to the presence of clay, which limits the number of days it can be used for arable cultivation or grazing.

The applicant has advised that the landowner has draft agreements in place with both equestrian and agricultural tenants in the event of planning permission being granted and development commencing. This provides the equestrian business with more convenient alternative land nearby under a new lease until 2025 with a two year time lapse between the business taking possession of the new land and giving up all of the current land for construction. The applicant will also allow for the permissive bridleway to be constructed with an all-weather material specifically designed for riding. The arable tenant farms significant landholdings elsewhere in Hertfordshire on land separated from this landholding. The applicant also states that the site is relatively inaccessible by modern large scale farming machinery. The GLA consider that the loss of poor quality agricultural land is not of strategic concern and that the applicant has suitable arrangements in place with the current tenants so that there would be very little detrimental effect to the businesses. The arrangements noted above indicate there would be limited, if any, loss of jobs from the current tenant activities. As a result, it is considered that the proposal meets the requirements of London Plan Policy 7.22.

### Impact on neighbours

The proposed clubhouse would not be located in close proximity to any residential properties. The site is a considerable distance from the nearest neighbouring residential properties. The proposed access road from the A41 would not pass any residential dwellings. As a result, this scheme is not considered to be detrimental to the amenities of the occupants of any neighbouring property.

### Highway Safety and Parking

The proposal includes car parking for a total of 103 vehicles, including 7 disabled spaces. Parking is also provided for bicycles. The proposed vehicular and cycle parking is in accordance with the London Plan.

In respect of the new vehicular access from the A41, and the new access road, both Transport for London and the Greater London Authority have raised no objections to either of these, having regard to the submitted road safety audit and subject to further detailed design elements being approved prior to works commencing.

In terms of construction management, a draft construction logistics plan has been submitted. Whilst this discusses the principles of the construction activities, further detail is required by condition to be submitted and approved before any works commence.

Given the size of the proposed building and the number of employees, the scheme falls within the threshold for a travel plan to be provided. This will be secured by a legal agreement.

### Trees and landscaping

This application proposes the retention of all but three trees within the application site. Of the three trees, one is dead and the other two are poor quality specimens. The remainder of the on-site trees would be retained, and details of the method of protection of the trees will be secured by condition to ensure the proposed alterations to topography do not have adverse impacts on the health of the retained trees. The proposed landscaping, including woodland planting, would be secured by condition.

### Ecology and Biodiversity

As noted by the GLA (and summarised above), the existing landscape of the site has been altered over many years through farming, as well as construction work relating to the M1 motorway and the Northern underground line. The application contains details of the mitigation measures to limit disturbance to protected species on the site, during the 4-6 year build period.

The site is in close proximity to three Sites of Importance for Nature Conservation (SINC). The Outline Ecological Management Plan (OEMP) recommends 10m wide buffers between the site and the SINC, within which the use of fertiliser and pesticide is precluded. Subject to a condition requiring the provision of this buffer, and of suitable monitoring and review, it is considered that adequate protection would be afforded to the SINC.

The site contains a number of established hedgerows, and these generally provide an important resting/breeding place. The submission confirms that one defunct hedgerow would be removed. The retained hedgerows would all be protected during construction and this protection would be secured by condition. The planting of any new hedgerows, including species, would be secured by a landscaping condition. Protection of the hedgerows would minimise any adverse impact on dormouse.

Existing areas of semi-natural deciduous woodland are to be retained throughout, with additional planting proposed. This and the future management would be secured by condition.

Whilst there will be a change in how the site is managed, provided the use of pesticides and herbicides is managed, the impact on invertebrates is unlikely to be significant. Suitable mitigation, including surface water runoff 'cut off', ditches and buffer strips of at least 2 metres, would be secured by condition.

Habitat Suitability Index assessments were completed on the waterbodies within the site. Great Crested Newt were confirmed as likely to be absent due to the quality of the waterbodies. The application includes the formation of additional waterbodies and these could represent an enhancement to the available habitats. Similarly, surveys demonstrated a low population of grass snake and slow worm. However, subject to a suitable construction method statement and ecological clerk of works being secured by condition, the species would be adequately protected.

In respect of the impact on birds in general, it is considered that in the long term the development would provide an enhanced habitat mosaic, due to the increased woodland, scrub and semi-improved neutral grassland and additional water bodies. Hedgerow maintenance would add to this. Conditions will ensure habitats are managed to ensure no net loss of territories, and house sparrow terraces, swift nest boxes, house martin nests and swallow nests will be provided on site.

