

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 17/05587/RECON

Ward:
Kelsey And Eden Park

Address : South Suburban Co Op Society
Balmoral Avenue Beckenham BR3 3RD

OS Grid Ref: E: 536356 N: 168111

Applicant : Mr James Beeston

Objections : YES

Description of Development:

Variation of condition 2 and 30 pursuant to planning permission ref 16/03145/OUT for the erection of 2 buildings of two to three storeys comprising 13,508 square metres (Gross External Area) of Class D1 floorspace to provide an 8 form entry plus 6th form school (up to 1,680 pupils) and sports hall, 17.200 square metres for playing fields, 2,190 square metres Multi Use Games Area with community use and associated development including car parking spaces, cycle parking spaces, floodlighting, new pedestrian and vehicular accesses, servicing and storage to carry out felling, pollarding and pruning of additional tree along the western boundary.

Key designations:

Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 15
Urban Open Space

Proposal

On June 14th 2017, outline planning permission was granted (under reference 16/03145/OUT) for the erection of 2 buildings of two to three storeys comprising 13,508 square metres (Gross External Area) of Class D1 floorspace to provide an 8 form entry plus 6th form school (up to 1,680 pupils) and sports hall, 17.200 square metres for playing fields, 2,190 square metres Multi Use Games Area with community use and associated development including car parking spaces, cycle parking spaces, floodlighting, new pedestrian and vehicular accesses, servicing and storage. The application approved the details for access, layout and scale.

The current application is made under Section 73 of the Town and Country Planning Act and seeks to vary conditions 2 and 30 for the scheme approved on June 14th 2017 under reference 16/03145/OUT to carry out felling, pollarding and pruning of additional trees along the western boundary.

The applicant has provided the following statement in support of the proposal:

“As part of this submission, we are seeking a Section 73 (Minor Material Amendment) to the consented Arboricultural Impact Assessment and Tree Protection Plan. In detail, Bowmer & Kirkland are seeking to remove four additional non-TPO trees to the southwest boundary of the site, whilst also seeking to prune and pollard a number of other trees in order to fulfil the sports pitch layout that was granted at Outline stage. Indeed, the reason for this application relates to the need to remove the topsoil surrounding the trees in order to lay down the new sports pitches and also include suitable run-off areas to meet stringent Sport England standards.

It is noted from the Hayden’s Report accompanying this application that on removing the existing topsoil and setting up of the sports pitches that four trees, namely T004, T006, T021 and T022, will suffer significant incursion into the root protection zone in so much that the roots of the trees would be compromised and exposed during ground preparation works. Therefore, whilst it is regrettable, it is deemed necessary to fell these trees in order to bring forward the proposals for a new secondary conforming to the layout in the Outline consent.

In addition, four trees will require pruning (T012, T020, T025 and T027), whilst a further four trees will require pollarding (T008, T011, T013, T023) in order to realise the consented layout of the sports pitches. With the latter, it will also be required to monitor these trees after works have been completed to ensure their wellbeing moving forward.

Again, it is unfortunate that these trees cannot be retained. To compensate, our Client is willing to offset their loss by planting new trees in this area to ensure no overall botanical loss for the site and also protect residential amenity by continuing to offer screening to neighbouring dwellings.”

Location and Key Constraints

The application site is located on the south-eastern side of Balmoral Avenue and comprises around 4.6ha of open land which was formerly used by the South Suburban Co-Operative Group as a sports ground with sports pitches. A bowling green was also laid out on the site. The site is adjoined by the Beckenham Rugby Club to the north east and the David Lloyd Leisure Centre to the east, both of which are also designated Urban Open Space. The site is immediately adjoined by residential development to the north-west and west in Balmoral Avenue, Mountbatten Gardens and Upper Elmers End Road. To the south is an elevated railway line with residential properties beyond in Lloyds Way.

Balmoral Avenue is mainly residential in character and the site lies at the western end of the road closest to Upper Elmers End Road. Part of the western edge of the site falls within Flood Zones 2 and 3. The site is designated Urban Open Space (UOS).

There is a woodland or group Tree Preservation Order protecting trees within the southern railway embankment that adjoins the southern boundary of the site.

The site is not within a conservation area or within any designated areas of interest for nature conservation and there are no statutory listed or locally listed buildings in the vicinity of the site.

