

Application No : 10/01078/FULL1

**Ward:
Chelsfield And Pratts
Bottom**

**Address : Holy Innocents RC Primary School
Mitchell Road Orpington BR6 9JT**

OS Grid Ref: E: 545694 N: 165116

**Applicant : The Trustees Of The Roman Catholic
Diocese Of Southwark** **Objections : YES**

Description of Development:

Replacement single storey one form entry primary school (including nursery class) with 42 car parking spaces and extension to playing field. Retention of scout building with car park. 9 detached/ linked detached houses with attached garages

Proposal

This application comprises two key elements;

(1) the demolition of all the existing school buildings (although the scout building is shown to be retained) and erection of a new single storey, one form entry primary school (including nursery class) with alterations to levels to provide hard and soft play areas, and associated parking; and

(2) 9 detached / linked houses with attached garages on the area currently occupied by the existing car park, which fronts on to Mitchell Road.

Members will recall that an earlier planning application for a new school building and a residential element comprising two and three storey residential blocks comprising 22 flats on the car park area was refused permission by the Plans Sub-Committee No 2 under Ref. 08/03595 by decision dated 2nd June 2009. The refusal grounds related to (1) overdevelopment of the site (2) encroachment on to designated Urban Open Space (UOS) and (3) traffic concerns.

This application is accompanied by various supporting documents, including a Planning Report, Transport Statement, Arboricultural Report, Ecology Report, Flood Risk Report, which are on file for Members' inspection.

The applicants state, amongst other things, in their submissions that: the school buildings are old, past their useful life, and are not ideal for modern teaching; they are spread over the site which is not ideal; and it is difficult to ensure the existing buildings are DDA compliant. Also, the current need is for a single entry school rather than 2.5 entry form, and the existing site is therefore too large. Hence this planning application

is both for a new school as well as housing development on part of the site. It is argued that a new school would have considerable educational benefits.

The applicants state that the existing school buildings, dispersed over a wide area, are unsuited to modern requirements and the proposed new school will concentrate all facilities in one single storey modern building. It is stated that because it has not been possible to secure funding for the project from the DfES, new residential development is necessary to fund the new school building.

The applicants state in their Planning Statement: 'Planning Considerations – Layout Options' that 4 options were considered for the school, as follows: (1) lower part of site; (2) on playing field; (3) centre of site; (4) southern centre of site. Option 3 was considered the most acceptable by the applicants, in terms of achieving the desired aims and objectives. Thus, if granted permission, the new school would be located centrally within the site.

Location

The site is located on the northern side of Mitchell Road. The existing buildings comprise a mix of Victorian and more modern school buildings (1960s and 1970s). The existing buildings are concentrated on the southern portion of the site, whilst the northern portion is open space used for sports pitches. The site is surrounded by residential properties on all sides – Stapleton Road runs around the site with Mitchell Road to the south.

The site is an irregular oblong shaped area mostly designated as Urban Open Space (UOS) in the Unitary Development Plan where Policy G8 applies, except for the existing parking area fronting Mitchell Road. From this lower part of the site the land rises steeply. Rising up the slope beyond the car park there is a tar macadam play area, beyond which are located the original Victorian School buildings. The more recent school buildings are located in the lower portion of the site, separated from the Victorian buildings. As the land rises in a northerly direction, there is a wide expanse of grassed open space which includes a playing field and there are a number of mature trees on the boundary. The north-east and north-west boundaries of this area back on to the gardens of the properties in Stapleton Road and Wayne Close. The south west corner of the site contains a nature area and abuts residential properties in Shepherds Close, Bishop Butt Close and St Anne's Convent. There is an existing Scouts' Community Building near to the boundary with the gardens of houses in Bishop Butt Close.

Consultations

Comments from local residents

- object to more housing
- increased traffic congestion
- lack of parking and concerns over highway impact
- concerns about overflow parking for church
- over-development of the site, out of character with area
- disruption from construction works during demolition and rebuilding
- loss of amenity, loss open space, loss of trees – this will adversely affect character of estate
- increased pressure on local services
- not clear why replacing a 2.5 entry school with a 1 form entry school
- apparent significant loss of outdoor exercise space.
- rebuilding the school will disrupt children's education

Comments from Consultees

Thames Water – no objections raised.

Environment Agency (EA) – no objections subject to the imposition of various conditions.

Housing Division – no objections.

Children and Young People Services – support the application.

