

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 6 July 2021	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	Erection of single storey rear extension at 3 Eaton Gate (first floor to mews), erection of single storey rear extension at 5 Eaton Gate (first floor to mews), refurbishment of buildings including, new roofs to extensions with accessible walk on terraces, repair of windows, internal reorganisation of the building, replacement kitchen extract flue, and associated works.		
Agent	Mr Max Taylor		
On behalf of	-- Eaton House Schools Limited		
Registered Number	21/01290/FULL 21/01291/LBC	Date amended/ completed	2 March 2021
Date Application Received	2 March 2021		
Historic Building Grade	II		
Conservation Area	Belgravia		

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

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 two single-storey extensions to the rear of the building and 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:

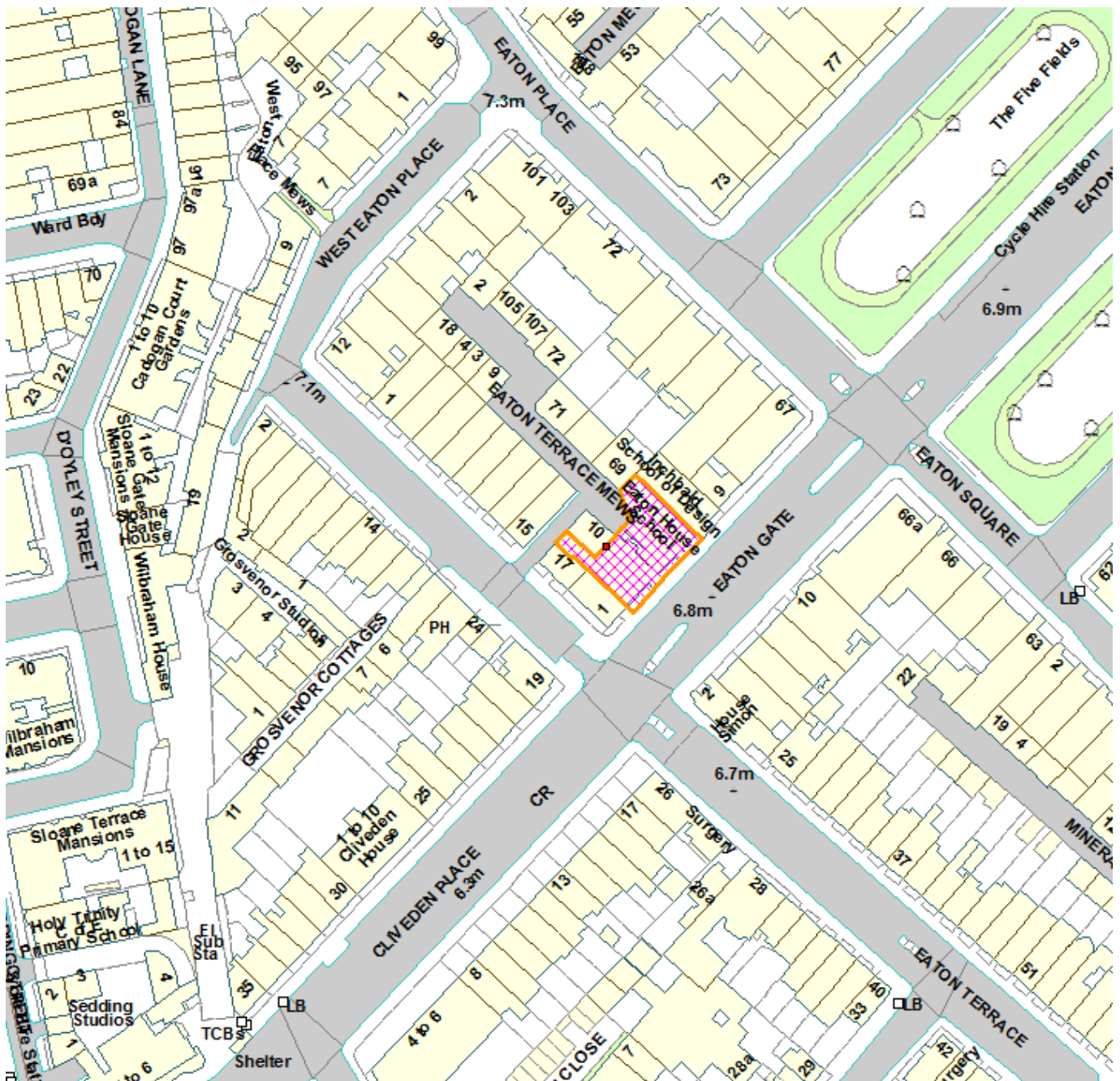
- The impact on the special character and appearance of the Grade II listed building's;
- The impact on the character and appearance of the Belgravia Conservation Area; and
- The impact on residential amenity of neighbouring occupiers.

Letters of objection have been received from neighbouring residents primarily concerned with the impact on residential amenity in terms of noise disturbance and overlooking and on road traffic and safety. Whilst these concerns are understood, it is not considered that the proposals will significantly harm the amenity of the adjoining residential properties and cause additional traffic 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 and that is why the proposed alterations and extensions are acceptable in terms of its impact on the designated heritage asset(s).

The proposed development, subject to the conditions as set out in the draft decision letters, is considered acceptable and satisfies the relevant planning policies in the City Plan 2019-2040 adopted in April 2021. Accordingly, it is recommended to grant planning and listed building consents.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation



