

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 8 December 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	Eaton House School, 3-5 Eaton Gate, London, SW1W 9BA		
Proposal	Replacement of rear lower ground floor and erection of single storey rear extension at 3 Eaton Gate (first floor to mews) and use of roof as external learning areas, erection of single storey rear extension at 5 Eaton Gate (first floor to mews) and use of roof as outdoor learning area, creation of external decks for outdoor learning between 3 and 5 Eaton Gate at the rear of the buildings, at first, second and third floors with associated green wall; erection of lift shaft at the rear; refurbishment of building including new roof, repair of windows, replacement kitchen extract flue to roof level and associated works.		
Agent	Montagu Evans LLP		
On behalf of	Eaton House Schools Limited		
Registered Number	19/05030/FULL & 19/05031/LBC	Date amended/ completed	28 June 2019
Date Application Received	28 June 2019		
Historic Building Grade	Grade II		
Conservation Area	Belgravia		

1. RECOMMENDATION

Refuse permission and listed building consent - on design and listed building grounds

2. SUMMARY

Eaton House School, 3 – 5 Eaton Gate are Grade II listed buildings located on the north side of Eaton Gate and within the Belgravia conservation area. The site has been used a school since the late 1930s 'Eaton House Belgravia Boys' School'.

Planning permission and listed building consent are sought for alterations and extensions to create external decks providing outdoor learning areas at various levels to the rear of the building together with other alterations including the refurbishment of the building including a new roof, a new lift shaft, repair of windows, a replacement kitchen extract flue, and internal alterations on various floor levels.

The key issues in this case are:

- The impact on the special character and appearance of the Grade II listed buildings;
- The impact on the character and appearance of the Belgravia conservation area; and
- The impact on residential amenity of neighbouring occupiers.

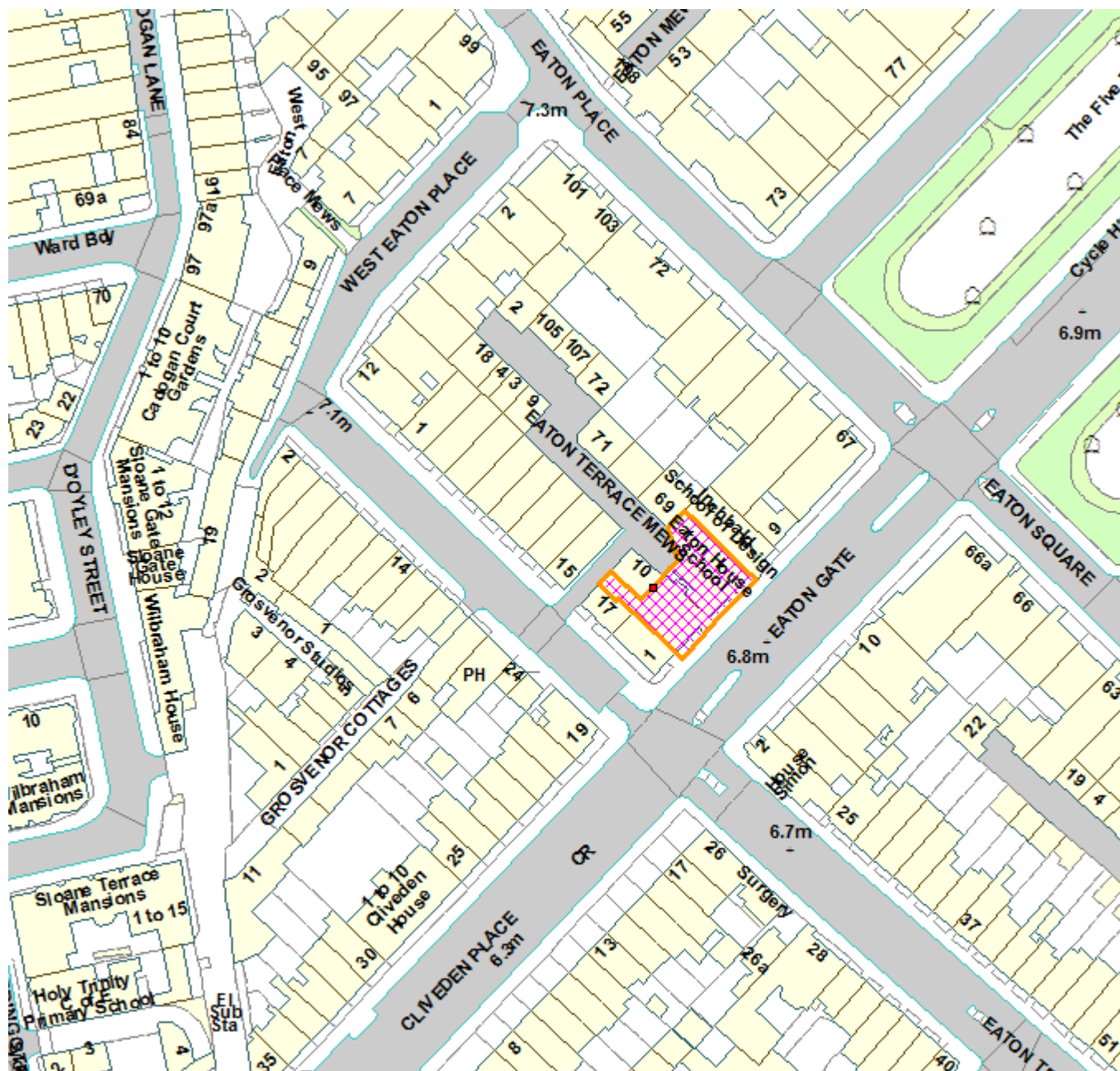
A petition (45 signatures) and 4 letters of support, mostly from parents of school pupils, have been received primarily stating the need for additional learning space and the benefits of outdoor learning.

Two objections have been received from neighbouring residents primarily concerned with the impact on residential amenity in terms of noise disturbance and overlooking. Whilst these concerns are understood, it is not considered that the proposals will significantly harm the amenity of the adjoining residential properties for the reasons set out in the report.

The proposal's benefits to improve and enhance the education provision at the school across all year groups is recognised. However, it is not considered that the proposal's benefits would significantly and demonstrably outweigh the harm caused to the listed buildings by the extensions.

The proposed development would be not be consistent with relevant development plan policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). The proposal is unacceptable on design and listed building grounds and the applications are recommended for refusal for the reasons set out in the draft decision letter.

3. LOCATION PLAN



4. PHOTOGRAPHS



Front elevation



Rear elevation of 3-5 Eaton Gate & front elevation of 10 Eaton Terrace Mews



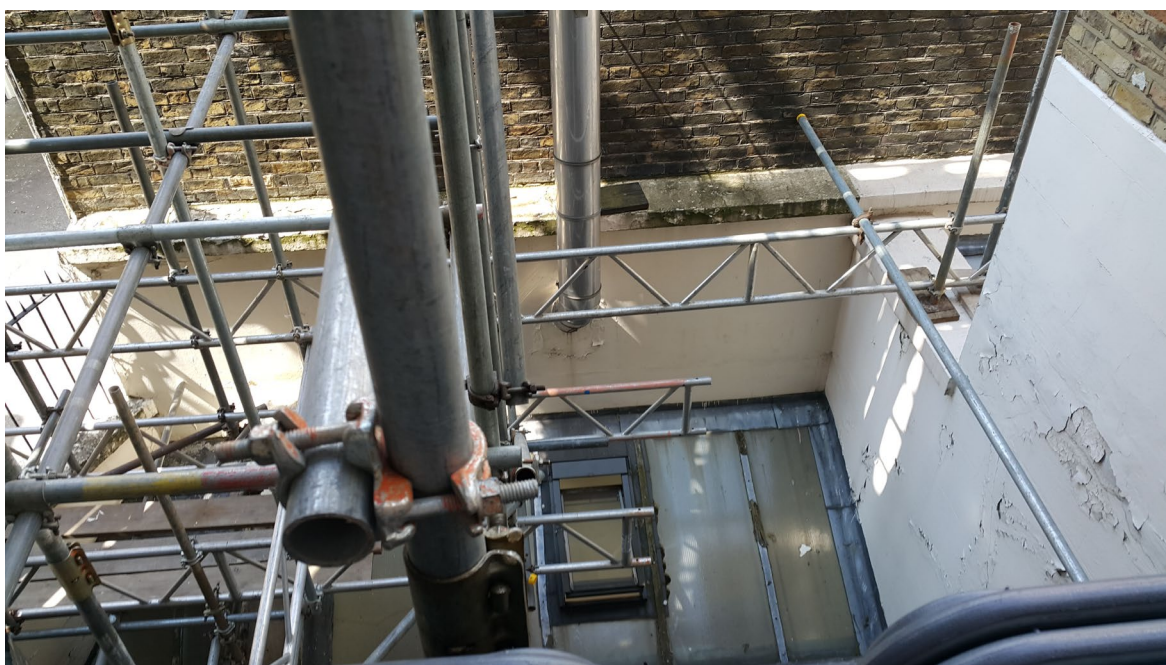
Rear elevation of 3-5 Eaton Gate



Part rear elevation of site between 10 Eaton Terrace Mews & 17 Eaton Terrace



Roof to rear of 3 Eaton Gate between 10 Eaton Terrace Mews & 17 Eaton Terrace



View from existing balcony of roof to rear of 5 Eaton Gate

5. CONSULTATIONS

BELGRAVIA RESIDENTS ASSOCIATION:

Any response to be reported verbally.

THE BELGRAVIA SOCIETY:

Any response to be reported verbally.

BELGRAVIA NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

ENVIRONMENTAL SCIENCES:

No objection subject to recommended conditions.

