

Received: 08 November 2012
Accepted: 08 November 2012
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APPLICANT: Hadley Wood Sports Trust

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

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

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

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

3. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The

development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5 and 7.21 of the London Plan 2011.

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

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

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

Reason:

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

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (April 2013) and policies 5.2 and 5.3 of the London Plan (2011).

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

Reason:

To safeguard the health of existing tree(s) which represent an important

amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

13. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

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

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

14. Notwithstanding the information already submitted, details of the proposed floodlights including measures to prevent light shining in the trees surrounding the site, shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences. The floodlights shall be implemented and permanently maintained in accordance with the details as approved.

Reason: To ensure that the proposal protects local biodiversity and the character and appearance of the area, in accordance with Policies DM01 and DM16 of the Development Management Policies DPD.

15. The floodlights hereby approved shall only be used between the hours of 4:00pm to 9:30pm Monday to Saturday, and 4:00pm to 7:00pm Sundays.

The floodlights shall not be used at any time on Bank or Public Holidays.

Reason:

To ensure the floodlights are operating appropriately and to minimise light pollution, in order protect the character of the area in accordance with Policy DM01 of the Development Management Policies DPD.

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

Reason:

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

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

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

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

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

19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment dated March 2013 (880414 R1(0)) and the following mitigation measures detailed within:
- Section 6 - Surface water drainage techniques.
 - Section 8.1 - Floor level set at approximately 300mm above the highest 1 in 100 year plus climate change flood level (76.08mAOD)(above Ordnance Datum).
 - Section 8.2 - A flood plan detailing action to take in a flood event shall be drawn up.
 - Section 8.3 - The development shall be constructed using the latest best practice flood resistant construction techniques.

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

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

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

INFORMATIVE(S):

1. 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 Core Strategy (2012) and Development Management Policies DPD (2012). In particular the following policies are relevant:

Core Strategy (Adopted) 2012: CS NPPF, CS1, CS5, CS7, CS10 and CS11.

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

ii) The proposal is acceptable for the following reason(s): The proposal is consistent with the purposes and objectives of Green Belt policy. The proposal will not harm the character and appearance of the site or the street scene of Barnet Lane. The proposal would not have an adverse impact on the amenities of the occupants of any neighbouring residential property. The proposal will not harm the neighbouring Upper Dollis Brook SINC and sufficient information has been provided to demonstrate there will be no impact on Bats or any other protected species. The application accords with the abovementioned policies.

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

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

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

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

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

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

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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

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

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The Mayor's London Plan July 2011:

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Relevant policies: 2.18, 3.16 and 3.19.

Relevant Local Plan (2012) Policies:

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

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5, CS7, CS10 and CS11.

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

Relevant Planning History:

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

Consultations and Views Expressed:

Neighbours Consulted: 214 Replies: 6 letters of objection have been received.

Neighbours Wishing To Speak: 5

The objections raised may be summarised as follows:

- Proposal would result in excessive vehicle access in and around the development.
- Object to noise generated in early hours and late evening.
- Object to use of lighting.
- Object to loss of valuable area enjoyed by the local community.
- The proposals will result in the privatisation of public parkland intended for the enjoyment of the entire community.
- The site is located within Green Belt and designated Metropolitan Open Land and proposal encourages encroachment onto the land.
- The proposal will negatively affect ecology, biodiversity and wildlife such as species of Thrush, Gull, Wagtails, Blackbirds, Fieldfares, Redwings, Starlings, Sparrows and Geese.
- Negative effect on Whimbrels migration route.
- The presence of Bats (EU Protected Species) has been established in the area and the proposal would threaten their habitat.
- The proposal would be detrimental to the nearby Site of Nature Conservation Importance in the Upper Dollis Brook.
- The proposals are contrary to the NPPF in its emphasis on wildlife corridors and the ability for open land to perform flood risk reduction.
- Other more suitable sites exist for the proposed use in the area, e.g Underhill Stadium once vacated.
- Excessive increase in volume of traffic on Barnet Lane.

