

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 21st June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Vincent Square	
Subject of Report	47 Francis Street, London, SW1P 1QR,		
Proposal	Use of the building to provide a day school (Class D1) with ancillary residential unit at third floor level. Works include alterations to windows and doors, installation of canopies and platform lift at rear ground, new rooflights and extended lift enclosure at roof level.		
Agent	Vanessa Harrison		
On behalf of	Westminster Cathedral Choir School		
Registered Number	16/00915/FULL and 16/00916/LBC	Date amended/ completed	5 May 2016
Date Application Received	3 February 2016		
Historic Building Grade	Grade II		
Conservation Area	Westminster Cathedral		

1. RECOMMENDATION

1. Grant conditional permission.
2. Grant conditional listed building consent.
3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

The application site is 47 Francis Street a grade II listed building within the Westminster Cathedral Conservation Area. It is mid-nineteenth century and comprises of five storeys. It was originally built as a boarding school for girls and is currently used as an office (Class B1) on the ground and upper floor levels and a friary (sui generis) at basement level.

The applicant seeks planning permission and listed building consent for the change of use of the building to provide a day school (Class D1) with an ancillary residential unit at third floor level, involving internal and external alterations to the building.

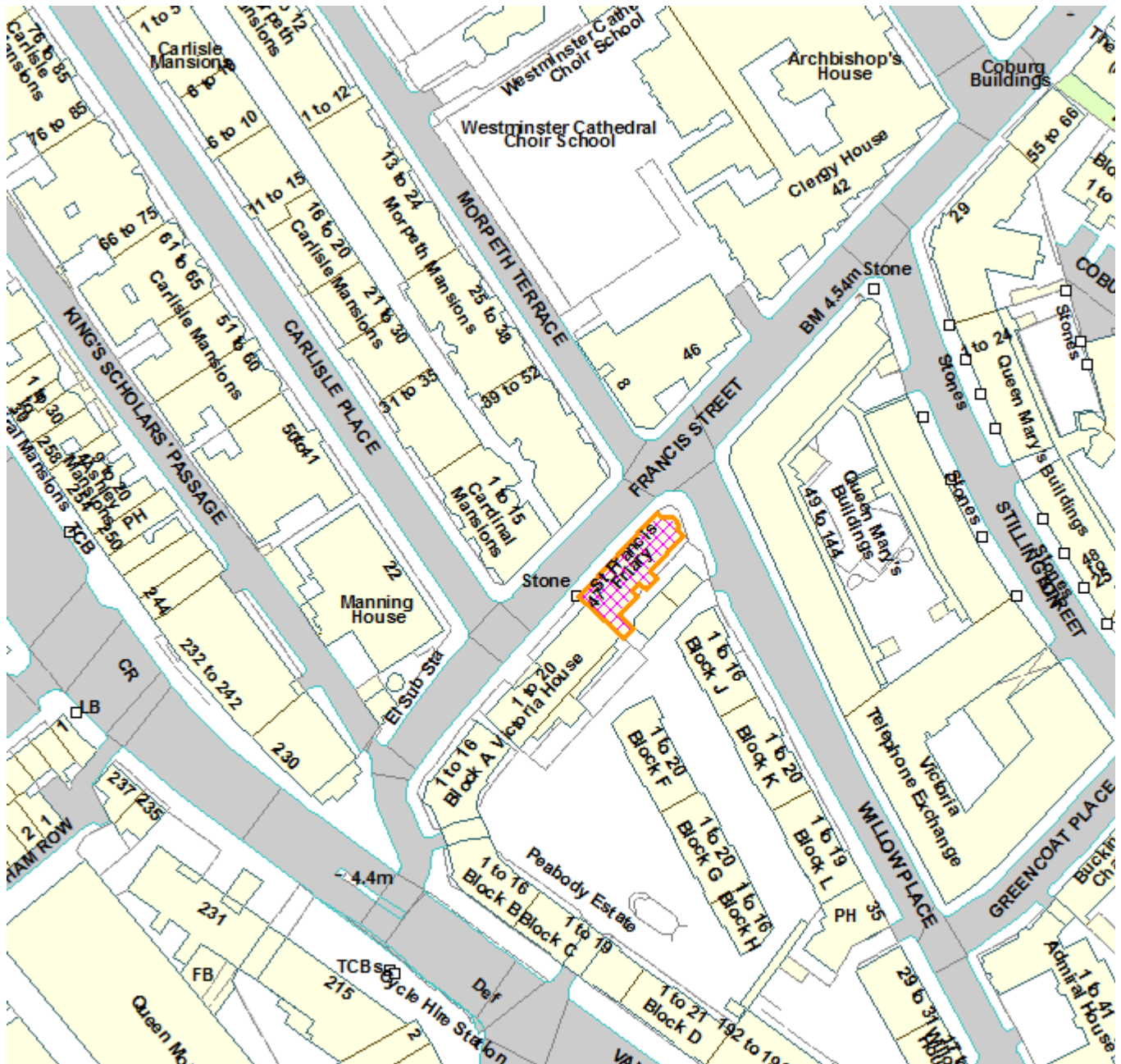
The main issues for consideration are:

- Impact of the proposals on the character and appearance of the listed building and the setting

- of the conservation area;
- Impact of the proposed use on the amenity of existing residents; and
- Impact of the proposed use on the local highway network.

