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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	**Date** **19 November 2019**	**Classification** For General Release	
Addendum Report of Director of Place Shaping and Town Planning		**Ward(s) involved** Bayswater	
Subject of Report	**College Park School, Garway Road, London, W2 4PH**		
Proposal	Installation of play equipment within playground area to south west corner of school site adjacent to Monmouth Road and installation of canopy to the south elevation of rear wing of school building and installation of acoustic boundary wall.		
Agent	3BM		
On behalf of	Westminster City Council		
Registered Number	18/06640/COFUL	**Date amended/ completed**	17 October 2018
Date Application Received	6 August 2018		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

1. RECOMMENDATION

Does the Sub-Committee agree that the proposed acoustic barrier is an acceptable solution that addresses the concerns raised by objectors?

2. SUMMARY

This application was previously reported to the Planning Applications Committee on 04 December 2018. At that meeting the application was deferred to enable the school's operating hours to be confirmed and whether issues raised by objectors concerning noise and disturbance could be resolved by discussion by relocation of play equipment and/or noise mitigation measures.

The applicant has confirmed that the school is open from 7am to 6pm daily, with pupils typically on site between 8am and 4pm. The school facilities are also open outside of these hours for community uses up to 9pm in the evening and at weekends (9am to 9pm).

In order to address the committees concerns in relation to noise, the school is proposing to install an acoustic boundary treatment to mitigate noise along the southern boundary. Following re-consultation two additional representations has been received. One objection has been received on the grounds that the proposals will increase noise and hope the school can take measures to reduce noise. The other representation does not

object to the proposed wall, however do request that an item of play equipment is moved due to it being taller than the proposed screen.

The existing boundary treatment adjacent to 3 Garway Road and 25 Monmouth Road comprises a brick wall measuring approximately 2000mm and a 1800mm trellis on top of the wall. The proposed acoustic boundary wall will be installed against the boundary and will be 3800mm in height therefore measure the same overall height as the wall and trellis. The height of the acoustic barrier is reduced to 2400mm where it abuts the flank elevation of 25 Monmouth Road. In relation to the item of play equipment to which the objector refers, the applicant has provided specifications which confirm that it measures 1700mm in height which is lower than the proposed wall.

The proposed acoustic wall is a large utilitarian structure, stretching for a considerable length of the southern boundary. It is robustly constructed of sturdy metal posts with cement board infill panels between. The fence would be dark green to its south facing side (facing the verdant trellis) and grey to the school side, though other colours or decoration would be acceptable to the school side.

The Bayswater Conservation Area is a designated heritage asset, its significance primarily being informed by the mid-19th century classically detailed domestic architecture of stuccoed houses in its terraces and garden squares. In Bayswater, low walls and/or railings are typical boundaries to the street, with shoulder height stock brick walls dividing the garden plots to the rear. These often have later planted trellises on them to afford greater privacy.

In terms of design, height, colour and materials, the proposed boundary would not normally be considered suitable for a school in a predominantly mid-19th century domestic setting. Street views of the proposed boundary would be limited, due to positioning and tree/shrubbery cover. However, when seen in views from the surrounding buildings, notwithstanding the school's modern design, such a large fence would appear as an imposing and alien element of built form in these otherwise historic surroundings. As a dissonant addition, the fence would cause visual harm to the character and appearance of this part of the Bayswater Conservation Area.

Paragraph 195/6 of the NPPF requires an assessment of the extent of harm to the heritage asset (the Bayswater Conservation Area) i.e. whether is it 'substantial' or 'less than substantial' and whether any public benefits of the development outweighs that harm. Given 'substantial harm' would be loss or destruction of the asset, the harm can only be 'less than substantial', in this case.

The sub committee requested measures to mitigate noise concerns, so a public benefit would be this established and valued school continuing to offer its pupils improved play facilities, as should be expected of any school. The proposed noise attenuation measures facilitates the playground use without fear of unacceptably harming neighbour amenity, therefore maintaining its good position within the community.

