

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 25 January 2017

Present:

Councillor Peter Dean (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Vanessa Allen, Graham Arthur, Douglas Auld,
Nicholas Bennett J.P., Katy Boughey, Kevin Brooks,
Lydia Buttinger, Nicky Dykes, Simon Fawthrop,
William Huntington-Thresher, Charles Joel, David Livett,
Alexa Michael, Neil Reddin FCCA, Pauline Tunnicliffe and
Michael Turner

Also Present:

Councillors Peter Fookes, Peter Fortune, Ellie Harmer,
Kate Lymer, Tom Philpott, Catherine Rideout, Colin Smith and
Diane Smith

29 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Eric Bosshard;
Councillor Nicholas Bennett JP attended as substitute.

30 DECLARATIONS OF INTEREST

No declarations of interest were received.

31 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2016

RESOLVED that the Minutes of the meeting held on 24 November 2016
be confirmed and signed as a correct record.

32 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No oral questions were received.

Three written questions were submitted by Mr Clive Lees, Chairman,
Ravensbourne Valley Preservation Society. These questions, together with
the Chairman's responses were as follows:-

Question 1

In respect of 14 Highland Road BR1 about which a planning enforcement complaint was made on 26 January 2015 and a question asked of this committee on 9th February 2016, we note that absolutely nothing has changed on the ground. What action is the Council proposing to take to ensure this development is completed according to the approved plan and Conditions?

Chairman's Response

As a result of the enforcement process an application has been submitted to the Council under ref, DC/16/03890/MATAMD. This current application is pending consideration and is with Stephanie Gardiner, Planning Officer. Once a decision has been made either no further action will be required if approved or it will revert back to the enforcement team to pursue any further necessary enforcement action.

Question 2

In respect of 20 Blyth Road (fronting Bracken Hill Lane) where a retrospective application was Dismissed at Appeal, what action is the Council taking to enforce reinstatement of the wall (ie stopping up of the unpermitted access)?

Chairman's Response

The Council has contacted the owners of the property with a view to issuing an enforcement notice against the unauthorised development EN/14/00163/OPDEV. We expect that the enforcement notice will be issued within the next 2 weeks.

Question 3

With regard to driveways being installed, what action is the Council taking to ensure that local companies install them with the proper drainage where required? (RVPS is aware of a number in the Shortlands area which do not comply with regulations and there seems to be an endemic casual disregard for requirements.)

Chairman's Response

In order to investigate this matter it would be helpful if you could provide the addresses of the properties to the Council and this matter can be looked into further. Driveways being installed can fall within permitted development so long as it meets the permitted development criteria, this information is available online and there is clear guidance which companies who install them will need to consider. However if there are properties which install driveways that do not meet this then the Council may consider taking all necessary action to remedy the breach of planning control. The responsibility lies with the owners of the property.

**33 PLANNING APPLICATION (16/03145/OUT) - SOUTH
SUBURBAN CO OP SOCIETY, BALMORAL AVENUE,
BECKENHAM BR3 3RD**

Description of application – Outline application for the erection of 2 buildings of two to three storeys comprising 13,508 square metres (Gross External Area) of Class D1 floorspace to provide an 8 form entry plus 6th form school (up to 1,680 pupils) and sports hall, 17,200 square metres for playing fields, 2,190 square metres Multi Use Games Area with community use and associated development including car parking spaces, cycle parking spaces, floodlighting, new pedestrian and vehicular accesses, servicing and storage. (AMENDED PLANS AND ADDITIONAL INFORMATION).

Oral representations in objection to the application were received from Mr Stuart Argent on behalf of the Balmoral Residents' Group.

Mr Argent reported that for many years, the site had been used for leisure activities and was a refuge for thriving wildlife. The applicant had made no effort to contact residents directly on a one-to-one basis especially those whose properties bordered or faced the site. This showed considerable lack of respect for residents' views and concerns. The site and surrounding infrastructure was not able to cope with a development of this size. Residents' concerns included:-

- unacceptable disruption and noise generated by the development;
- noise, congestion and litter generated as a result of 600 pupils walking past residents' properties;
- additional noise and disruption relating to the evening and weekend community use;
- the main traffic congestion route was 2mtrs from residents' properties resulting in overlooking and loss of privacy;
- properties in neighbouring roads would also be overlooked by the development and be exposed to noise and light pollution particularly with the extended use of the multi-use games areas which should be time restricted, especially at evenings and weekends;
- Balmoral Avenue was a small quiet, narrow residential road on which residents parked their vehicles; this reduced the width of the road to a single carriageway. It was further compounded by the use of large vehicles such as delivery lorries and refuse collections which blocked the road.
- increased noise, vibration and pollution from buses, coaches and delivery lorries servicing the school. This would be particularly evident to property No. 45 where the only access road was situated just metres from its boundary.
- the number of pupils and staff arriving by car would lead to Balmoral Avenue being subject to an additional 300 vehicles twice per day.
- the drop-off point on site would cause further congestion in local roads, especially in Upper Elmers Road and Eden Park Avenue.
- the development would add severe congestion to Balmoral Avenue and would bring the road and both main arteries to Eden Park Avenue and

- Upper Elmers End Road to gridlock which would have a knock-on effect to Croydon Road, Elmer's End Green and Goddard Road.
- as a result of a public consultation exercise, the Committee voted to remove the allocation of secondary education at the site and agreed that it be removed from the draft Local Plan as a site for educational use.
 - as the site was designated Urban Open Space, the Council's own Policy G8 should prevent this type of development from being built.
 - the development would be built on an area classed as a Flood Risk Zone 2 and 3. Although plans to prevent the development from flooding had been incorporated, residents had not received reassurance that their properties would be protected against flooding.
 - the proposed conditions at the end of the officer's report did not go far enough to protect residents from potential changes to the operational site. More specific and detailed conditions would be expected should the application be granted.

Oral representations in support of the application were received from Mr Paul Murphy, Head Teacher, Ravensbourne School.