The provision of a school is supported in principle by the development plan. Subject to recommended conditions, the proposal would not harm the significance of the listed building or the setting of the conservation area. Whilst the amenity and transportation concerns of local residents are understood, subject to the recommended conditions which include securing a School Travel Plan, the proposal does not give rise to a loss of amenity or harm to the local highway network of such magnitude that permission could sustainably be refused. Accordingly, the proposed development has been recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPH



5. CONSULTATIONS

Westminster Society

Support. This is an ambitious scheme to bring a new use to an historic building with an established connection to Westminster Cathedral nearby. The proposed use will create a valuable addition to the Cathedral's facilities and regarded as an application worthy of the Westminster Society's support.

Highways Planning - Development Planning

Unacceptable on transportation grounds but could be made acceptable. The ancillary residential unit could increase parking stress; lifetime car membership would be the strongest mechanism that would likely reduce car ownership.

Environmental Health

No objections subject to conditions and informatives relating to proposed plant and building work.

Cleansing - Development Planning

No objection subject to clarification regarding recycling and waste storage.

Historic England

No comment.

Metropolitan Police

No objection subject to a condition to ensure a security scheme.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 194

Total No. of replies: 9

No. of objections: 9

In summary, six neighbouring residents object to the proposal on the following grounds:

Transportation, parking and the local highway network:

- The proposed school would result in an increase in local highway congestion, an increase in parking stress and a reduction in highway safety harmful to neighbouring residential occupiers.
- The supporting information the applicant has submitted relating to transportation is inaccurate.

Residential Amenity:

- The proposed school use would generate noise and disturbance harmful to the amenity currently enjoyed by neighbouring residential occupiers.
- The 'out of hours' use of the building for other community activities would generate noise and disturbance harmful to the amenity currently enjoyed by neighbouring residential occupiers.

Construction impact:

- The implementation of the proposal would give rise to noise, disturbance and construction traffic harmful the amenity currently enjoyed by neighbouring residential occupiers.

A spokesperson for Ashley Gardens Resident Association and a spokesperson for the residents of Cardinal Mansions object on the following grounds:

- The proper consultation process has not been followed.
- The proposed school would result in an increase in local highway congestion, an increase in parking stress and a reduction in highway safety harmful to neighbouring residential occupiers.
- The implementation of the proposal would give rise to noise, disturbance and construction traffic harmful the amenity currently enjoyed by neighbouring residential occupiers.

A resident has also suggested local highway improvements that could improve traffic flow within the area.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is 47 Francis Street, which is a grade II listed building located in the Westminster Cathedral Conservation Area. The building is located on the south side of Francis Street, at the junction with Willow Place. It is mid-nineteenth century and comprises of five storeys. It was originally built as a boarding school for girls. It is currently used as an office (Class B1) on the ground and upper floor levels and a friary (sui generis) at basement level which has been vacant since approx.. 2012. The site is located outside the Core Central Activities Zone.

6.2 Recent Relevant History

On 9 July 2014 permission was granted for the use of the ground, first, second and third floors as a single family dwelling (Class C3). External alterations including the installation of windows and doors, a new terrace and stair to rear ground floor level and installation of rooflights.

On 26 August 2008 permission was granted for the use of ground, first, second and third floors as five residential units (Class C3).

7. THE PROPOSAL

The applicant seeks planning permission and listed building consent for the change of use of the building to provide a day school (Class D1) with an ancillary residential unit at third floor level. The school would be a pre-preparatory day school for children of ages 3 – 7 years. The proposed school would be associated with the existing Westminster Cathedral Choir School (ages 7 – 13 years) nearby on Ambrosden Avenue which is a

preparatory day and boarding school. When at full capacity it is expected that the proposed school could accommodate 120 pupils and 20 staff.

The development involves alterations to the front and rear elevation including; at lower ground and ground floor levels, new light fittings, alterations to doors, installation of platform lift, glazed rooflight, glazed balustrade, canopy, and new access stair; alterations at roof level including new rooflights and windows and extension of lift enclosure; the creation of bicycle and scooter store; alteration to the entrance gate and internal alterations.

