

Committee Date	19.05.2022	
Address	Babington House School Grange Drive Chislehurst Bromley BR7 5ES	
Application Number	21/02452/FULL1	Officer - Robin Evans
Ward	Chislehurst	
Proposal	Erection of single storey extension to south east elevation to provide permanent classroom.	
Applicant	Agent	
Sharon Best	Nathan Anthony	
Babington House School Grange Drive Chislehurst BR7 5ES	St Johns Lane Canterbury CT1 2QQ	
Reason for referral to committee	Councillor call in	
Call-In	Yes	

RECOMMENDATION	Application Approved
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KEY DESIGNATIONS Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 10

Representation summary	Neighbour letters sent 29.6.21 Site notice displayed 30.6.21 Newspaper advert published 7.7.21
Total number of responses	8
Number in support	0
Number of objections	8

UPDATE

This application heard at the meeting of the Plans Sub Committee 1 on 3 February 2022 was deferred by the Planning Committee in order to seek a Travel Plan, a Masterplan for future

development proposals, and a legal agreement to secure the removal an associated temporary classroom (20/03272/FULL1). The deferral reason also referred to the consideration by the Planning Enforcement Manager enforce an alleged breach of Condition 6 (Landscaping) of an earlier separate planning permission 19/01698/FULL1 for a MUGA.

The matters arising from the current planning application 21/02452/FULL1 have now been resolved, as set out in the following assessment, and the application is referred back to the Planning Committee for its further consideration and decision making of this application only.

The matter of the alleged breach of the landscaping Condition 6 of 19/01698/FULL1 is a separate matter which shall be addressed accordingly and is not for consideration in the current planning application 21/02452/FULL1. Notwithstanding this, the Planning Committee is advised that the Applicant has since submitted a new landscaping/planting scheme under a separate s73 application (19/01698/RECON) which is being considered and shall be determined in due course.

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not impact detrimentally on the character of the area,
- The development would not impact detrimentally on the heritage assets,
- The development would not have a significantly harmful impact on the amenities of neighbouring residents
- The development would not have harmful highway impacts.

2. LOCATION

- 2.1 The application site is Babington House School, located on the Grange Drive at the junction with Clifford Avenue. The main original building appears to be a former manor house 2-3 storeys in height, subsequently extended and converted into a school. The site is relatively compact and the open grounds to the east and south east comprise grassed areas (with some trees) and two MUGA pitches in the south east corner and north east corner of the site. There is a three storey flat roofed “tower” type extension to the eastern elevation of the main building which appears to be positioned between the two MUGAs with a small hard surfaced area in front. The perimeter/boundary is marked by trees and a chain-link/weldmesh fence. The site is not located in a Conservation Area or an Area of Special Residential Character, and the building is not statutorily listed although it is locally listed.
- 2.2 The development site comprises the ground floor section of the three storey “tower” extension and the hard surfaced area where a single storey extension has been constructed.



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Fig 1 Site location plan.

3. PROPOSAL

- 3.1 Planning permission is sought for erection of single storey extension to south east elevation to provide permanent classroom. It is understood that although the development had not begun at the time the planning application was made some construction works have since begun on site, although they are carried out at the Applicant's risk and potentially liable to Planning Enforcement Action.
- 3.2 The application is supported by the following documents:
- Application form,
 - Application drawings,
 - Design and Access Statement,
 - Drainage Statement and FRA,
 - Construction phasing/details,
- 3.3 In response to comments received the Applicant offers the following comments:
- Due to the level changes between the existing building and proposed building, internal corridors would be difficult, without enlarging the proposed building larger, and the School is content with the external access only,
 - The proposed addition can be constructed without impacting upon the existing building "tower" foundations,
 - The proposed building is intended as a classroom

