



Planning Committee
16th March, 2010

Report from the Chief Planner

Wards Affected: Northwick Park

Report Title: Playgolf Northwick Park - UPDATE REPORT

Introduction and site description

Playgolf Northwick Park opened as a golf course with ancillary clubhouse building and driving range in 2005 following the grant of planning permission in May 2001 to establish a golf course and driving range on the area of Metropolitan Open Land, (MOL) along with associated access roads and parking areas, a drainage ditch and ponds (water hazards) and maintenance areas. Northwick Park is designated in the UDP as Metropolitan Open Land (MOL), a site of nature conservation importance, and public open space. Watford Road represents the western boundary between the Boroughs of Brent and Harrow. The MOL incorporates two public rights of way (PROW 36 and 37), one of which (PROW37) intersects the golf course driving range.

The site now operates as a 9-hole golf course, although originally it opened as a 6-hole course. There is also an adventure (mini) golf course and a baseball batting court on the site. The 2-storey clubhouse building is partially built into the ground and includes a 60-bay floodlit driving range over two levels that plays out onto a 225m long range enclosed by nets 20m in height (see 07/0172). The clubhouse building now provides reception and changing facilities, as well as an ancillary restaurant, golf shop, multi-purpose gym and rooms for functions/ conferences. There is a main car park for up to 60 spaces and a subsidiary

“overflow” car park for a further 40 cars and a further special events parking area, along with roadway lighting and signage.

Since the opening of the golf centre the site has been subject to a number of ongoing planning and other issues, including complaints against alleged breaches of planning, pollution complaints, commencement of new unauthorised uses, and public right of way matters, as well as subsequent planning applications, enforcement action and appeals. This report seeks to gather together all the outstanding matters and set out the Local Planning Authority’s position on those relevant to planning, and where applicable take action to ensure the golf centre’s compliance with relevant conditions and permissions. Last year a new company called Leisure Golf Limited has taken over control of the management of the site. Recently this has resulted in the site’s name changing from Northwick Park Playgolf to Playgolf Harrow. The Local Planning Authority has taken this change in management of the site as an opportunity to pursue any unresolved planning matters on site and have raised concerns submitted by local residents with the company.

The report will address each of the principal unresolved planning matters individually, detailing the planning context. Recommendations will be made for unresolved matters where necessary.

History

The main history, not including all details pursuant to conditions applications is set out below:

99/2397 – Planning permission was **granted** in May 2001 for construction of a golf centre comprising part single-/part two-storey building for use as clubhouse and floodlit practice facility/driving range, provision of ball-stop fencing, landscaping, car-parking, new access roads and new 9-hole golf course.

02/1293 – Planning permission was **refused** in September 2002 Construction of 2-storey golf club building with 60-bay floodlit practice facility/driving range cafe, fitness suite and external climbing wall, together with construction of external baseball batting cages, car-parking area and new site access (amendment to planning permission 99/2397).

The Planning Committee had resolved to grant permission but it was refused by direction of the Mayor of London

03/1102 – Details **approved** in June 2003 of conditions 4 (materials) and 6 (landscaping). These details were not implemented as they related to a 9-hole golf course.

(E/06/0111) – An enforcement notice was served in April 2006 for retention of a baseball batting cage, associated lighting and structures. The structures and lighting were to be removed within 2 months of the date of the notice (taking

effect on 21 May 2006). The Enforcement Notice was appealed and the appeal **allowed**, subject to conditions.

Enforcement Notices were served in April 2006 with respect to the following:

1. Baseball batting cage, associated lighting and structures requiring removal within 2 months.

(E/06/0111)

2. The hardsurfacing and lighting of an area to the North of club house for use as an overspill car park requiring removal within 2 months. **(E/06/0172)**

3. The erection of a picket fence, wooden cabin and lighting to the West of the clubhouse to create an adventure golf course requiring removal within 1 month. **(E06/0195)**

Appeals were lodged against the Notices and the appeals subsequently withdrawn following the decisions on the following applications:

06/0762 – Planning permission **refused** in October 2006 for retention of caged baseball batting court and kiosk and associated floodlighting and landscaping. The decision and enforcement notice (E/06/0111 above) were appealed and the appeals **allowed** on 13 April 2007 subject to conditions.

