

SECTION '2' – Applications meriting special consideration

Application No : 13/00836/RECON

Ward:
**Bromley Common And
Keston**

Address : Ravens Wood School Oakley Road
Bromley BR2 8HP

OS Grid Ref: E: 541797 N: 165342

Applicant : Ravens Wood School

Objections : YES

Description of Development:

Removal of Condition 5 of permission ref. 10/00987 (granted for alteration of site levels, retaining walls and all weather sports pitch with 3m high fencing) which restricts use of the pitch for sporting activities in association with the use of the school only and for no other purposes without prior approval in writing from the Local Planning Authority

Key designations:

Conservation Area: Bromley Hayes And Keston Commons
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding

Proposal

Planning permission was granted under ref. 10/00987 for an all-weather sports pitch, with 3m high fencing. Permission is sought for the removal of Condition 5 of the original permission for the pitch, which restricts its use to sporting activities in association with the use of the school only and for no other purposes (without prior approval in writing from the Local Planning Authority). The reason for this condition being imposed was as follows:

"In order to comply with Policy BE1 of the Unitary Development Plan and to ensure that the use does not generate additional activity that could adversely affect the amenities of the residents of nearby residential properties or the parking provision on the site."

An application has also been submitted for the addition of eight 16m high floodlighting columns and floodlights to the pitch, and is pending consideration under ref. 13/00839. This application is the subject of a separate report which is also to be found on this agenda.

The proposed use of the pitch will be as follows:

- Monday - Friday - School use from October to March from 15.15 - 18.00
- Monday - Friday - Partner Organisations year round from 18.00 - 21.30
- Saturdays - School or Partner Organisations 08.00 - 18.00
- Sundays - No use proposed

The application is accompanied by a Design and Access Statement, which advises that the removal of the condition would allow the community use of the facilities out of normal school use, primarily for the School's partner organisations and those associated with pupils. The Statement makes the following points in support of the application:

- the removal of Condition 5 of the current planning consent is sought, to allow community use of the facilities out of normal school use. This would primarily be for the School's partner sports organisations and those associated with our pupils
- the All Weather Pitch has been one of the biggest assets to the pupils experience and development in recent years. However the maintenance and eventual replacement in approximately 8 years is very costly and money obtained from the potential community club use will be essential in the up keep and continuation of the facility. Any additional monies obtained would enable further educational development of the school
- it is known that other schools in the local vicinity, (Langley Park Boys, Langley Park Girls, Darrick Wood, Ravensbourne and Bishop Justus to name a few) already have both floodlighting to their all-weather pitches and the ability to offer the facilities for local community use. While all locations are slightly different, each local school is set in similar surroundings with both residential and Green Belt issues to consider. The School believes that should permission not be granted its pupils will be restricted in a way that other local pupils are currently not
- the School has consulted with local residents and generally have had very positive comments, and will continue to work with residents regarding the usage of the pitch and will consider any additional measures required to ensure neighbours maintain the view and privacy already enjoyed
- floodlight usage times will be reasonably set in line with other local schools. Lighting will only be required for school use during the winter months, and will only be used throughout the year when required
- while potential noise is a recognised concern, the school will agree to reasonable usage times, in line with the residents, other local schools and LBB conditions
- with only one pitch for hire, community use at any one time will be for a limited number of occupants only. For this reason noise is not expected to exceed current levels already associated with school activities, during the day or weekends. School activities will continue to take priority over community bookings. Normal community use will be for training so will not generally attract any additional spectators.
- hire of facilities is intended for Partner Organisations and clubs that the school currently work closely with, or directly benefit our local students

- many of the clubs expressing an interest are Youth Teams so community use would not be much different to the day to day use of the school
- the hire of the facilities will be managed on site at all times and any contravention to lighting times or excessive noise will not be tolerated

A further statement in response to local representations has been submitted by the Applicant (received 15th May 2013). The main points in relation to this application are as follows:

- In times of austerity schools are increasingly employing entrepreneurial strategies to increase revenue. We firmly believe that our students deserve the right to access first class facilities in line with their counterparts at many other Bromley schools. We conducted a thorough face to face consultation with adjoining residents.
- Many perceptions seem to have been based upon residents experiences of entirely different local sports facilities, in particular Homesdale FC. We should like to reassure residents that our application is significantly smaller in scale and cannot therefore be compared to such venues. Our application applies to only one single rugby/football pitch and therefore a maximum of approximately 30 participants at any given time.
- Concerns over excess noise - a freedom of information request has revealed that similar school facilities in Bromley have incurred just one associated complaint in the past 3 years. Additionally, it should be noted that a typical school weekend at Ravens Wood will see several hundred sports participants using the school field and we are yet to receive a single complaint in respect of excess noise. Our evening facility manager will also be responsible for participant's adherence to a strict noise and behaviour usage policy that will be in place.
- Concerns over security - Residents may not be aware that the school is currently open until 10pm during week days. Should permission be granted, it is our intention to employ an evening facility manager who will be responsible for onsite security and management of the pitch. This will be in addition to the onsite caretaking provision currently in operation.
- Concerns over excess traffic - The highways agency have raised no concerns in this respect. We would like to reiterate that we do not expect a noticeable increase in traffic due to the low numbers of participants. We have more than adequate onsite parking to facilitate bookings. Participants will not be permitted to enter the site via Barnet Wood Road.
- Concerns over late night usage - We have proposed that the final booking end at 21.30.

Location

The school and playing fields are located to the south of Barnet Wood Road, to the west of Oakley Road and to the north of Croydon Road, close to the junction known as Keston Mark. The site lies wholly within the Green Belt and there is a Site of Interest for Nature Conservation to the east.

Comments from Local Residents

Nearby owners/occupiers were notified of the application by letter, a site notice displayed and an advertisement published in the local press. Representations received can be summarised as follows:

- increased noise and disturbance
- increased traffic (including use of Barnet Wood Road)
- unacceptable impact on Green Belt
- conditions on original permission restrict addition of floodlighting and use of pitch
- school will benefit from proposal at expense of amenities of neighbours

Supporting comments were received from the Kent Schools' Rugby Football Union, and Petts Wood Football Club.

Comments from Consultees

Highways raised no objections to the application.

Environmental Health (pollution) have advised that a 9.30pm curfew Mon-Fri is acceptable on balance as no activity on Sundays is more important. It is further advised that a Management Plan is a useful tool particularly in ensuring that a credible complaints procedure is established which should include the right to exclude groups who give rise to a large number of complaints.

Planning Considerations

The application should be considered against the following policies:

Unitary Development Plan

- BE1 Design of New Development
- G1 The Green Belt
- C8 Dual Community Use of Educational Facilities
- NE2 Development and Nature Conservation Sites

London Plan

- 3.19 Sports Facilities
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.16 Green Belt

The National Planning Policy Framework (NPPF) is of relevance; Section 9 'Protecting Green Belt land' in particular. The NPPF advises Local Authorities to plan positively to enhance the beneficial use of the Green Belt, including the provision of opportunities for outdoor sport and recreation (para. 81).

Planning History

There is extensive planning history at the site. Of recent relevance is the grant of planning permission under ref. 10/00987 for an all-weather sports pitch, with 3m

high fencing. An application for a minor-material amendment to this permission was approved under ref. 11/02890 to allow an increase in the height of the perimeter fencing to 5m.

Members may wish to take note that planning permission was recently granted at appeal (Feb 2013) for a new all-weather pitch (for dual community and school use) with floodlighting at Bishop Justus School (located around 1.5km to the north-east of the site and within the Green Belt) following the refusal of planning permission by the Council under ref. 12/00642.

Conclusions

The main issues for consideration in this case will be the acceptability of the removal of Condition 5, with particular regard to the reason for it being imposed on the original grant of permission under ref. 10/00987, as follows:

"In order to comply with Policy BE1 of the Unitary Development Plan and to ensure that the use does not generate additional activity that could adversely affect the amenities of the residents of nearby residential properties or the parking provision on the site."

