

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

Application No : 18/04454/FULL1

Ward:
Orpington

Address : St Olaves Grammar School Goddington Lane Orpington BR6 9SH

Objections: Yes

OS Grid Ref: E: 546579 N: 165239

Applicant : St Olaves Grammar School

Description of Development:

Removal of existing tennis courts and sports pitch. Formation of artificial Multi Use Games Area (MUGA), surrounded by 2m high earth bunds, 4.5m high weld-mesh fencing and gates, 8x 12m high dual spot light columns (total 16 spot lights) and associated hard surfacing for pedestrian footpaths, storage areas, storage cabinet and 13 parking spaces including 2 accessible spaces and a minibus parking/drop-off area.

Key designations:

Smoke Control SCA 29

Proposal

Planning permission is sought for removal of existing tennis courts and sports pitch, formation of artificial Multi Use Games Area (MUGA), surrounded by 2m high earth bunds, 4.5m high weld-mesh fencing and gates, 8x 12m high dual spot light columns (total 16 spot lights) and associated hard surfacing for pedestrian footpaths, storage areas, storage cabinet and 13 parking spaces including 2 accessible spaces and a minibus parking/drop-off area.

According to the application submission the use of the existing grass sports pitches and asphalt courts can be limited by poor/adverse weather conditions and shorter days; generally in the winter months. The school has also acknowledged that it is not able to provide a dedicated hockey facility which is limiting its ability to deliver the relevant sports curriculum and to offer this sport to its students. Overall this would potentially prevent students from accessing a wider range of sport and a higher level of performance in those sports hindering the ability to take part in local leagues etc.

Amendment to the scheme

It was initially proposed to involve use by the local community and general public through lettings however this element has since been removed from the proposal and in its current form would be for school use only.

On the basis of the amendment to remove the commercial lettings/public use; discussed in further detail below, Sport England has confirmed that it would raise an objection to the proposal in the light of its general policy to encourage public and community participation in sport. Sport England is a Statutory Consultee and if the Local Planning Authority wishes to grant planning permission against the advice of a Statutory Consultee then, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the application must be referred to the Secretary of State who will decide if they wish to call the application in and determine it rather than the Local Planning Authority.

The application is supported by the following documents:

- o Application forms,
- o Application drawings,
- o Design and Access Statement
- o Arboricultural Implications Assessment/Statement
- o Heritage Statement
- o Transport Statement
- o Parking Stress Survey
- o Construction Management Plan
- o External Lighting Assessment
- o Acoustic Report/Noise Assessment
- o Drainage details

Location and Key Constraints

The application site is St. Olave's Grammar School, Goddington Lane, Orpington. The site lies on the northern side of the highway; the main entrance is in the centre of the site close to the junction with Durley Gardens and there is another access on to Park Avenue at the north west corner of the site. The land slopes downwards with the contour of the hillside from south west to north west, however it is landscaped into terrace/plateaus. The main building complex is located fairly centrally in the site with playing fields and some sports courts on either sides. The application site lies on Urban Open Space (UOS) and the building is a Grade II listed building. The area is residential in nature and is characterised mainly by detached two storey dwellings set in relatively spacious and consistently laid out plots. The area is not a Conservation Area or an Area of Special Residential Character.

According to list description the site comprises the Grade II listed St Olave's Grammar School; including headmaster's house; groundsman's house; fives and squash court building; art and craft block; brick, concrete and timber boundary treatments to the south and east sides of the site and original areas of hard landscaping. It was first listed on 6 October 2017.

Comments from Local Residents and Groups

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

Support

- There has been no material change in the circumstances and if planning permission is granted it should include conditions from the 09/00759/FULL1 permission including: No. 8 Car Park Management Plan, No. 10 Crime Prevention, No. 11 Hours of Use, No.12 Landscaping Scheme, No. 13 Restriction on pupil or staff numbers, No. 14 Restriction on letting to the public, No.15 No flood lighting, No. 16 Details of perimeter netting to be approved,
- There is a general lack of access to hockey facilities in state schools (it is dominated by private schools) and in the wider community; potentially compromising development and performance in hockey at national levels,
- The school does not currently have an all-weather pitch which prevents sports participation; particularly in hockey,
- The proposal would allow the school and the community to participate and compete in sports including hockey,
- The proposal would encourage sport and healthy lifestyle in young people encouraging them to continue an active lifestyle into adulthood,
- All the school's facilities should be available for community use,
- Modern floodlighting is more focused and produces less light spill (this could be confirmed through a test/demonstration),
- Residents near to a school should be prepared for some evening/weekend activity,

