

LOCATION: Belmont Farm, The Ridgeway, London, NW7 1QT

REFERENCE: H/01150/12

Received: 21 March 2012

Accepted: 23 April 2012

WARD: Mill Hill

Expiry: 18 June 2012

Final Revisions:

APPLICANT: Mr Reid

PROPOSAL: Change of use of existing indoor riding school to provide for the relocation of the existing unauthorised children's Farm. Addition of animal enclosures. Alterations to existing access and provision of 50 no. car parking spaces.

RECOMMENDATION I:

The application be referred to the Mayor of London under Article 5 of the Town & Country Planning (Mayor of London) Order 2008.

RECOMMENDATION II:

Subject to obtaining the Mayor's decision not to direct refusal, 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 Travel Plan** **£5,000.00**
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.

RECOMMENDATION III:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: H/01150/12 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Sk LE-01, Sk LE-02, Sk LE-03, Sk LE-04, Sk LE-05, Sk LE-12a, Sk LE-13a, Sk LE-14, Sk LE-15, 1018 06 Revision D, Site Plan, Environmental Noise Survey, Transport Statement, Design and Access Statement, Letter from David Lane received 12/10/2012.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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. Before development hereby permitted is occupied, turning space and parking spaces cycle parking and electric vehicle charging point shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

4. The use hereby permitted shall not be open to customers before 8am or after 6pm on weekdays or before 9am or after 6pm on Saturdays, Sundays and Bank Holidays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

5. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas and fencing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

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

Reason:

To ensure a satisfactory appearance to the development.

7. 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.

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

Reason:

To ensure a satisfactory appearance to the development.

9. The car park shall only be used by users and employees of the Children's Farm.

Reason: To protect residential amenity, the character, appearance and openness of the general locality, and ensure highway conditions are not prejudicial to the free flow of traffic.

10. No children's play facilities (permanent or temporary) shall be provided outside the building.

Reason: To protect the character, appearance and openness of the general locality,

11. Prior to the commencement of the development details of outdoor seating/picnic areas shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with these details thereafter.

Reason: To protect the character, appearance and openness of the general locality.

12. No conferences (including the hosting of business networking events, workshops or seminars) shall take place at any time.

Reason: To ensure activities unrelated to the children's farm and inappropriate in the green belt do not occur.

13. The development shall be implemented in accordance with the layout shown on plans Sk LE-12a, Sk LE-13 and the letter from Sue Broadhead received 12/10/2012, and shall permanently be maintained thereafter.

Reason: To safeguard the openness of the green belt and character of the locality.

14. The level of noise emitted from the mechanical plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

15. Before development commences, the recommendations of the Clement Acoustics report reference: 7148.ENS.01 dated 16th March 2012 shall be implemented and noise calculation information in relation to the proposed plant shall be submitted to the Local Planning Authority for approval, this should assess the likely noise impacts from the development of the mechanical plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

16. Before the development hereby permitted commences, a Travel Plan, Construction Logistics Plan, and Delivery and Servicing Plan shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason:

To ensure that the development has an acceptable impact on highway and pedestrian safety.

17. The use of the site shall be as a children's farm with associated ancillary facilities only and for no other purpose.

Reason:

To ensure that the development does not harm the openness of the green belt and the amenities of neighbouring occupiers.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, HC1, O1, O2, O6, M11, M12, M14

Core Strategy (Adopted) 2012: CS NPPF, CS1, CS5, CS8, CS9, CS10, CS15.

Development Management Policies (Adopted) 2012: DM01, DM02, DM03, DM04, DM06, DM13, DM14, DM15, DM16, DM17.

National Planning Policy Framework

ii) The proposal is acceptable for the following reason(s): - Overall, it is considered that any harm caused by inappropriateness of the development within the green belt is justified by the very special circumstances in support of the application. The proposals would be acceptable in the terms of development management policy DM15 which states that '*Except in very special circumstances, the Council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness and would harm their visual amenity.*' The proposals would promote farm diversification, provide economic benefits to the local economy, and would provide community and educational benefits. The conditions attached would minimise any harm to the residential amenities of neighbouring occupiers, and the proposals would preserve the character and appearance of Mill Hill Conservation Area.

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

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

The council's supplementary planning document on Sustainable Design and Construction requires that buildings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and

7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and & measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road traffic noise (1988); 5) Department of transport: Calculation of railway noise (1995); 6) Department of transport : Railway Noise and insulation of dwellings.

3. The council recognise that the existing use as a Children's Farm is unauthorised and would need to be removed in order to implement this permission.

The applicant is advised that the existing use must cease within 6 months of the date of this permission, otherwise the Council will prosecute against non-compliance with the existing enforcement notice.

RECOMMENDATION IV

That if an agreement has not been completed by 23/01/2012, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application H/01150/12 under delegated powers for the following reasons:

1. The development does not include a formal undertaking to meet the monitoring costs associated with the travel plan, and as a result it is considered that the proposals would have a harmful impact on highway and pedestrian safety, contrary to Policy DM17 of the Adopted Development Management Policies 2012.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

Sections 1,3,4,9 and 12 are considered particularly relevant to this application

The Mayor's London Plan July 2011: 2.18, 5.3, 6.1, 7.4, 7.6, 7.16, 7.22

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.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction "saving" 183 of the 234 policies within the UDP.

Relevant policies to this case: GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, HC1, O1, O2, O6, M11, M12, M14 .

Supplementary Planning Document: Sustainable Design and Construction

Mill Hill Conservation Area Character Appraisal Statement

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan (Core Strategy and Development Management Policies documents) is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS8, CS9, CS10, CS15.