Mr Murphy reported that Eden Park High School was a Free School approved by the Secretary of State for Education. To date 8 public meetings had been held together with many other consultation events. On Friday 20 January permission was granted for the temporary site at the Ravensbourne School. The key part of the reason to establish Eden Park High was education need. 34 extra FE were required by 2020 equating to three additional schools and 17 extra FE were needed by 2018 equating to two extra schools in 18 months. Mr Murphy referred to a paragraph in the planning report which stated that Eden Park High had extensive support from the Bromley community. A Section 10 consultation was undertaken with all schools in a 2½ mile radius together with local businesses, local residents and local community groups. 86% of respondents were in favour of establishing Eden Park High. No schools, local businesses or community group objected to another school being located in the area. The views of local residents who did not want the school to open were taken very seriously. The application represented transformation of a derelict, disused resource to a productive resource for children and adults. There would be over £25 million inward investment to Bromley at no cost to Bromley with new jobs being created. There would be state of the art resources for the local community as well as students. Eden Park would offer a unique new education provision which would massively increase the choices and diversity available to parents.

In response to Member questions, Mr Murphy stated that students would begin classes at 8.30 am and finish at 5.30 pm; 6th form pupils would finish at an earlier time. In the original submission, the development was designated as a 6 FE however the DfE requested it be increased to an 8 FE as they preferred to authorise larger schools because as children move through the school, the educational flexibility to provide a full range of courses and the income generated by the higher numbers would improve the education offered to students. Everything possible would be done within the admissions code to ensure the main beneficiaries would be local Bromley children and not

those living outside of the Borough. Initial talks were underway with local primary schools who may decide to have feeder school status which would give priority to students in those schools on admission to secondary schools. Mr Murphy confirmed the calculation of spaces for 5 cars on site and a 20-30 second stop time, between 150-225 drop-offs could be made in a 15 minute interval was indeed a realistic one. No problem was perceived in terms of collection times as most secondary school children preferred to make their own way home.

In the initial bid, the figures for educational need in the Borough were examined. Since then, the situation had changed and in discussion with the DfE, 8 FE appeared to make more sense as it would improve what could be offered to students in terms of curriculum especially as they move on to Key Stage 4 for 14-16 year olds onto post-16. 8 FE was the optimum size at secondary school level and 3 FE the maximum for primary schools. This year the radius for admission to Eden Park had decreased with slightly less applications being received than the previous year when the school had deferred opening and had a radius of 1.2 miles. Most students arrived at Ravensbourne between 8 and 8.15 am and a similar pattern was expected at Eden Park High.

It was anticipated that the temporary site at Ravensbourne would open in September with 180 pupils (6FE) who would then be on site at Balmoral two years later. The necessary works would be conducted throughout May to July. It was hoped that the Eden Park site would open approximately 2 years later.

Earlier versions of the plan had changed to accommodate the needs of local residents in terms of ingress and egress to the site, boundary lines and landscaping etc. It was anticipated that links would be built with the rugby club by allowing them to use the school car park at weekends when the school was not in use. Mr Murphy confirmed there was no intention to return to Committee at a later date with applications for the installation of floodlights etc.

Ravensbourne was a gold accredited Travel Plan school. The Principal Designate for Eden Park operated the Travel Plan at Ravensbourne and in the interim would do the same for Eden Park. The applicant would ensure that all targets were met and would go to any length to ensure that sustainable travel was facilitated and would seek out-of-hours users' commitments to those principles and values.

It was anticipated that approximately 75-80% of Eden Park High students would come from the Beckenham Constituency. Parents in central Bromley had showed a very strong interest.

The Development Control Manager reported additional representations both in objection and in support of the application had been received, raising the following concerns:-

- the vehicle access being too close to the boundary of No. 45 Balmoral Avenue;
- whether there was a need for additional playing fields and the resulting evening noise that would be harmful to residents' amenities;
- late posting of documents on the websites and new documents received before the Committee meeting. (The additional documents did not contain information to lessen the impact of the development);
- a mobile phone mast constructed about 200m from the school and the health issues this might raise;
- the turning into Balmoral Avenue which could add to the congestion at the junction of Balmoral Avenue and Upper Elmers End Road. The junctions nearby which were already over capacity should have improvements made to them;
- no confidence that the Travel Plan would reduce car-borne journeys;
- travel surveys submitted should include the Langley schools;
- the community use would lead to traffic issues at evenings and weekends when residents had the right to enjoy quiet time in their homes;
- the increase in pollution from car emissions;
- the catchment area was very wide so more children than usual would travel by car.

If Members were minded to grant permission, the Greater London Authority had requested a condition requiring the full submission of an access strategy to ensure the development achieved the highest standards of inclusive access to all potential users.

The Chief Planner reported a supplementary information update had been published on the website and circulated to Members. This dealt with an update on the Draft Local Plan. The recommendation set out in the report however, remained the same.

Oral representations from the Portfolio Holder for Education, Councillor Peter Fortune, in support of the application were received at the meeting. Councillor Fortune considered that previously when schools were under local authority control, the Council as a Local Education Authority, would balance all views and suggest a suitable way forward. The Council would suggest sites and push the planning process through however, a fundamental shift in the educational landscape had altered that option. All too often colleagues asked why the Bromley Education Department placed schools where they did or why, when another solution was so apparently obvious, it had decided not to do something else. It was important for the Committee to realise that the Local Authority was not the applicant in school construction applications. The applicant was the individual Trust with the support of the EFA. This was important because if colleagues were minded to offer up suggestions for alternative sites, it must be realised that the Council did not control where autonomous Trusts may wish to locate. This was a Government policy and one that the London Borough of Bromley had vigorously supported over the last few years. Members of the Committee should appreciate the context of the application.