Objections

- The submitted application information lacks detail and proper consideration of the issues,
- The proposal would conflict with the use of Metropolitan Open Land; removing trees, grass and leading to an urbanising feature with an artificial surface, fencing, lighting and earth bunds; failing to preserve the openness of the Green Belt,
- Existing school events already cause parking congestion and disruption in neighbouring roads,
- The proposal; used all day by the school and attracting more use in the evenings and at weekends than the existing arrangement, would cause greater noise disturbance to neighbouring properties,
- The evening and weekend use is a business use and inappropriate in a residential area,
- Community users/members of the public would not be subject to or abide by the school's rules for students; and would not be considerate of residents,
- The bus route/services mentioned in the Transport Statement provide limited services; they would not offer a viable means of public transport, the road is narrow and there is poor pedestrian access to the site and therefore the proposal would be reliant on private cars; exacerbating current traffic congestion and hindering emergency vehicle access,
- Increased traffic would cause further road accidents at dangerous junctions,
- The school does not normally permit parking within its grounds,
- There would be insufficient existing and proposed parking to serve the number of users of the development,

- The school has admitted that it is unable to control the parking of students/parents,
- The proposed overflow car park (basketball court) is not logical given there are 100 spaces at the front of the site,
- The intended access, parking and route through the grounds from parking to MUGA is unclear,
- The vehicle access route through the grounds and close to neighbouring properties would detract from neighbouring amenities,
- The Park Avenue entrance is already causes disruption and disturbance to neighbouring properties through; sheer volume of students using it, inconsiderate parking, damage to grass verges, litter,
- There is insufficient information of the number of visitors/customers and vehicle movements,
- The proposal could lead to greater use of the footpath access from Park Avenue, disruptive and harmful to and a potential security issue for residents in Park Avenue,
- The Transport Statement is submitted by the Planning Agent and not by a dedicated/qualified transport consultant,
- The school post-dates the residential dwellings whose amenities should be protected,
- The proposed flood lighting would be an eyesore,
- The proposal would impact views from neighbouring properties,
- The height and brightness of the flood lighting, and the lux level contours confirm, that light would spill into neighbouring gardens, it would be highly visible from and obtrusive to neighbouring dwellings and their gardens; exacerbating existing security light disturbance,
- The lighting assessment does not include the effect of glare,
- The lighting assessment relates to an 8m high flood light not a 12m high flood light and is either an incorrect or misleading statement,
- Planning permission was previously granted for an all-weather pitch on the condition that it would not be flood lit,
- Permission was refused for 10m high flood lights (90/01588/FUL) and the same issues apply,
- The hours of operation would be too long/too late in the evening,
- The deciduous trees around the perimeter would not provide adequate screening for the fence and lighting, especially during winter when there is less leaf cover,
- The noise attenuation properties of the surface and fencing should be examined,
- The noise contour drawing shows that neighbouring properties would be adversely affected greater noise impacts,
- The updated noise assessment/report is caveated; is not based on data/evidence, which diminishes its reliability. It nonetheless continues to show that neighbouring properties would experience greater noise levels,
- The school does not have a local catchment and the benefit to the school and its remote pupils would not be felt locally whilst the adverse effects would be felt locally,

- The proposal has not considered the effects on residents in neighbouring roads; including those in Park Avenue which are closer than those in Goddington Lane,
- The school has not engaged with local residents who have only become aware of the proposal through the planning application process,
- The school has an academic rather than a sports focus; the existing grass pitch facilities are sufficient for the school's needs and the proposed facility would be mainly for community use and income generation,
- There is no robust case of the need for the facility,
- The proposal does not demonstrate compliance with a playing pitch strategy,
- The flood lights in particular (only useful outside school hours) would not be for the benefit of the school,
- The proposal is only for commercial financial gain,
- Previous lettings to external organisations (Scouts) have not been renewed despite interest from the organisation and therefore income generation cannot be such a high priority to the school,
- The proposed commercial use would comprise a change of use from educational to commercial,
- The proposed commercial use could set a precedent for further commercial use(s) at the site,
- Although the school has agreed to remove the commercial element it intends to bring it back in future,
- The proposed nature and extended hours of use would not comprise "small scale" within the Urban Open Space Policy criteria; the proposal would unduly impair the open nature of the site,
- Previous applications/activities by the school has only benefitted the school and has little regard for neighbouring residents,
- The proposal would include some tree removals,
- The submitted tree report does not mention the prominent beech trees on the site which provide wildlife habitat; including bat roosts,
- The wildlife present at the site; such as bats, would be affected by the bright flood lighting,
- Opening the site to the public and allowing them to roam the site could compromise security at neighbouring dwellinghouses,
- Allowing public access would compromise safeguarding of pupils,
- The proposed vehicle access route through the grounds would harm the heritage of the school,
- The proposed elevations/section do not show all of the earth bunds,
- Any planning conditions imposed may not be enforced (as per unenforced parking restrictions) due to the under resourced Local Authority,
- The proposal and its impact on residential amenities would lower property values,
- Neighbouring residents would expect compensation for loss of amenity and increased disturbance and stress,
- The support for the proposal from the diocese (a remote body/organisation) does not outweigh the concerns of local residents directly affected.