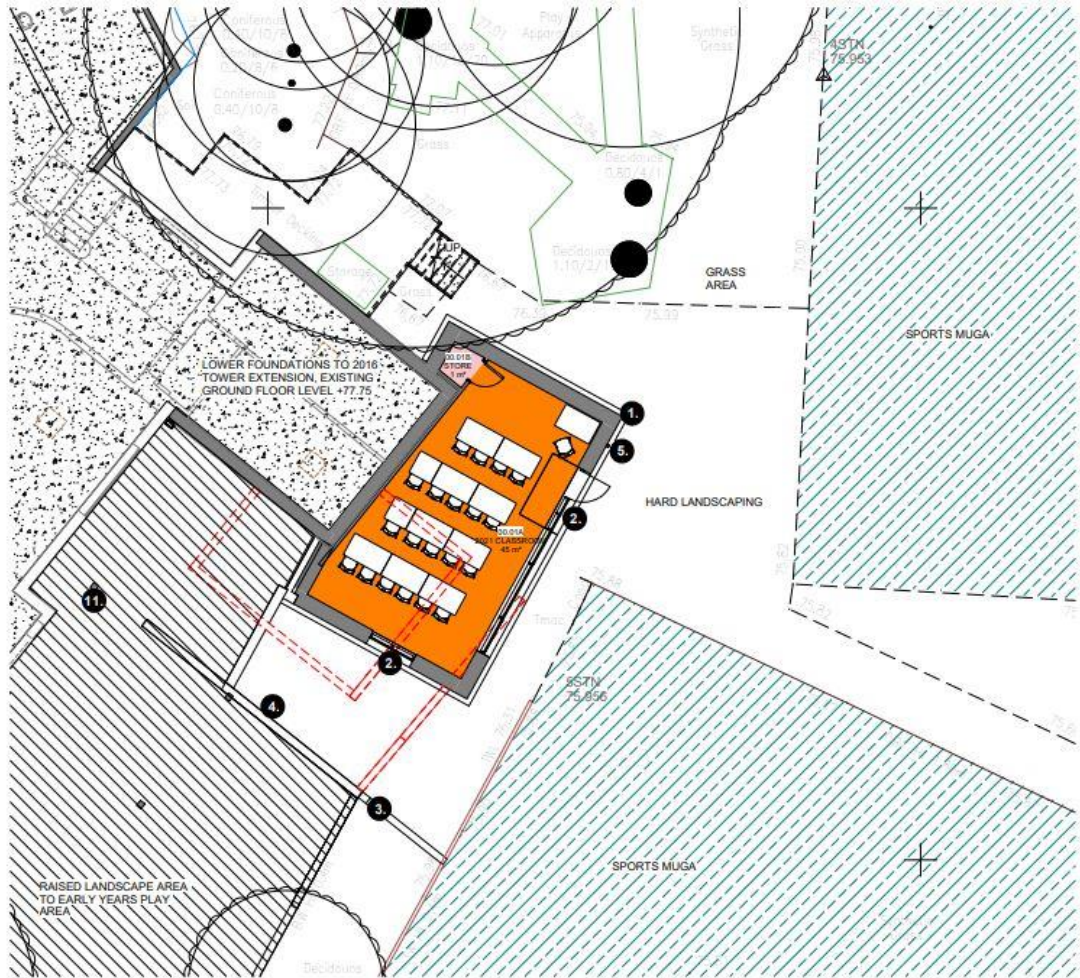


Fig 2 Proposed ground floor plan.



Fig 3 Proposed SE (front) elevation.



Fig 4 Proposed SW (side) elevation.

4. RELEVANT PLANNING HISTORY

- 4.1 There have been various planning applications to the school including a number of temporary buildings for classrooms etc. dating from the 1980s onwards as well as some tree works including:
- 4.2 00/01949/FULL1 – Detached temporary building for 2 classrooms was granted on 19 July 2000 and its position and retention for a further period was granted under subsequent applications.
- 4.3 19/01698/FULL1 – Construction of MUGA pitch on existing grassed area (retrospective) was approved on 16 February 2021.
- 4.4 20/03272/FULL1 – Retention of temporary modular building for educational use for a period of 18 months together with associated works was approved on 1 June 2021.
- 4.5 19/01698/RECON – Variation of Condition 1 and Condition 6 of planning permission 19/01698/FULL1 dated 16 February 2021 for proposed construction of MUGA pitch on existing grassed area (Retrospective), to amend the approved landscaping/planting and to retain a constructed vehicular access and maintenance gate on to Clifford Avenue (Retrospective) is pending a decision.

