

LOCATION: Montrose Playing Fields, Montrose Avenue, Colindale, NW9 5BY

REFERENCE: 17/1929/FUL **Registered:** 16/03/2017

WARD: Burnt Oak

APPLICANT: Jon Sheaff and Associates

PROPOSAL: The refurbishment of Silkstream Park and Montrose Playing Fields; the creation of new entrances; the installation of new footpaths and cycleways with 9 racks which would accommodate 18 bicycles; the installation of new hard paved public realm areas; the installation of new bridges and refurbishment of an existing bridge; the creation of a new pedestrian and cycle crossing of Montrose Avenue; the installation of new road surfaces and road design details on Montrose Avenue; the demolition of the existing pavilion building; the refurbishment of the existing tramshed building; the creation of new flood attenuation areas through amendments to levels and cut and fill operations; the installation of new playground facilities; the installation of new skateboarding facilities; the installation of new outdoor sports facilities including a multi-use games area, tennis courts, a green gym and basketball hoops; the provision of two no. 9 x 9 grass football pitches; the installation of occasional play equipment; new tree planting; new soft landscape planting

Recommendation 1

Approve subject to the following conditions:

- 1) This development must be commenced within three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

A1749-JSA-L001; A1749-JSA-L010; A1749-JSA-L050; A1749-JSA-L051; A1749-JSA-L052; A1749-JSA-L053; A1749-JSA-L054; A1749-JSA-L055; A1749-JSA-L100; A1749-JSA-L101; A1749-JSA-L102; A1749-JSA-L103; A1749-JSA-L104; A1749-JSA-L105; A1749-JSA-L110; A1749-JSA-L111; A1749-JSA-L112; A1749-JSA-L113; A1749-JSA-L114; A1749-JSA-L115; A1749-JSA-L200; A1749-JSA-L201; A1749-JSA-L202; A1749-JSA-L203; A1749-JSA-L204; A1749-JSA-L205; A1749-JSA-L300; A1749-JSA-L301; A1749-JSA-L302; A1749-JSA-L303; A1749-JSA-L304; A1749-JSA-L305; A1749-JSA-L400; A1749-JSA-L401; A1749-JSA-L402; A1749-JSA-L403;

A1749-JSA-L404; A1749-JSA-L405; A1749-JSA-L406; A1749-JSA-L407;
A1749-JSA-L408; A1749-JSA-L409; A1749-JSA-L410; A1749-JSA-L411;
A1749-JSA-L420; A1749-JSA-L421; A1749-JSA-L422; A1749-JSA-L423;
A1749-JSA-L424; A1749-JSA-L425; A1749-JSA-L430; A1749-JSA-L431;
A1749-JSA-L432; A1749-JSA-L433; A1749-JSA-L434; A1749-JSA-L435;
A1749-JSA-L500; A1749-JSA-L501; A1749-JSA-L502; A1749-JSA-L503;
A1749-JSA-L504; A1749-JSA-L505; A1749-JSA-L506; A1749-JSA-L507;
A1749-JSA-L508; A1749-JSA-L509; A1749-JSA-L600; A1749-JSA-S001;
A1749-JSA-S002; A1749-JSA-S003; A1749-JSA-S004; A1749-JSA-S010;
A1749-JSA-S011; A1749-JSA-S012; A1749-JSA-S020; A1749-JSA-S021;
A1749-JSA-S022; A1749-JSA-S023; A1749-JSA-S024; A1749-JSA-S025;
A1749-JSA-S030; A1749-JSA-S031; A1749-JSA-E001; A1749-JSA-E002;
A1749-JSA-E003; A1749-JSA-E004; A1749-JSA-E005; A1749-JSA-E006;
A1749-JSA-E007; A1749-JSA-E009; A1749-JSA-SK010; A1749-JSA-SK020;
A1749-JSA-SK030; A1749-JSA-SK031; A1749-JSA-SK032; A1749-JSA-SK032;
A1749-JSA-SK033; A1749-JSA-SK034; A1749-JSA-SK035; A1749-JSA-SK036;
A1749-JSA-SK037; A1749-JSA-SK038; A1749-JSA-SK039;
A1749-JSA-SK040; A1749-JSA-SK041; A1749-JSA-SK042; ; A1749-JSA-SC001;
A1749-JSA-DOC01; A1749-JSA-DOC02; A1749-JSA-DOC03; ;
A1749-JSA-APP_1; A1749-JSA-APP_2; A1749-JSA-APP_3.1; A1749-JSA-APP_3.2;
A1749-JSA-APP_3.3; A1749-JSA-APP_3.4; A1749-JSA-APP3.5