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



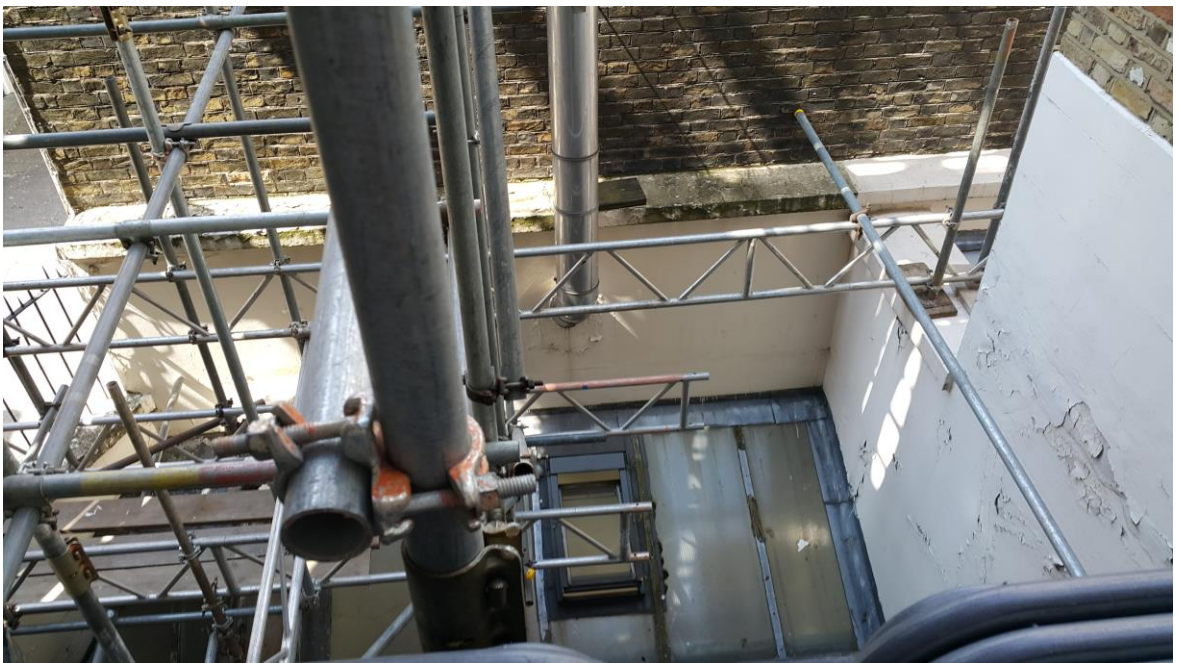
Rear elevation of 3-5 Eaton Gate



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.

HIGHWAYS PLANNING MANAGER:

Acceptable with conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 80

Total No. of replies: 3

No. of objections: 3

No. in support: 0

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

- Noise transference and disturbance from 2 storey extension and outdoor terraces;
- Impact on privacy;
- Change of the character of the conservation area, commercial building encroaching in a residential area;
- Worsening of the traffic, impact of road safety, pollution and disturbance from delivery vehicles;
- Noise, disturbance and dirt from building works.

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

On 10 December 2020 planning and listed building consent were refused at Planning Sub Committee for the 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 (RNs: 19/05030/FULL & 19/05031/LBC). The reason for refusal being:

"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 and 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."

The applications are subject to an appeal.

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).

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 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 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).

7. THE PROPOSAL

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

These applications follow a refusal for planning and listed building consent at Committee in December 2020 as detailed in the section 6.2 of this report. The revised scheme omits the centrally located four storey learning deck and the extension to the rear lift shaft.

The proposed works include the following:

- 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;
- Refurbishment of roof
- Installation of new rooflights;
- Repairs to windows;
- Relocation of kitchen extract flue;
- 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:

- Improve classroom size;
- Improve and increase the number of quiet areas for learning;
- Provide new dedicated art room, DT room, teacher lounge and modern science lab;
- Introduce a security lobby;
- Improve kitchens;
- Improve means of escape in the event of a fire or other incident.

The applicant further sets out that all works should not be viewed in isolation but are all integral elements of a comprehensive approach to meeting the school's 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 proposed floor areas:

Use	Existing sqm	Proposed sqm	+/-
School (Class F1)	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

Policy 17 of the City Plan (2019-2040) supports new community facilities where there is an identified present or future need. The Policy also states that “new facilities will be of a nature and scale to meet identified need and be sufficiently flexible to meet the requirements of providers as they may change over time”.

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 (2021)

The London Plan provides support for educational uses. Policy S3 (Education and childcare facilities) aims to “ensure there is a sufficient supply of good quality education and childcare facilities to meet demand and offer education choice”. Part B of the policy states as follows:

“Development proposals for education and childcare facilities should:

- 1) locate facilities in areas of identified need
- 2) locate facilities in accessible locations, with good public transport accessibility and access by walking and cycling

- 3) locate entrances and playgrounds away from busy roads, with traffic calming at entrances
- 4) link to existing footpath and cycle networks to create healthy routes to schools, and other education and childcare facilities, to enable all children to travel actively to school (walk, cycle or travel by public transport)
- 5) maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures
- 6) encourage the shared use of services between schools, colleges, universities, sports providers, and community facilities, and between early years and health and social care providers
- 7) ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach
- 8) ensure that facilities incorporate suitable, accessible outdoor space
- 9) locate facilities next to parks or green spaces, where possible"

Assessment

The proposals would provide a small 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 two 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

Introductory Text

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.”*

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy DES 9 (F) in the UDP requires that where development will have a visibly adverse effect upon a conservation area’s recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

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.

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 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)

Extensions

The main proposals are for two rear extensions:

1. An infill extension at first floor to the rear of no.3;
2. An extension over ground and first floors to the rear of no.5.

Each of these extensions would include an outdoor teaching space on their roof.

Extension 1 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 2 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. 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.

Extension 2 would cause a level of harm on the architectural and historic significance of the listed building, and on the character and appearance of the surrounding conservation area. This would be 'less than substantial' in the terms of the NPPF. On balance the internal improvement of the school facility and enhancing of teaching spaces to meet the new educational requirements which will benefit the whole school are considered to be public benefit.

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

As such, whilst being mindful of policies 38, 39 and 40 of the City Plan, given the substantial public benefits that would be delivered, which comprise improving and enhancing the education provision across all year groups for the long-term the proposal is considered acceptable in terms of its impact on the designated heritage asset(s). Therefore, the recommendation to grant conditional permission and consent is compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Developments that could result in change to amenity to neighbouring residential properties are assessed against Policy 7 of the City Plan. This policy seeks to prevent unacceptable impact in terms of loss of daylight/sunlight, increase in sense of enclosure, overlooking and loss of privacy.

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. Three objections have been received; two from neighbouring residents and one from a neighbouring educational use primarily on amenity grounds raising concerns about privacy and noise disturbance.