06/0768 – Planning permission **granted** subject to conditions in December 2006 for retention of hard surface and lighting to North of clubhouse to create an overflow car park, subject to conditions.

06/0769 – Planning permission **granted** subject to conditions in December 2006 for retention of the adventure golf course, subject to conditions.

06/0677 – Advertisement Consent **granted** subject to conditions in December 2006 for retention of double-sided, internally illuminated, free-standing sign at either side of site entrance, subject to conditions.

07/0172 – Retention of ballstop netting to driving range granted in October 2007 with no associated conditions

07/2628- Planning application granted April 2008 for deletion of condition 1(i) (b) ' works to allow the dome shaped netting to be lowered when not in use' and condition 2 ' the dome shaped netting shall be lowered to the full extent specified when the court is not in use ' of Planning inspectorate appeal decision Ref: APP/T5150/C/06/2016378 and Council Ref: E/06/0111.

07/2630 – Planning permission granted subject to conditions in April 2008 for retention of existing gymnasium at the Playgolf Northwick Park Golf Centre (Class D2).

07/2628 - Planning permission granted subject to conditions in April 2009 for retention of existing restaurant with bar at the Playgolf Northwick Park Golf Centre (Use Class A3) and subject to a Deed of Agreement dated 22nd January 2009 under Section 106 of the Town and Country Planning Act 1990, as amended

Policy Considerations
Brent's Unitary Development Plan 2004

STR5 - A pattern of development which reduces the need to travel especially by car, will be achieved through:

- (a) locating major trip generating activity in areas most accessible to public transport, in particular at the transport interchanges .
- (b) giving priority to public transport , walking and cycling.
- (c) encouraging developments with a mix of uses in appropriate locations.
- (d) increasing residential densities, particularly in walkable neighbourhoods.
- (e) securing significant public transport improvements.

STR6 - On-street parking controls and off-street parking standards will be used to restrain traffic.

STR11 - The quality and character of the Borough's built and natural environment will be protected and enhanced, and proposals which would have a significant harmful impact on the environment or amenities of the Borough will be refused.

BE2 - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character, or have an unacceptable visual impact on Metropolitan Open Land. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE5 - Development should be understandable, free from physical hazards and to reduce opportunities for crime, with a clear relationship between existing and proposed urban features outside and within the site. Public, semi-private and private spaces are clearly defined in terms of use and control, informal surveillance of public and semi-private spaces through the positioning of fenestration, entrances etc., front elevations should address the street with, where possible, habitable rooms and entrances, with private areas to the rear and significant areas of blank wall and parking should be avoided on back edge of pavement locations, entrances should be overlooked by development with good lighting and visible from the street, rear gardens should not adjoin public space, parking spaces are provided within view and if not made safe in other ways and are not normally accessible via rear gardens of residential properties

and accessways are through or adjoining a site are overlooked by development, provided with good lighting, set away from cover, provide clear sightlines and not run next to rear gardens.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, new planting of an appropriate species, size, density of planting with semi-mature or advanced nursery stock, new integrally designed structural landscaping on appropriate larger sites, boundary treatments which complement the development and enhance the streetscene and screening of access roads and obtrusive development from neighbouring residential properties.

BE7 - High quality of design and materials required for the street environment. In existing residential areas, the excessive infilling of space between buildings and between buildings and the road, the hardsurfacing of more than half of the front garden area and forecourt parking detracting from the streetscene or setting of the property or creates a road/pedestrian safety problem, will be resisted.

BE8 - Development proposals should conserve energy through the use of low energy or renewable systems where appropriate and should preserve the darkness of the night time sky, particularly near Metropolitan Open Land and Public Open Space and lighting should be controlled to avoid nuisance to road users, harm to residential amenity and/or detriment to local distinctiveness, with the use of conditions where necessary.

BE9 - New buildings should have an appropriate design solution specific to the site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which have a direct relationship with the street at ground floor level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

BE34 - Particular regard will be had to the impact of development proposals on the listed views of the important landmarks of St Mary's Church, Harrow on the Hill. Assessment of impact will include that on the backdrop and setting of these views.