Members are now asked to consider whether the proposed measures are acceptable, outweighing the 'less than substantial' harm to the character and appearance of this part of the Bayswater Conservation Area.

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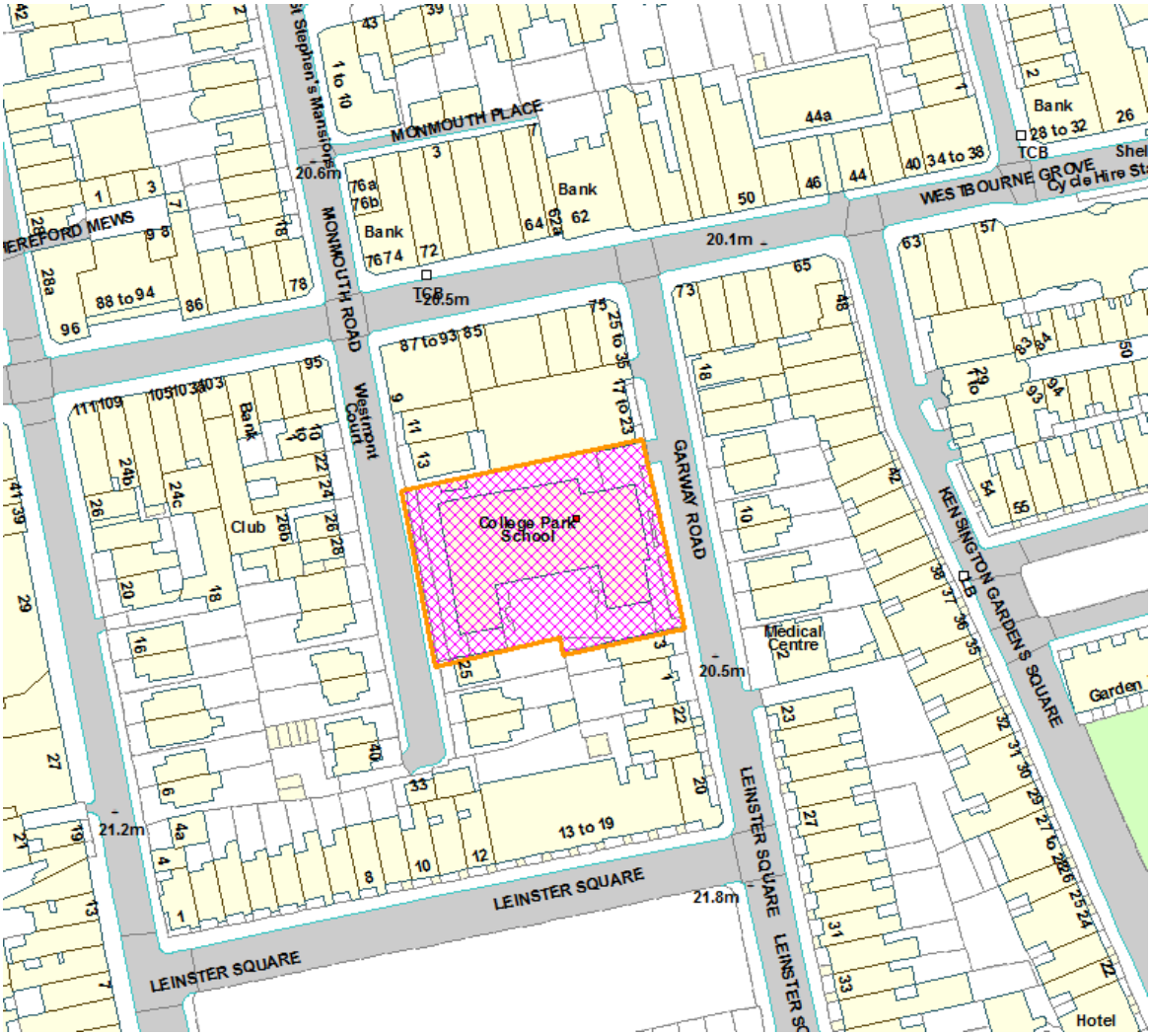
3. LOCATION PLAN



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4. PHOTOGRAPHS

View of site from Monmouth Road (top) and view of external teaching area between south elevation of school and No.25 Monmouth Road (bottom).