WASTE PROJECT OFFICER:

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER:

Acceptable with conditions.

ARBORICULTURAL MANAGER:

No objection subject to condition.

ADJOINING OWNERS/OCCUPIERS & OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 77

Total No. of replies: 7

No. of objections: 2

No. in support: 4 and one petition (45 signatures/ support forms)

Two objections received on some or all of the following grounds:

- Noise increase from the outdoor spaces are not appropriate given the residential nature of all surrounding properties;
- Overlooking from outdoor areas;
- The applicant undertook an unsatisfactory public consultation;
- If permission granted, conditions should be imposed on external learning areas to ensure to control hours of use, ensure they are supervised; and numbers are limited.

Four letters of support and a petition with 45 signatures/ support forms on some or all of the following grounds:

- Outdoor learning areas will improve learning experience and educational facilities and the benefit pupils;
- Allowing pupils to spend more time outdoor in the fresh air will aid their wellbeing and engagement with nature;
- Space is scarce in Central London;
- Outdoor learning areas are small so there won't be lots of running around, ball games and shouting;
- Outdoor learning areas will be used only during school hours;
- Proposals add value to the school and the local community;

- Proposals do not harm the listed building and conservation area;
- Outdoor learning decks are beautifully designed and create a space/ view to be enjoyed by both the school and local residents;
- The new lift shaft is needed to provide access for all;
- The green wall contributes to improving air quality.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Eaton House School, 3 – 5 Eaton Gate are a pair of mid-19th century townhouses forming part of the Grade II listed terrace, 1 to 7 Eaton Gate, within the Belgravia Conservation Area. The buildings retain a considerable degree of their original significance despite later conversion to accommodate prep schools since the 1930s. Externally they remain essentially as built but with some accretions typical of non-residential use to the rear, in particular the fire escape stairs.

Eaton House Belgravia Boys School can be broken down into the following stages of education, namely nursery (ages 3 - 4), pre-prep (ages 5 - 8), and prep school (ages 9 - 11). The school has a maximum capacity of 270 as authorised by the Department of Education. The school does not benefit from any external space with outdoor activities taking place off-site with pupils bused mostly to either St. George's Square, Hyde Park or Battersea Park.

6.2 Recent Relevant History

There have been a number of permissions for alterations to Eaton Gate School:

On 15 May 2018 planning permission and listed building consent were granted for the installation of six rooflights to the central roof slopes of no.3 (RN: 18/01865/FULL and 18/01399/LBC).

On 01 August 2018 planning permission and listed building consent were granted for the replacement of lift shaft at rear lower ground to second floor level and associated internal alterations (RNs: 18/04112/FULL and 18/04113/LBC).

On 23 April 2019 listed building consent was granted for the installation of a security screen inside the entrance hall (RN: 19/02712/LBC).

On 11 June 2019 listed building consent was granted for to vary condition 1 of listed building consent dated 01 August 2018 (RN: 18/04113/LBC) to allow amendments to the lift shaft dimensions (RN: 19/03440/LBC).

7. THE PROPOSAL

Planning permission and listed building consent are sought to for alterations and extensions and create outdoor learning spaces and to provide additional teaching accommodation with associated external and internal alterations, these include:

- Demolition and replacement of the lower ground floor to the rear of 3 Eaton Gate;
- At Ground floor level a new single storey to the rear of 3 Eaton Gate to provide a staff room (between 17 Eaton Terrace and 10 Eaton Mews Terrace);
- At Ground floor level a new single storey extension to the rear of 5 Eaton Gate to extend an existing classroom (to the side of 69 Eaton Mews Terrace);
- At first floor level creation of outdoor learning spaces on top of both of the proposed rear ground floor extensions;
- Creation of 3 external decks with a green wall to provide outdoor learning spaces at first, second and third floor levels to the rear of the site between 3 and 5 Eaton Gate;
- Erection of a lift shaft to the rear of the building extending to the third floor level;
- Refurbishment of roof and installation of new rooflights;
- Repairs to windows;
- Relocation of kitchen extract flue to roof level;
- Internal alterations to all levels in connection with the reorganisation of the space.

The need for the proposed extensions and alterations are set out in the applicant's planning statement. In summary, the proposals are wholly aimed at improving the quality and standard of education at the school. The applicant sets out that the extensions provide opportunities for the school to:

- To fulfil its commitment to providing outside learning space to deliver outdoor activities as part of the curriculum;
- Improving classroom sizes;
- Improving quiet areas for learning where children can go at their own pace;
- New dedicated art room;
- Relocated and enlarged library with access to a quiet outside reading space;
- Teacher lounge;
- Security lobby;
- Living Wall;
- Level access through the installation of a lift to all classroom levels;
- Improved Kitchens;
- Improved means of escape in the event of a fire or other incident;
- Reduce the need to transport pupils off of site to undertake outdoor learning;
- Dedicated DT Room; and
- Modern Science Lab.

The applicant further sets out that each extension should not be viewed in isolation but are all integral elements of a comprehensive approach to meeting the schools identified needs. Each extension would allow for the internal reorganisation of the school, as follows:

- The present kitchens become an enlarged science room;

- The science room becomes a new art room; and
- Cloakrooms become the kitchens

The applicant maintains that all of these benefits improve and enhance the education provision at the school across all year groups.

Existing and propose floor areas:

Use	Existing sqm	Proposed sqm	+/-
School (Class D1)	1358	1427	+69

8. DETAILED CONSIDERATIONS

8.1 Land Use

For education, planning policy at national, regional, and local level places significant weight on delivering development for educational purposes.

City Plan and UDP

Policy SOC3 of the UDP specifically deals with education facilities and supports the provision of new facilities for education.

Policies S34 of the City Plan (Social and Community Infrastructure) and SOC1 of the UDP (Community Facilities) aim to protect and improve the range of social and community facilities in Westminster

NPPF

The National Planning Policy Framework (NPPF) at paragraph 94 states:

“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.”*

While paragraph 92 of the NPPF states:

“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;”

London Plan

The London Plan provides support for educational uses. Policy 3.16 (Protection and enhancement of social infrastructure) states:

“Development proposals which provide high quality social infrastructure will be supported in light of local and strategic social infrastructure needs assessments. Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.”

While Policy 3.18 Education Facilities provides states:

“C Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current and projected shortage of primary school places and the projected shortage of secondary school places will be particularly encouraged. Proposals which result in the net loss of education facilities should be resisted, unless it can be demonstrated that there is no ongoing or future demand.”

Assessment

The proposals would provide an increase in school floorspace of 69 sqm but it is understood that school does not intend to increase the number of teachers or pupils. The applicant advises that the proposals would provide for more efficient use of space and enhanced learning facilities (as set out above in section 7). Given that there is no net increase in pupil numbers and that this proposal will significantly improve facilities for the school, it is not considered to represent an overdevelopment of the site which will result in either harm to the area or the amenities of surrounding residents.

The new outdoor areas are designed to provide outdoor learning space. Their operation is detailed in section 8.3 of this report. Currently the children are bused to St. George's Square, Hyde Park or Battersea Park for outdoor learning activities or recreation.

The principle of enhancing and improving educational facilities is supported by planning policy at national, regional and local levels. The proposals accord with the Council's adopted planning policies and the advice in the National Planning Policy Framework (NPPF) and London Plan relating to schools.

8.2 Townscape and Design

Description

The buildings retain a considerable degree of their original significance despite later conversion to accommodate a prep school since the 1930s, continuing to the current

applicant who is now applying for a range of improvements to their educational offering. Externally the houses remain essentially as built but with some accretions typical of non-residential use to the rear, in particular the fire escape stairs which are partly the subject of the current applications.

To the rear the houses are plainer than the grandly designed front facades, typical of such historic terraces in London. Whilst of theoretically lesser architectural significance, these rear elevations hold a high degree of vernacular character and also contribute to the historic significance of the listed building in terms of the understanding of the architectural and social hierarchy of such houses. In this case, these elevations are dominantly visible from Eaton Terrace Mews to the rear, which is a public highway, and partly visible from Eaton Terrace. In these views, the arrangement of narrow projecting closet wings, spaces and gaps between the mews, and the two constituent buildings of the application site are all important elements of the aesthetic and historic values of the listed buildings and how they contribute to the conservation area.

The existing fire escape stairs to the rear are acknowledged to be a negative addition to the site although they are restricted to first floor level. Improvements would be welcome in principle to this rear elevation to address the later accretions, subject to their relationship with the architectural and historic character of this part of the site, and how it relates to the surrounding mews and wider terrace.

Legislation, policy and guidance

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

Section 66 of the same Act requires that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

Section 72 of the same Act requires that *“In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

The proposals and their effects and impacts on significance

The application proposes a range of works which aim to improve the school's provision of private early years education, including to provide on-site outdoor learning space which the school has lacked since its foundation at this site in the 1930s. Other works include upgrades to internal features for fire, safe-guarding or security reasons.

In considering these current proposals, it is important to note the following past approvals:

- Replacement of lift shaft at rear lower ground to second floor level and associated internal alterations permitted on 01.08.18 (RNs: 18/04112/FULL and 18/04113/LBC)
- Installation of a security screen inside the entrance hall permitted on 23.04.19 (RN: 19/02712/LBC)

The relevance of these permissions are discussed further below.

Extensions

The main proposals are for three rear extensions:

1. A four storey semi-open decked outdoor learning space structure built within the gap between 3 and 5;
2. An infill extension at first floor to the rear of no.3;
3. An extension over ground and first floors to the rear of no.5.

Each of these extensions would include varying amounts of outdoor teaching space, with the bulk provided by the four storey decked structure proposed to infill the gap between the two houses.

