

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 20 November 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	10-13 Princes Gardens, London, SW7 1ND,		
Proposal	Use of 10 - 13 Princes Gardens as school (Class D1) with outdoor teaching area to rear; external alterations including building refurbishment and installation of extract duct; installation of plant machinery and internal alterations.		
Agent	Macdonald Planning Consultancy		
On behalf of	Cognita Schools Ltd		
Registered Number	18/02304/FULL and 18/02305/LBC	Date amended/ completed	21 March 2018
Date Application Received	21 March 2018		
Historic Building Grade	II		
Conservation Area	Knightsbridge		

1. RECOMMENDATION

1. Grant conditional permission, including a Grampian Condition to secure air quality mitigation, and conditional listed building consent.
2. Agree the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

The applications relate to four former first-rate townhouses forming part of the Grade II listed terrace, 8-15 Princes Gardens. The buildings comprise five stories over basement level. Planning permission and listed building consent are sought for use of 10 - 13 Princes Gardens as a school (Class D1) with an outdoor teaching area to rear, external alterations including building refurbishment and installation of extract duct at rear first floor level and associated internal alterations.

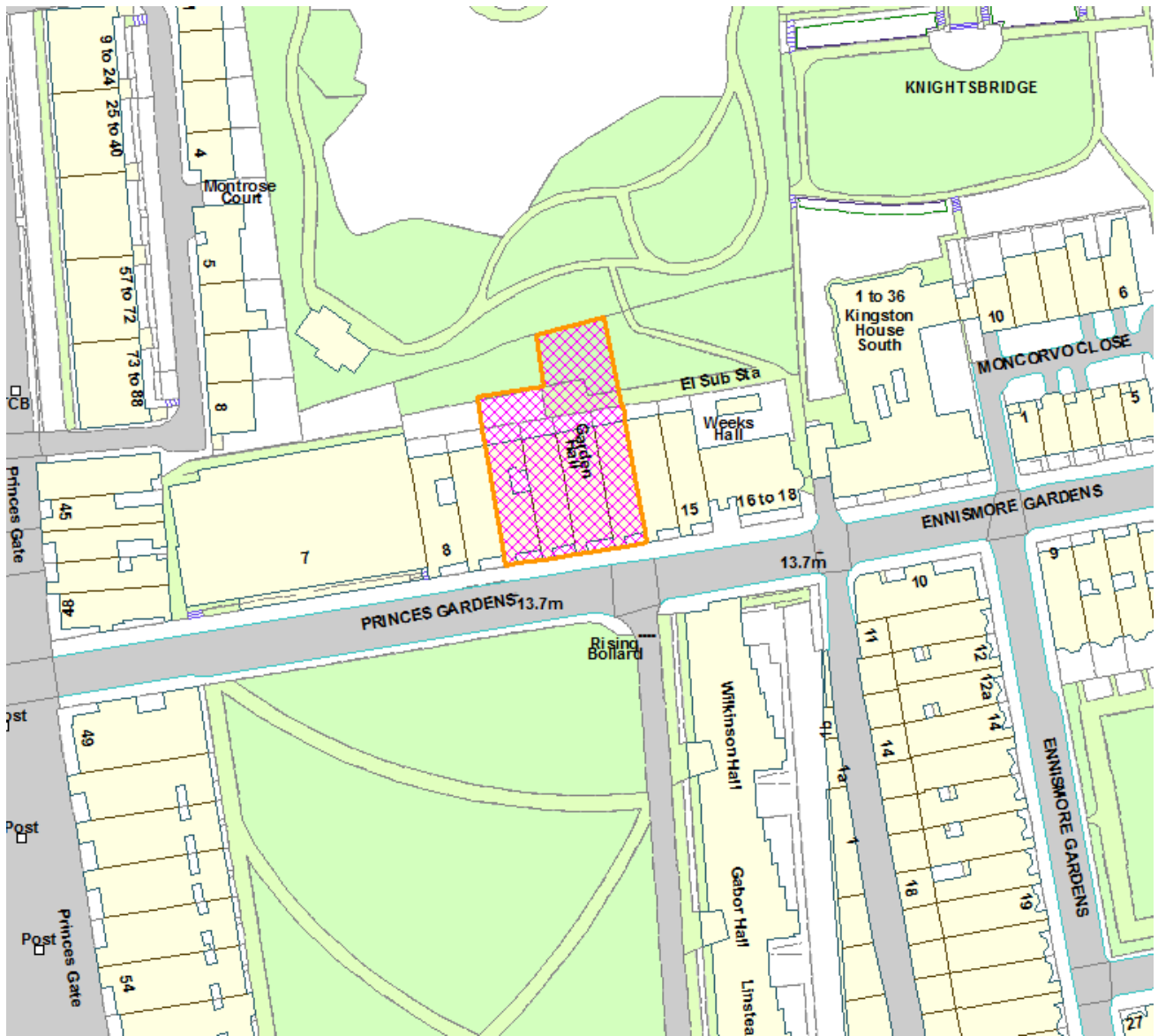
The applicant, St Nicholas Preparatory School, has been located at 23 Princes Gate since the late 1960s. The applicant states that the lease will expire on the premises in December 2020 and replacement premises are sought to prevent closure. The proposals would increase the number of pupils from 243 to 320.

The key issues for the applications are:

- The impact on the amenity of neighbouring properties;
- The impact on the appearance of the Grade II listed building and the character and appearance of the Conservation Area.
- The impact of the proposals on the surrounding highway network.

The proposed development is considered acceptable in land use, design, highways and amenity terms and would accord with policies within the Unitary Development Plan (UDP), Westminster's City Plan (City Plan) and the Knightsbridge Neighbourhood Plan (KNP). As such, it is recommended that conditional planning permission and listed building consent is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front of 10 to 13 Princes Gardens



Rear of 10 to 13 Princes Gardens

5. CONSULTATIONS

HISTORIC ENGLAND

Authorisation given to determine as seen fit.

