



Planning Committee Map

Site address: OPEN SPACE AYLESTONE AVENUE, Aylestone Avenue, London

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This map is indicative only.

RECEIVED: 15 August, 2013

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: OPEN SPACE AYLESTONE AVENUE, Aylestone Avenue, London

PROPOSAL: Full planning permission sought for creation of a multi-use games area (MUGA) within south-east corner of Tiverton Green Open Space, consisting of installation of outdoor table tennis tables, a tranverse climbing wall, walking/jogging routes, grass mounds and associated landscaping works.

APPLICANT: Sports and Parks Service

CONTACT: Sports and Parks Service

PLAN NO'S:
See condition 2.

RECOMMENDATION

Approval.

EXISTING

The subject site contains land currently occupied by a tarmac surface within the south-eastern corner of Tiverton Open Space adjacent to the Avenue (to the south) and Aylestone Road (to the east). The surrounding uses are residential. The site does not contain a listed building and is not located within a conservation. It is a designated public open space.

PROPOSAL

See above.

HISTORY

Application:	Planning	Number:	12/1998
Validated:	24/07/2012	Type:	Deemed (Reg3 Councils own Development)
Status:	Application Decided	Date:	08/10/2012
Summary:	Granted		
Description:	Installation of outdoor gym with an area of 9.5m x 6m in an area of existing hard-surfacing in South West corner of the open space		
Application:	Planning	Number:	00/2373
Validated:	23/10/2000	Type:	Deemed (Reg4 Councils Other Development)
Status:	Application Decided	Date:	04/07/2001
Summary:	Granted		
Description:	Proposed tennis school development incorporating resurfacing 4 tennis courts, refencing the area, installation of floodlighting and installation of a temporary building providing office and changing facilities		

POLICY CONSIDERATIONS

National Policies

National Planning Policy Framework

The NPPF was published on 27th March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

Saved policies from the adopted UDP have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where LDF Core Strategy, UDP saved policies and SPG's are referred to in the report below they have been considerations in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

Brent's Core Strategy (July 2010)

CP18	Protection of Open Space
CP23	Protection of Community Facilities

Brent's Unitary Development Plan 2004

BE2	Townscape: Local Context & Character
BE4	Access for Disabled People
PS16	Cycle Parking Standards
OS8	Protection of Sports Ground

Main Policy Considerations

- Impact on use of open space
- Impact on existing sports provision
- Visual impact on surrounding area

CONSULTATION

Public consultation undertaken 19/09/2013 - 10/10/2013. 84 neighbouring properties were consulted.

26 responses were received of which 8 were objections, 16 were in support of the proposal and 2 were raising queries regarding the proposal.

A summary of the reasons for **support** raised are summarised in the table below:

Issue raised by consultee

1. Current tennis courts are in a poor state and out of use. The introduction of the MUGA would revitalise the area, enhance the area visually, socially and physically.
2. Great utilisation of what is a disused space.
3. The introduction of the outdoor gym that was recently installed (to the immediate west of the site) has been a success and the MUGA would provide a safe, dog-free, clean and fenced-off area to run, climb and play ball games. The facility will improve civic behaviour and promote community cohesion and engagement.
4. The recently installed exercise area has been used by different age groups from a cross section of our community using the equipment. The introduction of a multi use area would further enhance this breadth of engagement. Whilst it may be mainly aimed towards secondary aged children, it will also be used by adults for exercise. There is an issue with dog-mess on the park and an all weather, specific play area will overcome this issue.
5. The facility will be a great asset for many local children who don't have their own garden, or even an outdoor communal area in their flats.
6. The houses on The Avenue are all well set back from the road, behind either hedges or fences and are well 'insulated' from any perceived noise that may be generated. Given that The Avenue/Wrentham Avenue is already quite a busy and noisy road at most hours, both with vehicular and pedestrian traffic and bordered at the rear by a noisy railway line, any 'extra' noise generated would be minimal and negligible.

A summary of issues raised in **objection** shown in the table below.