Councillor Fortune referred to the Council's statutory responsibility as defined by Section 14 of the Education Act 1996. It was the Council's statutory function to ensure there were suitable places available. Whilst it was the Council's intention that these places be filled by Bromley children, it must be recognised that at secondary age, there were significant flows of children across the Borough boundaries who also had a right to a place under schools' own admission policies. Furthermore, the Council had no legal ability (due to the Greenwich and Rotherham decisions), to prevent out-of-borough children applying for places at Bromley schools or to reserve places at Bromley schools for children who live in the Borough or in certain communities. Due to these judgements, account must be taken of the existence of cross-borough movements as part of the place planning function in order to effectively deliver the Council's statutory duty to provide sufficient places. Members should have a deeper and greater understanding of what the need for school places was rather than base it on emotive anecdotal evidence from either side. The Authority was provided with GLA figures however, in order to acquire its own information, a consultant was hired to go further and deeper into the data provided. This resulted in Ward specific data which every Member was provided with. Each Member of the Committee was given the opportunity to meet with Councillor Fortune, with the Executive Assistant Councillor Philpott and the placement planning officer, Rob Bollen to discuss this data which was clearer than anything previously provided. The Department had been more open and provided more information than it had ever been asked to do previously. The resulting Ward data gave a clear picture of primary school need and had been used to counter planning applications from primary academies. The Authority remained committed to providing that open information.

Primary schools operated on a more localised ward level where secondary schools did not. They worked as one whole planning area across the Borough. As part of the Council's statutory role, the Council must provide secondary school places for all pupils across the whole of the London Borough of Bromley and not necessarily in a specific ward or location. Secondary school places required in Year 7 were measured and the Council was legally obliged to ensure that they were met. As was clear in the data provided, the need for secondary school Year 7 places over the next few years at the current rate of expansion from the figures was projected as:-

8 FE down in 2017;
14 FE down in 2018;
10 FE down in 2019;
18 FE down in 2020; and
19 FE down in 2021.

It was the Council's legal responsibility to ensure that the Borough's children received the education that was fundamental to their future. Over the years children had been squashed into bulge classes and temporary accommodation. This sub-standard educational provision damaged the children's education and was extremely costly to the Authority. Whilst the cost of bulge classes varied, at an average cost of £200k per bulge class, this

was clearly not a sensible solution. The 'Doomsday' scenario of doing nothing would result in colleagues explaining to residents why their children were being directed to schools outside of the Borough and this would be dependent on vacancies in schools in Croydon and Lewisham and indeed their capacity to educate Bromley children. There would be spiralling costs of mobile units on fields as with a recent example due to rejection of a recent secondary application of a £½m bill for the implementation and a unique and catastrophic failure in the Authority's fundamental and legal responsibility to the children of Bromley.

The Chairman and Ward Member for Kelsey and Eden Park acknowledged that the London Borough of Bromley was in need of school places to meet its statutory needs. However, as Cllr Fortune pointed out, he had spoken to individual Councillors who had approached him and highlighted the need for school places in their individual wards. It was concluded that Kelsey and Eden Park Ward was adequately covered for local students so there was no need for a further school in that area. The site in Balmoral Avenue had not been designated land for educational use in the draft Local Plan. Whilst there was a responsibility to the parents of children to provide them with school places, there was also a responsibility to local residents, their standards of living and enjoyment of life. Balmoral Avenue was a narrow road which opened out onto Upper Elmers End Road. Other roads impacted by traffic on Balmoral Road would include Shirley Crescent and Goddard Road and ultimately down to the main roundabout at Elmers End. Recent statistics showed that in the last three years 26 motoring accidents occurred on or around the junction with Balmoral Avenue and Upper Elmers End Road. How much worse this would be if there was extra traffic from the parents of 1600 pupils. The Harris Beckenham Academy with just 400 new pupils was not yet full however parking along Manor Way was out of control during main rush hours (between 7.30 and 9.00 am and in the afternoon) and it was difficult to get up and down the road. Manor Way was a long straight wide road whereas Balmoral Avenue was a narrow road and unable to take free-flowing traffic due to parked cars. At school times the Upper Elmers End Road, Shirley Crescent, Goddard Road and Balmoral Avenue itself were all gridlocked. Another 8FE school with 1600 extra pupils would make Elmers End an 'unable to get to' area.

The Chairman wanted consideration to be given in the first instance to existing residents. The Education Department needed to work harder to find necessary sites to open schools in areas where they were actually required.

The Chairman urged Members to vote against the application, and moved that the application be refused on traffic grounds.

Councillor Fawthrop referred to a potential pedestrian impact. Even if all pupils walked to school, those crossing roads, walking down streets, taking trains and buses, would have an impact on traffic and on the locality. It was a shame that organisations who wanted to build schools did not look at the Council's Plans and work with the Authority and community as a whole to put those places where the Council wanted them and where they would have a

positive impact. Councillor Fawthrop seconded the motion for refusal. If however, the application was granted permission, a condition relating to the removal of permitted development rights should be added together with a slab level condition in terms of the school building itself.

Councillor Arthur acknowledged the need for extra school places across the Borough. Most schools capable of expansion had already done so. It was now necessary for new schools to be built within the next 2-3 years. This site was large and available and had ministerial approval. Councillor Arthur was particularly pleased with the involvement of Ravensbourne School which held a good track record. Wherever a school was built within the Borough, there would be traffic implications and it was a question of how these were addressed. It was clear in this case that the applicants had done as much as possible to mitigate the problems that traffic would cause in the area. This was a creative proposal and the applicant recognised the concerns of local people. One of the prime ways of putting residents first was to ensure their children had a decent start in life and had a decent education. In this regard, Councillor Arthur supported the recommendation for approval.

Councillor Reddin commended the report writer for producing a fair and well-written report which set out the issues very clearly. The only site this side of the Borough to be allocated was at Kentwood which Councillor Reddin considered to be too small. A modern secondary school had to be at least 6 or 8 FE to be financially and educationally viable and secure. A school at this location would assist the wider west of the Borough and take pressure away from the remaining schools. A catchment area of 1m radius was not particularly large for a secondary school and there would be a danger in various parts of the Borough, particularly in the west and the north west, where parents could not get children into any of their first or second choice schools and may find themselves travelling to Orpington. As a journey every morning and afternoon for a child's education that was not suitable.