Extension 1, the main multi-level decked outdoor teaching space proposal, would provide a replacement fire escape, replacement lift, and three levels of decked, semi-open outdoor teaching space. In elevation, it would be covered by a pocket-system green wall, with two large unglazed openings per floor at first and second floor levels. The upper most deck would be open-topped, and level with the existing terrace which links the two houses at third floor level. The proposal would be a large and obtrusive addition to the site, and would dominate the appearance of the listed buildings when viewed from both the mews and through the gap from Eaton Terrace. It would alter the character of the rear elevation by a notable degree, in filling the gap which currently defines the two former houses from each other. Due to its height, it would also be visible from a wide area from private windows, so affecting the private appreciation of the character of the conservation area for a large number of local residents.

The lift is in itself a harmful increase over the existing and approved (18/04112/FULL and 18/04113/LBC) and from where visible it would detract from the appearance of the building; were it to be proposed by itself, it would be likely refused. It is however generally concealed by the much more visually significant deck structure proposal and would only be visible from private high level views and through the openings in the green

wall – from the mews and street it is unlikely to be readily visible due to its position set back from the edge of the proposed deck structure.

Extension 2 proposed to the rear of no.3 would infill what is currently a largely concealed open space between two taller rear wings. By slightly altering the rear elevation of the current infill and extending it up a little, the school adds some valuable internal and external learning spaces with minimal impact to the listed building or conservation area.

Extension 3 to the rear of no.5 would replace the current low-grade extension at lower ground floor level whilst at ground floor level partly infilling the space which currently exists between the closet wings of no.5 (the site) and no.7 (the adjacent property (also listed)). A new roof terrace at first floor level would replace the historic shallow balcony to that serves the principal room to no.5 at that level, relocating the decorative cast iron balcony to serve the new, much deeper roof terrace. Also removed and relocated would be the tripartite sash windows at ground floor level which currently look onto the current gap between closet wings. This extension would delete the current gap between closet wings, and due to the canted angle of the closet wing to no.5, would relate poorly to the existing building by overlapping the canted part of the wing. This would be visible as an awkward and very obviously ‘squeezed in’ addition from the mews. The extension would also internalise the room at ground floor, causing the dismantling of an original set of windows and shutters, and divorcing these and the first floor decorative balustrade from their historic locations.

Extensions 1 and 3 would cause a significantly detrimental effect on the architectural and historic significance of the listed building, and on the character and appearance of the surrounding conservation area. Whilst this would be ‘less than substantial’ in the terms of the NPPF, it would nevertheless be significant and long-term, with no realistic prospects of reversal in the foreseeable future.

Other works

Also proposed are a range of other works, mostly internal, which provide a number of improvements for the school. These are, following negotiation with officers, mostly largely neutral or positive in effect to the listed building, although would not be described as representing a package of conservation benefits which might have any real counter-balance to the harm caused by the extensions discussed above.

Conclusion and comments on the balancing exercise

For the reasons given above, the proposals fail to accord with policies DES 5, DES 9 and DES 10 of the UDP or S25 and S28 of the City Plan. The harm caused should be given significant (great) weight when balanced against any public benefits. The balancing exercise is carried in the section 8.14 of this report.

8.3 Residential Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to residential dwellings, and that development should not result in a significant increase in sense of enclosure,

overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of the City Plan aims to protect the amenity of residents from the effects of the development.

The site is in close proximity of residential properties, No. 10 Eaton Terrace Mews is directly located to the rear of No. 3 Eaton Gate. Two objections have been received from neighbouring residents primarily on amenity grounds raising concerns about overlooking and noise disturbance.

Noise disturbance

The potential of noise disturbance from the creation of five external decked platforms for use as outdoor classrooms is understood given their location surrounded on three sides by brick walls, the resultant noise of children and teaching activities might reverberate and be amplified projecting down the surrounding properties.

An operational management plan has been submitted documenting how and when these spaces will be used. The statement confirms that the learning spaces will be used all year-round but their use can be reduced in winter months depending on the weather. The agent confirmed that no heaters will be installed.

Each terrace will have a specific theme to direct the learning activities, as follows:

- Reading and discussion about books and authors on the first-floor outdoor terrace between 17 Eaton Terrace and 10 Eaton Terrace Mews;
- Yoga, meditation or one-on-one reading to the first-floor external space facing 69 Eaton Terrace Mews;
- Sand and water area to the first-floor outdoor space between Nos. 3 and 5 Eaton Gate;
- Engineering/mechanical/construction-based learning at second floor level;
- Science lessons with planters and experience with sun and light at third floor level.

All spaces will be supervised at all times by staff with a maximum capacity of 20 pupils per terrace, except the first-floor terrace facing 69 Eaton Terrace Mews with a maximum capacity of 10. The outdoor learning spaces will only be used between 9.30 and 15.30 during term time. The school is closed for 8 weeks during the summer, 4 weeks at Christmas, 4 weeks at Easter and has 3 additional weeks of holiday during the school year.

Environmental Sciences have been consulted with regard to the operation of the outdoor spaces and commented that those spaces are unlikely to cause noise disturbance if they are operated in accordance with the management plan provided.

The sizes of the terraces are limited so they are unlikely to be used as external play areas and it is proposed they are for learning activities only. Given the spaces will only be used under supervision during daytime and not in the weekends and school holidays, it is considered in this instance not sustainable to withhold permission on noise and disturbance grounds. Had the application been considered acceptable in all other respects, a condition would have been recommended to ensure that the terraces are operated in accordance with the submitted management plan.

Overlooking

At first floor level the outdoor space between 17 Eaton Terrace and 10 Eaton Terrace Mews does not project further than the existing properties and faces the blank side elevation of 15 Eaton Terrace. There is a rooflight serving 17 Eaton Terrace in close proximity of the proposed terrace. However, a screen surrounding the external area is proposed restricting the potential for overlooking into the neighbouring property. Had the application been considered acceptable, the installation of the screen prior to the use of the terrace would have been secured via condition.

The terrace to the rear of 5 Eaton Gate faces the side elevation of 69 Eaton Terrace Mews which has no window openings. The external space will replace and extend an existing balcony. The proposed terrace is set back from the boundary and projects only slightly above the existing rear closet wing. Given there are existing windows to the side elevation of the rear closet wing it is not considered that a terrace at first floor level would worsen the existing overlooking situation with 10 Eaton Terrace Mews.

The proposed multi-level outdoor teaching space will replace an existing outdoor circulation space at first floor level. At second and third floor levels the outdoor space will extend to be in line with the first floor rear building line. Whilst these external spaces will be closer to the properties facing Eaton Terrace Mews, the views from the rear edge will be restricted by a proposed living wall and the position of the staircase at first floor level. In addition, the school benefits from existing windows to the rear elevations. It is therefore considered that the views towards the properties in Eaton Terrace Mews to the rear would not be sufficiently harmful to justify a refusal.

Sense of enclosure/loss of daylight

The two ground floor infill extensions (first floor to mews) would be mostly enclosed and in this location are not considered to cause harm to adjacent properties in terms of loss of daylight/sunlight and sense of enclosure. The main multi-level decked outdoor teaching space would also not cause harm given its location within the gap between nos. 3 and 5 Eaton Gate.

8.4 Transportation/Parking

The Highways Planning Manager raises no objection to the proposals. The proposals would not increase the number of pupils or staff, therefore the proposals will not be creating additional pressures on the surrounding highway network in comparison to the existing situation.

8.5 Economic Considerations

It is recognised that the proposed construction works will offer employment opportunities. However, the main consideration of this proposal is the principle of allowing further enlargement to this school, the impact on the listed building and the conservation area and the amenities of surrounding residents.

8.6 Access

The supporting document states that the improved level access and the new lift up to the third-floor level will allow the school to perform adequately in terms of its accessibility and inclusivity. It is understood that the existing lift is structurally condemned restricting access for disabled pupils and teachers within the school. The proposed measures aim to ensure the proposals comply with current statutory regulations to create an inclusive environment for all users of the building. These measures are welcomed.

8.7 Other UDP/Westminster Policy Considerations

Kitchen relocation

The scheme includes the relocation of the kitchen including the re-routing of the extract ventilation duct through an existing chimney to roof height and a new fan. An acoustic report has been submitted in support of the application. The document has been reviewed by Environmental Sciences who raise no objection in terms of noise or odours. Subject to the council's standard noise and vibration conditions the scheme is considered acceptable on noise grounds.

Green Wall

The multi-level outdoor teaching spaces would be covered by a green wall. The submission does not clearly illustrate the green wall's finished appearance and this would be particularly sensitive given its prominence.

The Arboricultural Manager raises no objection but recommends a condition to secure detailed drawings and management plan in relation to the construction method, layout, species, maintenance and watering regime of the green wall. Had the proposal been considered acceptable, details of the proposed green wall would have been secured by condition.

8.8 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 19 June 2019 and 31 July 2019. On 19 November 2019 the plan was submitted to the Secretary of State for independent examination. The Examination in Public took place in September and October 2010. Following the Examination, a letter from the Inspectors was received on 29 October 2020 stating that the draft City Plan was not sound but that a number of 'main modifications' could be made to make Plan sound. These main modifications will be subject to public consultation and, only once responses have been received and considered, will the Inspectors' report be drafted. Having regard to the tests set out in paragraph 48 of the NPPF, whilst the draft City Plan has now been through an Examination in Public, it will generally continue to attract very limited weight at this present time prior to the publication of the Inspector's report.

8.9 Neighbourhood Plans

Not applicable.

8.10 London Plan

The relevant London Plan education policies are outlined in section 8.1.

8.11 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.

The relevant sections of the NPPF relation to education are outlined in section 8.1.

