

**LOCATION:** Brookside Walk Children's Play Area, London, NW4

**REFERENCE:** H/05584/13      **Received:** 26 November 2013  
**Accepted:** 11 December 2013

**WARD(S):** Hendon      **Expiry:** 05 February 2014

**Final  
Revisions:**

**APPLICANT:** London Borough of Barnet

**PROPOSAL:** Installation of swings and multi use climbing frame to existing children's play area.

**RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location Plan, P02 Rev.A, Project Information: Agito Gamber (climbing frame), Product Information: 2.4m Olympic 2 seat swing with 2no. flat seats.

**Reason:**

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

2. This development must be begun within three years from the date of this permission.

**Reason:**

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

**INFORMATIVE(S):**

1. i) 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. The applicant is informed that Flood Defence Consent may be required for any works within 8m of the main river. The applicant is advised to contact the Environment Agency.

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Framework

- Policy 5.3 – Sustainable design and construction
- Policy 7.4 – Local Character

### Core Strategy Policies 2012

- Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
- Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
- Policy CS 7 Enhancing and Protecting Barnet's Open Spaces
- Policy CS 15 Delivering the Core Strategy

### Development Management Policies 2012

- DM01 Protecting Barnet's character and amenity
- DM03 Accessibility and inclusive design
- DM04 Environmental considerations
- DM15 Green Belt and Open Spaces

Supplementary Planning Document: Sustainable Design and Construction

Relevant Planning History:

Site Address: Land at Brookside Walk, Bridge Lane NW4  
Application Number: H/03451/10  
Application Type: Full Application  
Decision: Approve with conditions  
Decision Date: 22/10/2010  
Appeal Decision: No Appeal Decision Applies  
Appeal Decision Date: No Appeal Decision Date exists  
Proposal: Use of land as children's play area.  
Case Officer: Lesley Feldman

### Consultations and Views Expressed:

Neighbours Consulted: 94                      Replies: 28  
Neighbours Wishing To Speak 1

27 letters of support and 1 letter of objection were received in respect of this application. The objections raised may be summarised as follows:

- Childrens play area built illegally as misappropriated neighbour's fence
- Impact on protected and priority species in the adjacent brook
- Hours of opening incorrect as sometimes used until 10:00pm in the summer
- Increased intensification of users which will increase the cars using the surrounding streets exacerbating the existing parking problems in the area
- Noise and disturbance
- Loss of privacy

Internal /Other Consultations:

N/A

Date of Site Notice: 19 December 2013

**2. PLANNING APPRAISAL**

Site Description and Surroundings:

The site comprises part of an area of open space laid to grass known as Brookside Walk. Planning permission was granted in 2010 (H/03451/10) to convert this area into a childrens play space. The area is bordered to the south by Mutton Brook and to the west by Dollis Brook . There are footpaths crossing the area alongside the brooks going north/ south and west/east.

To the north of the site are semi-detached properties within Southbourne Crescent. The gardens of those properties immediately adjacent to the play area are approximately 20m in depth. Some screening near this boundary is provided by existing trees. To the south of Mutton Brook are residential blocks of flats and 2 houses along Bridge Lane. The nearest block is approximately 22m from the play area. To the west of the site lies the River Brent with properties in Kings Close beyond. The nearest garden in Kings Close is approximately 50m from the edge of the play area and there is extensive tree screening along this boundary. To the east of the area Brookside Walk continues via the underpass below the North Circular Road.

The site is designated as part of a wider area of Metropolitan Open Land and Site of Borough Importance for Nature Conservation. It forms part of a green chain and green corridor and adjacent to the route of a metropolitan walk.

The site lies within Flood Zones 2 and 3 (part) and an Area of Archaeological Significance.

Proposal:

The application seeks permission for the installation of swings and multi use climbing frame to existing children's play area.

The proposed climbing frame will measure 7.5 metres in length, 5.8 metres in width and 3.08 metres in height.

The proposed swing set will measure 3.75 metres in length, 2.23 metres in width and 2.4 metres in height.

Planning Considerations:

The main issues in this case are whether or not the additional play equipment would:

- have an acceptable impact upon the amenity of the occupiers of the neighbouring property
- have an acceptable impact on the character and appearance of the area

Policy DM01 of the Development Management Policies (Adopted) 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Policy DM15 states that open space will be protected from development. In exceptional circumstances loss of open space will be permitted where it can be satisfied that the development proposal is a small scale ancillary use which supports the use of the open space. It is considered to be the case of the application which therefore complies with this policy.

The proposal would not involve the increase of the existing children's play space area as the additional equipment would be located within the existing designated children's playspace. The new climbing frame would be located in the south-west corner of the site adjacent to the footbridge whilst the new swings will be located along the southern boundary of the site. Given the existing use of the site as a playground for younger children it is not considered that the two additional pieces of equipment would result in any significant increase in noise, disturbance and general activity which would warrant refusal of the application. The proposals are also not considered to generate any increase in traffic that would detrimentally impact on the residential amenity of neighbouring residents or cause prejudice to the free flow of traffic in neighbouring streets.

In relation to the site's location on Metropolitan Open Land, it is considered that, given that the equipment would be situated within the existing fenced play area, that there would be no additional harm to the appearance or function of the MOL arising from this development.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Mostly addressed in the above report. Party Wall Issues are not material planning considerations. The proposal does not seek to increase the opening hours of the existing play ground. It is not considered that the two additional pieces of equipment in the existing designated play space area would have a detrimental impact on protected and priority species in the existing area.

### **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**

The application is recommended for APPROVAL.

**SITE LOCATION PLAN:**            **Brookside Walk Children's Play Area, London, NW4**

**REFERENCE:**                        **H/05584/13**



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