The site is within an area rated as having a public transport accessibility level (PTAL) of 3 at the front gate (on a scale of 1 to 6 where 6 is the most accessible).

Comments from Local Residents and Groups

Nearby properties were notified and at the time of writing 9 representations had been received from local residents in objection to the application. These comments are summarised as follows:

Objections

- Loss of trees at the rear of properties in Upper Elmers End Road (UEER) will lead to loss of privacy and loss of outlook and increased noise
- Trees are natural barrier to local properties and prevent footpaths etc. entering neighbouring properties
- TPO has been refused despite a TPO for similar trees at the rear of nos. 129-153 UEER.
- Object to the felling of the mature lime trees number 6 (T006) and number 4 (T004) on the western edge of the site - the top left corner of the plans near Upper Elmers End Road – to accommodate the proposed development.
- Trees should not be lost to provide pitches - the size of the pitches should be altered.
- Impact on biodiversity especially birds.
- Loss of trees will increase flooding to rear gardens of properties in UEER and who will compensate residents when this happens. No information about drainage of the pitches in this part of the site.
- Loss of trees would have an adverse impact on air quality.
- Need reassurance that the drainage will be effective in preventing flooding to rear gardens.
- Application for secondary school in this location is misplaced
- Traffic impacts
- Balmoral Avenue already congested
- Traffic congestion on all surrounding roads from this school and others in the area.
- Impact of additional traffic on safety in Upper Elmers End Road (UEER).
- Impact of additional pupils on public transport.
- Lack of mitigation for increased traffic levels; reduce speed limit to 20mph, zebra crossing or traffic lights for crossing UEER, allow dropped kerbs in UEER to free up roadside parking for pupil drop off and pick up.
- Impact of on-street parking.
- Pollution from additional traffic.
- Additional traffic from community use will have an adverse impact on residents.

- Cycling will not be encouraged with heavy levels of vehicle traffic making the roads dangerous for cyclists.
- Wide catchment area will mean few pupils will walk to school.
- Travel Plan could not be viewed online for original application.
- Concern regarding floodlighting and light pollution

Comments from Consultees

Tree Officer: The proposed alterations to the sports pitches will require the loss of trees to allow implementation of the football pitches. The lime trees situated along the western boundary are a cohesive feature and form useful screening to and from the application site. Trees on the neighbouring site are already subject to Tree Preservation Order (TPO) 2053. The protected trees on the neighbouring site were protected in 2005. The subject lime trees within the application site were assessed with regard to the making of a TPO at the beginning of last year. No TPO was merited, primarily on the basis that no substantiated threat level had been calculated. A second request has been received by a neighbour who would be directly affected by the loss of trees on the western perimeter.

Considering the amended proposals, a re-assessment has taken place. A new TPO is still not merited on the basis that the loss of the trees is avoidable. It is understood that a planning condition currently protects the lime trees as part of the recent planning permission. No objections are made with regard to the felling of U category trees (poor quality trees). This would allow a number of the proposed trees to be removed. It should be insisted that these trees are replaced in mitigation and to ensure the line of trees remains a continuation. The removal of trees with a useful retention span is opposed. Efforts should be made to ensure mature trees are retained. Mitigation to address the loss of these trees would need to involve specimen tree planting of the same species (lime), which would be managed as pollards in the long term.

The outline amendment would not be opposed, however, the retention of the above referenced trees is sought and revised plans are requested. This would include details of replacement tree planting and non-invasive installation measures. At this stage it is unclear what level of ground disturbance will occur to enable the preparation of the football pitches. Once this has been received to a satisfactory standard and reviewed, the condition can be discharged.

The proposed pollarding to a height of 7m is not considered unreasonable. Considering the long term usage of the application site and the boundary positioning of the trees, pollarding as a long term management solution is justified. Pollarding mature trees is never advisable, but lime are tolerant of harsh pruning and will respond to such works. Replacement trees should be introduced to pollarding at an earlier stage to prevent unnecessary harm in the trees maturity.

The previous scheme had already incorporated the subject trees and was conditionally permitted. The current scheme is unacceptable based on the above mentioned points. I am therefore unable to recommend consent.

