

Application No : 12/01388/OUT

Ward:
Cray Valley East

Address : Land Adjacent To 6 Home Farm
Cottages Sandy Lane St Pauls Cray
Orpington

OS Grid Ref: E: 547642 N: 169666

Applicant : Cray Wanderers Football Club

Objections : YES

Description of Development:

Football stadium (capacity 5,153) including club facilities comprising changing rooms, offices, club shops, food and bar facilities and conference/ function rooms; fitness centre including 20m swimming pool and multi-use arena, crèche, outdoor all weather full-size football pitch, 115 bedroom hotel including restaurant, 182 residential dwellings, landscaping, widening of Sandy Lane, formation of vehicular access including roundabout, internal access roads and pedestrian routes

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads

Proposal

Outline planning permission with all matters reserved for subsequent approval is sought for the following:

- 5,153 capacity football stadium and club facilities comprising changing rooms, offices, club shops, food and bar facilities and conference/function rooms (1,815m² GIA excluding terraces and stands)
- 115 bedroom hotel (4,960m²) within stadium structure
- leisure centre including 20m swimming pool and multi-use arena (3,013m²) within stadium structure
- creche (510m²) within stadium structure
- full size all-weather pitch with floodlighting
- residential enabling development to offset the construction costs of the stadium comprising 69 affordable and 113 private dwellings (182 in total) as follows:
 - shared ownership – 3 two bedroom flats, 9 two bedroom and 9 three bedroom houses

- social rented – 5 two bedroom flats, 8 two bedroom houses, 28 three bedroom houses and 7 four bedroom houses
 - private – 7 two bedroom flats, 27 two bedroom houses, 43 three bedroom houses and 36 four bedroom houses
- highways improvements including roundabouts and pedestrian footpaths/crossings on Sandy Lane
 - ecological enhancements and provision of buffer zones to Ruxley Gravel Pits SSSI and Sandy Lane.

The application is accompanied by a Planning Statement which includes the following points:

- Cray Wanderers Football Club (CWFC) was established during the 1860s and is the oldest football club in London and the second oldest in the world
- club has a history of playing at numerous venues in the Crays and games have regularly attracted crowds in excess of 1000 spectators and on occasion up to 3000 spectators.
- club wishes to expand its community role and sees the proposal as an opportunity to act as a catalyst for the social and economic regeneration of the Crays
- club's nomadic existence has probably cost it success on the pitch and the lack of a permanent ground now threatens its ongoing progress.

Very Special Circumstances

The application states that the scale of proposed stadium is commensurate with the requirements of a club seeking Category A pitch status for entry into the Football League. It is asserted that the stadium and the Astro turf pitch are appropriate facilities for outdoor sport and are acceptable development in the Green Belt. The application identifies the hotel, gym and indoor leisure facilities, associated car parking and residential development as inappropriate development in the Green Belt and sets out a case for very special circumstances to justify this inappropriate development as follows:

Very Special Circumstances - Sporting Case

- CWFC currently sit near the top of the Ryman Premier Division, one league below the Conference South, two leagues below the Conference National and three leagues below the Football League Division 2
- the Football Association (FA) require a Ryman Premier club to have a Category C ground which should have the potential for a capacity of 3,000 including some seating as well as meeting requirements in relation to the pitch, facilities and floodlighting
- CWFC require a Category A ground to facilitate future growth – Category A requires a 4,000 capacity with potential to expand to 5,000 and floodlighting to a higher lux
- current ground-share arrangement with Bromley FC will cease in September 2014 - even if an extension could be agreed the Category B status of the

Hayes Lane stadium does not meet CWFC aspirations for Football League status and its location in relation to the Cray's community is an obstacle to growth

- amount of development reflects the need for a Category A stadium with supporting operational facilities and also reflects the club's role in the community
- Sporting Needs Assessment (SNA) provides a robust evidence base for the need for the other proposed recreational facilities – National Planning Policy Framework (NPPF) supports use of such information to inform open space and recreation provision
- floodlit artificial football pitch would be used by schools and the local community on a pay as you play basis
- fitness centre, swimming pool and multi-use arena will support fitness and sporting objectives
- CWFC are investigating the potential of the multi-use arena as a regional centre of sporting excellence designed to provide flexible spaces to facilitate activity based uses
- proposal could reinforce the outdoor sporting and leisure offer available in the locality – given the proximity of Ruxley Golf Course and the ski slope the Club could promote these activities and Sandy Lane could be a hub for outdoor sport

Very Special Circumstances - Lack of Alternative Sites

- club has investigated sites within 2 miles of the Crays - criteria assessed included availability, viability, size, transport links, access to the population of the Crays and planning considerations
- Crockenhill Football Club are located within 2 mile catchment and were approached but there are no transport links and an application for floodlights was previously refused
- Green Court Sports Club, Crockenhill were approached but the owner was unwilling to sell, planning permission would not be granted for floodlighting and transport links are poor
- Queen Mary's Hospital Playing Fields, Froggnal Avenue is designated Green Belt and unavailable
- Kemnal Manor School is designated Urban Open Space and the retention of Grade II listed school building would preclude development of a stadium and the site is required by the school
- site between Edgington Way and Sidcup by-pass is an inadequate size and is designated Green Belt
- site bounded by Powerscroft Road, Cray Road and Edgington Way was the subject of a planning application for residential and non-food retail and is therefore unlikely to be available
- site south of Sidcup by-pass and east of Sevenoaks Way is part developed and separated by industrial and residential development - discounted due to multiple ownerships and the uncertainty of its availability
- site north of Sidcup by-pass and south of Maidstone Road was dismissed due to uncertainty of its availability and the presence of Listed Buildings

- site north of Sidcup by-pass and north of Cookham Road dismissed due to uncertainty of its availability
- Flamingo Park, Chislehurst is designated Green Belt and has inadequate vehicular access whilst there is uncertainty over the availability of the land and development would result in the loss of existing established sports facilities
- St Mary.Cray Recreation Ground, Park Road has inadequate transport links whilst surrounding houses would be unacceptably affected by activity
- school playing fields, Groveland Road are needed by the school and there would be resistance to the loss of school playing fields
- Hollingwell Recreation Ground is a well established public open space and its concealed location would result in a development with no visual presence whilst there is a perceived lack of accessibility
- CWFC have undertaken an extensive site search and the application site is the only reasonable prospect on which planning permission might be granted.

The applicant has detailed two examples of planning permissions being granted for football stadiums on protected land because of the lack of an alternative site:

Brighton and Hove Albion Football Club

- although not in the Green Belt, planning permission was granted in an Area of Outstanding Natural Beauty for a 22,000 seat community stadium with coach/bus parking and transport improvements including a new flyover
- application was called in by the Secretary of State who concluded that:
 - there was considerable local need for the proposed development
 - it would bring significant regeneration and socio-economic benefits to one of the most deprived areas of the country and was therefore in the national interest
 - there was no reasonable prospect of planning permission being granted for a stadium at any of the alternative sites which had been considered
 - the proposed mitigation measures would be sufficient to moderate any harmful impact to the AONB

Southend Football Club

- planning permission was granted by the Secretary of State in December 2007 for a 22,000 seater football stadium, 114 bedroom hotel, club facilities, 67 flats, retail and restaurant units, a health club, new training pitches including an all weather floodlit pitch and car parking
- buildings were permitted on a site with its Green Belt status under review while the training pitches with car parking were permitted in the Green Belt
- Inspector noted that there was clearly no alternative site for the new stadium and found that the balance of arguments is was unusually heavily and clearly weighted in favour of allowing the development

Very Special Circumstances - Community Use

- Statement of Community Benefits (summarised later in the report) details range and extent of proposed community use of facilities and community activities

Very Special Circumstances - Need for Enabling Development

- proposed stadium cannot be developed as a stand-alone project and it must form part of an overall development with other uses providing funding for the stadium
- hotel, health and fitness facilities, and crèche would provide match-day marketing and revenue opportunities
- residential development is identified as the optimum and most likely means of securing additional capital revenue
- provision of enabling development and the principle of financial dependency between certain types of community and commercial developments are well established as material considerations in the determination of planning applications
- para. 140 of the NPPF defines enabling development in the context of conserving and enhancing the historic environment as development which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset and outweigh the disbenefits of departing from those policies.
- main principles that have evolved are:
 - economic viability of a desirable planning development can be a material consideration
 - ultimate determination of an application is based on planning grounds and not on some ulterior motive
 - local planning authority is entitled to balance the fact that the desirable planning development would not be financially viable without granting planning permission for the enabling development against the fact that the enabling development would be contrary to the development plan
- Financial Report by London and Berkshire Limited assesses the cost of undertaking the development, appraises the value of the component parts and demonstrates the need for the enabling development
- cost of stadium, all weather pitch, crèche, leisure centre and hotel is approx. £18m – sale of hotel, crèche and leisure centre will generate approx. £12.2m leaving a shortfall of approx. £5.8m which will be met through the housing development
- Dartford Council recently funded a stadium for Dartford FC - if Bromley Council were to offer funding it would help reduce the requirement for enabling development but the club have advised that such funding will not be forthcoming