Noise disturbance

The potential of noise disturbance from the creation of two external terraces 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.

The terraces will be used for independent learning. The one located outside the library (to the rear of 3 Eaton Gate) will be for reading and discussing books and authors, it will have a maximum capacity of 10. The terrace outside the hall (to the rear of 5 Eaton Gate) will be for quiet activities such as yoga, meditation and one-to-one reading for groups of 6 people maximum.

The spaces will be supervised at all times by staff. 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. It is recommended a condition to ensure that the terraces are operated in accordance with the submitted management plan.

Whilst the use of the rooms are changed to better suit the needs of the school, there is no change of occupation of the premises, it is therefore considered unreasonable to withhold permission on the grounds of internal noise transference between the application site and the adjoining buildings facing Eaton Gate.

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. A condition is recommended for the installation of the screen prior to the use of the terrace.

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 building at No.7 is occupied by the Inchbald School of Design.

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.

8.4 Transportation/Parking

One letter of objection raises concerns in terms of increased traffic at drop-off and picking-up times, impact on road safety and pollution due to additional delivery services.

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 proposed alterations will improve access for all users. 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.

8.8 Westminster City Plan

The City Plan 2019 - 2040 was adopted at Full Council on 21 April 2021. Therefore, in accordance with s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

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 2019 - 2040 (April 2021) policies referred to in the consideration of this application are considered to be consistent with the NPPF 2019 unless stated otherwise.

