



THE LONDON BOROUGH
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BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BR1 3UH

TELEPHONE:

020 8464 3333

CONTACT: Kerry Nicholls

Kerry.Nicholls @bromley.gov.uk

DIRECT LINE:

020 8461 7840

FAX:

020 8290 0608

DATE: 31 October 2022

To: Members of the
DEVELOPMENT CONTROL COMMITTEE

Councillor Alexa Michael (Chairman)

Councillor Keith Onslow (Vice-Chairman)

Councillors Jonathan Andrews, Mark Brock, Peter Dean, Simon Fawthrop, Christine Harris, Alisa Igoe, Charles Joel, Kevin Kennedy-Brooks, Josh King, Tony McPartlan, Tony Owen, Chloe-Jane Ross, Shaun Slator, Alison Stammers and Melanie Stevens

A meeting of the Development Control Committee will be held at Bromley Civic Centre on **TUESDAY 8 NOVEMBER 2022 AT 7.30 PM**

PLEASE NOTE: This meeting will be held in the Council Chamber at the Civic Centre, Stockwell Close, Bromley, BR1 3UH. Members of the public can attend the meeting to speak on a planning application (see the box on public speaking below). There will be limited additional space for other members of the public to observe the meeting – if you wish to attend, please contact us before the day of the meeting if possible, using our web-form:-

<https://www.bromley.gov.uk/CouncilMeetingNoticeOfAttendanceForm>

Please be prepared to follow the identified social distancing guidance at the meeting, including wearing a face covering

TASNIM SHAWKAT

Director of Corporate Services & Governance

Public speaking on planning application reports is a feature at meetings of the Development Control Committee and Plans Sub-Committees. It is also possible for the public to speak on Contravention Reports and Tree Preservation Orders at Plans Sub-Committees. Members of the public wishing to speak will need to have already written to the Council expressing their view on the particular matter and have indicated their wish to do so to Democratic Services **by no later than 10.00 a.m.** on the working day before the date of the meeting.

The inclusion of public contributions, and their conduct, will be at the discretion of the Chairman. Such contributions will normally be limited to two speakers per proposal, one for and one against, each with three minutes to put their point across.

For further details, please telephone **020 8461 7840**.

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting.

Questions specifically relating to reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically relating to reports on the agenda are received by the Democratic Services Team by **5 pm on Wednesday 2 November 2022**.
- 4 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 27 SEPTEMBER 2022** (Pages 1 - 6)
- 5 MATTERS OUTSTANDING FROM PREVIOUS MEETINGS** (Pages 7 - 10)
- 6 (21/05812/FULL1) - CAPEL MANOR COLLEGE, MOTTINGHAM LANE, MOTTINGHAM, LONDON, SE12 9AW (MOTTINGHAM WARD)** (Pages 11 - 84)
- 7 DELEGATED ENFORCEMENT ACTION (JULY TO SEPTEMBER 2022)** (Pages 85 - 88)

The Council's [**Local Planning Protocol and Code of Conduct**](#) sets out how planning applications are dealt with in Bromley.

Agenda Item 4

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 27 September 2022

Present:

Councillor Alexa Michael (Chairman)
Councillor Keith Onslow (Vice-Chairman)
Councillors Mike Botting, Mark Brock, Simon Fawthrop,
Kira Gabbert, Dr Sunil Gupta FRCP FRCPath, Alisa Igoe,
David Jefferys, Charles Joel, Kevin Kennedy-Brooks, Josh King,
Tony McPartlan, Chloe-Jane Ross, Shaun Slator and Mark Smith

Also Present:

Councillors Yvonne Bear and Michael Tickner

24 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Jonathan Andrews, Peter Dean, Christine Harris, Tony Owen and Alison Stammers, and Councillors Mike Botting, Dr Sunil Gupta FRCP FRCPath, Kira Gabbert, David Jefferys and Mark Smith acted as their respective substitutes. Apologies for absence were also received from Councillor Melanie Stevens.

Apologies for lateness were received from Councillor Dr Sunil Gupta FRCP FRCPath.

25 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

26 QUESTIONS BY MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Two written questions and one oral question were received from members of the public and are attached at Appendix A.

27 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 26 JULY 2022

RESOLVED: That the minutes of the meeting held on 26 July 2022 be agreed and signed as a correct record.

28 MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Report CSD22110

The Committee considered a report outlining matters outstanding from previous meetings.

RESOLVED: That progress on matters arising from previous meetings be noted.

29 (21/00741/FULL1) - 33 MASON'S HILL, BROMLEY, BR2 9HD

Description of Application: Demolition of the existing buildings and redevelopment of the site for a new part 8/part 11 storey building comprising flexible commercial floorspace (Use Class E) at ground floor and residential units (Use Class C3) above, along with the associated amenity space, ancillary refuse and recycling storage, cycle parking and wheelchair parking.

The Planning Officer gave a brief presentation, providing an overview of the application and update on the report.

Oral representations in support of the application were received from the applicant.

In considering the application, the Chairman observed that while the proposed development would contribute to the Borough's housing supply, its close proximity to the culverted River Ravensbourne was a significant concern. The proposed development had also not provided the required 35% on-site affordable housing required for such developments in the Development Plan. In response to a question from Councillor Shaun Slator, the Principal Planner explained that the Environment Agency, a statutory consultee on this application, had specified that a minimum 6-metres offset would be required between the culvert and any proposed development to allow access for essential maintenance, emergency works and repairs or replacement of the culvert, and that the application proposed a much smaller offset. Councillor Chloe-Jane Smith further reported that while unable to attend the meeting, the Ward Councillors for Bromley Town had requested she make representations on their behalf stating their agreement with Officers' recommendations to refuse the proposed development.

The Chairman moved that the planning application be refused as recommended. The motion was seconded by the Vice-Chairman, put to the vote and CARRIED unanimously.

RESOLVED: That PERMISSION BE REFUSED as recommended, subject to any direction by the Mayor of London, for the reasons set out in the report of the Assistant Director: Planning.

**30 URBAN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT – CONSULTATION DRAFT
Report HPR2022/45**

The Committee considered a report outlining the draft Urban Design Guide Supplementary Planning Document and requesting that the Committee endorse its publication for six weeks public consultation.

The Head of Planning Policy and Strategy introduced the Local Authority's Urban Design Officers who made a presentation to the Committee. Members were advised that the draft Urban Design Guide had been designed to inform and engage developers, applicants, planning officers, residents and all other stakeholders involved in proposals for development in Bromley. The aim of the Urban Design Guide was to support good planning practice by all parties with a view to ensuring that development across the Borough was sustainable and of high design quality.

In discussion, a Member observed that while there were a number of photographic examples of good design within the Urban Design Guide, there were very few photographs from within the Borough. The Urban Design Officer explained that these photographs had been chosen to illustrate key design principles and that appropriate photographs of Bromley design could only be used within the Guide where identified schemes served as examples of good design practice. The Officer noted that suggestions submitted as part of the consultation exercise could be considered for inclusion in any adopted version of the Urban Design Guide. Another Member queried whether a move to a more design-led approach to development could lead to over-densification and the Head of Planning Policy and Strategy clarified that while the former London Plan had a density matrix, the new London Plan took a more bespoke design approach considering each site on its merits and ultimately supporting higher quality development across London. The Member asked why the Mavelstone Road Conservation Area was grouped with other Conservation Areas in Chislehurst within the *Borough Places* section of the Urban Design Guide when it was located in Bickley and Sundridge Ward. The Head of Planning Policy and Strategy advised that the description of distinct areas of the Borough was based on areas of character rather than Ward boundaries.

In response to a number of questions from a Member who was concerned about development density in the North West of the Borough, the Head of Planning Policy and Strategy confirmed that areas designated as green open space were set out in both the Local and London Plans and that access to green open space remained a key factor in considering whether proposed developments were appropriate. Work was underway to commence a review of Bromley's Local Plan, and this would take into account the importance of continued and improved access to the Borough's green open space. The Head of Planning Policy and Strategy explained that the Local Plan review was at a very early stage and that the scope of required evidence had not yet been fully established. The Member further queried whether there was any requirement for retail units within mixed-use developments to fit with the character of the surrounding area. The Head of Planning Policy advised that while it was not possible to specify specific occupiers of retail units within any new development, developers were encouraged to consult with the local community as part of the planning application process. Another Member raised a question around the retention or conversion of heritage buildings and the Head of Planning Policy and Strategy confirmed that the Borough's planning policies applied in all such cases, regardless of who owned the land or buildings.

A Member who was also Chairman of the Beckenham Town Centre Team reported that in reviewing the Urban Design Guide, the Team had welcomed its provisions but had requested a preface be added to target the Guide at the broadest possible audience, including Lettings and Estates Agents. There had been issues in Beckenham Town Centre around the replacement of heritage shop fronts without planning permission and the Team had requested that a greater emphasis be placed on the conservation, extension and permitted development of existing buildings within the Urban Design Guide. A visiting Ward Member for Copers Cope echoed the Member's comments, highlighting the need for the Urban Design Guide to be accessible to all stakeholders and requesting an additional section be added on enforcement to raise awareness of the implications of not following the correct planning process. The Chairman suggested that details of the enforcement process be included within the Guide in summarised form, and this was supported by the Vice-Chairman. The Head of Planning Policy and Strategy recognised Members' concerns but queried whether this would lead to unnecessary duplication across key Planning documents as the Local Authority already had a published planning enforcement policy.

In response to a question from a Member on the consultation process for the draft Urban Design Guide, the Head of Planning Policy and Strategy confirmed that it was anticipated that the majority of respondents would be developers and representatives of the planning industry, but that members of the public would also be welcome to submit their views and a focus would be placed on the quality of responses rather than the quantity. Another Member underlined the need to capture the voice of the charities sector within the consultation, particularly in relation to principles of good design for improved health and wellbeing, and the Head of Planning Policy and Strategy advised that Community Links and identified charities would be approached as part of the consultation process. The Chairman noted that at its meeting on 6 October 2022, the Council's Executive would be asked to approve public consultation on both the Urban Design Guide and the draft Bromley Town Centre Supplementary Planning Document and that by running two consultations at the same time, public awareness and engagement was likely to increase.

In considering specific changes to the draft Urban Design Guide, Councillor Simon Fawthrop moved that the following amendments be made to the *Borough Places* section. The proposed amendments were seconded by the Vice-Chairman and CARRIED:

Paragraph 3.98: "*The Knoll area is overwhelmingly suburban and residential in nature with mainly detached and semi-detached two storey properties, it includes 4 Areas of Special Residential Character (ASRCs) Broxbourne Road, Dale Wood Road, Lynwood Grove and Mayfield Avenue, where low front boundaries and garden amenity play a major role in the distinct family home character of the area. Within the Knoll area, the Broomhill Conservation Area lies to the west of the Town Centre, centred on Broomhill Common. Crofton Roman Villa, a Scheduled Ancient*

Monument, is sited adjacent to 19th and 20th Century commercial and transport development at Orpington Station. Though well protected by the late 20th century structure that encloses it, the Villa's impact on the wider public realm is minimal."

Paragraph 3.103: The *suburban* residential development to the east, *which was conceived and is maintained on the garden suburb principle*, is predominantly Neo-Tudor with many Arts and Crafts Movement references. There are large, detached houses on spacious plots, and semi-detached two-storey houses and some detached bungalows. The majority of dwellings have generous rear gardens. The main development pressure comes from residential extensions and replacement houses which can alter the character and appearance of the locality.

In a further proposed change, Councillor Mark Smith moved that the reference in Paragraph 3.57 to the Mavelstone Road Conservation Area (under the Chislehurst heading in the *Borough Places* section) be moved to Paragraph 3.32 (under the Bickley Heading). The proposed amendment was seconded by the Chairman and CARRIED.

In considering DG16: Healthy Streets, the Committee discussed whether a direct reference to active travel was necessary within the draft Urban Design Guide, with some Members concerned that removing the reference could represent a backwards step in encouraging active living in Bromley, particularly as there was limited time at the meeting to discuss the implications of any such change. The Chairman reminded Members that any amendments made by the Committee would be subject to the consultation process and that the draft Urban Design Guide would be further revised in line with the submissions received before a final version was presented to Members for approval. Councillor Simon Fawthrop moved that the following amendments be made to the *DG16: Healthy Streets* section. The proposed amendments were seconded by Councillor Mark Brock and CARRIED:

All development proposals should seek to create healthy streets and spaces by:

- a) Adopting the Healthy Streets Approach outlined in the London Plan using health ~~and inclusion, and active travel~~ as key performance indicators for assessing design quality.
- b) Adopting an inclusive holistic approach to the design of streets considering their 'place' and 'movement' functions. ~~whilst prioritising the quality of the street level environment for pedestrians and cyclists (access and appeal) and reducing traffic dominance (congestion, noise and pollution).~~
- c) Identifying existing links and movement patterns including pedestrian/cycle paths to inform the location of new routes which should stitch into the wider street network and community/social infrastructure (public transport hubs, facilities and amenities).

- d) Creating ~~active-sociable~~ streets which accommodate the various 3 types of pedestrian activity: necessary and functional, optional recreational, *commercial, occupational*, and social activities (street life).
- e) Implementing measures to make streets healthier while preserving their ‘movement’ function including urban greening, safe crossing points, accessible footpaths, cycle parking and electric vehicle charging points, and ~~fairer street space allocation to each transport mode to reflect the modal share of its users.~~

RESOLVED: That:

- **The Executive be recommended to approve the draft Urban Design Guide Supplementary Planning Document and supporting documentation for six weeks public consultation subject to the requested amendments by the Development Control Committee, noting that there may be further minor amendments prior to consultation; and,**
- **The Executive be recommended to authorise the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to approve any further minor changes (e.g. – related to formatting or mapping) to the draft Urban Design Guide Supplementary Planning Document prior to consultation.**

31 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

32 (21/00741/FULL1) - 33 MASON'S HILL, BROMLEY, BR2 9HD - PART 2 (EXEMPT) APPENDIX

RESOLVED: That the Part 2 (Exempt) Appendix be noted.

The Meeting ended at 8.39 pm

Chairman

Agenda Item 5

Report No.
CSD22118

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: 8 November 2022

Decision Type: Non-Urgent Non-Executive Non-Key

Title: MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Contact Officer: Kerry Nicholls, Democratic Services Officer
Tel: 020 8461 7840 E-mail: Kerry.Nicholls@bromley.gov.uk

Chief Officer: Director of Corporate Services and Governance

Ward: All Wards

1. Reason for decision/report and options

1.1 This report monitors progress against actions arising from previous meetings.

2. RECOMMENDATION(S)

2.1 That the Development Control Committee reviews and comments on progress on matters arising from previous meetings.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Transformation Policy

1. Policy Status: Not Applicable
 2. Making Bromley Even Better Priority: Not Applicable
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £366k
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 6
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: None
 2. Call-in: Not Applicable: Non-Executive reports are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
-

Customer Impact

1. Estimated number of users or customers (current and projected): This report is intended primarily for the benefit of Committee Members.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

Matters Outstanding from Previous Meetings

- 3.1. **Appendix 1** provides a progress update on requests made by the Committee at previous meetings. This list is checked after each meeting so that any outstanding issues can be addressed at an early stage and timely progress made.

Non-Applicable Headings:	Impact on Vulnerable Adults and Children, Transformation/Policy Implications, Financial Implications, Personnel Implications, Legal Implications, Procurement Implications, Property Implications, Carbon Reduction/Social Value Implications, Customer Impact, Ward Councillor Views
Background Documents: (Access via Contact Officer)	Minutes of previous meetings

MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Minute Number/Title /Date	Action/PDS Request	Update	Action by	Expected Completion Date
17. Bromley Town Centre Supplementary Planning Document – Consultation Draft (26 July 2022)	A consultation plan to be added to the Bromley SPD as an addendum and circulated to DCC Members for information.	Details of consultation activities for the Bromley SPD to be made available to Members at the launch of the consultation in October/November 2022.	Head of Planning Policy and Strategy	November 2022

Agenda Item 6

Committee Date	08/11/22	
Address	Capel Manor College Mottingham Lane Mottingham London SE12 9AW	
Application Number	21/05812/FULL1	Officer - Catherine Lockton
Ward	Mottingham	
Proposal	Partial redevelopment of site including the demolition of seven existing buildings; erection of two new College buildings; landscaping and associated works.	
Applicant Capel Manor College	Agent Mr Mark Buxton RPS Group	
C/o RPS Group 20 Farringdon Street London EC4A 4AB	20 Farringdon Street London EC4A 4AB United Kingdom	
Reason for referral to committee	Major application outside delegated authority	Councillor call in No

RECOMMENDATION	PERMISSION BE GRANTED SUBJECT TO A S106 AGREEMENT AND ANY DIRECTION BY THE MAYOR OF LONDON
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KEY DESIGNATIONS
Metropolitan Open Land Biggin Hill Safeguarding Area London City Airport Safeguarding Area Green Chain Sites of Interest for Nature Conservation Area of Archaeological Significance Flood Zone 2 and 3 Groundwater source protection zone III Smoke Control SCA 51

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	F1 Learning and non-residential institutions	953sqm.
Proposed	F1 Learning and non-residential institutions	1276sqm.