TRN1 -Transport impact assessed, including cumulative impacts on the environment, on the road network and all transport modes including public transport, walking and cycling. Developments having a potentially significant impact on the transport network should submit a Transport Assessment, incorporating proposed traffic reduction by the developer (e.g. green transport plans). Where this transport impact is demonstrated to have an unacceptable public transport or environmental impact the application will be refused unless measures are secured as part of the application making this acceptable.

TRN2 - Development should benefit and not harm the operation of the public transport network and should be located where the public transport accessibility is sufficient to service the scale and intensity of the use, in particular, the capacity of the public transport network within convenient and safe walking distance of the site should be sufficient to accommodate any increase in passenger trips to an acceptable level of service, any significant increase in traffic generated by the development and/or associated highway works should not cause material harm to the speed and/or reliability of bus services.

TRN3 - Proposals that cause or worsen an unacceptable environmental impact from traffic will be refused, including where car generation is greater than the parking to be provided on site in accordance with the standards and any resulting on-street parking would cause unacceptable traffic management problems, it would result in unacceptable environmental problems such as noise and air quality, the development would not be easily and safely accessible to pedestrians and/or cyclists, additional traffic would have unacceptable consequences for access/convenience of pedestrians and/or cyclists, it produces unacceptable road safety problems, the capacity of the highway network is unable to cope with additional traffic without producing unacceptable congestion especially through traffic, there is a significant increase in the number/length of journeys made by private car.

TRN4 - Where transport impact is unacceptable, measures will be considered which could acceptably mitigate this and enable the development to go ahead, secured at the developers' expense including public transport improvements sufficient to service the scheme or to integrate it with the surrounding area, the extension or bringing forward of on street parking controls/waiting restrictions, improvements to pedestrians and/or cycle facilities, traffic calming measures, acceptable road safety and essential highway improvements, not necessarily restricted to junctions and road lengths adjacent to the development, providing these improvements are limited to measures necessary to make the transport impact acceptable and management measures necessary to reduce car usage to an acceptable level (e.g. green transport plans). Such measures should be necessary for the scheme to go ahead and be related to the development, should be consistent with any existing or proposed parking controls and Local Area Transport Strategy covering the area and should not unacceptably divert traffic

problems elsewhere. Wherever possible, measures should be completed before the development is completed/operational.

TRN12 - Priority will be given to road safety issues, particularly those affecting the convenience and safety of vulnerable road users such as pedestrians and cyclists.

TRN14 – New highway layouts, visibility splays and accesses to and within developments should be designed to satisfactory standards in terms of safety, function acceptable speeds, lighting and appearance. There should be efficient internal circulation integrating with the existing road network in a convenient manner, including for emergency service vehicles, pedestrians, cyclists and buses.

TRN17 – New roadspace will be resisted unless necessary, inter alia, to provide essential access to or within regeneration areas, to provide essential access to and within a development site.

TRN22 - Non-residential developments should make provision for parking in accordance with the maximum parking standards. Their application may be varied depending on the level of public transport accessibility to the site and the contribution the development would make to reducing the use of the private car. The level should not be below the minimum operational levels including required disabled parking.

TRN31 - Car parks should be carefully designed to be safe, appropriately screened and landscaped, have convenient pedestrian links to the development and should not be located or of a scale to be visually obtrusive or cause water run-off problems.

Car parks of greater than 50 spaces may be required to be structured, whilst being designed to be attractive and safe.

TRN35 - Access to parking areas and public transport within development should facilitate access for disabled people and others with mobility difficulties.

Designated car parking spaces should be set aside for the exclusive use of disabled persons and comply with the Council's standards (PS15).

SH5 – Out-of-centre proposals for the development of retailing and other key town centre uses will only be permitted where there is a need for the proposal, there is no sequentially preferable site available, the development would not adversely affect town centres, the site is accessible by a choice of means of public transport. Wherever possible such developments should be combined with other out of centre developments.

PS10 - 1 space per 60 patrons, based on the maximum patron capacity plus 1 space per 200 square metres non seating/assembly area.