THE KNIGHTSBRIDGE ASSOCIATION

Comments dated 5 November and 6 November 2018:

- The Association appreciates the considerable efforts of the applicant to meet residents concerns.
- The Association has proposed a number of changes to the applicants proposed conditions and potential s106 agreement. (copy of applicants proposed conditions included in background papers)
- The Association feels that there should be no increase in numbers from the current 210 pupils until the proposed conditions have been demonstrably satisfied to the Councils satisfaction. Once this is achieved a new planning application can be made for an increase in numbers. The present capacity of the school should be the upper limit.
- Additional measures are proposed to the Operational Management Plan for Outdoor Teaching and Use of Prince's Gate Gardens, including additional unannounced spot checks to count the number of pupils using Prince's Gate Gardens and the outdoor teaching space at the rear of the building.
- A condition is requested to ensure that a community liaison panel is formed as a means of monitoring the operation of the school. The aim of the panel will be to receive monitoring reports and resolve outstanding issues.
- It is requested that a travel plan be secured under S106 with additional measures including monitoring the setting down and picking up periods of the school and nursery at typical times and provision that in the event of conflict or overlap the applicant will make reasonable adjustments to accommodate changes made by the Imperial College nursery school in order to reduce conflict and overlap
- In the absence of these enforceable conditions the Association considers that Princes Gardens is not an appropriate location for the school.

Comments dated 11 May and 13 May 2018:

- The Association asks that the proposals are subject to a cap on pupil numbers so as to minimise conflict. The present capacity of the school should be the upper limit.
- The proposals should include an enforceable noise management plan. The association also asks that in the event these measures are not effective in practice, then provision should be made for the applicant to be required to introduce sound screening for nearby residents.
- There will be a very considerable increase in activity at peak times during peak drop-off and pick up periods, even without the increase in pupil numbers. The applicant should be obliged to adjust times as necessary to avoid a peak coinciding with the pre-school next door and by spread the start and finishing times for different groups of children.
- In the absence of enforceable conditions, the Association considers that Princes Gardens is not an appropriate location for the school.

KNIGHTSBRIDGE NEIGHBOURHOOD FORUM

- Any comments to be reported verbally.

WASTE PROJECT OFFICER

- No objection, subject to condition to secure a revised plan indicating proposals for the storage of residual waste and recyclable materials.

HIGHWAYS PLANNING MANAGER

- Concern is raised about car numbers and associated congestion during the drop-off of school children. It is recommended that a Travel Plan be used to help mitigate the highway impact and it is considered that with this measure in place the application could be considered acceptable in terms of traffic generation.
- A condition is recommended to ensure that servicing takes place outside the times that parents are likely to be picking up and setting down children.
- A condition is recommended to secure the proposed cycle parking

ABORICULTURAL OFFICER

- No objection, subject to a condition to secure tree protection

ENVIRONMENTAL HEALTH

- No objections to the proposals on noise nuisance grounds subject to conditions.
- The Council's standard conditions for hours of building work, noise and vibration are recommended.
- The cumulative noise impact of the nursery's use of the rear garden and Princes Gate Gardens plus use of Princes Gate Gardens by proposed school at 10-13 Princes Gardens is considered reasonable subject to conditions to ensure that both applicants adhere to their garden management plans.
- No objection on air quality grounds subject to travel plan and air quality mitigation payment.
- No objection to installation of Reco-air recirculation system subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 193

Total No. of replies: 61

No. of objections: 48

No. in support: 12

No of Neutral: 1

Neighbours and contributors were notified about the submission of an Operational Management Plan for Outdoor Teaching and Use of Prince's Gate Gardens, a Technical Note (320 pupil transport assessment) and a Cumulative Noise Impact Assessment on 22 October 2018.

48 letters of objection have been received on the following grounds:

Amenity

- Children at play are disturbing to nearby residents and the existing school already causes high levels of disruption, disturbance and noise throughout the day.
- At present there is a quiet time on the playground between morning and afternoon sessions, this should be retained.
- Any permission should recognise the potential conflicts with neighbouring residents (particularly the elderly and those who need care) and conditions should be applied to mitigate concerns.
- The number of pupils should be capped at 240 to reduce the cumulative impact of the development in terms of increased noise and traffic.

Highways

- Increased traffic could be dangerous for the nursery children next door and will cause air pollution, which will be particularly harmful to children.
- The proposals would lead to increased traffic in the area, especially in the morning and afternoon peaks for delivery and collection of children and during servicing hours, which could be dangerous, cause disturbance to residents and create traffic congestion.

Impact of Construction

- Concern raised about disruption to residents from movement of construction vehicles.

Other

- Litter has previously been left in Prince's Gate Gardens.

12 letters of support have been received on the following grounds:

Amenity

- The proposals would not cause major disruption

Land Use

- Exhibition Road is one of the United Kingdom's foremost cultural and intellectual Centres, it makes sense to have a preparatory school in this area.
- The school will have significantly improve teaching and learning facilities and will be beneficial to the community.
- The children and school will bring a different and positive dimension to the cultural life around Imperial College.

Design and Conservation

- The plans are sensitive to the buildings heritage and period features.