- Increase in noise pollution, due to proposed activities.
 - Increase in light pollution from artificial lighting,
 - Unacceptable loss of community space.
 - The increase in usage will increase pollution risk via poisonous herbicides & pesticides.
 - Insufficient parking facilities in the area.
 - The proposal detracts from the area's natural character.
 - No detailed Bat Survey has been carried out.
- **The Barnet Society:** Object. Fencing removes recreational land from the publicly accessible Green Belt. Floodlighting is damaging to wildlife and detrimental to the rural character of the Green Belt. Synthetic surface will detract from the natural character of the Green Belt and is damaging to biodiversity.
 - **Totteridge Residents Association:** Feel that the application should not be renewed as the development would be harmful and detrimental to the amenities this land provides to local residents, the Green Belt and wildlife dependent upon this land area.
 - **Joint Vice-Chairman of London Wildlife Trust (Barnet Group):** Object. The site is on Green Belt land, and the proposed use conflicts with the Green Belt's purpose. The floodlighting and fencing would destroy openness and visual amenity. The proposal would not protect or enhance biodiversity. Insecticides used on grass pitches would destroy plants and invertebrates which add to the Sites of Borough and Local Importance for Nature Conservation. Floodlighting will attract moths and other insects, and bats. Parking provision is not sufficient to meet additional demand.

Following the receipt of an updated FRA (carried out in accordance with the requirements of the NPPF) and an updated Daytime Bat Assessment, additional consultation was carried out. Four further letters of objection were received, all from interested parties who had already raised objections as summarised above. No new comments were received which have not already been summarised above.

Internal /Other Consultations (responses summarised):

- **Environment Agency** - No objections were raised as part of the previous application. In the current application, the Agency has advised that some of the proposed development is within Flood Zones 2 and 3. They acknowledge that whilst it would be advisable for the development to be located in Flood Zone 1, this cannot be achieved as part of the current planning application. Conditions are recommended, to mitigate against the impacts of any flood events.
- **Sport England** - Have not responded. Sport England did not object to the original application, and commented that they support the proposed development set out in the application.
- **Fields in Trust** - No response received. A response was not received at the time of the previous application.
- **Natural England** - No specific comments have been received, with the response advising that 'the lack of specific comment should be interpreted as a statement that the application is not likely to result in significant impacts on statutory designated sites, landscapes or species'. The response states that it is for the Local Authority to determine whether or not this application is consistent with national or local policies on biodiversity. As part of the previous planning application, Natural England raised no objections, stating that they were satisfied

with the level of survey undertaken with regard to bats, and that floodlights should be designed and positioned to only light those areas where they are needed. These comments were taken into account during the previous planning application, with planning conditions attached as appropriate to address the comments.

- **London Wildlife Trust** - Wishes to register an objection. Application proposes the loss of greenspace with no mitigation for this loss. Bat survey is inadequate. Floodlighting would have significant issues for bats. Proposal would result in the loss of publicly accessible space due to the proposed fencing.
- **London Wildlife Trust - Barnet Group (Planning Group)** - Wish to express concerns regarding this proposal. Take exception to the privatisation of public parkland and amenity space. Application encourages encroachment onto the Green Belt/MOL. Proposal will be detrimental to biodiversity. Floodlighting should not be introduced where Protected Species are foraging or commuting between roosts. Proposal will result in increased pollution risk, flood risk, traffic congestion,
- **LBB Street Lighting** - No response received. No objections were raised as part of the previous application.
- **LBB Environmental Health** - No comment. No objections were raised as part of the previous application.
- **LBB Traffic & Development** - No objections on highways grounds. No objections were raised as part of the previous application.
- **Herts and Middlesex Wildlife Trust** - The application involves installation of floodlighting on new sports pitches. Whilst it is recognised that lighting/floodlighting is required for safety and security reasons in certain locations, it is important that potential impacts on wildlife are taken into account and that lighting schemes are designed to avoid adverse impacts on local wildlife and ecological connectivity. It is recommended that guidance in the Bat Conservation Trust's advice note on bats and lighting in the UK (CT, 2008) is followed in lighting scheme design.
- **LBB Trees and Landscaping** - No objections were raised as part of the previous application, and conditions were suggested. These remain relevant.

Date of Site Notice: 29 November 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

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

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

The application site is within the Green Belt.

Proposal:

The original planning application on this site, approved in December 2009, sought to provide a new site for children's football in Barnet. Hadley Wood Youth Trust worked in conjunction with Barnet College and Whitefield school, and required wider facilities to meet the demand for young persons football in this area of Barnet. This

application would facilitate sports education, training schemes and disability programmes. The agent has advised that Hadley Wood Youth Trust have confirmed that the previous agreement with Barnet College and Whitefield School has lapsed. However, they are in negotiations with two local schools to enter into partnership. Any formal agreement cannot be concluded before this planning application is granted.