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	35	30	-5
Disabled car spaces	0	3	+3
Cycle	0	50	50

Electric car charging points	20% active provision
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Representation summary	<i>Adjoining neighbours were consulted by letter 07.02.22 & 09.02.22. A Site Notice was displayed at the site 15.02.22. A Press Advert was published 16.02.22 in the News Shopper.</i>
Total number of responses	3
Number in support	1
Number of objections	0
Number neither objecting to nor supporting	2

Financial Contribution Heads of Term	Amount	Agreed in Principle
Carbon offsetting contribution	£7,517	YES
Bus Shelter contribution	£30,000	YES
Monitoring Fee	£500 per Head of Term	YES

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development is considered to be inappropriate development in MOL as it would not meet any of the exceptions set out within paragraph 149 of the NPPF. However, the existing educational use of the site is acknowledged and supported, and the applicant has demonstrated there is a need for the

proposed development to meet the Capel Manor College's curriculum and operational requirements. The benefits to the local community are also acknowledged. The applicants have also demonstrated that there are no other alternative sequential preferable sites available. It is therefore considered that very special circumstances have been demonstrated to outweigh the harm to the MOL.

- The design, scale and layout of the proposed development would respond appropriately to its woodland setting and siting within MOL.
- The proposal would contribute to the nature conservation value of the site through appropriate landscaping and biodiversity enhancements, achieving an Urban Greening Factor of 0.34 and +23.55% biodiversity net gain.
- The proposal would provide an appropriate amount of car parking and cycle parking for the site given its use and location and would not result in any adverse transport impacts. The applicants have also agreed to a contribution to the installation of bus shelters at two local bus stops to improve the public transport provision.
- The proposed development would not cause any undue harm to neighbouring amenity.
- Subject to conditions the application is considered acceptable from an archaeology, air quality, drainage, and contaminated land perspective.
- It is considered that the proposed development is acceptable and is recommended for permission, subject to the prior completion of a S106 legal agreement and any direction from the Mayor of London.

1 LOCATION

- 1.1 The application site comprises approximately 0.9 hectares and is located on the southern side of Mottingham Lane, close to the junction with Winn Road and Jevington Way. The main access to the site is via the junction at Mottingham Lane/Winn Road which lies in the north-western corner of the site.



Fig.1 – Site Location Plan



Fig.2 – Entrance to site (junction of Mottingham Lane and Winn Road)

- 1.2 The application site sits within a wider site of 3.6 hectares which is all part of Capel Manor College campus.
- 1.3 Capel Manor College is a specialist environmental college offering full and part-time courses in further and higher education which has seven campuses across London. The centre in Enfield is the main administrative hub and is located at Bullsmoor Lane, Enfield, just off junction 25 of the M25. Other

centres include; Gunnersbury Park, Acton; Brooks Farm, Leyton; Crystal Palace Park and Regent's Park. The latest centre is the application site in Mottingham which the College acquired in 2020. The College also manages Forty Hall Farm, a 140 acre (57 ha) organic farm in Enfield.

- 1.4 The site is within land designated as Metropolitan Open Land (MOL). A Site for Importance for Nature Conservation (SINC) – Mottingham Nature Reserve and River Quaggy borders the application site to the north, south, east and west.



Fig.3 – Aerial view of Capel Manor Campus

- 1.5 To the west and north-west of the site lie residential properties and to the north, east and south lies greenfield land.
- 1.6 The site is located within Flood Zone 2 with an area to the west also located within Flood Zone 3. The River Quaggy lies to the west of the site running north to south. The site is within a Groundwater Source Protection Zone (Zone III – Total Catchment).
- 1.7 The site is not located within a conservation area and there are no listed buildings on site. There is a Grade II listed building within 500m of the College boundary.
- 1.8 The site lies in an area of archaeological interest.

- 1.9 There are four bus stops within reasonable walking distance (640m) of the site, serving two routes. Mottingham Station is outside of reasonable walking distance being approximately 1.6km from the site, providing National Rail services to Central London and Kent. Consequently, the site has a PTAL rating of PTAL of 1b (on a scale where 0 is worst and 6b is excellent).

2 PROPOSAL

- 2.1 Planning permission is sought for partial redevelopment of site including the demolition of seven existing buildings; erection of two new College buildings; landscaping and associated works.
- 2.2 The existing buildings to be demolished comprise;
- large storage shed (1);
 - demountable classroom (2);
 - central greenhouse (3);
 - row of metal containers (4);
 - other small sheds and glasshouses.
- 2.3 An existing store (5) located to the south of the large storage shed (1) is also proposed to be relocated to the southern end of the existing car parking area.



Fig.4 – Buildings to be demolished



Fig.5 – Demountable classroom



Fig.6 – Central greenhouse



Fig.7 – Demountable classroom and large storage shed



Fig. 8 – Row of metal containers



Fig. 9 - Glasshouse (to be retained)

- 2.4 The area of the existing buildings to be demolished is outlined in the table below;

Demolitions

	GEA	GIA
Proposed Demolitions	554 m2	527 m2
Southern Glasshouse	303 m2	295 m2
M18/19	128 m2	119 m2
Greenhouse	10 m2	9 m2
Shed 01	11 m2	10 m2
Shed 02	17 m2	15 m2
Shed 03	5 m2	4 m2
Containers	80 m2	75 m2

Fig.10 – Area of buildings to be demolished

- 2.5 Two new buildings are proposed to be constructed at the application site; a building on the north-east (the ‘Welcome Block’) which will accommodate public facing teaching space (including classrooms for dog grooming, exotic animals and floristry) and a teaching and social space block (the ‘Linear Block’) to the south.

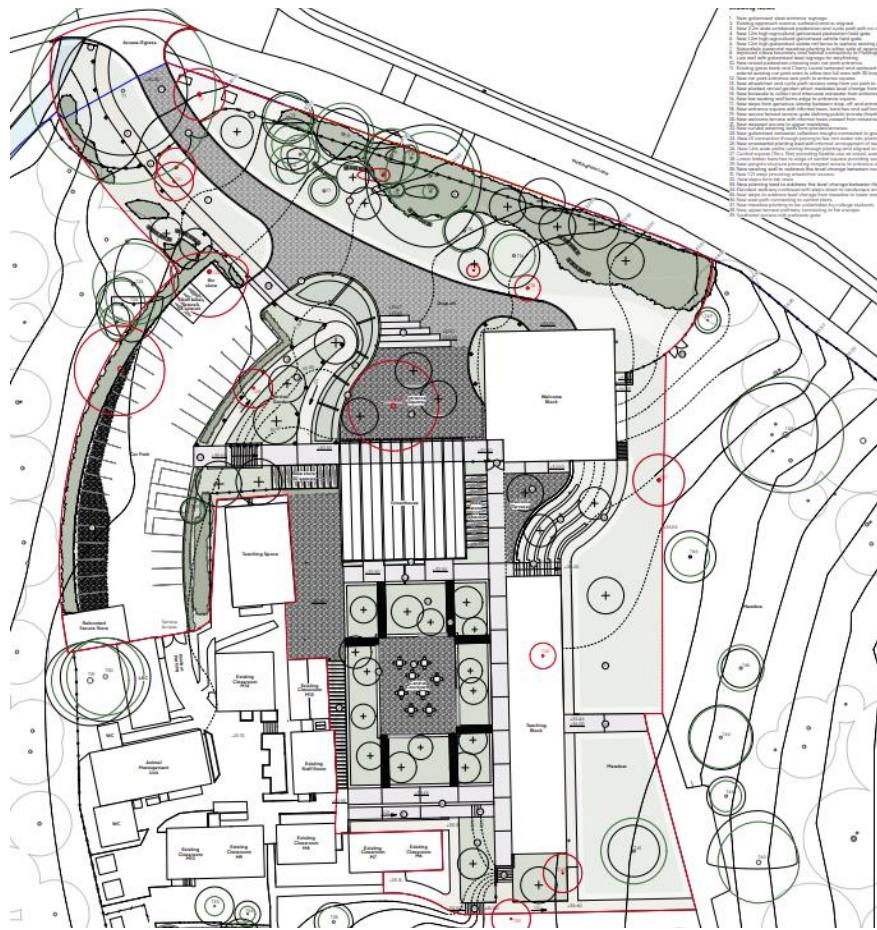


Fig.11 – Landscape General Arrangement

- 2.6 A central courtyard to the west of the proposed teaching block and south of the retained glasshouse is proposed to provide a space for outdoor teaching, student break out space and community events. A new entrance square to the north of the retained glasshouse and west of the Welcome Block is also proposed.

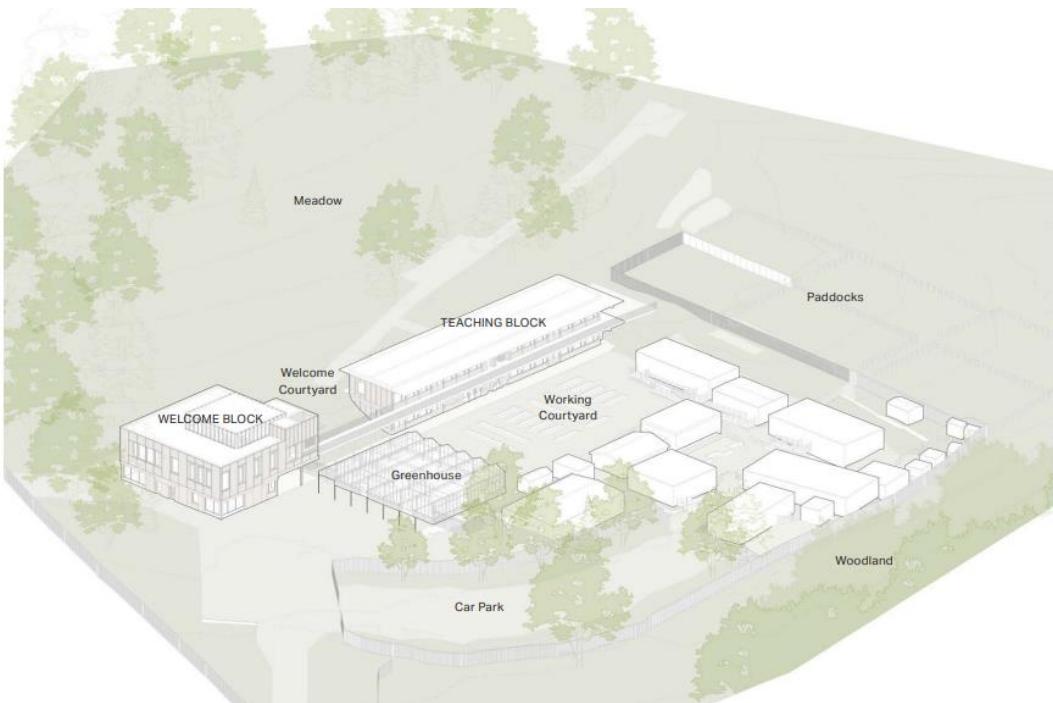


Fig.12 - 3-D visual of proposed development

3 RELEVANT PLANNING HISTORY

- 3.1 The relevant planning history relating to the application site can be summarised as follows;
- 3.2 85/00881/FUL – Change of use to garden centre and construction of car park approved 10.07.1985.
- 3.3 85/02255/DET – Change of use to garden centre and construction of car park, landscaping and car parking details 850881 approved 13.01.1986.
- 3.4 85/02413/FUL – Greenhouse for retail sales, ancillary toilet building and pergola entrance gates (Revised siting of car park/greenhouse and toilet facilities as per drawing received 24.07.86) approved 18.08.1986
- 3.5 87/02454 - Change of use to garden centre and construction of car park, (Health Authority Consultation under Town and Country Planning Act 1984) approved 14.09.1987.
- 3.6 88/02705/FUL – Erection of production greenhouse (application under section 1 of Town and Country Planning Act 1984) approved 22.08.1988.
- 3.7 89/00009/FUL – Single storey extension to existing retail greenhouse & single storey detached office & staff building approved 06.03.1989.
- 3.8 95/01754/FULMAJ – Use of site for horticultural training and retail trading by Hadlow College with erection of 3 mobile classrooms and 1 store and extension to car parking provision approved 12.02.1996.

- 3.9 00/03361/VAR – Variation of conditions 05 and 09 of 95/1754 to enable continued use for horticulture training and retail trading in an educational/training establishment or specialist college in conjunction with a retail operation approved 17.06.2002.
- 3.10 02/02161/FULL1 - 2.4m high powder coated steel palisade fencing approved 19.08.2002.
- 3.11 02/03610/FULL1 - Demolition of existing toilet block and erection of 5 single storey buildings containing classroom building, reception building, common room building, female toilet block, and replacement male and disabled toilet block in connection with existing use of site as a training and educational establishment approved 18.02.2003.
- 3.12 07/00812/FULL1 - 1.8m high perimeter fence/gates approved 04.05.2007.
- 3.13 There have been other applications for telecommunications equipment and advertisements at the site.

4 CONSULTATION SUMMARY

A) Statutory

- 4.1 **Greater London Authority (GLA) – Stage 1 Report required further information as the application does not currently comply with the London Plan (a copy of the full report is attached at Appendix 1)**
- Stage 1 Report
 - Educational use is supported. Although the development is considered inappropriate development on MOL, as it does not satisfy any of the exception tests in paragraph 149 of the NPPF, the applicant has demonstrated very special circumstances in regard to the need for specialist college and that there are no alternatives sites that are sequentially preferential. The principle of the reconfiguration of the college site in MOL is therefore supported.
 - The approach to layout, scale and massing, architecture and inclusive design is generally supported. Further details are required in relation to siting of the Welcome Block, and an amended Fire Statement is required.
 - The scheme does not comply with London Plan policy in relation to parking. An Active Travel Zone Assessment should be undertaken. No information has been provided in relation to servicing and deliveries. Further detail is also required in relation to drop off area, cycle parking, disabled parking, trip generation and pedestrian / cycling routes to the site. The scheme will also be required to contribute towards bus shelter upgrades.

- Further information is required in relation to energy, whole life carbon and circular economy. No information has been submitted in relation to digital connectivity.
 - The approach to flooding accepted. The urban greening factor has been incorrectly calculated. Further information is required in relation to the SINC, trees, drainage, water efficiency and air quality.
 - That Bromley Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 98. Possible remedies set out in this report could address these deficiencies.
 - If your Council subsequently resolves to approve the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged; or direct the Council under Article 6 to refuse the application.
 - If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application without further referral to the Mayor.
- Biodiversity
 - The GLA Stage 1 response states that the applicant should provide further information to demonstrate that the development avoids direct or indirect impacts on the Site of Importance for Nature Conservation (SINC) that the site lies within. The applicant sets out quotes from the Preliminary Ecological Appraisal (PEA), which states that a Construction Environment Management Plan (CEMP) will be required. The applicant states that a Construction Management and Logistics Plan has been submitted which addresses the recommendations made in the PEA and comments made at Stage 1. Providing that the Construction Management and Logistics Plan includes all aspects typically found in a CEMP, no further information is required at this stage. If not, as requested at Stage 1, the CEMP should be secured by condition and approved prior to construction, if the proposed development is granted planning consent.
- Trees
 - The previous GLA response requests that the CAVAT value should be demonstrated for 15-20 years to demonstrate adequate replacement, rather than the 25 years previously set out. The applicant has responded to this point and requested that this should be included as a planning condition. It is considered that this would be acceptable as the applicant has set out that the arboriculturist has “quickly run some crude numbers to reduce the time period down to 15-20yrs and this still results in a positive compared to the proposed tree removal - c.£100k worth of removal compared to £110k worth of proposed replacement”. Therefore, adequate replaceable appears to be achievable.

- Water
 - In response to the GLA stage 1 water comments (dated on the 4th of March 2022) the Applicant provided a ‘Drainage’ word document and a green roof plan.
 - The Drainage Word document agrees to provide further information on the discharge location (pond) via a suitably worded condition. This is supported.
 - The green roof plan states that a total of 240 sqm of green roof are now proposed. This is supported.
 - As per our previous comments, a drainage drawing showing the dimensions of the attenuation features should be provided.
 - No information has been provided regarding rainwater harvesting and the water efficiency targets for the site. This should be provided or secured by an appropriately worded condition.
- Air Quality
 - The updated Air Quality Neutral assessment provided adequately demonstrates that the development is compliant with the Air Quality Neutral requirements of the London Plan without further mitigation. The GLA stage 1 comments also requested further information on whether there will be any backup diesel generators within the proposed development.
- Fire
 - The additional information should be addended to the fire statement and resubmitted so that the most up to date fire statement can be conditioned. It should also be confirmed that the independent qualified fire assessor has approved these for inclusion in the fire statement and is satisfied it meets the policy requirements of D12.
- Urban Greening
 - The GLA Stage 1 response requests that the Urban Greening Factor (UGF) score is calculated using the latest guidance available, and a standalone surface cover type drawing is provided. The applicant has provided an Urban Greening Factor report, which confirms a UGF score of 0.743. This exceeds the target set by Policy G5 of the London Plan, however, there does not appear to be a surface cover type submitted to evidence this score. This should be provided.

4.2 Transport for London (TfL) – No objection (subject to conditions) except for lack of pedestrian crossing improvements

- Healthy Streets and Active Travel Zone Assessment
 - The ATZ assessment has not been completed in line with TfL guidance; it does not assess the routes in line with the Healthy Streets indicators in Policy T2, nor does it provide any proposed improvements to the routes. However, given the late stage of the application, in lieu of this, TfL would support a contribution towards off-site ‘Healthy Streets’ improvements secured through the S106 agreement, noting

in particular that the junction of Mottingham Lane/Winn Road and the site access is currently poor for pedestrians and cyclists (e.g., poor crossing facilities). There also seems an opportunity for a new pedestrian crossing on Mottingham Lane just to the east of the roundabout where the footway starts on the south side of the road.

