

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 18/02786/FULL1

**Ward:**  
**Mottingham And Chislehurst North**

**Address :** Eltham College Grove Park Road  
Mottingham London SE9 4QF

**OS Grid Ref:** E: 541794 N: 172968

**Applicant :** Mr Guy Sanderson

**Objections :** YES

### **Description of Development:**

Temporary planning permission until June 2019 for the construction and use of a temporary spectator stand accommodating up to 366 seated spectators on land at College Meadows, Eltham College, Grove Park Road, Mottingham to provide weatherproof seating for visitors and members of the existing sporting fixtures and clubs held at Eltham College.

### **Key designations:**

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
Metropolitan Open Land  
Open Space Deficiency  
Smoke Control SCA 51

### **Proposal**

Temporary planning permission is sought until June 2019 for the construction and use of a temporary spectator stand accommodating up to 366 seated spectators on land at College Meadows, Eltham College to provide weatherproof seating for visitors and members of the existing sporting fixtures and clubs held at Eltham College.

The spectator stand would measure 6.7m high to the ridge (5.199m to the eaves), 17.2m in length and 10.9m deep to accommodate 12 rows of tiered seats. The stand would be located ~15m from the northern boundary and ~130m from the nearest residential curtilage. The stand will be constructed using scaffolding with aluminium/PVC cover on the pitched roof design.

### **Location and Key Constraints**

The Site is bounded by Eltham College (junior school), residential properties and Mottingham Road to the North; Eltham College (senior school) to the North-East; residential properties, two car parks and Grove Park Road to the East; residential properties, Grove Park Road, Marvels Lane and the City of London School Sports Ground to the South; and trees, unnamed open space, residential properties and Quaggy River to the West.

### **Comments from Local Residents and Groups**

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

Objections:

- Concerns that neighbours are negatively affected by the current fixtures at College Meadows and this will be exacerbated with the proposal;

- The shouting and lights make it impossible to have a restful evening at the rear of our property and indeed many other properties down the road and when this increases with the extra capacity it will be intolerable;
- The access road is also dangerous and the speeding inconsiderate driving only increases the likelihood of accidents;
- Concerns over increased noise and disturbance;
- Concern that if temporary permission is granted they will come in with a permanent stand;
- Concern that the address on the application is misleading and should be 69 Marvels Lane;
- No consideration has been given to local residents in Marvels Lane, Tyler Road and the users of the Green Chain Walk;
- Proposal does not accord with local plan policies;
- Development is too big;
- The stand should be positioned on the opposite side where there are no houses

Support:

- Local community should be incredibly proud of what their local club has achieved
- We have been welcomed into the club and our children now play for the mini's section on a Sunday;

Lewisham Ward Councillor:

Raises objection to the proposal and requests that the application is decided by Planning Committee.

### **Comments from Consultees**

Lewisham Council (Planning):

Officers maintain that considering the close proximity of the stand to the western boundary and existing dwellings in Edward Tyler Road and Marvels Lane, and the number of spectators it would accommodate, there would be a potentially harmful impact upon neighbouring occupiers arising from the proposed stand by increased noise, disturbance and activity from spectators accessing/ departing the site, and during matches.

The NPPF refers to the Noise Policy Statement for England (NPSE), which applies to all forms of noise including environmental, neighbour and neighbourhood noise and sets out the long term vision of Government policy. This is supported by three noise policy aims:

*Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:*

- *Avoid significant adverse impacts on health and quality of life;*
- *Mitigate and minimise adverse impacts on health and quality of life; and*
- *Where possible, contribute to the improvement of health and quality of life.*

The planning application does not consider noise impacts in sufficient detail, stating only that the development would accord with policy by ensuring surrounding occupiers would not be harmed by noise and disturbance. A noise report has not been submitted to substantiate this view.

As identified in the Highways comments, it is reasonable to assume that the new stand would increase the number of people attending matches, which has not been considered within the submission.

The Planning Statement refers to the provision of no floodlighting, however a neighbouring resident in Marvels Lane has referred to the statement being 'misleading' as the pitch would continue to be

served by existing temporary floodlighting, which have been referred to as 'intrusive' and 'dazzling'. Clarification on this matter is therefore required.

Lewisham Council (Highways):

(20.09.2018)

I have reviewed the planning application and supporting documentation for the temporary planning permission (until June 2019) for the construction and use of a temporary spectator stand that will accommodate up to 366 seated spectators on land at College Meadows, Eltham College, Grove Park Road, London SE9 (918/02786/FULL1).