Planning Policy

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

1. The application falls to be determined in accordance with the following Unitary Development Plan policies:

BE1 Design of New Development
G8 Urban Open Space
L6 Playing Fields
C1 Community Facilities
C7 Educational and Pre-School Facilities
C8 Dual Community Use of Educational Facilities
NE3 Nature conservation and Development
NE5 Protected Species
NE7 Development and Trees
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T6 Pedestrians
T7 Cyclists
T17 Servicing of Premises
T18 Road Safety
IMP1 Planning Obligations

Bromley's Submission Draft Local Plan:

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances as set out in the NPPF paragraph 216 which states:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

The Plan was the subject of an Examination in December 2017 and the written response of the Inspector is awaited.

Current draft Policies relevant to this application include:

- Policy 21 Opportunities for Community Facilities
- Policy 27 Education
- Policy 28 Educational Facilities
- Policy 29 Education Site Allocations
- Policy 31 Relieving Congestion
- Policy 32 Road Safety
- Policy 33 Access to services for all
- Policy 34 Highway Infrastructure Provision
- Policy 37 General Design of Development
- Policy 40 Other Non-Designated Heritage Assets
- Policy 42 Development adjacent to Conservation Areas
- Policy 55 Urban Open Space
- Policy 58 Outdoor Sport, Recreation and Play
- Policy 70 Wildlife Features
- Policy 72 Protected Species
- Policy 73 Development and Trees
- Policy 75 Hedgerows and Developments
- Policy 113 Waste Management in New Development
- Policy 115 Reducing flood Risk
- Policy 116 Sustainable Urban Drainage Systems
- Policy 118 Contaminated Land
- Policy 119 Noise Pollution
- Policy 120 Air Quality
- Policy 121 Ventilation and Odour Control
- Policy 122 Light Pollution
- Policy 123 Sustainable design and construction
- Policy 124 Carbon reduction, decentralised energy networks and renewable energy
- Policy 125 Delivery and implementation of the Local Plan

Full details of the Council's Local Development Scheme is available on the website.

In strategic terms the most relevant London Plan 2015 policies include:

- 2.6 Outer London: vision and strategy
- 3.16 Protection and enhancement of social infrastructure
- 3.18 Education Facilities
- 5.0 Overheating and cooling
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.6 Decentralised energy in development proposals
- 5.8 Innovative energy technologies
- 5.10 Urban Greening

5.11 Green Roofs and Development Site Environs
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.3 Assessing effects of development on transport capacity
6.9 Cycling
6.13 Parking
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
7.13 Safety, security and resilience to emergency
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
7.18 Protecting Open Space and Addressing Deficiency
7.21 Trees and woodlands
8.1 Implementation
8.2 Planning obligations

National Policy

The National Planning Policy Framework 2012 (NPPF) and the National Planning Practice Guidance (NPPG) are also relevant.

Planning History

The following applications are of most recent relevance to this application:

16/03145/OUT: Erection of 2 buildings of two to three storeys comprising 13,508 square metres (Gross External Area) of Class D1 floorspace to provide an 8 form entry plus 6th form school (up to 1,680 pupils) and sports hall, 17,200 square metres for playing fields, 2,190 square metres Multi Use Games Area with community use and associated development including car parking spaces, cycle parking spaces, floodlighting, new pedestrian and vehicular accesses, servicing and storage. Approved on 14.6.2017

16/03145/CONDIT: Details submitted in relation to planning permission ref. 16/03145/OUT Condition 10 - Archaeological Evaluation (Part A only). Approved 14.12.17.

The following current applications are also of relevance:

17/03857/DET: Details of appearance and landscaping pursuant to the above. Pending consideration.

16/03145/AMD: AMENDMENT: Proposed amendment to flood risk and drainage strategies. Pending consideration.

16/03145/CONDT1: Details submitted in relation to planning permission ref. 16/03145/OUT. Pending consideration.