- Given the likelihood that some students/staff would be arriving from the east along Mottingham Lane, which only has a footway on the north side and no safe way of crossing to the south, TfL considers the existing facilities inadequate for the anticipated volume of students and that there is a need for improved pedestrian facilities on Mottingham Lane. A contribution to pedestrian crossing improvements should be secured through a S106 and TfL consider this to be reasonable given the scale of development.
 - TfL would request a S106 contribution for bus shelters at stops BP5291 on Mottingham Lane and stop BP5290 on Alnwick Road at an estimated total cost of £30,000.
 - Space designated for the shuttle bus and disabled persons pick up/drop off area in the car park only, containing the areas of the site which are car dominated and enabling more effective management against unauthorised use, should be provided. Parking and waiting controls on street should also be introduced and if appropriate a School Street designated.
 - The access to the Entrance Square from the drop off area is via a staircase. This creates a significant diversion to access the site for wheelchair users that have been dropped off in the drop off area. This further supports the repurposing of the drop off area. Having a loading area within the car park would help create a step-free route into the site for disabled students and staff members who have been dropped off.
- Car parking
 - It is welcomed that no general car parking spaces are proposed for student use and that the existing informal areas of car parking for students will be replaced with soft landscaping.
 - It is noted that the existing car park is located on loose gravel and the spaces are not formally marked. In order to prevent informal parking outside of London Plan maximum standards, car parking spaces should be clearly marked.
 - A clear, level route between the spaces and the building entrance should be provided. There is some concern in regard to wheelchair access over the gravel, but this can be addressed through appropriate landscaping interventions at conditions stage.
 - It is noted that there is no CPZ in this location, as such there is a concern that students, staff and visitors will park on the surrounding streets. Policy T2 states that developments should not seek to increase car dominance on London's

- streets. As such, a contribution towards the implementation of controls should be secured.
- A Car Parking Management Plan should be secured through condition, in line with Policy T6.
 - Cycle parking
 - Based on the FTE numbers proposed, the applicant stated that 18 long-stay and 31 short-stay spaces are required to meet the minimum standards of Policy T5.
 - TfL welcome the quantity of new cycle parking and that cycle parking for staff and students is separated. The access to the staff store should only be accessible by staff. However, further detail is needed in regard to the type of enclosures proposed. Cycle Parking should be designed in accordance with the London Cycle Design Standards, which is also a requirement of Policy T5.
 - No wider access spaces have been provided to accommodate those with larger cycles, such as tricycles and cargo bikes. To ensure inclusive design and encourage all students and staff members to cycle, we recommend that five per cent of stands are Sheffield stands at wider spacing (1.8m between stands). Without any disabled persons' car parking spaces or any adapted cycle spaces the applicant is not providing sufficient transport facilities for disabled staff and students.
 - TfL recommend that complimentary facilities, such as changing rooms are provided.
 - Trip Generation
 - A multi-modal trip generation has been provided, however there is a concern that this underestimates the impact that the proposed development will have on the surrounding transport network. The methodology proposed looks at using FTE to determine the trip rate for this site. However, two part time students will have double the travel impact as one full-time student, and so only looking at FTE will potentially undermine the travel impact. As this is specialist college, it is expected that many students will travel outside of the walking catchment area.
 - The applicant's point with regards to the travel survey not being undertaken during a lockdown (with the college having mostly stayed open regardless) is accepted. However, in regard to using FTE student figures, which may not accurately reflect the actual uptick in public transport travel to the site, if possible new trip generation figures should be provided. That said, given the scale of the proposal, it is unlikely that a bus capacity contribution would be required.
 - In order to determine the impact of the shuttle bus on trips, further information is required surrounding the frequency of the shuttle bus trips, the locations for pick up and the impacts this will mitigate on the strategic transport network. The shuttle service, if considered acceptable, should be secured through a S106 obligation for perpetuity.

- The Council as highway authority should be satisfied that the access junction works safely for any potential increase in car trips, though if student car parking is restricted (and staff car parking reduced), any additional vehicle movements will be limited.
- Delivery and Servicing
 - TfL note that the applicant has stated that 'It is not expected that the proposed development at Capel Manor College will generate a large number of additional servicing and delivery vehicles, compared to the existing situation.' However, the applicant has not provided any information on trip generation to support this claim.
 - TfL welcome that a delivery and servicing plan will be secured through condition, in line with Policy T7.
- Construction
 - An outline construction management plan (CMP) has been provided to support this application.
 - Deliveries should be outside of peak hours, to reduce the impacts on the surrounding transport network.
 - No mention of using sustainable modes of travel has been provided. Targets and facilities to increase active travel to the site should be provided. It is recommended that cycling facilities and initiatives to encourage active travel are provided. Given the site is a PTAL 4, it is recommended that car parking for staff is not permitted.
 - A full Construction Management Plan should be secured through condition, in line with Policy T4 and 7. As with the outline construction management plan, it should detail the measures that will be implemented to ensure that the proposed development will not impact on the surrounding transport network.
- Travel Plan
 - A framework Travel Plan has been provided. No targets have been provided. Targets contained within the Travel Plan should be in accordance with the Mayor's strategic mode shift target. An updated Travel Plan should be provided prior to determination. A full Travel Plan should be secured through condition in line with Policy T4.

4.3 Highways (Highway Authority) – No objection

- The application is accompanied by a Transport Statement (13 December 2021); Travel Plan (13 December 2021), Transport Technical Note (13 July 2022); and Transport Technical Note (18 October 2022).
- There will be an additional 75 students on the site, which the Technical Note gives as an additional 12 FTE. The total number should be considered as they will have to make the trips.
- The modal split survey were carried out in Oct 20 which does seem to have some COVID restrictions.

- There does not appear to be an on-street car parking issue with the college currently and there are also no objections mentioning that. The removal of student parking may impact on street parking but given the age range of the students it is unlikely to be significant. Further information provided with regards to the car parking and shuttle bus are accepted.
- TfL's comments with regards to the island on Mottingham Road being sub-standard are accepted. However, looking at the catchment area of students surveyed show a potential of 12 out of 208 students (around 6%) likely to use Mottingham station and therefore Mottingham Lane. It is accepted that others may walk that route but if that percentage is applied to all 75 of the additional students it only equates to an additional 4 or 5. Although, the Council's Highways team would want the highway infrastructure to be as inclusive as possible, it would be difficult to justify the £35k of works for the low number of additional students.
- A construction management plan and car park management plan would be required.

4.4 Drainage (lead local flood authority) – No objection

- Condition required regarding the submission of the detailed design measures in the submitted “Flood Risk & SUDS” Report carried out by RPS Group with Ref No. HLEF81445 Rev 4 dated 14 December 2021.

4.5 Environment Agency – No objection

- No objection with respect to proximity to the River Quaggy, main river.
- However, if any heavy loading is proposed, or materials will be stored, within 8 metres of the watercourse, then a FRAP may be required.
- The proposed terrestrial enhancements are welcomed.
- As the blue line boundary of the site incorporates the watercourse along the western edge of the site, the applicant/landowner is encouraged to also consider enhancements to the aquatic environment.
- The site is situated over a groundwater Source Protection Zone (SPZ3) and over Secondary Aquifers. The scope of the works at the site is accepted, in principle, as being in line with relevant guidance for the redevelopment of a contaminated site, with respect to issues of concern to the Environment Agency. It is understood that remedial action is required, but it mostly relates to issues of human health protection.
- A condition relating to contamination and a number of informatics are recommended on any approval.

4.6 Historic England – No objection

- The planning application lies in an area of archaeological interest. Whilst the proposed development is located outside of an

Archaeological Priority Area, the proposed works do cover a large area and can be anticipated to result in significant ground disturbance.

- In accordance with the findings of the submitted Archaeological Desk Based Assessment prepared by RPS, it is advised that the development could cause harm to archaeological remains. However, the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition.

4.7 **London Borough of Greenwich – No objection**

4.8 **London Borough of Lewisham – No objection**

B) Local Groups

4.9 **Mottingham Residents' Association**

- Support the application as the vast majority if the redevelopment is to be completed within the existing building footprint.
- Much improved educational facilities.
- Much better utilisation of green space.
- Given location do not believe that this redevelopment will cause any undue increase in traffic issues in Mottingham Lane and the majority of students will access the site via public transport, cycle, or as pedestrians.
- Redeveloped educational facility is also likely to create additional facilities for use by the local Mottingham community.

4.10 **Orpington Field Club & Bromley Biodiversity Partnership Sub-Group**

- Members are broadly supportive of the application but are disappointed to see a net loss of 209 sqm of open space, mainly meadow habitat to the east of the current buildings.
- Although it was good to see a proposed mixed native species hedgerow around the car park, there seems to be a much greater percentage of exotic planting included in the proposed landscaping compared to native species. The ratio of native to non-native plants should be increased to at least 30-40%, especially adjacent to natural habitats to maintain and enhance biodiversity within MOL and the adjoining SINC, thereby supporting ecosystem services.
- Where there is no scrub or woodland around the boundary further species rich native species hedgerow should be planted to improve biodiversity and carbon uptake.
- Various measures to enhance biodiversity, including measures to help bats, hedgehogs and swifts, all LBB Species Action Plan Species (SAPs), are welcomed.
- The installation of 2 bat boxes attached to trees in the woodland is welcomed but note that unless 3 boxes are being put on the same tree, the boxes should face south, south-east or south-west. Also, the installation of integrated bat tubes in the taller building as recommended in the PEA should be included.

- Orpington Field Club and Bromley Biodiversity Partnership members were pleased to see that a hedgehog refuge had been included, but there was no mention of how hedgehogs would access the site via secure fencing. Hedgehog highways' -13 x 13cm holes at the base of fencing should be installed to enable hedgehogs to enter and leave the site. Ramps, stones or vegetation (where appropriate) should be installed at the edges of steep sided water bodies such as water troughs and rills so animals can escape from them
- Regarding the incorporation of swift bricks in the Welcome Block Orpington Field Club and Bromley Biodiversity Partnership would like to point out that as swifts nest colonially more than 2 may be required.
- Bird boxes suitable for starlings should be incorporated on the north or north-eastern aspect of buildings as these red listed birds have declined severely in the borough and are a UK, London and Bromley Priority species.
- Wood should be UK sourced where possible to reduce the problem of importing timber with associated pests and diseases.
- Orpington Field Club and Bromley Biodiversity Partnership members are very concerned that the Final Site Masterplan shown in the Design and Access Statement Part 2, Section 3.4. shows 2 proposed classrooms at the western site boundary with an east west orientation much too close to the woodland boundary. Loss and damage to the woodland and trees to the west of the site above the River Quaggy is inevitable if buildings are sited too close to the woodland fringe. Loss of trees and soil beneath them will reduce biodiversity and will result in loss of stored carbon from the trees and soil beneath and a reduced ability for carbon sequestration. This is also an issue for teaching resources. It represents further loss of habitat on top of the net loss of 209 sqm of open space which will occur with this planning application. The orientation of these buildings should be changed so that they are within the footprint of current hard standing.

C) Local Residents

- 4.11 Concern with regards to traffic noise and air quality from heavy goods vehicles accessing the site.
- 4.12 If any late representations are received they will be reported verbally at the committee meeting.

5 POLICIES AND GUIDANCE

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The London Plan 2021 is the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, *"if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan."*

5.4 **National Policy Framework (2021)**

- 5.5 The application falls to be determined in accordance with the following policies:-

5.6 **The London Plan (2021)**

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG6 Increasing efficiency and resilience
- SD10 Strategic and local regeneration
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D8 Public realm
- D11 Safety, securing and resilience to emergency
- D12 Fire safety
- D14 Noise
- S1 Developing London's social infrastructure
- S3 Education and Childcare Facilities
- G1 Green Infrastructure
- G3 Metropolitan Open Land
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving Air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T3 Transport capacity, connectivity and safeguarding

- T4 Accessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the plan and planning obligations
- M1 Monitoring

The relevant London Plan SPGs and LPGs are:

- Accessible London: Achieving an Inclusive Environment SPG (2014)
- Social Infrastructure SPG (2015)
- Character and Context SPG (2014)
- Public London Charter LPG (2021)
- Draft Fire Safety LPG (2022)
- Sustainable Design and Construction (2014)
- Green Infrastructure and Open Environments: The All London Green Grid SPG (2021)
- ‘Be Seen’ energy monitoring guidance (2021)
- Energy Assessment Guidance (2022)
- Circular Economy Statements Guidance (March 2022)
- Whole Life-Cycle Carbon Assessments Guidance (March 2022)
- Mayor’s Environment Strategy (2018)
- Control of Dust and Emissions During Construction and Demolition (2014)
- Mayor’s Transport Strategy (2018)
- Draft Sustainable Transport and Walking LPG (2021)
- Draft Air Quality Positive LPG (2021)

5.7 Bromley Local Plan (2019)

- 13 Renewal Areas
- 14 Development Affecting Renewal Areas
- 18 Mottingham Renewal Area
- 20 Community Facilities
- 21 Opportunities for Community Facilities
- 27 Education
- 28 Education Facilities
- 30 Parking
- 32 Road Safety
- 33 Access to services for all
- 34 Highway Infrastructure Provision
- 37 General Design of Development
- 50 Metropolitan Open Land
- 54 South East London Green Chain
- 69 Development and Nature Conservation Sites
- 70 Wildlife Features
- 72 Protected Species

- 73 Development and Trees
- 74 Conservation and Management of Trees and Woodlands
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon Reduction, Decentralised Energy Networks & Renewable Energy
- 125 Delivery and Implementation of the Local Plan

The relevant Bromley SPGs are:

- SPG1 General Design Principles

6 ASSESSMENT

6.1 Principle of Development/Land Use - Acceptable

Educational Facilities

- 6.1.1 Paragraph 95 of the NPPF highlights the importance of “*development that will widen choice in education*,” and states that great weight should be given to the need to create, expand or alter schools.
- 6.2.1 Policy S3 (Education and childcare facilities) of the London Plan seeks to ensure a sufficient supply of good quality educational choice to meet the demands of a growing population and enable local communities to access this provision. Clause A 1 of Policy S3 highlights that needs to should be assessed locally and sub-regionally, addressing cross-boundary issues. Clause B sets out criteria for development proposals for education.
- 6.3.1 Bromley Local Plan Policy 27 (Education) states that the Council is committed to choice in education and will work to ensure the provision of an appropriate range of educational facilities to cater for lifelong learning, including specialist provision by:
 - b) defining land with permitted use for education purposes, including the sites of schools, colleges and purpose built day nurseries[...]*
 - c) permitting extensions to existing schools which seek to address local need, subject to Local Plan open space and conservation policies, unless there are demonstrably negative local impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations[...]*

- 6.4.1 The policy further clarifies that “*in all cases new development should be sensitively designed to minimise the footprint of buildings and the impact on open space, particularly playing fields, as well as seeking to secure, as far as possible the privacy and amenities of any adjoining properties, whilst delivering the necessary educational infrastructure.*”
- 6.5.1 Paragraph 3.3.48 of the Bromley Local Plan acknowledges that in addition to the primary and secondary school need there would be requirements for specialist educational facilities over the plan period.
- 6.6.1 The above policies highlight that there is support at national, regional and local planning policy level for development to meet the needs of education, although this support is subject to criteria, notably relating to open space policies.
- 6.7.1 The application documents highlight that Capel Manor College is London’s only specialist environmental college, with the application site being one of its seven campuses across London.
- 6.8.1 The application seeks to demolish a number of existing buildings at the site which are considered to be unserviceable and inappropriate to the College’s operation and curriculum and to construct two new buildings to accommodate public facing teaching space (the Welcome block) and teaching and social space (the Linear Block). Landscaping is also proposed to include a courtyard area in the centre of the built development on site that will be utilised for outdoor teaching, student break out space and community events.
- 6.9.1 The applicant’s state that these proposals seek to provide high quality teaching, meeting and social space to increase Capel Manor College’s operational capacity and the quality of its educational provision to ensure it can meet the educational need for land-based environmental courses.
- 6.10.1 The applicants have provided an Educational Statement prepared by Fusion (dated 18th October 2022) which states that the College operate from two South London locations currently; the two sites are Crystal Palace (National Sports Centre and the Crystal Palace Park Farm) as well as the Mottingham campus (the application site).
- 6.11.1 The supporting Planning Statement advises that the “*planned provision at Mottingham is inextricably linked to the provision at Crystal Palace Park and the curriculum for animal management is delivered across both locations*”. They also advise that the college, who lease the space at the Crystal Palace National Sports Centre (NSC), will be required to vacate the substandard accommodation currently in the Jubilee stand within a year.
- 6.12.1 The Educational Statement states that accommodation from the Jubilee stand at the NSC was previously planned to be relocated to the Anerley Hill site at Crystal Palace as part of proposals under ref: (20/00325/OUT). However, due to concerns with this element of the proposals, it was removed from this 20/00325 application prior to determination. It is now proposed to construct this accommodation at Mottingham (the application site). The Educational

Statement also clarifies that the College will remain at Crystal Palace Park Farm and thus proposals in the wider outline planning application at Crystal Palace (20/00325/OUT) are still valid for the Farm development.

