

**Application No : 14/04290/FULL1**

**Ward:  
Kelsey And Eden Park**

**Address : Harris Academy Beckenham Manor Way  
Beckenham BR3 3SJ**

**OS Grid Ref: E: 537430 N: 168596**

**Applicant : Harris Federation**

**Objections : YES**

**Description of Development:**

Erection of 2 temporary buildings to provide primary school accommodation for 60 pupils plus staff until September 2016, together with associated hardstanding and landscaping works and 7 additional car parking spaces

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Urban Open Space

**Proposal**

**Description of Development**

Erection of 2 temporary buildings to provide primary school accommodation for 60 pupils plus staff until September 2016, together with associated hardstanding and landscaping works and 7 additional car parking spaces (total 82 parking spaces).

Key Designations

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Urban Open Space  
Adjacent to Manor Way Conservation Area

Planning permission is sought for the erection of 2 single storey temporary buildings to provide primary school accommodation for 60 pupils plus staff until September 2016, together with associated hardstanding and landscaping works and 7 additional car parking spaces (total 82 parking spaces).

The buildings would be located in the south-east corner of the site where the boundary of the school adjoins the rear of Nos.88 and 90 Manor Way, although the buildings would be set back 28m from the eastern boundary of the site. At present this area is used partly for staff car parking and partly landscaping. The proposal comprises:

- 1 modular teaching building that would measure 9.1m deep by 18.3m wide by 3.5m high. The closest part of the building (the timber deck) would be set back 28m from the boundary fence with Nos. 88 and 90 Manor Way and over 65m from the rear elevations of Nos. 88 and 90 Manor Way.
- 1 modular administration/staff building that would measure 6.1m deep by 9.7m wide by 3.5m high.
- The two modular buildings would be linked by way of a raised external deck with steps and ramps
- Erection of 1.8m high boundary fencing around the perimeter of the temporary buildings to facilitate use of existing hardstanding area for playground space
- Re-configuration of the existing car parking area at the front of the main school building to provide 7 additional car parking spaces for the temporary school but 5 additional spaces for the existing school taking the total parking provision within the school grounds to 82 spaces.
- There will be 11 additional staff (4 teaching staff plus 7 support staff).
- The temporary accommodation school hours will be between 08:55 and 15:15 (staggered with the drop off and pick up times of the existing school)
- The siting of proposed temporary classroom requires the removal of two groups of trees comprising mainly young field maple, oak, ash and mountain ash, located close to the existing vehicular access area immediately south east of the main school building.
- Pre-development tree pruning will also be required to several trees
- Creating additional parking bays (areas 2 and 3 on the proposed plan) is likely to encroach within root protection areas (and should be undertaken in accordance with BS5837 2012)

An application for a new permanent free school has not yet been received and will be considered on its merits in due course.

This application has been submitted following a recent refusal (application reference 14/01636/FULL1) for 3 temporary buildings on site to accommodate 120 pupils for a period of two years. The revised application seeks to address the reasons for refusal by reducing the provision of temporary accommodation to 2 buildings which could accommodate 60 pupils and staff for a period of one year. In doing this the amount of development is reduced as one less modular classroom is required. This results in a greater separation distance between the new buildings and the shared boundary (28m compared to the previous 19m).

The applicant has submitted the following detailed reports to support the application: Planning and Heritage Statement, Transport Statement including a Travel Plan, Arboricultural Implications Report and Ecological Appraisal.

The statements submitted advise that:

- A full planning application will be submitted in due course for the demolition and rebuild of the Harris Academy and the provision of a new primary free school in the school grounds