Development Management Policies (Adopted) 2012:

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

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02, DM03, DM04, DM06, DM13, DM14, DM15, DM16, DM17.

Relevant Planning History:

W00180BM/04 - Conversion of disused stable blocks to mixed use Class A1 (retail), Class A2 (financial and professional services), Class A3 (food and drink) and Class B1 (office). - Refused - Dismissed at Appeal - 16/06/2004

W00180BN/04 - Change of use of indoor riding arena to office (B1) & storage (B8). - Refused - Dismissed at Appeal - 19/05/2004

W00180BP/04 - Change of use indoor riding arena (D2) to 2 residential units (Class C2). - Refused - Dismissed at Appeal - 16/06/2004

W00180BR/07 - Siting of mobile home for residential use. - Lawful - 03/10/2007

An enforcement notice has been served against 'Without planning permission, change of use to incorporate a mixed children's farm and café use (including the hosting of business networking events). The erection of fences, animal and bird enclosures and apparatus.' under reference ENF/01575/09/H and appeal dismissed

and enforcement notice upheld. A copy of the appeal decision is attached as an appendix.

Consultations and Views Expressed:

Neighbours Consulted: 160
Neighbours Wishing To 2
Speak

Replies: 91

7 Objections to the planning application were received including objections from Mill Hill Preservation Society and Mill Hill Conservation Area Advisory Committee.

Mill Hill CAAC object on the following grounds:

Whilst we acknowledge that it is a popular visitor attraction, it has grown over the years in intensity of customer usage, development of hard standing and buildings (eg the waffle restaurant), and increased advertising, all of which has never received planning permission. It now threatens the integrity of the Green Belt in Mill Hill and jeopardises the Conservation Area. This current application to relocate the petting farm does nothing to address our concerns. These are specifically:

1. Green Belt and land-use principle (points 21 to 28 of the GLA letter)

One of the main purposes of the Green Belt is "to assist in safeguarding the countryside from encroachment". This application goes contrary to that purpose by seeking to move the petting farm further down into the Totteridge Valley and erect animal pens around the existing indoor riding school. This will intensify pedestrian and vehicle activity and buildings in the Valley to the detriment of its rural quality. (On this point please note that the planning application incorrectly states (point 24 Site Visit) that the site cannot be seen from a public footpath. It can be seen from many positions on the footpath which crosses the Valley from St. Paull's School to Totteridge Common).

2. Transport for London's comments (points 36 to 46 of the GLA letter)

Given the acknowledged low PTAL of the site most visitors come by car. This has already entailed the building of a large car park with a separate in and out access. This is damaging to the openness of the Green Belt and to the amenity of the immediate neighbour of the site. "Breakfast" meetings have added to unsociable traffic movements on the site. This situation will be made worse if this planning application is permitted. Car parking provision will increase from 92 to 142 spaces. It is not acceptable to concede that if the farm is relocated, the 92 space car park will return to open land as garden to a residential development where the existing farm now is. Firstly, there are absolutely no special circumstances to justify such a residential development in the Green Belt. Secondly, if the 92 space car park were removed the proposed new 50 space car park would be totally inadequate.

The 6 other objections raised may be summarised as follows:

- Locating children's farm, car parking and associated facilities further into valley would be harmful to surrounding area and green belt
- Noise, disturbance and visual pollution of motor vehicles would harm neighbouring amenities
- Would impact views along the Totteridge Valley, being out of character with rural outlook.
- Development would be inappropriate development and there are no very special circumstances that warrant its approval
- Increase in intensity of use and car parking would harm openness of green belt
- The proposals would harm the rural character and appearance of this part of Mill Hill Conservation Area
- Sole access for children's farm would be dangerous even if it is to be widened.
- Closure of unauthorised access further into site does not justify development
- How would proposed access relate to bungalow sought permission for in application H/00554/12? If used in conjunction this would be dangerous.
- Noise and disturbance, loss of privacy from customers
- Children's farm does not need to have opening hours 7am-10pm weekdays and 9am-10pm weekends. This indicates that other businesses activities other than those specified will take place.
- The current farm operates from 9am-6pm (5pm in winter)
- Cafe itself would generate activity and is a destination in its own right. This should be for paying customers only.
- The fences and advertisement hoardings should be removed.
- The application exaggerates the agricultural credentials and supposed compatibility with the Green Belt, yet is also trying to gain approval for a new bungalow. The applicant says that the large ugly car park will only be removed if the housing development is granted.
- Why is the children's farm still running when the use should have ceased?

82 Letters of support were received within the consultation period. These can be summarised as follows:

- It prevents the closure of a highly valued public amenity
- It provides public access into the beautiful Belmont countryside that the public would not otherwise be able to enjoy.
- It provides a much needed refreshment facility where the public can also interface with the farm animals and the countryside.
- It provides a much needed amenity / attraction for all members of the community to enjoy Belmont's farm animals.
- The farm provides a major educational facility particularly for the young albeit it is enjoyed by all ages.
- The rural experience that a facility such as this provides is unique in the London Borough of Barnet.
- The farm is sustainable in terms of transport.
- The application safeguards 19 jobs and apprenticeships.
- Potential for young to gain vital work experience .
- Provides a valuable community centre.

A further 23 letters of support have been received after the consultation period expired, and another 26 without any address.

Internal /Other Consultations:

Mill Hill Preservation Society - Object on the following grounds:

1. The proposed children's farm constitutes inappropriate development in the Green Belt as it would not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt.

2 .The proposed children's farm would lead to an intensification of use in the Green Belt, and would introduce other, non-ancillary and inappropriate uses within the Green Belt.

3. The applicant has not demonstrated that there are any very special circumstances that would outweigh the harm of the proposed development.