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

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

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

A new refuse store and boundary fencing are also proposed. The refuse store would be 2 metres high, and located in the same position within the site as the existing. The new perimeter fencing would be 2 metres high, and full details of this fencing are to be secured by planning condition.

Planning Considerations:

The guidance published by DCLG regarding the handling of applications such as this advises that "LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies) which may have changed significantly since the original grant of permission". In this case, the development plan has changed substantially, in that the Unitary Development Plan (2006) has been replaced by the Local Plan Core Strategy and Development Management Policies Development Plan Document (both adopted September 2012). In addition, the National Planning Policy Framework has been published (March 2012) and this supersedes all previous planning policy guidance notes and planning policy statements. As such, it is necessary to assess the proposal in light of current planning policy.

The main issues for consideration in this case are as follows:

- Whether harm would be caused to the openness of the Green Belt;
- Whether harm would be caused to the character and appearance of the area;
- Whether harm would be caused to the amenities of occupants of neighbouring properties;
- Whether harm would be caused to biodiversity.

The appropriateness of the proposed development and its impact on the openness of the Green Belt

The NPPF states that a local planning authority should regard the construction of

new buildings 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. The NPPF confirms that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This guidance is reflected in Local Policy DM15, which states that essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of the Green Belt.

Policy 3.19 of The London Plan states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. The provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities.

It is proposed that the site be used by Hadley Wood Football Club, for the activities and purposes set out above. Their use of the site as an outdoor sport and recreation facility is considered to accord with the abovementioned exception to Green Belt policy, comprising an appropriate use in this Green Belt location.

With regard to the new built form on the site, it is noted that the existing pavilion is proposed to be replaced by a larger pavilion structure. However, the replacement pavilion would be in a similar position within the application site to the existing pavilion and the previous pavilion, of which the slab still remains. The proposed building would be set back approximately 10 metres from Barnet Lane, and adjacent to the existing parking area. When comparing the footprint of the proposed building to that of the existing built and developed form on the site, it is considered that the proposed pavilion would not result in such a substantial increase of built form within the site that it would be detrimental to the openness of the Green Belt. The proposed pavilion would relate well to the appearance and use of the application site, would be essential for outdoor sport and recreation, and no objections are raised with regard to the impact of the proposed pavilion on the openness of the Green Belt.

The proposed sports pitches would not appear as harsh, large or solid structures. They would facilitate, and thus be essential for, outdoor sport and recreation, and would not reduce the openness of the Green Belt. The refuse store would be a small and unobtrusive building which would ensure the appearance of the site is not adversely affected by any refuse containers. Given its size and siting, this would not adversely affect the openness of the Green Belt.

The flood lighting would be to the artificial pitch only. The floodlighting would comprise eight 15m high columns. A lighting report was submitted as part of the original planning application indicating the spillage of light expected from the development. Given the slender design of the floodlights, and their proposed use to facilitate the use of an essential outdoor sport and recreation facility, it is considered that the proposed floodlighting columns would not have an adverse impact on the openness of the Green Belt.

The boundary fencing around the perimeter of the site would be relatively low, and commensurate with that around the existing site and neighbouring sites. The fencing, given its height and design would not adversely affect the openness of the Green Belt.

The application site will be levelled, and the previous application required details of

this levelling to be submitted to and approved by the Local Planning Authority before works take place. The works were considered acceptable at the time of the previous application and no objections are raised to the levelling in the current application in respect of its possible impact on the openness of the Green Belt.

Impact on character and appearance of the area

The formation of the grass pitches, whilst involving some levelling of the land, would not adversely affect the appearance of the area. The artificial pitch with floodlighting, the replacement pavilion and the fencing have all previously been considered to have an acceptable impact on the character and appearance of the area. The policy requirement remains similar in this respect, and it is not considered that any element of the proposed development would be detrimental to the character or appearance of the locality.