- Condition 3 - Layout of the Access Roads, Pedestrian Access and Turning Area
- Condition 6 - Surface Water Drainage Scheme
- Condition 7 - Secured by Design
- Condition 8 - External Materials
- Condition 9 - Fencing/Barriers on the Southern Boundary
- Condition 11 - Air Quality Assessment
- Condition 12 - Demolition and Construction Noise and Dust Management Plan
- Condition 13 - Construction Management Plan
- Condition 14 - Site Wide Energy Assessment
- Condition 15 - Slab Levels
- Condition 16 - Contaminated Land Assessment
- Condition 17 - Assessment of Playing Field Ground Conditions
- Condition 20 - Flood Risk Assessment
- Condition 21 - Measures to Implement Extended Habitat Report and Bat Survey Report
- Condition 25 - Electric Vehicle Charging Points
- Condition 30 - Tree Survey and Tree Protection Plan

Conclusions

The Tree Report for the original application shows that there are 92 trees on the site and 4 hedgerows. Of these 92 trees, 22 trees and 3 hedgerows are shown for removal. All of the trees were identified as category C or U trees and designated for removal for reasons of safety, irrespective of future development. Condition 30 requires the development to be carried out in accordance with the approved Tree Report by Treecraft.

Under the reserved matters submission made pursuant to the outline permission which is currently pending consideration, the applicant submitted a new, updated Arboricultural Impact Assessment by Haydens to take account of changes resulting from a design review of the original Outline scheme. The principle change to the scheme proposes the repositioning of the Under 13/14 pitch to a position closer to the western boundary. The pitch is located to the rear of Nos 155 - 175 Upper Elmers End Road. In addition the Under 11/12 pitch would be relocated closer to the western boundary. This pitch is located to the rear of Nos 183-197 Upper Elmers End Road.

Taking the Under 13/14 pitch first, the trees that would be affected by the repositioned pitch are identified as Nos 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

The original approved Tree Report, the original Haydens report submitted under 17/03857/DET and the Haydens Rev B report submitted with application 17/05587/MATAMD show the following trees to be removed due to their poor condition: Nos. 5, 7, 9 and 10.

The original Haydens report went on to recommend the felling or pollarding of trees Nos. 4, 6, 8, 11 and 13 to accommodate the revised position of the football pitch and the submitted plan shows the removal of these trees. The plans show the retention of tree 12 and raising the crown by 3m and linear root pruning.

Following objections from the residents of properties, and to accompany the minor material amendment application a revised Haydens Report (Rev B) has been submitted. This continues to show the felling of tree Nos.5, 7, 9 and 11 for safety reasons but shows the felling of tree 4 and 6 only to permit the development. This is due to the considerable incursion of the works to lay the new pitch into the rooting environment which will significantly compromise the future retention of the tree.

For trees 8, 11 and 13, the incursion of works in the root protection area is less severe so the trees are recommended for retention but with linear root pruning and pollarding to a height not exceeding 6m and raising the crown to 3m to remove basal stem growth. There will also need to be cyclical maintenance every 4/5 years. For tree 12 the original recommendation to raise the crown to 3m and linear root pruning remains.

Turning to the Under 11/12 pitch, the trees that would be affected by the repositioned pitch are Nos. 20, 21, 22, 23, 25, 26 and 27 (tree 24 identified has been felled prior to the original application). The original Tree report with the Outline application shows all these trees to be retained. The original Haydens report submitted under 17/03857/DET showed the removal of trees 21 and 22 to permit development and the felling or pollarding of tree 23 and raising the crown of trees 25, 26 and 27 to 3m and linear root pruning. The submitted plan showed the removal of trees 21, 22 and 23.

Following objections from residents, the revised Haydens report Rev B continues to show the removal of trees 21 and 22. This is due to the considerable incursion of the works to lay the new pitch into the rooting environment which will significantly compromise the future retention of the tree. For tree 23, the incursion of works in the root protection area is less severe so the trees are recommended for retention but with linear root pruning and pollarding to a height not exceeding 6m and raising the crown to 3m to remove basal stem growth. There will also need to be cyclical maintenance every 4/5 years. For tree 20 the original recommendation to raise the crown to 3m and linear root pruning remains.

In summary, the proposal is to remove 4 trees along the western boundary to permit development (Nos 4, 6, 21 and 22), to reduce the height and raise the crown of 4 trees (Nos. 8, 11,13 and 23) and to raise the crown of 4 further trees to 3m (Nos 12, 20, 25 and 27). It should be noted that there are 5 other Category C2 or U trees that will be lost on the southern and south eastern boundary to permit development.