- This application seeks permission for the provision of a temporary school for a period of 12 months in order to accommodate 60 pupils for the new primary school
- For the academic year 2014/2015 there is a moderate shortfall in the supply of places, rising to severe for subsequent years.
- Following a review of suitable and available sites in the borough this site is considered to be the only viable option for accommodating the additional spaces. Children which had previously been offered places at the temporary school for the academic year 2014/15 have had to relocate to other schools. This has delayed the school opening for another year.
- The loss of Urban Open Space is offset by the community benefit of the school, the temporary nature of the loss of UOS, the small scale nature of the development, the location of the buildings and playspace on mainly existing hardstanding areas, provision of tree protection measures for the 1 year lifespan of the use of the site and the return of the site to open space upon removal of the temporary buildings.
- The Transport Statement includes an assessment of existing conditions in terms of public transport, walking, cycling and parking conditions. The statement anticipates that of the 11 new members of staff 58% will drive to work generating a need for 6 additional car parking spaces. The school presently has in the region of 50 demarcated parking spaces, however there is a need for more than 50 spaces on site. Consequently a total of 82 spaces will be provided, 7 of these spaces will be for use of the temporary school while the remaining 75 will be for use by the secondary school.
- Pupils will be dropped off and picked up outside the entrance along Manor Way and the gated access into the school will be manned by staff during drop-off and pick up times.
- Parking and traffic surveys have concluded that there is sufficient capacity on the existing local network to accommodate anticipated parking demands during both morning and afternoon peak periods.
- A draft School Travel Plan for the primary school has been submitted.
- The impact of the development of the Manor Way Conservation Area has been considered, a review of the character and appearance of the Conservation Area has been undertaken and the buildings have been sensitively positioned on site so as to minimise the impact on the Conservation Area.
- The Heritage Statement concludes that the significance of the heritage asset will be preserved.
- The Ecological Appraisal included a Phase 1 habitat survey and a scoping survey for protected species and other species of conservation concern. A suitably qualified Ecologist visited the site. The appraisal concludes that the site has a low and local biodiversity value and none of the habitats are of particular nature conservation concern. Hedgerows and associated trees should be protected during development to ensure that they remain undisturbed to protect nesting birds.

## **Location**

Harris Beckenham School is located on the west side of Manor Way, the school and its grounds are designated as Urban Open Space. The existing school currently comprises an arrangement of 1-3 storey buildings with associated sports facilities, areas of hard standing and parking. The school site is accessed via a short road leading from Manor Way to the east. This existing access will be utilised by staff and pupils using the temporary buildings although vehicle drop-offs will be made in Manor Way with no pupil/parent vehicles accessing the school grounds, no physical alterations to the existing access route are proposed.

The school site is bounded on all sides by residential properties in Kelsey Road, Kelsey Way, Village Way, Manor Way and Stone Park Avenue. The area is primarily residential in character. Beyond properties in Manor Way opposite the school is Kelsey Park. There are entrances to the Park in Manor Way and Stone Park Avenue. There are no restricted parking measures in place at this point along Manor Way.

### **Comments from Local Residents and Amenity Societies**

Nearby properties were notified and representations have been received from residents both supporting and objecting to the proposal.

At the time of writing 46 letters of objection had been received. The following issues have been raised in respect of objections:

- This application is a repeat of a recently refused application and has the same issues
- There is no material change to the previous application so this should be refused again
- This application precedes a further application next year for 420 pupils, Manor Way is a residential road and a Conservation Area and was not designed for this kind of use
- The school has grown by stealth, it is already cramped and cannot accommodate additional pupils and staff
- Information being communicated to parents suggests that this school will be in place for more than 12 months
- This proposal will effectively be a 'foot in the door' for an increase in capacity at the school
- This will create further parking problems in Manor Way and Kelsey Road
- The Transport Statement submitted with the application is fundamentally flawed, the site has a very low PTAL and is not therefore accessible by sustainable transport modes
- The school Travel Plan is incorrect as there is only 1 bus stop nearby
- There is potential for Bats roosting in this area and hedgehogs on this site
- This school is already used by people that don't live locally
- The proposal will have an adverse effect on neighbours
- The site is already congested with permanent and temporary buildings
- Traffic congestion and parking already makes the area unsafe at school drop off and pick up time
- The statistics presented for 'need' have been overinflated