Impact on neighbours

The application site is set the other side of Barnet Lane from the nearest residential properties. Given the existing use of the site for sporting facilities, it is not considered that the proposal would cause any additional noise or disturbance to the occupants of any neighbouring properties. The floodlit areas of the site would be set over 65 metres from the nearest residential properties, and given the light spillage as set out on the submitted plans would not adversely affect the amenities of the occupants of any residential property. As such, as with the previous application it is not considered that the proposal would adversely affect the amenities of the occupants of any neighbouring property.

Impact on biodiversity

All species of bat are fully protected under 'The Conservation of Habitats and Species Regulations 2010'. They are also protected under the Wildlife and Countryside Act 1981 (as amended).

Article 12 of the Habitats Directive contains a range of prohibition seeking to protect bats and other European Protected Species. These prohibitions include deliberate capture or killing, and deliberate disturbance which includes disturbance likely to:

- (a) impair their ability to
 - (i) survive, breed, reproduce or rear or nurture their young; or
 - (ii) in the case of animals of hibernating or migratory species, to hibernate or migrate; or
- (b) affect significantly the local distribution or abundance of the species to which they belong
- (c) damage or destroy a breeding site or resting place used by bats.

The Local Planning Authority is required to have regard to the requirements of the Habitats Directive in deciding whether or not to grant planning permission.

As part of the previous planning application, a bat survey was submitted. Objections were raised by the NW London branch of the RSPB, and the London Wildlife Trust. However, Natural England raised no objections. They advised that the Council should ensure that the light from floodlighting does not spill onto the Upper Dollis Brook Site of Importance for Nature Conservation or the lines of trees which may potentially provide commuting and foraging habitat for bats. The plans submitted with the original planning application showed that this would be the case. Conditions were attached to the previous grant of planning permission to ensure these recommendations were met, and to ensure that the proposal would not be

detrimental to biodiversity in the area.

As part of the current planning application, a new bat assessment has been undertaken and submitted to the Council. This states that the existing building on the site was found to have negligible bat roost potential. In relation to trees, it states that as all the trees will be retained, no potential roost will be physically lost. In relation to the proposed lighting, it recommends the use of lighting hoods to minimise light spillage, a reduction in the light intensity, the use of light curfews and the use of security lights for only short durations.

The findings of this updated bat survey are not dissimilar to the findings of the previous survey. These findings were accepted by the Council, with planning conditions attached to the permission granted to ensure any adverse impact of the proposal would be mitigated. The application site is not located within a Site of Importance for Nature Conservation (this is to the south of the application site). Given that planning policy still seeks to protect biodiversity, it is considered that the imposition of the same conditions as previously used would be sufficient to ensure the proposal does not harm biodiversity in the area.

The comments made in respect of the potential impact of the proposed development on various bird species are acknowledged. Several of the species referred to have the same statutory protection afforded to bats as referred to above. The application site is a sports ground and has been used and maintained as such for many years. Whilst it is accepted that part of the site would change from natural grass playing field to an artificial surface, it is considered that, in the context of the wider area of open Green Belt land of which the site forms part, that the change of this relatively small area would not adversely affect protected species of birds. As stated previously, the site is not within a site of Importance for Nature Conservation and the proposal is considered acceptable on the grounds of nature conservation.

Other Matters

Flood Risk:

An updated Flood Risk Assessment (FRA) has been completed and submitted in accordance with the Guidance within the NPPF (the previous FRA was undertaken in accordance with the requirements of PPS25 which has since been replaced). The assessment states that the site is partially within Flood Zone 2 and 3, and that mitigation measures for the site should be included within the design of the new sports pavilion to minimise any potential flood damage to the development. Finished floor levels should be set 300mm above the 1 in 100 year event. It states that safe access and egress is available to the north of the site. The FRA concludes that based on appropriate mitigation measures being implemented, flood risk to the proposed development is low. The Environment Agency acknowledge that the siting of the proposed development cannot be changed as part of the current planning application to a position outside Flood Zones 2 and 3. They do not object to the proposal, subject to the use of conditions.

Trees:

As with the original application on this site, the existing trees are still proposed to be retained. Conditions are attached to ensure the trees on the site are protected.