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

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

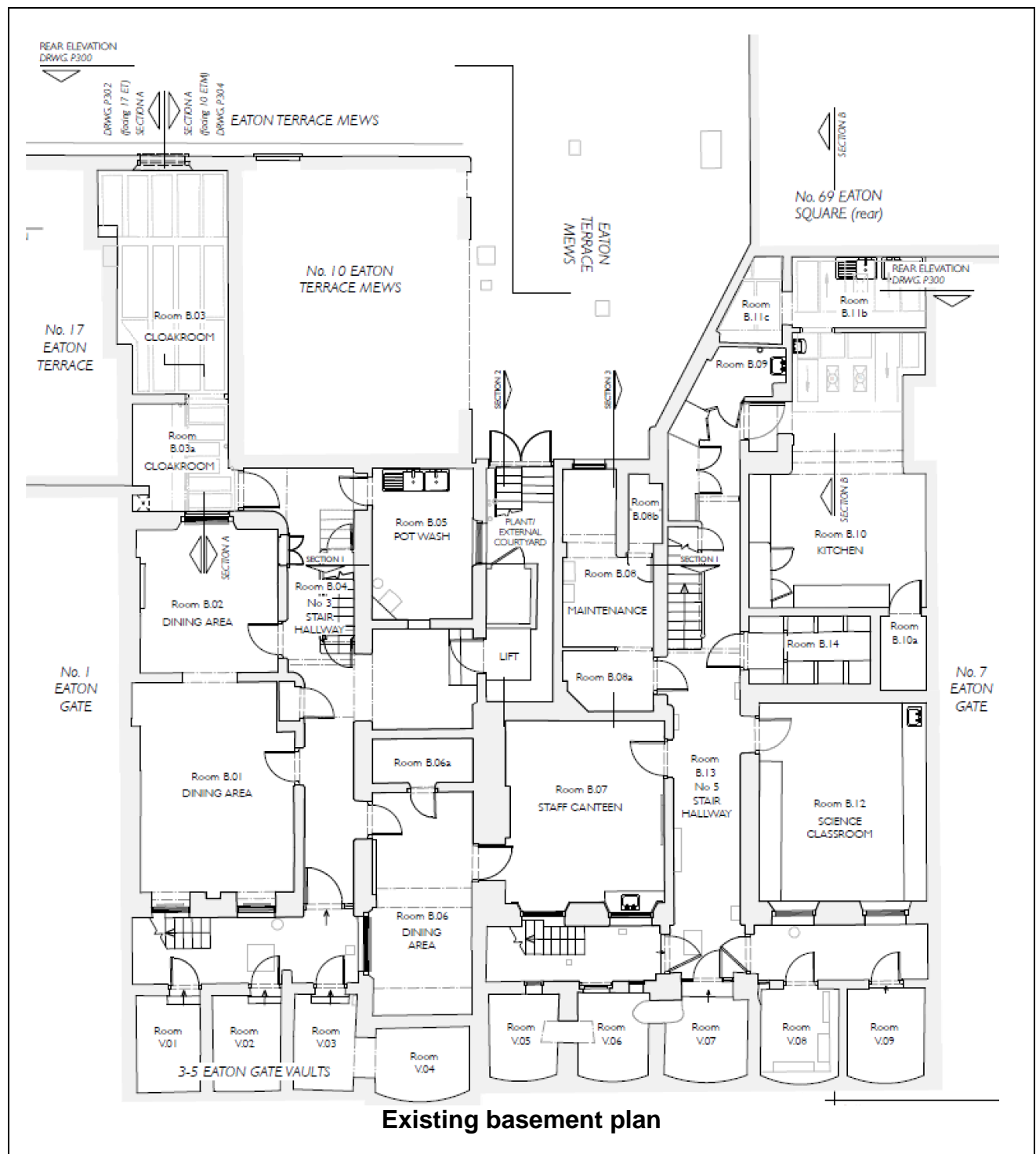
Construction impact

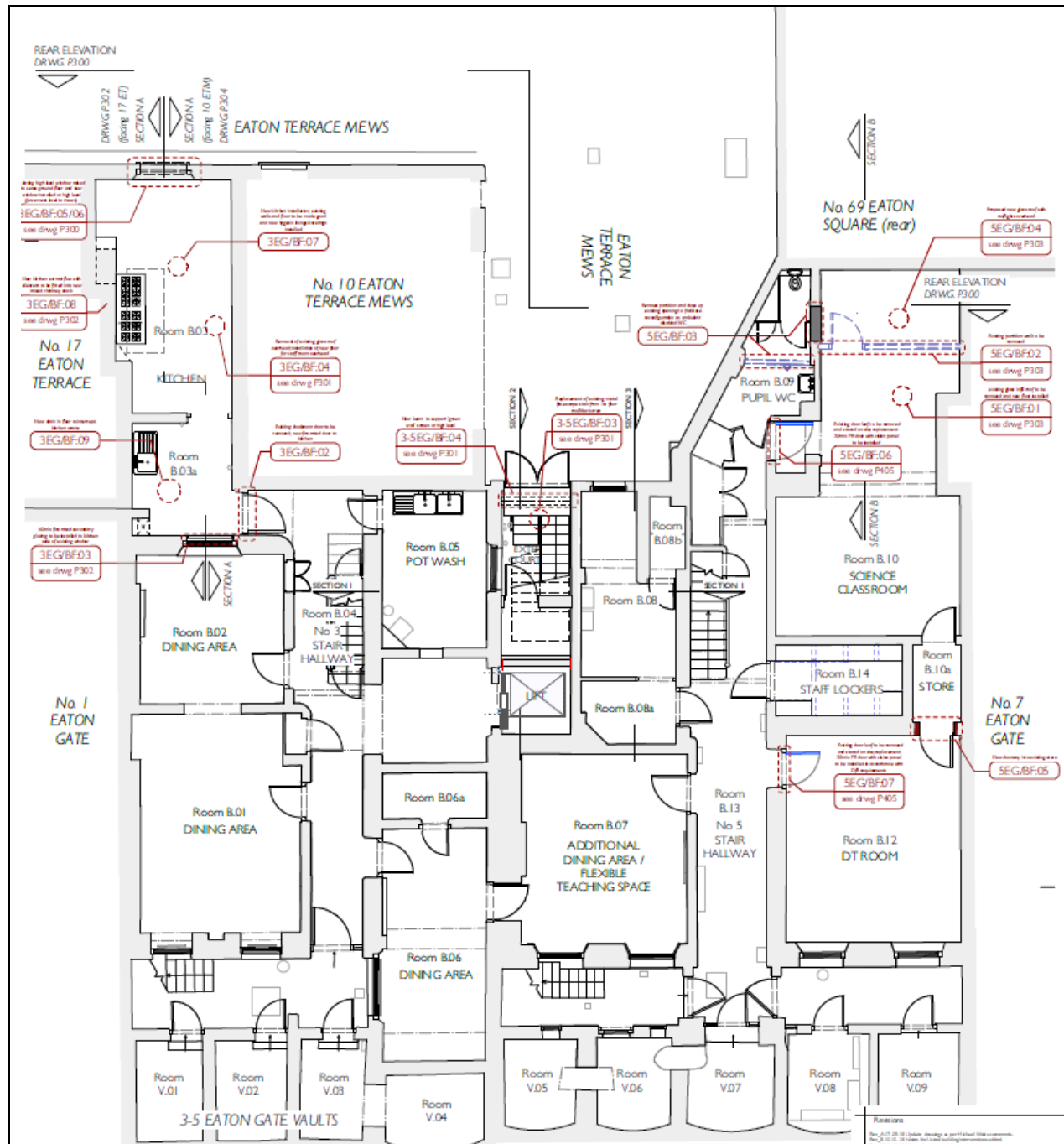
One objection has been received from a neighbouring property concerned with noise, disturbance and dirt caused by construction works. It is a longstanding principle that planning permission cannot be refused due to the impact on construction. This is due to its