Kent Cricket Club

- need for significant enabling development on Metropolitan Open Land in Beckenham was recently accepted by Bromley Council - proposal by Kent County Cricket Club (KCCC) included a stand for 2,000 – 3,000 spectators, all weather floodlit pitches and 'enabling development' as follows:
 - a conference and banqueting facility (1600m²)
 - leisure and health club (2100m²)
 - indoor cricket centre (2600m²)
 - associated parking (214 spaces)
 - residential development (48 four and five bedroom detached houses and no affordable housing contribution)
- financial appraisal demonstrated the expense of operating the sporting facilities at the ground and the need for the residential element to support the provision of new sports and leisure facilities
- Committee report noted that the ground makes an annual loss, that it was dependent on donations and that the proposal would provide for the sustainable long term security of the site for sports use
- it was noted that without the enabling development the use of the site will cease and that if consented the scheme would secure the continued use of the ground by KCCC, a new indoor cricket facility, an all weather pitch and enhanced conference and leisure facilities
- there are parallels between CWFC and the KCCC proposal in terms of the significant amount of enabling development (commercial, leisure and residential) needed to produce an economically viable scheme on land which has a presumption against inappropriate development

Very Special Circumstances - Openness of the Green Belt

- Landscape Assessment in the Environmental Statement (ES) advises that the site is essentially only visible from short views on or near the site boundaries and from the urban fringe to the west and east - in longer views the site is obscured by the topography, highway banks, buildings and tree and woodland cover
- principal public view of the site is from Sandy Lane - proposal seeks to retain the existing boundary planting along Sandy Lane, where possible, and introduce a green buffer strip for new planting - over time this will soften the visual impact of the development from Sandy Lane
- view from the west (Sevenoaks Way) is screened by extensive scrub and trees west of the lakes on the River Cray and the industrial estate on New Mill Road - proposed buffer strip between the development and the SSSI will enable new planting to provide additional screening
- views from the south are obscured by the New Mill Road industrial estate whilst views from the southern end of Sandy Lane at Home Farm would be obscured by Home Farm Cottages, hedges and scrub - top of the Stadium may be visible from this view but there will be no significant visual impact
- Landscape Assessment demonstrates that viewpoints and locations of significant interest will not be affected

- view from Home Cottages would be screened by boundary planting and would enjoy generous separation and a favourable topography - this is essentially a residential amenity issue and a satisfactory relationship would result
- visualisations indicate that views from Ruxley Golf Course would be in context with the urban development in all directions beyond the site and that the proposed planting on Sandy Lane will quickly screen and integrate the site into the landscape
- Officers report for KCCC application noted the proposal would give rise to a 'very apparent loss of openness, compromising views into the site and harming the visual integrity of the MOL' but the harm to the MOL was outweighed by the benefits of the scheme
- land to the north of the site on the other side of the A20 was re-designated from Green Belt to a Business Area in 2006 - presumably Bromley was satisfied that the Green Belt designation was not appropriate in this location.

The Planning Statement considers regeneration, housing and design issues as follows:

Regeneration

- Cray Valley is identified in the London Plan 2011 as an Area for Regeneration where opportunities to address issues of multiple deprivation particularly in respect of improving poor health and educational achievement need to be addressed
- LB Bromley's Core Strategy Consultation Document noted that residents have lower income, there are high proportions of families where neither adult is in work, lower life expectancy and poorer health than the Borough and London average
- proposal represents a £52 million investment in the Crays and the offer of new sports, leisure and community facilities would act as a driver for economic activity and community participation and encourage sports and community activity conducive to the health and well-being of residents
- socio-economic analysis in the ES estimates the number of Full Time Equivalent (FTE) jobs arising from the scheme as follows:
 - construction of the development - 100 jobs
 - administration and maintenance of the club – 2.5 jobs
 - management/playing staff – 15-20 jobs
 - leisure centre – 34 jobs
 - hotel – 98 jobs
 - crèche – 10 jobs
- it is estimated that there will be up to 48 indirect FTE jobs created through additional demand for goods and services in the local area
- development could provide jobs for the local unemployed, it will raise the profile of the Crays and engage the community with opportunities for formal employment and social/community participation thereby contributing to the

objectives of the Crays Regeneration Area by addressing social inclusion and deprivation.

Affordable Housing

- size and type of housing reflect the need for more family housing in the borough
- scheme would contribute to the shortfall in affordable housing in Bromley which has led to around 8,000 households being on the housing register
- affordable housing provision increases the quantum of enabling development in the green belt

Housing Supply

- Council's LDF Consultation indicates a failure to meet and exceed the housing targets set by the Greater London Authority (GLA) and the expectations of the NPPF - proposal would make a valuable contribution to addressing housing shortfall
- residential development would contribute to the regeneration objectives of the London Plan and Bromley.
- indicative layout demonstrates that scheme exceeds London Plan requirements for children's playspace

Urban Design

- proposal seeks to maximise site potential, enhance the public realm, provide a mix of uses whilst being accessible, inclusive, legible, sustainable, safe, inspiring, exciting and respecting London's natural and built heritage
- design responds to the functional and practical needs of the component parts while safeguarding the ecological, environmental and archaeological conditions of the site and surrounding open space
- stadium and commercial/community facilities would represent a landmark within the corridor of development alongside the A20
- stadium and associated facilities would provide an open and textured landscape which would include vibrant new buildings, landscaped access and parking areas and the all weather sports pitch
- sports and community facilities would emphasise and promote the use of the site for outdoor sports while maintaining a balance with the open and rural character of the Green Belt
- existing and new landscaping would maintain the green/ecological setting of the site and not detract from the openness of the surrounding Green Belt
- houses will be of traditional sizes, shapes and layouts - height of the buildings would have no more impact on the Green Belt than the surrounding commercial/industrial buildings
- footprint and layout of the development would provide for a low scale, well landscaped setting which would retain views from and across the site and not be unduly cramped or detrimental to the openness and setting of the area.

The application is accompanied by a Planning Obligations/Community Infrastructure Levy Statement which includes the following points:

- proposal involves highways improvements, a Travel Plan, electric charging points, cycle parking facilities – financial contributions towards transport or highway infrastructure would not be justified
- socio-economic analysis indicates significant job creation - financial contributions to employment generation/training would not be justified
- proposal would include the provision of playspace and open space including the all weather pitch (available for community use) – financial contributions for open space/recreation would not be justified
- significant public realm improvements are proposed - financial contributions to public art/public realm would not be justified
- ES includes recommendations/measures to mitigate against any environmental impacts - financial contributions towards ecological mitigation would not be justified
- affordable housing would be provided on-site and financial contributions are not required
- CWFC will provide a community programme whilst the indoor sports facilities and crèche will be available for use by the public - financial contributions to off-site community facilities/infrastructure would not be justified
- scale of community facilities and range of community activities and the associated benefits to wellbeing eliminate the need for financial contributions to health
- level and range of community services and educational support which will be provided eliminate the need for it is not considered that any further educational contributions would be reasonable.