Issue raised by consultee

1. Objection to the MUGA being accessible at all hours as it could lead to congregation of groups

Response to comments

Whilst there would be no restriction on when the facility is used, the park as existing is open 24 hours a day and

- and anti-social behaviour. There does not seem to be a plan for regulation/monitoring the use which could lead to noise disturbance and litter
2. Loss of view resulting from proposed hedge
3. Safety of users of park resulting from the proposed restricting views of the park
4. Will existing problem of water-logging be addressed.
5. Concerns regarding the distribution of on-street parking controls on adjacent streets, where proposed reduced hours on controlled parking on The Avenue and Aylestone Road are not to be employed on Tiverton Road.
- whilst the improved standard of sports and recreational equipment may attract increased use of this section of the open space, the omission of flood lighting would discourage use of the facility during unsociable hours. Inevitably outlook will change for the people living nearby as they have had views of a disused open area of dilapidated hard-standing for a number of years. However, officers consider that the changes proposed would not have a significantly unacceptable visual impact on the area taking into account the overall scope of the works, which involve the planting of a 1.2 metre height hedge on the southern boundary. The location and boundary treatments proposed would still allow for the MUGA facility to be well-observed from the park, and the height of the boundary fencing would not restrict views of the wider park area from the adjacent streets. Whilst no measures have been raised in the submission with regards to how this issue would be addressed, the proposal would not be considered to worsen but actually improve upon the existing drainage within the park by introducing soft landscaping to an area which is currently 100% hard standing. The Council's Sports and Parks Services will maintain the facility in a similar fashion to that of other sports provision within parks. If there is an issue with drainage then this is a matter which the Council's Parks service will seek to resolve.
- This comment stems from a recent decision by the Council to amend the Zone 'KS' Car Parking Zone following consultation with residents affected by the proposal, which shall be implemented in February 2014. Further information on this is provided within the remarks section of the report.

The Friends of Tiverton Green (FOTG) have written in supporting the application. They consider that the plans to improve the area and provide facilities for children and young people to play football, basketball, cycling, horizontal climbing and table tennis came out of a widespread consultation process involving local residents and schools. FOTG lends its full support to the plans and the plans also have the full support of the two closest community schools

Statutory consultees:

Although the site itself is in Brondesbury Park Ward, the opposite side of The Avenue is actually in Queens Park Ward. As a result, all ward Councillors within the Brondesbury and Queens Park Wards have been consulted.

- Queens Park Ward Councillors: Support from Councillor Denselow.
- Brondesbury Park Councillors: Councillor Shaw queried issues raised by her constituents relating to hours of parking, community safety which are addressed within the objection response section above and in more detail within the remarks section of the report.
- Transportation: No objections on transportation grounds
- Landscaping: No objection on landscaping grounds but advised that Environmental Health Team is consulted to discuss re-use of materials, top-soil depths and any issues with contamination.
- Sport England: Did not wish to comment on the application.
- Brent Strategy, Partnerships and Improvement Department: Support for the application
- Brent Community Safety Team (BCS): No objections were raised by the BCS in relation to the introduction of a MUGA in this location, as it would not be considered to be a driver for anti-social behaviour. The future management of the facility would be considered to be important.

REMARKS

Site Context and Surroundings

1 This application seeks planning permission for the installation of a Multi Use Games Area (MUGA) within the south-east corner of Tiverton Open Space. The immediate section of the park is bordered by residential properties to the south on The Avenue, to the east by properties on Aylestone Avenue, the turfed Tiverton open space to the north, and by the other tarmaced section of open space to the west which has had a childrens play area recently installed.

1.1 Queens Park Community School is located to the north beyond the open space.

1.2 The proposed MUGA will be located towards the south-eastern end of the open space in an area previously used as tennis courts.

Proposal and layout

2 The proposal is to construct a multi-use games area (MUGA) that can be used for basketball, football and multi-sports on the eastern side (corner of The Avenue and Aylestone Avenue) of the currently dilapidated hard standing. The MUGA would occupy approximately 2,500m² area. This proposal also includes installing a climbing wall, outdoor table tennis tables, perimeter low level fencing and pathways as well as landscaping improvements including hedges, grass mounds and raised plant beds.

Use of the proposed facilities

2.1 The addition of a MUGA would increase and enhance the play offer in the local area by increasing the sports facilities available. It will provide opportunities for the older range group of young children in the Brondesbury and Queens Park Wards to participate in activities such as football and basketball for free.