- Mill Hill Residents Association - No response formally received.
- Environmental Health - No objection.
- Traffic & Development - No objection, comments contained within report
- Urban Design & Heritage - No objection
- Greater London Authority - At Stage 1, Have advised that on balance the scheme does not comply with the London Plan. However since this time additional information has been received and in the opinion of Council officers this addresses the concerns raised. The Scheme needs to be referred to the Mayor at Stage 2 should the committee resolve to approve the application.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The proposal site is a parcel of land at Belmont Farm located on the east side of The Ridgeway (within Mill Hill Conservation Area, and Area of Special Character). Part of the site has been used as a riding centre in the past and comprises a building formerly used as an indoor riding school. The unauthorised farm currently occupies what was previously used as a stable block.

The area adjoining The Ridgeway is predominately residential in character however there are a number of schools and similar institutional establishments in the wider area. The land is undulating and there are numerous mature trees along the main roads. The area is designated Green Belt.

The wider holding at Belmont Farm covers an area of some 81 hectares. In appeal decisions in early 2003 the Belmont Estate was found to be a single planning unit in a mixed use consisting of equestrian, agricultural and residential uses. Around that time the primary activity on the planning unit was breeding and training racehorses. Other equestrian activities included the playing of field and arena polo, riding holidays and teaching. The indoor riding centre was used for the stabling of horses and the separate stables complex was disused.

At the present time the mix of equestrian, agriculture and residential use continues, primarily on the land to the north and north east of the appeal site. However, the type and scale of some of the equestrian activities and the agricultural use have changed. There are now some 40 horses on site, compared to 120 to 140 horses and ponies in the past. A carriage driving school has become popular. The indoor equestrian centre ceased in 2000 and the number of riding lessons is now small. A pony club and a polo club continue and the training and breeding of racehorses remain important. Holidays have been provided via the Children's Holiday Fund. The number of sheep on the holding has been considerably reduced and the emphasis now is on rare breeds. Large farm vehicles, which are used on the appellants farm at Sandridge, are kept at Belmont. The farm yard also has a modern barn that is used as workshops and to house tractors, farm equipment and so on. The residential use comprises a mobile home and associated small garden near the farm yard.

Proposal:

The proposals are for change of use of existing indoor riding school to provide for the relocation of the existing unauthorised children's Farm with addition of animal enclosures and alterations to existing access and provision of 50 no. car parking spaces.

Planning Considerations:

Background

The site has long been home to a sui generis composite of a number of uses broadly relating to agriculture and equestrianism and including residential (twin unit caravan granted certificate of lawfulness, June 2008). This mixture of primary uses on the site is as recognised by the decision of the High Court in 2003. One consequence of a sui generis designation is that none of the component parts benefit from their individual 'Use Class' classification and as such, any material change to its composition requires planning permission.

An enforcement notice was issued against the childrens farm, and waffle house previously in 2010. At the time of the appeal the Council considered that the principle of the children's farm use would not in this case conflict with policy. However, the intensification that arose as a result of the range of facilities provided, the unrestricted nature of the use, and the amount of operational development, harms openness in green belt terms and adversely affects the character and appearance of this part of the conservation area. Whilst unrestricted, it is also considered that the development harms the amenities enjoyed by the occupiers of neighbouring residential properties.

The inspector at the appeal went on to dismiss the appeal, summarising that:

'The benefits of farm diversification are primarily through the jobs provided and the valuable educational and community role of the children's farm. The accessibility of the site is an asset. These are forceful arguments in favour of the development that have the support of national policies emphasising job creation and provision of community facilities. The public benefit would justify the development under policy HE9.4. (PPS4) However, the question is whether the economic and social 'public benefit' considerations clearly outweigh the totality of the harm arising from the inappropriateness of the development in the green belt and the other harm identified. The London Plan has reaffirmed that the strongest protection should be given to London's green belt. The harm, to the openness and visual amenity of the green belt, the Conservation Area and neighbour amenity, add very significantly to the substantial weight against the inappropriate development. Objections are unable to be overcome by the use of planning conditions, where lack of agreement over the size of the car park and the uncertainty over a layout and landscape scheme, are critical factors. Whilst Policy EC6.2f of PPS 4 supports farm diversification for business purposes, it does so where diversification is consistent in its scale and environmental impact with its rural location. The development does not satisfy this objective. After a lot of thought I conclude that the other considerations do not clearly outweigh the harm identified. Very special circumstances necessary to justify the development do not exist. The balance is against the development.'

The main issues are considered to be:

- Whether the use of the site for the purposes intended is a form of inappropriate development in the Green Belt and if so are there any very special circumstances
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which outweigh this harm? (Including whether the associated facilities are reasonably required as part of the farm or form a separate use)

- Whether the proposals would preserve or enhance the character and appearance of Mill Hill conservation Area
- Whether the proposals would harm neighbouring amenity
- Whether the proposals would harm highway safety
- Whether the proposals are acceptable in sustainability terms
- Any Section 106 Issues

Policy Context:

Policy CS 5 - Protecting and enhancing Barnet's character to create high quality places

We will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Developments should :

address the principles, aims and objectives set out in the following national design guidance :

By Design, Secured by Design, Safer Places, Inclusive Design, Lifetime Homes and Building for Life:

- be safe, attractive and fully accessible
- provide vibrant, attractive and accessible public spaces
- respect and enhance the distinctive natural landscapes of Barnet
- protect and enhance the gardens of residential properties
- protect important local views from places within Barnet (as set out in Map 8)
- enhance the borough's high quality suburbs and historic areas through the provision of buildings of the highest quality that are sustainable and adaptable

All development should maximise the opportunity for community diversity, inclusion and cohesion and should contribute to people's sense of place, safety and security.