Maximum employee parking of 1 space per 5 employees.

PS15 - 10% of spaces within 30 metres of the dwellings should be capable of being widened to 3.3 metres. Minimum of 1 space for developments of 10 units or more and should be marked and reserved for disabled persons.

OS1 - Northwick Park, including the Ducker Pond, is designated and protected as Metropolitan Open Land.

OS2- The predominantly open character of Metropolitan Open Land will be preserved. Uses which may be acceptable on MOL are restricted to public and private open space and playing fields; agriculture, woodland and orchards; rivers, canals, reservoirs, lakes, docks and other open water; golf courses; allotments and nursery gardens; cemeteries; and nature conservation

OS3 - Within Metropolitan Open Land development will not be permitted unless any proposed building is complementary to the land uses listed in policy OS2; and any development is small in scale and is required to preserve or enhance activities associated with the particular open space.

OS6 - Development of public open space will not be permitted unless it is required to maintain or enhance activities associated with the open space.

OS21 - The character of paths and other routes which form part of Brent's Network of Metropolitan Walks will be protected . Development on or near to the route will be expected to take full account of Brent's Metropolitan Walks network.

OSP6 - Proposal - Golf Course, Driving Range and ancillary facilities appropriate to Metropolitan Open Land. Development Objectives - Approved planning brief. To maintain nature conservation features, provide appropriate vehicular and maintain pedestrian access, not visually intrude upon open character of area. Improvements to recreational facilities in the Borough.

Planning Considerations

The following matters remain unresolved.

Outstanding conditions- details not discharged

1) 99/2397 –condition 16 regarding drainage ditch protection nets and details of any bridges no culvert permitted

The drainage ditch that runs through the driving range shall have a low ball stop netting on both banktops, to stop balls running and rolling back into the watercourse and access bridges from banktop to banktop (and not involving the culverting of the watercourse) across it, the details of which shall be submitted to and approved by the local planning authority before work on laying out the driving

range green commences. Work shall be carried out in accordance with details thus approved.

Reason: To ensure adequate protection for the drainage ditch and its ecology and to provide an appropriate means of bridge access over it which mitigates the impact on the water environment.

No details have been formally discharged

Leisure Golf Limited has commented that the drainage ditch that runs through the driving range has already been provided with a semi-circular tunnel of netting along the whole sections of exposed watercourse. This has proven to be effective both for protection of the ditch and watercourse and for easy of removal and collection of balls. Drawings and photographs of the construction, layout and materials used were to be submitted to the LPA for formal approval by mid-January 2010. No information has been submitted.

However, in a previous summary report to Members officers commented that “the covering of the watercourse with a concave net does not strictly comply with condition 16 which seeks a “low ball stop netting on both bank tops”, the reason being to protect the ditch. However the concave net appears to be more effective in preventing golf balls entering the ditch and thereby more effective at protecting it. Conversely it is not considered that a concave net which has a reasonably open mesh size could otherwise harm the ecology of the ditch. No action is therefore considered appropriate to secure removal of the netting and replacement with low ball stop nets. There has been no other development that could be referred to as culverting.” Therefore following past consideration, no further action needs to be taken on this point.

2) 06/0769 – Condition 3 - lighting of adventure golf course

Full details of the lighting shall be submitted to and approved by the local planning authority and shall be provided in accordance with the approved details.

Reason : To restrict the degree of lighting to that which is adequate necessary for this activity and the interests of the visual amenity of the locality.

Playgolf has removed the floodlighting originally installed (on 8ft posts) and replaced this with low level lighting. An increased number of lower-level lights have been installed, but the brightness of these lights has been a cause of some complaint. Submission of the lighting details of the adventure golf course, (as revised) is overdue.

Leisure Golf Limited has stated that they will undertake a more detailed review of the adventure course lights to accurately record measured values and assess where repositioned posts and/or light fittings will make light levels more even, appropriate and efficient. No date has been specified for this submission to the Local Planning Authority and confirmation of this is still sought.