5. CONSULTATION SUMMARY

A) Statutory

- 5.1 Highways: The application site lies in an area with a low PTAL 2 rating indicating the application site and proposed development would be more reliant upon private transport, such as the car, than on public transport services. This is a sensitive site in terms of on-street parking by staff and dropping off and picking up of pupils, with known traffic and parking congestion issues. The School is understood to have a Travel Plan although it does not appear to have been updated recently. It is understood that some staff may/may have previously parked at the Chislehurst Sports and Country Club car park on Elmstead Lane although it is not known if this still occurs, whether the recent location of a nursery school at the Sports Club may have affected this staff parking arrangement, and this should be confirmed. The

proposed extension is to replace the existing temporary classroom (20/03272/FULL1) and the increase in pupil numbers has already taken effect and this proposal in itself would not increase staff or pupil numbers. The school mentions further expansions when a more detailed look at the traffic situation will be undertaken. However, in the meantime, given that this proposal would formalise the temporary classroom permission and as the Travel Plan has not been updated for some time, the School should provide an up-to-date Travel Plan including the normal mode of travel by all staff and pupils and proposed initiatives to reduce car travel.

B) Local Groups

5.2 The Chislehurst Society

- Access to the proposed extension appears to be external and not integrated into the school's internal layout/access,
- Foundations may impact upon the adjacent tower structure,
- Intended purpose may change over time and may become a changing room for the adjacent sports pitches,

C) Adjoining Occupiers

5.3 Objections

5.3.1 General

- There is no clear overall plan for the school expansion which appears to be poorly planned and piecemeal,
- The school continues to expand in pupil numbers up to 621 and building size, overdeveloping the site, and should be curtailed,
- Proposed single storey extension may be extended upwards over time,
- Works have started on site, the School assumes planning permission will be granted conflicting with the proper planning application process,
- Neighbours have not been informed of the development/application,
- The school is a business and its building works are for profit,
- Poor integration of proposed extension with main school and siting next to MUGA may lend itself to being a pitch-side changing room,
- Other works are taking place to the Early Years accommodation and outside areas compromising the design and physical access arrangements (wheelchair ramps),

5.3.2 Standard of accommodation

- Proposed extension would block windows in existing rooms creating a poor quality environment within that room,
- Proposed extension is not well integrated into the existing building, with external access only,
- Differing ground levels may not meet necessary accessibility standards,

- 5.3.3 Design
- Proposed extension is a poorly designed piecemeal addition conflicting with and detracting from the existing building, blocking its existing architectural design and features,
- 5.3.4 Neighbouring amenity
- Existing and additional traffic congestion would harm air quality,
 - Building works cause noise and disturbance to residents particularly during weekends and summer holiday,
- 5.3.5 Highways and parking
- Previous expansion in 2015 with 60 increased pupils causes traffic and parking congestion,
 - Private Schools have a wider catchment area increases private car use rather than public transport, cycling or walking from within the local area,
 - Lacks a Travel Plan to manage expansion in pupil numbers, promote sustainable travel and manage transport/parking,
 - Traffic and parking congestion reducing visibility, harms highway safety; causing accidents, and obstructs residents' properties,
 - The School should manage traffic and parking through parking restrictions, staggered arrival/drop off times and use of the Elmstead Lane playing field,

6. POLICIES AND GUIDANCE

- 6.1 National Policy Framework 2019
- 6.2 NPPG
- 6.3 The London Plan 2021
 D4 Delivering Good Design
 S3 Education and childcare facilities
 HC1 Heritage conservation and growth
 G7 Trees and woodlands
 T4 Assessing and mitigating transport impacts
 T6 Car parking
- 6.4 Bromley Local Plan 2019
 30 Parking
 37 General Design of Development
 39 Locally Listed Buildings
 57 Outdoor Recreation and Leisure
 58 Outdoor Sport, Recreation and Play
 72 Protected Species
 73 Development and Trees
 74 Conservation and Management of Trees and Woodlands
 115 Reducing Flood Risk
 119 Noise Pollution
 122 Light Pollution
- 6.5 Supplementary Planning Guidance

7. ASSESSMENT

7.1 Procedural Matters

7.1.1 Notwithstanding representations received, the planning system allows for planning permission to be sought and granted retrospectively, and although this is not encouraged such proposals are assessed on their planning merits only and their retrospective nature shall not prejudice those applications in any way. Furthermore, works carried out (that require planning permission) without the necessary consent are in breach of planning control, unauthorised, they are carried out at the Applicant/Developer's own risk, and are potentially liable to Planning Enforcement action by the Council.