Policy CS 8 – Promoting a strong and prosperous Barnet

The council and its partners will ensure a strong and prosperous Barnet that provides opportunity for economic advancement.

Policy CS 9 – Providing safe, effective and efficient travel

'We will promote the delivery of appropriate transport infrastructure in order to support growth, relieve pressure on Barnet's transport network and reduce the impact of travel whilst maintaining freedom and ability to move at will.

We will ensure that new development funds infrastructure (through Community Infrastructure Levy (CIL), Section 106 and other funding mechanisms) that enables Barnet to keep the existing traffic moving and cope with new movements both by all modes of transport.

Ensuring more efficient use of the local road network

In order to enable traffic to flow more smoothly we will prioritise the reduction of congestion, including through encouraging trips to route according to the road hierarchy, the implementation of development related schemes that also address pinch-points, a review of traffic signals, parking management measures and more efficient freight movements.

Policy CS 10 – Enabling Inclusive and Integrated Community Facilities and Uses

'The council will work with our partners to ensure that community facilities including schools, libraries, leisure centres and pools, places of worship, arts and cultural facilities, community meeting places and facilities for younger and older people, are provided for Barnet's communities.

We will:

ensure that our programmes for capital investment in schools and services for young people address the needs of a growing, more diverse and increasingly younger population promote the role of schools as 'community hubs', providing a wide range of educational, advice, leisure and support services to children, families and the wider community support the enhancement and inclusive design of community facilities ensuring their efficient use, and the provision of multi-purpose community hubs that can provide a range of services to the community at a single accessible location expect development that increases the demand for community facilities and services to make appropriate contributions towards new and accessible facilities, particularly within the regeneration and development areas of the borough or improving existing provision, particularly within town centres work with the Mayor and cemetery providers to establish current supply of burial space, identify barriers to supply and any necessary changes to planning policy.

In addressing educational needs within Barnet and responding to the need for parental choice we will support proposals for parent promoted schools or 'Free Schools' that. '

Policy DM01 states that:

- a. All development should represent high quality design which demonstrates high levels of environmental awareness and contributes to climate change mitigation and adaptation.
- b. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.
- c. Development proposals should ensure attractive, safe and, where appropriate, vibrant streets which provide visual interest, particularly at street level and avoid blank walls.
- d. Development proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime.

Policy DM03 advises that development proposals should meet the highest standards of accessible and inclusive design by demonstrating that they meet the following principles:

- i. can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances
- ii. are convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment
- iii. are flexible and responsive taking account of what different people say they need and want, so people can use them in different ways
- iv. are realistic, offering more than one solution to help balance everyone's needs, recognising that one solution may not work for all.

Policy DM04 of the Development Management Policies seeks to separate noise sensitive developments from noise generating sources.

Policy DM06 states that:

- a. All heritage assets will be protected in line with their significance. All development will have regard to the local historic context. Proposals affecting heritage assets which respond to climate change will be expected to maintain the quality of the heritage asset.
- b. Development proposals must preserve or enhance the character and appearance of Conservation Areas.
- c. Proposals involving or affecting the heritage assets set out in table 5.1 should demonstrate they comply with the principles set out in PPS5: Planning for the Historic Environment policy HE6 to HE12.
- d. There will be a presumption in favour of retaining all locally listed buildings and any buildings which makes a positive contribution to the character or appearance of a conservation area.
- e. Archaeological remains will be protected in particular in the identified Local Areas of Special Archaeological Significance and elsewhere in the borough. Any development that may affect archaeological remains will need to demonstrate the likely impact upon the remains and the proposed mitigation to reduce that impact

Policy DM13 advises that new community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties

Policy DM15:

a: Green Belt / Metropolitan Open Land

1. Development proposals in Green Belt are required to comply with Planning Policy Guidance 2: Green Belt. In line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL).

2. Except in very special circumstances, the Council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness and would harm their visual amenity.

3. The construction of new buildings, and changes of use of existing land and buildings, within the Green Belt or Metropolitan Open Land, unless there are very special circumstances, will be inappropriate, except for the following purposes:

- i. Agriculture, horticulture and woodland;
- ii. Nature conservation and wildlife use; or
- iii. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of Green Belt or MOL.

4. Extensions to buildings in Green Belt or MOL will only be acceptable where they do not result in a disproportionate addition over and above the size of the original building or an over intensification of the use of the site.

5. The replacement or re-use of buildings will not be permitted where they would have a greater adverse impact on the openness of the area or the purposes of including land in it, compared with the dwellings they replace or the previous buildings use.

6. Development adjacent to Green Belt/MOL should not have a detrimental impact on visual amenity and respect the character of its surroundings.

b: Open Space

1. Open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:

- i. The development proposal is a small scale ancillary use which supports the use of the open space or
- ii. Equivalent or better quality open space provision can be made. Any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.

2. In areas which are identified as deficient in public open space, where the development site is appropriate or the opportunity arises the Council will expect on site provision in line with the standards set out in the supporting text [para 16.3.7].