1 Letter on behalf of Clean Air for London neither objecting nor supporting the application on the following grounds:

- The proposals are likely to increase traffic movements on local residential roads including around the busiest times, increasing air pollution, noise and congestion unless mitigation measures are implemented.
- If the proposal is approved, it is recommended that the following mitigation measures are included: (1) Westminster City Council installing 10 electric charging points in the immediate area; (2) 20mph speed limit being introduced on the residential roads within the City of Westminster area bounded by Exhibition Road in the west, Kensington Road in the north, Princes Gardens and Ennismore Gardens in the south and Rutland Gate in the east; (3) introduction of specific low emission zone measures around the school; (4) strict enforcement action to stop engine idling and parking infringements in the local area; (5) ensure that any related servicing and construction activities are subject to specific arrangements to mitigate their impacts on air quality, congestion and noise.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises four former first-rate town houses forming part of the Grade II listed terrace, 8-15 Princes Gardens. The site is within the Knightsbridge Conservation Area and the Strategic Cultural Area around the Royal Albert Hall and Imperial College. The buildings comprise 5 stories over basement level. There is a fenced garden to the rear of the properties which backs onto Prince's Gate Gardens which is protected under the London Square Preservation Act 1931.

The applicant states that the premises have previously been used as student housing and since the end of the academic year 2013 have been used as a faculty department, seminar rooms and works space areas by Imperial College London (ICL).

6.2 Recent Relevant History

In 2000, planning permission and listed building consent were granted for refurbishments of student residence including additional plant at 10 -12 Princes Gardens (00/06586/FULL and 00/06587/LBC)

7. THE PROPOSAL

Planning permission and listed building consent are sought for the use of nos. 10 to 13 Princes Gardens as a school (Class D1) with a floorspace of 2,492 sqm.

The applicant, St Nicholas Preparatory School, has been located at 23 Princes Gate, north of the application site, since the late 1960s and states that the lease will expire on the premises in December 2020. Replacement premises are sought to prevent closure and allow for the expansion of the school.

Internally, the works to the buildings include changes to the planform, the creation of lateral connections and the restoration of the rear rooms of no.12. Externally, the proposed works involve the restoration of the buildings exterior which is currently in a poor condition. An air recirculation system with associated extract duct to the rear at first floor level is also proposed.

There will also be an outdoor teaching space to the rear, for supervised and structured lessons and Prince’s Gate Gardens will be used for free play.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The applicant states that the established use of the application site is student housing (Sui Generis) with ancillary Class B1 office accommodation and Class D1 educational use associated with Imperial College London (ICL). The Council’s records provide no conclusive evidence to the contrary.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Student Housing (Sui Generis) with ancillary Class B1 office accommodation and D1 educational use	2,492	0	-2,492
School (Class D1)	0	2,492	+2,492
Total	2,492	2,492	2,492

Loss of Student Housing

Policy S15 of the City Plan states that specialist housing floorspace and units will be protected to meet those specific needs except where the accommodation is needed to meet different residential need as part of a published strategy by a local service provider. Where this exception applies, changes of use will only be to residential care or nursing homes, hostel, Houses in Multiple Occupation or dwelling houses use. However, the policy also recognises that specialist housing can become obsolete because of its layout, or changes in the delivery of local services or the client group it was intended to serve and that flexibility is required.

ICL’s Student Accommodation Published Strategy seeks to establish communities in clusters of 350+ students in purpose designed, en suite accommodation, within 30 minutes travel distance of the campus facilities across London and that the college is in the final stages of completing its target of delivering 2,550+ bed spaces. The strategy has led to the removal of some older and not fit for purpose sites as these no longer met student expectations, were inefficient and did not allow for the creation of student communities. Following a review of ICL’s student accommodation portfolio and a feasibility study of nos. 8 – 15 Princes Gardens, the decision was taken to formally close the halls of residence at the end of the 2015 academic year, although parts have been

closed or used for other purposes for longer. The published strategy shows that the loss of 8 – 15 Princes Gardens would not prevent ICL meeting its student accommodation targets and the loss has already been addressed through the delivery and improvement of other halls of residence. The applicant states that since the end of the academic year 2013 the premises has been used as seminar and works space areas (Class D1).

UDP Policy SOC 1 seeks to protect and improve the range of community facilities in Westminster. Part (C) of the policy states that community facilities which involve the loss of residential accommodation will only be allowed in exceptional circumstances, where:

- 1 the community facility meets an essential local need and
- 2 there is no other suitable site in the local area.

St Nicholas Preparatory School has been located at 23 Princes Gate since the late 1960s. The applicant states that the school is required to vacate the building by December 2020. The application site has been selected as it is considered to be an accessible location for local pupils, would allow continuity of education for the existing pupils, provide space for the school to grow and allow access to a sufficient amount of external amenity space. Supporters of the application state that the school is of great value to the local community and its relocation will provide an improved teaching and learning environment. The proposals are considered to be in accordance with SOC 1.

Whilst not fully in accordance with City Plan Policy S15, given the loss is part of ICL's published strategy and the nature of the use that will replace it, on balance the loss of student housing is considered acceptable in this instance.

Creation of School Floorspace

The National Planning Policy Framework (July 2018) chapter 8 (Promoting healthy and safe communities) states that it is important that sufficient choice of school places is available to meet the needs of existing and new communities and that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

City Plan Policy S34 states that new social and community facilities will be encouraged throughout Westminster and will be provided on large scale development sites.

The application site is situated in the Strategic Cultural Area around the Royal Albert Hall and Imperial College, Policy S9 of the City Plan states that new tourism, arts, cultural and educational uses and appropriate town centre uses should be directed to this area.

Policy KBR25 of the KNP states that new development for cultural, educational, research or other uses which strengthen the role, reputation or experience of visiting the Strategic Cultural Area and retains or enhances the area's special character will be supported, subject to accordance with other development plan policies.

Policy KBR19 of the KNP encourages proposals to provide community and leisure (Class D) uses.