During the course of the application, the applicant has sought to address concerns of residents and the Highway Planning Manager in relation to transportation and highway impacts. The applicant has submitted revised and additional documents including a School Travel Plan.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed land uses are summarised below:

Table 1. Existing and Proposed Land Uses

Use	Existing (sqm GIA)	Proposed (sqm GIA)
Office (Class B1(a))	568	0
Friary (sui generis)	137	0
School (Class D1) (including ancillary residential unit)	0	705
Total	705	705

Loss of office use

The proposals would result in the loss of office floorspace amounting to 568sqm.

Policy S47 of the Westminster's City Plan (City Plan) advises that 'when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework to secure development that improves the economic, social and environmental conditions in the area.'

The application site is outside the Core Central Activities Zone and as such the interim policy which protects the loss of offices does not apply in the case. In addition to this there is extant permission for the change of the use of the office floors of the building to residential use. In this case, the loss of premises capable of providing office employment would be outweighed by the benefits resulting from the provision of a school. In the context of a growing population, new and enlarged educational facilities are crucial to meet the needs of Westminster's residents and students. In addition, educational

facilities also provide local employment benefitting the local economy. In these circumstances, the loss of the office space is not opposed.

Loss of friary

The proposals would result in the loss of friary floorspace amounting to 137 sqm.

The friary is not considered to fall within any use class. Although, friaries do support ecclesiastical uses which benefit the community in terms of supporting places of worship, the school would contribute to providing education for young people and would be associated with the Cathedral. For these reasons the loss of the friary use is not opposed.

School use (including the ancillary residential use)

Policy S34 of the City Plan and SOC 3 of the Unitary Development Plan (UDP) encourages the provision of educational facilities and as the proposal would provide a school, it accords with these policies. The residential unit would be ancillary to the school and used by the family of the headmistress / headmaster. It would therefore support the school use. A condition is recommended to ensure that this residential element of the school is not converted into a self-contained flat.

SOC 3 of the UDP also seeks to ensure schools can be used for other community activities in order to maximise the benefit to local residents and the City. The applicant has stated that the school would be made available for this purpose. Subject to a condition securing a scheme detailing these activities, the proposal would accord with the development plan. Neighbouring residents have raised concerns that this use could harm the enjoyment of their properties; this is addressed in section 8.3.

8.2 Townscape and Design

The external works proposed include the installation of platform lift from courtyard to ground floor level and alterations to windows, doors and rooflights. These works are minor in nature and largely affect the rear wing and lower ground floor level, which is obscured from street level views.

To the front of the property it is proposed to install doors to enclose the vaults and to damp proof the vaults with a membrane lining system. The vaults are recessed from the lightwell wall with a passage running in front with arched openings into the lightwell area. Aside from the vaults to the south-west corner which have been plastered, the extensive brick vaults remain in good condition and contribute to the significance of the listed building. The proposed works avoid any significant interventions, other than the installation of plant. Subject to recommended conditions, the external work would not harm the significance of the listed building or harm the character and appearance of the conservation area.

The interior of the property, with the possible exception of the central staircase, retains no historic fabric of interest. The internal alterations associated with its conversion back to educational use are relatively modest and do not result in significant structural

changes. Therefore, the proposed internal work is not considered harmful to the significance of the listed building.

Therefore proposal would comply with Policies S25 and S28 of the City Plan and DES1, DES9 and DES10 of the UDP and the guidance contained within the City Council's SPG: Repairs and Alterations to Listed Buildings.

8.3 Residential Amenity

Concerns have been raised by neighbouring residents regarding impact on 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, overlooking, noise and encourage development which enhances the residential environment of surrounding properties.

Given the nature of the proposed alterations to the building, there would be no implications in terms of light, privacy, sense of enclosure or overlooking over the existing arrangements. Neighbouring residents have objected to the potential increase in noise and disturbance from the use of the building as a school and the potential for the building to also be used for community uses outside of teaching hours.

The applicant has submitted an acoustic report which explains that the existing single glazed windows would not be sufficient to contain noise from inside the school building and ancillary residential use, and therefore secondary glazing is proposed. A further noise report is recommended to be conditioned which addresses noise from both activities internal and external of the school so the City Council can ensure residents, who live in close proximity, are not harmed by the development. Additional conditions to protect neighbouring amenity are also proposed including; hours of use of external play space and the removal of permitted development rights which could allow for a change to a more harmful use.

8.4 Transportation/Parking

Concerns have been raised by neighbouring residents regarding transportation, parking and congestion on the local highway network.

Trip Generation

The applicant has stated in their supporting information that an expected 7% of pupils (8.4) would arrive by car. Officer's note that the existing Westminster Cathedral Choir School site located nearby on Ambrosden Avenue has approximately 42% of pupils travelling to the school by car. The Highway Planning Manager states that this would equate to 50 of the proposed 120 pupils if replicated at the application site. Although to arrive at the lower figure, the applicant has combined some trips by car due to siblings travelling together, it is the Highway Planning Manager's view that this would reduce the number of pupils arriving by car to 38 of the proposed 120.