Trees – no objections are raised subject to the imposition of conditions.

From a drainage point of view, it is noted that the application is in an aquifer protection zone, and should therefore be referred to the EA. The nearest public foul sewer is at the junction of Mitchell Road and Stapleton Road. The applicants will need to connect to that sewer. It is requested that a standard drainage condition be imposed, and the surface water drainage of the overspill parking area should be fitted with an oil interceptor prior to the soakaway.

From an environmental health point of view, no objections are raised subject to conditions.

From a highways standpoint, no fundamental objections are raised in principle, although various detailed comments have been made.

Planning policy – notwithstanding that replacement school will be set back into the slope and will be lower than the majority of existing buildings, concerns are raised

about impact on the openness of the Urban Open Space (UOS). Any benefits will need to be weighed against the impact on UOS.

From an ecology standpoint, were permission to be granted, it would be necessary to require a bat survey of the buildings to be demolished as suggested in the applicant's Ecology Report be undertaken. The preferred period for a bat survey is from May to September when bats are most active. The Council's ecology expert also endorses the mitigation and enhancement proposed at paragraph 5.2 of the applicant's Phase 1 Habitat Survey.

Crime Prevention – various issues are raised, and a 'Secure by Design' condition is proposed.

Planning Considerations

The starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes not only the Bromley Unitary Development Plan (2006) but also the updated London Plan (2008). Relevant guidance in the form of Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs), as well as other guidance and relevant legislation, should also need to be taken into account.

In considering the application the following UDP Policies are particularly relevant:

- H7 - Housing Density & Design
- BE1 - Design of New Development
- G8 – Urban Open Space
- T3 - Parking
- T18 - Road Safety
- C1 – Community facilities
- C7 – Educational and pre school facilities
- IMP1 - Planning Obligations

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it is considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion is expressed taking into account all relevant factors including the information submitted with the application and representations received, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site.

Planning history

This application follows from a previous application comprising the redevelopment of the school and construction of 22 flats which was refused permission on 2nd June 2009 for the grounds set out above.

An earlier scheme was withdrawn prior to determination (Ref.07.03185). This earlier withdrawn scheme (Ref. 07.03185) proposed the construction of 9 detached houses on an area designated as Urban Open Space (UOS) which would have been contrary to adopted policy regarding designated UOS. Policy G8 states that proposals for new development on UOS will only be allowed in limited and specific circumstances, which do not include the provision of new residential development.

Conclusions

Members will need to consider carefully whether the proposals comply with relevant development plan policies, specifically those within the Bromley Unitary Development Plan and the London Plan. Members will need to assess whether the design, density and overall arrangement and disposition of the both the residential and educational elements of the scheme would be appropriate in this location, having regard to the nearby adjacent residential properties and the sensitive nature of the site, especially its UOS designation.

There is no objection to rebuilding the school in principle and improved school facilities are supported by adopted UDP policy. In order to address the concerns relating to the previous scheme, the applicants are now proposing 9 houses rather than 22 flats on the car park area, which generally lies outside the protected Urban Open Space Area. This arrangement is considered to be an improvement over the earlier proposal, and is less likely to result in an overdevelopment of the site.

With regards to the proposed school buildings, these would be located within Urban Open Space (as is the existing school). Compared with the earlier refused application, the school buildings have been reduced in size (by reducing floor area and removing a second hall), and the building has been moved so it is closer to the existing scout hut. As a result, the school would lie a greater distance from the boundary with existing residential properties in Stapleton Road and Wayne Close. The separation between the school building and the residential properties would be increased by around 10 metres at their closest point. The junior hard play area is shown as retained in its existing position, rather than located in the upper part of the site. Policy G8 does allow for development which is related to the existing use, in this case education, provided that the scale, siting and size of proposals do not unduly impair the open nature of the site. The school buildings are single storey so should not appear unduly bulky and are concentrated in a single location, rather than spread over the site. Policy G8 also requires the Council to weigh any benefits being offered to the community against any loss of open space. Benefits in this case include the provision of improved educational facilities, as well as some additional housing.

Members will need to carefully assess the impact on the UOS, as well as any benefits, given the provisions of Policy G8.

In terms of highway matters, no fundamental objections are raised although a number of detailed matters require attention, which can be addressed by way of conditions. The applicants have confirmed that the new car park will provide 40 spaces for the use of staff and parents and as well a church overspill parking area at weekends.