The Council's Tree Officer has objected to the loss of the trees with a useful retention span, and advised that efforts should be made to ensure mature trees are retained. In addition, objections have been received from local residents in respect

of the loss of trees in terms of loss of privacy, loss of the natural barrier between the school site and the adjacent houses, alternative locations for the pitch, impact on local ecology, loss of protection against local flooding, safety of pupils where the pitch is so close to the fence and unwillingness of the Council to TPO threatened trees despite residents request.

With regard to loss of privacy, it is accepted that the site will be more visible from the upper floors of the houses in Upper Elmers End Road. However the Planting Plan submitted with the reserved matters application shows replacement planting of semi mature lime trees to replace the 2 trees that need to be felled to make way for the development. Since then the applicant has submitted a revised planting plan to show the planting of 8 semi-mature trees to replace felled trees Nos 4, 5, 6, 7, 9 and 11 and trees 21 and 22.

In addition a 2.4m acoustic fence will be provided along the length of this boundary which will prevent overlooking to the rear of these properties at ground floor level. Finally the rear elevation of houses will overlook the games area and there is significant separation to the main building so overlooking from windows in the school building will not be significant.

The Council has asked the applicant to investigate amendments to the pitches to allow the retention of the trees and the applicant has advised that the removal of the trees is required to achieve the pitch standards required by Sport England including suitable run-off areas.

In terms of the impact on flooding from the removal of the trees, the Council's Tree Officer advises that it would take a high number of trees in a greater density to influence the water retention of the soil. The proposed tree removals would not have a noticeable impact on soil conditions.

In terms of the safety of pupils there are fences around the pitches elsewhere on the site so this juxtaposition is not to be any more unsafe than other locations on the site.

In terms of the visual impact of the removal of the trees, it is important to note that the proposal amounts to the loss of 4 trees to permit development. The remaining trees that will be removed from the western boundary were identified for removal in the approved Outline application.

With regard to ecological impact, the outline application considered under ref. 16/03145 was accompanied by an Extended Phase 1 Survey and a Bat Survey Report. The site was considered to be of moderate value for foraging bats but of negligible bat roost potential as none of the trees on site contained any possible roosting features. The Bat Survey indicated that the site is used regularly by a low to moderate number of common species of bat, with bats recorded as commuting and foraging along the boundary trees during the activity survey. The report recommended that sensitive lighting and landscaping is incorporated into the planned development to mitigate the impact on bats and these recommendations will be carried forward in this case, including the replacement of the trees that are proposed to be removed to ensure the maintenance of the tree belt alongside the

western boundary. In respect of the impact on birds, the Phase 1 Survey recommended that tree works be carried out outside of the bird nesting season and subject to this requirement being adhered to it is not considered that the additional tree works proposed under this application would result in harm to nesting birds.

In conclusion, the loss of any trees on the site to permit development is regrettable. The principle of the redevelopment of the site to provide a new secondary school with associated sports pitches has been accepted. However, in order to meet the requirements of Sport England with particular regard to the size of pitches and the run off areas required, the applicant considers it to be necessary to fell these trees in order to bring forward the proposals for a new school as detailed in the outline consent.

The line of trees along the western boundary forms a visual barrier between the relevant residents in Upper Elmers End Road and the school site and the outline scheme did not require the removal of any of these trees to allow the development to proceed. For the reasons given above there is now a requirement to remove 4 trees along this boundary to allow development to proceed.

The impact of the removal of these trees will be most felt by local residents adjoining the site alongside the western boundary and the applicant has offered to mitigate against the impact by replacing the trees to be lost for development and the trees to be lost for safety reasons along this boundary with semi-mature trees, a total of 8 trees, in accordance with UDP Policy NE7. Whilst it is anticipated that the replacement tree planting will take time to establish, in the long term it is expected that the line of trees along the western boundary will be maintained which will continue to provide screening and visual amenity to the affected residential properties.

Having regard to the above, it is considered that the loss of the 4 trees to permit the development of the sports pitches is acceptable, on balance.

As this application relates to an amendment to the outline planning permission which was granted under ref. 16/03145/OUT subject to a legal agreement, any grant of planning permission pursuant to this application will require a legal agreement to carry forward the obligations from the original planning permission.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT

and the following conditions:

1. (i) Details relating to the

- (a) landscaping, and**
- (b) appearance**

shall be submitted to and approved by the Local Planning Authority before any development is commenced.