UDP policy SOC 1 Part (B) states that community facilities will be required to:

- 1 be located as near as possible to the residential areas they serve
- 2 not harm the amenity of the surrounding area, including the effect of any traffic generated by the proposal
- 3 be safe and easy to reach on foot, by cycle and by public transport

The existing school at 23 Princes Gate currently accommodates 243 pupils (210 full time pupils and 33 part time pupils (between 2 years 9 months and 11 years of age) and 56 staff. The proposals would increase these numbers to 320 pupils and 90 staff by 2025. The hours of use for teaching are 08:00 to 16:00 Monday to Friday. There will be no teaching in the evening or on Saturdays, Sundays or Bank Holidays. The Knightsbridge association have requested that pupil numbers be capped at their existing levels.

A number of objections have been received from neighbouring residents on amenity grounds stating that the existing noise and disturbance from the school children playing in Princes Gate Gardens is unacceptable and that any increase in numbers should not be permitted.

UDP Policy ENV 6 which seeks to reduce noise levels throughout the City to below maximum levels set out in World Health Organisation guidelines; to limit and contain noise from development; to protect noise sensitive properties from disturbance; to protect tranquil areas; and to reduce noise from transport.

In response to the objections from neighbours, the applicant has reduced the proposed maximum number of pupils (from 400 to 320) and provided an Operational Management Plan for Outdoor Teaching and Use of Prince's Gate Gardens, setting out the following:

- The hours of use of Prince's Gate Gardens by school pupils shall be from 10:00 to 14:00, Monday to Friday only;
- One day per week Prince's Gate Gardens will be used will be used for the "sports club" between 15:45 and 16:45;
- The maximum number of pupils using Prince's Gate Gardens at any one time will be 161;
- The maximum number of pupils using Prince's Gate Gardens between 12:00 and 13:30 (lunchtime) at any one time will be 82;
- Four times a year ICL security staff will attend Prince's Gate Gardens and count the number of pupils. This count will then be reported to the Knightsbridge Association and Council (should an issue arise then further counts would be undertaken to ensure conformity with numbers and planning conditions);
- The Outdoor Teaching Space shall only be used for supervised and structured teaching for 75 minutes per day, comprising two slots between 9:15 to 09:45 and 13:30 to 14:15, Monday to Friday only. This will be limited to 36 pupils per slot.

It is considered that the Outdoor Teaching Space, as described in the Operational Management Plan, is unlikely to lead to unacceptable levels of noise. The applicant has provided a Noise Impact Assessment Report which assesses the predicted noise levels of the school children playing in Prince's Gate Gardens. Environmental Health have raised no objection to the School's proposed use of Prince's Gate Gardens or the Outdoor Teaching Space, subject to a condition to ensure that the proposed Operational Management Plan is adhered to.

Given that the proposals are being considered at the same time as proposals to increase the size of the nursery at nos. 8- 9 Princes Gardens (18/01763/FULL and 18/01764/LBC) a Cumulative Noise Impact Assessment has been provided on behalf of both applicants. This report assesses the cumulative noise impact of both proposals and a “worst case scenario” that includes the enlarged nursery’s use of its rear garden and Prince’s Gate Gardens plus use of Prince’s Gate Gardens by the proposed school and the existing school at 23 Princes Gate. The assessment demonstrates that, subject to conditions ensuring that both applicants adhere to their respective Garden Management Plan/ Operational Management Plan, the cumulative noise levels would be in accordance with British Standard and World Health Organisation Guidelines. Environmental Health have raised no objections to the proposals on noise nuisance grounds.

The Knightsbridge Association have suggested further changes to the proposed Operational Management Plan including additional monitoring and a reduction in the maximum number of pupils using Prince’s Gate Gardens (cap of 82 at lunchtime and 128 rest of day). Officers consider the proposed number of pupils and Operational Management Plan to be acceptable and that the proposals comply with ENV 6.

Policy KBR29 states that proposals that are likely to generate significant transport movements should demonstrate no significant adverse impacts on:

- a. air quality
- b. road safety
- c. the pedestrian environment and movement
- d. cycling infrastructure;
- e. disabled access; and
- f. the street network

Objectors state that the proposals would lead to increased traffic in the area, especially in the morning and afternoon peaks for drop-off and collection of children and during servicing hours, which could be dangerous, cause disturbance to residents and create traffic congestion.

The Highways Planning Manager has raised concern about the potential for congestion and road safety issues in Princes Gardens at peak times (08:30 – 08:50 and 15:40- 16:00), associated with the drop-off and pick-up of children by car. However, the site has excellent public transport links and it is considered that a Travel Plan could be an effective measure to reduce car use and stagger arrival and departure times. The applicant has provided a draft Travel Plan which sets out targets to reduce car journeys to the school and a condition is recommended to ensure that, prior to the use of the new school buildings, the applicant must apply to the Council for approval of a revised Travel Plan including further details of how the document will be regularly monitored and amended (if targets identified in the Plan are not being met over a period of 5 years from the date the new school buildings are occupied), and requiring them to apply to the Council at the end of the first and third years of the life of the Travel Plan for approval of reports monitoring the effectiveness of the Travel Plan and setting out proposed changes to overcome any identified problems.

It is considered that the level of servicing required for the school could be accommodated, as long as it was to take place outside the times that children are being dropped-off and picked-up from the school and nursery. A condition requiring the approval of a servicing management plan is recommended. The predicted noise levels from increased vehicle traffic has been assessed and Environmental Health have raised no objection.

The Knightsbridge Association have requested that the travel plan be secured under s106 with additional measures including the monitoring of setting down and picking up periods and provision that in the event of conflict or overlap with the nursery, reasonable adjustments will be made.

Officers consider that the cumulative impact of the nursery and proposed school at 10 – 13 Princes Gardens would be acceptable in terms of traffic generation and noise, subject to the recommended conditions.

Air quality is addressed in section 8.7

UDP Policy SOC 3 states that education facilities will be encouraged to be designed so that they can be used for other community uses outside teaching. The applicant has not proposed to make the school available for this purpose. However, due to the limited facilities provided by the listed buildings and the potential for additional amenity implications associated with its use outside teaching hours, this is not considered to be beneficial in this instance.