The proposal is objectionable because insufficient detail has been provided

The Supporting Statement submitted with the application confirms the final specification (of the stand) is not yet known, the Development proposed in this planning application has been based on the "worst case" scenario i.e. the maximum extents.

The proposed site plan shows the location where the stand will be located but it isn't to scale and doesn't show the route pedestrians/users of the stand will take to access the stand. This is relevant because the Supporting Statement suggests 'the temporary spectator stand is primarily intended to provide seating for existing visitors and members who are less able to stand.

Although the Supporting Statement states the stand will be for existing visitors rather than to accommodate or encourage any intensification of use, no details are provided on the existing visitors to the site, and no evidence / data is provided to confirm that the proposal wouldn't result in an intensification of use of site.

Conversely, it could be argued that improving the spectator facilities at the site and replacing the current standing area with a temporary stand will increase the spectator capacity at the site which could increase the number of visitors to the site.

In the previous planning application (Ref: 17/00396/FULL1) a variety of scenarios were provided in relation to the number of visitors to the site. Section 3.16 of the Transport Statement said the number of people on the site at any one time was estimated to be 750 and the Statement of need discussed an increase in rugby membership from 1000 to 1500.

As the proposed temporary stand has the potential to increase the spectator capacity at the site at any one time, further details i.e. timetable of events/fixtures, number of visitors should be provided to determine the impact of the proposal.

The Supporting Statement suggests a Design and Access Statement and a Transport statement are not required, but to determine the impact of the proposal the application should include further details that relate to accessibility within the site and trips generated by the proposal.

(12.11.2018)

The proposed temporary spectator stand accommodating up to 366 seated spectators would increase the spectator capacity at the site. However, the application doesn't include a Design and Access Statement or a Transport statement to determine the impact of the proposal in terms of accessibility within the site and trips generated by the proposal.

As, insufficient detail has been provided to determine the impact of the proposal, the Highways objections raised previously in the email dated 20 September 2018 still stand.

London Borough of Bromley Highways:

Notwithstanding any larger development proposals for the site, the potential increase in spectator numbers just by the introduction of a new stand is unlikely to be significant. There may be some

spectators who decide to attend a match as there is some protection from the weather when previously there was not but those numbers are likely to be small.

The application is for a temporary period so if we can ask the applicant to monitor attendances once the stand is in place that will allow us to be informed if any further applications come in.

## **Policy Context**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24<sup>th</sup> July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) 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
- C) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4<sup>th</sup> December 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies

### London Plan Policies (2016)

7.4 Local character

7.6 Architecture

7.17 Metropolitan Open Land

### Unitary Development Plan (2006)

BE1 Design of new development

G2 Metropolitan Open Land

G7 South East London Green Chain

L1 Outdoor Recreation and Leisure

L2 Public Rights of Way and Other Recreational Routes

L6 Playing Fields

T1 Transport Demand  
T2 Assessment of Transport Effects  
T3 Parking  
T7 Cyclists  
T16 Traffic Management and Sensitive Environments  
T18 Road safety

### Draft Local Plan (2016)

Policy 30 Parking  
Policy 31 Relieving congestion  
Policy 32 Road Safety  
Policy 37 General Design of Development  
Policy 50 Metropolitan Open Land  
Policy 54 South East London Green Chain

### Supplementary Planning Guidance

SPG1 – General Design Principles

### **Planning History**

There is an extensive planning history for this site over a long period. The most relevant history is listed below and is specific to the area of the site in this current application:

02/00382/OUT - Installation of artificial all weather playing surface to sports ground, erection of 8 x 12.4 metre high floodlights, creation of car park of 104 spaces and 4 coach spaces, disabled ramp to pavilion and additional palisade fencing to perimeter of site (OUTLINE). Consent was granted on 02.07.2002.

05/02392/FULL1 - Details of access to Marvels Lane to comply with condition 1 of 02/00382 granted for installation of artificial all weather playing surface to sports ground, erection of 8x12.4 metre high floodlights, creation of car park of 104 spaces and 4 coach spaces, disabled ramp to pavilion and additional palisade fencing to perimeter of site (OUTLINE). Permission was granted on 25.08.2005.

07/00612/OUT - Demolition of existing sports pavilion and construction of new sports pavilion (OUTLINE). Consent was granted on 26.03.2008.

11/02397/FULL1 - Single storey rear extension to provide replacement changing rooms. Planning permission was granted on 10.11.2011..

