

**Location**                      **Old Fold Manor Golf Club Old Fold Lane Barnet EN5 4QN**

**Reference:**                      **17/5047/CON**                      Received: 2nd August 2017  
Accepted: 9th August 2017

Ward:                              High Barnet                              Expiry 4th October 2017

Applicant:                      Mr Mike Bishop

Proposal:                      Submission of details of conditions 4 (Landscaping) 5 (Excavation) 7 (Tree Protection) 8 (Tree Felling and Pruning) 9 (Landscape Management Plan) 10 (Construction Management and Logistics Plan) pursuant to planning permission 15/03873/FUL dated 08/08/17

**Recommendation:** Approve

AND 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)

**Informative(s):**

- 1     The documents accompanying this application are:
  - Covering letter from agent dated 2 August 2017 and 27 September 2017.
  - HydroLogic Services letter dated 25 September 2017 and Drawing 105.07b (received 27 September 2017).
  - EcoScope 25 year habitat management, creation and aftercare report Rev 4, EcoScope Tree Felling Phasing Program Rev 4, Tree Protection and excavation method statement Rev 3, covering letter from agent dated 31 October 2017 and Drawing Nos. 105.05L, 06L,07a A, 17A (received 31 October 2017).
  - Agent email dated 3 November 2017.
  
- 2     The applicant is reminded that any tree removal works must only take place in accordance with the timescales set out on Drawing 105.17A.

## **Officer's Assessment**

### **1. Site Description and background**

The application site relates to areas of land forming part of Old Fold Manor Golf Course. The golf course sits on the northern boundary of the London Borough of Barnet and abuts the boundary with Hertsmere (within the county of Hertfordshire). The site boundaries are demarcated by the A1081 St Albans Road to the west, Old Fold Lane, Kitts End Road, Hadley Highstone and Hadley Green West to the east, and Sunset View to the south. Immediately to the north of the site are open agricultural fields.

The entire site is within the Green Belt and the Monken Hadley Conservation Area and the central-eastern part is within an Area of Special Archaeological Interest. The site is traversed by two public footpaths. The site also contains part of the registered battlefield of the Battle of Barnet.

The site contains an 18 hole golf course, a club house (Grade II Listed), and three small sized outbuildings.

The application site is owned by the London Borough of Barnet, however the golf club signed a 125 year lease in September 2000.

Planning application 15/03873/FUL proposed the recontouring of western boundary alongside St Albans Road to form safety banks between 1 and 4 metres high. Creation of driving range with six covered range bay and attenuation pond, short game academy course, minor modification to hole 10. Temporary construction access from St Albans Road. The application was referred to the Planning Committee on 29 March 2017, and the committee resolved to approve the application, subject to conditions and the completion of a legal agreement. Following completion of the legal agreement, planning permission was granted on 8 August 2017.

As part of the deliberation of the application, Members specified that any submission pursuant to condition 4 (Landscaping) should be referred to Planning Committee to consider. The current application relates to a number of conditions including landscaping, and therefore falls to be considered by committee.

### **2. Consultation**

Consultation has been undertaken with the Planning Trees and Landscape Officer, Barnet's Traffic and Development Team and Environmental Health team, and Hertfordshire County Council via Hertsmere Borough Council. The consultation responses are summarised within the appraisal at Section 5 below.

In addition, two public responses have been received to this submission:

The objection can be summarised as follows:

- Construction management plan fails to address requirements in the condition.
- Document should set out overall absolute maximum deliveries to the site.

The comment can be summarised as follows:

- Insufficient new trees are shown, and some species have been omitted.
- Insufficient information is given in the 25 year management plan.
- There is a risk of lorry and foot traffic damaging trees.

Following the receipt of the above comments, amended documentation has been received. The author of the objection does not consider their concerns have been addressed.

The Barnet Society have confirmed:

- Pleased to see how much the landscape proposals have developed over the last three years. We particularly welcome the increased quantity, variety and distribution of new trees, though - on a point of detail - we would prefer smaller *Pinus sylvestris* to be planted.
- We still believe a replacement stile should be provided, set back from the road not less than 1.5m (to avoid pedestrians walking straight onto St Albans Road).
- We are also unconvinced of the merits of swales over permanent land drainage.
- Finally, we remain puzzled about the sequencing of felling, ground-forming and planting, particularly along St. Albans Road, in view of the risk of lorry and foot traffic damaging roots, foliage and earlier phases of work. The Proposed Phasing & Works Plan no. 105.13G (in the original application 15/03873/FUL) was no help, and the latest information throws no new light on this. It is not helped by inconsistencies about the quantity of Poplars to be felled (32 in the Habitat Management Report, 34 in Woodland's letter dated 27 September 2017).