Local Groups

Park Avenue Residents' Association (PARA)

- The school has not engaged with the local community,
- The 12m high flood lights would cause light pollution,
- The proposed use outside normal school hours would cause noise disturbance and would ruin the current peace and quiet during those times,
- Additional traffic and parking would cause be hazardous to road safety,
- Additional traffic and parking would cause congestion and disturbance to neighbouring properties,

Diocese of Rochester

- The proposal would allow pupils to access the pitch and play sports throughout the whole year (during poor weather and dark evenings) thereby improving their curriculum and learning/recreation,
- The location of the pitch and the type of lighting would not cause a nuisance to neighbours,
- The proposal would not have adverse highway or traffic implications,

Archdeacon of the Diocese of Rochester

- The proposal would encourage pupils to participate in sports activities during school hours and after school hours throughout the whole year including during poor weather and dark evenings which might otherwise prevent access to sports activity,
- The School has sought to address the potential impacts on neighbouring residential amenities including lighting assessments reports,

School Governor

- The sports pitch can be used throughout the year and in darker months thereby improving access to and participation in sports, and the facility is long awaited.

Comments from Consultees

Ecologist: No comments received

Historic England (Archaeology) summary: Given the site area the proposal merits consideration in line with Historic England's planning charter:
<https://historicengland.org.uk/imagesbooks/publications/charter-for-greater-london-archaeological-advisory-service/>

The Greater London Historic Environment Record (HER) contains numerous entries for prehistoric archaeology from the school site and immediate area which identify the site as a potential area where further archaeological evidence could be reasonably anticipated. The significance of the heritage asset and the potential harm arising from the proposal could be assessed and managed through the submission of a Written Scheme of Investigation (WSI) and this could be managed by planning condition. However the WSI should be approved before works begin on site as it will provide clarity on what investigations are required, and their timing in relation to the development programme. Without an approved WSI prior to

commencement of the development the development would fail to comply with paragraph 199 of the NPPF and should be refused.

The archaeological work should include: A Watching Brief: A Watching Brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive. The specification will need to be accompanied by the CEMP for the works to ensure that the archaeology programme is correctly reflected.

LBB Conservation Officer: No comments received

LBB Drainage Engineer: The Applicant should submit a surface water drainage strategy to identify the options for the design of the surface water drainage system and how it will affect the site layout; including the following information:

- Demonstrate how the principles of sustainable drainage systems have been applied to the development identifying what techniques will be used,
- Set aside land specifically for SUDS,
- Estimate the greenfield discharge rate for the site,
- Estimate the volume of 1 in 100 year plus climate change attenuation to be provided and what techniques will be used to provide the attenuation.

Further comments

- A free draining sub-base would be acceptable in principle however the following detail is required:
- Cross section plan to show the construction materials of the pitches including the depth of sub-base and their storage capacity,
- Details of excess surface water drainage (as there is no public surface water sewer near the site),
- Estimated calculation demonstrating that the storage provided in the sub-base would be sufficient to accommodate all storms including the 1 in 100 year plus 40% climate change.

LBB Environmental Health Pollution Officer: The proposal is designed in respect of the industry standard Base Applicable Techniques (BAT) and in accordance with Sport England's standards. The standards take into account various factors including minimum separation distances between sports pitches and residential properties, hours of use and the location of entrances and parking areas. In accordance with the standards the designer then incorporates relevant mitigation measures which may include relevant ground levels, screening bunds and vegetation, noise attenuating materials and highly directional/focussed lighting units. Providing that the development is carried out in accordance with the submitted details; including the associated noise and lighting assessments/reports, it would be in accordance with Sport England's standards. However the Applicant should confirm to the Local Authority that the development had been carried out and completed in accordance with these standards and then the Local Authority could verify this. These matters could be managed by planning condition(s). It is noted that the proposal previously included public/community use and that this has since been withdrawn/omitted. The Council would also bear in mind the wider

benefits of the proposal and weigh the amenity effects (albeit that they would be mitigated as described in the application details) against the positive benefits to sport and education.