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View of external teaching areas outside school building adjacent to Monmouth Road looking south (top) and looking north (bottom).

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5. CONSULTATIONS

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION
Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION
Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:
No. Consulted: 87; No of Responses: 2.

One letter of support from the occupier of the adjacent property subject to conditions requesting the installation of the acoustic wall should be erected prior to the playground area being operational, the Jungle Tower is situated away from the boundary flank wall and that no equipment is physically attached to the acoustic wall.

One objection on the grounds of increased noise and hope that the school can implement measures to reduce noise.

6. WESTMINSTER CITY PLAN

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019. In the case of a draft local plan that has been published and subject to consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

(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: RUPERT HANDLEY BY EMAIL AT northplanningteam@westminster.gov.uk

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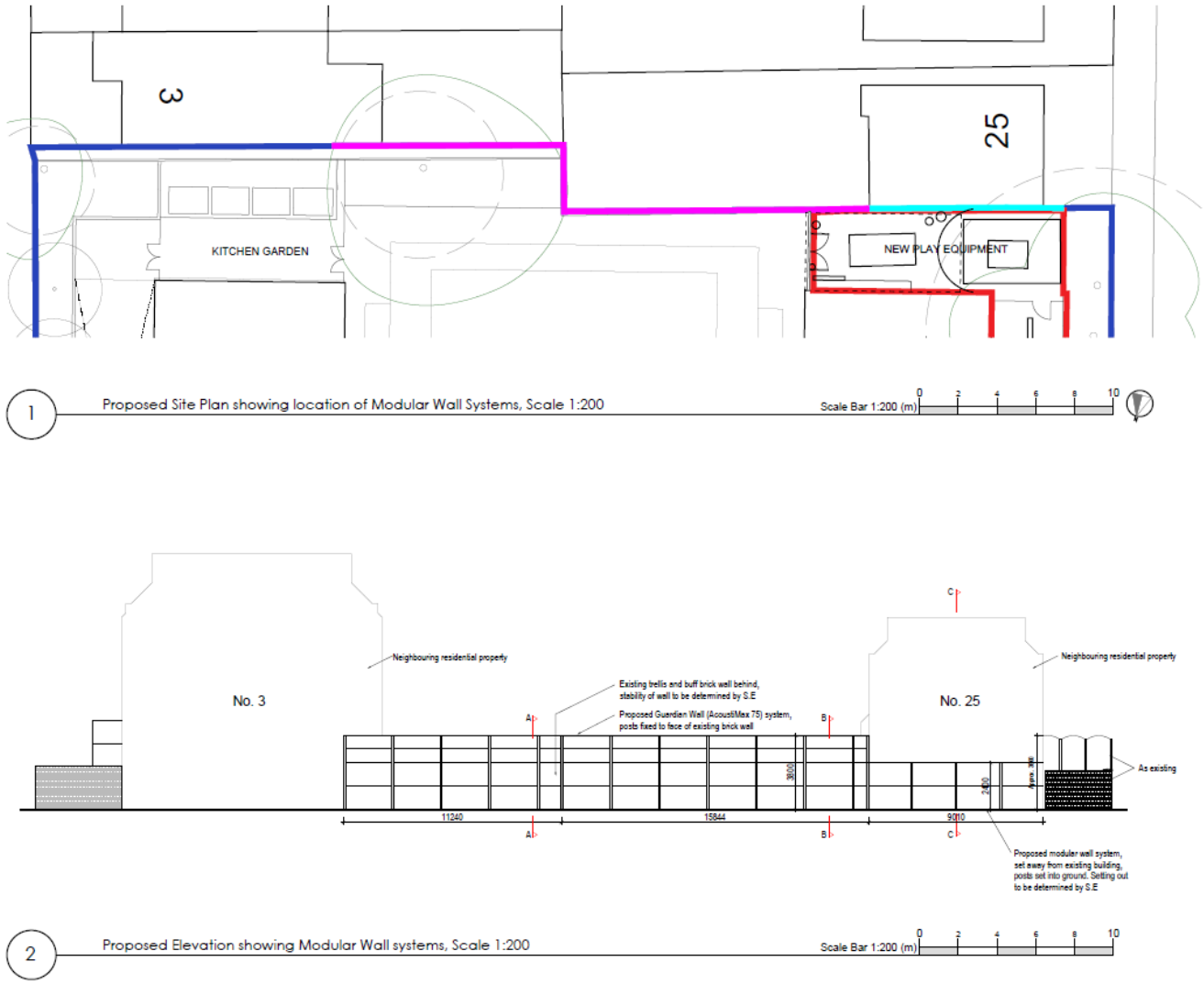
7. KEY DRAWINGS