### **3. Policy Context**

Relevant Development Plan Policies:

- London Plan (2016)
- Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5, CS7 and CS9.
- Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM06, DM15, DM16 and DM17.
- Sustainable Design and Construction SPD (2016)

### **4. Assessment of proposal**

#### Condition 4 - Landscaping

The condition states:

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

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

*c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme or Landscape and Ecological Management Plan 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 and to preserve the character and visual amenities of the site and the conservation area in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 and DM06 of the Development Management Policies DPD (adopted*

*September 2012), the Sustainable Design and Construction SPD (adopted 2016) and 7.21 of the London Plan 2016*

The original planning application was approved on the basis of the provision of some 7500 square metres of woodland planting, amounting to 2835 new trees being planted at the site. As part of the condition submission, Officers initially raised concern in respect of the proposed planting density, and the eventual appearance of the site when the planting eventually becomes established. Concerns were also raised in respect of the planting sizes, with too large a proportion of new planting being smaller sized "whips" initially and fewer larger 'standards'. During the course of the submission, this has been amended.

The applicant is now proposing to plant, including the hedgerow enhancement a total of 6735 trees at the site. Of these, 4975 will be trees within the woodland blocks. The climax tree species (to be planted as standards, toward the higher parts of the proposed mound) include Hornbeam, English Oak and Lime. The woodland edge species (to be planted as whips, closest to St Albans Road) would include Hazel, Hawthorne and Elder. Between the two groups, nurse species (to be planted as feathered) would include Birch, Field Maple and Scots Pine. The trees would be planted in a similar manner at the proposed driving range and short course are set within the site. Officers consider that the proposed landscaping, given both the number of trees and the proposed planting sizes, would make an appreciable contribution to the landscape to offset the removed Poplar trees and ensure the long term success of this development. They would ensure that the development preserves the character and appearance of the conservation area.

In addition to the planting, the existing hedgerow alongside St Albans Road would be retained and 440m of hedgerow enhancement would be undertaken. This would further visually enhance the character and appearance of the site on completion of the works.

The proposed landscaping is considered to mitigate satisfactorily against the loss of the established row of Poplar trees alongside St Albans Road. On this basis, the landscaping scheme is considered acceptable pursuant to condition 4.

#### Condition 5 - Excavations for services

The condition states:

*a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site, along with the method of excavation and installation have been 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 safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015)*

In respect of services, the applicant has advised that the only excavations within the site would be undertaken for the installation of drainage. There will be no other services installed. In terms of the drainage, alongside St Albans Road a swale will be constructed at the bottom of the proposed mound, running parallel to St Albans Road. This will be constructed using a no-dig procedure, which ensures it will be constructed on the

proposed mound and will not be constructed in a way that risks tree roots being severed. Furthermore, the design of the swale has been assessed by a hydrological consultancy and they have confirmed that the design of the swales is such that water from the mound would generally gather in an area not immediately abutting the retained trees along the site boundary. The swales have been designed to avoid any adverse impact on the trees and would be constructed by hand to avoid any adverse impact that machinery could cause to tree root systems by ground compaction or direct physical damage to trees.

The drainage to the driving range would be set outside of the RPA of retained trees, with a swale used to convey water to an attenuation pond.

The submitted details have demonstrated that existing trees to be retained would be safeguarded and on this basis are considered acceptable pursuant to condition 5.

#### Condition 7 - Tree Protection and Method Statement

The condition states:

*a) Notwithstanding the details submitted with this application, no site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree 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) which includes details of development phasing and the construction of the temporary haulage road and method of removal of this road following completion of the development 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 to be retained 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 to the site and the wider area in accordance with Policy DM01 and DM06 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 2016.*

The applicant has submitted a proposed tree protection plan and method statement. In terms of protective fencing, the developer is proposing to install Herras style fencing around all existing trees proposed for permanent retention. That fencing will be installed prior to any works taking place on site, and removed only once all development works are completed. This fencing is proposed specifically in areas where incursions by mechanical machinery is high risk.

For the remainder of the tree protection, Euromesh fencing (ie plastic mesh fencing) would be installed. The applicant has confirmed that protective barriers will only be completely removed once all machinery has left each phase. The site operatives will be made aware of the requirement for the no dig construction method within the sensitive areas of retained trees, with works taking place in stages to contain the development works and enable management.

The applicant has confirmed that a site arboriculturalist would visit the site during the preliminary phases of the construction of the roadside mound (which is estimated to take eight weeks) to ensure the protective fencing is constructed to the correct specification and in the correct location. Two random inspections would also be carried out. The preliminary stages of the construction of the driving range and short course would also be reviewed by an on-site arboriculturalist.

The retained Poplar trees would be inspected in years 2, 3, 4, 5 and 6 following completion of the development.

The temporary haul road within the site would be excavated to a depth of 450mm, after which a hard core would be added to create a finished road surface. This would all take place outside of the root protection area of any retained tree. The haul road would be removed as the mound is constructed, with the indicative turning circle shown on the submitted plans being migrated north as works progress. It would remain outside of the RPA of retained trees. The developer has confirmed that trucks will deposit material at the working face of the mound. The material will be shaped by a bulldozer and 360 excavator, however in the areas of no dig (primarily under the Poplars and retained trees, the material will all be spread and shaped using manual labour. This includes the construction of the no-dig swales.