12/01011/FULL1 - Formation of car park with 70 car parking spaces and 4 coach bays with overflow area to provide 34 additional car parking spaces. Chainlink and palisade fencing, 3.9m high lighting columns, security hut and cycle parking. PART RETROSPECTIVE. Permission was granted on 11.07.2012.

12/01614/ADV - Temporary signage for Olympic venue comprising 6 x banner signs and 12 fence mounted signs. Advertisement consent was granted on 25.07.2012.

12/01702/FULL1 - 2 single storey replacement buildings for groundsmans storage and temporary water tank. RETROSPECTIVE APPLICATION. Permission was granted on 28.08.2012.

14/01741/FULL1 - Installation of water storage tank. Planning permission was granted on 28.07.2014.

18/04401/ADV - Installation of three non-illuminated free-standing signs on the corner of Grove Park Road and Mottingham Lane –Currently pending consideration

Other relevant history is considered to be:

11/03489/FULL1 - Replacement single storey pavilion / changing rooms building to Marathon Pavilion at Eltham College. Permission was granted 01.03.2012 for a replacement pavilion building located approximately 120m to the east of the location of the new pavilion building.

## **Considerations**

The main issues to be considered in respect of this application are:

- Principle of Development
- Impact on the Metropolitan Open Land (MOL)
- Design
- Impact on Neighbours Amenity
- Highways and Traffic Matters
- CIL

### Principle of Development

The proposal is for temporary planning permission until June 2019 for the construction and use of a temporary spectator stand accommodating up to 366 seated spectators on land at College Meadows, Eltham College to provide weatherproof seating for visitors and members of the existing sporting fixtures and clubs held at Eltham College.

In terms of the principle of any development that would support essential facilities for outdoor sport and outdoor recreation is well established in planning policy from a national to a Borough level. The site offers options for additional and upgraded existing sporting facilities. It is clear that there is a need for additional sporting facilities has been outlined in the justification provided by the applicant.

The above policies in respect of sporting need clearly provide support at all levels for these to provide improved facilities for teaching and associated facilities. Consideration of the impact on the MOL and on the amenities of neighbouring residential properties along with compliance with all other relevant planning policies still, however, needs to be addressed and a balance struck when assessing all the relevant planning issues and material considerations in such a case.

### Impact on the Metropolitan Open Land (MOL)

The site is located in Metropolitan Open Land (MOL) which is afforded the same protection as the Green Belt with the main school site being located outside this designation. Policy G2 seeks to protect the MOL from inappropriate development, permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. This is supported by Draft Policies 50 of the Local Plan and Policy 7.17 of the London Plan which categorises MOL as being equal in importance to Green Belt land in terms of the level of protection afforded to it, and requires very special circumstances to be demonstrated where development is proposed.

Policy G2 states that:

*The construction of new buildings or for extensions to buildings on land falling within MOL will be inappropriate, unless it is for the following purposes:*

- (i) agriculture and forestry (unless permitted development rights have been withdrawn);
- (ii) essential facilities for outdoor sport and outdoor recreation, cemeteries and other uses of land which preserve the openness of the MOL and do not conflict with the

- purposes of including land in it;*
- (iii) limited extensions, alterations or replacement of existing dwellings in accordance with Policies G4 and G5;*
- (iv) limited development for open air facilities that serve the whole or significant parts of London;*
- (v) limited infilling or redevelopment in accordance with the guidance in PPG2 Annex C within the designated major developed sites (MDS) at the National Sports Centre and the Bethlem Royal Hospital, with additional control at the National Sports Centre site in accordance with Policy G3.*

*The material change of use of land or engineering and other operations within MOL will be inappropriate unless they maintain the openness and do not conflict with the purposes of including land in MOL.*

The openness and visual amenity of the MOL shall not be injured by any proposals for development within or conspicuous from the MOL which might be visually detrimental by reasons of scale, siting, materials or design.

The site is also sited within the Green Chain and as such Policy G7 of the UDP is relevant. Development proposals will be required to respect and not harm the character or function of the Green Chain and the Green Chain Walk. For the reasons identified above, it is considered that the proposals will not detrimentally affect the character or function of the Green Chain or the Green Chain Walk.

Policy G2 states that essential facilities for outdoor sport and outdoor recreation which preserve the openness of the MOL and do not conflict with the purposes of including land in it would be appropriate development.