Needs and evidence

- analysis shows good levels of participation across all sports and a strong market for the vision being put forward by the club - scheme is in line with the sports participation profile and reflects a sensible mix and scale of development
- overall Bromley has a very good supply of specialist sports facilities when compared with like for like local authorities - focus should therefore be on delivering community sporting needs
- needs assessment demonstrates robust evidence to support CWFC vision
- Sports Village vision is in line with current thinking – the FA publication ‘Sport Villages: A Potential Contribution to an Olympic Legacy’ (2005) details aspiration ‘to develop a programme of sports sites into useable high quality facilities that can accommodate the requirements of football, complimentary sports and community uses.’
- key driver of FA concept was to stimulate new participation and sustain existing participation in sport by securing a range of sporting and non-sporting opportunities on a single site by making the sporting offer more:
 - relevant to local need and demand

- accessible – facilities should not be a disincentive to get involved and stay involved in sport - they should be high quality, convenient and reflective of modern lifestyles
 - sustainable – relieving the burden on the public sector and encouraging private sector partnership
- Sport England report ‘Developing Sustainable Sports Facilities: A toolkit for the development of a Sustainable Community Sports Hub’ (2008):
 - highlights need to take a more strategic approach to the development of facilities and services throughout the whole of an area drawing on the best of the public, private and third sectors to ensure a mixed economy that meets local demand and requirements
 - emphasises that long term financial sustainability of leisure facilities needs to be addressed to allow for new first-class facilities that are sustainable on a long term basis - sophisticated level of strategic thinking from the outset is key and the needs and evidence base for Cray illustrates this
- evidence is therefore clear that needs driven multi-sport development, supported by public-private partnership can be a major catalyst for driving participation - CWFC concept is based on clear needs and evidence and represents a private sector regeneration led solution to the delivery of community sporting opportunities
 - concept is therefore sound as are the elements of the mix as demonstrated in the needs assessment
 - Bromley Council Leisure Division have agreed that the evidence base was an accurate reflection of local needs and confirmed that the vision was in line with other local developments
 - Sport England have indicated that in principle they have no objection on planning grounds to the all-weather pitch and necessary ancillary facilities, whilst the FA have expressed support for the facilities
 - whilst the consultation is supportive and has helped to define the need the potential of grant-aid funding for the development is limited:
 - an application will be made to Sport England but this is only likely to realise £1m as a maximum figure
 - Football Foundation funding may be available but funding is extremely limited at present
 - Football Stadia Improvement Funding (FSIF) may be available for the project but the funding will only be provided for facilities the club require at their current level (Category C) and even if the scheme were eligible support would be at a maximum of £100,000.
- discussions with Bromley Council have indicated that funding would not be available.
 - proposed enabling development is therefore required and the detailed needs and evidence base supports the vision and facility mix being proposed for the site.

Statement of Community Benefits

The application is accompanied by a Statement of Community Benefits which includes the following points:

- London Plan identifies a need for indoor sports facilities suitable for community use and artificial grass pitches
- Sport England assisted 2010 GLA study confirms the need for a full size all weather pitch in the Orpington/St Mary Cray area to serve the local population in terms of a dedicated football club venue and also on a pay-as-you-play local schools/community basis
- GLA study supports the provision of a 40–60 m² swimming pool in the Cray Valley - Sandy Lane site is identified as a good location for further provision of health and fitness suites
- facilities open to the community are likely to include the all weather pitch, the gym, swimming pool, arena, function/club rooms and bars
- main football pitch would be exclusively used by Cray Wanderers FC however it would potentially be available for the youth teams' games and could be used as a venue for charity matches, local club/schools cup finals etc. - it would not be used for non-sporting events
- CWFC play a major role in the local community which they wish to develop and enhance as a result of the proposal - club works with local schools and authorities such as the Metropolitan Police and Bromley and Bexley Councils.

The proposed Community Programme would include:

- social inclusion projects - two sessions per week each for around twenty 12-16 year olds in the Crays area - currently these take place at various local ball courts where the Club organises supervised 'street football' league tournaments for local young people
- children's football - club currently run two Saturday morning clubs for children aged 3-14, one at Hollingwell Green Recreation Ground and another at Sidcup Youth Centre - new all weather pitch will accommodate up to 60 children
- schools programme - club currently run a variety of sports sessions in nurseries and primary schools for children aged 3-11 in and around the Cray area consisting of:
 - PPA cover- delivering sports sessions whilst class teachers plan, prepare and assess academic lessons
 - after school sports for all year groups
 - multi-skills for toddlers - active games to enhance coordination, balance and motor skills
 - positive lunch times - engaging with pupils that have been indicated to have behaviour problems in the classroom and playground

- Cray Schools League - this is a planned project currently requiring a suitably sized venue and will involve local schools attending the football centre to participate in a school football league
- Community Facility Development Programme will be implemented by the club including:
 - FA coaching courses (levels 1, 2 and 3)
 - child protection and first aid courses
 - FA charter standard courses for local clubs
 - Venue for B/Tec, HND Sport Development/Sports Science Courses
 - FA school-club link programme
 - football club administration courses/Sports Council courses
 - refereeing courses
 - venue for the Kent Junior Disability League
 - delivery of courses/coaching to assist with Kent Disability football
 - participation of school tournaments/scholarship schemes
- school holiday programmes on the all-weather pitch - these have been restricted in the past due to the cost of hiring venues and the proposed development will enable the club to run courses at realistic prices
- youth football - club currently provides qualified coaching, training and league football for its 12 youth teams and Academy in different local areas due to the lack of affordable training venues - activity is restricted by the cost of facility hire which is passed on to parents - club will be able to consolidate its youth training and matches at the site and longer and more frequent training sessions at no additional cost to the club
- equal opportunities – club give children of all abilities, races, gender and class opportunities to play and stay fit and healthy and, where possible, assists those less well-off to be able to play the game - Community Charter will promote participation amongst young people, girls and women
- community benefits will result from employment and regeneration.

The Statement includes details of Dartford FC's stadium development, which CWFC aspire to match, as a case study:

- Dartford FC stadium opened in 2006 at the centre of a community development which includes a full size, 3G all weather pitch, community changing rooms and conference/seminar rooms
- Dartford Council provided the £7m funding for the stadium
- Community Facility Development Plan which was devised by the key stakeholders (local, regional and national sports bodies) and implemented by the club and included the following objectives:
 - increased participation, especially of young people, women and girls and people with disabilities
 - improved levels of sporting performance
 - opportunities for coaching education
 - links with a local college to deliver new education opportunities for the community using sport

- Community Facility Development Plan includes the provision of activities and courses similar to those proposed under the CWFC Community Facility Development Programme
- Leader of Dartford Borough Council, Jeremy Kyte commented that stadium has provided massive uplift in civic pride and resulted in a decrease in crime levels whilst promoting discipline and fitness in young people and teaching them how to spend their time creatively.

The statement includes letters of support for the work done by the CWFC Community Scheme from the Metropolitan Police, Holy Trinity Lamorbey CE Primary School, Cotmandene Community Resource Centre and Sandway Pre-School.

Environmental Statement

The Council determined that the proposal is Environmental Impact Assessment (EIA) development in accordance with the EIA regulations. Accordingly, the application is accompanied by an Environmental Statement (ES) which is summarised as follows:

Socio-Economic Effects

- up to 100 full-time equivalent construction jobs ('minor' beneficial impact)
- up to 164.5 direct net jobs and up to 48 indirect net jobs ('minor' long-term beneficial impact)
- 182 residential units contributing to housing supply ('minor – moderate' long-term beneficial impact)
- increase in local population of approx. 896 persons (96 of primary school age and 53 of secondary school age) – neutral impact given the relatively good availability of education and healthcare facilities in close proximity to the site
- sports facilities including the gym, swimming pool, arena and main football pitch will be made available to the local community ('minor – moderate' long term beneficial impact)

Archaeology and Cultural Heritage

- site is situated to the north of the medieval village of St Paul's Cray in an area of known Roman occupation and late Bronze Age/early Iron Age and Roman artefacts have been recorded from the development site - potential for heritage assets of these periods is high
- potential for survival of remains will be dependent on the extent of disturbance caused by the trees and shrubs in the site
- geophysical survey is proposed to identify any archaeological deposits and this will inform a scheme of archaeological trial trenching (if required), which would allow deposits to be excavated and appropriately recorded, thus mitigating the potential impacts of the development during construction ('neutral – minor' adverse impact)

Transportation

- construction works will result in an average of 42 HGV movements (21 vehicles) per day during 2 year construction period ('negligible' impact)
- likely level of traffic generated by the proposed development will, in the absence of mitigation result in a 'neutral – minor' adverse impact on the surrounding road network
- traffic mitigation measures include the production of a stadium and residential Travel Plans which have the potential to reduce the magnitude and significance of impacts

Noise

- mitigation measures are proposed to reduce the potential noise impacts associated with construction
- post-construction road traffic and stadium event noise impacts on Olney, The Cottage and Home Farm Cottages along Sandy Lane are calculated to be below 3 decibels (a noticeable change in noise levels) ('negligible' long term impact) - no mitigation is therefore required
- proposed residential properties closest to Sandy Lane were predicted to experience internal noise levels marginally above guidance levels – double glazed windows are proposed as a mitigation measure - ('negligible' long term impact)