The proposal is likely to generate more trips per day than the existing office and friary use of the site. Given the number of these trips that might be made by car, concern is

raised by the Highway Planning Manger regarding the impact the provision of the school could have in terms of increasing localised congestion.

Despite the high numbers of pupils arriving by car, the existing school on Ambrosden Avenue did not have a School Travel Plan until very recently. A School Travel Plan has now been prepared and it is a plan that would operate across both school sites, and has been submitted as part of this application.

The creation of a School Travel Plan is a very welcomed development, but because one has not been in existence for the Ambrosden Avenue site until recently, its impact in real terms on the existing school site cannot be assessed. Nevertheless, the School Travel Plan submitted aims to encourage healthier, sustainable travel on the journey to and from school - i.e. walking, cycling and public transport use - and away from private car trips and the 'school run'. The plan includes a number of practical steps and measures which will encourage and promote sustainable and healthy modes of transport. This will reduce car use and its consequent impact on the local highway network. A finalised Travel Plan, with monitoring at first and third years, is recommended to be secured by condition.

Cycle Parking

The London Plan requires 1 cycle parking space per 8 staff and 1 space per 8 students. The proposed use would therefore require a total of 3 cycle parking spaces for staff and 15 for students. An additional 2 spaces are required for the residential unit.

The submitted drawing indicates a combined cycle store of 20 cycle parking spaces. Subject to a condition to ensure these spaces are provided; the proposal would be consistent with the requirements of the London Plan.

Servicing

Policy S42 of the City Plan and TRANS 20 of the UDP require off-street servicing to be provided. No off-street servicing is indicated for the development. The site is located within a Controlled Parking Zone, which means that single yellow lines in the vicinity allow loading and unloading to occur. The largest regular service vehicles expected to be associated with this development is the refuse collection vehicle. This would service this property in a similar fashion to nearby properties. It is considered that the servicing requirements are unlikely to be significantly more than could be generated by the existing use onsite.

Car Parking (ancillary residential unit)

No off-street parking is provided by the application. The occupiers of the ancillary residential unit would be entitled to apply for an on-street residents parking permit.

Policy TRANS 23 of the UDP details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency. The addition of even one additional residential unit is likely to have a significantly adverse impact on parking levels in the area and this may lead to a reduction in road safety and operation.

The evidence of the Council's most recent night time parking survey in 2015 indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 82%. However Policy TRANS 23 includes all legal parking spaces (eg Single Yellow Lines, Metered Bays, P&D, and Shared Use) as such with the addition of Single Yellow Line availability at night, the stress level reduces to 63%.

However, the evidence of the Council's most recent daytime parking survey in 2015 indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 82%. TRANS 23 includes all legal parking spaces. During the daytime within the area, the only legal on-street spaces for permit holders are Residential and Shared Use Bays.

It is acknowledged that the site has a high level of public transport accessibility, however it is important to note that households within the Vincent Square Ward with 1 or more cars is 36% (2011 Census figures). This indicates that residents in the area do own cars, along with the fact that during the day Residential Bays have a high level of occupancy. The development would not be consistent with Policy TRANS 23 and could add to existing on-street parking stress overall. However, given the application only seeks the addition on one ancillary residential unit, it is considered that the benefits of a new school being provided would outweigh the harm.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The proposed school would provide level access. A platform lift from courtyard to ground floor level is proposed and a lift within the building would provide access to all floors.

8.7 Other UDP/Westminster Policy Considerations

Plant

The proposal includes mechanical plant within the basement vaults. The plant specification has not been detailed at application stage. Environmental has requested a supplementary acoustic report be submitted to confirm the plant, once selected, complies with the Council's standard noise conditions. It is recommended that this be secured by conditions.

Refuse /Recycling

A waste store would be provided within the new school yard. The Council's Cleansing Officer has made no objection to the proposal subject to a condition to ensure this storage is provided and used for no other purpose.

8.8 London Plan

This application raises no strategic issues.

8.9 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.

8.10 Planning Obligations

None required.

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a development of this size.

8.12 Other Issues

Construction impact

Concerns have been raised by neighbouring residents regarding noise and disturbance that could be generated by construction work.

Noise and disturbance during construction is an unwelcome and well understood consequence of allowing new development. In a densely developed urban environment, it must be accepted that such disturbance will inevitably occur as a result of building works. The City Council cannot refuse permission to develop on the grounds that building work will be noisy and disruptive. As a local planning authority, we can impose a restriction on the working hours and encourage contractors to be a member of the Considerate Constructors Scheme. It is recommended that the standard condition and informative be added.