6.13.1 The applicants have advised that the current curriculum offer at both sites is as follows;

- Mottingham
 - Animal Care/Management Level 1-3, Access to HE Animal Welfare
 - Foundation Learning
 - Horticulture Level 1-2 adults
 - Garden Design Level 1 adults
 - Environmental Careers Level 1
 - Arboriculture Level 2-3
 - Environmental Conservation Level 2
 - Agriculture Level 3
 - Floristry Level 1-2
- Crystal Palace
 - Schools (Bromley, Croydon, Lewisham)
 - Foundation Learning
 - Animal Care/Management Level 1-3
 - Horticulture Level 1-2

6.14.1 The proposed curriculum split after the Mottingham campus is completed is as follows;

- Mottingham
 - Schools provision (Southwark, Lewisham, Greenwich, Bexley, Bromley)
 - Foundation Learning
 - Animal Management Level 1-2, some Level 3 laboratory-based lessons for 2nd yrs.
 - Dog Grooming
 - Horticulture Level 1-2
 - Garden Design Level 2-3
 - Professional Landscaping Level 2-3
 - Arboriculture Level 2-3
 - Countryside Management Level 1-3
 - Floristry Level 1-3
 - Apprenticeship – Arboriculture, Horticulture, Sports Turf
- Crystal Palace
 - Schools provision (Bromley, Croydon, Lewisham)
 - Foundation Learning
 - Horticulture Level 1
 - Animal Management Level 3
 - Veterinary Nursing

6.15.1 Therefore, in summary, the College plan to deliver similar courses at Mottingham after completion of the project with the addition of school's

provision for Southwark, Lewisham, Greenwich, and Bexley. The site will also include dog grooming courses, professional landscaping level 2-3, and arboriculture courses in sports turf.

- 6.16.1 When the Bromley Local Plan (2019) was prepared certain specialist needs were identified, however this particular specialist cross borough need was at that time met within the Crystal Palace NSC, and therefore was not identified nor specifically referenced in the plan. However, Policy 27 makes clear the Council's commitment to choice in education and supports extensions within existing educational sites subject to open space and conservation policies. The expansion of capacity at Mottingham is indicated to address the space requirements from the NSC which were not ultimately re-provided as part of the Crystal Palace Park regeneration application (the proposed 'Anerley Hill Site' having been removed from that outline application).
- 6.17.1 With regard to the Crystal Palace Park Farm site, the statement advises that the courses on offer will remain the same as a result of the proposed redevelopment of the Mottingham campus.. The Statement confirms that the two sites work partly in tandem with each other. As there will be some displacement involved with the vacation of the NSC accommodation, the development at Mottingham is also needed to ensure continuation of courses for students while being able to still use the farm site.
- 6.18.1 Having regard to the above, the provision of improved educational facilities at the site is supported. However, the site is located within Metropolitan Open Land (MOL) and as such, any new development requires careful consideration in accordance with the relevant national, regional and local policies.

Metropolitan Open Land

- 6.19.1 The site lies wholly within land designated as Metropolitan Open Land. London Plan Policy G3, reflected in Bromley Local Plan Policy 50, affords Metropolitan Open Land the same status and level of protection as Green Belt; and states that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.
- 6.20.1 Paragraph 147 of the NPPF states that "*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*".
- 6.21.1 Paragraph 149 of the NPPF advises that the construction of new buildings should be regarded as inappropriate save for certain limited exceptions set out in paragraph 149.
- 6.22.1 Paragraph 149(g) of the NPPF allows for;

"(g) limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings) which would

- not have a greater impact on the openness of the Green Belt than the existing development;”

- 6.23.1 In considering the impact on openness, the National Planning Practice Guidance (Paragraph: 001 Reference ID: 64-001-20190722) is clear that openness is capable of having both spatial and visual aspects.
- 6.24.1 Of the total site area, 993sqm are existing buildings/portacabins and 4,135sqm is hardstanding. The proposal includes the demolition of 554sqm of existing buildings/structures and 439sqm of the existing structures on site are to be retained or relocated. The proposed two new buildings (the Welcome Block and Linear Block) would result in a GEA of 1,420sqm and a footprint of 763sqm. The proposed hardstanding would amount to 3,423sqm. Thus, there will be a reduction in hardstanding of 712sqm with an overall increase of building footprint of 209sqm. Taking this into account, the total area covered by building and hardstanding would be 4,625sqm equating to a reduction of 503sqm overall.
- 6.25.1 Notwithstanding that the proposed development (taking account of both the buildings and hardstanding) is spatially smaller than existing, the proposed layout of the site would introduce some built development within areas of undeveloped MOL. It is acknowledged that this is compensated for by some of the hard standing being converted back to green MOL. However, this would mean that the proposal would not be located entirely on ‘previously developed land’ and would not therefore meet the exception to inappropriate development at Paragraph 149(g) of the NPPF.
- 6.26.1 Furthermore, in visual terms, the volume of the proposed new buildings would be greater than the existing and whilst the majority of the site is screened from public view by the existing boundary vegetation/trees, the verified views provided within the accompanying Design and Access Statement do indicate that these proposed buildings would be more visually prominent than the existing development on site. The proposal would therefore harm the openness of the MOL in both the spatial and visual aspects. That being said, Officers agree with the GLA’s view that the logical layout and high-quality design is likely to help to integrate the appearance of the buildings within the surrounding context and thereby limiting its harm.
- 6.27.1 Taking account of the above, whilst it is acknowledged that the proposal has been designed to utilise some areas of previously developed land and to minimise encroachment on the MOL, the proposal would not benefit from the exceptions set out within the NPPF and therefore would constitute inappropriate development which in accordance with paragraph 147 should not be approved except in very special circumstances.

Very Special Circumstances (VSC)

- 6.28.1 The applicant has set out a case for VSC on the basis of the educational need to enhance the existing specialist land-based and environmental college on the site, to maintain sufficient quantity and quality of education provision and

increase its operational capacity to meet the needs of current and future students. The applicant's VSC case also considered alternative sequentially preferable sites (i.e. not within Green Belt/ MOL, or on preferable Green Belt/ MOL sites) and concludes that there is no suitable alternative.

Need for Specialist College

- 6.29.1 It is acknowledged that Capel Manor is the only college in London that specialises in education and training for the environmental and land-based industries and delivers around 70% of all Government-funded land-based provision in London. Furthermore, the applicants state that the College is working with the Greater London Authority and other Colleges to develop two new Mayoral Green Skills Academies in both south-east and west London specifically addressing current skills shortages in vital areas such as climate change, loss of biodiversity and failing food security. It is therefore accepted that Capel Manor College makes an important contribution to both educational need and the local economy in London.
- 6.30.1 The applicants state that Capel Manor College, which has six other campuses across London, took ownership of the site (the Mottingham campus) in January 2020 from another further education college. As stated above, the applicants highlight that a number of the existing buildings on the site are unsafe and unsuitable. In addition, as set out above, the College is required to vacate the substandard provision currently in the Crystal Palace National Sports Centre.
- 6.31.1 The applicants therefore state the current arrangement of the Mottingham campus coupled with the requirement to vacate the main stand at Crystal Palace, "*means that without the proposed development, the College would be unable to meet its educational strategy and commitments and provide teaching of sufficient quality and quantity to meet the requirements of its curriculum and the skills needs in London*".
- 6.32.1 The application also involves the removal of a number of existing ad-hoc buildings at the site with the proposal seeking to consolidate the development on site with buildings that respect the MOL setting and represent high quality design, as well as enhancing its educational objectives and providing benefits for the local community and local schools with whom they work closely.
- 6.33.1 It is noted that GLA Officers consider that the applicants have demonstrated that there is a clear need for the expansion and reconfiguration of the specialist college, and LPA Officers are in agreement with this conclusion. Paragraph 95a of the NPPF gives great weight to the need to create, expand or alter schools in decisions on applications. Therefore, the benefits associated with the proposed redevelopment of the site could potentially outweigh the harm to the MOL by reason of inappropriateness and other harm, resulting in very special circumstances, subject to the applicant demonstrating that there are no sequentially preferable sites that could accommodate the College's requirements, as discussed below.

Alternative Site Assessment

- 6.34.1 The applicant also sets out an assessment of alternative sites and concludes that there are no other suitable sites. The assessment takes account of a number of criteria to fulfil the College's curriculum and operational needs; including potential for future enhancement of the curriculum, sustainable population of students within catchment, appropriate distance from other campuses, accessibility, conditions of existing buildings, long term tenancy, civic presence and strategic/cultural fit. In particular, given the practical courses such as agriculture, animal management and horticulture, there is a requirement for the College to have expansive green spaces and for areas to keep and maintain livestock.
- 6.35.1 The assessment also highlights that the location of sites in the context of the College's London-wide operations is also a key consideration, as it is important that the College avoids an over-concentration of its education services in one location within London. In addition, the applicants Planning Statement also highlights the direct links between Capel Manor College's Mottingham campus and Crystal Palace Park Farm site and the courses that they offer.
- 6.36.1 The alternative sites assessment excluded Central London sites on the basis that they would be unsuitable and unaffordable. Thirteen sites were assessed, including the application site and two options for the Crystal Palace Park Farm site (existing and proposed based on a current application). All but one of the sites are located within the Green Belt/MOL. Whilst the applicant states that they do try to avoid sites within such a designation, the profile of some Green Belt and MOL sites meet a number of requirements for the College including the need for expansive outdoor teaching spaces for agriculture, animal management and horticulture courses. The only site not designated as Green Belt or MOL is the Barking Riverside site; however, the applicants states that this site is also already earmarked as a proposed site for Capel Manor College in relation to its future expansion.
- 6.37.1 The applicants alternative site assessment scores the application site the highest (along with Barking Riverside) in relation to the 15 criteria outlined and thus concludes that it best met the College's operational requirements. Additionally, it is acknowledged that although not a criterion in the assessment, the proximity of the application site to the College's Crystal Palace Park Farm site is also important for the College's ongoing operation to enable a complementary curriculum split between the two sites.

Renewal Area

- 6.38.1 The site lies within the Mottingham Renewal Area, identified in response to the London Plan (2016). The site is surrounded by areas exhibiting high levels of multiple deprivation, and notably in relation to the Indices of Deprivation 'Education, Skills and Training Domain' within Bromley, Greenwich and Lewisham Boroughs.

- 6.39.1 Policy SD10 of the London Plan (2021) highlights that development proposals should contribute to regeneration by tackling inequalities and the environmental, economic and social barriers that affect the lives of people in the area, especially in Strategic and Local Areas for Regeneration.
- 6.40.1 The specific Mottingham Renewal Area Policy 18 of the Bromley Local Plan (2019), does not directly relate to the proposals within this application. However, general Renewal Area Policies 13 and 14 are also applicable and require applications to maximise opportunities for the enhancement and improvement within the Renewal Area and to maximise their contribution to economic, social and environmental improvements. Notably, Policy 13 also advises that '*Weight will be attached to proposals which deliver improvements to address the particular issues relating to the Mayor's "Areas for Regeneration" within the Borough.*'
- 6.41.1 The proposal would upgrade and enhance the specialist education facilities at this site, and the associated benefits including the engagement with the local community and local schools will also contribute to the economic, social and environmental enhancement of the Mottingham Renewal Area, and areas of deprivation in adjacent boroughs which are specifically disadvantaged in respect of Education Skills and Training.

Principle of Development/Land Use Conclusion

- 6.42.1 The proposed development is considered to be inappropriate development in MOL as it would not meet any of the exceptions set out within paragraph 149 of the NPPF and would harm openness. However, the existing educational use of the site is acknowledged and supported, and the applicant has demonstrated there is a need for the proposed development to meet the Capel Manor College's curriculum and operational requirements. The benefits to the local community are also acknowledged. The applicants have also demonstrated that there are no other alternative sequential preferable sites available. When considered cumulatively these factors are considered to be of sufficient weight to clearly and demonstrably outweigh the harm to the MOL. It is therefore considered that very special circumstances have been demonstrated.

6.2 Design, Scale, and Layout – Acceptable

- 6.2.1 Paragraph 126 of the NPPF (2021) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.2.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 6.2.3 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use

of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 6.2.4 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 6.2.5 Policy 4 of the Bromley Local Plan seeks to ensure that all new housing developments achieve a high standard of design and layout whilst enhancing the quality the quality of Local Places, and Policy 37 of the Bromley Local Plan requires a high standard of design in all new development, and states that the scale and form of new residential development should be in keeping with the surrounding area.
- 6.2.6 Capel Manor College acquired the site from a previous further education provider in 2020 and at present it comprises a number of low-quality buildings and structures. The application proposes to remove seven of these structures and to erect two purpose-built buildings with associated layout changes.

Layout

- 6.2.7 The application shows a design intent to consider the site holistically as part of a longer-term vision in order to optimise development potential and improve the way in which the site functions, and adopting a masterplan approach to address the shortcomings of the existing ad-hoc piecemeal development is supported.

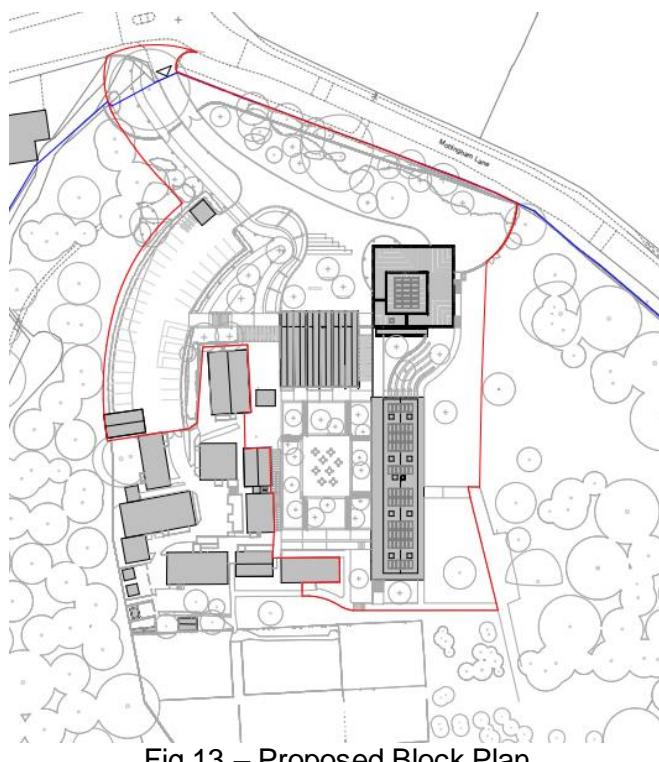


Fig.13 – Proposed Block Plan

- 6.2.8 There are clear opportunities to make improvements across the site with regard to the configuration of buildings, landscape design, access, circulation and movement. The rationale for the arrangement of the new blocks to create a prominent clearly defined arrival point, frame a series of new external spaces, and introduce a north-south connecting spine through the site is considered logical.
- 6.2.9 The legibility of the new entrance path running east-west between the car park and 'Welcome Block' will be key to the success of the circulation plan, i.e. creating an intuitive 'natural' desire line. Similarly, the east-west links on either side of the central courtyard will also be key in terms of the relationship on the new 'first phase' blocks into subsequent future phases to the west.
- 6.2.10 The proposed new 2.2m combined entrance path would provide a dedicated access for pedestrians, wheelchair users and cyclists and the layout of the site would include ramps and lifts to provide step free access. The proposed development is also intended to provide a flexible use of space. It is also noted that the accompanying Design and Access Statement indicates that a number of free drinking water fountains will be provided within the new buildings.
- 6.2.11 The design principles appear well considered; the benefits of creating a synergy between the buildings and landscape in relation to college identity, efficiency, and visual/physical connections across the site are accepted. The nature of the site location requires a landscape-led approach.

Landscape

- 6.2.12 The principles which underpin the landscape masterplan; improving the arrival experience, creating a learning landscape, enhancing the site's ecology, and the integration of SUDs to support water management are all acknowledged. The creation of a sequence of spaces and zones, each with their own function and character including an entrance square, arrival garden, and central courtyard are also supported.
- 6.2.13 Using landscape interventions to improve legibility and wayfinding by creating functional and visual connections across the site and utilising level changes is considered to be key - particularly in the context of a phased development which will continue to evolve over time. The palette of hard and soft landscaping elements appears to be well considered. It is noted that 16 existing trees are shown to be removed with 40 new trees proposed. The acceptability of this will be discussed further within Section 6.3 below.
- 6.2.14 The delineation of public/private (student) thresholds and boundary treatments across the site would also be key. From an urban design perspective, there is concern with regards to the proposed retention of part of the existing 1.8m high palisade fencing running east-west and around the perimeter of the site, as it would create a harsh 'secure line'. However, the benefits of its retention from a security perspective, given the educational use of the site, is acknowledged. Therefore, on balance, this aspect of the proposal is not considered to be so harmful as to warrant a refusal of planning on this basis. That being said, the applicants should consider a suitable replacement as part of their design for any future redevelopment of the site.

Scale & Massing

- 6.2.15 The scale and footprints of the new blocks are notably larger than those of existing buildings on site - predominantly single storey modular temporary structures of little design merit but which sit relatively comfortably in wider townscape views.
- 6.2.16 Given the topographic change across the site and the more prominent position of the proposed 'Welcome Block' closer to the entrance, along with its scale and height, this building will appear particularly prominent from the north and east and would result in some impact upon the openness of the MOL setting. However, it is acknowledged that its visual prominence and differentiation from neighbouring buildings is required in-part to fulfil its function as the public 'face' of the college and the visual 'focal point' of the campus.



Fig.14 – Proposed North Elevations



Fig.15 - Proposed West Elevations

- 6.2.17 The atria element of the 'Welcome Block' would add to the perceived height of the building, although it would be stepped and have a lightweight appearance. The height of the 'Linear Block' sits more comfortably in views of the wider setting despite the considerable increase in footprint compared to neighbouring buildings.
- 6.2.18 The existing trees which surround the built environment at the site, particularly those along the northern boundary of the site along Mottingham Lane, would also help to soften the visual impact of the development when viewed from outside the site.
- 6.2.19 Overall, taking account of the above, the scale and massing is considered to be acceptable.