- Other local schools have capacity for 2 forms of entry
- This school will not be used by local children
- The existing access road is already overused
- The proposal will result in a number of trees being felled which is contrary to policy
- The proposal will harm the conservation area and is therefore contrary to policy
- The proposal amounts to overdevelopment of the site
- Residents already suffer noise and disturbance and this will be made worse
- There are conflicting statements within the applicants documentation regarding the removal of trees
- There is conflicting information within the site plans submitted. The site plan should show the school access road outlined in red not blue.
- The application should be treated as 'within a conservation area'
- Insufficient neighbour consultation has been undertaken
- All points raised by KEPA are supported

#### Kelsey Estate Residents Association (KEPA)

KEPA submitted a comprehensive letter of objection to the application. The grounds of objection are summarised below (full comments can be viewed on the application file):

- The application contravenes UDP Policies BE1, BE13, C1, C7, T3, T18 and NE7 as well as policies in the London Plan and NPPF
- The present application is a repeat of the previously refused application with only a slight modification, the applicant provides no substantive new material and no evidence to suggest that the planning committee's decision in July 2014 was incorrect.
- There are no government policy changes or legal precedents, which would require a reconsideration of the July 2014 decision.
- In the absence of such new material or evidence the present application ought to be rejected.
- Further, the applicant is appealing the July 2014 rejection of its application to the planning Inspectorate. The planning authority will necessarily be resisting such appeal and supporting the rejection of the application by the planning committee.
- It would be completely inconsistent and absurd for the present planning committee to allow the present application when it rejected effectively the same application in July 2014 and at the same time as it is resisting an appeal to the planning Inspectorate against such decision. Although not technically so, the rejection of the earlier application effectively works an estoppel against the present.
- The residents within the conservation area have a legitimate expectation that the planning authority will stand by the view expressed in July 2014 and will not change its view save in the event of significant new material or substantial governmental policy changes.
- If the planning committee were to allow the present application it would be acting inconsistently and the decision would inevitably be "Wednesbury

"unreasonable" and would be set aside by the High Court on an application for judicial review.

- It would be reasonable for the planning committee to postpone consideration of the present application or to non-determine the application until the appeal had been heard and determined, the result of which would inevitably guide the decision to be made on the present application.
- The proposal would add considerable pressure in terms of parking and congestion in Manor Way which would harm the Conservation Area
- The present application is a pretext for a wider purpose.
- The unsightly buildings would harm the conservation area. Furthermore the proposal does not meet the test of preserving or enhancing the conservation area
- The proposal would cause noise and disturbance for residents
- The case has not been properly made in terms of demonstrating that there is a need for temporary primary school places in this location
- There are other schools within the borough which could meet the need for primary school places
- There is an implicit assumption that Harris will move to a new permanent school on the site and that the presence of the temporary building will pave the way for that to happen.
- The traffic reports submitted in support of the application do not present a true picture of the situation
- Photographic evidence of existing parking congestion has been provided
- The proposal will require the permanent removal of trees
- The applicant has not conducted any public consultation for this application
- No regard has been given to the Kelsey Way entrance to the site which could be utilised
- This application should be considered as a permanent proposal to increase the provision of pupils at the site
- Insufficient evidence has been submitted to demonstrate that this proposal is necessary
- The proposal could affect Bats and therefore it is a requirement to consult English Heritage before planning permission is granted

#### The Beckenham Society

The Beckenham Society submitted a letter of objection to the application. The grounds of objection are summarised below (full comments can be viewed on the application file)

- If temporary permission is granted it will subsequently be argued that the principle of a primary school has been established. This will therefore be a consideration if an application is submitted for a new school for 420 pupils.
- Dual use of a site for children of such differing ages is not appropriate
- The existing access is dangerous and wholly inappropriate
- This will increase parking problems in Manor Way
- Primary school children will have to walk through the staff parking area to get to the school
- There are already severe parking issues in this area

- There is no unmet demand for primary school places within this area
- This school will not serve people that live in walking distance to the site

At the time of writing 75 letters of support had been received. The following issues have been raised in respect of support:

- There is no technical reason to refuse this application
- This application should be determined before Christmas as the deadline for school applications is early January
- There is an enormous pressure on school places in Beckenham and Penge (and the wider area)
- Other schools are full to capacity
- The expansion of this school will mean local children can attend school close to where they live instead of travelling across the borough
- This school would relieve traffic congestion elsewhere in the borough
- New schools should be located in locations such as this, outside of the Green Belt
- This application addresses the previous reasons for refusal
- There would be no harm to the Conservation Area
- The proposal would not have a detrimental impact on neighbours amenities
- The proposal complies with planning policies
- There are no demonstrable negative impacts that outweigh the need for additional educational provision
- This is a sustainable form of development
- This is a big site that can accommodate the additional buildings
- It is appropriate to extend existing school facilities
- This application should be approved in the interest of the greater good

A petition signed by 83 people in support of the application was also submitted.

Additional comments received will be reported verbally to the committee.

### **Comments from Consultees**

Thames Water: No objection

Highways: No objection. The capacity analysis of the Manor Way/ Stone Park Avenue priority junction has shown that the junction will continue to operate with spare capacity when the temporary school is operational.

The operation of the temporary primary school would not have an adverse impact on the operation of Manor Way or highway safety. The parking beat surveys have shown that there is capacity on the existing local network to accommodate the anticipated parking demands during the morning and afternoon peak hours associated with the temporary school site and increase in pupils at the Harris Academy.

If minded to approve please attach recommended conditions.

Environmental Health: No objection

## Planning Considerations

### Planning Considerations

The application falls to be determined in accordance with the following Unitary Development Plan (UDP) policies:

- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic Management
- T18 Road Safety
- BE1 Design of New Development
- BE11 Conservation Areas
- BE13 Development Adjacent to a Conservation Area
- G8 Urban Open Space
- C1 Community Facilities
- C7 Educational and Pre School Facilities
- NE7 Development and Trees

Bromley's Draft Local Plan: Policies and Designations Document has been subject to public consultation and is a material consideration (albeit it of limited weight at this stage). Of particular relevance to this application are policies:

- 6.5 Education
- 6.6 Education Facilities
- 7.1 Parking
- 7.2 Relieving congestion
- 7.3 Access to services for all
- 8.20 Urban Open Space
- 8.36 Conservation Areas
- 8.37 Development adjacent to a Conservation Area

In strategic terms the most relevant London Plan policies are:

- 3.18 Education Facilities
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking

Draft Alterations to the London Plan have been published and consultation undertaken. An Examination in Public is scheduled to commence in September 2014.

The National Planning Policy Framework 2012 (NPPF) is relevant, particularly paragraphs 72 (education) and 211 - 216 (status of adopted and emerging policies).

## **Planning History**

The site has been the subject of numerous previous applications, the most relevant of which is 14/01636/FULL1 for "erection of 3 temporary buildings to provide primary school accommodation for 2 forms in 2014/15 and 2 forms in 2015/16 plus staff support, together with associated hardstanding and landscaping works and 2 car parking spaces".

This application was refused by Planning Sub-Committee on 17th July 2014 for the following reason:

"The proposed development would represent a cramped, over-intensive use of the site, giving rise to a detrimental impact on the character of the area, including the Manor Way Conservation Area, and on the amenities of nearby residential properties by way of increased traffic generation and parking pressure, not outweighed by local educational need, and thereby contrary to Policy BE1, BE13, C1, C7, T3 and T18 of the Unitary Development Plan".

The application is subject to an appeal. A date for determination of the appeal is not known at this stage.

## **Conclusions**

The main issues to be considered are:

- The need for temporary facilities
- Impact on designated Urban Open Space and trees
- Design and impact on the Conservation Area
- Highways impact
- Impact on neighbouring amenity
- Impact on ecology

### The need for the temporary classroom accommodation in this location

UDP Policy C7, London Plan Policy 3.18 and paragraph 72 of the National Planning Policy Framework set out requirements for the provision of new schools and school places.

The NPPF, para 72 states that:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen the choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted

London Plan Policy 3.18 encourages new and expanding school facilities particularly those which address the current predicted shortage of primary school places.