As required by the NPPF, the council has taken a collaborative approach and negotiated with the applicant to remove as far as possible any unacceptable elements of the proposal. Following negotiation, the internal works are now considered acceptable. However, we have been unable to seek solutions to the rear extensions which are clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal on design and listed building grounds.

8.12 Planning Obligations

Planning obligations are not relevant in the determination of this application.

As the proposed additional floorspace is for a school, a CIL charge is not applicable.

8.13 Environmental Impact Assessment

The proposal is of insufficient scale to require an environmental assessment.

8.14 Other Issues

One owner of an unspecified neighbouring property comments that they did not receive notification of any of the applicant's three public consultation exercises, as set out in the applicant's Statement of Community Involvement. Whilst this is regrettable, local residents have been sufficiently consulted by the council at planning application stage.

8.15 Conclusion

In accordance with the legislation and national policy set out in the design section of this report, as a significant degree of harm has been found the applications must by law be refused consent and permission *unless* the public benefits of the scheme would significantly and demonstrably outweigh the harm caused.

The benefits of the scheme are detailed in section 8.1 of this report and include the provision of improved indoors facilities, outdoor teaching space and accessibility for everyone regardless of disabilities.

In making this balancing assessment, it is necessary to consider also whether the proposals are the least intrusive means of providing those public benefits, and also the degree of necessity or desirability of the proposals – if they are simply *desirable*, then it is unlikely that a significantly clear balance would be achieved, and the proposals should be refused. If they are *necessary*, then is this the right site for those benefits to be provided. And if some amount of outdoor space, replacement escape routes and for a replacement lift are considered a necessity for this site, then the past approvals for these functions are of direct relevance in providing these functions to a degree which was considered by the applicants to be at least a worthwhile back-up set of proposals.

It is also clear that the school is currently successful despite a long-standing lack of on-site outdoor play / teaching space – parents continue to send their children to the school, with the knowledge from the outset of its limitations. The school has operated successfully in this fashion since the 1930s and remains popular today.

It is also evident that the application proposals do not in fact resolve one of the school's key site deficiencies in terms of the lack of outdoor recreational play space. The application proposals are explicitly designed for outdoor *learning*, not for play, and therefore it can be presumed that pupils will continue to be bussed out to other sites for daily playtimes.

The limitations of housing a school in architecturally significant buildings which were designed originally for a very different use must also be recognised. Whilst the building has already and can be sensitively adapted, so too can the way in which the school uses the buildings. There also remains the evident long-term question over whether such a use can continue to be appropriate to such a site – if the full suite of private prep school functions are desired or even required at a later date, then the long-term viability of the use within the building would be questionable.

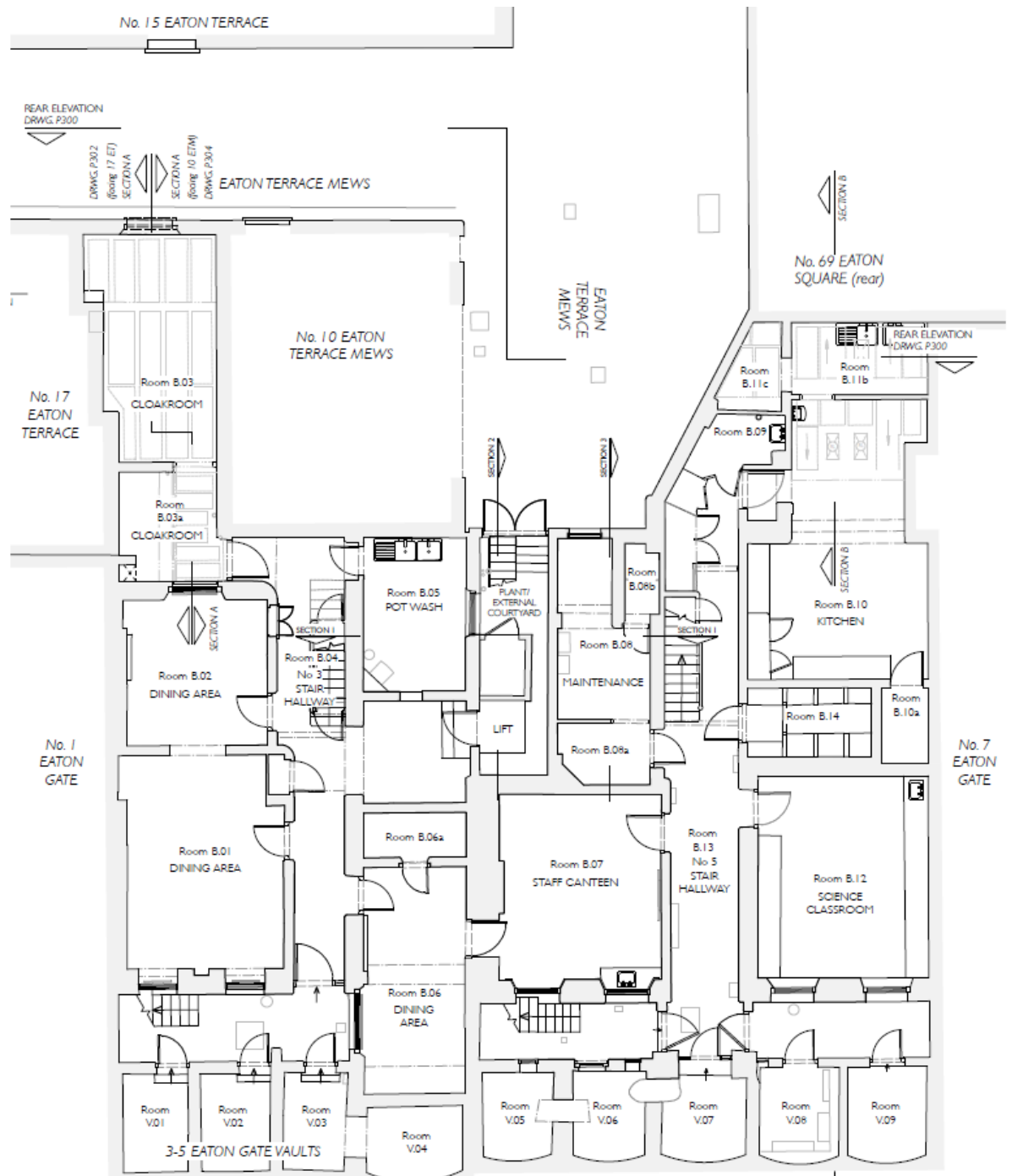
Overall, on balance the benefits identified by the Applicant are not considered to outweigh the harm to the special architectural and historic interest of this grade II listed building, and the character and appearance of the Belgravia Conservation Area that the proposed development would cause.

The development as proposed does not accord with the development plan, when considered as a whole, and material considerations do not justify a conclusion that planning permission and listed building consent should be granted.

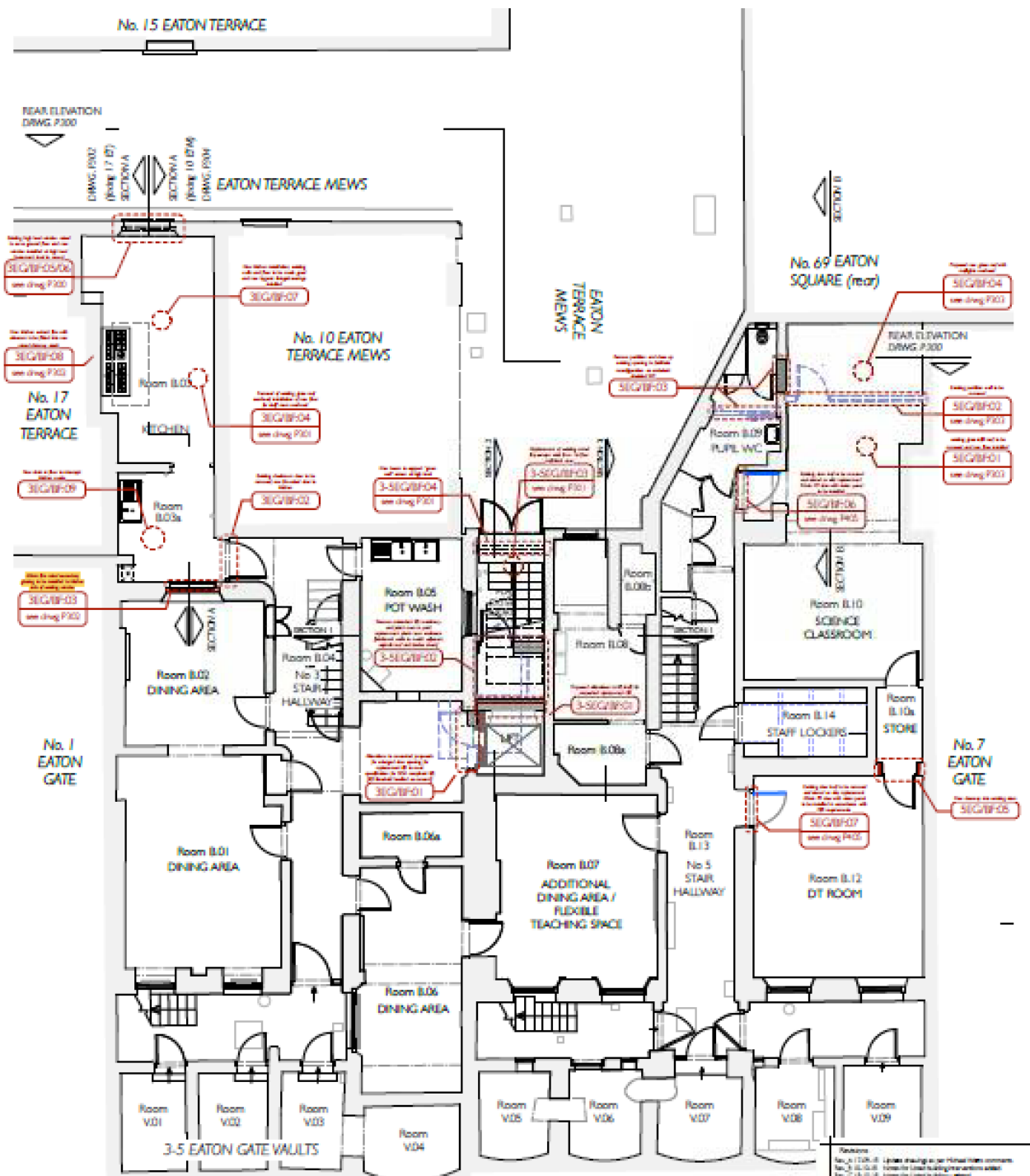
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