In policy terms, there was an impact on open space. There would never be a zero impact with this sort of development however, Councillor Reddin was impressed with the efforts the applicant had gone to in siting the building over to the eastern and south eastern corner of the site, far away from residential properties and leaving as much of the site open as possible.

A school had never been built or expanded without highways issues however, secondary schools did have less of an impact than primary schools simply because secondary pupils were more likely to make their own way to and from school. The junction at Upper Elmers End and Croydon Road was in need of engineering works regardless of whether or not the school was built. The applicants had gone some way to alleviate problems by proposing the one-way egress onto Balmoral Avenue. TfL had confirmed the bus network could accommodate the extra capacity. In conclusion, Councillor Reddin moved that the application be granted.

Councillor Bennett seconded the motion for approval. He stated the Council had a legal duty to ensure children were educated within the Borough. There

were 15 comprehensive schools across 22 wards however the catchment areas of schools was shrinking. 29% of schoolchildren in West Wickham had to leave the Borough due to them living between the catchment areas for Hayes and Langley Park Schools. Whilst West Wickham were keen to have a secondary school, there was no site available. There was a clear need for additional school places. Councillor Bennett drew Members' attention to a letter circulated to Members dated 4 January from the Education Funding Agency which stated that the omission of the Balmoral Avenue site to meet secondary need within the emerging Plan was not justified. Further EFA comment on this was provided in the letter under the heading 'Site allocations'. The EFA therefore requested that the Balmoral site be reintroduced as a site for the allocation of education use within the London Borough of Bromley Local Plan. The Department of Education was very clear that leaving it out of the Local Plan was an error. The Council had recently failed two OFSTEDs so with two applications before Committee and with a clear need to provide secondary places by 2018, if this application was refused, the Council would be in danger of having a Direction from the Secretary of State that the Council was failing in its duty. The EFA worked with the Council and had identified sites. The next application to come forward would be 1 Westmoreland Road, a 10 storey building catering for 11-18 year pupils. By 2022 another 34 FE would be needed for Year 7 places. So even with 1 Westmoreland Road and some additional classes in secondary schools there would still be a deficit. A meeting was due to take place with the Roman Archbishop of Southwark to discuss a Catholic secondary school for the Borough which would help to relieve the pressure.

Councillor Bennett stated that all school planning applications were opposed on traffic grounds. In reality this was only a problem for 30 minutes in the morning and afternoon. This site would provide a good secondary school run by an organisation that had a proven track record with its existing schools and would provide much needed extra places for Bromley's children. Councillor Bennett supported the motion for approval.

Councillor Brooks agreed there were always traffic and highways issues with school applications and if this was deemed to be the Committee's reason for refusal, schools would not be built and the Council would not be able to meet its statutory duty. It was likely that the majority of children within the 1m admission radius would walk to school. The school would benefit from good transport links in the area.

Councillor Allen reported that allocated school sites were at the mercy of developers who may not come forward with proposals. As this particular site was supported by the EFA and a developer was ready to commence, Councillor Allen supported approval.

The first motion for refusal fell at 4-14.

Following a vote on the second motion to approve the application (14-3), Members **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 AGREEMENT (relating to**

£20,000 for a future traffic management scheme if required, other highways works as may be required and a Travel Plan) AND REFERRAL TO THE MAYOR OF LONDON as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

It was clarified that conditions relating to the removal of permitted development rights and slab levels were already included in the report of the Chief Planner. A condition in relation to a full access strategy was also added, as originally suggested by the GLA.

34 PLANNING APPLICATION (16/03315/FULL1) - ST HUGHES PLAYING FIELDS, BICKLEY ROAD, BICKLEY, BROMLEY

Description of application – Proposed erection of a 6FE Secondary Boys School comprising a part 2 storey, part 3 storey school building of 8,443m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access on Chislehurst Road, 68 parking spaces, drop off/pick up area and associated works. Erection of a temporary 2 storey classroom block on site for 12 months to accommodate 5 classrooms, a laboratory, offices and toilets.

Oral representations in support of the application were received from Mr Matthew Blythin, DHA Planning and Mrs Anne Gouldthorpe, Head Teacher Designate, Bullers Wood School for Girls.

Mrs Gouldthorpe emphasised that the decision made by Members was vitally important for schoolboys in the Borough. As with Bullers Wood School for Girls, the aim was to create similar opportunities for boys. Educational success and safety was at the heart of this proposal. There was vital need for secondary places across Bromley. An extra 1012 places were required by 2022 and the establishment of a boys school would help meet this demand. More than 900 letters sent to the Council supported the proposal. Efforts were being made to resolve highways issues.

Mr Blythin reported that the proposed site was already in school use. The Council continued to propose and rely upon the site as a new school in its draft Local Plan. A concern had been raised over the pedestrian crossing on Chislehurst Road however, the primary pedestrian entrance was on Bickley Road where a new puffin crossing would be provided. Although the Chislehurst Road arrangement had been safety audited and found to be safe, the school was willing to increase the footway in Chislehurst Road if Members considered it necessary. The Travel Plan was ready to implement from day one to manage traffic in the following ways:- a) staff would oversee school entrances and exits and marshal the areas to avoid on-street drop-off along Chislehurst Road; b) deliveries would only be permitted outside peak hours; c) someone would be on duty to manage parking during community use; and d) the school's early start and finish times would ensure avoidance of traffic during peak hours. In addressing highways issues, the team had sought to balance adequate provision whilst discouraging drop-offs and retaining trees to provide screening. The team had explored different access options in

detail. The proposed route spread vehicles across two roads creating a safe pedestrian access and reflected the Council's own Policy T11 on new access points. Options for Bickley Road were explored but would cause greater disruption to this busy road and a suitable access could not secure the necessary agreement from TfL to move existing bus stops to the locations required. Highway capacity and traffic impact were also raised and here local context was key. If school places were not provided here, pupils would need to travel by car elsewhere adding traffic to local roads. The need for school places would not go away; refusing the school would simply shift traffic and would not prevent congestion from increasing. If approved, through a combination of route design and staff involvement, the school could manage traffic levels efficiently. The sole issue of difference on this proposal was highways. The proposals had been independently assessed and found to be safe and the school had sought out solutions and was willing to do more.