In specific relation to Hobby and Lapwing, it is acknowledged that in the absence of mitigation, the proposal may have a substantial impact. The primary mitigation measure proposed is the formation of a shallow sloping gravel island within one of the proposed waterbodies. Short planted rush pasture would be planted, which is designed to provide suitable breeding habitat for lapwing. Full design details would be secured by condition to be included within a full Ecological Management Plan. Further details will also be required regarding monitoring, and how disturbance to breeding lapwing would be prevented during the breeding season.

In respect of the impact on Hobby, whilst construction may impact, the construction process is only temporary in nature. A construction method statement will be secured by condition to be prepared to ensure surveys are undertaken to identify any nest sites, territorial displays or occupation of home ranges of Hobby. Suitable mitigation will then be implemented to ensure there is no adverse impact.

The site contains an active badger sett and it is likely that badgers would use the entire site. The application includes details of the location for a replacement sett to be provided, with the existing to be shut under a Natural England licence.

In respect of bats, the trees to be removed were identified as having negligible and low potential. No bats were recorded as emerging from the trees. Therefore, no concerns are raised in respect of the loss of the trees. In respect of the proposed lighting, the applicant has confirmed that all lighting associated with the development will be exclusively associated with the clubhouse and car park. The access road will not be lit. The submitted lighting design proposal indicates that low level bollard lighting will be used with downward light distribution. There is a likely bat commuting route toward the rear of the clubhouse, and the proposals show a scrub edge continuing from the existing retained tree line. The retention of a dark corridor to the rear of the clubhouse is essential and will be secured by

condition. The majority of other bat commuting features on site are to be retained and therefore no objections are raised in respect of the impact on bats.

The LPA and GLA are satisfied, subject to conditions, that the proposed development, along with the specified mitigation and phasing, would not be detrimental to protected species within the site.

### Lighting

The applicant has confirmed that any lighting associated with the development would be exclusively to the clubhouse and car park. The lighting has been designed to have a minimal impact on bats, including the use of LED lighting with low lux levels and a high level of the light spectrum. Subject to conditions to ensure appropriate lighting is installed and maintained, no objections are raised in respect of the impact of lighting on the site's biodiversity.

### Flooding and Drainage

The Environment Agency have confirmed that subject to the imposition of a condition requiring details of a surface water drainage scheme to be submitted to the LPA for approval before works start, the proposal will meet the NPPF policy to ensure flood risk is not increased elsewhere. The applicant has demonstrated that surface water can be dealt with on-site using rainwater harvesting tanks, then ponds, however more specific details are required be conditioned.

The Environment Agency have also requested that additional information be provided in respect of where effluent discharges from the proposed septic tank would be discharged.

### Sustainability

The application has been accompanied by an Energy Statement. This sets out how the scheme would incorporate a ground source heat pump, and solar thermal panels and solar photovoltaic panels on the clubhouse roof. The use of these renewable technologies will enable the development to 'Be Green'. Energy efficiency methods will be incorporated into the fabric of the proposed clubhouse, enabling it to 'Be Lean' and improve its energy efficiency. These measures together will ensure the proposal meets London Plan targets to minimise carbon emissions.

### Planning Obligations

A S106 planning obligation is required for this site, to secure the following:

- Landowner to provide equestrian business with alternative land, at an agreed location;
- The submission, approval and implementation of a landscape and ecological management plan;
- A Travel Plan to be submitted, with a contribution also provided for travel plan monitoring;

In addition, the floor area created by way of the proposed clubhouse would be liable for Mayoral CIL.

## **5.4 Response to Public Consultation**

Many of the objections received relate to the lack of need or demand for another golf course facility in the area. It should be noted that although matters of 'need' and 'demand' can be a material planning consideration, in this case officers consider that the development is 'appropriate' development in the Green Belt. As such it is not necessary to consider 'very special circumstances' where an assessment of 'need' or 'demand' may be necessary. Taking into account all material planning considerations, officers consider that the proposal is in accordance with national, strategic and local planning policies.



All other comments raised are addressed in the appraisal above.

## **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. It is not considered that any particular group with specific protected characteristics (as defined by The Equalities Act 2010) would be prejudiced by this application, and improvements to the public footpath and provision of a new bridleway will improve access to the site.

## **7. Conclusion**

The development subject of this planning application is considered to represent appropriate development in the Green Belt which would not conflict with the purpose of including land within the Green Belt, and would not harm the openness or visual amenities of the Green Belt. The proposal is not considered to be detrimental to the character and appearance of the area, or the amenities of any neighbouring properties. The proposal would not be harmful to highway safety, and subject to detailed construction and mitigation measures would not be harmful to protected species. As such, subject to conditions, a legal agreement, and a referral to the Greater London Authority the application is recommended for approval.