2.2 The Sports and Parks Service outline that their work is driven by two strategies; 'The Sport and Physical Activity Strategy 2010 - 2015' (SAPAS) and The Planning for Sport and Active Recreation Facilities Strategy 2008-2021. The MUGA would work towards a number of goals within the SAPAS strategy including increasing provision of appropriate facilities, getting people more active and increasing sports opportunities for young people. The Facilities strategy identifies that MUGAs are a cost effective way of providing ideal sporting and social play area for teenagers, older children and adults.

2.3 The proposal has been created alongside the local community as part of a consultation process that led to the vision to create an outdoor gym (phase 1 which has already been delivered) and the MUGA facility subject to this application.

2.4 There is no freely accessible MUGA provision within 800 metres of Tiverton Green. The introduction of this facility would transform a dilapidated area of hard standing at the southern end of the open space, allowing the local community to participate in physical activity. A number of comments received during the consultation process of this application outline the success they consider the introduction of the outdoor gym to the west of the site to have been in terms of its use by a diverse cross-section of the community. The introduction of the MUGA facility would further diversify the range of sporting facilities in a safe all-weather environment available to the local community.

Landscaping

3 The proposal would improve the current lack of landscaping within this part of the open space which is currently 100% hardstanding. The western section of the site would be turfed with grass whilst there would a 6.5 metre depth landscape strip located close to the southern section of the site adjacent to The Avenue, with a 1.2 metres height hedge placed adjacent to the boundary, which would also cover the boundary with Aylestone Avenue. An asphalt jogging track would border the perimeter of the site, enclosed by the hedge to the south and a 1.2 metre height fence would be positioned between the track and the northern boundary shared with the park. 4 raised bed planters are also proposed on the borders of the MUGA.

3.1 It is considered that the proposed landscaping would enhance the visual amenities of the existing site.

Fencing

4 No alterations to the existing 3 metre height 'chicken wire' fencing on the boundaries of The Avenue and Aylestone Avenue are proposed. The MUGA would be set-off the boundaries shared with The

Avenue and Aylestone Avenue by approximately 8.45 metres and 8.3 metres respectively. A 1 metre height internal perimeter fence would be placed around the southern and northern elevations of the MUGA with a 2-3 metre height enclosure located at the goal ends.

4.1 No specific details of the fencing materials are provided but further details can be required by condition.

Access

5 Access to the MUGA will be via the existing access-gate off the Aylestone Avenue, which can accommodate both able bodied and disabled users. No new accesses will be created, but a perimeter pathway to the north of the site within the park will provide a hardstanding route from the existing park footpath to the facility entrance. It is anticipated that the new facilities will be able to be accessed by all.

5.1 Aside from two small benches to the north of the site, the facility does not provide any provision of furniture that would encourage congregation or loitering.

5.2 The perimeter fence with gates will provide a safe, semi-enclosed environment for users which will discourage people from entering the site whilst passing either from the street or the park, and thereby work towards ensuring that the site is used for its solely for its purpose as a multi-use sporting facility.

Impact upon residential amenity/Floodlighting/Management of use

6 The applicant has stated that there is no proposal to floodlight the sports area. This is to minimise recreational noise during hours of darkness as well as avoid any unacceptable nuisance from the light itself. Officers welcome this approach.

6.1 Concern has been raised by objectors that despite there being no floodlighting provided, street lighting would facilitate 24 hour use of the MUGA. There is 1 street-light located within a reasonably close vicinity of the MUGA on The Avenue which would be approximately 11 metres away and facing the street. It is not considered that this would provide sufficient light dispersal to facilitate use of the MUGA beyond hours of daylight.

6.2 Concerns have been raised that enabling 24 hour use of the facility will encourage anti-social behaviour. Whilst there would be no restriction on when the facility is used, the park as existing is open 24 hours a day and whilst the improved standard of sports and recreational equipment may attract increased use of this section of the open space, the omission of flood lighting would discourage use of the facility during unsociable hours.

6.3 A condition is suggested reminding the applicant that any flood lighting would need planning permission in its own right.