Mrs Gouldthorpe stated the single concern of highways was manageable. At the girls school there was experience in managing student movements on a larger and much more constrained site. The Travel Plan would be a core part of the new school's ethos. It was essential to deliver the best possible school for boys in Bromley. There had been 452 applications for 180 boys to start at the school in September. Over 50% were from the same post code as the school and the immediate surrounding areas of BR2 and BR7. These students would be able to travel on public transport or by foot.

In response to Member questions, Mrs Gouldthorpe stated it was anticipated that for the boys school, pupils would enter at the primary pedestrian entrance which was on Bickley Road.

Mr Blythin reported the Bickley Road crossing would be a puffin crossing agreed as part of a Section 106 Agreement. The Chislehurst Road crossing was not a controlled crossing however, there was a dropped kerb crossing with a pedestrian entrance on the south side of Chislehurst Road which had been safety audited. Mrs Gouldthorpe explained that as part of the operating procedures, all staff had roles and responsibilities to be on duty at the start and end of the school day. Staff would be on site 30 minutes before and after school time to marshal pupils in and out.

Extensive consultation was undertaken in regard to Sport England who had a strict policy to which they adhered to in terms of exceptions permitted. The proposals in this application were far superior to what was currently offered and would allow greater use. Sport England considered it did not meet their strict criteria. To overcome this they wished to see the two MUGA areas combined however, the constraints to the site was such that this was not possible.

In terms of the Travel Plan, the general approach had, on all fronts, been to allow for the maximum use of sustainable modes of travel including cycle provision which was at the heart of the school layout. The provision made would be monitored and had been made to cope with demand as the school expanded. The Travel Plan was modelled on the girls school but there was

an opportunity to develop an ethos where sustainable travel to school was key and would actually become part of the school's culture. Travelling to school either by public transport or by walking was key. The girls' school was very focused on the Youth Travel Ambassadors and had received various gold accreditations through its sustainable travel and the team would be working towards this at the boys school. The ethos was about developing resilience and independence in boys.

As a Trust school there would be some sharing of staff but as a boys school it would have its own team of teachers. For the first year or so there could be more sharing of staff possibly in terms of the shortage of subjects. Additionally, it was hoped that some of the services i.e. admin, could be centralised and shared.

The Council's own Policy T11, clearly sought to move new accesses towards non-primary routes. Bickley Road was a busy road and clearly access and exits there would have a greater impact. The team had extensively explored achievable layouts using Bickley Road and they had been submitted to officers and in discussion with TfL it had been established what would be acceptable to them as a distance of movement of the bus stops needed to facilitate those options. The team had worked robustly with the Council and at officers' suggestion had gone over and above what would normally be required in exploring those options.

Mr Blythin acknowledged that during the pick-up period there was a greater potential for cars to have to wait. The 10 spaces provided had been modelled with the internal road provision as it currently stood. There was capacity on the road itself and the propensity was for less pick-up spread over a longer period of time. With all the assessments undertaken, the applicant considered the proposed provision was more than adequate.

A full analysis had not been carried out with regard to how many pupils would attend outside the admission radius. The vast majority of pupils (50%) would be from the BR1, BR7 and BR2 post codes. The remainder would be BR post codes with very few attending from outer lying boroughs.

The applicant sought wherever possible to engage constructively with officers in relation to access at Bickley Road. Having explored all the options and taken forward all the comments, the decision was made to adhere to what they firmly considered to be the best highways option. In terms of a Bickley Road access, it would be a fundamental change to the scheme and the knock-on implications would not be simply moving the access.

Although there would be community use out of school hours, there was no proposal for external floodlighting and no evening use during the dark hours. The indoor sports facility would mitigate a lot of the activity that was likely to occur and the school would efficiently undertake the management of movements to and from the site.

Oral representations in objection to the application were received from Mr Michael Bird, local resident and Mr Matthew Stimpson, Transport Planner, Odyssey.

Mr Bird reported the following local residents' concerns:-

- unacceptable traffic, road safety and parking issues;
- loss of open space;
- unacceptable loss of residential amenity;
- loss of playing fields and inadequacy of the remaining playing fields space.

Mr Bird stated the Council's own planning officers, following discussions with the applicant and a detailed examination of the proposals over the last 10 months had concluded the application should be refused due to serious traffic and road safety issues. Not only did this reflect residents' long held views but the conclusion was fully supported by the findings of two eminent consultants. Accordingly, there was a consistency in the views of local residents and professionals who supported the officer report in regard to traffic, road safety and parking issues. The applicant was given sufficient time to provide a workable plan for the site but had not been able to do so.

With regard to the other objections, it was considered the planning officers had not given sufficient weight to the negative local impact caused by the development. With regard to loss of amenity, the applicant had proposed to cut down trees and hedgerows to create new pedestrian and vehicle entrances on Chislehurst Road and to build the large modern school building as well as the top playground, sub-station and bin store a little more than 100ft away from houses on the opposite side of the road. The street scene would be significantly changed and the considerable increase in activity and vehicle and pedestrian movements would result in residents suffering a much greater level of disruption, noise and air pollution from early in the morning when the school opened until late into the evening during the week and on Saturday mornings as a result of the wider public use of the facilities. Such a loss of residential amenity was totally unacceptable. Putting proper weight on the negative local impacts and considering their cumulative effect, they clearly override the unproven need for extra secondary school places in the location.