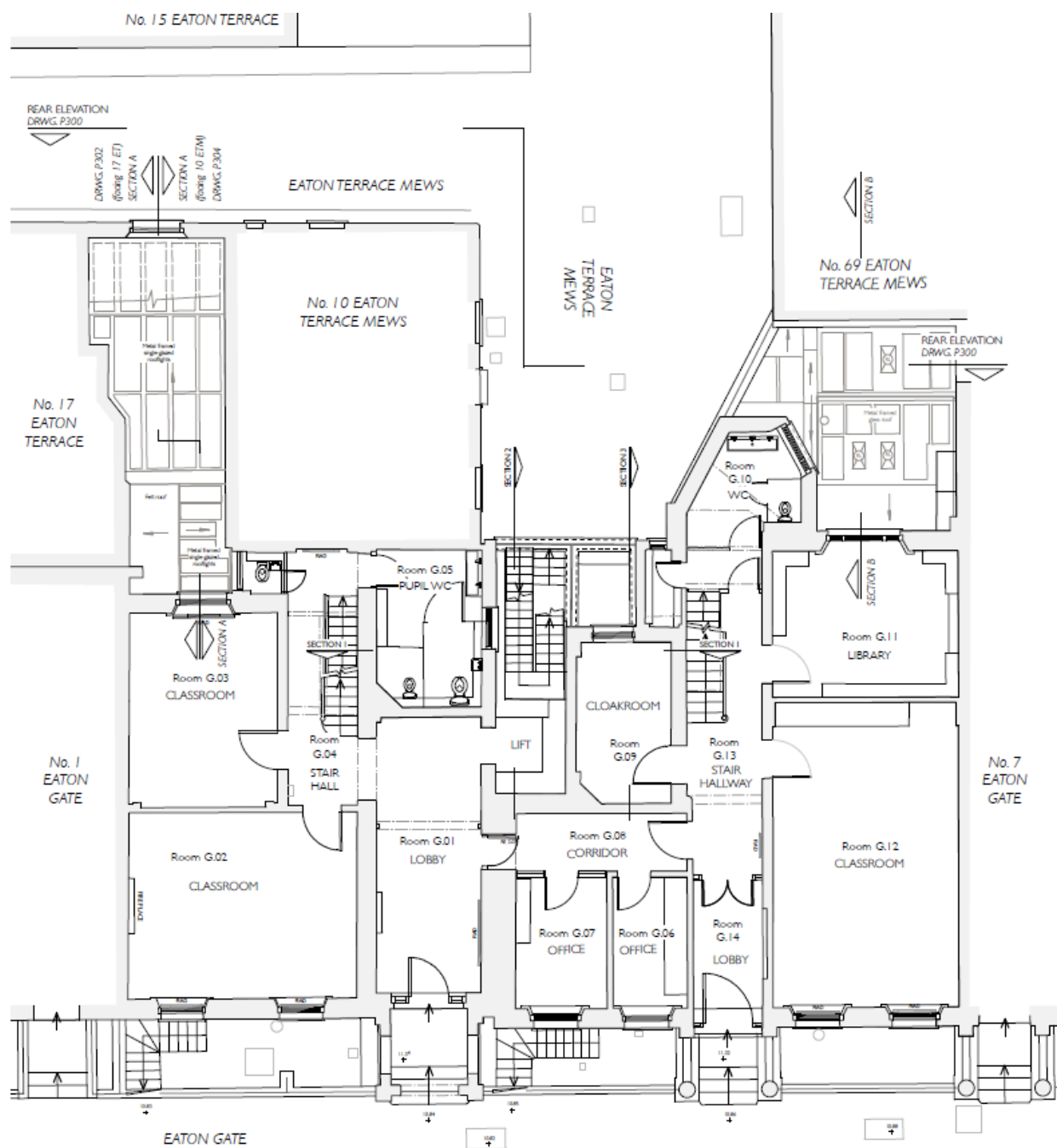
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT ddorward@westminster.gov.uk