Crime and security

The Metropolitan Police have commented on the proposal. Subject to a condition to ensure a Secured by Design Scheme is submitted and approved, the Metropolitan Police have raised no objection. A condition to ensure a security scheme for the school is recommended.

9. BACKGROUND PAPERS

1. Application form
2. Response from Westminster Society, dated 23 February 2016
3. Response from Highways Planning Manager, dated 04 March 2016
4. Response from Highways Planning Manager, dated 12 May 2016
5. Response from Environmental Health, dated 8 March 2016
6. Response from Cleansing, dated 01 March 2016
7. Response from Historic England, dated 02 March 2016
8. Response from Metropolitan Police, dated 24 February 2016
9. Letter from occupier of 40 Morpeth Mansions, Morpeth Terrace, dated 10 March 2016
10. Letter from occupier of 40 Morpeth Mansions, Morpeth Terrace, dated 12 March 2016
11. Letter from occupier of 28 Morpeth Mansions, Morpeth Terrace, dated 14 March 2016
12. Letter from occupier of 42 Morpeth Mansions, Morpeth Terrace, dated 14 March 2016

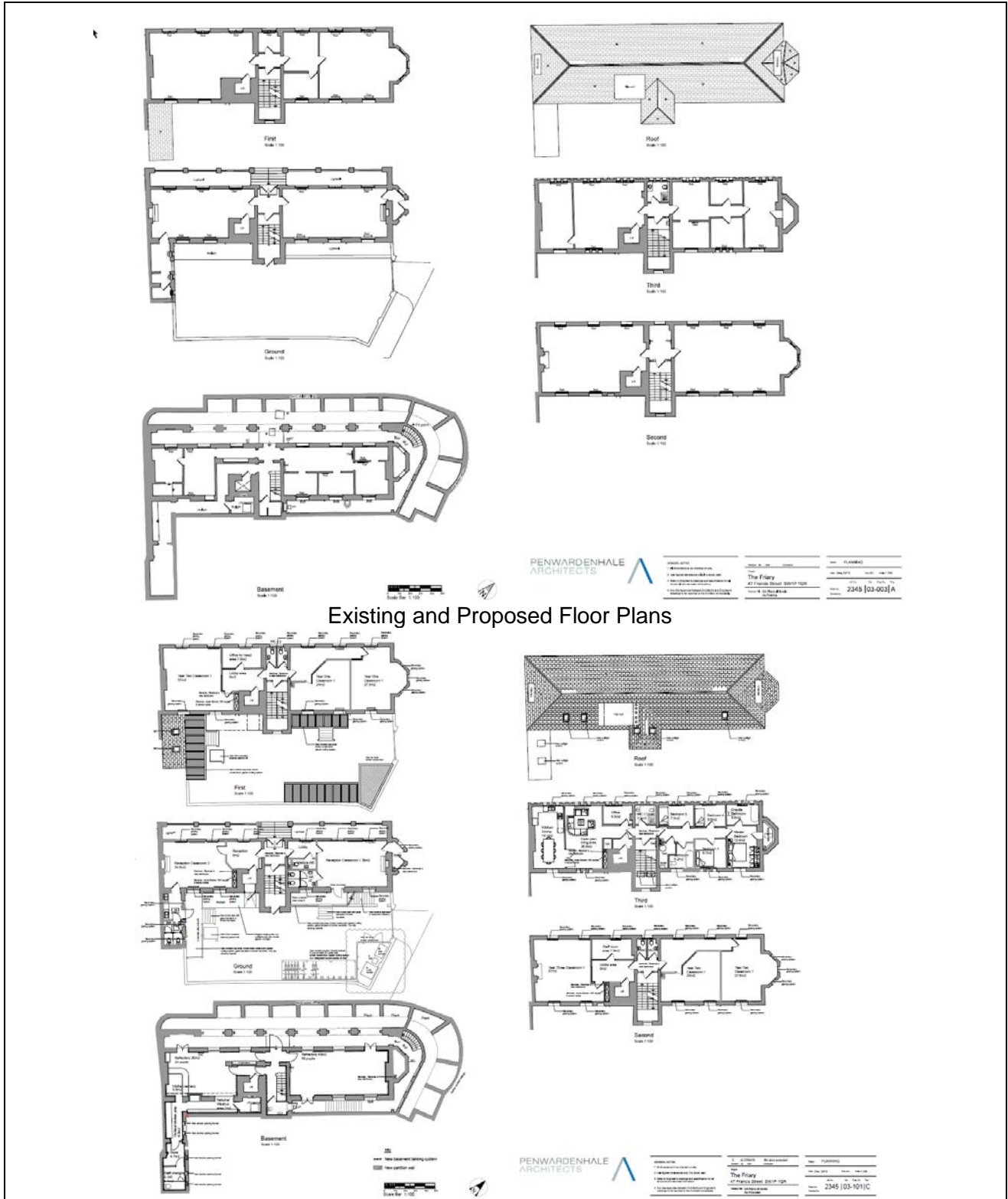
13. Letter from occupier of 39 Morpeth Mansions, Morpeth Terrace, dated 14 March 2016
14. Letter from occupier of 80 Carlisle Mansions, Carlisle Place, dated 15 March 2016
15. Letter from occupier of 45 Morpeth Mansions, Morpeth Terrace, dated 21 March 2016
16. Letter on behalf of the residents of Cardinal Mansions, 14 March 2016
17. Letter on behalf of Ashley Gardens Residents' Association, dated 14 March 2016