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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

- 3) a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.
- b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 4) a) Prior to commencement details of the soft landscaping, plants and trees species proposed for the scheme along with a full and detailed management programme for the establishment of these plants shall be submitted to and approved in writing by the Local Planning Authority

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

Reason: To protect visual tree amenity in the local area in accordance with DM01

- 5) No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. The planning application lies in an area of archaeological interest.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place.

Reason: The planning authority wishes to secure the recording of these historic buildings in accordance with the provisions of the NPPF and London Plan policy 7.8 and Barnet Core Strategy Policy CS5 and Development Management Plan Policy DM06.

- 6) The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) 'Silkstream and Montrose Parks: Flood Risk Assessment August 2016', specifically in regards to the compensatory flood storage measures detailed within the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons: To prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided. The proposal will provide a betterment of flood storage capacity on the site, with attenuation areas and wetland meadows created.

- 7) No development shall take place until a detailed method statement for removing or the long-term control of Japanese Knotweed (and other Wildlife and Countryside Act listed knotweed) on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include measures that will be used to prevent the spread of

Japanese Knotweed and other identified invasive plants during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reasons: Two species of Japanese knotweed have been identified on site. This condition is necessary to prevent the spread of Japanese Knotweed and other invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to paragraph 109 of National Planning Policy Framework, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

The Thames River Basin Management Plan (RBMP) also requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the ecological impact of Japanese Knotweed could lead to deterioration of the Silkstream watercourse through interfering with bank stability, altering the habitat diversity of the riparian zone, and undermining the river restoration achieved through the proposal.

8) No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- Details demonstrating how a minimum 5 metre undeveloped and naturalised buffer zone to the Silkstream will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan. The buffer zone should be free from built development.
- Details should be provided of any proposed footpaths and bridge crossings, including within the buffer zone.
- Detail of the extent and type of new planting, including within the buffer zone (planting to be of native species only, of local genetic provenance).
- Details of habitat establishment and maintenance regimes, with details of any new habitat created on site.
- Details of treatment of site boundaries and/or buffers around water bodies.
- Details of management responsibilities and a long term management plan.
- Details of retained vegetation and trees.

- Plans showing no light spill from external artificial lighting into the watercourse or adjacent river corridor habitat (to achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 8 metres of the top of bank of the watercourse are maintained at background levels which are considered to be a Lux level of 0-2).

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. This condition is supported by paragraph 109 of the National Planning Policy Framework (NPPF), which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

It is also particularly important to minimise light spill from the new development into the watercourse and the adjacent river corridor habitat, as artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat.

9) Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing by the Local Planning Authority:

- i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
- ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
- iii. Plans showing satisfactory points of collection for refuse and recycling.

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

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

- 10) In line with the existing and proposed highways ownership details, the development hereby permitted shall ensure that integrated access with the proposed Montrose Youth Zone development proposals access is retained and maintained at all times, from Montrose Avenue as created for the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

- 11) The developer to ensure that the detailed plans for the proposals are undertaken in collaboration with the Montrose Youth Zone masterplan developers, and an integrated plan showing how the two development sites will interact to be submitted to the Council for approval. Such details will include stopping up and diversion of the existing footpath to ensure a safe, convenient and an integrated connection for pedestrians into the existing surrounding facilities, and from Montrose Avenue.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015).

- 12) Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter. Minimum aisle widths, as set out in London Cycling Design Standards, must be met and 5% of space should be provided for the storage of non-standard cycles.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and the London Cycling Design Standards 2016.