LBB Highways: The site has a PTAL rating of 0 (on a scale where 0 has the lowest and 6b has the highest access to public transport services) indicating that it has the lowest or worst access to public transport services. There are 3 buses mentioned as providing access but of these the 654 is a school bus and the 431 does not appear to run after 5pm or at weekends so these would not be available to people using the activities outside school hours. The main access would be from Goddington Road and as it has no dedicated footpaths it would not be suitable for pedestrians. For these reasons the site and the proposal would be reliant on private/motorcar transport. The proposed new facilities are unlikely to increase traffic demand during the day. However if the facility is to be used for public and community use outside normal school hours then traffic would be expected to rise. The exact effects would depend upon hours of use, the type of activity taking place and the number of teams visiting, and whether it would attract spectators and where they are travelling from. In that event more detailed information would be required; accurately identifying the number of car movements and the nature of the car trips; for instance whether they are drop-off and pick-up or cars parked all day, as well as all on-site car parking to be made available during the periods of letting. The on-site car park off Park Avenue to be utilised. No lettings to take place at the same time as other school events. A restriction on the number of participants/spectators using the pitches in order to manage vehicle numbers.

Further comments on amended proposal to remove lettings. The proposed omission of the commercial lettings would reduce the previously anticipated parking requirement/burden of the proposed development. The parking requirements for the use of the facility by the school only; during week days and weekends, could be accommodated within the existing parking areas at the application site. As such there would be no objection on highway or parking grounds. The proposal contains a draft Construction Management Plan however a fully detailed plan is required. These could be secured by planning condition(s) OC03 and PC17.

LBB Trees: The application is supported by an Arboricultural Implications Report (AIR) which indicates trees to be retained and trees to be removed. Trees to be removed include a row of young trees planted on a manmade bund that appears to have been created in recent years to separate the existing sports field. The trees are located well within the site, they are small and young and do not currently and would not in the future offer significant public amenity value from outside the site. Their loss is not contentious and should not constrain the development at the school. The trees surrounding the site boundary(ies) are larger, more prominent and offer greater public amenity value and act as a screening and softening feature to neighbouring residential properties. They are more sensitive to the proposed sports pitch and their retention is crucial. According the submitted information the trees can and shall be retained. However an arboricultural method statement (AMS) should be provided to ensure that satisfactory arboricultural supervision and implement precautionary measures are incorporated and carried out. Furthermore,

the northern, eastern and southern boundaries; where the mature boundary trees are situated, must be treated as exclusion zones and a Tree Protection Plan (TPP) should detail how the trees will be protected and provided with a buffer zone. These matters can be adequately managed by tree retention and tree protection condition(s)

Sport England:

The Proposal and Impact on Playing Field

It is proposed to build a new synthetic hockey pitch on the site of existing playing field (and a MUGA) at the above school. The School has confirmed it will meet Sport England design guidance (and suitable for competitive hockey to national/regional level). The affected area of playing fields currently contains a cricket pitch and training grids which are used for rugby. There is a further large area of playing fields to the western side of the main buildings and another MUGA (likely hard court surface). The remaining rugby pitch in the southern section of the playing field could be retained. The D&A statement states that *"the school will utilise the sport pitch initially solely for teaching, competition and training of hockey as the main sport, with secondary teaching and training use for football, tennis, netball and cricket. The intention would be to let out the sports pitch for hockey training and competition out of school hours, with possible competitions on Saturdays and Sundays. The sports pitch will also potentially be let out during evenings for either organised six-a-side football or hockey training or competition. This will generate much needed income for the school and provide an additional sport facility within the borough of Bromley for children and adults, providing health benefits for the population and also assist in raising the profile of hockey"*. However it is understood that the School has now chosen to withdraw this community/public use element.

Responses from the National Governing Bodies (NGBs):

England Hockey (EH) has engaged with the School's senior management and is supportive of the proposal. EH is aware that there is currently no community use at the site and would support development of community links with local club and Kent Hockey Association providing sessions to suit their requirements.

The Football Foundation (on behalf of the Football Association) is aware that there is currently no community use at the site and although a sand dressed pitch is not the preferred surface for football the Kent County Football Association (CFA) would like to establish links.

The Rugby Football Union (RFU) notes that some of the existing natural turf rugby training areas would be replaced by the MUGA and requests confirmation of the proposed replacement/relocation of those areas or if not whether the rugby activity could be accommodated on existing pitches.

The English Cricket Board (ECB) has not yet responded.

On the basis of these comments Sport England would encourage the school to utilise the proposed new facility for community use and would recommend that a community use agreement is agreed with Sport England and the relevant NGBs.

Considerations

The proposal would involve the loss of a playing field (as defined in Development Management Procedure Order 2015). Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

Unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions."

Assessment against Sport England Policy (5 exceptions)

The proposal artificial pitch would meet an existing need for new hockey facilities in the local catchment area. The School is working closely with England Hockey (EH); the relevant NGB, which has provided advice and indicated its support for the proposal. The Football Foundation identifies the significant football activity/clubs in the area that would also be interested in using the school's artificial surface. The area of playing field to be removed is not large and the School has other pitches that could accommodate the activity (rugby and cricket) displaced from this particular area of the playing field(s).