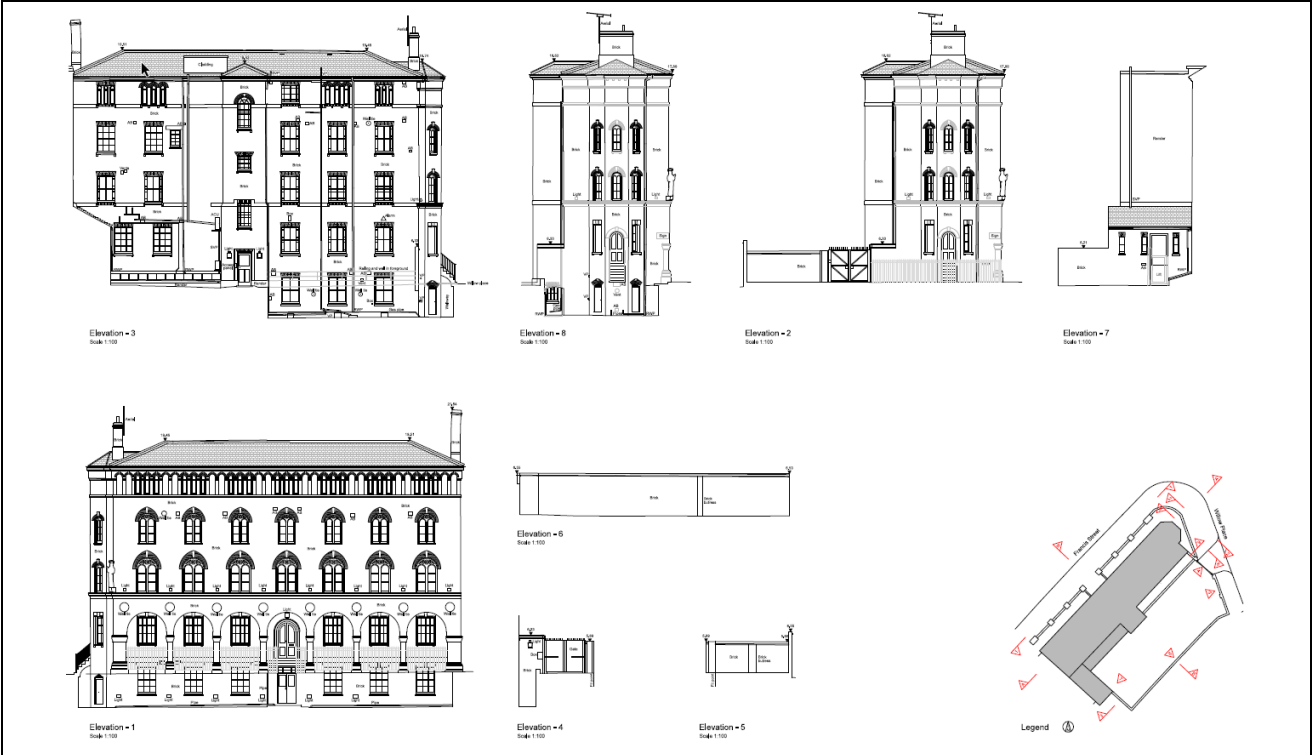
Selected relevant drawings

(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 VINCENT NALLY ON 02076415947, EMAIL VNALLY@WESTMINSTER.GOV.UK

10. KEY DRAWINGS

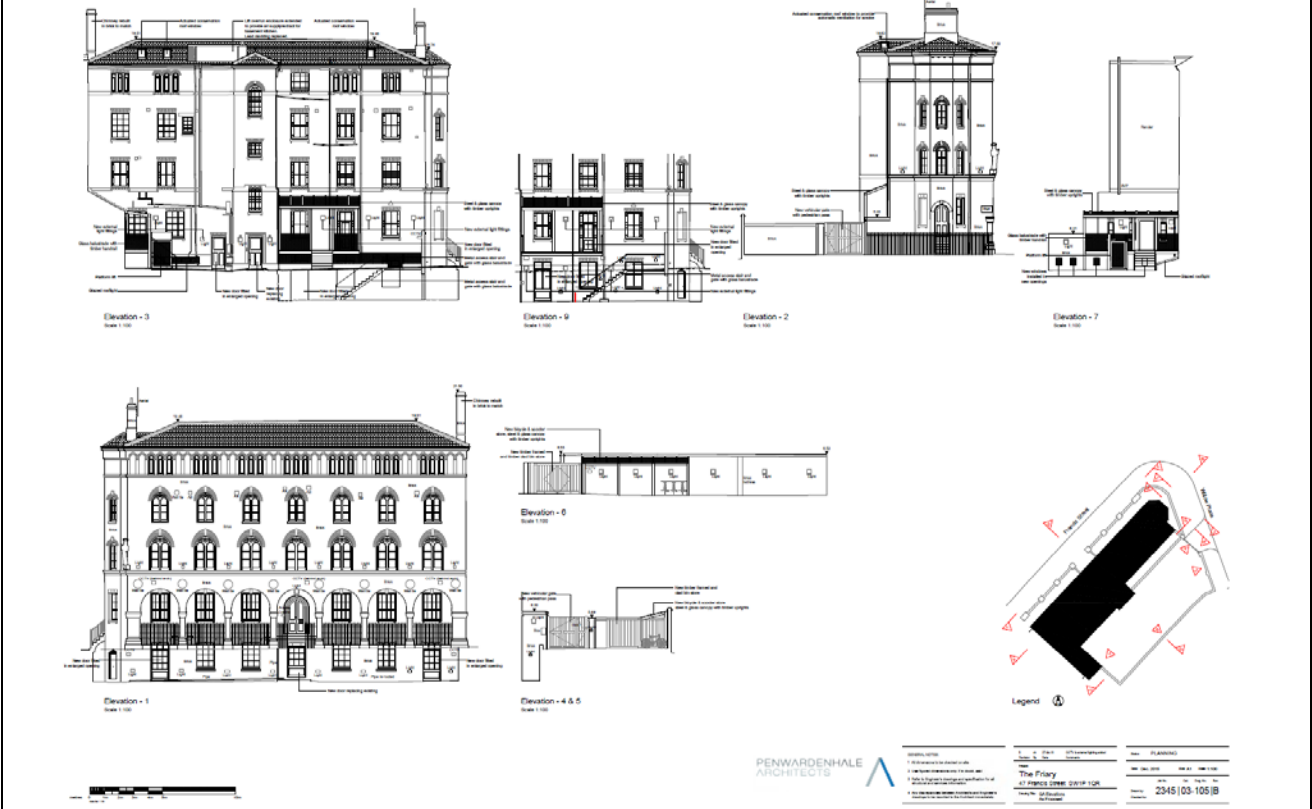




PENWARDENHALE ARCHITECTS

PROJECT NO:	2345	DATE:	03/2024
CLIENT:	The Friary	NO. OF SHEETS:	03-105
ADDRESS:	47 Francis Street SW1P 1QR	SCALE:	AS SHOWN
PROJECT TYPE:	PLANNING	DATE:	2345 03-105 A

Existing and Proposed Elevations and Sections



PENWARDENHALE ARCHITECTS

PROJECT NO:	2345	DATE:	03/2024
CLIENT:	The Friary	NO. OF SHEETS:	03-105
ADDRESS:	47 Francis Street SW1P 1QR	SCALE:	AS SHOWN
PROJECT TYPE:	PLANNING	DATE:	2345 03-105 B

DRAFT DECISION LETTER

Address: 47 Francis Street, London, SW1P 1QR,

Proposal: Change of use of the building to provide a day school (Class D1) with an ancillary residential unit at third floor level. Door alterations to front elevation and alterations to rear elevation including; at lower ground and ground floor levels, new light fittings, alterations to doors, installation of platform lift, glazed rooflight, glazed balustrade, canopy, and new access stair; alteration at roof level including new rooflights and windows and extension of lift enclosure. Creation of bicycle store. Alteration to entrance gate. Internal alterations.

Reference: 16/00915/FULL

Plan Nos: 03-004 rev:1st, 03-002 rev:A, 03-003 rev:A, 03-101 rev:C, 03-105 rev:B, 03-011 rev:D, 03-012 rev:A, Design and Access Statement (PenwardenHale Architects), Heritage Statement (The Heritage Practice), Heritage Statement Addendum (The Heritage Practice), Environmental Noise Survey and Façade Assessment (Sandy Brown), Transport Statement (TTP Consulting), School Travel Plan (Canerapro Associates), Flood Risk Report (Environment Agency), Asbestos Methodology (Adams Environmental).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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 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.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of

Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 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. (C27AA)

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 Westminster Cathedral Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

- 4 You must use the building at basement, ground, first and second floor levels as a school 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) and for no other use within that Use Class.