3) 06/0768 - Condition 6 – Management plan for the special parking area

The use of the 'special events parking area' shall cease within two months of the date of the planning permission hereby granted unless a management plan detailing the occasions and nature of the use when the 'special events parking area' is to made available for use in conjunction with the use of this site has been submitted to the local planning authority and the approved management plan shall be implemented within 1 week of its approval.

Reason : To limit the area available for parking for the authorised uses at this site in pursuance of the Council's traffic restraint policies and to limit the frequency of use of this special events parking area to exceptional circumstances in view of the location within an area of Metropolitan Open Land in the interests of the visual amenity and open character of this area.

No details have been formally discharged. On 11/11/08 Playgolf submitted a letter and attachments relating to all conditions associated with 06/0768. This incorporated a car park survey but the full details of this survey were not provided, such as when the survey was undertaken, who undertook it, whether the total reflected a daily total or not, and what special events were undertaken. This did not provide the Local Planning Authority with sufficient comfort. Likewise, the submitted Management Plan was found to be insufficiently detailed.

Leisure Golf Limited have stated that they were not aware of restrictions on the availability of parking under application 06/0768. At the beginning of 2010, they have planned to undertake a car park assessment. They intend to use an external car parking control company to regulate the parking behaviour of their customers in addition to considering how to monitor non-patron parking on site. They are considering ways to encourage public transport use. They intend to submit a detailed car park management plan by the end of January 2010. No such details have been received by the Local Planning Authority at the time of writing this report. This issue needs to be resolved to control the total number of parking spaces available.

4) 07/2629 - Condition 5 - no area outside restaurant can be used other than as defined in a management plan to be submitted

No area in connection with the restaurant area outside the main building shall be used other than as defined in a management plan to be submitted to and approved in writing by the Local Planning Authority.

Reason: To control the use of the restaurant activities and their potential impact on the Metropolitan Open Land.

No details have been formally discharged. Leisure Golf Limited have met the restaurant tenants and intend to jointly create a management plan that defines that considers operating conditions outside the main building that may be used in conjunction with the restaurant. No date for the submission of such details has

been provided. This issue needs to be resolved to control the operation of the restaurant in terms of its relationship to the wider building and use.

Non-compliance with submitted details

5) Use of the Overflow car park and special events area and lights

The Overflow Car Park and the Special Events Area appear to be in regular use as car parks as no Management Plan has been agreed. The planning permission requires these areas to be treated distinctly. The lack of control over this area has been the subject of complaints to the Local Planning Authority, and particular concerns have been raised about parking on unauthorised areas of the site and overall parking levels. The management condition should have been satisfied within 2 months of 22/12/06, the site is now in breach of the condition 6 of planning permission 06/0768. The fencing between the Overflow Car Park and the Special Events Area has been recently removed, which is not acceptable.

Planning permission 06/0768 Condition 2 restricted hours of the 2 remaining higher-level lighting columns on the overflow/ special events area, so that they should be switched off when the car-park is not in use, and in any event shall be turned off between the hours of 23.00 and 07.00. This has not been occurring and should be addressed immediately.

As above, Leisure Golf Limited stated that they intend to submit a detailed car park management plan by the end of January 2010. They comment that the fencing between the Overflow car park and Special Events car park was damaged by vandals. Repairs to the fence were part of an insurance claim but are now almost complete. The fencing should hopefully be reinstated to its original condition by the end of December 2009. They are not aware that the high-level lights in the overflow car park had been used between the hours of 23.00 and 07.00 since the timing of these is controlled and managed by an electronic programme. They recognise the importance of obeying the conditions limiting the use of these lights and, as a routine, check the controls regularly. The lights may have been put on override when thefts from vehicles has taken place and security and/or the police presence requested it.

6) Adventure Golf Course Lights

The adventure golf course lights have been mentioned above, and further information is awaited. A further complaint from the public has been raised with reference to the time that the lights are to be turned off. The planning consent limits the adventure golf lights use up to 21.00, but the lights are in use for longer than this, which should be remedied.

Leisure Golf Limited comments that they also control the Adventure Golf course lighting electronically. No extension of use is permitted beyond 21.00

7) Green Roof to main building

This was required under the original planning permission for the site. The absence of a green roof is a cause for concern in view of the roof has apparently been seeded on 2 occasions, but these attempts have not taken. It is likely that this is in part from a lack of maintenance. A green roof is a requirement of the original consent 99/2397 condition 2. Assurances to the council were given by Playgolf, but the roof treatment remains outstanding.