Conclusion and Recommendation

Sport England therefore considers that the proposal would meet Exception 5 and **does not raise an objection to the proposal subject to appropriate conditions** (including provision of flood lighting). Furthermore Sport England encourages the community use of the facility and recommends a Community Use Agreement between the school and community groups (which could also be managed by condition or within the planning application before permission is granted).

However, if these matters/features are not included then Sport England considers that the proposal would not meet Exception 5 and would object to the proposal.

The Letting aspect has been removed from this proposal. Sport England therefore objects to this proposal

Thames Water: No comments received

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 development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

The application shall be determined in accordance with the following policies:

London Plan Policies

- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and archaeology
- 7.17 Metropolitan Open Land

Bromley Local Plan

- 30 Parking
- 37 General Design of Development
- 38 Statutory Listed Buildings
- 46 Ancient Monuments and Archaeology
- 55 Urban Open Space
- 57 Outdoor Recreation and Leisure
- 58 Outdoor Sport, Recreation and Play
- 72 Protected Species
- 73 Development and Trees
- 115 Reducing Flood Risk
- 119 Noise Pollution
- 122 Light Pollution

Supplementary Planning Guidance

- SPG1 - General Design Principles
- SPG2 - Residential Design Guidance

Planning History

The relevant planning history relating to the application site is summarised as follows:

90/01588/FUL - Installation of 8x 10m high floodlights was refused on 18 October 1990 for the following reason:

1. The proposed floodlight towers and floodlights would be harmful to the amenities that adjoining and nearby residents might reasonably expect to be able to continue to enjoy by reason of the visual intrusion resulting from their height and proximity to residential property and the noise and disturbance associated with their use.

96/01518/FUL - Construction of a hard surface for use as 4 tennis courts a playground or overflow car park 96 spaces with fencing and associated earthworks was approved on 5 September 1996.

96/02550/FUL - Construction of a hard surface for use as 4 tennis courts a playground or overflow car park 96 spaces with fencing and associated earthworks revised fencing levels/mounding and car parking/entrance was approved on 12 December 1996.

97/00267/OUT - Extension to enlarge existing sports hall and swimming pool buildings was granted outline planning permission on 3 April 1997.

00/02115/FULL1 - Two storey building for changing facilities, dining area, examination hall and sports pavilion was approved on 13 September 2001.

02/03990/FULL1 - Levelling of sports pitch was approved on 8 January 2003.

07/00535/FULL1 - Formation of netball court and enclosure was approved on 27 June 2007.

09/00759/FULL1 - Alterations to and extension of existing swimming pool/hall building to provide multi-purpose hall and sports hall with changing/storage/classroom and other ancillary accommodation, all weather sports pitch, 22 car parking spaces was approved on 26 May 2009.

Condition No. 11 controlled the hours of use,

Condition No. 13 restricted there being any increase in pupil or staff numbers,

Condition No. 14 prevent the use of the facility by members of the public,

Condition No. 15 prevented the use of flood lighting.

15/02808/FULL1 - Single storey extensions to sports building and external staircase was approved on 22 September 2015.

18/04176/LBC - Proposed extension and alterations to existing listed squash and fives courts was granted Listed Building Consent on 16 January 2019.

Considerations

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

- Procedural matters
- Principle and location of development
- Urban Open Space
- Design and landscaping
- Heritage Impact
- Neighbouring amenity
- Highways
- Ecology
- Drainage
- CIL

Procedural matters

Notwithstanding third party comments the application notification process has been carried out in accordance with the Council's adopted statement of community involvement including writing directly to properties that are identified as physically adjoining the application site and those located opposite and by placing an advert in the local newspaper and by placing adverts/notices on or close to the application

site. It may not be necessary to re-notify neighbouring properties of any changes in the application particularly where those changes are intended to reduce the development and/or its impacts.

Principle and location of development

The site lies within an area of Urban Open Space where development may be acceptable subject to certain provisions/criteria and this will be assessed in further detail. The proposal is subject to an assessment of the impact on the appearance/character of the site, the surrounding area, the residential amenity of adjoining occupiers, car parking and traffic implications, heritage and ecological impacts.

Urban Open Space

The primary purpose of the UOS policy is to protect the open character of the smaller open spaces within otherwise built up areas to preserve the open contribution that they provide in these areas and any new development on them is subject to careful consideration and certain specified parameters. The proposal would comprise "built development" in its technical sense, however it primarily comprises a playing pitch/surface which would replicate/resemble the existing pitch(es) and tennis courts in this location. It is noted that the ancillary items such as the earth bunds, the fencing and the lighting columns would have some physical/built form and mass associated with them and this would be likely to have a greater effect on openness than the surface itself.