Policy DM17 states that:

a: Road Safety

The Council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users.

b: Road Hierarchy

The Council will seek to ensure that roads within the borough are used appropriately according to their status in the defined road hierarchy. In taking into account the function of adjacent roads the council may refuse development proposals which would result in inappropriate road use, or adversely affect the operation of roads in an area

c: Development, Location and Accessibility

The Council will expect major development proposals with the potential for significant trip generation to be in locations which are, or will be made, highly accessible by a range of transport modes.

d: Transport Assessment

In considering planning applications for new development, the Council will require developers to submit a full Transport Assessment (as defined by Department for Transport criteria) where the proposed development is anticipated to have significant transport implications in order to ensure that these impacts are considered. This assessment should include an analysis of accessibility by all modes of transport.

e: Travel Planning

For significant trip generating developments, (defined by Department for Transport criteria), the Council will require the occupier to develop, implement and maintain a satisfactory Travel Plan (or plans) to minimise increases in road traffic and meet mode split targets. In order to ensure that they are delivering this the travel plan will need to contain measurable outputs so that they can be monitored.

f: Local Infrastructure Needs

i. Developments should be located and designed to make the use of public transport more attractive for all users by providing improved access to existing facilities, and if necessary the development of new routes and services, including improved and fully accessible interchange facilities.

ii. The Council will expect development to provide safe and suitable access arrangements for all road users to new developments. Where improvements or changes to the road network are necessary by virtue of an approved development, the Council will secure a Legal Agreement from the developer.

iii. The Council will require appropriate measures to control vehicle movements, servicing and delivery arrangements. Where appropriate the Council will require Construction Management and/or Delivery and Servicing Plans.

iv. Where appropriate, development will be required to improve cycle and pedestrian facilities in the local catchment area by providing facilities on site and/or funding improvements off site

g: Parking management

1. The Council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the standards will be:

i. 2 or more spaces per unit for detached and semi detached houses (4 or more bedrooms)

ii. 1 or more spaces per unit for terraced houses and flats (1 to 3 bedrooms)

2. Residential development may be acceptable which proposes limited or no parking where either of the following can be demonstrated:

i. surveys indicate that there is sufficient on-street parking capacity and

ii. In cases where the proposal is within a Controlled Parking Zone (CPZ) or town centre and surveys indicate there is not sufficient on street parking capacity, the roads outside a CPZ which are in close proximity to the proposal will need to have sufficient on-street parking capacity to accommodate parking from the development and the applicant is willing to enter into a legal agreement which restricts future occupiers from obtaining on street parking permits.

London Plan policy 7.16 states that The strongest protection should be given to London's Green Belt, in accordance with national guidance. 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 7.22 of The London Plan encourages a thriving farming and land based sector particularly in the green belt but the development plan has no specific policy on farm diversification.

Paragraph 88 of the National Planning Policy Framework when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 states that A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Paragraph 90 states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

UDP policies O1 and O6 reflect the principles of the NPPF in terms of the protection of green belt land. Other relevant UDP policies support proposals which respect local character, sustainable development and high quality design (GSD, GBEnv1, GBEnv2, D1, D2), preserve, safeguard or enhance the character and appearance of areas of special character and conservation areas (GBEnv4, HC1, HC5) and provide tourist attractions and facilities where there is no demonstrably harmful impact on the

surrounding area (GL2 and L7). Policy Env12 protects noise sensitive locations like residential properties from harmful noise generating activities.

Policy HC1 of the Council's adopted UDP requires development located in a conservation area to preserve or enhance the character and appearance of the conservation area.

Policy HC5 requires development to safeguard and enhance the landscape and townscape features which contribute to the identity of Areas of Special Character (policy and map attached in appendix 3).

Whether the use of the site for the purposes intended is a form of inappropriate development in the Green Belt and if so are there any very special circumstances which outweigh this harm?

Whether the development is inappropriate development

It was established at the previous appeal that the development was inappropriate in terms of the impact on the green belt. The inspector commented:

'The current position is that the 92 space car park is more formally laid out with an in-out arrangement, demarcation of blocks of parking and a hard surface in a good state of repair. It is well used, with a regular turnover of cars. Openness has not been maintained...

The land behind Sheepwash Pond was described in the 2005 appeal decision as an area of trees and other vegetation. It is now occupied by animal and bird enclosures.

A loss of openness has occurred...

The children's farm and associated structures are inappropriate development, which is by definition harmful to the green belt. In view of the presumption against inappropriate development, the harm has substantial weight.'

The current proposals seek to relocate the farm to the area within and around the existing Indoor Riding Centre. The existing animal and bird enclosures would be removed from their current locations around the stable block part of the site.

Enclosures for animals and birds would be constructed around the indoor riding centre with internal and external areas. The inspector at the previous appeal commented that the enclosures forming part of the current farm are prejudicial to the openness of the green belt. However, in the proposed location, they would be viewed against the backdrop of the indoor riding centre. The riding centre building is a two storey building, of rather utilitarian appearance with dark stained timber cladding and some high level glazing. However the building is well hidden due to the relief of the land, being at a lower level than that visible from the street. Views of the enclosures would be limited from closer to The Ridgeway than the existing unauthorised structures. The larger structures would also be removed.

Against the backdrop of the indoor riding centre, it is considered that the visual impact of enclosures being constructed would be more limited than those of the currently unauthorised development. However this does not prevent the development from being inappropriate in planning terms.

The development is inappropriate development within the green belt. It is therefore necessary to determine whether there are any very special circumstances that may justify the development.

The plans submitted show kitchen, cafe, family area, teaching , cinema area at mezzanine level.

The applicant advises that:

The kitchen area would serve the family room and cafe. This would replace the existing cafe which the inspector accepted would need to remain ancillary to the children's farm. The applicant advises that they would accept a condition to this effect.

The teaching area would provide an indoor area for teaching purposes.

The children's play and party room would provide a separate indoor area for children without the educational emphasis. This would have capacity of up to 44 children.

If the proposals are considered to be acceptable, it is necessary to control these to ensure that the activities taking place are ancillary to the main use as a children's farm. Conditions would need to be attached to ensure this, and prevent the uses from being inappropriate in green belt terms.

Whilst it is accepted that these are associated to the use as a children's farm itself, the development itself is considered to be inappropriate development.