Mr Stimpson stated that Odyssey agreed with the comments and conclusion reached by both the Highways Officer and the Glanville independent review. DHA had provided no new evidence to suggest that the development would have anything other than a severe impact upon the highway network. The development would bring about serious safety concerns for all road users, including pedestrians who would have to negotiate sub-standard footpath provision in order to access the site. Accommodation for vehicle access was equally insufficient with an inadequate single drop-off and pick-up arrangement that would result in severe queuing through the site. This would inevitably lead to parents stopping and waiting on surrounding roads causing further congestion and delay. DHA's own transport assessment concluded that the surrounding highway network was already operating significantly in excess of capacity.

The Development Control Manager reported that just over 120 representations in support of the application had been received since publication of the planning agenda. These reiterated the comments already summarised in the report. An updated e-petition in support of the application was received on 18 January containing 1031 signatures. Approximately 11 additional representations in objection to the application had also been received including comments from the Sundridge Residents' Association making the following additional points:-

- There were 8 schools in the vicinity of the site, all of which operated a staggered day. This would seriously hamper traffic in the area.
- The school would feed pupils into Bullers Wood sixth form which would need to expand to accommodate those places. This would result in an additional impact which had not been assessed;
- Staggering school opening and closing times would make congestion last longer;
- Concerns were raised about the public consultation carried out by the school and the points made about other secondary schools in the Borough that had places available.

Following the Council's Independent Highway Consultants report dated 16 January, the applicant team responded once to this report and again to comments made by the Highway Authority on their response which included new modelling data. Final comments had been received from the Highway Authority which stated that having considered the new information from the applicant, their position was unchanged from that set out in the report.

The applicant had also asked officers to confirm they would be happy for a Section 106 Agreement that included delivery of a puffin crossing and bus stop repositioning, Travel Plan and reimbursement of the Council's legal costs.

It should be noted that contrary to that quoted on pages 117 and 118 of the report, the Highway Authority for Bickley Road was Bromley not TfL.

The supplementary item regarding the Local Plan previously mentioned by the Chief Planner for the last application was also relevant to this application and had been circulated to Members and published on the web site.

Should permission be granted, in view of the Sport England objection, the application would also need to be referred to the Secretary of State as well as the Mayor of London.

Oral representations from the Portfolio Holder for Education, Councillor Peter Fortune in support of the application were received at the meeting. Councillor Fortune stated his comments regarding the previous application on the agenda, could be applied almost verbatim to this application. Councillor Fortune emphasised the importance of the Council's statutory obligation and the independent assessments around education need. The figures produced

dealt with the secondary need across the Borough and the pressures faced showed a desperate shortfall for thousands of pupils to enter school at year 7 by the year 2021. The concerns of residents in objection to the application were as valued as all others which was why an evidence based approach to need was taken. Councillor Fortune stood by the figures presented to Members. The Authority was dependent on academy trusts with an appetite to construct schools. No matter where an application was sited, there would be opposition and traffic would always be an issue. The school had set out how they intended to tackle this issue. As local opposition and infrastructure capacity would always be a factor, at some point a decision would need to be taken that displeased some people. This was inevitable if the Council was to meet its responsibilities. The increase in the number of secondary school aged pupils that needed to be accommodated was not a hypothetical forecast but was real and driven by the massive increase since 2010 in Bromley residents needing primary school places. Since 2010, 2,300 permanent school places and 56 bulge classes had been added to primary schools in order to keep up with over 600 additional places that needed to be accommodated. Members of Planning Committees would be familiar with the long list of permanent expansion schemes approved over the last five years in order for the Council to meet its statutory duty. To date, the only secondary scheme with planning consent was the addition of 2 FE at Bishop Justus School. Data or no data, the problem is evident. If additional FE are not found, there would be a woeful deficit of capacity to meet the short, medium and long-term needs of local families. If need was not met, the Council would be faced with the Doomsday scenario of children being directed outside of the Borough and spiralling costs of temporary and unsatisfactory solutions. The Council must enable parents of the next generation to plan for the future their children so rightly deserved.

Oral representations in objection to the application were received from visiting Ward Member Councillor Colin Smith who advised Members that when this controversial application came to his attention, the three Ward Councillors made an avowed decision neither to be for or against the application and they had dismissed significant pressure from both camps, judged the facts as they appeared before them and formed an opinion when everything became known. This included three or four meetings with the applicant, their agents and architects. The plan was drawn together in the Autumn and unfortunately, he and his Ward colleagues had decided to support refusal of the application not just for the reason of transport and traffic but also concerns with the design of the building which could be overcome. The Ward Councillors had made some suggestions as to how this could be achieved but to no effect. There was clearly a problem around traffic which had not only been drawn out by the applicant's consultant but also by the Council's independent consultant who had verified what was long known in that the junction was completely over-capacitated already. The consultant's report stated that the surrounding highway network was currently already operating significantly in excess of capacity with significant amounts of queuing. Given the existing stress on all junctions in the immediate vicinity, the site was not suitable to accommodate the peak hour quantum of additional traffic associated with the proposed land use. There was no agreement by the

Borough's officers that no more could be done to meet Sport England's request and there was an outstanding objection from Sport England which stood completely unaddressed in its own right meaning if the application were to be approved, it would certainly go to the Mayor of London for further consideration. A further issue was that of need for secondary school places in the Borough which everyone accepted. Officers were not able to provide a breakdown for the individual need of Bickley and Bromley Town and Chislehurst and Plaistow and Sundridge Wards. This raised a concern because whilst Members accepted the assertion there was a need to build schools, it also raised the question of where they should be built. Residents wanted choice for their children but the choice did not necessarily equate to a given need and the loss of urban open space based and predicated on the understanding that the need existed. This was particularly the case with the number of unfilled Year 7 places in schools across the borough, why they exist, what was being done to address getting those schools into a position where they were taking those Year 7 pupils to reduce the demand elsewhere. With an application for 8FE already granted earlier in the evening, a fantastic Shaw 6FE proposal at Bromley South and the great potential for a Catholic 6 FE school in the Borough, Councillor Smith respectfully took a different view around the future of Kentwood and stated the Council should be supporting the development of that site which did not need to be a 6 FE model as a 4 FE could work if the will was there. Once all these potential FEs were added up (over 20) the number of places quoted by Councillor Fortune decreased quite quickly.

