

Development Management  
London Borough of Bexley  
Civic Offices  
2 Watling Street  
Bexleyheath  
Kent  
DA6 7AT

Our ref:  
Your ref: 20/02516/FUL

18<sup>th</sup> November 2021

Dear Sir/Madam,

## Chislehurst & Sidcup Grammar

**Re: proposed new sports hall with relocation of single storey building providing the PE store and groundman hut. Resubmission of refused application 20/02516/FUL.**

### Introduction

Planning permission was refused on 14<sup>th</sup> December 2020 under reference 20/02516/FUL. The proposal results in amendments to a scheme determined within the past 12 months, and the application is therefore submitted as a 'free go'.

### Overcoming the Previous Reasons for Refusal

The starting point in determination of any future application on the site will be the previous reasons for refusal. The team have reviewed each reason in turn and made a number of amendments and proposed further justification to overcome these reasons for refusal. Each reason is covered in turn below:

#### 1. Impact on the Metropolitan Open Land

The first reason for refusal related to the impact of the proposal on the Metropolitan Open Land. The reason stated:

*'The proposal development would be inappropriate and by definition considered to be harmful to the character, appearance and sense of openness of the MOL. It therefore fails to comply with NPPF Chapter 13, London Plan Policy 7.17 and ITP London Plan Policy G3 and Core Strategy Policies CS01 and CS17'.*

Whilst the applicant does not agree with the first reason for refusal, the client team have reviewed the concerns raised in relation to the impact on the openness of the site, and have revised the siting and layout of the new sports hall to overcome the concerns raised. The sports hall has been pulled away from the southern boundary of the site to enable the sports hall to be read more closely with the existing built form on the site.

Policy 7.17 of the London Plan is clear that essential, ancillary facilities for appropriate uses will be accepted. The proposed development by reason of its educational offer, sports provision and public benefits is considered to be an appropriate facility in this instance.

In addition, the proposal results in the relocation of the current groundsman hut and PE store, as the development would be partly within the footprint of these buildings. As such, part of this land has previously been used for the siting of development. The revised location of the building ensures that the development is located to the north of the existing and established building envelope to reduce the alleged impact on the openness of the MOL.

The alterations to the location of the building, given its relationship and proximity to existing built form on the site, and partly within the footprint of existing built form would overcome this first reason for refusal.

## **2. Loss of existing open playing fields**

The second reason for refusal related to the impact of the proposal on the existing open playing fields. The reason stated:

*The proposal development by virtue of its location would be inappropriate and considered to be result in a harmful loss of existing open playing fields, without reasonable justification or mitigation. It therefore fails to comply with NPPF Chapter 8, London Plan Policy 7.18, ITP London Plan Policy S5, Core Strategy CS01 and CS17 and UDP Policy ENV19.*

Sport England confirmed that the benefits to sport offered by the proposed Sports Hall would outweigh the impact on the playing field, especially given that the school are willing to enter into a community use agreement, extending the benefits to the wider community. This proposal would therefore meet exception 5 which states that 'the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields'.

Notwithstanding this, the application has been submitted with a field pitch marking plans which demonstrates that the 90x55m rugby pitch would be retained as existing. The pitch allows the field to be used for different sports and training, and is not affected by the siting of the proposed sports hall. The sports hall would therefore provide enhanced indoor sports on the site, rather than affecting the current sports offer. As such, the existing open playing fields would not be affected by the proposal.

In addition, the proposal would be partly within the location of the current groundsman hut and PE store, as this land has previously been used for the siting of development, the suggested location is considered to be appropriate.

The revised location would not affect the use of the playing field pitches, and given its location partly within the siting of the existing groundsman's hut is considered to be suitable and appropriate location as the site does not form undeveloped land. As such, the second reason for refusal is considered to be overcome.