The green roof on the clubhouse building was and is still considered important to justify the siting of the clubhouse in an area of Metropolitan Open Land, (MOL.) In particular it was considered to help assimilate the building into its "green" context. Within details pursuant application 03/0784 relating to condition 2 of 99/2397 the applicants submitted details of an Erisco Bauder green roof system and this was approved. The Local Planning Authority has been led to believe that the roof has been hydroseeded on more than one occasion. This is when a mix of seeds and cuttings is applied to the growing medium and a fine cellulose mulch/fertilizer mix is sprayed over the surface. Such a treatment would however still need to be maintained/ watered. The roof still appears untreated as there has been a total failure of germination.

The LPA sought an extensive, growing roof that would appear vegetated from a distance. This is particularly important as the site is visible in longer views such as from Harrow on the Hill. The earth bund at the front of the site was meant to help screen the sizeable clubhouse, which would itself be camouflaged by a growing roof. The continued lack of a green roof on site means that the building harms the appearance of the MOL and means that the building lacks ecological value. In the Council's Landscape Designer's opinion the LPA should seek a biodiverse range of species on the roof which would maximize the ecological and visual benefits of the feature.

Leisure Golf Limited comment that the previous failure of seeding has been a cause for concern. They want to properly evaluate the needs for maintenance of a green roof and its requirement for irrigation and operator access. They want to aim for a Spring 2010 planting and intended to present their chosen scheme to the council during February 2010. No such details have been received. Subject to further legal advise, it is intended to seek to resolve this in 2010.

8) Landscaping maintenance

Historically, the site was originally granted permission as a 9-hole course, it was later varied to 6 holes, and has then reverted back to 9 again. The most recent approved landscaping schemes were submitted under application 07/2618 but these schemes relate to a 6-hole course. There has been no officially approved landscaping details submitted relating to a 9-hole golf course since this time, although a drawing was submitted on 17/10/08. Whilst the site has been landscaped, as it now benefits from a 9-hole course, further landscaping details

are required. There are a number of planning permissions that require satisfactory landscaping conditions:

99/2397- the original golf course and club house- conditions 6 (details of landscaping) and 15

(landscape management plan)

06/0768- retention of an overflow car park - condition 4 (landscaping and planting)

06/0769 - retention of an adventure golf course - conditions 1 (boundary treatments) and 2

(landscaping and planting)

Inspector's decision APP/T5150/C/06/2016378 relating to E/06/0111 - retention of a baseball batting court - condition 1(i)(c) (landscaping and planting)

If a 9-hole course and other activities are to be acceptable on site, they must be suitably landscaped in accordance with approved details. Furthermore, some of the landscaping that have been approved around specific features has not been undertaken in accordance with details that have been approved, and there have been a number of planting failures. Overall, the losses of approved shrubs and trees at the Northwick Park site approximates to 25% of the total tree and shrub planting. This is not in accordance with the approved Landscape Management Plans. There does not appear to have been any maintenance of planting around the adventure golf course and shrub losses in this area have been even more extensive; likewise tree losses on the front bund are particularly high. The front hedge onto Watford Road still has a number of gaps. A survey of the current landscaping on site should now be undertaken, and a satisfactory whole-site proposed soft landscaping layout incorporating infill/ replacement/ new planting and an associated maintenance schedule should be submitted for the 9-hole course, club-house, baseball court, adventure golf area and overflow/ special events car parks. The landscaping has been unsatisfactory for some time.

Leisure Golf Limited comments that they have arranged to engage competent and specialist advice regarding landscaping to ensure that all of the relevant conditions are met adequately. However, no such details have been provided to date, and no date of submission has been indicated.

9) Use of the main building

The building is currently used for conferences, but the club-house's use for golf is the main permitted planning use. It is important to ensure that the use of the building for conferences is ancillary to the main golf use. The site managers have been asked to provide information regarding recent conferences events.