The proposal is for a spectator stand which would support the existing function of the existing outdoor sport and recreation facility. The spectator stand is considered to be an appropriate form of development given that it is to support outdoor sporting use of the land and is proposed for a temporary period only. The building is sensitively sited within the site and relatively modest in scale with open sides to allow for views through. Whilst this will be a new building in the MOL, given that it is supporting the existing function on site it is considered that the proposal would not conflict with the purposes of including land within the MOL and together with the temporary nature of the development it is considered that the proposal will not be detrimental to the MOL, and as such it is considered that this element would comply with the above policies.

## Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, 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 and public and private spaces. Developments are required to respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments, achieving the highest standards of inclusive design to ensure that it can be used safely, easily and with dignity by all (Para.3.114, London Plan).

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policy BE1 requires that new development is of a high standard of design and layout.

The new spectator stand is a utilitarian design as seen around the borough and at other sporting facilities. The maximum height of the structure would be ~6.7m to the ridge (5.199m to the eaves). Consequently it is considered that the proposed design and form of the spectator stand would fully comply with all the relevant design policies, in the NPPF, London Plan and UDP, and responds to local character whilst providing a solution to the needs of the school. Planning conditions can also further control all aspects of the design and materials of the buildings to ensure the high standards are maintained.

### Neighbouring amenity

Policy BE1 of the UDP and Policy 37 of the Draft Local Plan 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. This is supported by London Plan Policy 7.6.

In terms of the adjoining residential properties these are located approximately 130m from the new stand and as such the location of the temporary spectator stand would have no impact in terms of loss of light or overshadowing of adjacent residential properties and would be acceptable.

In terms of noise and disturbance and increase in traffic with regards to the possible increase in spectators therefore using if there is a stand; the agent has provided supporting information detailing the previous matches in 2018 and number of spectators together with list of proposed fixtures and estimation of numbers which are shown not to increase.

On balance given the proposal is for a temporary spectator stand until June 2019 and is expected to serve the existing sporting fixtures and spectators currently taking place on site it is considered that the proposal will not have a detrimental impact on neighbouring residential amenity in terms of increased noise and disturbance, and would comply with Policy BE1 of the UDP, Draft Plan Policy 37 and London Plan Policy 7.6.

### Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Assessment which should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site and safe and suitable access to the site can be achieved for all people. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para.32).

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Proposals relating to schools will also be required to produce or update and adopt a School Travel Plan (Policy C7) identifying measures which will assist in reductions in car usage, reduced traffic speeds and improved safety particularly for pedestrians and cyclists. Policies T1, T2, T3, T6 and T18 of the UDP relate to the Council's requirements in terms of parking, transport assessments and highway safety in addition to London Plan Policies under Section 6 including Policies 6.8 - 6.10 and 6.13.

Concerns have been raised by Lewisham Council which are the highway authority for the entrance to the site on Marvels Lane. They are concerned that the enhancement of the existing facilities by the introduction of a spectator stand at the site as this could result in an increase in number of trips to the site. The agent has provided supporting information detailing the previous matches in 2018 and number of spectators together with list of proposed fixtures and estimation of numbers.

On balance it is considered that the potential increase in spectator numbers just by the introduction of a new stand is unlikely to be significant. There may be some spectators who decide to attend a match as there is some protection from the weather when previously there was not but those numbers are likely to be small. Given the above it is considered that the proposal is acceptable and would not have a significantly detrimental impact on highway and pedestrian safety.

#### CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has completed the relevant form.

#### **Conclusion**

Overall, it is considered that the proposed scheme is acceptable in terms of its design, height and scale, and would preserve the character and appearance of the area. The proposal would not result in a loss of amenity or privacy to the occupants of properties in the vicinity. There are no fundamental objections from a highway point of view.

With regard to the impact of the development on the MOL, it is considered that the proposed spectator stand which would support the existing function of the essential outdoor sport and recreation facility has been sensitively sited within the site and relatively modest in scale with open sides to allow for views through. Whilst this will be a new building in the MOL, given that it is supporting the existing function on site it is considered that the proposal would not conflict with the purposes of including land within the MOL and together with the temporary nature of the development it is considered that the proposal will not be detrimental to the MOL.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

#### **Recommendation: PERMISSION**

Subject to the following conditions:

- 1. The temporary spectator stand hereby permitted shall be removed and the use discontinued and the land reinstated to its former condition on or before the 30<sup>th</sup> June 2019.**

**Reason:** In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area in compliance with Policies BE1 and G2 of the Unitary Development Plan.

- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**Reason:** In the interests of visual and residential amenity and in order to comply with Policy BE1 of the Unitary Development Plan.