Parking:

No objections were raised in the previous application with regard to parking or

highways matters, and the basis of these considerations has not materially changed since the previous application. The site is located in walking distance of public transport facilities, and the adjacent car park would remain available for users of the site. The new pitches would be constructed on an existing playing field where no parking facilities are provided. The existing use could generate a similar number of visitors as the proposed use, and as a result no objections are raised on highways grounds.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised are addressed within the Planning Appraisal above. It should be noted that the principle of this development has previously been considered acceptable by the Council.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

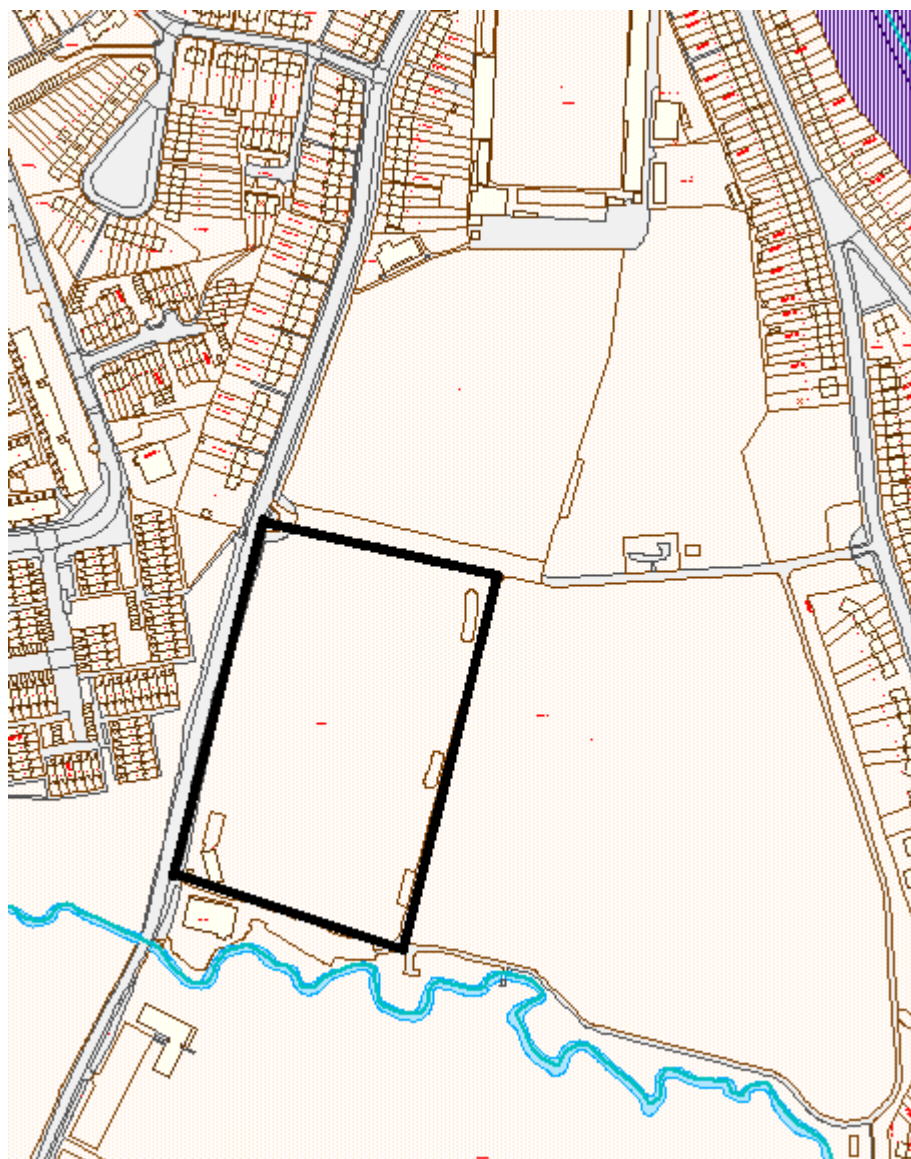
In accordance with the requirements of the NPPF and Local Policy DM15, the proposal is considered to constitute an essential facility for outdoor sport. The proposal would be consistent with Green Belt policies and the purposes of including land within the Green Belt. It is not considered to have an adverse effect on the character and appearance of the locality or on the amenities of the occupants of nearby residential properties. Subject to planning conditions, the proposal would not be detrimental to biodiversity or trees within the site, and as a result is recommended for approval.

SITE LOCATION PLAN:

**Old Stationers Playing Fields, Barnet Lane,
Barnet, Herts EN5 2DN**

REFERENCE:

B/04218/12



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