9. KEY DRAWINGS



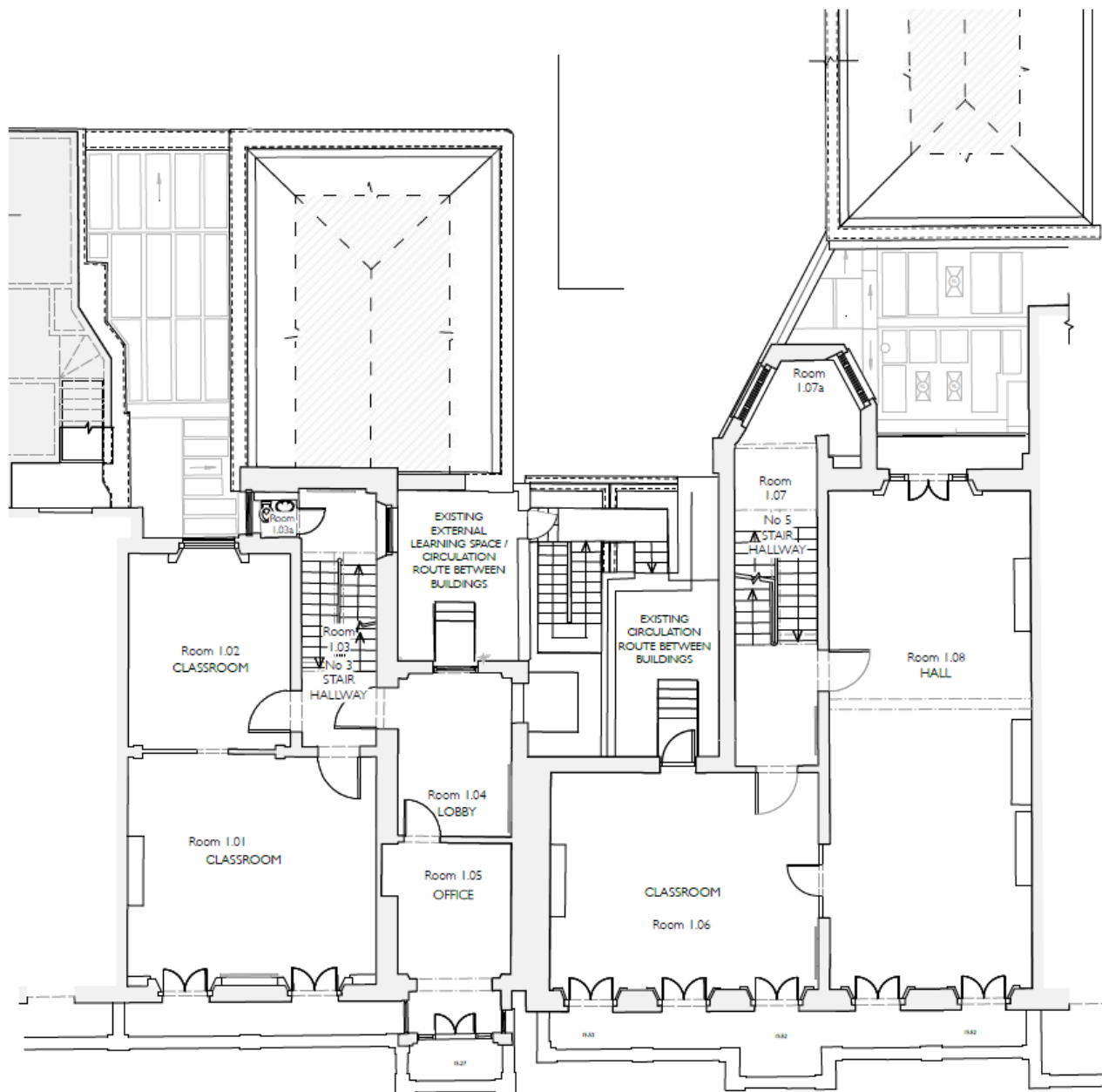
Existing basement plan



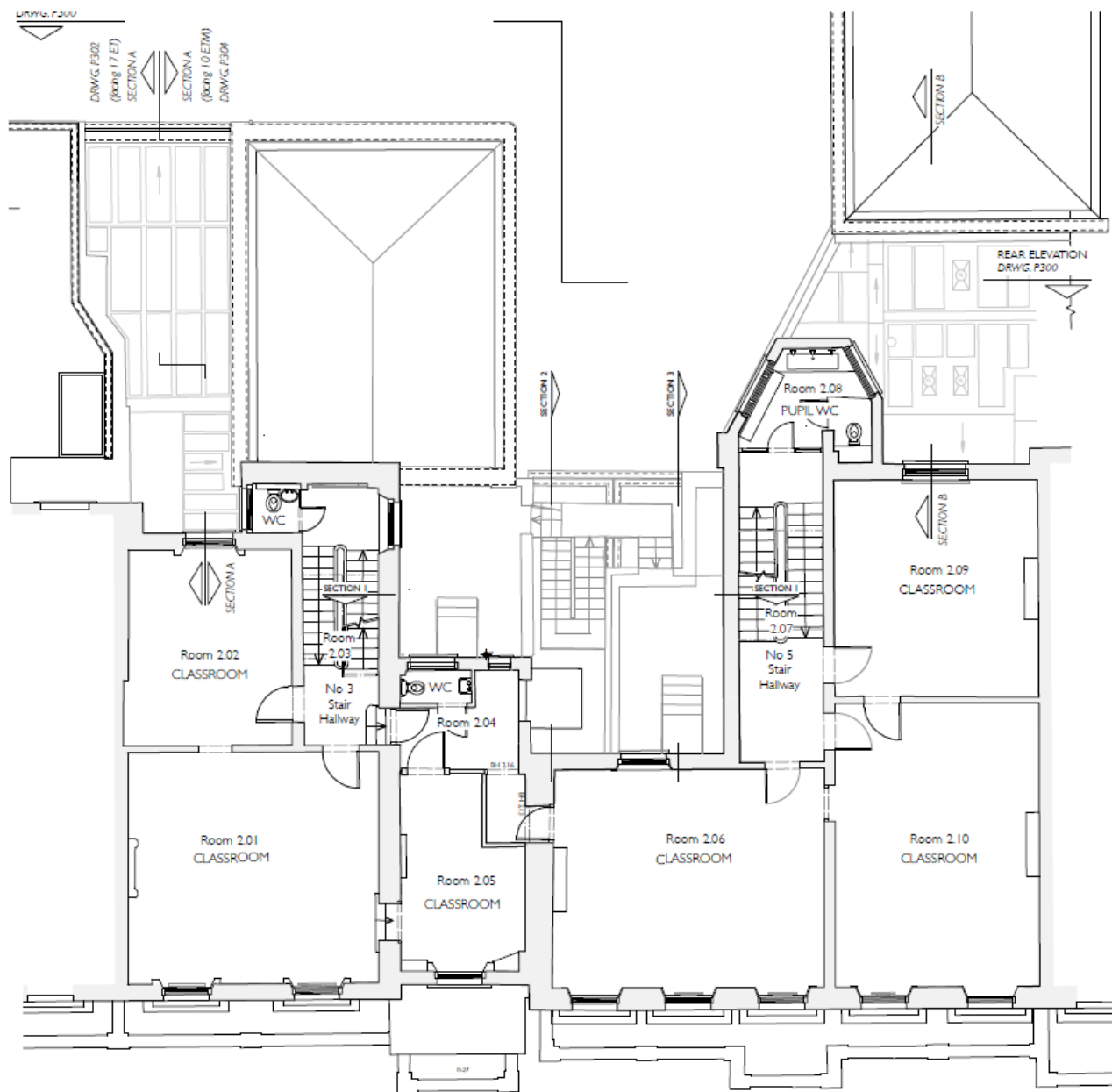


Existing Ground floor plan

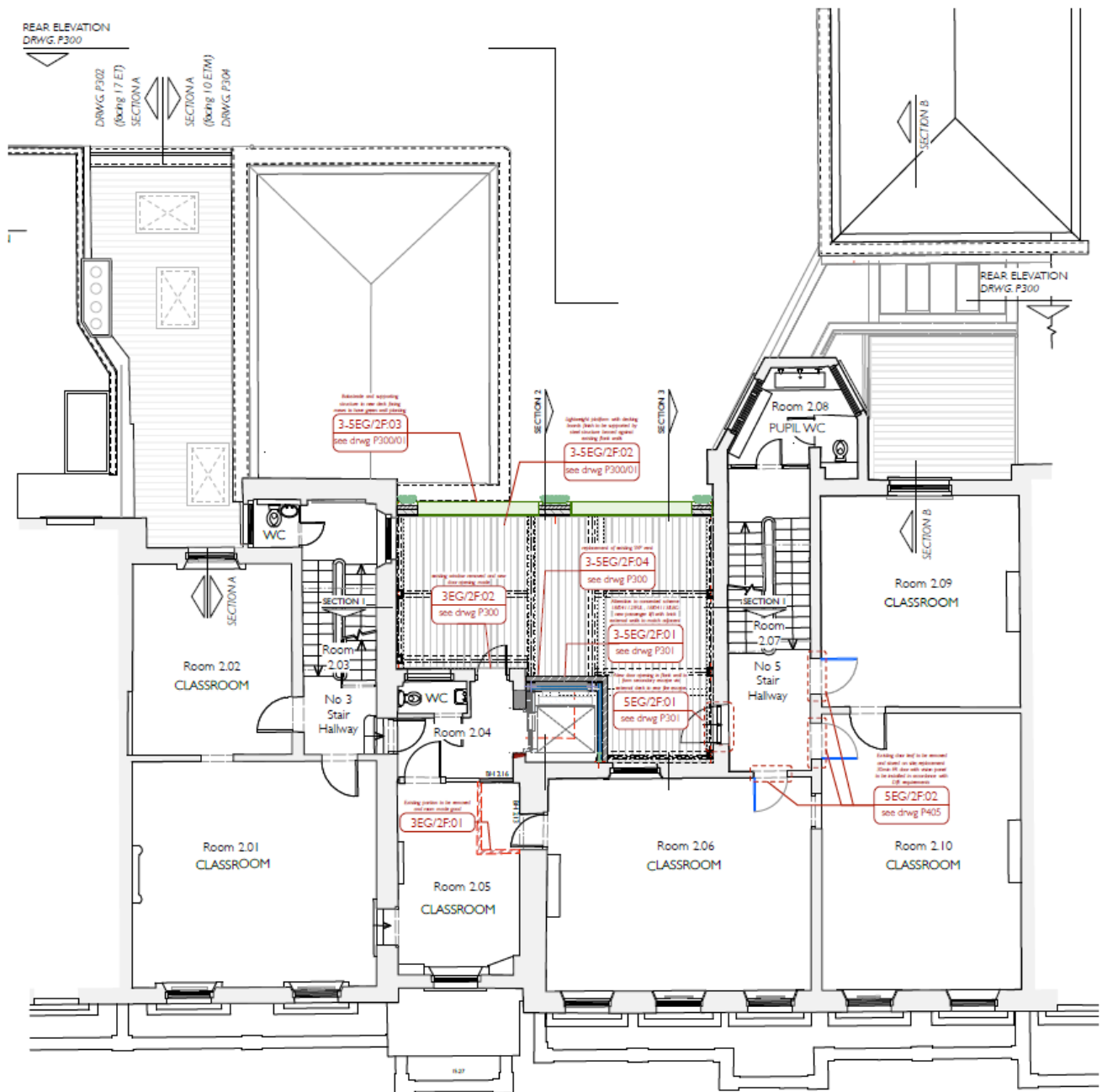




Existing First floor plan

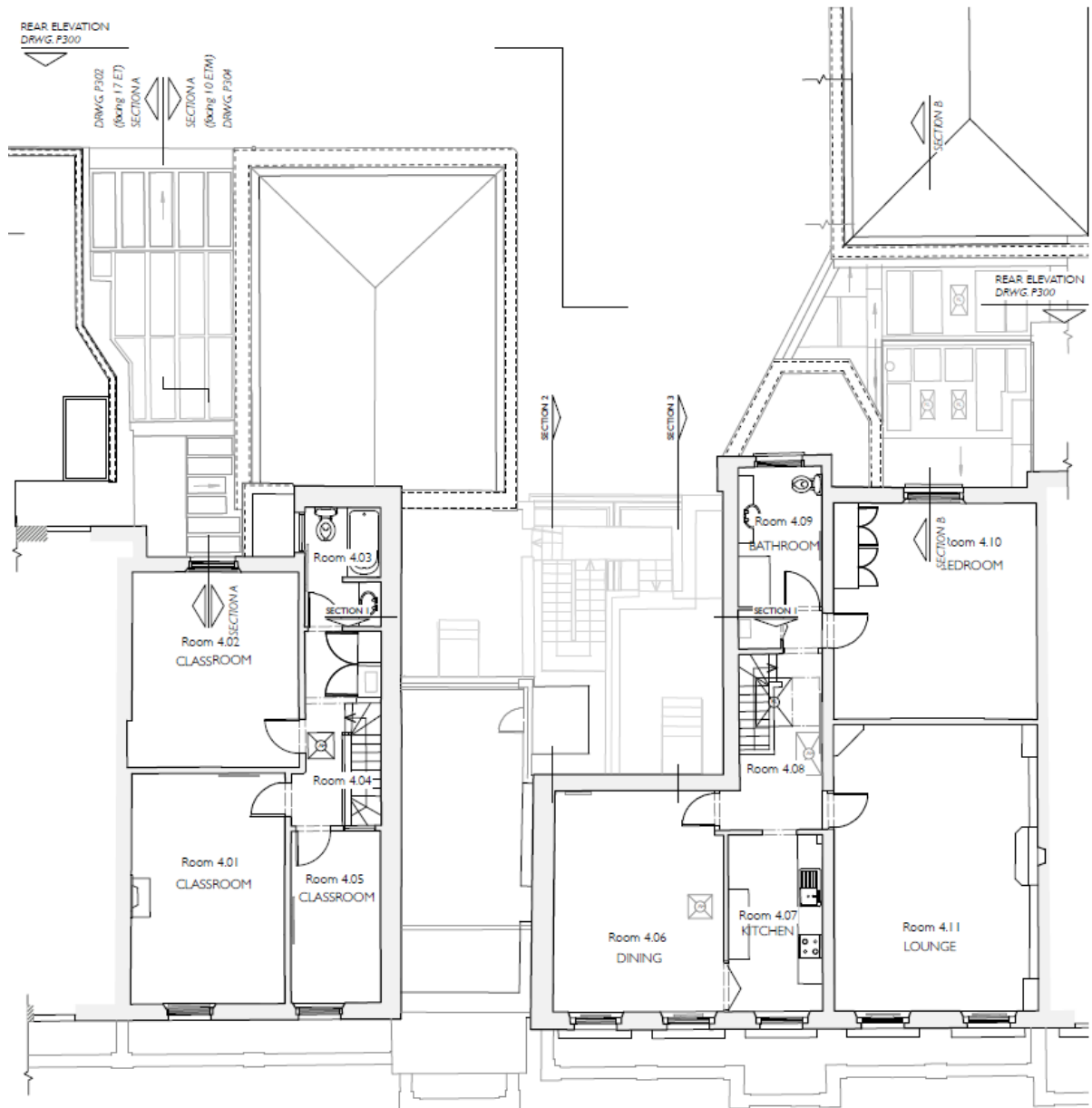


Existing Second floor plan



Proposed Second floor plan



**Existing Fourth floor plan**

Proposed Fourth floor plan





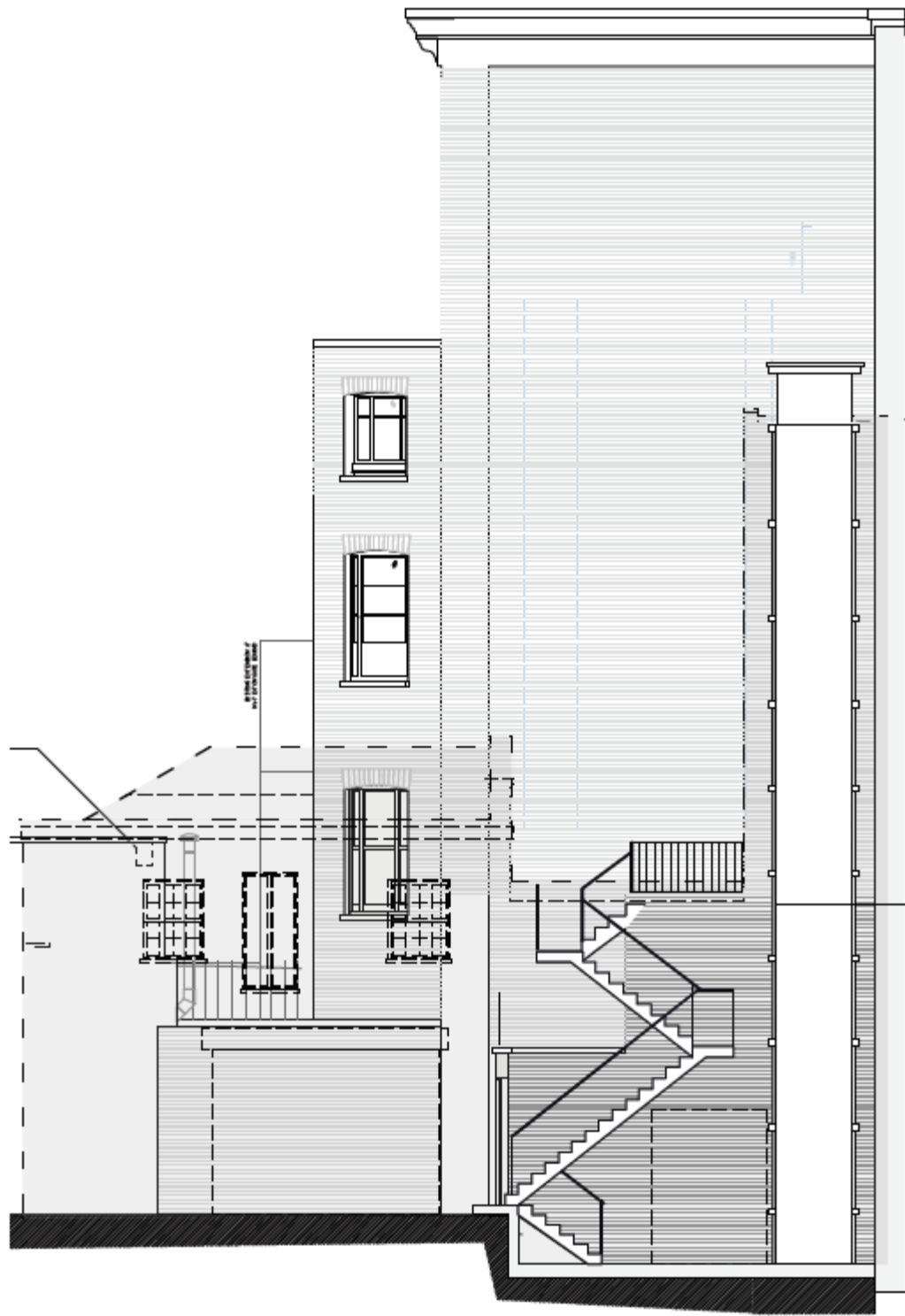
Proposed Roof plan



Existing rear elevation

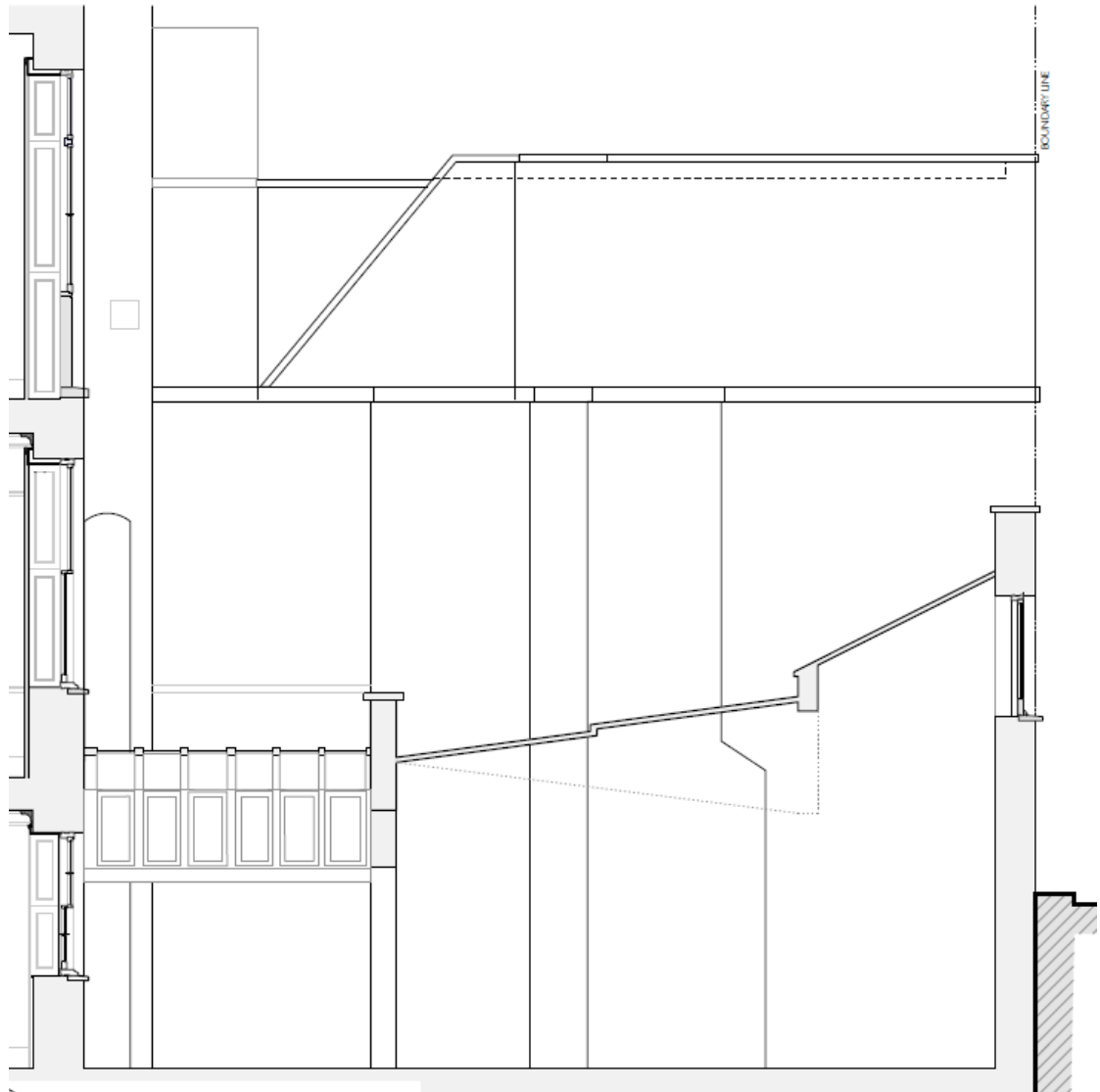


Proposed rear elevation

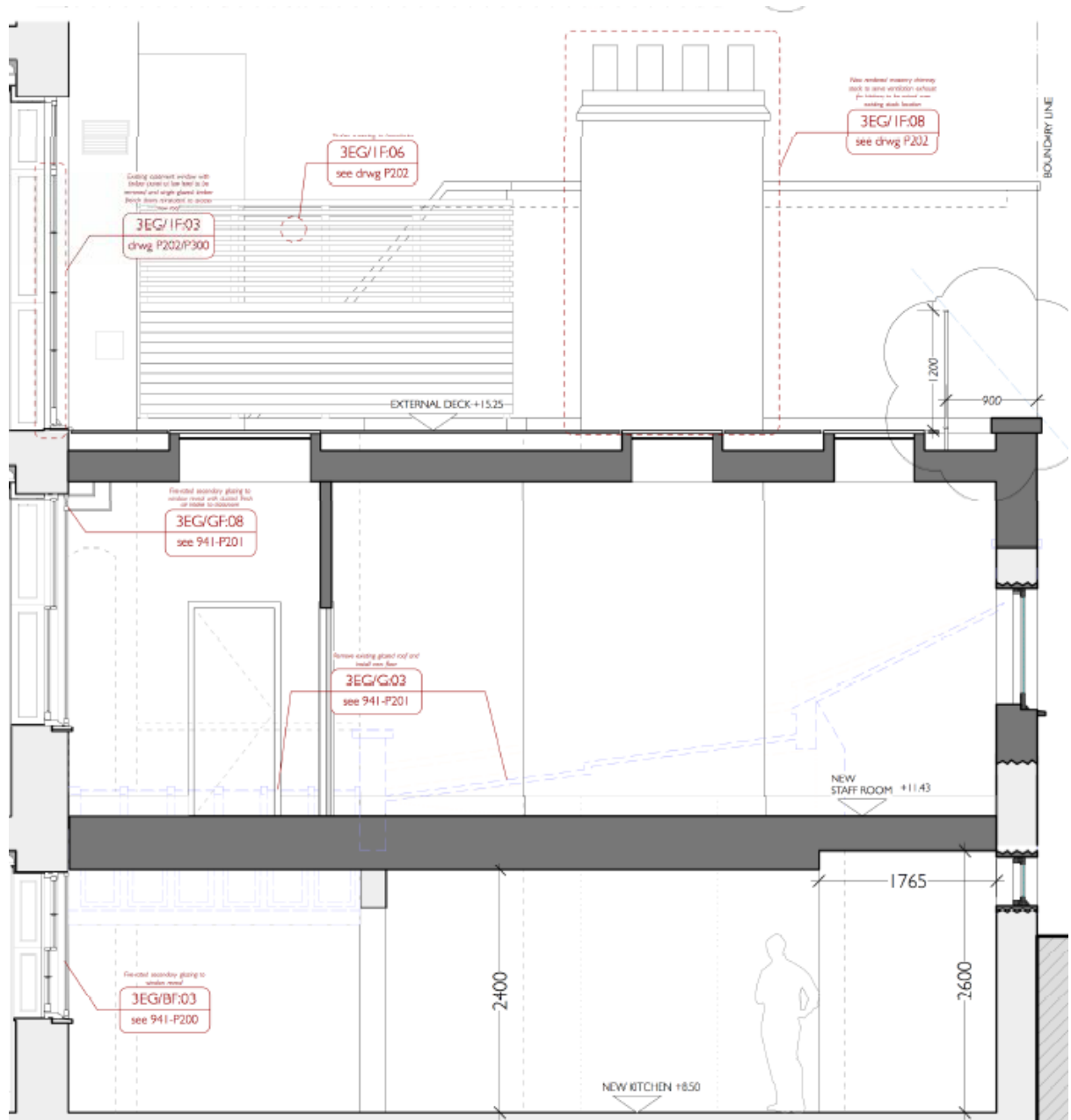


Existing Section 2





Existing Section AA



Proposed Section AA



Existing view of rear of 5 Eaton Gate



Proposed view of rear of 5 Eaton Gate

DRAFT DECISION LETTER - PLANNING APPLICATION

Address: Eaton House School , 3-5 Eaton Gate, London, SW1W 9BA

Proposal: Replacement of rear lower ground floor and erection of single storey rear extension at 3 Eaton Gate (first floor to mews) and use of roof as external learning areas, erection of single storey rear extension at 5 Eaton Gate (first floor to mews) and use of roof as outdoor learning area, creation of external decks for outdoor learning between 3 and 5 Eaton Gate at the rear of the buildings, at first, second and third floors with associated green wall; erection of lift shaft at the rear; refurbishment of building including new roof, repair of windows, replacement kitchen extract flue to roof level and associated works.

Reference: 19/05030/FULL

Plan Nos: 941 P01; 941 P100 Rev.C; 941 P101 Rev.C; 941 P102 Rev.D; 941 P103 Rev.C; 941 P104 Rev.C; 941 P105 Rev.B; 941 P106 Rev.A; 941 P110 Rev.A; 941 P111 Rev.A; 941 P112 Rev.A; 941 P113 Rev.A; 941 P114 Rev.A; 941 P115; 941 P116 Rev.A; 941 P130 Rev.C; 941 P131 Rev.B; 941 P132 Rev.C; 941 P133 Rev.C; 941 P134; 941 P140; 941 P142; 941 P143; 941 P144; 941 P200 Rev.G; 941 P201 Rev.G; 941 P202 Rev.H; 941 P203 Rev.G; 941 P204 Rev.G; 941 P205 Rev.J; 941 P206 Rev.F; 941 P300 Rev.E; 941 P301 Rev.E; 941 P302 Rev.D; 941 P303 Rev.D; 941 P304 Rev.B; 941 P410 Rev.A; 941 SK-20; 941 SK-21; 941 C610 Rev. A; 941 C611 rev. A; 941 C612; External learning space management plan; Boitecture living walls; Planning compliance report 18894.PCR.01; Noise impact assessment 18894.NIA.01 Rev. B; Photographs of windows/French doors to Headmaster's office room; First floor glazing - headmaster's office - condition report dated 22.10.19 prepared by Woodland of Kingston.

For information only: Planning statement dated June 2019; Planning, design and access statement; Heritage statement dated June 2019; Statement of need dated May 2019; Statement of Community Involvement dated April 2019.