7.1.2 Notwithstanding third party representations the planning application has been published/notified in accordance with the planning regulations and 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), by placing an advert in the local newspaper and by placing adverts/notices on or close to the application site. Although the Applicant is not obliged to engage with the community this would not be discouraged.

7.1.3 In the event that planning permission is granted it may be subject to any appropriate conditions to manage the way in which the development/activity takes place, and this is a standard practice on all planning permissions. The reason for a development is not a material planning consideration; except for instance in Green Belt cases where Very Special Circumstances may be required.

7.2 Principle and location of development – acceptable

7.2.1 The land in the location of the extension was formerly a hard surfaced area adjoining the existing "tower" element of the building and at the edge of the MUGA playing pitches. The land is part of the wider educational use of the site and would not conflict with the established use as a school.

7.3 Design and landscaping – acceptable

7.3.1 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.

7.3.2 Paragraph 124 of the NPPF 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.

7.3.3 Paragraph 127 of the NPPF 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.

- 7.3.4 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.3.5 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.
- 7.3.6 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.7 The extension is single storey in height, relatively modest in size and scale and is be viewed from most viewpoints with the larger form and mass of the “tower” extension and the main building behind it and as such it does not appear to overdevelop the site or appear unduly prominent in the wider area and it is well separated from the site boundaries and does not appear cramped in relation to the boundaries or other surrounding development. The overall design and materials complement those in the existing building, particularly the “tower” extension.
- 7.3.8 The application details indicate that the proposed permanent extension is to replace some of the piecemeal temporary accommodation portable classrooms around the site (such as 20/03272/FULL1) and as such it will assist in providing more integrated accommodation removing some of the cluttered portable structures. It refers to a wider master plan and intention to expand the school, with this constructed extension providing an initial part of that plan with the potential to access its roof area in the future. However, at this point, the currently constructed classroom extension is assessed on its own merits and any future proposals in the mentioned master plan would be assessed at that time. However, the construction of this permanent extension enabling the removal of some of the existing temporary portable classrooms would improve the wider appearance of the site. The removal of the existing temporary classroom 20/03272/FULL1 is already required by Condition 1 of that permission, and it could be enforced accordingly and would not

require a legal agreement as requested by the Planning Committee in its deferral reason.

- 7.3.9 The extension is positioned on existing hard surfacing and does not have a directly harmful impact on trees or vegetation important within the site or street scene.
- 7.3.10 Although the proposal is not for major development and is not obliged to achieve Secure by Design, it could nonetheless provide Secure by Design measures/mitigation and the Applicant could be encouraged to do so by planning informative.

7.4 Heritage Assets – acceptable

- 7.4.1 The NPPF Section 16 sets out 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.
- 7.4.2 NPPF paragraphs 202-203 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.
- 7.4.3 As mentioned, the extension is relatively modest in size and scale, it is not unduly prominent in the site or in the wider area. There are many other extensions to the building of varying eras, designs and appearance and although this addition is recent it is nonetheless in keeping and does not detract from the character, appearance or historic setting of the existing locally listed building and there is no objection from the Council's Conservation Officer.

7.5 Neighbouring amenity – acceptable

- 7.5.1 Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.
- 7.5.2 Policy 4 of the Bromley Local Plan also 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.

7.5.3 As mentioned, the land/site is already in educational use. Although the classroom may be visible from some of the nearby neighbouring properties it is not excessive in size and it is well separated from the boundaries and nearest neighbouring residential properties and this proximity together with its size and scale does not have a significantly harmful impact on the residential amenities by reason of over overbearing effect or overshadowing. Although existing trees/vegetation should not be relied upon to screen new development, existing trees within the site and boundary screening assist to some degree. The siting of the classroom and its use does not have a significantly more harmful impact in terms of general activity/disturbance or noise than the former use of the land as part of the playing area and indeed it may even partially screen some noise from those properties. Furthermore, as indicated in the application details, the proposed permanent addition would enable the removal of some existing temporary classroom(s) around the site which are located closer to neighbouring properties.