In terms of drainage matters, the site is within an aquifer protection zone and the application has been referred to the Environment Agency, which has raised no objections subject to appropriate conditions being imposed. The flood risk assessment concludes that the site is not at risk from fluvial flooding, which accords with the Council's expert view on drainage and flooding.

To conclude, the applicant's submissions regarding the need for new school buildings as well as the various problems associated with the site as it is currently arranged are noted, as well as the need to provide housing development in order to fund the school works. There is no in principle objection to rebuilding the school buildings to improve the quality of accommodation. However, Members will need to assess whether the cumulative advantages that accrue from permitting the proposals, including educational and wider community benefits, outweigh any disadvantages, including any impact on the UOS.

Background papers referred to during the production of this report comprise all correspondence on files Refs. 10/01078, 08/03595 and 07/03185 excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

The proposal constitutes a cramped overdevelopment of the site by virtue of the size, layout and bulk of the buildings, and the amount of site coverage by buildings and hardstandings, and would harm the character of the area, thereby contrary to Policy BE1 of the Unitary Development Plan.

The proposed development, by reason of the siting and encroachment on to designated Urban Open Space, would have a detrimental impact on the open nature of the site, thereby contrary to Policy G8 of the Unitary Development Plan.

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| 0D00002 | If Members are minded to grant planning |
| D00003 | If Members are minded to refuse pp |
| 1ACA01 | Commencement of development within 3 yrs |
| ACA01R | A01 Reason 3 years |
| 2ACA04 | Landscaping Scheme - full app no details |
| ACA04R | Reason A04 |
| 3ACB01 | Trees to be retained during building op. |

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| ACB01R | Reason B01 |
| 4ACB02 | Trees - protective fencing |
| ACB02R | Reason B02 |
| 5ACB03 | Trees - no bonfires |
| ACB03R | Reason B03 |
| 6ACB04 | Trees - no trenches, pipelines or drains |
| ACB04R | Reason B04 |
| 7ACC01 | Satisfactory materials (ext'nl surfaces) |
| ACC01R | Reason C01 |
| 8ACD02 | Surface water drainage - no det. submitt |
| ADD02R | Reason D02 |
| 9ACD04 | Foul water drainage - no details submitt |
| ADD04R | Reason D04 |
| 10ACH03 | Satisfactory parking - full application |
| ACH03R | Reason H03 |
| 11ACH16 | Hardstanding for wash-down facilities |
| ACH16R | Reason H16 |
| 12ACH19 | Refuse storage - implementation |
| ACH19R | Reason H19 |
| 13ACH22 | Bicycle Parking |
| ACH22R | Reason H22 |
| 14ACH23 | Lighting scheme for access/parking |
| ACH23R | Reason H23 |
| 15ACI20 | Lifetime Homes Standard/wheelchair homes |
| ADI20R | Reason I20 |
| 16ACI21 | Secured By Design |
| ACI21R | I21 reason |
| 17ACK09 | Soil survey - contaminated land |
| ACK09R | K09 reason |
| 18ACL01 | Energy Strategy Report |
| ADL01R | Reason L01 |

19 Prior to the commencement of development hereby permitted, a scheme to deal with the risks associated with the contamination of the site shall be submitted to and approved in writing by the local planning authority.

Reason: the site is within a Source Protection Zone 1 and the Environment Agency recommends this condition in such areas.

20 Prior to the commencement of development hereby approved by this planning permission, a bat survey of the buildings to be demolished as suggested in the applicant's Ecology Report should be undertaken. The preferred period for a bat survey is from May to September when bats are most active.

Reason: In order to comply with Policy NE3 of the adopted Unitary Development Plan and in order to safeguard the interests and well-being of any bats on the site which are specifically protected by the Wildlife and Countryside Act 1981 (as amended).

Reasons for permission:

H7 Housing Density & Design
BE1 Design of New Development
G8 Urban Open Space
T3 Parking
T18 Road Safety
C1 Community facilities
C7 Educational and pre school facilities
IMP1 Planning Obligations

The development is considered to be satisfactory in relation to the following:

- (a) the character and appearance of the development in the street scene and wider area, including the Urban Open Space
- (b) the relationship of the development to adjacent and nearby property
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties

- (d) the safety of pedestrians and motorists on the adjacent highway
- (e) the safety and security of buildings and the spaces around them
- (f) accessibility to buildings
- (g) the housing policies of the development plan
- (h) the design policies of the development plan
- (i) the transport policies of the development plan

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