(ii) Application for approval of the details referred to in paragraph (i) above must be made not later than the expiration of three years from 14th June 2017.

(iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details referred to in paragraph (i) above, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: No such details have been submitted and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990

- 2. The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:**

Plans:

**Site Location Plan MAC-00-ZZ-DR - A 100 Rev P1
Existing Site Sections MAC-00-ZZ-DR
A-400 Rev P1 received 01.07.2016
Proposed Site Plan MAC-00-ZZ-DR- A-110 Rev P3 received 12.01.2017
Proposed Site Sections MAC-00-ZZ-DR-A-401 Rev P1 received 01.07.2016
General Development Areas Plan wwa_1609_LL_103 Rev P00
Illustrative Masterplan wwa_1609_LL_101 Rev P06 received 11.01.2017
Landscape Sections wwa_1609_LSe_401 Rev P03 received 11.01.2017
Topographical Survey & Underground Services Trace L7194/T/1-3 Rev 1
Sheet 1 of 3 received 05.07.2016
Topographical Survey & Underground Services Survey L7194/T/2-3 Rev 1
Sheet 2 of 3 received 05.07.2016
Topographical Survey & Underground Services Survey L7194/T/3-3 Rev 1
Sheet 3 of 3 received 05.07.2016
Underground Drainage Layout MAC-XXXX-DR-P-003 Rev P2 received
09.12.2016**

Documents:

**Extended Phase 1 Habitat Survey by Innovation Group dated June 2016
Bat Activity Surveys RT-MME-122399 by Middlemarch Environmental dated
October 2016
Badger Inspection at Eden Park E2602161154 by Innovation Group dated
7th April 2016
Tree Survey, Arboricultural Impact Assessment, Arboricultural Method
Statement & Tree Protection Plan by Haydens, Rev. B, dated 31.10.17
Flood Risk Assessment by Resilience and Flood Risk Version 2.0 dated 8th
November 2016
Statement of Community Involvement by RONIN Marketing Ltd dated June
2016
BREEAM Pre Assessment by Southfacing dated June 2016
Noise Assessment by Cole Jarman dated June 2016
Landscape and Visual Impact Assessment WWA_1609_Doc_601_P03 by
Wynne-Williams Associates Ltd dated 11.01.2017
Designers Response to Stage 1 Road Safety Audit by Sanderson
Associates (Consulting Engineers) Ltd dated June 2016**

Transport Assessment by Sanderson Associates (Consulting Engineers) Ltd dated June 2016, Letter and Technical Note dated November 28th 2016 from Sanderson Consulting and Letter dated December 21st 2016 from Sanderson Consulting.

Design and Access Statement by Mace dated June 2016

Planning Statement by JLL by September 2016 Archaeological Desk-Based Assessment by AOC Archaeology Group dated December 2015

Beckenham Academy, Permanent Site (Eden Park): Air Quality Assessment by gem Air Quality Ltd dated January 2016

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with Policy BE1 of the Bromley Unitary Development Plan.

- 3. Details of the layout of the access roads, pedestrian access and turning area at its junctions with Balmoral Avenue, including a Road Safety Audit, and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1 metre in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained. All recommendations of the Road Safety Audit must be fully adhered to**

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety

- 4. Before any part of the development hereby permitted is first occupied that part of a sight line of 4.2m x 2.4m x 43m which can be accommodated within the site shall be provided in both directions at the junction with Balmoral Avenue and with the exception of trees selected by the Local Planning Authority no obstruction to visibility shall exceed 1m in height in advance of this sight line, which shall be permanently retained as such.**

Reason: In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.

- 5. Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.**

Reason: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 6. The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage**

strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

Reason: To reduce the impact of flooding both to and from the proposed development and third parties.

