

SECTION '2' – Applications meriting special consideration

**Application No :** 11/01105/FULL1

**Ward:**  
**Copers Cope**

**Address :** Bishop Challoner School 228 Bromley  
Road Bromley BR2 0BS

**OS Grid Ref:** E: 538945 N: 169431

**Applicant :** Mr D Rolls

**Objections :** YES

**Description of Development:**

Construction of wooden play area including climbing apparatus with maximum height of 2.6m. Erection of wooden shelter with maximum height of 3.3m. Creation of loosefill impact absorbing material surface to south of site

Key designations:

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

**Proposal**

This proposal is for the construction of a wooden play area including climbing apparatus with maximum height of 2.6m; erection of wooden shelter with maximum height of 3.3m; and creation of loosefill impact absorbing material surface to south of site.

Three other applications - refs. 11/01122, 11/01104 and 11/01105 are also on this agenda involving other works to the site.

**Location**

Bishop Challoner School, formerly Shortlands House School, is a late 18th century Grade II Statutory Listed Building and is set within an area of Urban Open Space.

**Comments from Local Residents**

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

- the distance from the rear gardens of Scotts Avenue to the application site is short. The site generates 'appalling' noise which starts at 8am and finishes at 9pm, two nights a week in addition to fetes, concerts etc.
- the Education Authority has said for some years that there is insufficient open areas for play for the 400 or so pupils.
- the fences of the residence at Scotts Avenue have been extended to stop footballs coming over. There is no supervision for much of the play time by staff resulting in injuries for residents.
- at present noise levels from the school are unacceptably high. Further noise from excited young children so close to the boundary is unacceptable.
- from the climbing frame it may be possible for children to look directly into the rear garden of No. 6 Scotts Avenue.
- no objection to the application in principal but it should be moved to a site much further from the residential properties where the noise would be less noticeable given the size of the grounds.
- no reason why these playground structures need to be provided.
- the OS extract does not identify by number the houses at No. 6 and 8 Scotts Avenue which are most affected by the application.
- confusion over which plans are included as part of the application and adjoining properties not indicated.
- the elevation incorrectly shows the fence height to the gardens to the residential properties in Scotts Avenue as 1.8m the fence is actually 1.5m (at the rear of No. 8). This significantly alters the relationship of the wooden adventure play area to the gardens of the residential properties.
- the wooden adventure play area is shown as being approximately 10m long while another drawing shows this as being 25m long (N.B. the latter measurement is for the loosefill material on which the play equipment would sit).
- there is no accurate indication of the trees and hedges shown on the drawings.
- the proposal will significantly increase the noise level emanating from the school playground first thing in the morning, at mid morning break and at lunchtime.
- intrusive height of the wooden shelter.
- potential for weekend use of the site.

### **Comments from Consultees**

Thames Water raises no objections to the proposal. No comments are received from the Highways Drainage Section.

From a heritage and urban design perspective no objections are raised in relation to the proposal.

From a trees perspective no objections are raised in relation to the proposal.

Any comments on potential noise from the Environmental Health Officer will be reported verbally.

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
BE8 Statutory Listed Buildings  
G8 Urban Open Space  
C7 Educational and Pre-School Facilities  
PPS5 Planning for the Historic Environment

## **Planning History**

There is a substantial planning history pertaining to the site which has been outlined in planning application ref. 11/01105.

## **Conclusions**

The main issues relating to the application are the effect that the development would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

In respect of the impact on the character of the area, the Bishop Challoner School site is designated Urban Open Space and as such Policy G8 is a key consideration when determining such an application. Section (ii) of Policy G8 is most applicable in this instance as it states that "Proposals for built development in areas defined on the Proposals Map as Urban Open Space (UOS), will be permitted only under the following circumstances:

- (ii) the development is small scale and supports the outdoor recreational uses or children's play facilities on the site".

The proposal is considered to satisfy this criterion and is not considered to impair the predominately open nature of the site and as such is considered to be in accordance with Policy G8.

The proposed loosefill impact material is permeable and as such is not anticipated to result in any significant drainage issues. The appearance of the material is considered to be in keeping with the surroundings and would not result in a detrimental visual impact. The proposed appearance of the adventure play area would be natural treated wooden frames and other elements in green which is considered to respect its surroundings and not appear incongruous. The proposed wooden shelter is considered to have been sensitively designed and would respect and complement its setting within the curtilage of a listed building.

In respect of the impact on the residential amenities of neighbouring properties, the proposed wooden play area would be sited a minimum of 1m from the boundary with No. 8 Scotts Avenue. At present there is a substantial amount of planting and an approximately 1.8m high close boarded wooden fence (although it has been stated by a local resident that this fence is in fact 1.5m in height) on the boundary

with between the residential properties and the application site. The rear elevations of the adjoining properties would be a minimum of 20m from the proposed site. Members are asked to consider whether the concentration of play activity in close proximity to the boundary with adjoining residential properties would result in an unacceptable increase in noise and disturbance for the residents of No. 6 and No. 8 Scotts Avenue, contrary to Policy BE1; or whether the use of these facilities primarily for relatively short prescribed periods of time during the week would ensure that the residential amenities of the neighbouring properties would be not be significantly impacted. While it may be argued that the application site is at present used by children as a play area this is likely to be on an informal basis and Members are asked to consider whether the formalisation of this site as a designated play area would result in an unacceptable increase in noise at this location to the detriment of the residential amenities of the occupants of the adjoining properties.