As part of the proposals, the existing front car park would be replaced by soft landscaping. The smaller car park closer to the proposed children's farm location would remain.

No weight can be given to any landscaping improvements, given that the existing front car park is unauthorised, though the inspector did consider that this feature in particular was detrimental to the openness of the green belt.

It is noted that there is a concurrent application reference H/00554/12 for the conversion of the former stable block (which forms part of the unauthorised farm) to form a dwelling.

A decision regarding this application has not been made. Therefore it needs to be considered that the application may or may not be approved. The merits of that application will need to be considered when that application is determined. The unauthorised parts of the farm would need to be removed in any case and a condition could be attached to any grant of permission ensuring that the area is landscaped to the Council's satisfaction. The applicant has submitted a landscaping

plan showing that the stable area and car park would be returned to their former condition.

It should be noted that the previous riding centre use would have generated significant activity during the day. Though the current proposals would generate activity, the area in question used to be used as an indoor riding centre, which would have generated significant activity in itself.

Benefits provided by farm diversification

At the previous appeal, the inspector noted that national planning policy advises that *'favourable consideration should be given to proposals for diversification in the Green Belt, where openness is preserved and there is no conflict with the purposes of including land within it. In cases of inappropriate development, any wider benefits of the farm diversification may contribute to the 'very special circumstances'. Re-use of buildings is encouraged and account must be taken of the amenity of nearby residents who may be adversely affected by new types of on-farm development.'*

The development would provide economic benefits in terms of job creation. The children's farm has provided around 15-19 jobs and three opportunities for apprenticeships, opportunities that the appellant wishes to develop in the future. The contribution to the local economy has significant weight as identified by the appeal inspector.

The site is in a sustainable location, accessible by public transport and within walking/cycling distance of residential areas. It is noted that the sustainable location is of benefit to the development of the children's farm as an educational and community resource.

It is considered that these benefits need to be weighed up as 'very special circumstances' in favour of the application.

Benefits as an educational/community facility

The educational and community benefits of the children's farm have been identified by the previous appeal inspector.

The applicant has advised that the concept of the children's farm is to provide an educational facility where children could learn about animals and farming by viewing the animals and by riding on the tractor trailer around the wider holding. Educational packs are available and an educational programme has been developed. Three to five schools a week have visited since the Spring. Educational films are shown and historic farm implements displayed in the café.

A number of letters of support have been received stating that the children's farm is a welcome and valued asset in the community. At the previous enforcement appeal, support has been received from colleges and educational establishments. They emphasise the enjoyment that the farm gives, along with the opportunity to learn.

about food, farming and the environment. However it must be considered that the petitions were part of a campaign to Save Belmont Children's Farm and were promoted on the basis of only one side of the argument, with a number of objections also being received. However, the inspector commented that 'The role of the children's farm as a community and educational resource has substantial weight.'

The educational and community benefits of the farm need to be weighed up as 'very special circumstances' in favour of the application.

Weighing up very special circumstances against harm identified

The inspector at the enforcement appeal commented that it was necessary to weigh up whether there were very special circumstances in favour of the development. However the inspector concluded that the harm caused by the inappropriateness of the development within the green belt warranted the dismissal of the appeal.

However, whilst it is considered that the proposals would still be inappropriate development within the Green Belt, the harm to the openness of the green belt is considerably less given the revised siting of the children's farm.

In this way it is considered that the balance has shifted, such that the harm caused by the inappropriateness of the development in green belt terms is now outweighed by the benefits of the development. In this way it is considered that there are very special circumstances as described in the NPPF that would justify it in green belt terms.

Impact on the visual amenities of the green belt

The inspector also commented that the children's farm caused harm to visual amenities of the green belt, though this is confined to short distance views from The Ridgeway and has a moderate adverse impact.

As a result of the relocation of the children's farm, it would be sited further into the valley at a lower level. Therefore it would not impact the views the inspector referred to previously. It is recognised that the new location is also sensitive given the views across the Totteridge Valley and its rural character. However, the children's farm would be viewed against the backdrop of the indoor riding centre. Given the presence of the indoor riding centre and the more limited visibility of this part of the site, it is not considered that the proposals would harm the visual amenities of the green belt.

Whether the proposals would preserve or enhance the character and appearance of Mill Hill Conservation Area

At the enforcement appeal, the inspector determined that the proposals were harmful to the character and appearance of Mill Hill Conservation Area and that the car parking, structures and promotional material detracts from the open character, the

rural views and landscape features that make an important contribution to the quality of the local built and natural environment.

The proposals would site the Children's Farm around the existing Indoor Riding Centre. Whilst the proposals would be visible from some public footpaths, its prominence would be diminished and it would not be visible from The Ridgeway or other major public viewpoints. It would also be sited further from Sheepwash Pond. The Indoor riding Centre building is somewhat drab in its appearance. It is not considered that the siting of enclosures around the building would detract from its appearance, nor would it detract from the character and appearance of Mill Hill Conservation Area. The building itself lies just outside the Conservation Area boundary.

The existing front car park is unauthorised, and therefore its removal and subsequent landscaping cannot be given any weight in terms of the improvement to the appearance of the area; it is just restoring the land to its lawful state.

It is considered that the proposals would have a neutral impact overall on the appearance of the conservation area, preserving its character and appearance.

Impact on the amenities of neighbouring occupiers

The inspector at the previous appeal noted that the residential amenity of nearby residents has been significantly harmed by the development.