Air Quality

- mitigation measures are proposed during the construction period to reduce the potential air quality impacts ('negligible' impact)
- post-construction impacts at all receptors are considered to be adverse and of 'negligible' significance, with the exception of Olney, Sandy Lane ('minor' adverse impact) - no mitigation measures are considered necessary, although the adoption of Travel Plans may result in an improvement in air quality

Ecology and Nature Conservation

- Phase 1 habitat survey found no records of protected species on the site and no immediate evidence of badgers or bats
- habitats within the site were considered to be of low ecological value
- breeding birds, invertebrate fauna and uncommon wetland plants were identified within the adjacent SSSI whilst other protected species known to be present include water vole, grass snake, lizards and bats - habitats and species were considered to be of value on a national scale and therefore of high ecological value
- Phase 2 surveys found no evidence of badgers, low activity from (passing) bats and no observations of protected birds - priority bird species under UK biodiversity lists were observed and the range, abundance and distribution of bird species was considered to be typical of the habitats present

- three grass snakes were found within the development site during and suitable habitat for grass snake foraging was found on the boundary with the SSSI - no other reptile species were found
- in the absence of suitable mitigation measures, there is the potential for the habitats of protected and notable species within the SSSI to be impacted during the clearance, construction and operational phases of the proposed development, including through disturbance from the presence of people, traffic, domestic animals and artificial lighting
- measures are outlined to mitigate any ecological impacts to the SSSI habitats and protected species as follows:
 - provision of a buffer zone between the development footprint and the boundary of the SSSI
 - reduced potential light spill from floodlights onto SSSI habitats
 - translocation programme for the on-site grass snake population to a new receptor site (incorporated into the buffer zone)
 - retention and strengthening of existing boundary habitats
 - broad recommendations to ensure there are no adverse effects to protected species during the construction and operational phases of the development
 - drainage strategy to minimise any impact on the aquatic regime of the SSSI
- it has not been considered possible to effectively mitigate against predation of SSSI species from domestic cats, however the presence of domestic cats has not been considered a significant impact to the integrity of the SSSI and the species it supports
- Phase 2 Survey concludes that strategy to fully mitigate against ecological impacts identified should ensure that residual impacts to ecological receptors within the development site would be of moderate magnitude and slight significance - residual impacts to ecological receptors within the Ruxley Gravel Pits SSSI would be of minor magnitude and slight significance

Land and Contamination

- intrusive site investigation prior to the commencement of development will inform any remediation strategy for the site – this will limit the potential for impacts on groundwater and surface water
- groundwater and surface water will be protected by infiltrating surface water to ground, rather than discharging directly into the River Cray, with run-off from car parks and roads treated through sustainable drainage systems and petrol interceptors - residual post-construction impacts are considered to be of 'neutral' significance

Water Environment (post construction)

- foul water will be discharged to the existing Thames Water sewer along Sandy Lane - this is currently operating below capacity ('neutral' impact)

- site lies within Flood Zone 1 and the proposed site levels are above the extreme flood levels provided by the Environment Agency for a 1 in 1000 year flood event - proposed uses are considered to be adequately protected from flooding ('neutral' impact)
- proposal will not adversely affect flood risk to the wider catchment as a result of development drainage, subject to recommended surface water mitigation measures

Landscape and visual effects

- visual impacts during construction are considered to be of 'neutral – minor' significance
- visual impact of the scheme has been mitigated by keeping proposed ground levels around the stadium as low as possible and by proposing heavy planting around the perimeter of the site to screen the buildings as far as possible - over the medium – long term, once the landscape planting becomes established, the visual impacts of the scheme are considered to be of 'neutral – slight adverse' significance

Climate Change

construction impacts considered to be of 'minor' significance
 residential buildings will achieve a 25% carbon reduction over the 2010 target
 non-residential elements would seek to achieve a BREEAM excellent rating
 non residential elements would deliver a carbon saving of 14% resulting in an overall saving of 18.2% ('minor – moderate' adverse impact)
 development is not considered to be at risk of flooding and is suitably adapted to future climate change scenarios - significance of effect is considered to be 'neutral'

Cumulative effects

- construction phase of the proposed development will give rise to adverse different multiple effects (e.g. from noise, air quality and visual intrusion) on receptors in close proximity to the site boundary, including Home Farm Cottages and Olney along Sandy Lane, and the Ruxley Gravel Pits SSSI - suitable mitigation measures to control noise and air quality impacts are proposed
- whilst individual impacts are considered to be of no more than 'negligible' significance, the multiple effects on adjacent receptors are considered to be short term, intermittent, adverse and of up to 'minor' significance
- post-construction, the proposed development has the potential to give rise to adverse different multiple effects (e.g. from noise, air quality and visual intrusion) on receptors in close proximity to the site (i.e. Home Farm Cottages and Olney, Sandy Lane) - Olney is considered to be the most affected property in the vicinity of the site, and therefore the focus of the cumulative assessment is focussed on this receptor:
 - air quality - 'minor'
 - visual impact – landscaping mitigation proposed to reduce impacts

- from substantial adverse to 'neutral' – 'slight' in the long term noise - 'negligible'
- when considered together, these different multiple effects are considered to be adverse, long-term and of 'minor' significance
- post-construction, the proposed development has the potential to give rise to beneficial different multiple effects (e.g. through job creation, contribution to local housing supply and improvement of local sports facilities) within the local area - considered together, these different multiple effects are considered to be long term and of 'moderate' significance.

The application is also accompanied by the following:

- Transport Assessment which concludes that the development is acceptable in terms of transport
- Statement of Community Involvement which details the pre-application community consultation
- Design and Access Statement
- Financial Appraisal
- Business Plan
- Floodlighting Report.

Location

- 10.01ha Green Belt site is located in the north-eastern corner of the borough and comprises a disused former arable field on the western side of Sandy Lane
- broadly rectangular site is approx. 420m long, 175m wide at its southern end and 270m wide at its northern end and slopes approx. 13m from its east to west and approx. 3-4m from north to south.
- underground gas main crosses the site from close to the north east corner to the south west corner
- site is on the fringes of the built-up areas of the Crays, approx. 30m south of the A20 Sidcup Bypass and 400m east of the A224
- a single dwelling, Olney, is located immediately to the north and there is a terrace of cottages immediately to the south
- immediately to the west of the site is Ruxley Gravel Pits, a nature reserve which is also a site of archaeological interest and is designated as a Site of Special Scientific Interest (SSSI) and a Site of Interest for Nature Conservation (SINC)– the interest is derived from its population of breeding wetland birds, grass snakes, water vole, invertebrate fauna and wetland plants
- there is a designated area of employment land north of the A20 including a number of industrial/commercial units, a Tesco superstore and a large area of open space designated for employment use
- to the east of the site, on the other side of Sandy Lane is Orpington Golf Course, a ski and fitness centre and a residential site??
- there is an industrial park beyond open fields 200m to the south of the site

- wider area comprises a mixture of open Green Belt land, commercial/industrial development, recreational uses and suburban housing
- Sandy Lane is 6 metres wide alongside the northern half of the site. The carriageway narrows, but remains two lanes width, to the south where it continues to the industrial park and residential areas to the south
- Sandy Lane links with the A223 Edgington Way to the north, which links with the A20
- Edgington Way forms the borough boundary with LB Bexley
- site lies in a designated Area of Archaeological significance.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

Objections

- overdevelopment; amount of housing is excessive; area is already overdeveloped and does not need more housing
- increased noise and disturbance; light pollution; air pollution; litter
- hotel will attract visitors day and night
- noise impact on 'Olney'; noise mitigation measures should be provided along boundary with 'Olney'; residential development should be provided adjacent to Olney
- obtrusive; out of character; further urbanisation of area; erosion of historical, semi-rural character of area
- inappropriate development in the Green Belt; granting permission will undermine Green Belt policy; site currently provides a buffer to urban sprawl; Ruxley end of Sandy Lane has already been lost from the Green Belt
- community benefits do not outweigh harm
- increased pressure on local infrastructure and services; water and sewage infrastructure is inadequate
- detrimental impact on wildlife; impact of traffic, noise, air pollution, light pollution, water pollution, over-fishing, habitat loss and litter on SSSI; site currently ensures unpolluted drainage into River Cray
- Council cannot be relied upon to ensure that development complies with any conditions imposed on the development
- site is suitable for agriculture, forestry, allotments or parkland; loss of opportunity for sustainable use of site
- increased traffic; inadequate highways infrastructure to support development; Sandy Lane cannot be widened; access should be provided from Edgington Way or Sevenoaks Way; Sandy Lane is already overused and heavily congested at Ruxley Corner roundabout; existing traffic problems on Sandy Lane will be exacerbated; increased congestion on Sevenoaks Way, Main Road and around Crittalls Corner; Transport Assessment is flawed
- inadequate car parking
- site is poorly served by public transport