temporary nature and the ability to control it by condition. Accordingly, conditions are recommended that limit the hours of construction. In addition, an informative is recommended to encourage the applicant to join the nationally recognized Considerate Constructor Scheme as well as keeping residents informed of works.

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

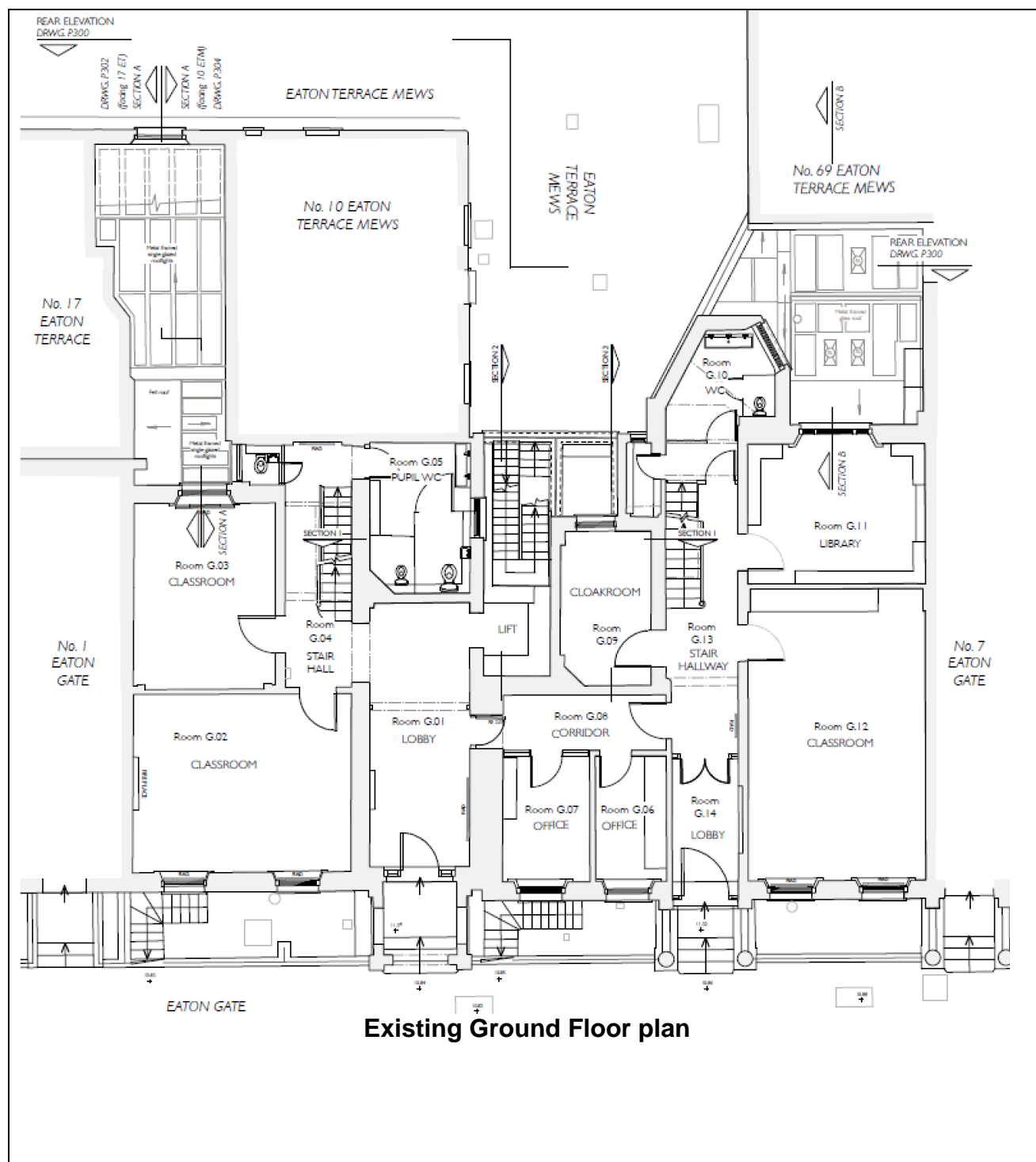
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk.