Appearance

- 6.2.20 The design intent for the proposed new buildings to respond to the woodland setting with sympathetic materials is supported and considered appropriate given the location of the site within MOL. The use of cross laminated (Glulam beam) timber construction along with the use of natural materials - timber cladding alongside elements of glazing would help to soften the appearance of the buildings.



Fig.16 – CGI view from north-west



Fig.17 – CGI view from proposed internal courtyard



Fig.18 – CGI view from east

- 6.2.21 The ‘Linear Block’ walkway and canopy will also serve to stitch the built form into the natural landscape setting. The use of green roofs for both blocks is also supported to further enhance local biodiversity and help to tie the buildings into the landscape.

Heritage

- 6.2.22 Fairmount Ladies Home, which is a Grade II Listed building, is located to the north-east of the application site. However, given the location of the proposed development and the extensive woodland to the east of the site, it is not considered that it would be seen within the setting of the Listed Building.

Fire safety

- 6.2.23 The matter of fire safety compliance is covered by Part B of the Building Regulations. However, to ensure that development proposals achieve highest standards of fire safety, reducing risk to life, minimising the risk of fire spread,

and providing suitable and convenient means of escape which all building users can have confidence in, applicants should consider issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole (London Plan Policy D12).

- 6.2.24 The supporting Fire Statement prepared by Cahill Design Consultants (Revision 2.1 dated Oct 2022) meets the requirements of Policy D12. Compliance to the fire statement will be conditioned however, compliance with the Building Regulations will still be required at the appropriate stage of the development.

Secured by Design

- 6.2.25 Supporting paragraph 3.3.14 of Policy D3 of the London Plan states development should reduce opportunities for anti-social behaviour, criminal activities, and terrorism, and contribute to a sense of safety without being overbearing or intimidating. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places. This approach is supported by Policy D11 of the London Plan (Safety, security and resilience to emergency) and Bromley Local Plan Policy 37 (General Design of Development).
- 6.2.26 There is no mention within the proposed documents with regards to Secure By Design. The Designing Out Crime Officer (DOCO) has advised that a college which by its very nature houses vulnerable people should fully incorporate the aims and principles of Secured by Design for the benefit and safety of future students, visitors, staff, and their property. However, it is considered that the development can achieve Secured by Design, and as such an appropriate two-part condition should be included on any approval requiring the principles and physical security requirements to be dealt with pre-commencement and the Secured by design accreditation achieved prior to occupation.

6.3 Green Infrastructure and The Natural Environment – Acceptable

- 6.3.1 NPPF Policy 174 outlines that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Urban Greening

- 6.3.2 Policy G5 (Urban Greening) of the London Plan outlines that major development proposals should contribute to the greening of London by including urban greening by including urban greening as a fundamental element of site and building design.

- 6.3.3 The proposed development presents a well-considered approach to integrating green infrastructure. This includes the incorporation of rain gardens and green roofing which supports multifunctionality, in accordance with Policy G1 of the London Plan.
- 6.3.4 The supporting Urban Greening Factor Report prepared by RPS (September 2022) utilises the scoring system provided within Table 8.2 of the London Plan (2021) and provides an Urban Greening Factor (UGF) of 0.34 which would meet the target commercial score of 0.3 as outlined within Policy G5 of the London Plan.

Area	Surface Cover Type	Total Area (sqm)	Factor	Urban Greening Factor (UGF) (Total Area x Factor)
1	Sealed surface (e.g., concrete, asphalt, building)	4607	0	0
2	Flower-rich perennial planting (Neutral grassland)	1795	0.7	1256.5
3	Ponds	28	1	28
4	Amenity grassland	442	0.4	176.8
5	Hedge/Introduced Shrub	784	0.6	470.40

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URBAN GREENING REPORT				
Area	Surface Cover Type	Total Area (sqm)	Factor	Urban Greening Factor (UGF) (Total Area x Factor)
6	Groundcover planting (Hawthorn scrub)	862	0.5	431
7	Green roof of sedum mat (25 mm depth)	253	0.3	75.9
8	Rain garden	136	0.7	95.2
9	Standard trees planted in natural soils or within a minimum of 25 cubic metres of soil volume per tree.	950	0.8	760
10	Standard trees planted in individual pits, with less than 25 cubic meters of soil volume	100	0.6	60
Total			9,895 m ²	3,353.80
Overall UGF (Total UGF divided by Total Scheme Area) (3,353.80/9895)				0.34

Fig.19 – Urban Greening Factor calculation

Trees

- 6.3.5 Policy G7 of the London Plan and Policy 73 of the Bromley Local Plan seek to ensure that, wherever possible, existing trees of value are retained and if planning permission is granted that necessitates the removal of trees there should be adequate replacement.
- 6.3.6 Policy 77 of the Bromley Local Plan also seeks to safeguard the quality and character of the local landscape; and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.
- 6.3.7 The application is accompanied by an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) prepared by RPS (dated 6th December 2021) which outlines the removal of 16 trees within the site, 13 of

which are proposed for removal to facilitate the proposed development and 3 of which are proposed for removal as part of good tree management.

- 6.3.8 Additional landscaping and planting are also proposed as part of the development as indicated on drawing no.'s CMC-MOT-L101, CMC-MOT-L102, CMC-MOT-L103, and CMC-MOT-L201.
- 6.3.9 The Council's Tree Officer has advised that the proposed replacement planting is considered sufficient mitigation for the trees to be removed. Therefore, a condition relating to the installation of the tree protection outlined within the supporting tree protection plan and adherence to the recommendations within the arboricultural method statement, as well as a soft landscaping condition, are considered necessary and reasonable on any approval of planning permission.
- 6.3.10 It is noted that the GLA Stage 1 Report required the further demonstration that the value of trees retained and proposed outweighs the value of the current tree stock. A Capital Asset Value for Amenity Trees (CAVAT) Assessment prepared by RPS (dated July 2021) was submitted by the applicant in response to this, which calculates the trees to be removed as £100,906 and replacement trees as £136,675 after 25 years. However, the GLA advised further that the CAVAT value should be demonstrated for 15-20 years to demonstrate adequate replacement, rather than the 25 years previously set out. Further information provided by the applicant indicates that adequate replaceable trees would appear to be achievable, which is acceptable in principle. However full details to ensure this is achieved would be required as part of a planning condition.

Biodiversity and Protected Species

- 6.3.11 The site is surrounded by the Mottingham Nature Reserve and River Quaggy Site of Importance for Nature Conservation (SINC), identified as being of Borough grade II importance.
- 6.3.12 In accordance with Policy G6 of the London Plan the applicant should avoid impacts to the SINC. Supporting paragraph 8.6.5 advises further that development proposals that are adjacent to or near SINCS should consider the potential impact of indirect effects to the site, such as noise, shading or lighting. There may also be opportunities for new development to contribute to enhancing the nature conservation value of an adjacent SINC or green corridor by, for example, sympathetic landscaping that provides complementary habitat.
- 6.3.13 The application is accompanied by a Preliminary Ecological Appraisal (PEA) prepared by RPS (dated 23/09/21), a Phase 2 Surveys Report prepared by RPS (dated December 2021), a letter from RPS with regards to the SINC (dated 05 August 2022), and a letter from RPS with regards to River Quaggy Enhancement Possibilities (dated 14th July 2022). An External Lighting Proposal 04 prepared by mgpartnership (dated 10 December 21) has also been submitted.

- 6.3.14 The applicant confirms that there are two areas within the existing SINC boundary, which total approximately 60sq.m, that lie within the application site red line boundary; these areas are located to the northeast and northwest corner of the development. The applicant has confirmed that the proposed new buildings would not extend into the area of the site designated as part of the Mottingham Nature Reserve and River Quaggy Site of Importance for Nature Conservation (SINC) and that the new buildings have been designed to be set back from the SINC so not to cause any additional shading than that which is already present from the existing buildings.
- 6.3.15 The proposal will include some habitat removal within the SINC which will comprise semi-improved neutral grassland (approx. 30sq.m northeast) and broadleaved parkland/scattered trees (30sq.m northwest). The applicant confirms that no trees will be removed in these areas, only understorey, and the River Quaggy will not be directly impacted. Both areas will be planted with a meadow mix.
- 6.3.16 The supporting documents make reference to the Mottingham Nature Reserve and River Quaggy SINC (ByB107) and its designation relating to the River Quaggy, associated river corridor and rough grassland which supports a range of species including kingfishers, frogs and a good range of wetland plant species. It is acknowledged that the habitats to be removed are unlikely to support any of the species associated with the River Quaggy SINC designation, and the PEA hasn't identified anything important on this part of the site within the neutral grassland. The replacement habitat is also shown to be improved. As such, this removal of grassland areas within the SINC is accepted.
- 6.3.17 The applicant has also provided a Construction Management & Logistics Plan (dated December 2021) to set out how such impacts will be avoided and mitigated, as suggested in the Preliminary Ecological Appraisal. A full CEMP would be secured by condition and approved prior to construction.
- 6.3.18 Policy 72 of the Bromley Local Plan refers specifically to Protected Species and states that planning permission will not be granted for development or change of use of land that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitats.
- 6.3.19 The results of the accompanying Phase 2 Surveys indicates that no reptiles or newts were found at the site. However, four species of bat were recorded foraging and commuting around the site during the 2021 emergence/re-entry surveys. The Phase 2 survey concludes that given the low numbers recorded (<10 passes per hour) it is unlikely that the site represents a significant foraging resource for the local bat population. Bat boxes have been proposed to enhance the potential for bat usage. The Ecological Mitigation and Enhancement plan (ref: ECO01385) also indicates a number of other enhancements for other wildlife species within the site. A condition requiring compliance with this plan along with long term management is considered

necessary on any approval to ensure implementation of these proposed ecological enhancements.

- 6.3.20 The applicant provides a Biodiversity Net Gain (BNG) Assessment prepared by RPS (dated September 2022) with an accompanying Biodiversity Metric 3.1 which reports a +23.55% Biodiversity Net Gain which will improve habitats on the site from existing.

6.4 Transport and Highways - Acceptable

- 6.4.1 Paragraph 105 of the NPPF requires significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 6.4.2 Policy T1 of the London Plan advises that development proposals should facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041.
- 6.4.3 Policy T4 of the London Plan requires development proposals to reflect and be integrated with current and planned transport access, capacity and connectivity. Transport assessments/statements are required to accompany development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Travel Plans, Parking Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will also be required having regard to Transport for London guidance.
- 6.4.4 The application is supported by a number of Transport documents all prepared by RPS: Transport Statement (13 December 2021); Travel Plan (13 December 2021), Transport Technical Note (13 July 2022); and Transport Technical Note (18 October 2022).

Trip Generation

- 6.4.5 A multi-modal trip generation has been provided within the supporting Transport Statement. TfL and the Council's Highways Officer raised an initial concern that the trip generation underestimates the impact that the proposed development will have on the surrounding transport network as the methodology utilised FTE student figures rather than the total number of students. Further information was provided by the applicants within the Transport Technical Notes on the trip generation and this information has subsequently been accepted by both TfL and Highways Officers.

Healthy Streets and Active Travel Zone Assessment

- 6.4.6 London Plan Policy T2 relates to Healthy Streets and states that development proposals should demonstrate how they will deliver improvements that would support the TfL Healthy Streets Indicators, as well as being permeable by foot

and cycle and connect to local walking and cycling networks as well as public transport.

- 6.4.7 Policy T4 also advises that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- 6.4.8 The supporting Transport Technical Note (13 July 2022) contains an Active Travel Zone Assessment (ATZ). TfL have advised that whilst this ATZ has not been completed in line with TfL guidance, in this instance they would support a contribution towards off-site 'Healthy Streets' improvements secured through a S106 agreement noting in particular that the junction of Mottingham Lane/Winn Road and the site access is currently poor for pedestrians and cyclists (e.g., poor crossing facilities).
- 6.4.9 The Transport Technical Note (13 July 2022) states that a segregated shared cycleway/footway is proposed from the site access to/from the site which would provide a defined route to/from the public highway that also links with the footway adjacent the main vehicle access. This cycleway/footway is also indicated on the proposed block plan and landscape general arrangement plan.
- 6.4.10 TfL also consider that there is an opportunity for a new pedestrian crossing on Mottingham Lane as the existing pedestrian refuge crossing to the immediate east of the Winn Rd roundabout not only does not provide pedestrians with priority, but it also appears to lead into a grass verge and may be unusable when conditions are wet/muddy. As such TfL have requested that a S106 contribution of £50,000 is made towards improving pedestrian facilities on Mottingham Lane to be implemented by Bromley highways as they deem fit.
- 6.4.11 The applicants transport consultants argue that on exiting the site, students turn left to travel to Grove Park Station or cross Winn Road at the existing dropped kerbs/tactile paving for those walking towards Lee Station. Only those students wanting to access Mottingham Station would walk eastbound along Mottingham Lane. The applicants have also provided a catchment area analysis, based on a 2020 survey, and state that the proportion of students walking along Mottingham Lane is likely to be very low when compared to those students walking westbound to access Lee and Grove Park Stations and the local bus stops. The applicants note that there will also be students that walk directly but that the largest density of homes near the site is to the south and west of the site and as such they expect the majority of pedestrian to travel west on exiting the site access.
- 6.4.12 In addition, the applicant has agreed to a contribution towards providing bus shelters at Mottingham Lane and Alnwick Road bus stops, which given the nature of the site and that buses are the only public transport in the locality, is considered to be in line with London Plan Policy T2 'shade and shelter' and Policy T4.

- 6.4.13 Officers acknowledge TfL's comments in respect of the proposed improvement to crossing facilities on Mottingham Lane. However, in accordance with paragraph 55 of the NPPF, planning obligations must be necessary to make the development acceptable in planning terms. They should also be directly related to the development and fairly and reasonably related in scale and kind to the development. As such, they should assist in mitigating the impact of unacceptable development to make it acceptable in planning terms.
- 6.4.14 Officers acknowledge that the existing crossing facilities on Mottingham Lane could be improved. However, given the proposed uplift in student numbers and the number of students that are likely to walk along this route, it is not considered that a contribution to the improvement of these facilities would be necessary to make the development acceptable in planning terms.

Car Parking

- 6.4.15 Policy T6 of the London Plan requires car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite').
- 6.4.16 Maximum car parking standards relating to specific types of development are outlined within Policies T6.1-T6.4; this covers residential, office, retail, and hotel and leisure development. Supporting text paragraph 10.6.5 of Policy T6 advises that where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 Car parking, current and future PTAL and wider measures of public transport, walking and cycling connectivity.
- 6.4.17 Policy T6 also states that where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy.
- 6.4.18 Disabled parking for non-residential use should adhere to Policy T6.5 of the London Plan which requires 5% of the total parking provision to be designated disabled bays and 5% of the total parking provision to be enlarged bays.
- 6.4.19 There is existing car parking at the site which provides approximately 35 spaces, albeit it is unmade and unmarked and therefore on an informal basis. Although, the applicants have advised that this includes 20 spaces which are allocated to staff located to the north-west of the site, and 15 spaces for students located to the north of the access road.
- 6.4.20 The application proposes the removal of the car parking area to the north of the access road, with the car parking area to the north-west being reconfigured to provide 33 spaces (including 3 designated disabled bays). This car parking

area would be for staff use only, with the exception of the disabled parking bays which would also be available to students with a blue badge.



Fig.19 – Car parking plan

- 6.4.21 TfL and the Council's Highways Officers are generally satisfied with the quantum of car parking. However, TfL have raised some concern with regards to the route between spaces and the building entrance for wheelchair users to ensure it is clear and level. The applicant has proposed that this matter be addressed through landscaping interventions via a suitable condition on any approval, which Officers consider is appropriate.
- 6.4.22 In line with Policy T6 at least 20% of the parking spaces should have active electric vehicle charging facilities, with the remainder passive. The application proposes seven active electric vehicle charging points, with the rest to have passive provision, which would accord with this policy requirement.
- 6.4.23 It is noted that there is no CPZ in this location, as such there is a concern that students, staff and visitors will park on the surrounding streets. Policy T2 states that developments should not seek to increase car dominance on London's streets. However, Policy T6 of the London Plan notes that an absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets.

- 6.4.24 Both TfL and Council Highway Officers have advised that a Car Parking Management Plan (CPMP) should be provided by way of a condition on any approval to ensure that the car parking provided is appropriately managed.

Cycle Parking

- 6.4.25 Policy T5 of the London Plan sets out the requirements for cycle parking provision.
- 6.4.26 The applicants state that as a result of the proposed development there would be 650 combined part time/full time learners equating to a full time equivalent (FTE) of 220, which is an uplift of 12 FTE from the existing numbers. There are currently 28 staff members and no uplift is proposed for staff.
- 6.4.27 The application proposes to split the cycle parking storage areas so there are separate areas for staff and students, which is welcomed. Eight spaces are proposed for the existing 28 staff members and 42 spaces for students. The student cycle parking is also split between two stores; one providing 20 spaces and one providing 22 spaces.
- 6.4.28 The number of cycle parking spaces proposed would accord with the standards required by Policy T5. However, Policy T5 also requires cycle parking to be designed in accordance with the London Cycle Design Standards. Policy T5 also requires proposals to demonstrate how cycle parking facilities will accommodate users of enlarged/adapted cycles. The plans provided do not show the detailed design of the cycle parking. However, a condition could be placed on any approval to require the detailed design of the cycle parking facilities.

Shuttle bus

- 6.4.29 A shuttle bus is to be provided by Capel Manor College to provide a link between their Crystal Palace Park Farm campus and the application site for students, predominantly from Croydon. The Transport Technical Note (18 October 2022) states that it will be a 25-seater bus and will run from Crystal Palace to Mottingham in the morning (08:15) and then in the afternoon (16:00) from Mottingham to Crystal Palace, Monday to Friday term time only (39 weeks per year).
- 6.4.30 The Council's Highways Officers have advised that the details with regards to the operation of the shuttle bus are considered acceptable. The provision of the shuttle bus would be secured as part of the range of measures included within a full Travel Plan required by way of a condition on any approval.