Notwithstanding this, the proposal would not result in the loss of open space, moreover it would reorganise the existing open space. The current proposal is related to the existing allocated use of this land for the school's educational and sports activities and it supports outdoor recreational use. The proposal would have a different visual appearance and impact however it has been as sensitively designed as possible; with earth bunds and discrete fencing, while remaining functional in order that it would not compromise its educational requirements. As the proposal would be positioned on/close to the site of the existing sport pitches/courts it would not unduly impair the open nature of this existing part of the site.

It is noted that the proposed pitch would remove some of the existing grass pitch(es) in this part of the school grounds; currently used for rugby, and it is more likely that the proposed new pitch would be suitable for hockey, football and tennis, than rugby, and as such it would be less likely to provide a like-for-like replacement of the existing rugby pitch. However there would remain space in the southern part of this pitch and on the other pitches at the western side of the school complex to provide rugby pitches. For these reasons there would be no conflict with Policy 55.

Sport England acknowledges that the proposal would technically remove an existing pitch however it notes that the pitch would effectively be replaced, albeit in a different format, and together with its consultations with the National sports Governing Bodies (NGBs) offers its support for the proposal. However Sport England's support is conditional upon the facility being available for use by the

local community/public and providing that it is flood lit, in accordance with its standards. Following the removal of the 'community use' element of the scheme, Sport England has raised an objection to the development. Whilst on balance, this is considered to be acceptable in view of the adverse highways impacts that could arise in the event of wider community use of the facilities, it will be necessary for the application to be referred to the Secretary of State following any resolution to grant planning permission, in light of the objection raised by Sport England.

The application site does not lie within the Green Belt or Metropolitan Open Land (MOL) and therefore Policy 57 does not technically apply however, as concluded above, the proposal would nonetheless provide an appropriate sports/recreation facility.

As mentioned above there would be no complete loss of the sports/recreation facility and nonetheless the space to be reorganise/redeveloped would benefit from an improved facility that would be usable for a greater proportion of the year; thereby improving the quality and the consistency of its use, and as such there would be no conflict with Policy 58.

Design and landscaping

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

By its nature the proposed sport pitch would be substantial in size, however the application site is large and as such the proposal would be comfortably accommodated within it and it would not appear overdeveloped or cramped in this respect. The proposed design and external materials would be appropriate to the function of the development and to the site and the proposed location of the development on the site. The proposed external materials could be managed by planning condition.

As mentioned, the proposal would be positioned broadly in the location of the existing sport pitch and courts at the northern end of the development site. According to the submitted Arboricultural Implications Report (AIR) a row of young trees atop a man-made bund in the centre of the site are proposed to be removed. They are young and sited well within the site and are of limited amenity value and there is no objection to their removal. The larger mature trees around the perimeter boundaries are more significant both within and outside the site. They also assist in screening the existing and proposed sport areas. Their retention is important. The proposal states that they can be retained and indeed in order to preserve their wellbeing the northern, eastern and southern boundaries; where the mature boundary trees are situated, should be treated as exclusion zones and a Tree Protection Plan (TPP) should detail how the trees will be protected and provided with a buffer zone. Furthermore, greater detail of the construction is required and an Arboricultural Method Statement (AMS) would demonstrate satisfactory arboricultural supervision and implement precautionary measures are incorporated and carried out. According to the Council's Tree Department these matters could be satisfactorily addresses through planning condition.

Heritage Impact

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Impact on Listed Buildings and their setting:

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of

preserving the building or its setting, or any features of architectural or historic interest it possesses.

According to the list description the building(s) were listed in October 2017. The site and buildings were already in use as a school and the grounds were in use as school sports pitches. On this basis and notwithstanding the proposed re-development of the pitch/courts and the associated structures the proposal would not adversely affect the special historic setting and importance of the listed building and the site overall. There would be no conflict with Policy 38 on this basis.

Archaeology

According to Historic England the site is not within an area currently defined for potential archaeology however the Greater London Historic Environment Record (HER) contains numerous entries for prehistoric archaeology from the school site and immediate area which identify the site as a potential area where further archaeological evidence could be reasonably anticipated. As Historic England recommends the submission of a Written Scheme of Investigation (WSI) to establish the significance of the heritage asset and this could be managed by planning condition prior to the commencement of the development.

Neighbouring amenity

Policies 6 and 37 of the Bromley Local Plan seek 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 proposal would not change the use of the land which would continue to be a sports pitch/court and it would not change its location. As such the use and the proximity to neighbouring properties would remain the same as the existing situation.