9. KEY DRAWINGS

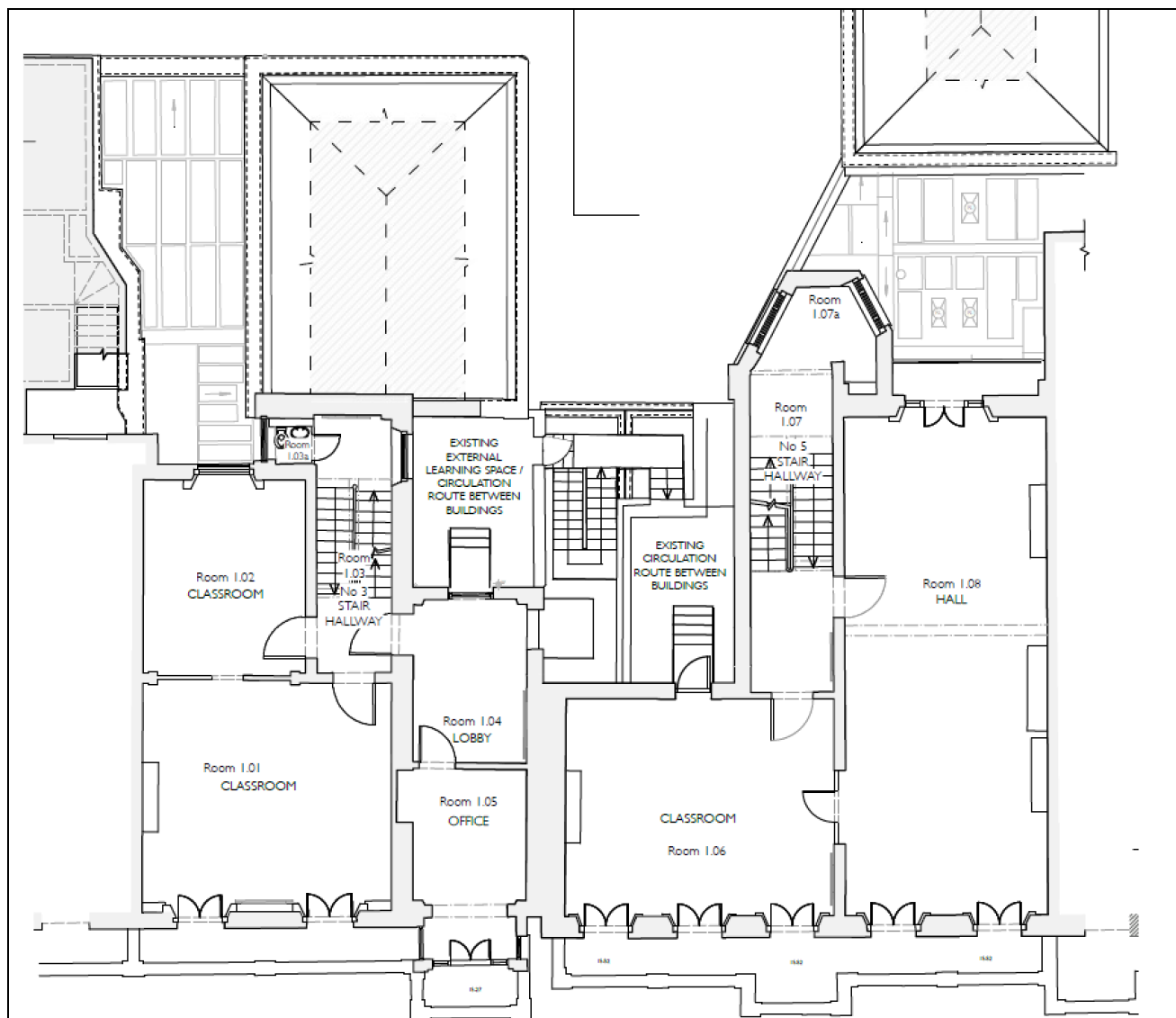


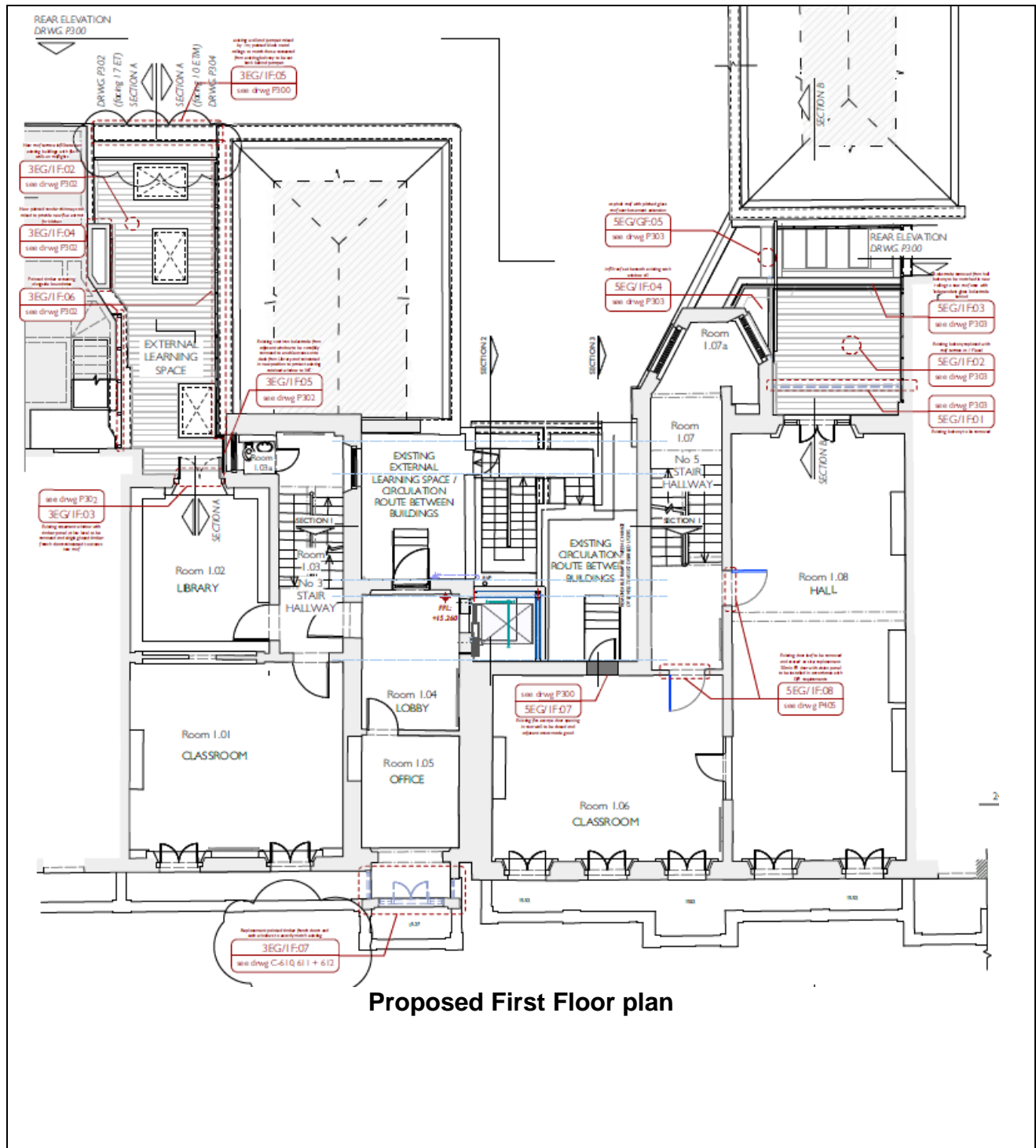