- 7. The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet specific needs of the application site and the development. Details of those measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development above ground level hereby permitted and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the Secured by Design accreditation awarded by the Metropolitan Police.**

Reason: In the interest of security and crime prevention and to accord with Policy BE1 of the Unitary Development Plan

- 8. Details and sample boards of all external materials to be used for the development, including roof cladding, wall facing materials and cladding, windows and door frames, window glass, decorative features, rainwater goods and any parts of the site not covered by buildings, including roads, pathways, communal areas, parking areas, pitches, MUGA where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. Such details shall include permeable materials throughout, measures to minimise surface water flooding. The development shall be carried out in accordance with the approved details.**

Reason: In order to comply with Policy BE1 of the Bromley Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 9. (i) Details of fencing/barriers on the southern boundary, adjoining the railway, shall be submitted to and approved by the Local Planning Authority, in consultation with Network Rail, prior to the commencement of any part of the development. The approved fencing shall be erected prior to commencement of any part of the development and permanently maintained thereafter.**

(ii) Notwithstanding the content of the report entitled Noise Assessment by Cole Jarman dated June 2016 and for all other external boundaries, details of fencing/barriers, including the specification and appearance of the acoustic fencing, shall be submitted to and approved by the Local Planning Authority prior to the first use of any of the facilities on any part of the site. The approved fencing shall be erected prior to commencement of any part of the development and permanently maintained thereafter.

iii) for all other areas and on any internal part of the site, including (but not exclusively) around pitches and to separate pedestrian and vehicle traffic, details of fencing/barriers/gates shall be submitted to and approved prior to the first use of any of the facilities on any part of the site. The approved

fencing shall be erected prior to commencement of any part of the development and permanently maintained thereafter

Reason: In the interests of the visual appearance of the site and the amenities of the occupants of nearby residential properties and to accord with Policy BE1 of the Unitary Development Plan.

10. **A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in respect of any anticipated geotechnical site investigation, in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.**
- B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological evaluation in accordance with a Written Scheme of Investigation.**
- C) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.**
- D) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.**
- E) The development shall not be occupied until the site investigation and post-investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Parts (A and C), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.**

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

11. **Prior to commencement of construction on the site, the applicant will carry out an assessment of the effect on local air quality as a result of the heating system provided as part of the proposed development. The objective of the assessment will be to demonstrate that the design of the heating system is such that emissions of nitrogen dioxide shall not have a significant detrimental impact on existing air quality. The applicant will agree the scope of and approach to the Air Quality Assessment with the Head of Planning, in consultation with the Council's Environmental Health Officer. The development shall not be carried out otherwise than in accordance with the approved plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of adjacent properties and the wider area.

- 12. No development shall commence on site, including demolition until such time as a Demolition and Construction Noise and Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details and to the agreed timescale throughout the period of the works.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of adjacent properties and the wider area.

- 13. Prior to the commencement of the development, including demolition and removal of site material, hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site, measures to secure provisions of on-site delivery, off-loading, turning and parking of construction and operatives vehicles and the hours of operation, location of wheelwash facility but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

Reason: In order to comply with Policies T5, T6, T7, T15, T16 and T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 14. Before any work on site is commenced a site wide energy assessment and strategy for reducing carbon emissions shall be submitted and approved by the Local Planning Authority. The results of the strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 35% above the TER level required by the Building Regulations 2013. The development shall aim to achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final design, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.**

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015.

- 15. Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

16. No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the Environment.

17. No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and

(ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(iii) The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority after consultation with Sport England. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure the provision of quality playing fields.

- 18. Details of all aspects of the external lighting, including technical details, impact on nearby residential properties and mitigation measures, shall be submitted to and approved by the LPA prior to the commencement of development and the development shall be carried out in accordance with the approved scheme and permanently retained thereafter**

Reason: To protect the amenity of occupants of nearby residential properties in accordance with Policy BE1 of the Unitary Development Plan

- 19. With the exception of the details of the acoustic boundary fencing, the recommendations of the Cole Jarman report (Report 15/0467/R2 June 2016) shall be implemented in full prior to the use commencing and permanently maintained thereafter.**

Reason: In the interest of protecting neighbouring residential amenity in line with policy BE1 of the Unitary Development Plan.

- 20. The development permitted shall be carried out in accordance with the Flood Risk Assessment (FRA) titled 'Eden Park Secondary School, Balmoral Avenue, Beckenham Flood Risk Assessment, Version 2.0' dated 8 November 2016 and the following mitigation measures detailed within the FRA: Finished floor levels will be site no lower than 37.66m AOD or 150mm above the existing ground level, whichever is greater.**

Reason: To accord with Policy 5.12 of the London Plan and to reduce the risk of flooding to the proposed development and future occupants.