Proposed Site Plan showing location of Acoustic Boundary Treatment (top) and Proposed Elevation showing the Acoustic Boundary Treatment in relation to No. 25 Monmouth Road and No. 3 Garway Road (bottom).

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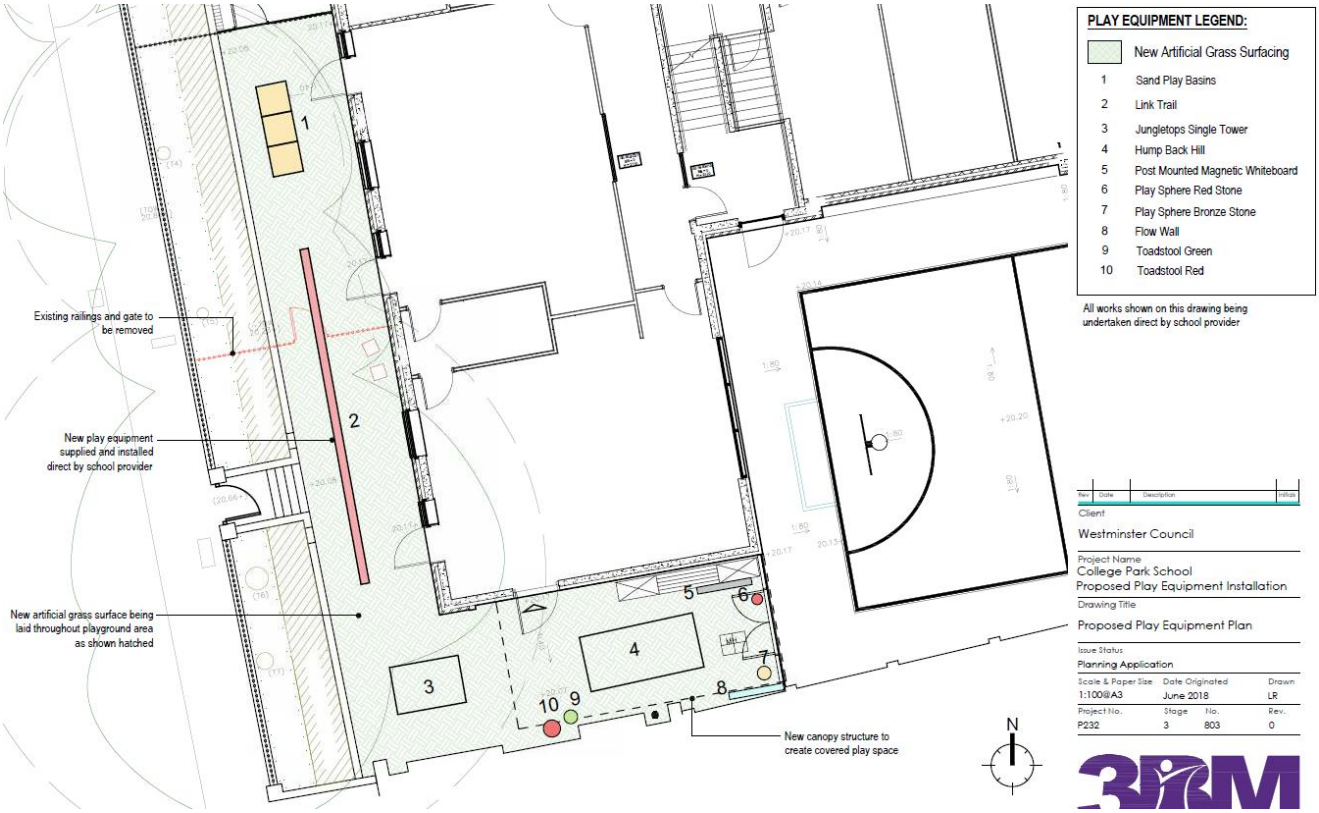