The proposals are considered to accord with The NPPF, City Plan Policies S9, S15, S34, Policies SOC 1, SOC 3 and ENV 6 of the UDP and Policies KBR19, KBR25 and KBR29 of the KNP.

8.2 Townscape and Design

The application relates to four former first-rate townhouses forming part of the Grade II listed terrace, 8-15 Princes Gardens within the Knightsbridge Conservation Area. The application proposals must therefore be determined in accordance with the statutory requirements of Sections 16, 66 and 72 of the Act and Chapter 16 of the NPPF, which requires the decision-maker to pay special regard to the preservation of the listed building and to the character or appearance of the conservation area.

The houses have been in a variety of uses by Imperial College for many years. This has caused them to suffer a range of insensitive alterations including numerous lateral connections at various levels, with parts of the building exhibiting little internal significance. The buildings do however retain substantial architectural and historic significance including historic planform, principal and secondary staircases, chimneypieces, panelling and decorative plasterwork. No.12 in particular has been found to be remarkably intact and features some exceptional internal features including a complete suite of 'boudoir' rooms to the rear closet wing between first and second floors.

The application proposals have been amended significantly during the course of the application and are considered to now generally preserve the significance of the listed

buildings based on their current condition. There would be no harm caused to the character / appearance of the conservation area.

There remain some points of harm including new lateral connections, minor losses of planform or new subdivision of rooms, but these are generally balanced by a range of positive measures which must be secured the imposition of conditions tied to the commencement of the new use. This includes the complete restoration of the rear rooms of no.12, and the complete restoration of the exterior which is currently in a parlous state of disrepair – both of these conservation benefits have been addressed by the applicant.

One component of the proposals which still requires revision however is the treatment of the rooms which are proposed to become Classroom 12. The main room of these is a very good room with decorative details to walls and a particularly good assembly of cupboards and chimney piece to the party wall. The revisions to this room submitted already have improved things dramatically, but it remains proposed to completely remove the wall which divides the room from the smaller room to the side. As a minimum a pair of substantial wall nibs and a ceiling downstand must be retained in order to spatially define these two rooms. An amending condition is recommended for securing this final revision.

A flue to the rear of no.12 which rises from the school kitchens beneath the rear lightwell, would cause some new clutter to this rear elevation. This is however kept below the height of the rear terrace parapet and so would only be visible from the flat roof at first floor level.

Subject to these conditions and taking into account the statutory requirements discussed above it is considered that the proposals would overall cause no harm to the architectural / historic significance of the listed building or to the character / appearance of the conservation area. The proposals would comply with relevant local and national policies and guidance, in particular DES 5, DES 9 and DES 10 of the UDP, KBR1 and KBR9 of the Knightsbridge Neighbourhood Plan, and Chapter 16 of the NPPF (2018).

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Given the nature of the proposed alterations to the buildings, there would be no implications in terms of light, privacy, sense of enclosure or overlooking over the existing arrangements

Noise and disturbance is addressed in section 8.1 of this report.

Subject to conditions, the proposals are considered to be in line with policies S29 and ENV13.

8.4 Transportation/Parking

London Plan standards require 12 cycle parking spaces for staff and 40 for pupils. The applicant has proposed 12 adult cycle spaces, 40 scooter spaces and 14 junior cycle spaces, to be located at basement level. It is accepted that the age of the children might mean that few cycle and the provision of scooter racks is considered an appropriate alternative. A condition is recommended to secure the proposed cycle parking.

Servicing and Traffic Generation are addressed in section 8.1.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The premises will have one main entrance door for parents, teachers and pupils through no. 11 Princess Gardens. No alterations are proposed to vehicular access to the site.

The development has been designed to conform with Part M of the Building Regulations and would be DDA compliant.

8.7 Other Policy Considerations

Air Quality

Policy SI1 of the Draft London Plan (2018) states that London's air quality should be significantly improved and exposure to poor air quality, especially for vulnerable people, should be reduced. It also advises that applications for major development proposals should be accompanied by an Air Quality Assessment and these developments must be at least 'air quality neutral'.

Policy KBR34 of the KNP states that all development must aim to be at least "air quality neutral" and not cause or contribute to worsening air quality.

Objectors have raised concern that the proposals would lead to air pollution and impact upon air quality in the surrounding area.

Whilst the application is not classed as "Major Development", the proposed use of the building as a school is a sensitive use and as such the applicant has submitted an air quality assessment. This assessment demonstrates that it is not possible to achieve 'air quality neutral' on site however, as recommended by Policy SI1 of the Draft London Plan 2018 and the Mayors SPG on Sustainable Design and Construction (2014), the applicant has agreed to make a financial contribution towards air quality off-setting as mitigation. Following negotiations with the applicants and based on the DEFRA Interdepartmental Group on Costs and Benefits Air Quality Damage Costs per tonne, the applicant has agreed to pay a total of £10,749, paid over a five year period, to be secured by Grampian condition. The City Council will use such contributions to an air quality offset fund to introduce air quality mitigation measures across the City.

In addition to the above air quality mitigation a Travel Plan will be secured by condition which will detail additional measures to minimise traffic generation. Clean Air in London have suggested a number of other mitigation measures including: the installation of 10 electric charging points in the immediate area, a 20mph speed limit being introduced on the surrounding residential roads and the introduction of specific low emission zone measures around the school. However, it is not considered reasonable or practicable to require the applicant to provide these off-site mitigation measures.

Subject to the proposed Grampian Condition and Travel Plan, the proposals are considered to be in accordance with policies SI1 of the Draft London Plan and KBR34 of the KNP.

Plant and Kitchen Ventilation

The applicant states that they do not intend to change the current plant and machinery, which is housed in the basement.