7.6 Highways and parking – acceptable

7.6.1 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.

7.6.2 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.

7.6.3 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.

7.6.4 As mentioned in the previous application for the retention of the temporary classroom 20/03272/FULL1 there were 401 pupils in September 2019 rising to 417 pupils in September 2020 and a forecast of 420 pupils to the end of the School year in September 2021. The currently proposed extension forms a permanent replacement classroom for the existing temporary classroom i.e., it would accommodate those pupils currently housed in the temporary classroom which shall be removed in due course and the permanent extension in itself would not increase pupil or staff numbers any further. The School has an existing Gold level Travel Plan with the following key points and supporting comments from the School:

- *Current proposals (both the classroom application and forthcoming main block extension application) are not about growth of the school but simply providing pupils with improved and specialist facilities,*
- *Current PAN (published admission number) for BHS is 460 pupils*,*
- *Current pupil roll is 442 so there is minimal additional pupil allowance,*

- *SMART objectives contained therein guarantee implementation of the Travel Plan – it is submitted that an appropriately worded condition on the planning permission would commit the school to following measures in the document*
- * The PAN for any school is the number of pupils in each year group that the admission authority has agreed will be admitted.*

Thus, the School could not expand beyond this number and the current proposal(s) do not directly enable the School to expand beyond its maximum pupil roll. Future plans are yet to be confirmed or developed however in the meantime the School wishes to provide improved facilities for the current PAN.

As mentioned, the current pupil roll is 442 with a PAN of 460, and therefore 18 additional pupils could already join the School without the need for any additional buildings/facilities and this underlines that the current proposal(s) do not seek to directly increase pupil numbers.

Current staff number is 114 and this may grow to 117 with additional pupils.

The School Bursar offers the following points of information/clarification: Future development opportunities are not about growth but providing the pupils that we currently have in school with the specialist facilities that they need for their education. We currently have 2 small science labs which are not located on the same floor of the school. The school requires 3 specialist wet labs, a properly ventilated prep room and a temperature controlled chemical store. We also have a roof space in the oldest part of the school building which serves as our Art room. The whole school access Art from Nursery through to Year 13 and Art and Design is a part of the school we wish to develop. Any new building project would allow us to build 3 new labs and a specialist Art & Design space as well as provide much needed staff working and social areas which have been identified as a need on our wellbeing strategy. Also, to add is that we currently have 15 car parking spaces at the sports field [Elmstead Lane] and potentially another 15 that that could be rented. This could be included in any future applications if the transport report identified the need. We currently have Junior Travel Ambassadors in the prep school who are carrying out studies with speed guns in the roads surrounding the school and they are speaking to our parents if they do not park properly. We have also invested in signage which is placed outside the school advising parents to park more considerately.

- 7.6.5 The Council's Highway Department notes that the existing School Travel Plan is due to expire at the end of August 2022. The School and the Council's Highway Department are in the process of updating and renewing the Travel Plan in due course and indications are that the new Travel Plan may be appropriate in principle. Although that process shall take place formally and separately from this planning application it would nonetheless be prudent to remind the Applicant of this and this could be managed by a planning condition and/or informative. Any future proposals in the mentioned a Master Plan would be assessed on their merits at that time. In light of these details and considerations there is no objection from the Council's Highway Department.

7.7 Other matters

7.7.1 Drainage – acceptable

7.7.1.1 There is no objection from the Council's Drainage Engineer.

8. CIL

8.1 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.

9 Conclusion

9.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it does not detract from the character and appearance of the site and its setting; including the locally listed building, it does not result in a significant loss of amenity to local residents, and does not have significantly harmful highway impacts or other effects such as drainage.

9.2 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 the recommended conditions:

Standard

~~Standard Time Limit~~

Standard compliance/retention in accordance with the submitted plans (part retrospective)

Details to be submitted

Travel Plan Renewal (part retrospective)

Compliance

External materials as set out in the application details

Constructed in accordance with the Flood Risk Assessment and Drainage Strategy

Informatives

Secure by Design

Renewal of Travel Plan circa August 2022

Any other planning condition(s) considered necessary by the Assistant Director of Planning.