- footpaths serving the site are inadequate for anticipated pedestrian traffic
- threat to archaeological interest of site
- attendances at CWFC games are currently around 300 and club does not need the ground capacity proposed
- other football clubs will use the ground; ground will be used for music concerts, etc
- detrimental impact on property values
- increased crime and anti-social behaviour; security implications of extended pedestrian link through Fitzroy Business Park
- job creation would not benefit local people
- already a gym on Sandy Lane; proposal could result in job losses at existing gym
- hotel and housing will not be attractive given proximity of A20 and waste tip; hotel is not needed in this area
- impact of crèche on local childcare businesses
- proposal involves land outside of applicant's control
- Maidstone United built stadium for £1.5million without enabling development

The above includes objections received from the Little Chislewick Residents Association and the Petts Wood and District Residents Association.

Support

- much needed investment in area and regeneration benefits; job creation; community benefits; boost to existing businesses; new businesses will be attracted to area; catalyst for further development; hotel and housing will benefit area; scheme will raise profile of area
- Dartford FC's new ground has delivered significant business, leisure and community benefits;
- club should return to their home; scheme will provide firm foundation for club's future; increased local pride; second oldest club in world may otherwise face extinction; scheme will allow club to grow
- much needed facilities for local community including youth and schools; current lack of such facilities;
- recreational / sporting opportunities for young people; club already benefits local youth; club's commitment to community is admirable; reduced crime; health and fitness benefits
- good use of 'wasteland'; agricultural use of land is not feasible
- shorter matchday journeys for fans
- scheme will smarten up the area
- scheme will complement golf and skiing facilities across the road
- scheme will result in few adverse impacts; environmental impact will be small and addressed by mitigation measures
- fan base are well behaved
- Kent Cricket Club have been granted permission for enabling residential development to improve the facilities at the Beckenham ground; precedent has been set.

At the time of writing the Council had received 1033 representations in support of the application. It should be noted that many of these representations included no accompanying comments and appear to have been submitted by a small number of individuals on behalf of other individuals.

Comments from Consultees

The Greater London Authority's Stage 1 comments are summarised as follows:

- given the nature of the sport, promotion to a higher league is not a given - CWFC currently sits in the Ryman Premier Division and is seeking to provide a ground to meet a long term aspiration for promotion, rather than a current and actual sporting need - in the Ryman Premier Division a Category C ground is required and it is not clear whether the applicant has investigated the possibility of acquiring a category C or B ground
- while proposals for sports and leisure facilities are supported in the London Plan, it is difficult to accept that these must be located remotely from the communities which they are intended to serve on land designated for protection due to its Green Belt status
- sporting need argument is not fully accepted - club obviously requires a new ground but the requirement for a category A ground is merely aspirational and this cannot therefore be used to outweigh the harm likely to be caused to the Green Belt as a result of the scale of the proposed development
- material submitted suggests that eleven alternative sites were identified and were all then discounted due to their size, Green Belt or other open space status or lack of availability - it is not clear why the current application site met the criteria while others were discounted, particularly given the very low level of public transport accessibility of the site, which was set out as an important factor in the criteria
- two appeal decisions for football stadia approved on protected land due to a lack of alternative sites have been cited by the applicant – it is noted that:
 - these are much larger developments with associated increases in local regeneration benefits
 - each application has been accompanied by a detailed site search appraisal robustly demonstrating that there were no other alternative sites available
 - such an assessment has not been provided by the applicant in this instance
 - a more detailed account of the methodology used to select the site should be provided before the lack of alternative sites argument can be accepted
- with regard to community use as 'very special circumstances':
 - it is difficult to accept aspirations for increased community uses without further detail on the exact nature of the proposed uses
 - it is unclear that the proposed uses are meeting genuine local community needs and would result in a quantifiable community benefit, rather than simply forming part of a package of development

aimed at generating the maximum income to enable development on the site and ensure the commercial success of the club

- much of the work undertaken by the club to benefit the local community is done on an 'outreach' basis - given the poor transport links to the site, it is unclear whether the local schools and disadvantaged groups will be able to easily access the facilities if they are to be relocated
 - club clearly has track record in running youth teams and a Soccer School but the community use argument relies on a desire to engage with the local community along the model of Dartford FC and this is difficult to quantify in terms of community need / benefit
 - proposed ancillary facilities are intended to be operated as private commercial ventures and it is not certain that these will be financially accessible for the local community
 - while the limitations of the current ground sharing arrangements are accepted, further detail and more concrete assurances and management detail on the proposed community uses would be required before a community need argument could be accepted as contributing towards 'very special circumstances' to justify inappropriate development
- stadium is inappropriate development and it would be contrary to accept a further quantum of even more inappropriate enabling development as part of a 'very special circumstances' argument
 - it would also be difficult to argue the public and community benefits of a hotel as part of the proposed sporting village
 - it was previously noted that the need for enabling development including inappropriate hotel and hospitality uses is unjustified and a detailed viability case would be required to demonstrate the role that these uses would play in funding the proposed redevelopment - each proposed use must be justified and it cannot be accepted that they are simply part of a comprehensive 'enabling development' solution - applicant has not justified the requirement for each separate use in the submission
 - applicant has submitted a financial plan to support the proposed development which relates solely to the stadium and on-site sport and leisure facilities and does not include the hotel and residential elements as it is assumed that these will be sold off for capital contributions with a peppercorn rent - financial viability assessment seems overly simplistic and cannot be used as a basis on which to accept either the principle or the quantum of proposed enabling development for this site without review by an independent viability consultant
 - applicant has confirmed that alternative funding to eliminate or reduce the need for enabling development on site has been sought (and is not available) from Bromley Council, but has not clarified whether other sources have been investigated
 - with respect to the excessive scale of the commercial element, Officers are not convinced that it can be considered as 'ancillary' or that the financial argument (particularly with regard to the introduction of a significant amount of residential uses) demonstrates that the proposed enabling development

is, in fact, required - a proposal consisting of such an extent of inappropriate 'enabling' development is not acceptable given the Green Belt setting

- proposal would result in the loss of much of the open land on the site - landscape assessment in the ES advises that the visual impact of the development will be limited whilst landscaping is proposed to further reduce the impact - while these measures will help mitigate the impact on the Green Belt it cannot be denied that the proposal will significantly harm the openness and character of the Green Belt in this location.

The Council's Highways Development Engineer's comments are summarised as follows:

- location is not currently sustainable from a transport point of view, having a PTAL level that is probably 0, which means the site is off the low end of the scale
- nearest bus stop is around 800m away and St. Mary Cray station is approx. 2.5km distant – these are beyond convenient walk distances and public transport will be unattractive
- 4828m² of D2 floorspace is proposed - Policy T1 of the UDP has a presumption against D2 leisure uses, having a gross floor area of more than 4000sq m in locations with a low PTAL (i.e. 1–2)
- NPPF indicates that planning system should promote sustainable development and is encouraged to actively manage future development to make fullest use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable
- improvements to the pedestrian environment will not significantly improve public transport accessibility and there appears to be no tangible commitment to improving access to public transport, cycling or walking
- use of the car would be likely to predominate in connection with all the proposed uses for the site contrary to the aim that new development should be located where there is scope to reduce greenhouse gas emissions
- NPPF advises is that development should only be refused on transport grounds where the residual cumulative impacts of development are severe – mitigation measures to improve public transport accessibility, walking and cycling are not being proposed and do not appear to be deliverable in a timely fashion and whilst significant compensatory measures do not appear to be offered
- proposal therefore appears to be inappropriate in sustainable transport terms in this location and contrary to NPPF objectives
- Transport Assessment does not provide sufficient information to fully demonstrate the likely impact of the proposals on the surrounding highway network.
- refusal of the application could also be supported on the grounds that insufficient information has been provided to demonstrate that the impact of the proposals on the local highway network would not cause harm to conditions of safety and the free flow of traffic.