### **3. Scale, massing, materials and location**

The third reason for refusal related to the impact of the proposal as a result of its scale, massing, materials and location. The reason stated:

*The proposed sports hall by virtue of its scale, massing, materials and location would constitute an inappropriate and discordant overdevelopment which would be harmful to the appearance and character of its setting. In this respect, the proposal is contrary to NPPF Chapter 12, London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6, ITP London Plan Policy D3, D5 and D8, Core Strategy Policy CS01 and UDP Policy ENV39.*

Concern was raised in relation to the scale, massing and materials. Given the nature of the proposal being a sports hall, the scale and massing is characteristic and cannot be revised. The building of this size and scale is characteristic of school sites, and would not appear at odds given the scale and nature of other buildings on the school site. As covered in detail within the previous planning statement, a number of sports halls have been approved within the greenbelt.

Notwithstanding this, the client team have revised the external appearance of the sports hall to assist in assimilating the development into the wider locality. The proposal comprises a mix of Meadowland, Heritage and Ivy wall panels which is considered to visually break up the massing of the proposal, and to provide a design feature that reads well with the backdrop of the site. These revisions to the materiality of the proposal is considered to overcome the third reason for refusal.

#### **4. Impact on neighbouring amenity**

The final reason for refusal relates to the impact of the proposed sports hall on the amenity of the neighbouring occupiers. The reason for refusal states:

*The proposed sports hall, by virtue of its massing, height and close location to neighbouring properties would have an unacceptable impact on the existing neighbouring amenities of the occupiers of 41-49 Hurst Road due to an unreasonable loss of outlook and increased sense of enclosure. The proposal does not accord with Core Strategy CS01 and UDP Policy ENV39.*

Given the distance between the refused development and the habitable rooms of the neighbouring properties, the scheme was not considered to result in any harm to justify a reason for refusal. Notwithstanding this, the building location has been revised.

The revised location of the sports hall has moved the built form further northwards, away from the residential properties to the south. Given the separation distance between the proposed sports hall and the neighbouring properties, the proposal is not considered to result in any demonstrable harm to the amenity of 41-49 Hurst Road, particularly given the retention of the existing vegetation along this boundary which does offer some screening to the development site.

As a result of the revised location, the proposal is considered to overcome the final reason for refusal.

### **Other material considerations**

The justification for the development is considered to form a material consideration of considerable weight in the determination of the application. Whilst this was covered in detail within the previous planning statement, the main considerations are summarised below:

#### **Educational Need**

The proposed development would result in the provision of a Sports Hall on the school site. Currently the school do not have access to a sports hall. Policy 3.18 of the London Plan is clear that the Mayor will support provision of educational facilities adequate to meet the demands of a growing and changing population. The policy goes on to state that development proposals which enhance education and skills provision will be supported, including new build for educational purposes.

Policy 3.18 states that development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged.

The school and Ingleton Wood undertook an analysis of the current PE facilities at Chislehurst and Sidcup Grammar School, and it was concluded that either the requirements of the national curriculum cannot be delivered all year round; or cannot be delivered in a safe manner. Having regard to post-16 it is in the interests of everyone to minimise drop out and non-achievement and maximise retention and success rates. The decisions made by young people in terms of their post-16 education are critical, but there is a wide range of factors that contribute to retention and success rates. It is not possible to disentangle the various influences on decisions to attribute the impact any one single factor will have.

It is also our opinion that at post-16 age, Chislehurst and Sidcup Grammar School may be disadvantaged in attracting students with a keen interest in PE. The school does not have a sports hall – BB103 recommends that a school with over 600 pupils should have either a 3 or 4 court sports hall. The secondary schedule of accommodation tool recommends that a school of 900 pupils or over should have a 4 court sports hall.

During inclement weather when the fields are inaccessible it is impossible for the PE department to deliver a meaningful curriculum. The gymnasium is marked out for one badminton court and is far too small for 18 year olds to play a competitive game of basketball in.

Badminton cannot be effectively taught at the school, not just because there is only a single court but also because at just over 4.5m, the height of the gym does not allow for the full flight of the shuttlecock. The gymnasium also has ceiling mounted equipment which further reduces its effectiveness for badminton.

Local interschool home fixtures for indoor competitive sport mainly have to be arranged as away fixtures. Where the school is involved in national interschool competition, offsite arrangements have to be made for home fixtures.