- 13) Before the development hereby is occupied; details to show entry and egress arrangements and pedestrian walkways / cycleways are to be submitted to and approved in writing by the Local Planning Authority. Submission shall include road safety audits, proposed introduction of highway features on, stopping up and land ownership plans will need to be revised showing the proposed layouts and footways in association with the new accesses to both the Montrose Youth Zone and the Montrose Park. Stopping up details will be required and agreed. The details of the proposed works to be undertaken to the existing public highways shall have been approved in writing by the Local Planning Authority and implemented prior to the formal opening of the development. The

development shall thereafter be implemented in full in accordance with the approved details.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 14) Prior to Ground Works and Site Preparation Works, no development shall commence until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice
- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures

Demolition and waste management

- xix. Demolition Audit
- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management including access to the site (specifically any proposed temporary construction accesses to the site); the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or

security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation any existing ecological features that may be affected by works in that Development Phase
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction
- xxvii. Measures to minimise dust levels during construction
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxix. Construction lighting strategy, including measures to minimise light spill
- xxx. Measures to reduce water usage during construction
- xxxi. Measures to reduce energy usage during construction
- xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

- 15) In the event that the Gaelic Football Club and pitch displaced by the Copthall Leisure Centre redevelopment are unable to be accommodated within the National Institute of Medical Research or another robustly identified site, a Gaelic Football pitch, and ancillary facilities, that meets Sport England or National Governing body approval shall be made on Montrose Playing Fields in addition to the playing pitches indicated in the masterplan hereby permitted. In this event, before first use of the Gaelic Football playing pitch on the Montrose Playing Fields, a management plan should be submitted to the Local Planning Authority detailing the hours of use and activities associated with the Gaelic Football Club.

Reason: To safeguard the character and visual amenities of the site and wider area in accordance with policies CS5 and DM01 of the Barnet Local Plan and to support use of green spaces and sports activities in line with policies 2.18 and 7.18 of the London Plan and CS7 and DM15 of the Barnet Local Plan.

- 16) Prior to first occupation of the refurbished tram shed hereby permitted a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to the

following:

- Hours of opening for the tram shed;
- Management arrangements for the site and facilities;
- Scale and frequency of events taking place on a weekly, monthly and annual basis and how these events will be managed;
- Code of conduct for users of the site;

The tram shed shall thereafter operate in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

Recommendation 2

The Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

APPLICATION APPRAISAL

Application 17/1929/FUL which proposed a range of improvements to Silkstream Park and Montrose Playing Fields designed to improve accessibility to and use of these green spaces was approved unanimously at planning committee on 28 September 2017.

Proposed changes to previously approved application

Subsequent to this approval decision, it was decided by officers that the following conditions were not required:

15) Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason: *In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and London Play policy 6.14 'Freight'.*

In consultation with the Highways and Green Spaces department, it has been identified that insufficient delivery or servicing will be resulting from this development to warrant this condition necessary.

16) Prior to the commencement of the development hereby approved, details of any highways to be stopped under Section 247 of the Town and Country Planning Act 1990 in relation the Montrose Youth Zone shall be submitted to and agreed with the Local Planning Authority.

Reason: *To ensure that adequate public access is provided throughout the development.*

In regards to works to highways, the paths within the park are not highways and are park paths maintained by the parks department. This condition is therefore not necessary.

17) No part of the development shall come into operation until the access roads and highways works (on and off-site) associated with the new access are made available for use.

Reason: *To ensure there is adequate access available to all units and commercial units.*

Vehicular access to the park is being dealt with under the Youth Zone application. No new vehicle accesses are being proposed as part of this application. This condition can therefore be removed.

18) Prior to the occupation of the development, the works to be undertaken to the existing public highways and unadopted road layouts shall have been approved in writing by the Local Planning Authority and implemented prior

to the formal opening of the development. The details of the works will cover the newly proposed raised crossing points, any access points and road features, car parking areas, new footways and footpaths, along with any supporting Road Safety Audits.

Reason: *To ensure that adequate and satisfactory provision is made for vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.*

No commercial units are being proposed under this application. Although this application does identify that a new community hub would be acceptable on site, no details have been submitted under this application. As such, any conditions requiring highways works associated with this unit will be attached to permission approving the community hub, not this application.

Conclusion

In consultation with the Council's Highways and Green Spaces department it has been decided that these conditions are onerous and unnecessary. The Planning Department recommends this application for approval without the attached conditions.

Appendix 1: Site Location Plan