All new development is likely to have an effect on the local area and neighbouring properties however the main consideration is whether that effect would be acceptable or not. Furthermore, there is no mechanism within the planning system to protect or preserve "views" although the effect of new development on the outlook is a material planning consideration. The proposed development would be visible from neighbouring properties; particularly those to the north in Park Avenue and those to the east in Wyvern Close. Notwithstanding this, the degree of separation together with the height and scale of the proposed structures; including the fencing and lighting columns, would not have a significantly harmful impact on the outlook of neighbouring properties by reason of overbearing effect and it would not result in significantly harmful overshadowing. Given that the proposed surface would be at or close to the existing ground level and would be screened to an extent by existing and proposed earth banks and vegetation it would be unlikely to lead to additional significantly harmful overlooking.

As mentioned above the land would continue to be used for sports and recreation; this would inevitably involve some level of noise, and this is to be expected at sites such as schools. Indeed there are existing sports courts with chain link fencing in the north east corner of the site which would cause some noise through the bouncing of balls against the ground surface and the fencing. The proposal would differ from the existing situation in that it would be larger and would allow larger sports to be played on it such as hockey, and it would provide flood lighting. According to the Council's Environmental Health Department the Applicant's appointed noise and lighting designers having regard to the industry standard Base Applicable Techniques (BAT) have designed the proposal in accordance with Sport England's standards. This takes into account minimum separation distances between sports pitches and residential properties, the likely hours of use of the facility and the location of the vehicle entrances and parking areas. The design incorporates relevant mitigation measures including appropriate base/slab ground levels, earth bunds, and noise attenuating vegetation, playing surfaces and fencing materials that absorb noise and vibration and lighting columns with appropriately designed lighting angled down towards the playing surface and away from residential properties. According to the Council's Environmental Health Department providing that the development is carried out in accordance with the submitted details; including the associated noise and lighting assessments/reports, it would be in accordance with Sport England's standards. It is understood that the Applicant would confirm to the Local Authority that the development had been carried out and completed in accordance with these standards and the Local Authority could therefore verify this. The Council notes that the current proposal does not involve the use of the facility by members of the public and any future proposals to alter the arrangement would be assessed accordingly on its merits should this be proposed.

It is noted that the previous permission for the sport pitch omitted floodlighting (prevented by condition), however notwithstanding this and many of the third party comments received, floodlighting technology and cowling has improved in the intervening period, and many such pitches can be seen with lighting focussed towards the playing surface and with very little light spill projecting to the rear of the lighting column itself, as demonstrated in the submitted lighting contour details. The management of appropriate hours of use (as imposed on the previous permission) would also assist in preserving neighbouring amenities in this respect. On this basis and with the use of appropriate planning conditions the proposal would not have an unacceptable effect on the residential amenities of neighbouring properties. It would be sufficiently different from the previous application(s) to allow the Council to reach a different conclusion.

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. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

As mentioned above the school has requested to omit the initially proposed public use and commercial letting element of the proposal. The Council's Highway Department notes the site's location and means of access and the on-site parking and advises that the existing on-site parking would be sufficient to accommodate the vehicles for the proposed development and its use by the school. As such there is no objection to the proposal from the Council's Highway Department providing that the parking is provided/implemented as stated in the application details and that a more detailed Construction and Environmental Management Plan is submitted and these matters/details could be managed by appropriate planning condition(s).

Ecology

As mentioned, the site partially comprises an asphalt court and partially a grass pitch and the grass pitch in particular could potentially offer habitat, commuting and/or foraging space for wildlife. However the pitch is by its nature well maintained/manicured and regularly used for sports and as such would be unlikely to offer suitable habitat. Furthermore, although the proposed development (particularly the fences) would be likely to prevent access on parts of the land it would nonetheless not remove the grass pitch in its entirety and the site overall would continue to provide commuting and foraging routes.

Drainage

It is noted that the proposal is intended to improve the playing surface in order that it can be utilised more consistently throughout the majority of the year and as such it would typically involve the use of drainage channels and a number of draining surface layers. Nonetheless the Council's Drainage Engineer recommends the provision of a sustainable surface water drainage strategy to assist in water retention and to reduce flood risk and this could be managed by planning condition.

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

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

If Members are minded to grant planning permission, the application must be referred to the Secretary of State before a decision can be issued by the Council, should he wish to call-in the application for determination. This is in light of the objection raised by Sport England following the removal of the 'community use' element of the scheme.

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 BE GRANTED subject to any direction by the Secretary of State

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 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 In order to comply with Policy 37 of the Bromley Local Plan 2019.

- 3 Prior to commencement of the development (excluding demolition) 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. The development shall be completed strictly in accordance with the approved levels.**

Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan.