In terms of the impact on Millbrae, they commented that 'Most of the vehicular activity generated by the children's farm would be in close proximity to Millbrae. There would be noise from car doors shutting, engines starting and revving and vehicles exiting the car park. Additional noise would arise from the visitors chatting, laughing and so on. The occupants of the house also highlighted the disturbance from the early morning business networking events at the café and from delivery vehicles. This activity would amount to considerable disturbance to the occupiers of the dwelling because it would occur every day of the week, including weekends and holidays and because it would be at the rear of the house, away from the noise of the main road. The enjoyment of the private garden would be most affected. The increased depth of the frontage landscaping on the appeal site would have very little, if any, effect in mitigating the noise. There also would be a small loss of privacy because of the relationship of some of the upper floor windows to the site.'

The inspector also commented that the probability is that the children's farm has resulted in greater numbers of vehicle movements and a more intensive use of the car park area to the detriment of the living conditions of the occupiers of Millbrae.

Under the current proposals, the access on the side nearest Millbrae running alongside that property would be closed. The access would now be approximately 30m from the boundary with Millbrae. Therefore vehicles accessing the children's farm would not be as close to Millbrae, and less likely to cause noise and disturbance to this property. As a result of the proposed relocation of the access, it is

considered that the proposals would not materially harm the residential or visual amenities of the occupiers of Millbrae.

The residential property Sheepwood lies to the south east of the site. Currently there are animal enclosures in close proximity to the property which the inspector identified as causing harm to neighbouring amenity. The proposals would involve re-locating the farm further away from the property. The majority of activity would take place within the former indoor riding centre. As a result, it is considered that the relocated farm and access would be unlikely to materially harm the residential or visual amenities of the occupiers of Sheepwood.

Impact on highway safety

Full comments from highway officers will be presented in the addendum to the report.

Transport for London initially commented that the scheme did not comply with London Plan policy.

This was because it needed to be demonstrated how inclusive access would be provided, and that the transport section of the report should address trip generation with regard to parking.

Since this time there has been further discussion with TfL and the applicant has submitted further information. They have commented that:

- In terms of parking, the proposed provision of 50 car parking spaces is acceptable, in light of further comments provided by the application.
- TfL recommends that a condition be imposed that restricts only 50 parking spaces to be used at any one time;
- The level of disabled parking provision is considered acceptable.
- The proposed provision of 10 spaces with Electric Vehicle Charging Point provision is accepted; however a further 10% passive provision should be included.
- TfL welcomes that a separate accessible pedestrian gate from the Ridgeway would be provided.
- The proposed level of cycle parking provision is considered acceptable and should be secured by conditions/ S106 obligations.
- The submission of Travel Plan , Construction Logistics plan (CLP) and Delivery & Servicing Plan (DSP) should be secured by conditions.

It is considered that the proposals would have an acceptable impact on highway and pedestrian safety.

3. COMMENTS ON GROUNDS OF OBJECTIONS AND LETTERS OF SUPPORT

Objections

Whilst we acknowledge that it is a popular visitor attraction, it has grown over the years in intensity of customer usage, development of hard standing and buildings (eg the waffle restaurant), and increased advertising, all of which has never received planning permission. It now threatens the integrity of the Green Belt in Mill Hill and jeopardises the Conservation Area. This current application to relocate the petting farm does nothing to address our concerns. These are specifically:

1. Green Belt and land-use principle (points 21 to 28 of the GLA letter)

One of the main purposes of the Green Belt is "to assist in safeguarding the countryside from encroachment". This application goes contrary to that purpose by seeking to move the petting farm further down into the Totteridge Valley and erect animal pens around the existing indoor riding school. This will intensify pedestrian and vehicle activity and buildings in the Valley to the detriment of its rural quality. (On this point please note that the planning application incorrectly states (point 24 Site Visit) that the site cannot be seen from a public footpath. It can be seen from many positions on the footpath which crosses the Valley from St. Paull's School to Totteridge Common). - *It is noted that the proposals would move the children's farm into an area further into the Totteridge Valley. Whilst it is acknowledged that this is area is rural in character it would have limited impact on views across the valley provided that appropriate conditions are attached to ensure that paraphernalia associated with the children's farm is kept to a minimum. Whilst it is acknowledged that the use is inappropriate in green belt terms, the nature of the use is considered compatible with the rural nature of the site and surrounding area, and any harm is considered to be justified by very special circumstances. Though it is acknowledged that the proposals would involve some increased focus in the intensity of the use of this part of Belmont Farm it needs to be noted that this area formerly was an indoor riding centre and therefore did generate a significant amount of activity.*

2. Transport for London's comments (points 36 to 46 of the GLA letter)

Given the acknowledged low PTAL of the site most visitors come by car. This has already entailed the building of a large car park with a separate in and out access. This is damaging to the openness of the Green Belt and to the amenity of the immediate neighbour of the site. "Breakfast" meetings have added to unsociable traffic movements on the site. This situation will be made worse if this planning application is permitted. Car parking provision will increase from 92 to 142 spaces. It is not acceptable to concede that if the farm is relocated, the 92 space car park will return to open land as garden to a residential development where the existing farm now is. Firstly, there are absolutely no special circumstances to justify such a residential development in the Green Belt. Secondly, if the 92 space car park were removed the proposed new 50 space car park would be totally inadequate.- *The car parking provision is consider acceptable to highway officers and Transport for London. It is not considered that the proposals would have a harmful impact on highway or pedestrian safety.*

The objections raised may be summarised as follows:

- Locating children's farm, car parking and associated facilities further into valley would be harmful to surrounding area and green belt - *This is addressed in the report.*
- Noise, disturbance and visual pollution of motor vehicles would harm neighbouring amenities - *This is addressed in the report.*
- Would impact views along the Totteridge Valley, being out of character with rural outlook.- *This is addressed in the report.*
- Development would be inappropriate development and there are no very special circumstances that warrant its approval - *This is addressed in the report.*
- Increase in intensity of use and car parking would harm openness of green belt - *Addressed in report*
- The proposals would harm the rural character and appearance of this part of Mill Hill Conservation Area - *This is addressed in the report.*
- Sole access for children's farm would be dangerous even if it is to be widened. - *Highway officers consider the widened access to be acceptable.*
- Closure of unauthorised access further into site does not justify development - *This is addressed in the report.*
- How would proposed access relate to bungalow sought permission for in application H/00554/12 If used in conjunction this would be dangerous. - *The proposals show this area to be landscaped. This would need to be assessed if the concurrent application was considered to be acceptable.*
- Noise and disturbance, loss of privacy from customers - *This is addressed in the report.*
- Children's farm does not need to have opening hours 7am-10pm weekdays and 9am-10pm weekends. This indicates that other businesses activities other than those specified will take place. - *Condition would be attached in order to ensure that hours of use does not harm neighbouring amenity*
- The current farm operates from 9am-6pm (5pm in winter) - *This is noted.*
- Cafe itself would generate activity and is a destination in its own right. This should be for paying customers only. - *This was assessed by the inspector at the previous appeal, who considered it unreasonable to restrict this by condition to only paying customers. However the cafe is considered of sufficiently small scale to be considered ancillary to the main use as a children's farm.*

- The fences and advertisement hoardings should be removed. - The hoardings have been removed. The applicant can display one sign lawfully of a certain size.
- The application exaggerates the agricultural credentials and supposed compatibility with the Green Belt, yet is also trying to gain approval for a new bungalow. The applicant says that the large ugly car park will only be removed if the housing development is granted. - *The car park will have to be removed irrespective of the outcome of application H/00554/12.*
- Why is the children's farm still running when the use should have ceased? - *Enforcement action is ongoing and the existing farm will need to be removed from its current location irrespective of the outcome of this application. However a reasonable time period needs to be allowed for any structures/animals to be moved.*

Support

The arguments in favour of the application are generally addressed within the main body of the report.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals involve the creation of a children's farm. It is considered that amenities of residents would not be prejudiced as a result of the proposals. The proposals would comply with London Plan requirements for disabled access.

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

5. CONCLUSION

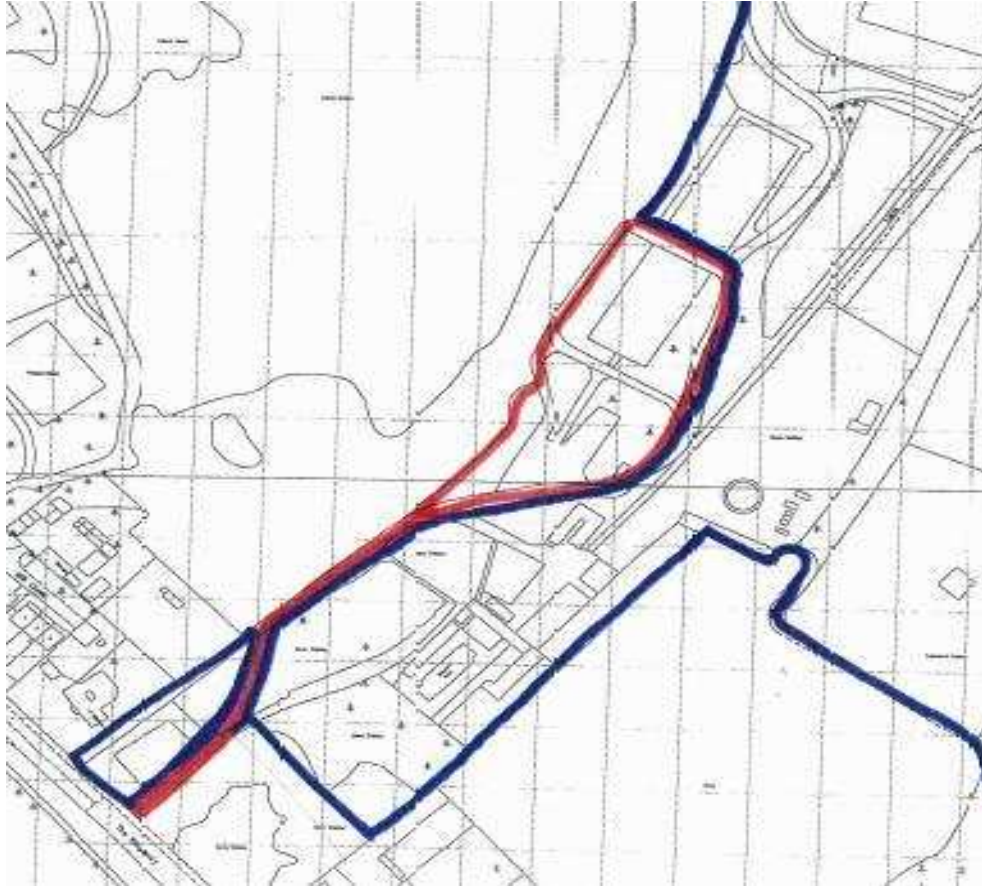
It is necessary to weigh up the above matters in reaching a conclusion.

Overall, it is considered that any harm caused by inappropriateness of the development within the green belt is justified by the very special circumstances in support of the application. The proposals would promote farm diversification, provide economic benefits to the local economy, and would provide community and educational benefits. The conditions attached would minimise any harm to the residential amenities of neighbouring occupiers.

The application is recommended for **APPROVAL**.

SITE LOCATION PLAN: Belmont Farm, The Ridgeway, London, NW7 1QT

REFERENCE: H/01150/12



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