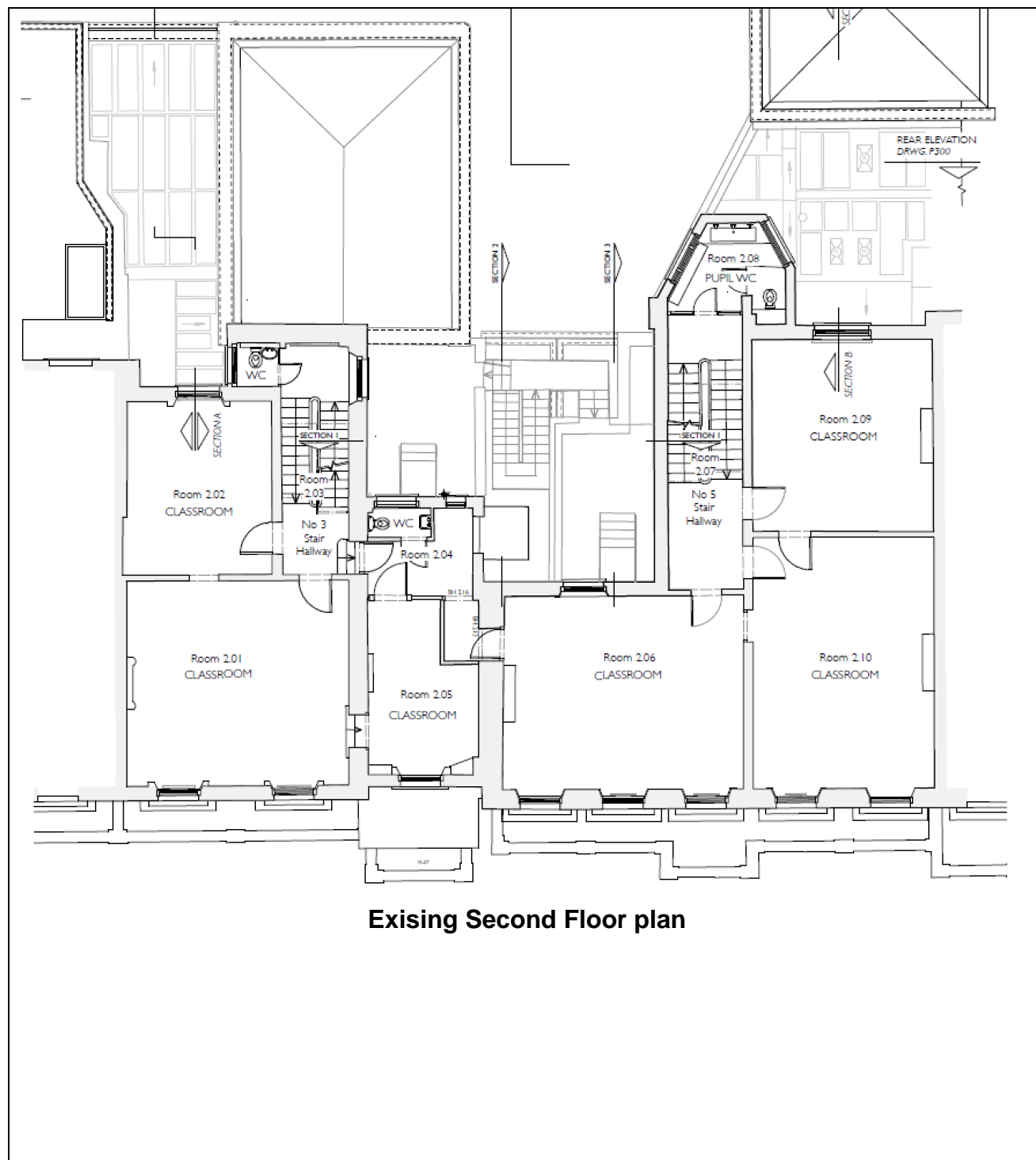
Proposed basement plan

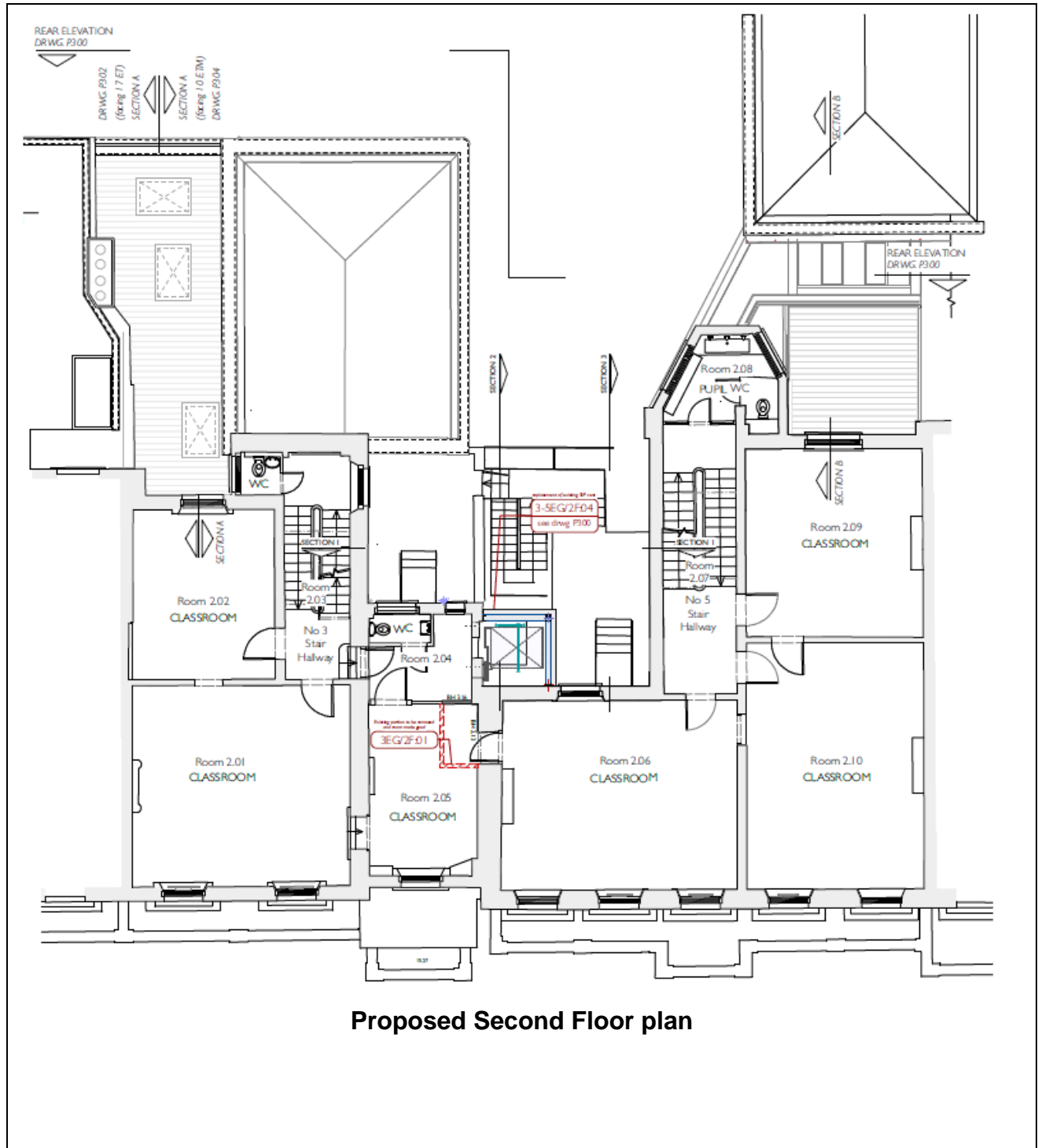