Proposed plan

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DRAFT DECISION LETTER

Address: College Park School , Garway Road, London, W2 4PH

Proposal: Installation of play equipment within playground area to south west corner of school site adjacent to Monmouth Road and installation of canopy to the south elevation of rear wing of school building and installation of acoustic boundary wall.

Reference: 18/06640/COFUL

Plan Nos: 010 Rev.01, 100, 101, 110, 111, 802, 803, 011, 020, 021, 022, 023 Rev 1, 025 Rev 1, Details of Modular Walls Ref 26759, Arboricultural Method Statement dated June 2018 (ref: edp4972_r001a) and Design and Access Statement by 3BM Spaces.

Case Officer: Frederica Cooney **Direct Tel. No.** 020 7641 7802

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:
- 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.

You must carry out piling, excavation and demolition work only:
- between 08.00 and 18.00 Monday to Friday; and
- 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 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

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differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:
To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

4 The frame of the canopy hereby approved shall be painted or otherwise finished in a dark grey or black colour and permanently retained in one of these colours.

Reason:
To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

5 You must apply to us for approval of details of the following to demonstrate that the foundations and any level changes required would be designed to avoid significant damage to tree roots:

(a) The design, depth, size, and location and means of installation of foundations.
(b) Details of any proposed alterations to the existing ground levels or any other works to be undertaken within the Root Protection Area of any tree within the tree survey plan and schedule.
(c) Treatment of any roots encountered in the course of excavation.

You must not start work on the installation of the play equipment and new ground level surface treatments until we have approved what you have sent us. The foundations and any level changes required must then be carried out in accordance with the details we approve.

Reason:
To protect the trees and the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

6 Prior to work commencing on the installation of play equipment and new ground level surfaces, you must apply to us for our approval of details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include:

- identification of individual responsibilities and key personnel;
- induction and personnel awareness of arboricultural matters;

o supervision schedule, indicating frequency and methods of site visiting and record keeping;
o procedures for dealing with variations and incidents.

You must not start any demolition, site clearance or building work relating to the installation of play equipment and new ground level surfaces, and you must not take any equipment, machinery or materials for these parts of the development onto the site, until we have approved what you have sent us. You must then adhere to the approved supervision schedule.

You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included You must send copies of each written site supervision record to us within five days of the site visit.

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)

7 No demolition, site clearance or building works shall be undertaken in relation to the installation of play equipment and new ground level surfaces, and no equipment, plant, machinery or materials for the purposes of carrying out these parts of the development shall be taken onto the site until protective barriers are installed as set out in paragraphs 5.14-5.17 of the Arboricultural Method Statement dated June 2018 (ref: edp4972_r001a). The tree protection barriers shall be maintained in accordance with paragraphs 5.14-5.17 of the Arboricultural Method Statement until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.

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)

8 The hereby approved acoustic boundary treatment must be installed prior to the installation of the play equipment and retained in place thereafter.

Reason:
To protect the environment of the people in the residential part of the development. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R21CC)

9 Nothing shall be physically attached to the acoustic boundary treatment.

Reason:
To protect the environment of the people in the residential part of the development. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 7 of

our Unitary Development Plan that we adopted in January 2007. (R21CC)

10 The acoustic boundary treatment shall be painted dark green on the outward facing side (south facing side).

Reason:
To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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, neighbourhood plan (where relevant), 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 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)

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.