In terms of odour extraction from the kitchen, the applicant has confirmed that they will be installing a Reco–Air system. A condition is recommended to ensure that, before work on this part of the development is started, the applicant must apply for approval of details of the system which will be considered by environmental health.

Trees

The applicant has provided an Arboricultural Report which shows that the impact of the proposals on surrounding trees will be low. The Councils Arboricultural Section have raised no objection to the proposals subject to a condition that, prior to the commencement of works, the applicant must apply for approval of a method statement explaining the measures they will take to protect trees on and close to the site.

Refuse /Recycling

The drawings submitted are not in line with the Council's recycling and waste storage requirements. A condition has been attached to ensure that the applicant must submit details of how waste is going to be stored on the site and how materials for recycling will be stored separately.

8.8 Neighbourhood Plans

The Knightsbridge Neighbourhood Plan includes policies on a range of matters including character, heritage, community uses, retail, offices, housing, cultural uses, transport and the environment. It has been through independent examination and supported at referendum on 18 October 2018 and therefore now forms part of Westminster's statutory development plan. It will be used alongside the council's own planning documents and the Mayor's London Plan in determining planning applications in the Knightsbridge Neighbourhood Area. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed elsewhere in this report.

8.9 London Plan

This application does not raise any significant strategic issues and is not referable to the Mayor. Where relevant, considerations involving London Plan policies are dealt with in other sections of this report.

8.10 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.11 Planning Obligations

A Grampian Condition is recommended to require the applicant to enter into a legal agreement to secure a financial contribution of £10,749 over a period of five years towards air quality mitigation measures.

This development does not generate a Mayor CIL or WCC CIL payment.

8.12 Environmental Impact Assessment

The proposed development is of insufficient scale to require an Environmental Impact Assessment. Where relevant, the environmental impact of the development has been assessed in earlier sections of this report.

8.13 Other Issues

Community Liaison Group

The Knightsbridge Association have requested that a Community Liaison Group is formed as a means of monitoring the operation of the school and resolving outstanding issues. Whilst the creation of a liaison group is encouraged, it is not considered reasonable to secure this via condition.

Construction Impact

Policy KBR22 of the Knightsbridge Neighbourhood Plan states that proposals should be designed in a way that minimises their impacts on amenity, public health and the environment through dust and emissions, light pollution, noise and vibration during deconstruction and construction.

Concerns have been raised by objectors relating to disruption resulting from the movement of construction vehicles during the building works.

The Code of Construction Practice was published in July 2016 and is designed to monitor, control and manage construction impacts on sites throughout Westminster. It applies to all major developments from September 2016. As the proposals are for change of use and refurbishment of the building, it is considered that the number of construction vehicles will be less than could be expected for a major development. The application does not fit into the Council's Code of Construction Practice scheme given the extent of works proposed.

Informatives have been added to encourage the applicant to join the nationally recognised Considerate Constructors Scheme and to keep neighbours informed about unavoidable disturbance such as noise and traffic disruption.

A condition has been added restricting any building work which can be heard at the boundary of the site to between 08.00 and 18.00 Monday to Friday, between 08.00 and 13.00 on Saturday and not at all on Sundays, bank holidays and public holidays. Piling, excavation and demolition work is restricted to between 08:00 and 18:00 Monday to Friday and will not be carried out on Saturdays, Sundays, bank holidays and public holidays.

Accordingly, the proposals are considered to be in accordance with KBR22.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: IAN CORRIE BY EMAIL AT icorrie@westminster.gov.uk

9. KEY DRAWINGS

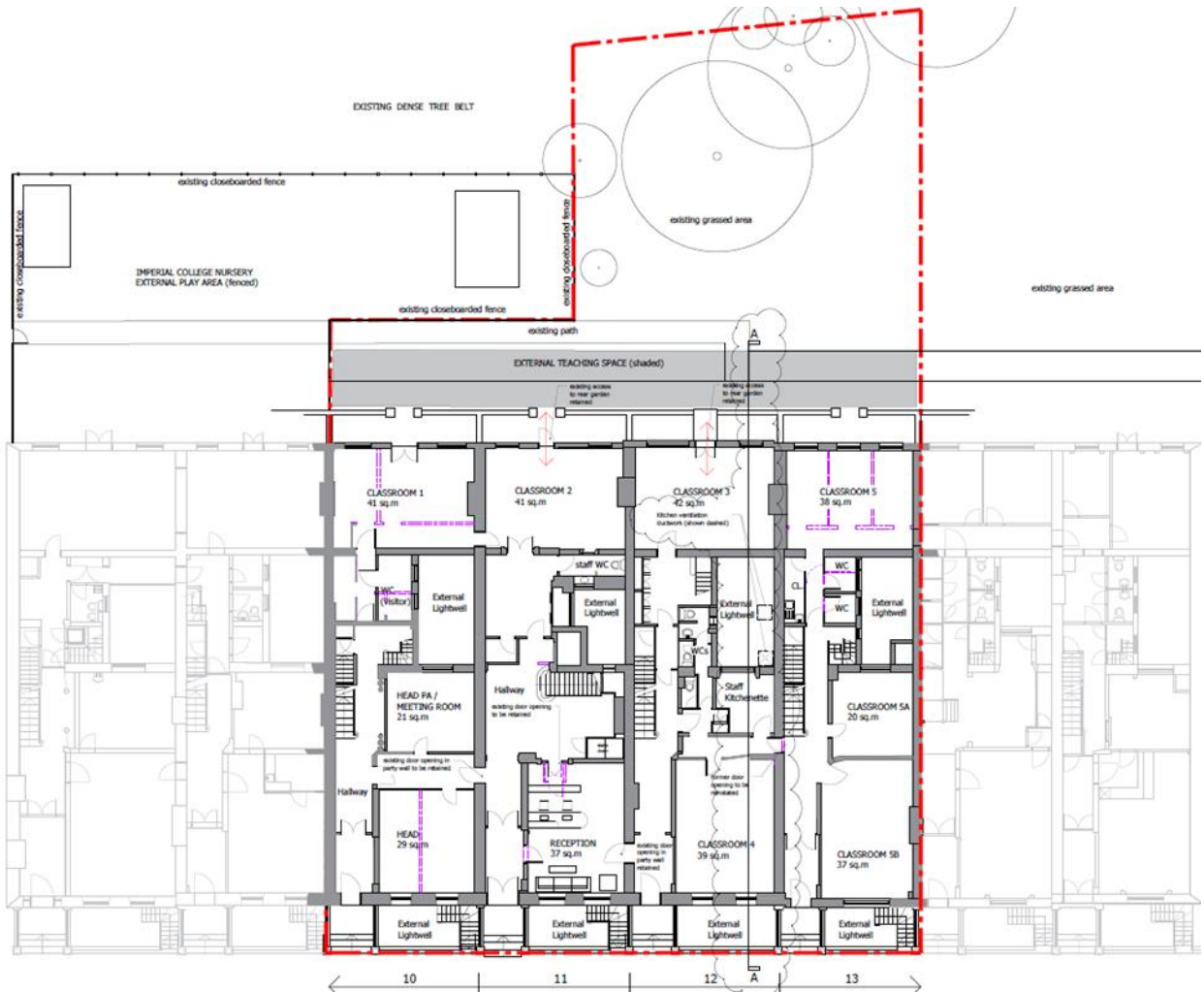
Location Plan from Operational Management Plan for Outdoor Teaching and Use of Prince's Gate Gardens (received 18 October 2018)