Transport for London's comments are summarised as follows:

- site is poorly located in terms of integration with public transport and therefore the proposal is not compliant with London Plan Policy 6.1.
- Transport Assessment does not appear sufficiently robust
- overspill / offsite parking may impact on Sandy Lane and the wider area if not carefully managed
- public transport is not likely to be promoted in this location, even in the long term
- proposals may adversely impact on the Strategic Road Network and local bus services.
- due to distance from nearest bus services the site could be considered remote from the network - TfL would like to encourage use of local bus services where possible but scale and location of the development and the frequency of events is insufficient to justify the alteration of existing services or new routes to serve the site
- proposal does not appear to accord with London Plan Policy 6.7 Better Streets and Surface transport.

The Environment Agency have objected to the proposal on the basis of inadequate assessment of flood risk from surface water and inadequate assessment of impact to SSSI. In particular:

- FRA fails to:
 - consider the location and size of infiltration basins/SUDS features based on upper and lower bound soakage rates for the underlying ground conditions identified within the assessment
 - provide calculations and an indicative drainage strategy plan indicating key drainage infrastructure to demonstrate the deliverability of the scheme
 - consider the impact of the proposed earthworks strategy on the underlying hydro-geological regime and the adjacent SSSI
 - consider the potential increases in foul effluent generated by the development proposals and the impact on the local public sewer identified as a 150mm sewer that currently serves the ski centre located immediately to the east of the site
- assessment and mitigation measures are inadequate and do not properly address the risks as the proposals do not:
 - provide detailed assessments of site hydrology and contamination, therefore insufficient information is available to consider whether the satisfactory mitigation for potential adverse effects of the development upon Ruxley Gravel Pits SSSI has been proposed;
 - protect the SSSI from the increased disturbance created by the development - 15m buffer contains a public access route which is contradictory to the primary purpose of protecting the SSSI from the adverse anthropological effects of the development;
 - investigate and address the effects of isolation from the surrounding countryside on the SSSI and its receptors - development will lead to

the SSSI being entirely surrounded by developed land, removing its only substantial green link to the wider green landscape.

Natural England's have objected as follows:

- application contains insufficient information to determine whether the proposals are likely to damage or destroy the interest features of the SSSI
- development site drops away from east to west so surface water will run off towards the SSSI - the Environmental Statement (ES) recognises that groundwater flows provide a significant contribution to the base flow of the River Cray and the SSSI - the SSSI has been identified as being of very high sensitivity to contamination
- ES notes that the gravel pits are likely to be highly susceptible to any increases in contaminant and sediment loading from the development site whilst there will be significant increases in impermeable areas on the development - run off to the SSSI could significantly increase post development
- ES notes that detailed site investigations and assessments with respect to hydrology have not been undertaken to date - hydrological impacts must be assessed before determination of the application
- application includes a proposal for a Construction Environmental Management Plan (CEMP) to be submitted prior to construction to mitigate these impacts - this information is required in advance of determination
- noise assessment has not fully assessed the impacts of crowd noise from the football stadium on the breeding bird interest on the SSSI
- inadequate justification that a 15m buffer will be adequate to avoid recreational and predation impacts from the proposed development on the bird interest of the SSSI, especially as there appears to be an access route from the development through the buffer strip to the SSSI which negates the purpose of the buffer
- bat survey is inadequate
- great crested newt survey has not been carried out.

Kent Wildlife have objected on the basis that there is insufficient robustness in the assessment of impacts of the proposals on biodiversity (both of the application site and the SSSI) and inadequate mitigation for the impacts of the proposals on the SSSI. In particular:

- bat survey and breeding bird survey are inadequate
- further consideration should be given to impact on birds from SSSI using development site
- reptile survey is inadequate
- buffer zone appears inadequate to mitigate domestic cat predation on the SSSI – robust assessment of impact of cat predation is required with suitable mitigation proposals
- groundwater from site contributes to base flow of SSSI and River Cray – application should not be determined until hydrological and contamination impacts have not been assessed

- assessment of the impact of stadium noise upon the SSSI, particularly birds, is required and has not been provided
- inadequate assessment of impact of floodlights on bats.

London Borough of Bexley's have objected to the proposal and their comments are summarised as follows:

- purpose of Green Belt is to prevent urban sprawl by keeping land permanently open – scheme would result in permanent loss of openness and contribute to reducing the gap between Foots Cray and St. Paul's Cray contrary to the NPPF
- types of buildings proposed are inappropriate in the Green Belt and applicant's argument to justify proposal is inadequate
- trip generation forecasts and trip distribution within TA are not accepted – impact on highways network including roundabout junction and gyratory at Crittalls Corner will require mitigation beyond even the most successful Travel Plan
- additional traffic movements will be generated in North Cray Road and through Bexley Village adding to current congestion problems
- TA does not take account of committed or potential developments in the area therefore assumptions made cannot be considered as robust
- proposals would lead to additional traffic congestion and give rise to conditions prejudicial to highway safety
- NPPF seeks to promote vitality of town centres and para. 26 requires an impact assessment to be carried out for applications proposing over 2,500m² leisure development outside of town centres – an assessment has not been carried out and which is significant because a new hotel is due to open in Sidcup town centre
- application stresses the community benefits of the scheme, however there are already a number of playing fields, swimming pools and gyms in the vicinity – it is not clear from the application how the proposal could affect neighbouring facilities
- proposal could have a detrimental impact on adjacent SSSI – ES states that impacts would be adverse, long term and permanent and could potentially affect a large proportion of the SSSI – it is uncertain whether mitigation measures could be incorporated to ensure the protection of the SSSI
- Bexley residents could be affected by noise, disturbance and traffic congestion on match days.

The Metropolitan Police Crime Prevention Design Advisor has objected as follows:

- stadium along with associated car parking and sports facilities should be clearly separated from the residential part of the application with no adjoining / shared access routes - this will protect the residential parts from nuisance parking and prevent fans using a route through the houses to gain access to the stadium whilst giving police the ability in the future to control the movement of fans in and around the stadium
- police and emergency services would require two vehicular routes into the stadium giving us the ability to retain one for emergency vehicles in the

event of an incident at the ground - this could be achieved with a second access road along the northern boundary of the site to the stadium.

The London Green Belt Council have objected to the proposal as follows:

- need for the application is said to be to provide CWFC with a ground suitable for them to be admitted to the football league – for a middle of the road team in the Ryman Isthmian League to reach League 2 would require several steps up and, with due respect to the club, there is insufficient assurance that it will happen to justify the loss of this valuable piece of Green Belt
- two of the five purposes of including land in the Green Belt are to check the unrestricted sprawl of large built-up areas and to assist in safeguarding the countryside from encroachment whilst an essential characteristic of the Green Belt is openness – the site is ordinary open countryside which would completely lose its openness and the fact that it is close to the built up area only increases its importance - if it is developed it has failed in its purpose of preventing urban sprawl.

English Heritage (Archaeology) have commented that a geophysical survey should be carried out to enable judgement to be made as to whether further site work is required before the planning application is considered by the Local Planning Authority.

Orpington and District Archaeological Society agree with English Heritage that a geophysical survey should be undertaken to establish what further archaeological work may be required.

Bromley Museum Service have commented that archaeological remains could survive either on or in the vicinity of the site.

The London Fire and Emergency Planning Authority have commented that there will be inadequate access for fire brigade appliances.

The Council's Sustainable Development Officer has commented that the Climate Change section of the ES is flawed. However, in view the outline nature of the application it is considered that an acceptable scheme of renewable energy could be secured through a condition.

Thames Water have no objections to the proposal.

There are no objections in terms of housing.

There are no objections in terms of drainage.