Transport was key to the proposal. Members would have read the fairly damning report contained in the papers and had heard from both the applicant and the objectors. Councillor Smith stated the applicant and its consultant had two years to consider, prepare, manage and execute a suitable scheme in which to address the problem around considerable congestion, access and road safety which already exists locally and would only be added to if the school was to be built in this location. Despite last minute communications, this had not been done. The scheme before Members if approved, would increase congestion, diminish road safety, increase air pollution and more generally impinge on the wider quality of life for all residents living close to and passing through, these key distributor roads which would conflict with the key policies set both within the Council and regionally at Mayoral level around transport and air quality in particular. Education was one of the most important things that anyone provided for their children but there must be a better way and a better location to provide a future school for Bromley's young people than this particular site. Councillor Smith was not against the development of schools and would support additional school places within his ward. He would potentially support the application if it were to come back in a suitably amended form however he could not a scheme that fundamentally failed around traffic and transport.

As Ward Member for Bromley Town, Councillor Dykes was fully aware of contentious and inappropriate schemes and as a member of the Local Plan Committee, she was aware of the borough-wide assessment undertaken of all sites. Unpalatable decisions would have to be made due to need within the

Borough. The presumption there were other sites which would magically come forward and not impact on anyone was farcical. It was for Members to decide if it was more important to address education need or ensure there was no impact on the vicinity of transport. If an assessment was carried out of all major junctions in Bromley, the results would show they were already working to over-capacity. Councillor Dykes reported that every school application which was refused at Planning Committee had submitted an appeal. She had spoken with officers and Councillor Fortune and it appeared there were places available but nearly all Year 7 places were in the east of the Borough. Bullers Wood Girls and Ravensbourne school and all others within this particularly area were already completely over-subscribed. In relation to the traffic issue, this was not an ideal site. Councillor Dykes could not understand how the scheme at the junction of Westmoreland Road was considered to be a 'great' scheme and this one was not because the junction at Westmoreland Road was the most heavily congested in the Borough however, anymore that could be done on the traffic issue for this application would be welcomed. In conclusion, Councillor Dykes did not consider the traffic issues outweighed the incredible need for a school. Councillor Dykes therefore put forward a motion to approve the application.

Councillor Scoates stated that when the sites were allocated to the Local Plan there was a lot of engagement with the Education Department. However, just because a particular site was allocated, this did not mean that anything could be put forward; it would still have to go through the planning process with consideration being given to residential amenity and highway safety. On this application, the Council had undertaken an independent highways safety assessment which clearly showed there was a potential concern over safety and recommended refusal of the application until those issues were resolved. This professional opinion should not be ignored. The applicant should address the issues and resubmit the application. Councillor Scoates moved that the application be refused.

Councillor Bennett stated the catchment area was likely to be BR1, BR2 and some pupils from BR7. There was a need for two new secondary schools by 2018 and although the potential for a Roman Catholic school was welcomed, it would not be available for some years. The proposed new school would meet the demands for places in the area and would be of sufficient size to offer a proper curriculum. Councillor Bennett considered the report to be weak in relation to traffic. There were lots of assertions and the arguments made that the proposers of the school had not considered the alternatives when they had, in fact, considered three options in detail. Option 3 would be two entrances onto Bickley Road which was a busy road. The proposed option put forward was more sensible in that the school access would be in Chislehurst Road with the exit on Bickley Road. The majority of teachers drove to school and most secondary school pupils made their own way home. The applicants were prepared to extend the footway in Chislehurst Road. The Secretary of State would consider the issues relating to Sport England. The arguments on traffic were not so great that they overruled the need for a school. Councillor Bennett seconded the motion for approval as

recommended with a further two conditions relating to the widening of the footpath in Chislehurst Road and a puffin crossing at Bickley Road.

Councillor Allen stated the site was in the draft Local Plan and should be approved. Some schools were already operating at over-capacity. The vacant places were spread across all years not just the first year.

As a member of Planning Committees, Councillor Michael stated it was rare for highway engineers to recommend an item for refusal on grounds of traffic generation and highway capacity and in this case, the recommendation for refusal was supported by an independent transport planner. Traffic would always be an issue. As a Committee, Members should pay heed to the fact that highways were already highly congested. No-one disputed the need for school places but the school had to be in the right place and Councillor Michael was not convinced this school was. It would therefore be a mistake for approval to be given as the application currently stood.

Councillor Auld stated there would be up to 900 additional pupils in the area should the application be approved. On one side there were potential parents and he understood the anxiety of trying to get children into a good secondary school however, residents' amenity had to be considered. Councillor Smith and his Ward colleagues were not against having a school in the area but not at this site, certainly not in its current form. The overriding major concern was the highways issue. The footpath on one side of Chislehurst Road was non-existent and on the other side it was of restricted width. Children for one reason or another were often pushed or stumbled into roads. The increased traffic flow in all local roads would increase the danger. There were only 10 drop-off points within the school grounds and they expected some mothers to drop their children off and drive on which would work in the morning however, at collection time there would be delays for many reasons and parking would therefore increase in the surrounding roads while parents waited for their children. The Planning Department had given way on a number of issues – the Urban Open Space issue was overridden by the need for secondary schools. The same applied to local amenity to residents. Members had a duty of care to pupils and parents with regard to safety. Councillor Auld therefore seconded the motion for refusal.

Councillor Turner represented the neighbouring Plaistow and Sundridge Ward which had suffered a lack of secondary school places for years. This application was therefore welcomed as there were no secondary schools for boys within the area (the nearest being Ravenswood School). Councillor Turner said he would support approval of the application on condition a Section 106 Agreement in relation to the crossings at Bickley and Chislehurst Road was included.