Proposed Section A-A



Proposed Ground Floor Plan



DRAFT DECISION LETTER

- Address:** Garden Hall Of Residence Imperial College, 10-12 Princes Gardens, London, SW7 1ND,
- Proposal:** Use of 10 - 13 Princes Gardens as school (Class D1) with outdoor teaching area to rear; external alterations including building refurbishment and installation of extract duct; installation of plant machinery and internal alterations. Linked to 18/02305/LBC
- Reference:** 18/02304/FULL
- Plan Nos:** 50:17:LOC1 Rev. A; 50:17:P20 Rev. A; 50:17:P01 Rev. D; 50:17:P02 Rev. D; , 50:17:P03 Rev. D; 50:17:P04 Rev. E; 50:17:P05 Rev. D; 50:17:P06 Rev. E; 50:17:P07 Rev. C; 50:17:P08; 50:17: CS01 Rev. C; Operational Management Plan for Outdoor Teaching and Use of Prince's Gate Gardens received 18 October 2018.

For information: Cover letter dated 15 March 2018; Planning, Design and Access Statement dated March 2018; School Travel Plan dated 23 January 2018;; Transport Assessment dated 28 February 2018; MD/AT/ITL13305-005A TN (320 Pupil Assessment) dated 12 September 2018; TN002 (Air Quality Neutral and Damage Cost Calculations) dated 16 August 2018; Heritage Impact Assessment dated 26 February 2018; Noise Impact Assessment dated July 2018; 43930 (Technical Note) dated 23 July 2018; ICL EYEC & St. Nicholas Preparatory School: Cumulative Noise Impact Assessment Rev. A dated 14 September 2018; ICL EYEC & St. Nicholas Preparatory School: Cumulative Noise Impact Assessment - Addendum dated 30 October 2018; Arboricultural Report -Rev. A dated May 2018; Heritage Impact Assessment Addendum dated 11 June 2018; TN001 (Air Quality Neutral and Damage Cost Calculations) dated 31 July 2018; Air Quality Assessment dated June 2018; E-mail from Agent dated 8 November 2018

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday; and
- o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 3 You must use the property only as a school. You must not use it for any other purpose, including any within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). (C05AB)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet SOC 1 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 4 You must not allow children on the premises outside the following times: between 08:00 and 16:00 Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and SOC 1 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 5 The number of children attending the school hereby permitted shall not exceed 320 at any one time.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and SOC 1 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 6 The school use must be carried out in accordance with the Operational Management Plan for Outdoor Teaching and Use of Prince's Gate Gardens received 18 October 2018.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and SOC 1 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 7 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

- 8 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 9 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the School use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the School use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre

outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

- 10 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development. (R49BA)

- 11 The kitchen extract ventilation shall be limited to a recirculation system approved by the Local Planning Authority and all cooking and reheating of food within the premises shall operate by electricity only and not by gas or solid fuels such as coal or wood.

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 12 Following installation of the recirculation plant and equipment confirmed in your e-mail dated 8 November 2018, you are required to submit a supplementary report for our approval before the use of the premises as a school commences. You must thereafter maintain the recirculation plant and equipment as approved. The supplementary report must include:

- (a) A schedule of all plant and equipment installed.
- (b) Details of monitoring devices interlocked with the electric cooking equipment, such that cooking is only enabled when all parts of the system are operating.
- (c) In the working environment the breakout noise not exceeding 55 dB (A) in the kitchen,
- (d) Details of the whole ventilation scheme in the kitchen that maintains an ambient temperature of not more than 25 centigrade whilst cookline equipment is operating,
- (e) Details of service / filter replacement and maintenance arrangements.

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 13 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 14 You must apply to us for approval of further information as set out below of the following parts of the development:

- (a) New / altered windows, doors and rooflights;
- (b) New / altered staircases, balustrades and railings;
- (c) Comprehensive schedule of external repair, to be completed prior to first occupation.