Any further representations received, including Environmental Health and Sport England comments, will be reported verbally at the meeting.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

Unitary Development Plan

- H1 Housing supply
- H2 Affordable housing
- H7 Housing density and design
- T1 Transport demand
- T2 Assessment of transport effects
- T3 Parking
- T5 Access for people with restricted mobility
- T6 Pedestrians
- T7 Cyclists
- T9 Public transport
- T11 New Accesses
- T12 Residential roads
- T18 Road safety
- BE1 Design of new development
- BE2 Mixed use developments
- BE4 The public realm
- BE7 Railings, boundary walls and other means of enclosure
- BE16 Ancient monuments and archaeology
- NE1 Development and SSSI
- NE2 Development and Nature Conservation Sites
- NE3 Nature conservation and development
- NE5 Protected species
- NE9 Hedgerows and development
- NE12 Landscape quality and character
- G1 The Green Belt
- L1 Outdoor recreation and leisure
- L9 Indoor recreation and leisure
- L10 Tourist related development – new development
- C1 Community facilities
- C2 Community facilities and development
- ER10 Light pollution
- IMP1 Planning Obligations

London Plan

- 2.14 Areas for regeneration
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable Housing Targets
- 3.13 Affordable Housing Thresholds

- 3.16 Protection and Enhancement of Social Infrastructure
- 3.19 Sports Facilities
- 4.5 London's Visitor Infrastructure
- 4.6 Support for and enhancement of arts, social, culture, sport and entertainment provision
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 6.1 Strategic Approach
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.16 Green Belt
- 7.19 Biodiversity and Access to Nature
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy.

The following Supplementary Planning Documents (SPD) produced by the Council are relevant:

- Affordable Housing SPD
- Planning Obligations SPD.

The following documents produced by the Mayor of London are relevant:

- The Mayor's Economic Development Strategy
- Housing Supplementary Planning Guidance
- Providing for Children and Young People's Play and Informal Recreation Supplementary Planning Guidance (SPG)
- Housing Strategy
- Accessible London: achieving an inclusive environment
- Planning and Access for Disabled People: a good practice guide (ODPM)
- The Mayor's Transport Strategy
- RPG3A, Revised View Management Framework SPG

- Mayor's Climate Change Mitigation and Energy Strategy
- Mayor's Water Strategy
- Sustainable Design and Construction SPG.

UDP

Policy T1 of the UDP states that

'Development proposals likely to be significant generators of travel should be located in positions accessible or capable of being made accessible by a range of transport modes, including public transport, walking and cycling.'

The policy includes a matrix which indicates that proposals for Class D2 (Leisure) uses exceeding 4000m² floorspace will not normally be acceptable on sites with a low PTAL level.

Policy NE1 states that:

'A development proposal within or that may have an adverse effect on a Site of Special Scientific Interest will not be permitted unless:

- (i) it can be demonstrated that there is no alternative solution and the reasons for the development clearly outweigh the nature conservation or scientific interests of the sites, or
- (ii) the value and interests of the site can be protected from damaging impact by mitigating measures secured by the use of conditions or planning obligations.'

Policy L9 states that

'A proposal for an indoor sport, recreation or leisure facility will be permitted provided that:

- (i) it is located within Bromley or Orpington town centre or is allocated in the Schedule of Proposal Sites for such a use. Outside of these locations a need for the development should be demonstrated and the applicant must show that a sequential approach to site selection has been applied by favouring town centre then edge of centre sites, followed by district and local centres and only then out of centre sites in locations accessible by a choice of means of transport;
- (ii) the development will not adversely impact on the character, vitality or viability of the town, district, local or other centres;
- (iii) there is no detrimental impact on nearby residential amenity or other uses;
- (iv) the development is in keeping with the scale and character of the surrounding buildings and area;
- (v) the proposed use would not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians;
- (vi) the site is easily accessible on foot, by bicycle and is (or will be) well served by public transport;
- (vii) the development is designed to be accessible for people with disabilities; and
- (viii) there is no conflict with other open space policies of the Plan.

The supporting text at paragraph 9.24 states that

‘Intensive indoor sports, recreation and commercial leisure facilities, which function for many hours of the day, attract many visitors and are capable of generating significant amounts of traffic. Adopting a sequential approach to site selection is intended to direct these facilities to locations that are accessible by public transport, which can help to reduce reliance on the car and contribute to the vitality and viability of town centres, with certain facilities supporting the evening economy. Local recreation facilities, such as community sports halls, should be conveniently sited so as to encourage access on foot or by bicycle. When the facilities will attract people from a wider catchment area, they should be sited where they will be well served by public transport.’

Policy L10 states that:

‘A proposal for a hotel will be permitted provided that:

- (i) It is located in or on the edge of Bromley or Orpington town centres, or within a district centre or a local centre. Outside of these locations, the applicants must demonstrate a need for the hotel and must show that a sequential approach to site selection has been applied and that there are no suitable or available sites in the town centres, edge of town centres or within district and local centres before considering out of centre sites in locations accessible by a choice of means of transport; and
- (ii) the hotel will be well-separated from neighbouring residential properties and not give rise to unacceptable levels of noise and disturbance to occupiers of nearby properties.’

London Plan

Policy 2.14 identifies the Crays as a ‘Regeneration Area’ and sets out the commitment to addressing social inclusion and deprivation.

Policy 3.16 states that development proposals which provide high quality social infrastructure will be supported in light of local and strategic needs assessments.

Policy 3.19 states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt as well as the borough’s own assessment of needs and opportunities for both sports facilities and for green multi-functional open space.

Policy 4.5 of the London Plan seeks the provision of new hotel accommodation in town centres and opportunity and intensification areas, where there is good public transport access to central London and international and national transport termini.

Policy 4.6 states that the Mayor will, and Boroughs and stakeholders should, support the continued success of London’s diverse range of arts, cultural,

professional sporting and entertainment enterprises and the cultural, social and economic benefit that they offer to residents, workers and visitors.

National Planning Policy Framework

Paragraph 19 of the NPPF states that 'significant weight should be placed on the need to support economic growth through the planning system'.

With regard to leisure development outside of town centres, paragraph 26 states that:

'When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.'

The NPPF states at paragraph 69 that

'The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. ... Planning policies and decisions... should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity.'

With regard to Green Belts, paragraphs 87-89 state:

'As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

...provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it...'

With regard to biodiversity, paragraph 118 states:

'if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted.'

The following financial contributions are required in order for the proposal to accord with Policy IMP1

- education infrastructure - £1,978,219.83
- healthcare infrastructure - £291,305.

The residential density of the residential component (approx 4.73ha) will be 38.5 dwellings per hectare.

Conclusions

The main issues to be considered in this case are as follows:

- impact on the openness and visual amenities of the Green Belt
- whether very special circumstances have been demonstrated that clearly outweigh the harm to the Green Belt
- impact on the residential amenities of the occupants of nearby dwellings
- town centre impacts of hotel and indoor leisure uses in this location
- crime prevention design implications
- highways/transport implications
- ecological implications
- archaeological implications
- healthcare and education infrastructure implications
- flood risk implications.

The all-weather pitch may be considered an appropriate facility for outdoor sport and recreation and therefore appropriate development in the Green Belt. Whilst small scale spectator facilities may be appropriate in the Green Belt, the stadium is considered to be inappropriate development due to its scale. The remainder of the development proposed is also considered inappropriate and requires the demonstration of very special circumstances to outweigh the harm by reason of inappropriateness (or indeed any other harm) in order to be accepted.

The amount of inappropriate development proposed is substantial and accordingly there will be a considerable degree of harm to the openness of the Green Belt. In order for this harm to be outweighed a compelling argument that very special circumstances exist is required. The planning application details what it considers very special circumstances including:

- the sporting case for a stadium of an appropriate size and location for the clubs aspirations and to enable the involvement of the Crays community
- lack of alternative sites (within 2 miles of the Crays)
- community use
- need for enabling development
- openness of the Green Belt.

The club currently sit in the Ryman Premier League and are seeking planning permission for a Category A football stadium which will facilitate entry into the Football League. The sporting case for a larger stadium than the club presently require based upon future aspirations cannot be readily accepted given the additional harm to openness that will occur.

The application highlights the sporting benefits that will result from the provision of the health and fitness facility including a swimming pool and arena. However, it should be noted that this will be run by a private operator and there are no assurances that the facilities will be financially accessible to the local community. The provision of indoor sporting facilities is supported by Development Plan policy in suitable locations, however in the absence of appropriate evidence the poor accessibility of the site indicates that it is an unsuitable location for the facilities proposed and the scheme conflicts with Policy L9 of the UDP.

The applicant has submitted a Sporting Needs Statement to justify the proposed sporting uses and this report notes that Bromley is well served by specialist sports facilities when compared to like for like local authorities. Members will note that there is an LA Fitness gym and health club on the opposite side of Sandy Lane. There may be some justification for the all-weather pitch as the application indicates that Sport England have identified a need for such a facility in the Crays and Orpington area. The Sporting Needs Statement emphasises the benefits of a sporting 'hub' such as that proposed but overall it is not clear that the uses proposed would fulfil a genuine need, particularly given the poor accessibility of the site.