Draft Policy 6.5 of the emerging Local Plan defines existing school sites as 'Education Land.' Policies 6.5 and 6.6 of the Draft Local Plan support the delivery of education facilities unless there are demonstrably negative impacts which substantially outweigh the need additional education provision, which cannot be addressed through planning conditions or obligations. In the first instance opportunities should be taken to maximise the use of existing Education Land. Paragraph 216 of the NPPF enables due weight to be given to emerging policies depending on their degree of consistency with the policies in the Framework. In this instance it is considered that there is significant compliance with existing policies and so greater weight can be given to the emerging policies.

UDP Policy C7 supports applications for new or extensions to existing schools provided they are located so as to maximise access by means other than the car.

In addition to the importance placed on the need to meet the provision of school places by planning policies, it is necessary to consider the assessment of local provision of school places.

At the Education Policy and Scrutiny Committee held on September 17th 2013, numerous reports were submitted setting out details of the future provision of primary education in the borough. The need for additional primary school places in the borough in 2014-15, and in future years, has been identified in this suite of reports.

The details of the expansion of existing schools and/or the provision of new schools has also been identified. The report advises that the Secretary of State for Education has identified Harris Beckenham as providers for the provision of a new permanent primary free school, although that process did not specifically identify a site. Members should note that the process that was undertaken to reach this decision is not a planning matter.

The current application seeks planning permission for temporary accommodation for 60 pupils. This application seeks to meet immediate existing demand for school places over the next year and should be considered on its merits as such. At this time, planning permission is not being sought for a permanent primary Free School for 420 pupils. This application will be submitted in due course and will be considered on its merits.

It is considered that the need for temporary accommodation has been demonstrated. Providing additional temporary facilities on this existing school site is considered to be appropriate as the proposal will not have a significant adverse impact on open space, trees, neighbouring amenity or highways. Furthermore the proposal would preserve the character and appearance of the adjacent conservation area.

The cessation of the use and removal of the buildings and reinstatement of the site can be secured by the condition recommended below.

Third party concerns have been raised with respect to determining this application whilst there is a planning appeal outstanding. However, the current proposal is significantly different to the previous submission both in terms of pupil numbers and amount of built development. Determination of this application would not prejudice the outcome of the appeal. Furthermore it is considered that the applicant has overcome the previous reasons for refusal.

#### Impact on the designated Urban Open Space (UOS) and trees

Policy G8 of the UDP permits built development on Urban Open Space where it is related to the existing use, is small scale and supports the outdoor recreational uses or children's play facilities on site and any replacement buildings do not exceed the site coverage of existing development on the site. This approach is further emphasised in Draft Policy 8.20 which in relation to schools further states "where there is a demonstrable need for additional educational buildings sensitive siting will be sought to ensure that the impact on the open nature of the site is limited as far as possible without compromising the educational requirements".

The proposal is related to the existing use in that it expands the existing educational use of the site. The proposed buildings would be located on a grass verge and car parking area, close to the existing school buildings and away from the main area of the UOS. The single storey buildings are considered to be small scale in nature and the adverse impact on the UOS would be limited.

The additional car parking spaces will be located within an existing parking area albeit with some minor encroachment onto an area of soft landscape. However, this would not adversely affect the open character of the site.

The existing and emerging policies relating to UOS support the provision of new education facilities on UOS unless there are demonstrable negative local impacts. In this instance it is considered that the proposed development meets the requirements of the UOS policy.

Policy NE7 requires proposals for new development to take particular account of existing trees on the site and on adjoining land. The siting of the proposed temporary classroom requires the removal of two groups of trees comprising mainly young field maple, oak, ash and mountain ash, located close to the existing vehicular access area immediately south east of the main school building. The trees are not subject to a Preservation order and are not within a Conservation Area. Their removal could be very easily mitigated by way of replacement planting when the temporary buildings are removed and the land reinstated. The Councils Tree Officer considers that the removal of these trees is acceptable and raises no objection to the proposal.

Pre-development tree pruning to several trees will be necessary, the details of which have been set out in the applicants Arboricultural Assessment. The proposed pruning is considered to be acceptable.