The submitted means of tree protection, and the construction methodology within the RPA, is considered acceptable. The no-dig solution has been designed to ensure no adverse impact on the root system of retained trees. The haul road will not impact on the RPA of retained trees. On this basis, the submission is considered acceptable pursuant to condition 7.

#### Condition 8 - Tree felling and pruning specification

The condition states:

*a) Notwithstanding the details submitted with this application, no site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling and pruning specification has been submitted to and approved in writing by the Local Planning Authority.*

*b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition, and the Landscape and Ecological Management Plan, and all in accordance with British Standard 3998 (Recommendation for Tree Works).*

*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*

In respect of the removal of Poplar trees, an informative attached to the original grant of planning permission makes it clear that the tree removal works shall take place on a phased basis, with full details of this phasing being submitted. The applicant has proposed a scheme which involves the removal of the remaining 44 Poplar trees over a 6 year period. In the first year, a total of ten trees would be removed, including seven Poplar trees which are severely diseased and must be removed immediately. Ten trees would be removed at year three, ten at year five and the final 14 at year six. This phasing program enables a linear boundary of Poplar trees to be seen on site up to the final felling. In this

time, the proposed planting would have the opportunity to become established which would mitigate the visual impact of the loss of the trees.

It is acknowledged that whilst the Poplar trees are shown on plan to be retained, the proposed bund alongside St Albans Road will be constructed and this will include/involve mounding material up to and around the poplar trees. This will inevitably have some adverse impacts on the longer term longevity of these trees. The applicant is concerned that the provision of robust protection to these trees would cause delays to the timescales of the development, despite the inevitability that the entire row of Poplar trees will be removed in time. The LPA considers that on balance the proposed tree protection measures and development methodology is acceptable to provide for the temporary retention of the trees for the period of this phasing program.

The proposed phasing and tree removal works are considered acceptable pursuant to condition 8.

### Condition 9 - Landscape management

The condition states:

*a) No site works (including any temporary enabling works, site clearance and demolition) or development shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.*

*b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.*

*c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.*

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

A 25 year habitat management, creation and aftercare report has been submitted, which details how the proposed landscaping would be planted and maintained for a 25 year period. As explained during the original planning application, the scheme includes substantial woodland planting and establishing some 11250 square metres of wildflower planting. Wetland habitat would also be created around the proposed attenuation pond. Other ecological enhancement works include the provision of log piles within the site, to retain some on-site timber from the felled trees to provide habitat.

The 25 year management plan sets out in detail how the proposed new planting would be installed and maintained. It includes provision for any shrubs and trees to be replaced if dead, misshapen or diseased, with plants of identical specification, and the relevant consents sought from the Local Planning Authority prior to any other tree works taking place which fall within the scope of a S211 Notice of Intent. The plan includes provision to, after 10 years, thin the canopy of the woodland planting where the canopy cover approaches 100%, in order to favour the climax species.

## Condition 10 - Construction Management and Logistics Plan

The condition states:

*a) No development or site works shall take place on site until a Construction Management and Logistics Plan has been submitted to and approved in writing by, the Local Planning Authority. The plan shall provide for:*

*i. details of the routing of construction vehicles to and from the site from the A1(M) J1/M25 J23 at South Mimms, hours of access, access and egress arrangements within the site and security procedures;*

*ii. site preparation and construction stages of the development;*

*iii. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;*

*iv. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;*

*vi. noise mitigation measures for all plant and processors;*

*vii. details of contractors compound and car parking arrangements;*

*viii. Details of a community liaison contact for the duration of all works associated with the development;*

*ix. details of hours of construction activities detailing scheduling of deliveries, loading and unloading of plant and materials;*

*x. a schedule of deliveries including maximum vehicle movements per day, and days within the months when deliveries will take place, over the life of the construction works.*

*b) The development shall thereafter be implemented in accordance with the measures detailed within the plan approved by this condition.*

*Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.3 and 5.18 of the London Plan (2015).*

The Construction Management and Logistics Plan provides for adequate controls over the construction work, including confirmation that all vehicles used in connection with the application site will travel from and to the site via St Albans Road and the South Mimms/M25 J23 roundabout. The plan has also confirmed the working hours of the site, which accord with the council's standard construction site working hours.

This plan has also been submitted to Hertsmere Borough Council, to enable them to consult Hertfordshire County Council as Local Highway Authority. Hertsmere have not formally determined their submission (at the time of drafting this report), however they have informally confirmed that Hertfordshire County Council are satisfied with the submission.

On this basis, the submission is recommended for approval.

### **5. Response to public consultation**

The construction management plan does provide details in respect of all individual elements required by the planning condition.

The other comments are addressed in the appraisal above.

### **6. Conclusion**

The submitted details are considered to be acceptable pursuant to the conditions, and this application is therefore recommended for approval.

