

Possible Education Provision – CALAT Sandown Road and Croydon Arena

This note has been prepared to examine the planning issues arising from the provision of education facilities at CALAT, Sandown Road and Croydon Arena, Albert Road in South Norwood. Each site will be taken in turn.

CALAT, Sandown Road, South Norwood

It is understood that the proposal is to relocate the existing CALAT facility to a site in Thornton Heath and to use this site as a Secondary School. This site is currently in use as an Adult Education centre. Such a use falls within the same Planning use class as a school (D1 use) and therefore the proposal to use this site as a Secondary school would not require planning permission.

Any external changes to the building would however require the benefit of planning permission. The existing building is included on the Councils Local List of Buildings of Architectural and Historic Importance. Therefore any external alterations would need to be sympathetic to the existing building.

Croydon Arena, Albert Road, Croydon

The planning designations of the Arena Site are somewhat more complex than the site at Sandown Road. This Site is designated as Metropolitan Open Land and is adjacent to an area of Nature Conservation Importance within the Replacement Unitary Development Plan (RUDP). This site therefore engages Paragraphs 74, 78 and 79 – 92 of the National Planning Policy Framework (NPPF), Policies 2.18, 3.18 and 3.19 of the London Plan, and Policies RO1, RO6, RO15, NC1 and NC2 of the Replacement Unitary Development Plan (RUDP) and Policies CS5.9, CS5.10 and CS7.2 of the Croydon Local Plan – Strategic Policies (formerly the Core Strategy).

Education Related Policies

Policy 3.18 of the London Plan states that “In particular, proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which can not be addressed through the appropriate use of planning conditions and obligations.

Policy CS1 of the RUDP states that development of new community facilities (including education) will be permitted provided that the scale is appropriate to its location, capable of being accessed by public transport, demand for car parking and increased traffic would not affect amenity and that it would not cause unacceptable disturbance in the form of noise and disturbance.

Policy CS5.9 of the Croydon Local Plan – Strategic policies (The Core Strategy) states that the Council will support investment in improvement and expansion of primary and secondary schools and special schools to meet the needs of the community and its growing population. Policy CS5.10 states that the Council will support investment in new schools by identifying sites for new schools in the Site Allocations DPD.

Land Use Policies

NPPF

Paragraph 74 of the NPPF states that “Existing open space, sports and recreational buildings and land, including playing fields, should not be built upon unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements or;
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location: or
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The designation of land as Metropolitan Open Land effectively gives land the same protections Green Belt Land. Paragraph 89 of the NPPF states that “A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt” subject to certain exceptions. These exceptions do not include education related development. Paragraph 87 states that inappropriate development is by definition harmful to Green Belt and should not be approved except in very special circumstances

London Plan

Policy 2.18 of the London Plan seeks to promote, protect and expand the extent and quality of and access to London’s Green Network.

Replacement Unitary Development Plan (RUDP)

RO1 Within the Metropolitan Green Belt and on Metropolitan Open Land, except in very special circumstances, the construction of new buildings will not be permitted unless it is for the following purposes:

- (i) agriculture, horticulture and woodland;
- (ii) the limited extension, alteration or replacement of existing dwellings; and essential facilities for:
- (iii) outdoor sport and recreation, for cemeteries, and for other uses of land, including nature conservation (in accordance with policy NC1), which preserve the openness of the Green Belt;
- (iv) limited infilling in existing villages and limited affordable housing for local community needs (in accordance with policy H13); and
- (v) limited infilling or redevelopment of major existing developed sites.

In the Metropolitan Green Belt facilities for uses (iii) to (v) must be essential, genuinely required and must not seriously conflict with the purposes of including land in the Metropolitan Green Belt.

The Council will also refuse permission for other development, including material changes in the use of land unless the development maintains openness and does not conflict with the purposes of including land in the Metropolitan Green Belt and Metropolitan Open Land.

RO6 -Development within or conspicuous from the Metropolitan Green Belt or Metropolitan Open Land will not be permitted if it would harm their visual amenity.

RO15 The Council will refuse permission for development that result in the loss of outdoor sport, leisure and recreational facilities to other uses. This will apply to existing facilities and land last used for such facilities. Changes between outdoor sport, leisure and recreation uses will be permitted except those that result in the loss of a playing field.