- 4 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and/or drawings unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan 2019.

5 Tree Protection

(i) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:

- (a) Location and installation of services/ utilities/ drainage,**
- (b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees,**
- (c) Details of construction within the RPA or that may impact on the retained trees,**
- (d) A full specification for the installation of boundary treatment works,**
- (e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them,**
- (f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses,**
- (g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing,**
- (h) A specification for scaffolding and ground protection within tree protection zones,**
- (i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area,**
- (j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires,**
- (k) Boundary treatments within the RPA,**
- (l) Methodology and detailed assessment of root pruning,**
- (m) Arboricultural supervision and inspection by a suitably qualified tree specialist,**
- (n) Reporting of inspection and supervision,**
- (o) Methods to improve the rooting environment for retained and proposed trees and landscaping,**
- (p) Veteran and ancient tree protection and management,**
- (ii) The development thereafter shall be implemented in strict accordance with the approved details.**

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy 37, 73 and 74 of the Bromley Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990.

6 Hard and soft landscaping

(i) All parts on the site not covered by buildings shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.

(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: To secure a visually satisfactory setting for the development and to protect neighbouring amenity and in order to comply with Policies 37, 73 and 74 of the Bromley Local Plan 2019.

- 7 Prior to commencement of development (including demolition) the Applicant shall secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation by an archaeological organisation approved in writing by the Local Planning Authority. The archaeological work should include A Watching Brief and a Construction Environmental Management Plan. Access shall be permitted to the site at all reasonable times for the carrying out of the investigations, including making necessary records of items of interest and finds.

Reason: Required prior to commencement of any development because the site is of archaeological interest and detailed investigations should be undertaken to enable consideration to be given to preservation in situ and/or recording of items of interest in compliance with Policy 46 of the Bromley Local Plan 2019.

8 Scheme for Surface Water Drainage

(a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority,

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards,

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (21/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan 2019.

9 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:-

- (a) Dust mitigation and management measures,**
- (b) The location and operation of plant and wheel washing facilities,**
- (c) Measure to reduce demolition and construction noise,**
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-**
 - (i) Rationalise travel and traffic routes to and from the site as well as within the site,**
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity,**
 - (iii) Measures to deal with safe pedestrian movement,**
 - (iv) Full contact details of the site and project manager responsible for day-to-day management of the works,**
 - (v) Parking for operatives during construction period,**
 - (vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary,**
 - (e) Hours of operation,**
 - (f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis,**
 - (g) The development shall be undertaken in full accordance with the details approved under Parts (a)-(f).**

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area and in the interest of the amenities of the adjacent properties and in order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan 2019.

10 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy 32 Bromley Local Plan 2019.

- 11 Prior to the commencement of the development hereby approved (including demolition and all preparatory work) provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy 32 Bromley Local Plan 2019.

- 12 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 Local Planning Authority.

Reason: To avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety and in order to comply with Policies 30 and 32 of the Bromley Local Plan 2019.

- 13 The development shall be carried out in accordance with Section 2 of the submitted External Lighting Scheme Proposal dated February 2019 by Brontide Consulting and Section 3 of the submitted Design and Access Statement dated September 2018 by Barker Associates and with Sport England's Updated Design Guidance Note for Artificial Surfaces for Outdoor Sport dated 2013. Before the first use of the development;
- o The lighting and noise attenuation scheme/system shall be fully implemented, and
 - o The Applicant shall verify to the Local Authority that these measures have been implemented/constructed/installed in accordance with the approved details and the standards thereto.
- These measures shall be permanently retained as such thereafter.

Reason: To ensure a satisfactory standard of residential amenity and in order to comply with Policy 37 of the Bromley Local Plan 2019.

- 14 The facilities hereby permitted shall only be used between the following hours
Mondays to Fridays 0800 hours and 1930 hours
Saturdays, Sundays and Bank Holidays 0800 hours to 1800 hours.

Reason: In the interests of the residential amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan 2019.

- 15 The facilities hereby permitted shall not result in additional classes of children being schooled on the premises or additional staff being employed at the school.

Reason: In order to prevent overdevelopment of the site and in order to comply with Policy 37 of the Local Plan 2019.

- 16 No letting of the facilities hereby permitted to members of the general public shall occur.

Reason: In order to prevent overdevelopment of the site, to manage the highway, transport and parking impacts and in the interests of protecting the residential amenities of neighbouring properties within the area and in order to comply with Policy 37 of the Bromley Local Plan 2019.

You are further informed that:

- 1 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017 which is available on the Bromley web site.**
- 2 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.**
- 3 The Applicant is reminded of their requirements and responsibilities according to The Party Wall etc. Act 1996. Further details can be found at the following address:
https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/16**