Councillor Arthur stated if approved, hundreds of boys would walk to the site and back again in the afternoon. If not approved, those same boys would need to travel a great deal further. This application sought to build on what was already an excellent school. The report stated that alternative sites had been assessed within a five mile radius but concluded no other sites had been

identified as suitable for the construction of a new school. Councillor Arthur supported the application.

Councillor Tunncliffe was surprised to learn that there was any spaces for Year 7 pupils within the Borough. In 2003 there were 57 Bromley children left without a permanent school place, 27 of them were girls. A temporary measure was set up and the 57 children were sent for one year to Ravenswood School for Boys. One year later they were moved to a temporary porta cabin accommodation on the site of Bishop Justus whilst the school was completed where they were eventually given permanent places. As there were only 57 children a full curriculum could not be offered and the social side of their lives was impacted. Some ended up excluded and as NEETS. One could not say for certain this was due to the difficulties they faced at age 11-12 but it would not have helped. This situation could have been prevented with better planning and insight. Lessons should be learned from the mistakes of the past. Currently there were not enough places and the situation would only get worse in years to come. The school needed to be built.

Councillor Fawthrop considered the application could not be approved without all the conditions that were normally attached to planning applications. The traffic issues would have an impact on residents' quality of life. The children's quality of life would not be made better by traffic congestion and fumes etc. This must be taken into account during consideration of the application. Alternatives could be made available if planning reports were to carry a recommendation for Members' views. Councillor Fawthrop supported refusal.

Councillor Boughey was undecided on the application. Whilst the site was able to take the school, traffic issues were a problem and the safety of pupils was paramount. Allocating land to make the footpath in Chislehurst Road wider should have been included in the application. Whilst Members were not in a position to grant permission, Councillor Boughey moved deferral of the application to look at the issues raised in more detail.

Councillor Huntington-Thresher noted the report did not consider the site unsuitable for a school but did point out there were significant traffic concerns. The applicant was defending its existing plan rather than looking to take on board real concerns, particularly those raised in the traffic survey. It was possible to manage traffic however, the current proposal did not achieve this. In principle, the school could be reduced to 4 or 5 FE to overcome traffic issues. This particular application was unsuitable as it currently stood.

Councillor Reddin highlighted what he considered to be the one-sided nature of the highways report and stated that traffic congestion would still exist whether the school was built or not. The footpaths along Chislehurst road were in need of maintenance regardless of this application. A significant factor in the application was that the new school would have a much earlier start time compared to others. Councillor Reddin could see no significant traffic or safety issues which could not be resolved through conditions or

overcome by engineering solutions as long as there was the will to do so on both sides. Councillor Reddin supported approval of the application.

Councillor Livett reiterated the Council's statutory duty to Bromley students. However, there was also an obligation to residents of the Borough. The applicant had determined which access point they would proceed with and there was no flexibility for change. There had been no great effort to resolve issues relating to the design and Sport England's objections were rejected. This would be a very good site for a school but the application should not be approved with such strong objections in relation to traffic.

In conclusion, whilst the Chairman agreed with many of the points made, due to the outstanding safety issue, he could not support the application.

The following votes then took place:-

1st motion – to approve the application (moved by Councillor Dykes and seconded by Councillor Bennett)
In favour: 9; Against: 9. With the Chairman's casting vote against, the motion was lost at 9:10.

2nd motion – to refuse the application (moved by Councillor Scoates, seconded by Councillor Auld)
In favour: 8; Against: 9. Councillor Boughey abstained from voting and the motion was lost.

3rd motion – to defer the application to look at traffic safety issues in Chislehurst Road (moved by Councillor Boughey, seconded by Councillor Dean)
In favour: 4; Against 6. The motion was lost.

4th motion – to refuse the application on the understanding that the Committee would welcome a second application (moved by Councillor Dean, seconded by Councillor Scoates)
In favour: 10; Against 6. The motion was carried.

Therefore, following a vote of 10-6, Members **RESOLVED that PERMISSION BE REFUSED as recommended for the reason set out in the report of the Chief Planner but with the understanding that Members would welcome a second application.**

Each motion was made clear to Members before voting took place and each vote was clearly and carefully counted.

The failure of the first three motions left Members in a difficult position; it was inevitable that the fourth motion would, to some extent, have to repeat one of the first three, albeit with an additional statement.

35 PLANNING APPLICATION (16/04712/FULL1) - THE RAVENSBOURNE SCHOOL, HAYES LANE, HAYES, BROMLEY BR2 9EH

This report was withdrawn by the Chief Planner following the withdrawal of the application by the applicant.

36 ADDENDUM TO BROMLEY'S PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (2010 AS AMENDED):- ESTABLISH CARBON OFFSET CONTRIBUTIONS - PAYMENTS IN LIEU OF ON-SITE PROVISION

Report DRR17/010

Members considered a proposed Addendum to the Planning Obligations SPD to ensure that payments in lieu of on-site provision for carbon offsetting purposes were made in conformity with the LB Bromley and London Plan and national policies and guidance on carbon reduction for new major developments.

It was proposed that the Council use the Mayor's established carbon offset price of £60 per tonne of carbon dioxide for a period of 30 years.

The Chairman explained that developers were required to limit the amount of carbon dioxide released into the atmosphere when building. As this limit had recently been increased, it was necessary for the guidance to be amended to incorporate the change. If developers were not able to achieve the limit required, a Section 106 Agreement could be initiated (or eventually a CIL) to rectify the situation. The Chairman moved that the recommendation be agreed. Councillor Fawthrop seconded the motion.

Councillor Joel was informed by the Chief Planner that the charge applied to all major developments (9 or more housing units).

The Chief Planner also confirmed the fee was charged on a London-wide basis and a lump sum payment would be required on commencement of development.

RESOLVED that:-

- 1) the Addendum to the Planning Obligations SPD be approved with immediate effect, for the purposes of meeting local and regional policies and guidance on carbon offsetting, in particular payments in lieu.**
- 2) the carbon offset price of £60 per tonne of carbon dioxide for a period of 30 years be approved.**

The meeting ended at 10.40 pm

Chairman