Exceptionally the Council may permit applications that result in the loss of playing fields if one of the following circumstances applies:

- a) A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of the Council and Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport;
- b) The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use;
- c) The proposed development affects only land incapable of forming, or forming part of, a playing pitch and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facilities on the site;
- d) The playing field or playing fields that would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development; or
- e) 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.

Applications that involve the loss of playing fields will also be subject to policies RO1, RO8, RO9 and RO10 (as appropriate).

Education related development in this location would therefore be contrary to these Policies.

Croydon Local Plan – Strategic policies (The Core Strategy)

CS7.2 The Council will protect and safeguard the extent of the borough's Metropolitan Green Belt, Metropolitan Open Land and local green spaces.

The RUDP policies previously specified in this note will be saved on adoption of the CLP – Strategic Policies and therefore will remain relevant after April 2013.

As can be seen the Policy context clearly seeks to protect land designated as Metropolitan Open Land and attaches significant weight to its protection. Such land has the same level of protection as Green Belt. The provision of educational development at this site would fail to accord with the allowed development types within Metropolitan Open Land as set out by Paragraph 89 of the NPPF and Policy RO1 of the RUDP. As such the development would be considered as "inappropriate development" in such a location. Inappropriate development should not be granted planning permission except in very special circumstances and any inappropriateness and any other harm needs to be clearly outweighed by other considerations.

Paragraph 72 of the NPPF recognises the need for a balanced decision making process and it is clear that the Government attaches great importance to the provision of sufficient choice of schools and places to meet the needs of communities. It would therefore be necessary for a substantial case to be put forward to justify educational development of part of this land.

In order to put forward a proposal for the development of a school at the Croydon Arena Site it would be necessary for a robust case to be made which demonstrates how the scheme could address the policies set out above and mitigate any tension with adopted policies to an extent to be sufficiently material in determining any proposal. Such a case would need to demonstrate:

1. Evidence regarding the extent of need for education provision across the Borough and the area surrounding the site.
2. That there is a demand for school places which can not be provided on more appropriate sites or through the conversion of appropriate buildings elsewhere in the Borough and the area surrounding the site. This should be demonstrated through a sequential approach including the justification for the eventual selection of site. The planning service can provide advice on the scope this work should take.
3. That the required capacity/expansion could not be provided on existing Secondary School sites. Such an assessments should consider:
 - a) Full demolition and redevelopment of existing Education Facilities
 - b) Remodelling and extensions of existing schools
 - c) Justification as to why the above is not feasible.
4. Linked to criteria two, justification as to why the additional capacity could not be accommodated at other secondary schools in the area

In addition to the above it would also be necessary for the applicant to demonstrate the wider benefits of the scheme (other than education provision), that harm to the function of and openness of the MOL is minimised, that the loss of the open space/recreational space resulting from the proposals results in equivalent or, better provision in terms of quality and quantity as per paragraph 74 of the NPPF. It is therefore suggested that if it is your intention to pursue development of this site a development should:

5. Seek to rationalise the existing buildings on site
6. Ensure any proposals are designed to minimise the impact on the Openness of the Metropolitan Open Land.
7. Re-provide and improve publically accessible sporting and recreational facilities.
8. Ensure that proposals do not adversely affect the openness of the Metropolitan Open Space.

It would also be necessary for such a scheme to meet all other planning requirements in terms of providing a high quality design, appearance and layout, protecting the amenities of the adjoining occupiers, improving access to the site, addressing and satisfactorily mitigating traffic generation and the impact on the surrounding road network and achieving all other relevant standards. This site has particularly difficult access arrangements and therefore particular attention would need to be paid to ensuring that the local highway network and access could accommodate the increased traffic generation.

Finally, notwithstanding the above it should be noted that the submission of a planning application on the above site would be a high risk strategy. It would be

appropriate that you engage with a Planning Consultant and submit a Pre application enquiry so that discussions on all the matters outlined above can be progressed.

In addition to the above I would also recommend that you seek to commence discussions with Sport England and the Greater London Authority at the earliest opportunity. As previously advised the GLA have contacted the Development Management Team regarding proposals for this site and have encouraged that a meeting be set up between Educations and officers at the GLA as soon as possible.