You must provide the school and make it ready for occupation prior to the occupation of the ancillary residential part of the development. You must not convert the ancillary residential part of the development into a self-contained residential flat.

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 and S34 in Westminster's City Plan: Strategic Policies that we adopted in November 2013. (R05AB)

- 5 You must apply to us for approval of full details of a scheme of community use for the school premises. The scheme should include: * the type of uses and activities; * details of a pricing policy; * typical number of users; * the exact locations within the school where these are to take place; * the opening hours for evening and weekend use throughout the whole year and any plans for use outside of school terms; * operational details, management responsibilities and a mechanism for review.

You must not occupy the school premises until we approve what you have sent us and you must then operate the community uses in accordance with the details that we have approved, unless otherwise agreed in writing by the City Council as local planning authority.

Reason:

To ensure the provision of facilities to meet local community needs as set out in SOC3(A) of our Unitary Development Plan that we adopted in January 2007 and Policy 3.18 in the London Plan (with Further Amendments) published in March 2015.

- 6 The external school play area hereby approved shall only be used between 07.00 and 19.00 hours daily.

Reason:

To safeguard the amenity of neighbouring residential occupiers from noise disturbance in the evenings and late at night. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 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: Strategic Policies adopted November 2013, 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.

- 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.

- 9 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to 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 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 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.

- 11 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in conditions 7 -10 of this permission.

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: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

- 12 Before you begin to use the new school buildings, you must apply to us for approval of an updated School 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: Strategic Policies adopted November 2013 and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

- 13 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 2015.

- 14 Before anyone moves into the property, you must provide the stores for waste and materials for recycling shown on drawing number 03-101 rev:C. You must clearly mark them and make them available at all times to everyone using the school. You must not store waste or materials for recycling on the highway. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 15 **Pre Commencement Condition.** You must apply to us for approval of details of a security scheme for the school. You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building.

Reason:

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R16AC)

- 16 You must not cook raw or fresh food on the premises. (C05DA)

Reason:

We do not have enough information to decide whether it would be possible to provide extractor equipment that would deal properly with cooking smells and look suitable. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05DC)

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: Strategic Policies adopted November 2013, 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 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.
- 3 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)
- 4 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.
- 5 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact: , Residential Environmental Health Team, 4th Floor East, Westminster City Hall, 64 Victoria Street, London SW1E 6QP, www.westminster.gov.uk, Email: res@westminster.gov.uk, Tel: 020 7641 3003 Fax: 020 7641 8504.
- 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 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)

- 8 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
 - * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 9 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)

- 10 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained., Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following: , * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings; , * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on

the staircase; * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained; * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary; * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

- 11 Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public.
Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992. www.opsi.gov.uk/SI/si1992/Uksi_19923004_en_1.htm

The following are available from the British Standards Institute - see <http://shop.bsigroup.com/>:

BS 6465-1:2006: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances

BS 6465-3:2006: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances. (I80HA)

- 12 Approval for this residential use has been given on the basis of sound insulation and ventilation mitigation measures being incorporated into the development to prevent ingress of external noise. Occupiers are therefore advised, that once the premises are occupied, any request under the Licensing Act 2003, Environmental Protection Act 1990, Control of Pollution Act 1974 or planning legislation for local authority officers to make an assessment for noise nuisance arising from external sources is likely to be undertaken only if the noise and ventilation mitigation measures installed are in operation. E.g. windows kept closed.
- 13 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 14 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point., , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)
- 15 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults.

You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 16 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. (I35AA)

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: 47 Francis Street, London, SW1P 1QR,

Proposal: Alterations to windows and doors, installation of canopies and platform lift at rear ground, new rooflights and extended lift enclosure at roof level and associated internal alterations (in connection with use of the building to provide a day school (Class D1) with ancillary residential unit at third floor level).

Plan Nos: 03-004 rev:1st, 03-002 rev:A, 03-003 rev:A, 03-101 rev:C, 03-105 rev:B, 03-011 rev:D, 03-012 rev:A, Design and Access Statement (PenwardenHale Architects), Heritage Statement (The Heritage Practice), Heritage Statement Addendum (The Heritage Practice), Environmental Noise Survey and Façade Assessment (Sandy Brown), Transport Statement (TTP Consulting), School Travel Plan (Canerapro Associates), Flood Risk Report (Environment Agency), Asbestos Methodology (Adams Environmental).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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. (C27AA)

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 Westminster Cathedral Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 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 building and to make sure the

development contributes to the character and appearance of the Westminster Cathedral Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 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 building and to make sure the development contributes to the character and appearance of the Westminster Cathedral Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 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 building and to make sure the development contributes to the character and appearance of the Westminster Cathedral Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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 March 2012, the London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, 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 character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

Item No.

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