Case Officer: Aurore Manceau

Direct Tel. No. 07866038763

Recommended Condition(s) and Reason(s)**Reason:**

Because of its scale, bulk, design and relationship with the existing two buildings, the proposed four storey outdoor learning deck structure would harm the special architectural and historic interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the character or appearance of the Belgravia Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 or DES 10 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. The proposals would also be contrary to paragraph 196 of the NPPF in that the harm caused has not been demonstrated to be significantly outweighed by public benefits related to the

proposals. (X17CC)

Reason:

Because of its design and relationship with the existing and the adjoining buildings, and due to its fabric effects on the first floor balustrade and ground floor windows, the proposed ground floor extension to no.5 would harm the special architectural and historic interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the character or appearance of the Belgravia Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 or DES 10 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. The proposals would also be contrary to paragraph 196 of the NPPF in that the harm caused has not been demonstrated to be significantly outweighed by public benefits related to the proposals. (X17CC)

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 so far as practicable. 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. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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 - LISTED BUILDING APPLICATION

Address: Eaton House School , 3-5 Eaton Gate, London, SW1W 9BA

Proposal: Replacement of rear lower ground floor and erection of single storey rear extension at 3 Eaton Gate (first floor to mews) and use of roof as external learning areas, erection of single storey rear extension at 5 Eaton Gate (first floor to mews) and use of roof as outdoor learning area, creation of external decks for outdoor learning between 3 and 5 Eaton Gate at the rear of the buildings, at first, second and third floors with associated green wall; erection of lift shaft at the rear; refurbishment of building including new roof, repair of windows, internal reorganisation of the building, replacement kitchen extract flue to roof level and associated works. (Linked to 19/05030/FULL)

Reference: 19/05031/LBC