Leisure Golf Limited comments that they want to develop golf-connected aspects of the business as much as possible. The building's activities will be summarised for the year ending 2009. However, no date has been supplied for the provision of this information to the Local Planning Authority.

Hours of use of restaurant

Planning permission 07/2629 condition 1 limited the restaurant use so that the restaurant *must not operate outside the hours of 0730 and 2300, Sunday to Thursday, and 0730 and midnight on Friday, Saturday and Sunday*. The Local Planning Authority has received reports that the approved hours are being exceeded.

Leisure Golf Limited comments that they will remind the tenant of the planning hours restrictions and this is an important sublease clause.

Hours of use of the gym

Planning permission 07/2630 condition 1 limited the gym use so that the gym *must not operate outside the hours of 0730 and 2300, Sunday to Thursday, and 0730 and midnight on Friday and Saturday*. The Local Planning Authority has received reports that the approved hours are being exceeded.

Leisure Golf Limited comments that they will remind the tenant of the planning hours restrictions and this is an important sublease clause.

Other recent third party complaints

10) The “tip” area adjacent to the Ducker

The Playgolf site had a tipping area that was not authorised near to the Ducker area to the rear of the site. This should be removed/ cleaned up. The “tip” area consists of: barbed wire, chain link fencing, fence posts, the previous covering of the waterway crossing the driving range (plastic nets and metal posts), golf balls, bottles, tins, plastic wrappers and general rubbish. In addition, there is a large red lorry parked to the rear of the site that has been insitu over 2 years. This cannot continue, does not benefit from planning permission and the area should be cleaned up.

Leisure Golf Limited comments that the area has now been cleaned up and the area is monitored weekly to ensure that untidiness does not recur.

11) Overall light use on site.

Lights serving the access road are left on overnight. The management company have been asked to consider whether the number of lights left on could be reduced/ all lights turned off except those necessary for security outside of opening hours.

Leisure Golf Limited comments that they are reviewing all lighting regimes and intending that only an absolute minimum number of lights remain in use overnight for security use and that none are high-intensity lights.

12) Public footpath issues

Footpaths PROW 36 and 34 that run across the site should be regularly cleared of litter/ maintained clear from planting.

Leisure Golf Limited comments that they are liaising on this subject. Litter and overgrowing shrubs, branches and unwanted growth is removed regularly.

13) Maintenance of the floor of the baseball batting cage

The baseball batting cage floor paint is not being maintained, and is peeling. Objections indicate that this leads to glare.

Inspector's decision APP/T5150/C/06/2016378 relating to E/06/0111 - retention of a baseball batting court - condition 1(i)(d) (regarding paint /covering the base of the court) required special treatment of the court surface. The Local Planning Authority agreed that the floor of the batting court "outfield" (i.e. the circular area not including the cages in which the batters stand) would be painted in Brunswick green. The floor of the batting cages themselves would not be painted as this presents a potential health and safety hazard for batters when wet. The correct area was originally painted, but this is now peeling.

Leisure Golf Limited comments it is their intention to repaint the baseball floor surface as soon as practically possible but their contractor has advised that we must await an adequate period of dry weather before this can be carried out successfully.

Conclusions

Overall the Local Planning Authority will continue to discuss the outstanding matters set out above with Leisure Golf Limited. However, given the lack of information submitted recently regarding the site, despite the assurances and indicative submission dates provided by Leisure Golf Limited, the Local Planning Authority thought it necessary to provide this as an update report to Planning Committee. In addition, Members should note that the Council is receiving ongoing queries from residents regarding the site and it is therefore important that all outstanding matters are considered in a public context.

Recommendation:

Officers should continue to pursue resolution of all the outstanding issues outlined above, and if they consider that Leisure Golf Limited are not addressing these properly, to proceed with such enforcement action as considered appropriate to secure compliance.

Financial implications

There are no specific financial implications arising from this report however the work specified within this will require some officer resources

Diversity Implications

None

Background Papers

Unitary Development Plan and planning applications specified above

Contact Officers

Any person wishing to inspect the above papers should contact Stephen Weeks stephen.weeks@brent.gov.uk or Amy Collins amy.collins@brent.gov.uk at Brent's Planning Service