You must include with all details annotated versions of the applicable approved drawings showing the location of each detail.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details.
(C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.
(R27AC)

- 15 You must submit to us a detailed written and photographic schedule and programme of the works of reinstatement and repair of historic and decorative details. You must not start work on this part of the scheme until we have approved what you have sent us. You must then carry out the works in accordance with these details. You must not occupy the building until we have approved the works undertaken.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.
(R27AC)

- 16 You must carry out the works of reinstatement and repair of historic and decorative details shown on the approved plans and documents. You must not occupy the building until we have approved the works undertaken.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.
(R27AC)

- 17 Prior to occupation you must apply to us for approval of a Servicing Management Plan for the approved school use. You must not commence the school use until we have approved what you have sent us. Thereafter the school must be managed in accordance with the approved Servicing Management Plan.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 18 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the School. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 19 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 20 **Pre Commencement Condition.** You must not start work on the site until we have approved appropriate arrangements to secure the following.

-air quality off-setting mitigation

In the case of the above benefit, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements.

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and Policy SI1 of the Draft London Plan 2018 and the Mayors SPG on Sustainable Design and Construction (2014)

- 21 Before you begin to use the new school buildings, you must apply to us for approval of a Travel Plan. The Travel Plan must include details of:

- (a) A comprehensive survey of all users of the school;
- (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
- (c) Targets set in the Plan to reduce car journeys to the school;
- (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new school buildings are occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems.

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

- 22 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 **HIGHWAYS LICENSING:** Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560.

CONSIDERATE CONSTRUCTORS: You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk

BUILDING REGULATIONS: You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>

- 3 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)

- 4 Conditions 7 and 8 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

- 5 You must ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at www.hse.gov.uk/pubns/indg244.pdf. (I80DB)

- 6

Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

- * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
- * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm. It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 7 In relation to Condition 17, you must include the following information in the Servicing Management Plan:
 - the full delivery process.
 - internal storage locations.
 - scheduling of deliveries (ensure that servicing does not take place during the times children are dropped-off and picked up from the school and adjacent nursery at 8-9 Princes Gardens)
 - staffing arrangements for deliveries.
- 8 Under Condition 20, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure a financial contribution towards air-quality off-setting, as set out in the letter dated 11 November 2018 from Ian Corrie. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at www.westminster.gov.uk. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition. (I77AA)
- 9 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

- 10 The applicant is reminded that Prince's Gate Gardens is a Protected Square and its use must be compatible with one of the authorised uses under the London Squares Preservation Act 1931 (i.e. as an ornamental garden, pleasure ground or ground for play rest or recreation) The Protected Square must also be preserved permanently as a public open space (by those persons entitled to use it) as required by the Act.
- 11 In relation to Condition 15, please contact Andrew Barber (Design and Conservation Officer) directly: 02076417708.,

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

DRAFT DECISION LETTER

Address: Garden Hall Of Residence Imperial College, 10-12 Princes Gardens, London, SW7 1ND,

Proposal: Use of 10 - 13 Princes Gardens as school (Class D1) with playground to rear; external alterations including building refurbishment and installation of front platform lift; installation of plant machinery and internal alterations. Linked to 18/02304/FULL

Reference: 18/02305/LBC

Plan Nos: 50:17:LOC1 Rev. A; 50:17:P20 Rev. A; 50:17:P01 Rev. D; 50:17:P02 Rev. D; 50:17:P03 Rev. D; 50:17:P04 Rev. E; 50:17:P05 Rev. D; 50:17:P06 Rev. E; 50:17:P07 Rev. C; 50:17:P08; 50:17: CS01 Rev. C.

For information:, Heritage Impact Assessment dated 26 February 2018; Heritage Impact Assessment Addendum dated 11 June 2018

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

Recommended Condition(s) and Reason(s)

- 1 The works hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (G27AA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 3 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BD)

- 4 You must scribe all new partitions around the existing ornamental plaster mouldings. (C27JA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BD)

- 5 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 6 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BD)

- 7 You must apply to us for approval of further information as set out below of the following parts of the development:

- (a) Internal elevations and sections of all alterations at ground, first and second floors, with details of downstands / wall nibs to demonstrate relationships with adjacent decorative / historic features.
- (b) New / altered windows, doors and rooflights;
- (c) New / altered staircases, balustrades and railings;
- (d) Comprehensive schedule of external repair, to be completed prior to first occupation;
- (e) Comprehensive conservation management plan for suite of rooms to rear of no.12 between 1st and 2nd floors, including reinstatement of laylight / lantern over 1st floor half-landing.

You must include with all details annotated versions of the applicable approved drawings showing the location of each detail.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 8 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

- (a) The retention of substantial nibs and a downstand between the two existing rooms which are proposed to become Classroom 12 (drawn floor and ceiling plans, and internal elevations and sections at 1:20);

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BD)

- 9 You must submit to us a detailed written and photographic schedule and programme of the works of reinstatement and repair of historic and decorative details. You must not start work on

this part of the scheme until we have approved what you have sent us. You must then carry out the works in accordance with these details. You must not occupy the building until we have approved the works undertaken.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BD)

- 10 You must carry out the works of reinstatement and repair of historic and decorative details shown on the approved plans and documents. You must not occupy the building until we have approved the works undertaken.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BD)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations. The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building. In reaching this decision the following were of particular relevance: S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents. It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

- 3 This consent does not include for any works to the building for the purposes of proofing the building against the spread of fire, the transmission of sound, or the penetration of moisture, and is granted without prejudice to decisions made on future applications which may be submitted for that purpose.
- 4 This consent does not include works for the introduction of new services or plant unless explicitly shown on the approved drawings, and is granted without prejudice to decisions made on future applications which may be submitted for that purpose. This affects only services which would be surface mounted or which would involve intrusive works to pre-1940 fabric. The re-use of existing (lawful) service runs and risers does not require consent.
- 5 In relation to Condition 9, please contact Andrew Barber (Design and Conservation Officer) directly: 02076417708.,

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website