Travel Plan

- 6.4.31 Policy T4 of the London Plan requires development proposals to reflect and be integrated with current and planned transport access, capacity and connectivity. Travel Plans, Parking Design and Management Plans,

Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance.

- 6.4.32 A framework Travel Plan has been provided to support the application. No targets have been provided. TfL guidance states that targets to increase walking and cycling with a five-year timeframe should be provided, with interim targets for years 1 and 3. Targets contained within the Travel Plan should be in accordance with the Mayor's strategic mode shift target. Additional measures are required to encourage walking and cycling to achieve a zero per cent mode share for car driving and a 13.6 per cent increase in cycling from the existing site. Suggestions include: providing repair kits or a commitment to providing discounts/subsidies for repairs for staff/students at a local cycle store; having showers, lockers and changing rooms; and setting up a Bicycle User group. It is acknowledged that the applicants state that they would commit to providing facilities for changing/showers which could be included within the Travel Plan.
- 6.4.33 Accordingly, a full travel plan to address the above would be required by way of a condition on any approval in line with Policy T4 of the London Plan.

Construction, Delivery and Servicing

- 6.4.34 Policy T7 of the London Plan requires development proposals to facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.
- 6.4.35 A Construction Management & Logistics Plan prepared by Fusion (December 2021) has been provided to accompany the application. However, it does not provide all the required information and as such a full Construction Management Plan would be secured through condition, in line with Policies T4 and T7.
- 6.4.36 With regards to delivery and servicing, paragraph 5.28 of the Transport Statement states that "*Deliveries to the site will be undertaken between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturday. Unloading will be undertaken on site*" Paragraphs 6.23 and 6.24 outline that in relation to servicing "*it is not expected that the proposed development at Capel Manor College will generate a large number of additional servicing and delivery vehicles, compared to the existing situation. It is considered that there are 2-3 service vehicle trips to the site each day, in addition to 1-2 refuse vehicle trips per week. The development proposals will accommodate the existing frequency of servicing and delivery vehicles.*"
- 6.4.37 TfL have advised that in line with Policy T7 and the Mayors Zero Carbon London target, a delivery and servicing plan should be secured through condition. It should detail the measures that will be implemented to mitigate

the demand that this activity will have on the surrounding transport network. This should be prepared in line with TfL guidance and provide detail on how the impact on the surrounding transport network will be minimised and adhere to the Mayor's Vision Zero approach.

6.5 Impact on Neighbouring Amenity – Acceptable

- 6.5.1 Policy 37 (e) of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 6.5.2 The application site does not immediately border any residential properties; however, the wider campus does lie to the east of dwellinghouses on Jevington Way and Westdean Avenue. Whilst the proposed buildings would be larger than the existing, given their siting in relation to these neighbouring dwellings, the proposal is not considered to result in any harmful impact on light, outlook or privacy.
- 6.5.3 In addition, the application does not propose any increase in staff and the uplift in student numbers overall is not considered to give rise to any significant increased impact in noise or disturbance.

6.6 Energy and Sustainability – Acceptable, subject to further scrutiny by the GLA at Stage 2.

Energy strategy

- 6.6.1 Policy SI 2 of the London Plan - Minimising greenhouse gas emissions - requires major development to be net zero-carbon, reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- “1) *be lean: use less energy and manage demand during operation*
 - 2) *be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly*
 - 3) *be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site*
 - 4) *be seen: monitor, verify and report on energy performance.”*
- 6.6.2 Policy SI 2 also requires a minimum on-site reduction of at least 35 per cent beyond Building Regulations for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures.
- 6.6.3 Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- “1) through a cash in lieu contribution to the borough’s carbon offset fund, or
 - 2) off-site provided that an alternative proposal is identified, and delivery is certain.”
- 6.6.4 Part E of Policy SI 2 also states that ‘*major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions*’.
- 6.6.5 Policy SI 4 states that major development should demonstrate through the energy strategy how the proposal will “reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy”.
- 6.6.6 Policies 123 and 124 of the 2019 Bromley Local Plan are consistent with the strategic aims of the London Plan energy policies.
- 6.6.7 The application is supported by an Energy Report (6th September 2022), Energy Report – Linear Block (1st December 2021), Energy Report – Welcome Block (1st December 2021), Overheating Report (6th December 2021), and Overheating Report – Welcome Block (6th December 2021) all prepared by RPS Group, a GLA Carbon Emission Reporting Spreadsheet, and BRUKL Output Documents for both the Linear Block and Welcome Block.
- 6.6.8 These accompanying reports are considered to be in line with guidance to meet the requirements of the policies. The development is to include the installation of Air Source Heat Pump (ASHP) for heating and cooling together with Photovoltaic Panels (PV) to achieve a total of 70% energy savings through green measures, accomplishing a total CO₂ savings of 87%.
- 6.6.9 A carbon off-setting payment for the remaining CO₂ emissions of £7,517 would be secured as part of a S106 legal agreement, to meet ‘Zero Carbon’ onsite.
- 6.6.10 Compliance with the Energy Reports and further details in respect of the ASHPs and PVs can be secured by way of a condition on any approval. However, additional information has been requested by the GLA within their Stage 1 Report, and whilst the applicant has provided updates where relevant, these matters are still being considered and would be further scrutinised by the GLA at Stage 2.

Whole Life Carbon

- 6.6.11 As required by Policy SI 2 of the London Plan, the application is supported by a Whole Life Cycle Assessment prepared by RPS (13th December 2021), GLA WLC Assessment spreadsheet and WLC GLA Memo.
- 6.6.12 Additional information was requested by the GLA within their Stage 1 Report. The applicant has provided further updates and these matters are still being considered and would be further scrutinised by the GLA at Stage 2.

Circular Economy

- 6.6.13 Policy SI 7 of the London Plan relates to Reducing waste and supporting the circular economy. Part B of the Policy requires applications referable to the Mayor to promote circular economy outcomes and aim to be net zero-waste.
- 6.6.14 A Circular Economy Statement prepared by RPS (December 2021) has been submitted with the application and Circular Economy GLA Memo (10/10/2022). Additional information was requested by the GLA within their Stage 1 Report. The applicant has provided further updates and these matters are still being considered and would be further scrutinised by the GLA at Stage 2.

Digital Connectivity

- 6.6.15 Policy SI 6 of the London Plan seeks development proposals to;
- 1) *ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users within new developments, unless an affordable alternative 1GB/s-capable connection is made available to all end users*
 - 2) *meet expected demand for mobile connectivity generated by the development*
 - 3) *take appropriate measures to avoid reducing mobile connectivity in surrounding areas; where that is not possible, any potential reduction would require mitigation*
 - 4) *support the effective use of rooftops and the public realm (such as street furniture and bins) to accommodate well-designed and suitably located mobile digital infrastructure.*

- 6.6.16 No information has been provided in relation to digital connectivity, therefore compliance with Policy SI 6 cannot be determined. However, it is considered that this matter can be dealt with by way of a condition on any approval.

6.7 Drainage, Flooding and Water Efficiency - Acceptable

- 6.7.1 Policy 116 of the Bromley Local Plan (2019) states that all developments should seek to incorporate Sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible. This is supported by Policy SI 13 (Sustainable Drainage) of the London Plan (2021).
- 6.7.2 Policy SI 5 of the London Plan (2021) also requires proposals to minimise the use of mains water in order to protect and conserve water supplies and resources in a sustainable manner.
- 6.7.3 The site lies within Flood Zone 2 and the red line boundary of the application site overlaps the River Quaggy at the north of the site. The wider ownership of the applicant (shown by the blue line on the Existing Location Plan) incorporates the River Quaggy along the western edge of the site. The

application has been accompanied by a Flood Risk Assessment & SUDS prepared by RPS (dated 14th December 2021).

- 6.7.4 The Flood Risk Assessment, on page 27, outlines that whilst the development would be fully located within Flood Zone 2, a detailed assessment of fluvial flood risk has been undertaken at the site and the proposed development has therefore been positioned within a low fluvial flood risk area. In addition, as the proposed development is also for the demolition and redevelopment of part of the Capel Manor College Mottingham campus, it is not possible to use any other more sequentially preferable sites within the London Borough of Bromley. Therefore, based on the proposed development and information outlined within this assessment, the development uses are considered to meet the requirements of the sequential test.
- 6.7.5 The drainage strategy proposes to restrict runoff to 4.0 l/s for the overall site for the 100-year event plus 40% climate change which is supported. Surface water is proposed to be discharged into an existing pond located to the west of the site. A green roof plan showing a total of 240sqm is also proposed, which is supported.
- 6.7.6 The Council's Drainage Officer has advised that a condition regarding the submission of the detailed design measures as stated within the submitted Flood Risk Assessment & SUDS document should be imposed on any approval.
- 6.7.7 The GLA has also advised that the drainage strategy should include dimensions (i.e. depths) of the proposed attenuation features. In addition, the proposed development does not currently meet the requirements of London Plan Policy SI 5 as no information has been provided with regards to water efficiency. Rainwater harvesting and re-use should be included to reduce water consumption across the site, which can be incorporated within the surface water drainage strategy to provide a dual benefit. However, these measures can be considered as part of the detailed drainage condition on any approval. Further information on the discharge location (pond) via a suitably worded condition is also required.
- 6.7.8 Thames Water have raised no objections to the proposed development subject to informatics.
- 6.7.9 In respect of the proximity of the development to the River Quaggy, the Environment Agency (EA) raises no objection. However, whilst the development proposals are located more than 8m from the River Quaggy and therefore unlikely to require a flood risk permit (FRP), if any heavy loading is proposed, or materials will be stored within 8m of the watercourse then a FRAP may be required. As such, the EA recommends an informative to this effect on any approval.

6.8 Environmental Health - Acceptable

Groundwater and Contaminated Land

- 6.8.1 Paragraph 174 of the NPPF (2021) seeks to ensure that planning policies and decisions “contribute to and enhance the natural and local environment by... preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil [and] water...pollution;...[and] remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.
- 6.8.2 Policy 118 of the Bromley Local Plan states that where the development of contaminated land, or land suspected of being contaminated, is proposed, details of site investigations and remedial action should be submitted.
- 6.8.3 The application site lies within a Groundwater Source Protection Zone (SPZ3) and over Secondary Aquifers. The application has been accompanied by a Tier 1 Contamination Risk Assessment (dated 15th December 2021), Tier 2 Geoenvironmental Assessment (dated 14th December 2021), and Remediation Strategy and Verification Plan (dated 8th September 2022) all prepared by Sweco.
- 6.8.4 The Council’s Environmental Health Officer has advised that the accompanying documents sufficiently consider the ground conditions and any associated risk with regards to contamination. The Environment Agency has also confirmed that they raise no objection to the proposal with respect to the proximity to the River Quaggy or groundwater and land contamination. However, both recommend a condition requiring the remediation works to be carried out with the above documents, and the submission of further reports should any contamination be found which is not previously identified within the submitted reports. A closure report is also requested via condition by the Council’s Environmental Health Officer.

Air Quality

- 6.8.5 Policies SI 1 of the London Plan and 120 of the Bromley Local Plan detail the need to tackle poor air quality.
- 6.8.6 The application site falls within Bromley’s Air Quality Management Area (AQMA). The application is supported by an Air Quality Assessment (AQA) (dated 4th February 2022) and Air Quality Neutral Assessment (dated 14th July 2022) both prepared by RPS Group.
- 6.8.7 Heat and power will be provided by Air Source Heat Pumps and Photovoltaic Panels. Therefore, there should be little or no air quality impact on the surrounding area from building emissions once the development is operational and air quality effects are ‘not significant’ overall. The applicant has also confirmed that there are no back up diesel generators as part of this proposal. The Reports also note that the application is accompanied by a Travel Plan which includes measures that will benefit in reducing air quality effects from transport.

- 6.8.8 The Air Quality Neutral Assessment concludes that the development will be air quality neutral.

Construction

- 6.8.9 For the construction phase, the assessment has identified the most important consideration is dust. The Council's Environmental Health Officer has advised that the supporting Construction Management and Logistics Plan (CMLP) prepared by Fusion (dated December 2021) incorporates suitable measures to mitigate the impacts of dust and fine particles generated by the construction.
- 6.8.10 The supporting CMLP also details measures to minimise the residual nuisance noise for the adjacent properties during the construction works. The Council's Environmental Health Officer has advised that the details outlined within the CMLP are considered acceptable from their perspective and these should be included within the full CMLP/CEMP required by way of a condition on any approval.
- 6.8.11 A condition relating to compliance with the Control of Dust and Emissions During Construction and Demolition SPG in relation to all non-road mobile machinery (NRMM) used during the course of the demolition, site preparation and construction phases is also recommended on any approval.

6.9 Archaeology – Acceptable

- 6.9.1 The application site lies in an area of archaeological interest.
- 6.9.2 Paragraph 194 of the NPPF requires the submission of an appropriate desk-based assessment and, where necessary, a field evaluation, where development is proposed on a site which includes, or has the potential to include, heritage assets with archaeological interest.
- 6.9.3 An archaeological desk-based assessment report (DBA) (dated 14th December 2021) prepared by RPS Group Ltd has been submitted in support of the application.
- 6.9.4 The Greater London Archaeological Advisory Service (GLAAS) has advised that whilst the proposed development is located outside of an Archaeological Priority Area, the proposed works do cover a large area and can be anticipated to result in significant ground disturbance. In accordance with the findings of the submitted DBA, they have advised that the development could cause harm to archaeological remains. However, the significance of the asset and scale of harm to it is such that the effect can be managed using an appropriate planning condition on any approval.
- 6.10 Planning Obligations and Community Infrastructure Levy (CIL)

CIL

- 6.10.1 The Mayor of London's CIL and London Borough of Bromley Community Infrastructure Levy (CIL) are material considerations. The proposed development is for the provision of education as a college and as such neither Mayoral nor Bromley CIL is payable on this application. The application has completed the relevant form.

Heads of Terms – Infrastructure impact and mitigations:

- 6.10.2 Bromley Local Plan Policy 125 and the Council's Planning Obligations SPD (2022) state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.
- 6.10.3 The following planning obligations have identified as necessary to mitigate the impacts of this development should permission be granted:
- Carbon offsetting Contribution;
 - Bus shelter Contribution;
 - Legal Costs; and
 - Monitoring Fee.
- 6.10.4 Officers consider that these obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development.
- 6.10.5 The applicant has agreed, in principle, to enter into a S106 legal agreement to secure the above Heads of Term, should planning permission be granted.

7 PLANNING BALANCE AND CONCLUSION

- 7.1 The proposed development is considered to be inappropriate development in MOL as it would not meet any of the exceptions set out within paragraph 149 of the NPPF. However, the existing educational use of the site is acknowledged and supported, and the applicant has demonstrated there is a need for the proposed development to meet the Capel Manor College's curriculum and operational requirements. The benefits to the local community are also acknowledged. The applicants have also demonstrated that there are no other alternative sequential preferable sites available. It is therefore considered that very special circumstances have been demonstrated to outweigh the harm to the MOL.
- 7.2 The design, scale and layout of the proposed development would respond appropriately to its woodland setting and siting within MOL.
- 7.3 The proposal would contribute to the nature conservation value of the site through appropriate landscaping and biodiversity enhancements, achieving an Urban Greening Factor of 0.34 and +23.55% biodiversity net gain.
- 7.4 The proposal would provide an appropriate amount of car parking and cycle parking for the site given its use and location and would not result in any

adverse transport impacts. The applicants have also agreed to a contribution to the installation of bus shelters at two local bus stops to improve the public transport provision.

- 7.5 The proposed development would not cause any undue harm to neighbouring amenity.
- 7.6 Subject to conditions the application is considered acceptable from an archaeology, air quality, drainage, and contaminated land perspective.
- 7.7 Having had regard to the above, it is considered that the proposed development is acceptable. Accordingly, the application is recommended for permission, subject to the prior completion of a S106 legal agreement and any direction from the Mayor of London.
- 7.8 This application must be referred back to the Mayor of London in accordance with the request of the GLA in its Stage One Response.
- 7.9 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE GRANTED SUBJECT TO A S106 AGREEMENT AND ANY DIRECTION BY THE MAYOR OF LONDON

SUMMARY OF CONDITIONS AND INFORMATIVES

Standard Conditions

- Time limit of 3 years
- Drawing numbers

Pre-Commencement Conditions

- Archaeological Scheme of Investigation (WSI)
- Detailed Drainage Strategy
- Full Construction Management & Logistics Plan
- Slab levels
- Secure by Design
- Digital Connectivity Infrastructure

Above Ground Construction Conditions

- External Materials/Samples
- Hard and Soft Landscaping Condition to include a Capital Asset Value for Amenity Trees (CAVAT) Assessment and compliance with Urban Greening Factor details
- Compliance with Ecological Mitigation and Enhancement Plan and submission of a long term management plan
- Lighting Scheme

- Details of Bicycle Parking

Prior to Occupation Conditions

- Contaminated Land Closure Report
- Energy Statement
- Whole Life-Cycle Carbon
- Circular Economy
- Travel Plan
- Delivery and Servicing Plan
- Car Parking Management Plan

Compliance Conditions

- Compliance with Tree Protection Plan
- Compliance with BNG Assessment and Metric
- Compliance with Fire Statement
- Provision of Electric Vehicle Charging Points
- Non-Road Mobile Machinery to comply with relevant emissions standards

Informatics

Thames Water public sewers

Thames Water minimum pressure

Environment Agency Flood Risk Activity permitting

Environment Agency disposal of waste legislation

Any other conditions/informatics deemed necessary by the Assistant Director (Planning and Building Control) and/or pursuant to any response by the Mayor of London at Stage 2

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Capel Manor College

28 March 2022

Local Planning Authority: Bromley

Local Planning Authority reference: 21/05812/FULL1

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Partial redevelopment of site including the demolition of three existing buildings; erection of two new College buildings, landscaping and associated works within MOL.