Objections have been raised in relation to loss of privacy for the neighbouring properties due to the indicted maximum height of 2.6m. However, having viewed the manufacturers specification and sample image it is evident that no part of the proposal would result in a raised platform on which one could stand and view into neighbouring rear gardens at this height with the elements on which one could stand being closer to the ground and as such the potential impact in terms of loss of privacy or sense of overlooking is anticipated to be minimal.

The wooden shelter would be located in close proximity to an unused section of the site which appears to have once served as a walled orchard and adjoins Scotts Avenue. The shelter would be located a minimum of 20m from the rear elevation of No. 10 Scotts Avenue and would be largely screened from the view of No. 10 by an existing garage and shed and from the view of No. 8 by existing planting on the boundary and as such the impact of the proposed wooden shelter is not anticipated to be of such an extent as to warrant refusal.

In summation, Members are asked to consider whether the proposal would result in an unacceptable increase in noise levels and activity in close proximity to the rear gardens of residential properties or whether the potential noise generated would be of an acceptable level. On balance, given the potential alternative sites for the proposal which would not impact as significantly on the residential amenity of neighbouring properties it is recommended the application be refused.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/01105, excluding exempt information.

## **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

D00003      If Members are minded to refuse planning permission the  
Following grounds are suggested:

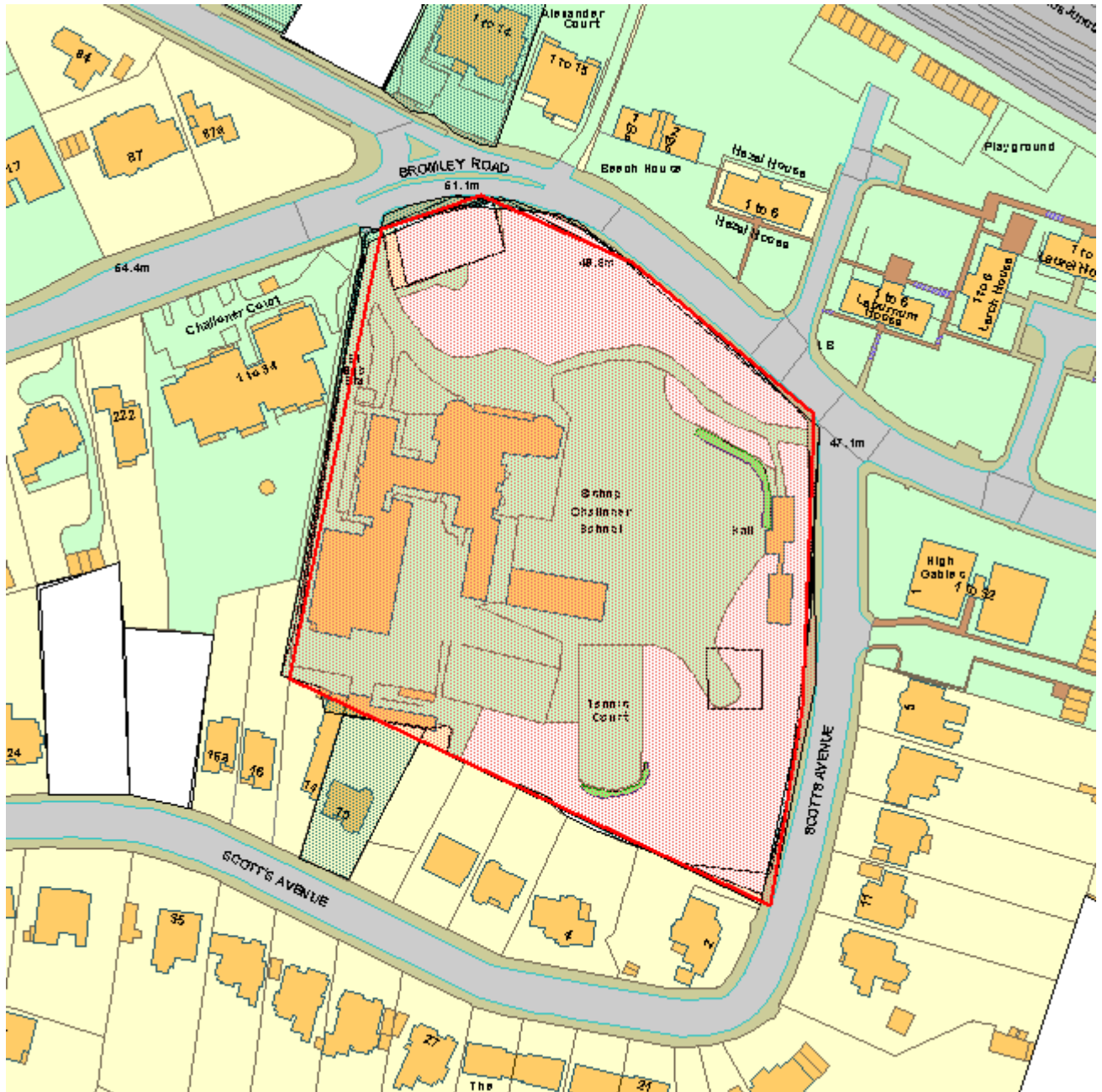
- 1      The proposed development by reason of its proximity to the boundaries with neighbouring residential properties would result in an unacceptable detrimental impact on the residential amenity for the occupiers of Nos. 6 and

8 Scotts Avenue thus contrary to Policy BE1 of the Unitary Development Plan.

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