Providing the additional parking bays (areas 2 and 3 on the proposed plan) is likely to encroach within root protection areas and would only be acceptable if undertaken in accordance with BS5837 2012. This can be controlled by way of the recommended condition.

Overall, subject to conditions to control root protection it is not considered that the proposal would have an unacceptable impact on trees.

### Ecology

It is recognised that pruning the mature trees on site could have an impact upon ecology. This application was accompanied by an ecological appraisal consisting of two components: a Phase 1 Habitat survey and a scoping survey for protected species and other species of conservation concern which could present a constraint to development. A suitably experienced ecologist visited the site to carry out the surveys on 1st November 2013.

The survey identifies that broad habitat types on the site included ornamental planting, a vegetable plot and buildings, a hedgerow and trees and hard standing. The hedgerow and associated mature trees will support a number of breeding bird species, including common species and species of conservation concern. There is potential for hedgehogs to be present at the site and bats roosting in the mature trees/hedgerows.

The ecological appraisal states that the hedgerow and trees are likely to support breeding birds. Any vegetation clearance required for construction should ideally be carried out during September to February inclusive to avoid potential impacts on breeding birds. If construction takes place during the bird breeding season (March - August), an ecologist should check the site prior to works commencing for breeding ground nesting birds. Any nests found should be left undisturbed until the chicks have fledged. The report further states that if any mature trees are to be felled, they would need to be assessed for their potential to support bat roosts based on the presence of cracks, splits and cavities in the tree. The hedgerow and trees occurring along the site boundary are suitable for bat foraging and commuting.

Measures should also be undertaken to avoid any risk to Hedgehogs, a Section 41 species (NERC Act), on the site. Habitat suitable for Hedgehog should be searched or cleared manually before machinery is allowed into such areas.

Planning Authorities are required to assess the impact of a development proposal upon ecology, biodiversity and protected species. The presence of protected species is a material planning consideration. English Nature has issued Standing Advice to local planning authorities to assist with the determination of planning applications in this respect as they have scaled back their ability to comment on individual applications. English Nature also act as the Licensing Authority in the event that following the issue of planning permission a license is required to undertake works which will affect protected species.

In this instance it is considered that appropriate surveys have been taken to enable the local planning authority to determine the application. The assessment

undertaken by the applicant sets out the measures that would be required to protect any species that may be present on site.

It is recognised that there is a possibility for pruning works to affect birds and bats but this could be adequately addressed by a further investigative survey being undertaken before any works to trees is commenced and by works being undertaken during specific times of the year. Consequently for a development of this nature and scale it is considered appropriate to determine the application on the basis of the information provided and to attach a condition to control the matter in detail.

### Design and impact on the Conservation Area

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. UDP Policy BE1 sets out a list of criteria which proposals will be expected to meet, the criteria is clearly aligned with the principles of the NPPF as set out above.

The proposed modular buildings are of simple but functional design which is appropriate for a temporary facility. The visual impact of the buildings will be minimised by the single storey nature and the fact that they would be sited in close proximity to the existing school buildings.

The school site lies adjacent to the Manor Way Conservation Area (and part of the access route falls within the boundary of the Conservation Area). No operational development is proposed within the Conservation Area (CA) boundary however the proposal must be considered against Policy BE13 of the UDP in terms of impact on the setting; and views into and out of the CA. This policy requires development

proposals to preserve or enhance the setting and not detract from views into or out of the CA. This test is further reinforced in draft policy 8.37.

In this case, the proposal is single storey, is set back some distance from the boundary with the CA and will be largely screened by the existing landscaped buffer along the eastern boundary of the site. Whilst the site may be visible from some rear gardens of Manor Way it is considered that this would not cause harm or detract from important views into and out of the CA.

As stated above the school driveway and Manor Way lie within the Manor Way CA boundary. Policy BE11 expects development to respect and complement the layout, form and materials of existing buildings, respect and incorporate existing landscape and other features that contribute to the character and appearance of the CA and ensure that the level of traffic, parking and servicing or noise generated by the proposal will not detract from the character of the area.