The applicant

The applicant is **Capel Manor College** and the architect is **Feilden Fowles Architects**.

Strategic issues summary

Land use principles: Educational use is supported. Although the development is considered inappropriate development on MOL, as it does not satisfy any of the exception tests in paragraph 149 of the NPPF, the applicant has demonstrated very special circumstances in regard to the need for specialist college and that there are no alternatives sites that are sequentially preferential. The principle of the reconfiguration of the college site in MOL is therefore supported. (Paragraphs 16 to 44).

Urban Design: The approach to layout, scale and massing, architecture and inclusive design is generally supported. Further details are required in relation to siting of the Welcome Block, and an amended Fire Statement is required. (Paragraphs 45 – 52).

Transport: The scheme does not comply with London Plan policy in relation to parking. An Active Travel Zone Assessment should be undertaken. No information has been provided in relation to servicing and deliveries. Further detail is also required in relation to drop off area, cycle parking, disabled parking, trip generation and pedestrian / cycling routes to the site. The scheme will also be required to contribute towards bus shelter upgrades. (Paragraphs 53 – 67).

Sustainable Development: Further information is required in relation to energy, whole life carbon and circular economy. No information has been submitted in relation to digital connectivity. Paragraphs 68 – 73.

Environmental Issues: The approach to flooding accepted. The urban greening factor has been incorrectly calculated. Further information is required in relation to the SINC, trees, drainage, water efficiency and air quality. Paragraphs 74 – 94.

Recommendation

That Bromley Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 98. Possible remedies set out in this report could address these deficiencies. The Mayor does not need to be consulted again if the borough decides to refuse the application.

Context

1. On 08 February 2022 the Mayor of London received documents from Bromley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following Category of the Schedule to the Order 2008:
 - 3D Development on green belt or Metropolitan Open Land within the adopted or emerging development plan
3. Once Bromley Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; or, allow the Council to determine it itself. In this case, the Council need not refer the application back to the Mayor if it resolves to refuse permission.
4. The Mayor of London's statement on this case will be made available on the GLA's public register: <https://planning.london.gov.uk/pr/s/>

Site description

5. The 0.36 ha site is located in the north of Bromley and is designated as Metropolitan Open Land. The site is owned and operated by Capel Manor College which is London's only specialist environmental college. There are a range of existing structures on site including glasshouses, mobile portacabins, low profile storage and teaching buildings. There is also an area for animal welfare to the south of these structures.
6. The site is screened by existing, dense vegetation on all sides, with the only visible gap at the vehicular access point off Mottingham Lane which runs along its north eastern boundary. Quaggy River is located on the western edge of the site, with the southern boundary shared with open fields and the New Lodge Riding School. On the other side of Quaggy River are the back gardens of the semidetached houses along Jevington Way.
7. A Site of Importance for Nature Conversation is located outside of the red line boundary but within the ownership of the college boundary.
8. The site is not located within a conservation area and there are no listed buildings on site. There is a Grade II listed building within 500m of the College boundary.
9. The site is located within Flood Zone 2.

10. The nearest section of the Transport for London Road Network (TLRN) is approximately 300m away on A20- Sidcup Road. There are four bus stops within reasonable walking distance (640m) of the site, serving two routes. Mottingham Station is outside of reasonable walking distance being approximately 1.6km from the site, providing National Rail services to Central London and Kent. Consequently, the site has a Public Transport Accessibility Level (PTAL) of 1b, on a scale of 1-6.

Details of this proposal

The proposals include:

- Demolition of the existing buildings save for the existing northern glasshouse and one existing store;
- Relocation of a secure store to the southern end of the existing car parking area;
- Erection of two new buildings:
 - The Welcome Block to accommodate public facing teaching space, including classrooms for dog grooming, exotic animals and floristry;
 - The Linear Block which includes a teaching and social space;
- Provision of a courtyard in the centre of the built development on site that will be utilised for outdoor teaching, student break out space and community events.

Case history

11. The site has the following planning history:

- 1985 Ref 85/00881/FUL - The site was formally used as a Garden.
- 1996 Ref 95/01754/FULMAJ Permission was granted for the use of the site for horticultural training and retail trading by Hadlow College
- 2003 Ref 02/03610/FULL1 - An application was granted for the demolition of the existing toilet block and erection of five single storey buildings containing a classroom building, reception building, common room building, female toilet block, and replacement male and disabled toilet block in connection with existing use of site as a training and educational establishment.

12. There has been one pre application meeting with the Council in August 2020 and an "in principle" pre application meeting with GLA officers in May 2021.

Strategic planning issues and relevant policies and guidance

13. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the London Borough of Bromley Local Plan 2019 and the London Plan 2021.

14. The following are also relevant material considerations:

- The National Planning Policy Framework and National Planning Practice Guidance;
- DCLG Policy Statement Planning for Schools Development 2011
- Local Plan Review – Call for Sites August 2021

15. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are as follows:

Good Growth	London Plan
MOL	London Plan
Educational Facilities	London Plan; Social Infrastructure SPG
Urban design	London Plan; Character and Context SPG; Public London Charter draft LPG;
Heritage	London Plan
Inclusive access	London Plan; Accessible London: achieving an inclusive environment SPG
Sustainable development	London Plan; Circular Economy Statements draft LPG; Whole-life Carbon Assessments draft LPG; 'Be Seen' Energy Monitoring Guidance draft LPG; Mayor's Environment Strategy;
Air quality	London Plan; Draft Air Quality Positive LPG; the Mayor's Environment Strategy; Control of dust and emissions during construction and demolition SPG;

Transport and parking	London Plan; the Mayor's Environment Strategy; Mayor's Transport Strategy; Draft Sustainable Transport and Walking LPG
Biodiversity	London Plan; the Mayor's Environment Strategy

Land use principles

Educational facilities

16. Paragraph 95 of the NPPF states that planning authorities should take a proactive, positive and collaborative approach to ensuring a sufficient choice of school places, giving great weight to the need to create, expand or alter schools. London Plan Policy SI 3 seeks to ensure a sufficient supply of good quality educational choice to meet the demands of a growing population and enable local communities to access this provision.
17. The proposals seek the demolition of a number of existing buildings that are considered to be unserviceable and inappropriate to the college's operation and curriculum. The application proposals seek the erection of two new buildings, the Welcome Block which will accommodate public facing teaching space, including classrooms for dog grooming, exotic animals and floristry; and the Linear Block which will accommodate teaching and social space. Additionally, the proposed location of the Linear Block enables the provision of a courtyard in the centre of the built development on site that will be utilised for outdoor teaching, student break out space and community events.
18. The proposals seek to increase Capel Manor College's operational capacity and the quality of its educational provision ensuring it can meet the educational need for land-based and environmental courses.
19. However, the new development would be located on MOL and, as below, the development is considered inappropriate development that would (by definition) harm the openness of MOL and purposes of including land within it. As such, notwithstanding the strong support for new education provision within the London Plan, the applicant is required to demonstrate that very special circumstances exist.

Metropolitan Open Land

20. The site lies wholly within land designated as Metropolitan Open Land by the Bromley Core Strategy. London Plan Policy G3 affords Metropolitan Open Land the same status and level of protection as Green Belt; and states that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.

21. Paragraph 147 of the NPPF states that inappropriate development, is by definition, harmful to the Green Belt [MOL] and should not be approved except in very special circumstances. The NPPF provides that construction of new buildings should be regarded as inappropriate save for certain limited exceptions set out in paragraph 149. Sub paragraph g) is the most relevant one in this case:

- Limited infilling or the partial or complete redevelopment of previously developed sites; providing
 - a) there would be no greater impact on openness; or
 - b) the development would not cause substantial harm to openness and would contribute towards an identified affordable housing need within the Local Planning Authority's area.

Exception test

22. Of the total site area, 993 sqm are existing buildings/ portacabins and 4,135 sqm is hard standing. The area that can be considered as previously developed land is therefore 5,128 sqm.

23. 439 sqm of the existing buildings will be retained. There will be a reduction in hard standing of 712 sqm with 763 sqm of new buildings proposed. Although there will be an overall increase of 206 sqm of building footprints, combined with the reduction in hard standing means that overall the total area covered by building and hard standing is 4,625 sqm equating to a reduction of 503 sqm overall.

24. As the development would not contribute towards affordable housing, the test therefore is whether or not the proposed development would have a greater impact on the openness of the Green Belt than the existing development.

Impact on openness

25. In considering the impact on openness, the National Planning Practice Guidance (Paragraph: 001 Reference ID: 64-001-20190722) is clear that openness is capable of having both spatial and visual aspects.

26. In spatial terms, as described above, the combined footprint of the proposed buildings and hardstanding is 503 sqm smaller than the existing combined footprint of the buildings and hard standing. It should be noted that although spatially smaller overall, changes in the layout mean that some of the proposed buildings are potentially on green undeveloped MOL, although this is compensated for by some of the hard standing being converted back to green MOL.

27. When considering the visual impacts, the applicant suggests that the site is completely screened from the public areas outside of the site boundary. However, photos from the Design and Access Statement on page 16, from views 1 and 2, suggest there potentially may be some visibility of the proposed development from the site entrance and potentially along Mottingham Lane. No visual impact assessment has been provided in order to make this assessment on openness. The applicant should therefore provide accurate visual assessment showing the proposed development from

views 1 and 2 as well as a different angle from view 1 looking south-east towards the new classroom block.

28. Notwithstanding the above, within the site, the proposed buildings are larger in both footprint and volume than the existing buildings. As such, GLA officers consider that the proposed development is likely to have a greater impact on the openness of the MOL than the existing development. It is acknowledged, however, that the more logical layout and high-quality design is likely to help to integrate the appearance of the buildings within the surrounding context, thereby limiting the scale of the greater harm. The impact needs to be fully demonstrated through submission of further visual impact material.

Impact on purposes of MOL

29. London Plan Policy G3 Part B sets of a number of criteria in relation to MOL designated as MOL:

- 1) it contributes to the physical structure of London by being clearly distinguishable from the built-up area
- 2) it includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London
- 3) it contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value
- 4) it forms part of a strategic corridor, node or a link in the network of green infrastructure and meets one of the above criteria.

30. When considering harm to MOL, it is important to consider the extent to which the proposal conflicts with any of these.

31. GLA officers consider that there would be some conflict with purposes 1, 3, and 4 because the reduction in openness, albeit it is only likely to be seen within the site itself. This limited harm to MOL also needs to be weighed in the balance. GLA officers also note however that the proposals improve purpose 2 to some extent by improving public access to the site as well as providing services and events which are open to the public.

Very special circumstances

32. As set out above, there would be harm to the MOL by reason of inappropriate development which causes a greater harm to openness.

33. The applicant has set out a case for very special circumstances, which can broadly be summarised as the need for expansion of London's only specialist environmental college and there being no alternative sequentially preferable sites (i.e. not within Green Belt/ MOL, or on preferable Green Belt/ MOL sites) available for development.

Need for Specialist College

34. Capel Manor is the only college in London that specialises in education and training for the environmental and land-based industries and delivers around 70% of all Government-funded land-based provision in London. The College has six campuses across London, in the following locations:

- Enfield, Bullsmoor Lane
- Enfield, Forty Hall Farm
- Camden and Westminster, The Regent's Park
- Ealing and Hounslow, Gunnersbury Park
- Waltham Forest, Brooks Farm
- Bromley, Crystal Palace Park Farm

35. The College's strategy and curriculum is responding to the emergencies relating to climate change; the loss of biodiversity; and failing food security and the emerging opportunities in the green economy. The College is also working with the GLA and other colleges to develop two new Mayoral Green Skills Academies in both south-east and west London specifically addressing current skills shortages in these areas and future skills needs for the new and emerging economies. Capel Manor College therefore makes an important contribution to both educational need and the local economy within London.

36. In addition to its educational objectives, the College manages gardens, farms, zoos and landscapes most of which are fully open to the public as well as operating businesses and commercial enterprises including events, retail operations, farm shops, plant sales and commercial florists.

37. The current arrangement of the College's campus, in terms of the substandard accommodation and illogical layout, coupled with the requirement to vacate part of the main stand of the National Sports Centre within Crystal Palace Park and consolidate provision across the two sites, means that without the proposed development, the College would be unable to meet its curriculum requirements and address the skills gap within these sectors.

38. Additionally, the proposals not only seek to replace and consolidate the existing ad-hoc form of built development at the site and enhance the MOL setting but will also provide benefits for the local community and local schools in offering public events and services such as plant sales, floristry, aquatics, and dog grooming which is not possible with the current arrangements on site.

39. GLA officers therefore consider that there is a clear need for the expansion and reconfiguration of the specialist college. Paragraph 95a of the NPPF gives great weight to the need to create, expand or alter schools in decisions on applications. Therefore, officers consider that the reconfiguration of the site could represent a very special circumstance, subject to the applicant demonstrating that there are no sequentially preferable sites that could accommodate the College's requirements, as discussed below.

Alternative site assessment

40. The applicant has stated that there are no other suitable sites and has provided an alternative site assessment. Its methodology is based on a number of criteria that meets the College's curriculum and operational requirements, including potential for future enhancement of the curriculum, sustainable population of students within catchment, appropriate distance from other campuses, accessibility, access to expansion green spaces and livestock, conditions of existing buildings, long term tenancy, civic presence and strategic/cultural fit.
41. The alternative sites assessment excluded Central London sites on the basis that they would be unsuitable and unaffordable. 13 sites were assessed, including this site and two options for Crystal Palace Park Farm site which is also owned by the College (existing and proposed based on a current application). All but one of the sites are located within the Green Belt/MOL, which is due to the requirement for expansive outdoor teaching spaces for agriculture, animal management and horticulture courses. The only site not designated as Green Belt or MOL is the Barking Riverside site. However, this site is already earmarked as a proposed site for Capel Manor College in relation to its future expansion.
42. GLA Officers agree with the conclusions of the assessment that this site scores highest in relation to the 15 criteria and is therefore best placed to meet the College's curriculum and operational requirements.
43. Additionally, although not a criterion in the assessment, is the need for the site to be located within close proximity to the College's Crystal Palace Park Farm site which is important for the College's ongoing operation to enable a complementary curriculum split between the two sites. Furthermore, the proposed development at this site means that the proposals for Crystal Palace Park Farm in application 20/00325/OUT can be reduced in scale and therefore be more sensitive to Crystal Place Park Farm's location, constraints, and its smaller operational capacity.

Land Use Principles conclusion

44. GLA officers consider the proposed development to be inappropriate in MOL due to its greater impact on openness, albeit that the design of the scheme means that this greater impact could be limited (subject to further demonstration by the applicant of the extent of the harm).
45. The applicant has however demonstrated there is a need for the proposed reconfiguration of the college to meet its curriculum and operational requirements, which carries significant weight, and that there are no other alternative sequential preferable sites available. Very special circumstances have therefore been demonstrated that could outweigh the harm subject to the further assessment requested.

Urban design

46. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment.
47. The approach to the layout appears logical and well considered with a clear sense of arrival. The step free access, flexible use of space and informal and intuitive way finding is supported. In line with Policy D8, free drinking water provision should be considered within areas of communal areas used by the students and /or public realm for general public access.
48. The proposed cross laminated timber construction methodology is supported, along with the general material selection utilising naturally occurring hues that are appropriate for the MOL setting.
49. The scale, height and volume of the proposed built form are larger than existing structures. As discussed above, given the topographic change across the site and the more prominent position of the Welcome building closer to the entrance, the applicant should provide visual assessment showing the proposed development from outside the site in order to allow a full assessment of the impact on the openness.
50. It is also not clear within the documentation, whether the proposed citing of the new Welcome Centre extends into the eastern part of the SINC. This should be clarified. If this is the case, the applicant should explore whether the Welcome Block could be moved slightly further south and whether there is potential to consolidate it with the Linear Teaching Block to reduce the potential impact on the SINC. If this is not possible, the applicant should clearly set out how they have followed the mitigation hierarchy to minimise development impacts in relation to the SINC as per London Plan Policy G6. Further detail is set out in paragraphs 77 and 78.
51. Fairmount Ladies Rest Home Grade II Listed building is located within 500m of the College's outer boundary. It is not anticipated that the proposed development will be seen within the setting of the Listed Building due to the extensive woodland which has a width of up to 80m from the boundary of Mottingham Lane.

Fire safety

52. The application is supported by a Fire Statement which the majority of the issues are addressed. Further details are required in relation to the type of material uses. Whilst it is accepted that not all materials are known, an assessment of the fire safety of the materials outlined in the DAS should be provided. If through further detailed design, these materials change, then the fire statement should be

updated. Reference is also made that no internal escape stairs are protected which requires further discussion with Building Control. This issue should be resolved.

53. A plan should also be provided to demonstrate how fire vehicles can access structures around the site as well as access to water supplies.