Plan Nos: 941 P01; 941 P100 Rev.C; 941 P101 Rev.C; 941 P102 Rev.D; 941 P103 Rev.C; 941 P104 Rev.C; 941 P105 Rev.B; 941 P106 Rev.A; 941 P110 Rev.A; 941 P111 Rev.A; 941 P112 Rev.A; 941 P113 Rev.A; 941 P114 Rev.A; 941 P115; 941 P116 Rev.A; 941 P130 Rev.C; 941 P131 Rev.B; 941 P132 Rev.C; 941 P133 Rev.C; 941 P134; 941 P140; 941 P142; 941 P143; 941 P144; 941 P200 Rev.G; 941 P201 Rev.G; 941 P202 Rev.H; 941 P203 Rev.G; 941 P204 Rev.G; 941 P205 Rev.J; 941 P206 Rev.F; 941 P300 Rev.E; 941 P301 Rev.E; 941 P302 Rev.D; 941 P303 Rev.D; 941 P304 Rev.B; 941 P410 Rev.A; 941 SK-20; 941 SK-21; 941 C610 Rev. A; 941 C611 Rev. A; 941 C612; 941 C613; 941 C614; 941 C615; Boitecture living walls; Planning compliance report 18894.PCR.01; Photographs of windows/French doors to Headmaster's office room; First floor glazing - headmaster's office - condition report dated 22.10.19 prepared by Woodland of Kingston; Door schedule.

For information only: Planning statement dated June 2019; Planning, design and access statement; Heritage statement dated June 2019; Statement of need dated May 2019; Statement of Community Involvement dated April 2019; External learning space management plan;.

Case Officer: Aurore Manceau

Direct Tel. No. 07866038763

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

Because of its scale, bulk, design and relationship with the existing two buildings, the proposed four storey outdoor learning deck structure would harm the special architectural and historic interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the character or appearance of the Belgravia Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 or DES 10 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. The proposals would also be contrary to paragraph 196 of the NPPF in that the harm caused has not been demonstrated to be significantly outweighed by public benefits related to the proposals. (X17CC)

Reason:

Because of its design and relationship with the existing and the adjoining buildings, and due to its fabric effects on the first-floor balustrade and ground floor windows, the proposed ground floor extension to no.5 would harm the special architectural and historic interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the character or appearance of the Belgravia Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 or DES 10 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. The proposals would also be contrary to paragraph 196 of the NPPF in that the harm caused has not been demonstrated to be significantly outweighed by public benefits related to the proposals. (X17CC)

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 so far as practicable. 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. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.