Concerns have been raised by residents that the intensification of the use of the access driveway and the additional vehicle movements in Manor Way for pick up and drop off would result in congestion, noise and pollution and degrade the CA.

In this respect it is accepted that there could be additional traffic generated by drop off and pick up in Manor Way. However, in terms of the impact on the CA, it would be generally considered wholly exceptional that an increase in traffic would have such an impact as to cause significant harm to the character and appearance of the CA, such matters should normally be dealt with under more general planning policies and advice from the Council's Highways Officer. In this instance it is considered that the school is a well-established part of the area and any increase in traffic should be dealt with through a transport plan and any other mitigation measures. It is considered that the volume of increased traffic for this temporary accommodation would not detract from the character and appearance of the CA.

The proposal is considered to preserve the character and appearance of the CA.

#### Impact on highways and parking

The applicant has submitted a Transport Statement (TS) which sets out details of the highway, traffic and parking implications of the scheme.

In terms of trip generation, in order to establish the likely modes of travel the 60 pupils would use to travel to the school site during the school peak hours, use has been made of school mode share surveys undertaken at a number of primary schools in LBB. The surveys suggest that of the 60 pupils that would arrive and depart during the school peak hours, the majority (51%) of pupils would be expected to walk to the school site. After this approximately 43% of pupils would be expected to travel by car to school. Only three pupils combined would be expected to either cycle/scooter or use public transport to travel. The modal split of the 11 members of staff travelling to the temporary primary school site has been calculated using data from travel surveys undertaken at the Harris Academy. It is anticipated that of the 11 members of staff, 58% of them are likely to drive to the school site. This equates to a demand for six car parking spaces.

There are currently 50 demarcated spaces within the school grounds but surveys have shown that there is a demand for more than 50 spaces. Consequently a total of 82 spaces will be provided within the site as shown on the proposed site plan and 7 of these spaces will be designated specifically for the staff working within the temporary school buildings.

In terms of servicing arrangements it is anticipated that the temporary school buildings will share the existing Harris Academy facilities for refuse collection and all their servicing needs; therefore there would be no change to the existing servicing arrangements during the temporary period. This level of parking therefore not only meets the requirements of the temporary primary school but also provides for the current shortfall in parking of the secondary school. Other members of staff such as cleaners would work opposing hours to teaching staff and therefore their demands for parking are unlikely to significantly overlap.

The TS includes an assessment of traffic impact on Manor Way and nearby junctions. The TS has been duly considered by the Council's Highways Engineer who is of the opinion that the operation of the temporary primary school would not have an adverse impact on the operation of Manor Way or highway safety. The parking beat surveys have shown that there is capacity on the existing local network to accommodate the anticipated parking demands during the morning and afternoon peak hours associated with the temporary school site and increase in pupils at the Harris Academy.

On this basis it is considered that there will not be a significant adverse impact from the provision of the temporary primary school accommodation on the free flow of traffic along Manor Way or on the current level of parking spaces available for residents and other visitors to Manor Way.

#### Impact on neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed buildings and playground will be located at the rear of Nos. 88 and 90 Manor Way. The buildings will be located 28m from the shared boundary, the existing houses directly to the rear of the site have a separation to the boundary of approximately 38m. Therefore the total separation between the proposed buildings and the rear of these properties in Manor Way would be in excess of 65m. There are also several trees which help screen the boundary, although this is more so in the summer than the winter. Given the single storey nature of the buildings this level of separation is sufficient to prevent any adverse impact in terms of overshadowing, loss of light, overbearing impact, overlooking or loss of privacy. Furthermore there would be no significant impact in terms of light pollution.

In terms of noise and disturbance during operation, the proposed use forms part of an existing school where pupils already have access to this part of the site. It is considered that the impact of 60 additional pupils using the site will not cause undue harm.

It is recognised that during implementation of the planning permission there could be an increase in noise and disturbance from construction related activity including vehicular traffic. Operational traffic has been discussed above and the impact has been deemed to be acceptable. Construction related noise and activity cannot be avoided when implementing a development of this nature and scale. This is a relatively short term impact that can be managed as much as practically possible through measures such as a Construction Management Plan (CMP) and control of construction hours. Given the modular construction of the proposed buildings any disturbance would be short term and it is not considered appropriate or reasonable to raise an objection to the proposal on the grounds of harm to neighbouring amenity from construction related activity.