The school is rated Ofsted outstanding across all criteria. The school and its staff are rightly proud of this achievement which they consider has been attained despite the sub-standard assembly, exam and sporting accommodation.

The school struggles to run a competitive extra-curricular programme. Students with a sporting prowess are reluctant to attend Chislehurst and Sidcup Grammar School knowing that their potential in competitive sport won't be fulfilled; not due to a lack of qualified and able PE staff, but due to the poor provision of sports facilities at the school.

The overcrowding also impacts on the school's ability to attract sports coaches and outstanding PE staff, as they want to teach in outstanding facilities; the school cannot offer adequate indoor facilities. The main school hall is not suitable to be used as a sports hall. It is significantly undersized and would not be safe.

The gymnasium is not suitable to be used as a sports hall for competitive ball sports or badminton. It is undersized and not safe.

There is a general under provision in terms of indoor PE facilities. The spaces that are usable are unsuitable and impact on the safeguarding of pupils, the health and safety of staff and pupils and the ability of the school to deliver a fulfilling PE curriculum especially when the school fields are inaccessible.

The school cannot support its current intake in terms of PE and sport provision. In light of this, there is considered to be a very clear educational need for the proposed development.

### **Community benefit**

The scheme includes confirmation to enter into a Community Use Agreement which provides opportunities for the hall to be used by local community groups offering a wider public benefit.

### **Previously approved schemes**

As part of the previous application on the site, a number of previously approved similar schemes were referenced. Whilst it is understood that every application must be determined on its own planning merits, the reference to previously approved schemes does indicate that educational justification has been considered sufficient for the approval of other schemes within the Green belt. In addition, it demonstrates that schemes of a similar nature and size have been considered appropriate in the greenbelt. These are covered within pages 15-21 to the support planning statement for application 20/02516/FUL, and include:

- development approved within application 16/02331/FUL – Chislehurst and Sidcup Grammar School
- development approved by Essex County Council under reference CC/BRW/48/20 - Mountnessing School, Brentwood
- development approved by Essex County Council under reference CC/UTT/91/20 - Forest Hall School in Stansted Mountfitchet
- development approved by Tonbridge and Malling under reference 18/01830/FL – Wrotham School for a new Sports Hall
- development approved at appeal for a new sports building in MOL land at Harrow School

These schemes all involve educational buildings, including sports halls, and it was considered as part of these assessments that educational need formed a material consideration of considerable weight resulting in their approval.

### **Planning balance**

The proposed amendments to the refused scheme are considered to overcome the previous reasons refusal. Notwithstanding this, weight has to be afforded to the public benefit of the scheme. The proposal would not only meet the existing and predicted needs of the school, but would also provide capacity and facilities for the local community. The scheme includes confirmation to enter into a Community Use Agreement which provides opportunities for the hall to be used by local community groups.

Exceptional circumstances therefore exist for the development, and sufficient justification has been provided for the development previously alluded by the LPA to be inappropriate.

### **Appeal**

An appeal is currently being determined by the Planning Inspectorate. Without prejudice to this application, or the live appeal, in the event that the London Borough of Bexley were minded to approve this current application, the applicant would withdraw the appeal to avoid any unnecessary work to both parties in defending their appeal position.

Should you need us to contact PINS to request that the appeal under reference 20/02516/FUL is temporarily held in abeyance whilst this application is being determined then please advise by email.

### **Conclusion**

As demonstrated above, whilst the applicant does not agree with the previous reasons for refusal, the revised proposal is considered to overcome the concerns raised by the London Borough of Bexley within their previous decision. It is therefore requested that the application is approved in accordance with the Development Plan, and significant weight is afforded to the justification and exceptional circumstances for the development which include the public and educational benefit that the scheme would offer.

I trust that the information provided is satisfactory, and look forward to receiving confirmation of validation in due course. However, should you or the statutory consultees have any questions, please do not hesitate to contact me.

Yours faithfully,

Rebecca Howard  
**Senior Planner**  
Ingleton Wood LLP  
[Rebecca.howard@ingletonwood.co.uk](mailto:Rebecca.howard@ingletonwood.co.uk)