Members will also need to bear in mind that a separate application has been submitted to provide floodlighting to the pitch, which will, in conjunction with the removal of Condition 5, be likely to result in a more intensive use of the existing facility at the School. The specific impacts of that proposal are assessed within a separate report, also to be found on this agenda.

In broad terms, the proposed community use of the pitch, to be facilitated by the removal of Condition 5, would comply with the aims of Policy C8, which seeks to permit proposals which would bring about the beneficial and efficient use of educational land and buildings for the community, provided that the privacy and amenities of any adjoining properties are adequately safeguarded, and the proposal does not have an unsatisfactory impact on on-street parking and highway safety.

Concerning residential amenity, as noted above the proposed removal of Condition 5, together with the floodlighting proposed (pending consideration under ref. 13/00839) will be likely to result in a more intensive use of the pitch, which would potentially give rise to an increase in general noise and disturbance. To ensure that this is controlled and does not result in a loss of amenity to local residents, it is recommended that further conditions be imposed to restrict the hours of operation, and to require the submission and approval of a management plan for the use of the pitch. In respect of hours of operation, the School have proposed that the pitch be used up until 9.30pm on weekday evenings and 6pm on Saturdays. No use is proposed on Sundays. Whilst the Environmental Health Officer has indicated that a 9pm finish would be preferable Monday-Friday, the offer of no use at all on Sundays is considered to outweigh the additional 30 minutes on weekday evenings, by guaranteeing at least 1 day a week being free from activity. Members will note that at present, the use of the pitch is not restricted on Sundays (provided it is used by the school). In respect of the use of the pitch, the School has

indicated that the pitch will primarily be used by partner organisations and teams (and not the general public). The requirement to submit a management plan, to detail partner organisations and teams that will use the pitch, and detail a complaints procedure (to include a mechanism for the exclusion of groups who give rise to a significant number of complaints), will allow the Council the opportunity to approve the details of users and ensure that a satisfactory complaints procedure is in place, which includes a means to exclude teams or groups that cause particular problems.

With regard to traffic, parking and highway safety, the school has ample parking within the site to cater for any additional demand created by the proposal removal of Condition 5, and Members will note that no technical Highways objections have been raised. Whilst concerns have been raised locally regarding the use of Barnet Wood Road, the School's car parking is reached via the main access from Oakley Road, and it is not anticipated that vehicles would be any more likely to travel to the site via and/or park in Barnet Wood Road, which is a narrow country lane, as a result of this proposal.

Having regard to the above Members may agree that the proposed removal of Condition 5 is acceptable, subject to further conditions to control the use of the pitch and its hours of operation.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/00836, 13/00839 and 12/00642, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 2 The all-weather pitch shall not be used on any Sunday or Bank Holiday, and shall not be used before 08:00hrs and after 21:30hrs Monday to Friday and shall not be used before 08:00hrs and after 18:00hrs on Saturdays, without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring residential properties, and to comply with Policy BE1 of the Unitary Development Plan.

- 3 Details of a scheme for the management of the all-weather pitch, to include details of partner organisations and teams that will use the pitch, and details of a complaints procedure to include a mechanism for the exclusion of groups as necessary and a mechanism for review, shall be submitted to the Local planning Authority for approval within 3 months of the date of this decision. The all-weather pitch shall thereafter be operated in accordance with the approved management scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring residential properties and to comply with Policies BE1 and C8 of the Unitary Development Plan.

Reasons for granting permission:

In granting permission the Local Planning Authority had regard to the following policies:

Unitary Development Plan

- BE1 Design of New Development
- G1 The Green Belt
- C8 Dual Community Use of Educational Facilities
- NE2 Development and Nature Conservation Sites

London Plan

- 3.19 Sports Facilities
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.16 Green Belt

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

- (a) the impact on conditions of highway safety and parking provision
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties
- (c) the community policies of the development plan
- (d) the design policies of the development plan
- (e) the transport policies of the development plan

and having regard to all other matters raised.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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