Taking all of the above into account it is considered that whilst there will be additional activity relating to the use this will not have a significantly harmful impact on the amenities of nearby residents and the proposal is considered to be acceptable in this respect.

### Summary

Taking account of the demonstrated need for primary pupil places in the borough for September 2015, the compliance with policy in relation to the designated Urban Open Space, the provision that has been made to accommodate existing and proposed staff parking, the assessment of the impact of additional cars related to the temporary use during the pupil drop off and pick up times, the limited impact of the use on the amenities of local residents and the character and appearance of the Manor Way Conservation Area, it is considered that the proposal is acceptable subject to recommended conditions.

Background papers referred to during the production of this report comprise all correspondence on file ref 14/01636, excluding exempt information.

### **RECOMMENDATION: APPROVAL**

subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACA07      Boundary enclosure - no detail submitted  
          ACA07R      Reason A07
- 3      No development shall commence until an arboricultural method statement for the protection of trees shown retained both on and immediately adjoining the site and as described by British Standard BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall also include means of any special methods of construction for excavation, foundations and new hardsurfaces.

Once approved the works shall be implemented as specified in the method statement prior to the commencement of work on site, and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development

- |    |   |  |
|----|---|--|
|    | ACB02R  | Reason B02                               |
| 4  | ACC07   | Materials as set out in application      |
|    | ACC07R  | Reason C07                               |
| 5  | ACD02   | Surface water drainage - no det. submitt |
|    | AED02R  | Reason D02                               |
| 6  | ACH03   | Satisfactory parking - full application  |
|    | ACH03R  | Reason H03                               |
| 7  | ACH04   | Size of parking bays/garages             |
|    | ACH04R  | Reason H04                               |
| 8  | ACH16   | Hardstanding for wash-down facilities    |
|    | ACH16R  | Reason H16                               |
| 9  | ACH22   | Bicycle Parking                          |
|    | ACH22R  | Reason H22                               |
| 10 | ACH28   | Car park management                      |
|    | ACH28R  | Reason H28                               |
| 11 | ACH29   | Construction Management Plan             |
|    | ACH29R  | Reason H29                               |
| 12 | The Travel Plan hereby approved shall be implemented in full accordance with the agreed timescales and details contained therein from September 2015. |  |
|    | ACH30R  | Reason H30                               |
| 13 | ACK01   | Compliance with submitted plan           |

**Reason:** To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority in accordance with Policy BE1 of the UDP.

- 14 The temporary buildings hereby permitted shall be removed from the site and the permitted use shall cease on or before 1st August 2016 and the site shall be reinstated in accordance with details to be submitted to and approved by the Local Planning Authority within 3 months of the removal of the buildings.

**Reason:** The type of building is not such as the local planning authority is prepared to approve, other than for a limited period, in view of its appearance in the interest of the visual amenity of the area. Furthermore in granting this permission the local planning authority has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in accordance with Policy BE1 of the UDP.

- 15 (i) No works to trees by way of felling or pruning shall take place until a survey has been carried out to ascertain the extent to which there is potential for roosting bats or nesting birds within the trees and hedgerows on site. If any potential is identified, details shall be submitted to and approved in writing by the local planning authority of the timing of the works and any necessary mitigation measures.  
(ii) The works shall be carried out in full accordance with the approved timing and mitigation measures.

(iii) If any potential for roosting bats or nesting birds is identified works to trees and hedgerows shall only be undertaken between the months of November to February inclusive thus avoiding the potential to harm protected species.

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

#### INFORMATIVE(S)

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

**Application:14/04290/FULL1**

**Address:** Harris Academy Beckenham Manor Way Beckenham BR3 3SJ

**Proposal:** Erection of 2 temporary buildings to provide primary school accommodation for 60 pupils plus staff until September 2016, together with associated hardstanding and landscaping works and 7 additional car parking spaces