The club has led a nomadic existence and is currently a tenant of Bromley F.C. on Hayes Lane, an arrangement that is due to cease in 2014. The desirability of the club having a permanent home in the Crays can be recognised. The applicants make reference to the cases of Brighton and Hove Albion FC and Southend FC where planning permission was granted for football stadia on protected land. Members will note that these applications were accompanied by detailed and robust alternative site appraisals. In this case the applicant has not provided a detailed account of the methodology used to select the site and discount the alternatives. Alternative sites have been discounted for reasons poor transport links, planning restrictions and assumptions regarding their availability. It is therefore unclear why the application site met the selection criteria, particularly

given its very low public transport accessibility. In the absence of further information, little weight can be attached to a lack of alternative sites.

The application details the community work already undertaken by the applicant and states that the proposal will allow the club to build upon this community role. The club's community role is commendable and the Dartford FC case study demonstrates the potential benefits that stadium based schemes can deliver. However, insufficient detail has been provided to properly quantify the community benefits that will result from the scheme and no mechanism has been proposed to secure those benefits. It is not evident that components of the sporting village such as the hotel will deliver any community benefits and in view of the poor transport links to the site it is unclear whether the community will be able to easily access the proposed facilities. In the absence of greater detail and assurances on community uses limited weight can be attached to these benefits.

The application also highlights the proposal as an opportunity to act as a catalyst for the social and economic regeneration for the Crays, which is identified in the London Plan as being an 'Area for Regeneration'. The regeneration benefits will include job creation which, if the applicant agreed to a local labour clause in a Section 106 agreement, could significantly benefit the local community. Regeneration impacts that will result from the scheme can be acknowledged and viewed as a positive benefit, although further detail on the potential level of benefits to the local community and the overall impact on the area socially and economically would have strengthened the regeneration case.

The applicants cite the KCCC case where planning permission was granted for cricketing facilities and enabling development in Metropolitan Open Land in Beckenham. Whilst each case must be assessed on its individual merits, it can be acknowledged that inappropriate development on protected land can be justified in delivering significant community and sporting benefits. The applicant has submitted a viability assessment to support the proposed enabling development but this does not go into sufficient detail to provide a robust justification for the amount of development. The various uses such as the hotel are not properly justified individually but are presented as a comprehensive enabling development package. If the application were considered acceptable in most other respects then the applicant would have been invited to pay for a review of the viability assessment by an independent viability consultant to justify the need for the quantum of enabling development. As the application stands, the amount of enabling development cannot be accepted.

The applicant has indicated that grant funding may be available from some bodies such as Sport England, FSIF and the Football Foundation, which could reduce the amount of enabling development required. It is not clear whether other sources of funding that could reduce the need for enabling development have been investigated and discounted.

The applicant has provided a landscape assessment which advises that there are limited views of the site and that the development will be screened with further landscaping to mitigate the impact of the scheme on the Green Belt. However, in

view of the substantial quantum of development, it is considered that the impact of the scheme on the openness and character of the Green Belt will be significant.

The proposal will result in a significant amount of noise generating activity in the vicinity of existing residential dwellings. In particular, Olney is sited close to the proposed all-weather pitch and stadium and will be likely to be significantly affected by noise and disturbance from these facilities. The applicant has sought to demonstrate within the ES that this will not result in an unacceptable impact in environmental terms. However, a subjective assessment comparing the expected noise and disturbance with the existing situation would suggest a significant detrimental impact on the residential amenities of Olney.

The applicants contend that the benefits the scheme will deliver in terms of health and education are sufficient to justify non-payment of financial contributions towards local healthcare and education infrastructure. It may be acknowledged that access to opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities and that the club plays a commendable role in supporting local schools through football and other activities. However, it does not address the additional pressure on existing healthcare and education infrastructure that will result from the new residents of the proposed dwellings. If the contributions were to be waived on viability grounds then independent verification of a viability assessment would be required. The applicant has not provided a detailed justification for non-payment of the contributions and the applicant's position cannot be accepted. The proposal is therefore contrary to Policy IMP1.

In terms of transport, Members will note concerns expressed by TfL and the Council's Highways Engineer. The NPPF, the London Plan and the Bromley UDP make a presumption against development proposals likely to be significant generators of travel in poorly accessible locations. The location and accessibility of the site is therefore contrary to the sustainable development objectives of the development plan and is considered unacceptable in transport terms. The robustness of the Transport Assessment has been questioned and in the absence of sufficient information it cannot be accepted that the proposal will not result in unacceptable impacts on the highway network.

Members will note the concerns of Natural England, Kent Wildlife and the Environment Agency regarding the robustness of the Environmental Statement in its assessment of the ecological impacts on the adjacent SSSI. In the absence of sufficiently robust information demonstrating that the scheme will not result in adverse impacts on the interest features of the SSSI the proposal is considered unacceptable in ecology and nature conservation terms.

The Environment Agency have registered an objection on the basis that the Flood Risk Assessment provides an inadequate assessment of flood risk from surface water and further information is therefore required to properly assess the drainage implications of the proposal.

The hotel is proposed in an out of centre location and the applicant has not submitted evidence to justify this element of the proposal in accordance with Policy

L10. Members will also note LB Bexley's objection in view of the hotel shortly to open in Sidcup.

In conclusion, the proposal will result in substantial harm to the Green Belt and the applicant has not presented a convincing argument that very special circumstances exist to overcome that harm. Furthermore, the applicant has not provided justification that the site is in a suitably accessible location for the uses proposed and that the scheme is acceptable in highways terms. The application as it stands is unacceptable in terms of crime prevention, ecology, archaeology, flood risk, impact on residential amenities and impact on healthcare and education infrastructure.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal would constitute inappropriate development in the Green Belt and will result in serious harm to the openness of the site and the Council sees no very special circumstances which might justify the grant of planning permission as an exception to Policy G1 of the Unitary Development Plan and Policy 7.16 of the London Plan.
- 2 The proposal would likely to result in increased noise and disturbance detrimental to the residential amenities of nearby properties, in particular Olney, contrary to Policy BE1 of the Unitary Development Plan.
- 3 Insufficient information has been submitted within the Transport Assessment to assess the transport implications of the proposal and to demonstrate that the scheme would not cause harm to conditions of safety and the free flow of traffic on the local highways network contrary to Policies T2 and T18 of the Unitary Development Plan.
- 4 The site has a low Public Transport Accessibility Level (PTAL) and is therefore an unsuitable location for a sporting and leisure facility of the scale proposed contrary to Policy T1 of the Unitary Development Plan, Policy 6.1 of the London Plan and the sustainable transport objectives of National Planning Policy Framework.
- 5 The layout of the development is inadequate in crime prevention design terms and will be likely to present difficulties for the police and other services in maintaining public safety and preventing crime and disorder contrary to Policy BE1 of the Unitary Development Plan and Policy 7.3 of the London Plan.
- 6 The site is adjacent a Site of Special Scientific Interest (SSSI) and insufficient information has been submitted to properly assess the impact of the proposals on the interest features of the SSSI contrary to Policy NE1 of the Unitary Development Plan and Policy 7.19 of the London Plan.

- 7 The site lies within an Area of Archaeological Significance and insufficient information has been submitted to properly assess the archaeological implications of the proposal contrary to Policy BE16 of the Unitary Development Plan and Policy 7.8 of the London Plan.
- 8 Insufficient information has been submitted to properly assess the flood risk implications of the proposal contrary to Policy 5.12 of the London Plan and the Technical Guidance to the National Planning Policy Framework.
- 9 The proposed development would give rise to financial contributions to offset the impacts on local healthcare and education infrastructure and in the absence of which the proposal is contrary to Policy IMP1 of the Unitary Development Plan.
- 10 The site has a low Public Transport Accessibility Level (PTAL) whilst the applicant has not carried out a sequential assessment to demonstrate that the site is a suitable location for the indoor sports facilities and hotel proposed and the proposal is therefore contrary to Policies L9 and L10 of the Unitary Development Plan.

Application:12/01388/OUT

Address: Land Adjacent To 6 Home Farm Cottages Sandy Lane St Pauls Cray Orpington

Proposal: Football stadium (capacity 5,153) including club facilities comprising changing rooms, offices, club shops, food and bar facilities and conference/ function rooms; fitness centre including 20m swimming pool and multi-use arena, crèche, outdoor all weather full-size football pitch,