6.4 Some of the comments received indicate that anti-social behaviour already occurs in the park. Whilst in planning terms the Council seek to ensure such developments are well observed and secure, the behaviour of other park users is not a matter that can be controlled by the planning system. The provision of this facility within a public park is considered to be acceptable as it will enhance and increase the range of activities available to members of the public within the park. The Brent Community Safety Team did not consider that the introduction of a MUGA in this location would give rise to concerns regarding anti-social behaviour by congregating groups and in theory MUGAs can act as a diversion from engaging in anti-social behaviour. As mentioned within the section of this report discussing access, the fencing surrounding the perimeter of the park itself and not including additional accesses off the street should reduce scope for impromptu entrance into the MUGA by people passing it from the street, which reduces the likelihood of people with no intention of using the facility other than for its intended purpose for games and sports from entering the site.

6.5 The MUGA is visible from people passing through the park. This will allow natural surveillance of this space from users of the park, and those passing through it.

Transportation

7 The site lies within Car Parking Zone (CPZ) "KS" which operates 08:00 – 18:30 Monday to Friday, but has fairly low accessibility with a PTAL rating of level 2. Consultation has recently been undertaken on the times of operation of the CPZ and there is a change coming into effect at the end of

February. Once the changes take effect, the majority of the zone will reduce to 10am to 3pm Mon-Fri.

7.1 No car parking is provided for the facility as it is intended to serve a predominantly local community, There is a large provision of on-street parking available outside of peak periods, with pay & display car parking available on both sides of Aylestone Avenue as well as on the north side of The Avenue

7.2 Objection 5 within the consultation section of the report raised concerns that as The Avenue will be subject to shorter controlled parking hours from the end of February, more people will park there than on Tiverton Road, on which the CPZ hours would remain the same. Whilst there may well be an increase in on-street parking on The Avenue following this change, the changes are being made taking into account feedback provided from the the public consultation that was undertaken in May - June 2013. Residents requested shorter hours in the consultation as they feel there is not significant parking pressure currently and would prefer for their visitors not to have to pay during extended hours. The reduction in operating hours was strongly supported by the residents and implicit to this is some acceptance that this reduction may lead to some additional on-street parking. Most residents on Tiverton Rd did not support reduced hours and therefore the existing CPZ hours on that street have been maintained.

7.3 Officers views are that is not anticipated that the facility will attract significant numbers of car-borne users.

7.4 "Sheffield" type cycle stands will allow up to fourteen cycles to be securely parked at the site. There will remain the possibility of increasing this provision if it is well used.

Other matters

8 Concerns were raised in relation to apparent existing issues with the park becoming water-logged. Whilst no measures have been raised in the submission with regards to how this issue would be addressed, the proposal would not be considered to worsen but actually improve upon the existing drainage within the park by introducing soft landscaping to an area which is currently 100% hardstanding. The Council's Sports and Parks Services will maintain the facility in a similar fashion to that of other sports provision within parks. If there is an issue with drainage then this is a matter which the Council's Parks service will seek to resolve.

8.1 The submitted plans show the treatment of the western end of the tennis court site adjacent to the Tiverton Road of the open space redeveloped to be used as a cycle track. As per the MUGA application, all the improvements have stemmed from consultation with the local community and are anticipated to be subject to a separate planning in the future.

Summary

9 The proposal accords with policies in the UDP (2004) and Core Strategy, is an appropriate use of public open space, will not result in the loss of formal pitches, will not be harmful to the visual amenity of the area and will enhance the existing sports offer in this area. Your officers recommend approval accordingly.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004
Brent Core Strategy 2010
National PLanning Policy Framework

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

Design & Access Statement Proposed MUGA and facilities, Tiverton Green Open Space
Tiverton Green Open Space MUGA Maintenance & Management Programme
ML005/P/005
ML005/P/006b
ML005/P/006a
Tiverton Green Schedule of Works Landscape Works Jun 2013
ML005/P/002
ML005/PL/003
ML005/P/004 rev. A

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

- (3) No security lighting or other forms of floodlighting shall be erected on the site without the submission of full details to, and written approval from, the Local Planning Authority.

Reason: in the interest of safeguarding local amenity and the character of the Public Open Space.

- (4) The landscape works and planting shown on the plans and details as set out within the schedule of landscaping works hereby approved shall be carried out in accordance with a programme agreed in writing with the Local Authority.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the area.

- (5) Further details of the MUGA and site boundary gates/fencing design and materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of all works on site. The works shall be undertaken in accordance with the approved details.

Reason: To ensure a satisfactory standard of development is achieved.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Roland Sheldon, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232