- 21. Details of measures to implement the recommendations of the Phase 1 Extended Habitat Report and the Bat Survey Report shall be submitted to and approved by the local planning authority and implemented prior to the first use of the development. The development shall be carried out in accordance with the approved details and permanently retained thereafter.**

Reason: To comply with Policy NE3 of the Unitary Development Plan in order to safeguard and improve the provision for biodiversity on the site.

- 22. No part of the approved use of the site shall commence until a community use agreement, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority, and**

a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the outdoor sports pitches; MUGA and sports hall and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to consider the impact on amenity of local residents, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

23. Details of a scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority. The content to be included in the Car Park Management Plan shall be agreed with the Local Planning Authority prior to submission of the draft Plan.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

24. Before commencement of the use of the land or building hereby permitted car parking spaces and internal turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and all spaces shall be 4.8m by 2.4m with a 6m rear clearance for each space with the exception of disabled spaces. No permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land indicated or in such a position as to preclude vehicular access to the said land.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

25. Details of electric vehicle charging points in accordance with the requirements of the London Plan shall be submitted and approved by the Local Planning Authority and implemented prior to the first use of the development and shall be permanently retained thereafter.

Reason: To minimise the effect of the development on local air quality in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan.

26. The Sports Hall shall be erected in accordance with the footprint of the building shown on plan 110 Rev P3, in consultation with Sport England, and fitted out in accordance with the Sport England's Technical Design Guidance Notes: Developing the Right Sports Hall.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy

- 27. The Multi Use Games Area hereby permitted shall not be constructed other than substantially in accordance with Sport England's Technical Design Guidance Notes: Artificial Surfaces for Outdoor Sport (Updated guidance for 2013).**

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

- 28. The community use of the Sports Hall, dance studio and the Multi Use Games Area only shall not commence**

- before 18.00 and the site shall be cleared of all users no later than 21.30pm on weekdays and

- before 09.00 and the site shall be cleared of all users no later than 16.30 on Saturdays and Sundays.

There shall be no community use of the football pitch, the training pitches and summer sports layout without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the occupants of nearby residential properties and the highway network to accord with the provision of Policy BE1 and T18 of the Unitary Development Plan.

- 29. The floodlighting for the Multi Use Games Area hereby approved shall not operate after 21.00 on weekdays or 16.00 on Saturday or Sunday. The floodlighting for the football pitch shall not operate after 18.30 on weekdays and shall only be available for Eden Park High School related activities.**

Reason: In the interests of the amenities of the occupants of nearby residential properties and to accord with the provision of Policy BE 1 of the Unitary Development Plan.

- 30. The development shall be implemented in accordance with the Tree Survey and Tree Protection Plan approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

- 31. None of the trees shown for retention shall be removed, felled, lopped or topped within a period of five years from the date of this permission without the prior approval of the Local Planning Authority. Any trees or plants which within a period of five years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species to those originally planted.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings or extensions shall be constructed within the school site hereby permitted without the prior approval in writing of the Local Planning Authority.**

Reason: In order to prevent intensification of the site and to comply with Policy BE1 of the Unitary Development Plan and in the interest of amenity and public safety.

You are further informed that :

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 in Part2, 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 this site and/or take action to recover the debt.

Further information about the Levy can be found on the attached information note and the Bromley website www.bromley.gov.uk/CIL.

2 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering.

3 We would recommend floor resilience measures to be incorporated within the development to minimise the impact of flooding to the development. The EA fully support the inclusion of flood resilience techniques. Information on flood resilience can be found on the following link http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf

4 The EA would recommend that occupant register with the Environment Agency's flood warning service, Floodline, so that they may prepare themselves in case of a flood event. This can be done by calling 0345 988 1188 to register.

5 Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development

related activity occurs.

6 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number. Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming/modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

7 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921

8 Thames Water recommends that all petrol/oil interceptor be fitted to all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses. Thames Water aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. The developer shall take account of this minimum pressure aim the design of the proposed development.

9 There is a Thames Water 8" cast iron distribution main crossing the development site directly adjacent to Balmoral Avenue. The main must be located and protected during construction. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on 0800 009 3921 for further information.