Transport

Healthy Streets and Active Travel Zone Assessment

54. All developments proposed should support the Mayor's Healthy Streets approach in line with London Plan Policy T2. In line with TfL guidance, an Active Travel Zone Assessment (ATZ) should be carried out for this site, the scope of which should be agreed with Council and TfL in advance. Once completed, the ATZ should be used to inform further discussions about the appropriate form and extent of mitigation to support achieving a strategic modal shift in line with that outlined in London Plan Policy T1.
55. It is noted that there are no marked or segregated cycle lanes serving the site. Furthermore, on Mottingham Lane there is only one continuous footway on the opposite side of the road to the site, which is narrow and does not have any provision to help pedestrians to cross. This inadequate provision for pedestrians and cyclists should be reviewed and improved alongside the other routes to the site along with the currently shared pedestrian/vehicular access into and within the site.
56. Two of the bus stops within reasonable walking distance on Alnwick Road and Mottingham Lane do not have shelters. Given that buses are the only public transport and the nature and location of the development, it is recommended that a contribution to install bus shelters is secured. This is in line with London Plan Policy T2 'shade and shelter' and Policy T4.
57. The entrance to the site is car-dominated; contrary to Policy T2 Healthy Streets. It is unclear how use by private cars would be prevented from the proposed drop off area to the north of the site intended for the shuttle bus. Furthermore, there are no parking or waiting restrictions in this area. Allowing student drop offs/pick-ups from private vehicles on site and uncontrolled on street parking and waiting will increase car trips and increase road danger, contrary to Policy T2 and the Mayor's Vision Zero approach. It is recommended that car parking is reduced to provide space for a designated shuttle bus and disabled persons pick up/drop off area in the car park, containing the areas of the site which are car dominated and enabling more effective management against unauthorised use.
58. The area currently proposed for drop off/pick-ups could be converted into other ancillary space and improve the balance given to active modes of travel across the site. Any student drop offs/pick-ups on site independent of the shuttle bus or not of disabled people should be prohibited to reduce vehicle trips and reduce road danger. Parking and waiting controls on street should also be introduced and if appropriate a School Street designated.

Cycle Parking

59. 20 cycle parking spaces are being proposed, which is in line with the minimum standards of London Plan Policy T5. Given the use and location more provision is encouraged including for existing staff and students. Cycle Parking should be designed in accordance with the London Cycle Design Standards, which is also a requirement of Policy T5. The plans provided do not show the proposed long-stay cycle parking location or design. A scaled plan of the cycle parking should be provided prior to the determination of this application as design changes may be required.

Car Parking

60. It is welcomed that no general car parking spaces are proposed for student use. However, the existing twenty car parking spaces at this site are to be retained for staff use, which equates to a parking ratio of 0.71. This quantum will not support achieving a strategic modal shift in line with London Plan Policy T1. Therefore, it is recommended that a reduction in car parking is sought and sustainable modes of travel are encouraged.
61. It is noted that there is no CPZ in this location, as such there is a concern that students, staff and visitors will park on the surrounding streets. Policy T2 states that developments should not seek to increase car dominance on London's streets. As such, a contribution towards the implementation of controls should be secured.
62. A plan showing the layout of the car parking should be provided. This should be supported by commentary on the design and management measures that will be implemented to ensure that no informal car parking takes place on site outside this area.
63. No disabled persons' parking spaces are being proposed, which is contrary to Policy T6.1. It is recommended that at least one of the existing car parking spaces is converted into a disabled persons' parking space.
64. In line with Policy T6 at least 20% of the parking spaces should have active electric vehicle charging facilities, with the remainder passive. A higher number of active points is encouraged, particularly in respect to the required disabled persons' parking.

Trip Generation

65. A multi-modal trip generation has been provided, however there is a concern that this underestimates the impact that the proposed development will have on the surrounding transport network. Further detail on these concerns can be found in TfL's detailed comments, but in short, the methodology proposed should be adapted to include actual numbers rather than FTE and more information on the modal split is required. A revised trip generation assessment which addresses the concerns raised should be submitted. Subject to this assessment, a contribution towards sustainable and active travel may be required in line with Policy T4.

Construction, Delivery and Servicing

66. No information surrounding delivery and servicing has been provided. From the site plans, it is unclear where delivery and servicing will occur. To improve the balance of space given to those who walk and cycle, it is recommended that servicing occurs from the car park. Sufficient space for vehicles to enter and exit the car park and the site in forward gear should be provided, in line with the Mayor's Vision Zero approach. Information on the number of servicing trips expected at the site should also be provided. This information should be provided prior to determination.
67. In line with Policy T7, a delivery and servicing plan should be secured through condition. It should detail the measures that will be implemented to mitigate the demand that this activity will have on the surrounding transport network. This should be prepared in line with TfL guidance and provide detail on how the impact on the surrounding transport network will be minimised and adhere to the Mayor's Vision Zero approach.
68. A full Construction Management Plan should be secured through condition, in line with Policies T4 and T7. As with the outline construction management plan, it should detail the measures that will be implemented to ensure that the proposed development will not impact on the surrounding transport network.

Sustainable development

Energy strategy

69. An energy strategy has been provided, however an Energy Statement covering both blocks of the development should be submitted. Further information is also required in relation to the Be Lean requirements for Linear Block building, overheating, ASHP, PV roof layout and PV provision. Further correspondence in relation for DHN potential. The applicant should also propose a site-wide network and provide on site network and future connection drawings.
70. Detailed comments in this regard have been provided to the applicant and Council in full under a separate cover. The applicant should respond to this detailed note to address outstanding issues to ensure compliance with the London Plan in advance of the borough planning committee to ensure that any conditions can be appropriately secured.

Whole Life Carbon

71. The applicant has submitted a WLC report which appears to cover much of the assessment requirements. From the model inputs the applicant needs to confirm the window option (single glazed panes and aluminium frame instead of window system). Clarification as to why are the hinges, gaskets etc. are not considered in the model as those would increase the total WLC figure.

72. The applicant has recently submitted a revised template and once reviewed, detailed comments will be provided to the applicant and Council. The applicant should respond to this detailed note to address outstanding issues to ensure compliance with the London Plan in advance of the borough planning committee to ensure that any conditions can be appropriately secured.

Circular Economy

73. A Circular Economy Statement has been submitted, however it is very high level and there are a number of outstanding issues across all the criteria. Detailed comments have been provided to the applicant and Council in full under a separate cover. The applicant should respond to this detailed note to address outstanding issues to ensure compliance with the London Plan in advance of the borough planning committee to ensure that any conditions can be appropriately secured.

Digital Connectivity

74. No information has been provided in relation to digital connectivity, therefore compliance with Policy SI 6 cannot be determined.

Environmental issues

Urban greening

75. The proposed development presents a well-considered approach to integrating green infrastructure. This includes the incorporation of rain gardens and green roofing which supports multifunctionality, in accordance with Policy G1 of the London Plan.

76. The applicant provides an Urban Greening Report, which states that the methodology which has been used is the GLA Urban Greening Factor for London, 2017. The report states that the criteria in Table 1 of the report has been directly transposed into Policy G5 on the London Plan 2021, which is incorrect. For example, Wetland or open water is identified as having a factor of 2 in the report but has a factor of 1 in Policy G5.

77. The applicant should use the latest guidance available, as provided below, to calculate the UGF score for the site. The applicant should seek to increase quality and quantity of urban greening where possible. The applicant should also provide a standalone surface cover type drawing to accompany the UGF calculation. This should be provided prior to Stage 2.

Biodiversity

78. The site lies within the Mottingham Nature Reserve and River Quaggy Site of Importance for Nature Conservation (SINC), identified as being of Borough grade

II importance. In accordance with Policy G6 of the London Plan the applicant should avoid impacts to the SINC and set out in the application how they will avoid direct or indirect impacts on the SINC. If avoidance of impacts is not possible the applicant should set out how they have followed the mitigation hierarchy to minimise development impacts.

79. The applicant should provide an assessment of the potential impacts to the SINC, specifically construction impacts and indirect impacts of noise, shading and lighting (with reference to Paragraph 8.6.5 of the London Plan). This should be provided prior to Stage 2. Further guidance on designing with reference to SINCs can be found in the Urban Greening and Biodiversity Net Gain Guide.
80. The applicant should prepare a Construction Environment Management Plan (CEMP) to set out how such impacts will be avoided and mitigated, as suggested in the Preliminary Ecological Appraisal. The CEMP should be secured by condition and approved prior to construction.
81. The applicant provides a Biodiversity Net Gain (BNG) Assessment which reports a +4.15% BNG for the proposed development. The applicant should explore any further opportunities to increase the BNG as the proposals progress.

Trees

82. There are a number of existing trees on site. The Arboricultural Impact Assessment (AIA) states that two Category B trees, 11 Category C trees and three Category U trees are to be removed as part of the proposed development. The DAS states that 40 trees are proposed as part of the proposed development.
83. Wherever possible, trees of value should be retained. The applicant should provide an assessment of the value of the trees to be lost using the appropriate valuation system and set out how this has been accounted for through replacement tree planting. Tree value can be derived from 'i-tree' or 'CAVAT', or another appropriate valuation system, in accordance with Policy G7 of the London Plan.
84. The applicant appears to demonstrate a consideration of a diverse range of proposed tree species, which is positive in terms of biosecurity and should be brought to fruition. The applicant should also consider large-canopied trees to target urban heat island effects.

Flood Risk

85. The Flood Risk Assessment generally complies with London Plan Policy SI 12.

Sustainable drainage

86. The drainage strategy proposes to restrict runoff to 4.0 l/s for the overall site for the 100-year event plus 40% climate change. This is supported.
87. Surface water is proposed to be discharged into an existing pond located to the west of the site which presumably connects into the Quaggy River. Further

information is required regarding the existing pond to understand whether it is a feasible discharge location. This should include anticipated depths of the pond to understand if a gravity discharge is feasible and a capacity assessment to understand whether the site would increase the risk of flooding elsewhere.

88. The drainage strategy drawing should include dimensions (i.e. depths) of the proposed attenuation features.
89. In terms of SuDS, the drainage strategy proposes permeable paving and rain gardens, which is welcomed.
90. The drainage strategy makes no mention of rainwater harvesting or green roofs. These should be provided to satisfy the requirements of London Plan Policy SI 13.

Water Efficiency

91. The proposed development does not currently meet the requirements of London Plan Policy SI 5 as no information has been provided. The applicant should demonstrate how the development will meet policy requirements. Rainwater harvesting and re-use should be included to reduce water consumption across the site, which can be incorporated within the surface water drainage strategy to provide a dual benefit.

Air quality

92. An Air Quality Assessment has been submitted. The proposed development is not located in, nor will it significantly impact, an Air Quality Focus Area.
93. There is no discussion of any emergency generators included (even if to say they are not included). Further information is therefore required to demonstrate compliance with London Plan Policy SI 1 (B) (1a-b).
94. The proposed development will not result in any building emissions, so development is better than air quality neutral for building emissions. The assessment concludes that the development is better than air quality neutral for transport emissions, based on the fact that there will be no additional traffic generated. This method is incorrect and the total car trip generation of the development should be compared against the transport emissions benchmarks, in order to determine whether the development is air quality neutral. Further information is therefore required to determine compliance with London Plan Policy SI1 (B) (2a).
95. The following conditions should be secured.
 - On-site plant and machinery must comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards (London Plan Policy SI 1 (D)).
 - Measures to control emissions during the construction phase relevant to a medium risk site should be written into an Air Quality and Dust

Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should be approved by the LPA and the measures and monitoring protocols implemented throughout the construction phase (London Plan Policy SI 1 (D)).

Local planning authority's position

96. Bromley Council planning officers are currently assessing the application. In due course the Council will formally consider the application at a planning committee meeting.

Legal considerations

97. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application. In this case, the Council need not refer the application back to the Mayor if it resolves to refuse permission. There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

98. There are no financial considerations at this stage.

Conclusion

99. London Plan policies on education, MOL, urban design, transport, sustainable infrastructure and environmental issues are relevant to this application. Whilst the proposal is supported in principle, the application does not fully comply with these policies, as summarised below:

- **Land use principles:** Educational use is supported. Although the development is considered inappropriate development on MOL, as it does not satisfy any of the exception tests in paragraph 149 of the NPPF, the applicant has demonstrated very special circumstances in regard to the need for specialist college and that there are no alternatives sites that are sequentially preferential. The principle of the reconfiguration of the college site in MOL is therefore supported subject to the further assessments requested. London Plan Policies G3 and S3.

- **Urban Design:** Further details are required in relation to siting of the Welcome Block and an updated Fire Statement. London Plan Policies D3 and D12.
- **Transport:** The scheme does not comply with London Plan policy in relation to parking. An Active Travel Zone Assessment should be undertaken. No information has been provided in relation to servicing and deliveries. Further detail is also required in relation to drop off area, cycle parking, disabled parking and trip generation, Pedestrian / cycling routes to the site. The scheme will also be required to contribute towards bus shelter upgrades. London Plan Policies T2, T4, T5, T6, T6.5 and T7.
- **Sustainable Development:** Further information is required in relation to energy, whole life carbon and circular economy. No information has been submitted in relation to digital connectivity. London Plan Policies SI 2, SI 3 and SI 7.
- **Environmental Issues:** The urban greening factor has been incorrectly calculated. Further information is required in relation to the SINC, trees, drainage, water efficiency and air quality. London Plan Policies G5, G6, G7, SI 13, SI 5 and SI 1.

For further information, contact GLA Planning Unit (Development Management Team):

Rachael Rooney, *Principal/Senior*** Strategic Planner (case officer)**

email: rachael.rooney@london.gov.uk

Katherine Wood, Team Leader – Development Management

email: katherine.wood@london.gov.uk

Allison Flight, Deputy Head of Development Management

email: alison.flight@london.gov.uk

John Finlayson, Head of Development Management

email: john.finlayson@london.gov.uk

Lucinda Turner, Assistant Director of Planning

email: lucinda.turner@london.gov.uk

We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.

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Agenda Item 7

Report No.
HPR2022/058

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Tuesday 8th November 2022

Decision Type: Non-Urgent Non-Executive Non-Key

Title: DELEGATED ENFORCEMENT ACTION (JULY TO SEPTEMBER 2022)

Contact Officer: John Stephenson, Head of Planning and Development Support Team
Tel: 0208 313 4687 E-mail: John.Stephenson@bromley.gov.uk

Chief Officer: Tim Horsman, Assistant Director Planning & Building Control Housing, Planning and Regeneration.

Ward: (All Wards);

1. Reason for report

Enforcement action has been authorised under Delegated Authority for the following alleged breaches of planning control. In accordance with agreed procedures Members are hereby advised of the action taken.

2. RECOMMENDATION(S)

Members to note the report.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning – Appeals and Enforcement Section
 4. Total current budget for this head: £385k
 5. Source of funding: Existing revenue budget 2021/2022
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Town and Country Planning Acts
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

Enforcement action and prosecutions have been authorised by the Assistant Director Planning under Delegated Authority during the period 1st July to 30th September 2022 in respect of development undertaken without the benefit of planning permission at the following sites:-

No.	ENF Ref	Site	Complaint	Ward	Recommendation	Decision date
1	22/00454	HIGH STREET, BECKENHAM	STRUCTURE	BECKENHAM TOWN & COPERS COPE	ENF	Aug-22
2	18/00457	CAMDEN GROVE, CHISLEHURST	ROOF	CHISLEHURST	ENF	Jul-22
3	22/00439	HIGH STREET, CHISLEHURST	CONDITION	CHISLEHURST	BCN	Jul-22
4	22/00439	HIGH STREET, CHISLEHURST	OUTBUILDING	CHISLEHURST	ENF	Jul-22
5	22/00189	WALSINGHAM PARK, CHISLEHURST	STRUCTURE	CHISLEHURST	ENF	Aug-22
6	22/00396	GROVE VALE	CONDITION	CHISLEHURST	BCN	Sep-22
7	22/00513	FOXBURY AVENUE, CHISLEHURST	USE	CHISLEHURST	PCN	Sep-22
8	20/00922	CARLTON PARADE, ORPINGTON	CONTAINER	CRAY VALLEY EAST	PROSECUTION	Jul-22
9	21/00084	SKIBBS LANE, ORPINGTON	BOUNDARY	CRAY VALLEY EAST	PROSECUTION	Aug-22
10	22/00006	CINTRA PARK, ANERLEY	RESIDENTIAL	CRYSTAL PALACE	PCN	Jul-22
11	22/00364	PETLEY'S FARM, LUXTED ROAD	CONDITION	DARWIN	FCCN	Jul-22
12	22/00363	PETLEY'S FARM, LUXTED ROAD	CONDITION	DARWIN	FCCN	Jul-22
13	20/00294	LUXTED ROAD, DOWNE	UNTIDY	DARWIN	S215	Jul-22
14	20/00800	BLACKNESS LANE, KESTON	UNTIDY	DARWIN	PROSECUTION	Jul-22
15	22/00529	CUDHAM LANE NORTH, CUDHAM	EXTENSION	DARWIN	ENF	Aug-22
16	18/00843	WHITMORE ROAD	UNTIDY	KELSEY & EDEN PARK	S215	Sep-22
17	22/00478	RAYMOND ROAD	COMMERCIAL	KELSEY & EDEN PARK	PCN	Sep-22

Glossary

BCN -Breach of condition notice

ENBCN -Enforcement Notice for failure to comply with a Condition on a planning decision notice

MCU -Material Change of Use Enforcement Notice

OPDEV -Operational Development Enforcement Notice

PCN -Planning Contravention Notice

PROSECUTION -Prosecution

S215 -Untidy Site Notice

- 3.2 For further details of any of the above cases please contact John Stephenson (details as above).

Non-Applicable Sections:	Policy, Financial and Personnel
Background Documents: (Access via Contact Officer)	N/A