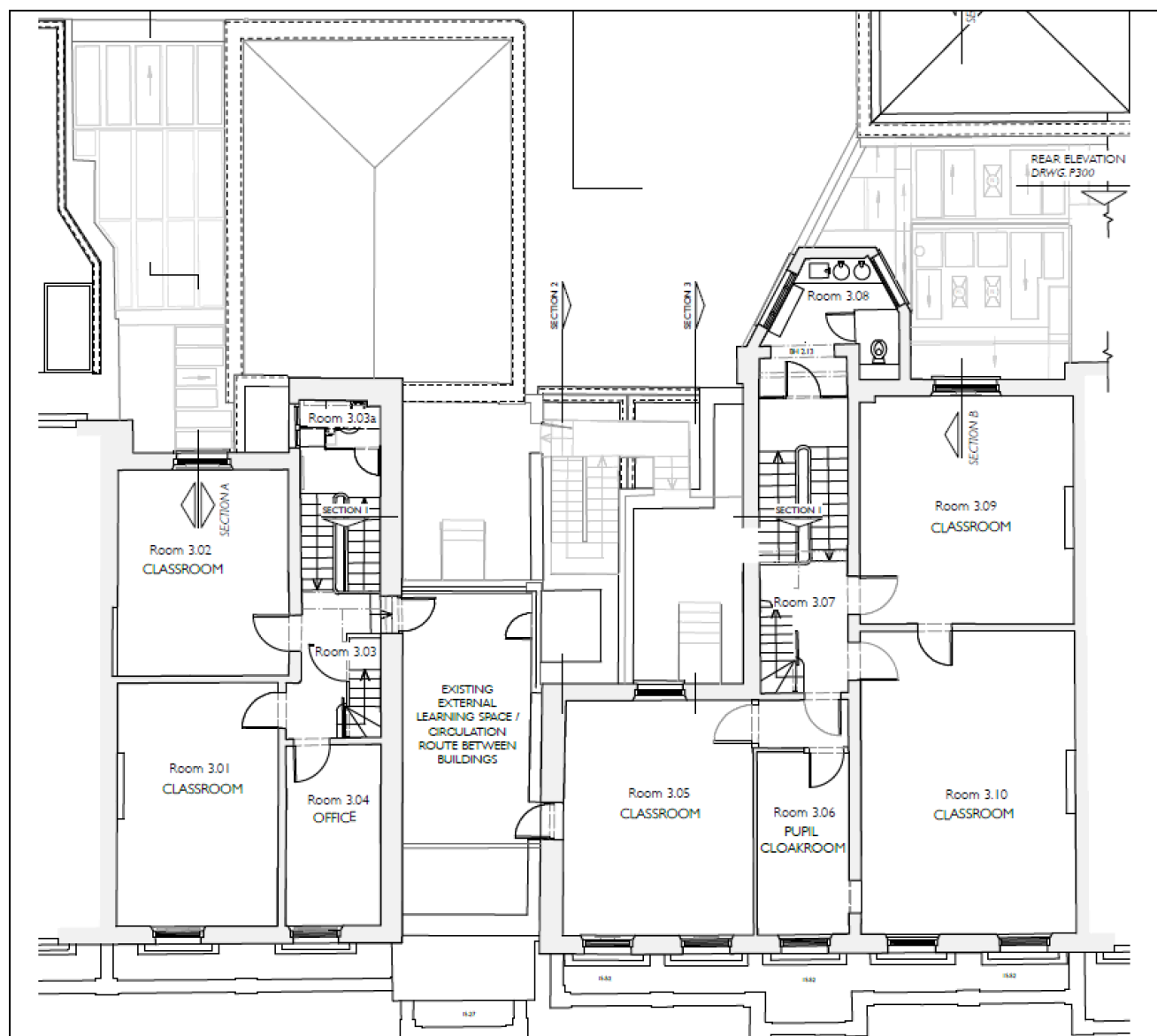


**Existing First Floor plan**

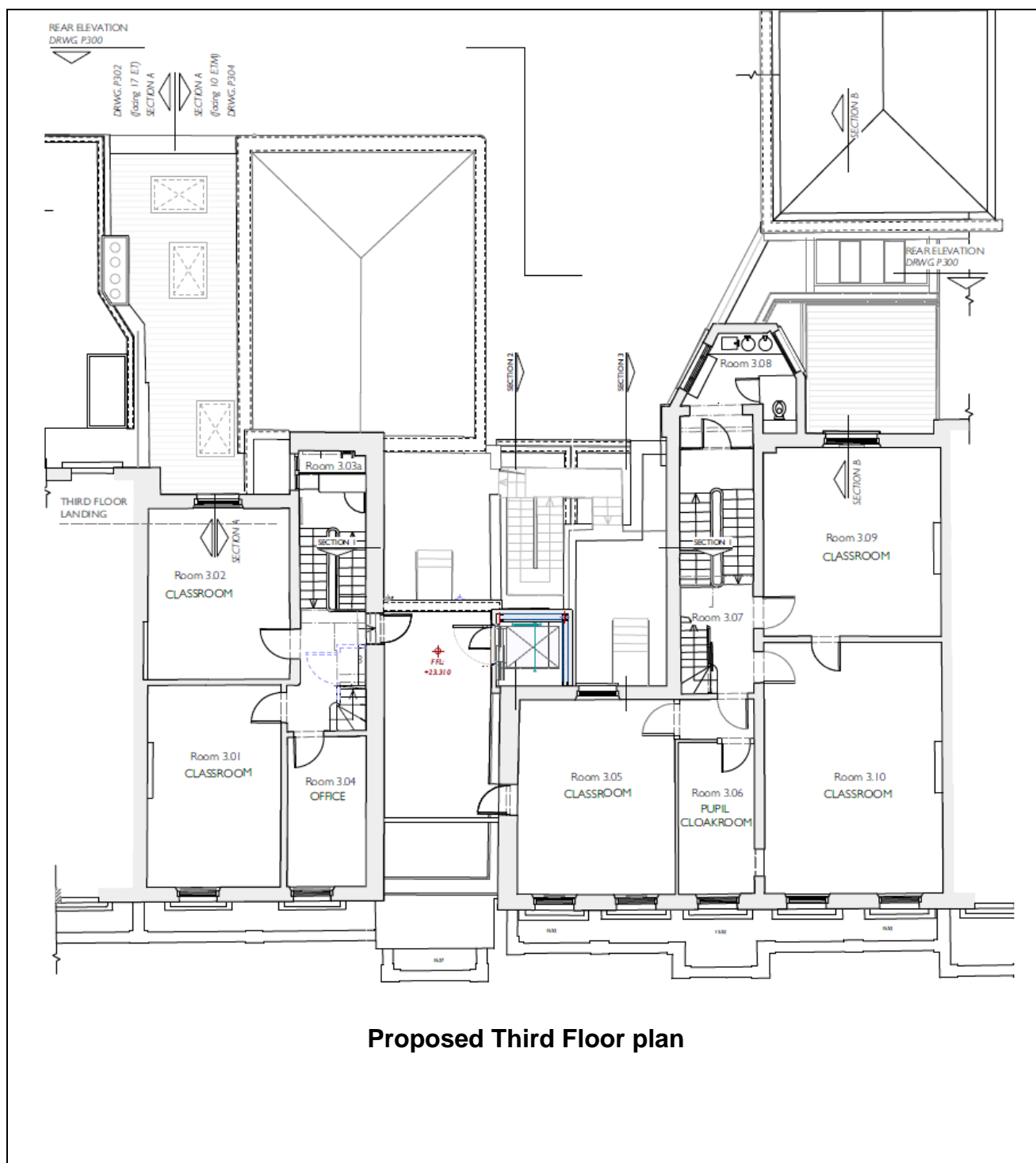


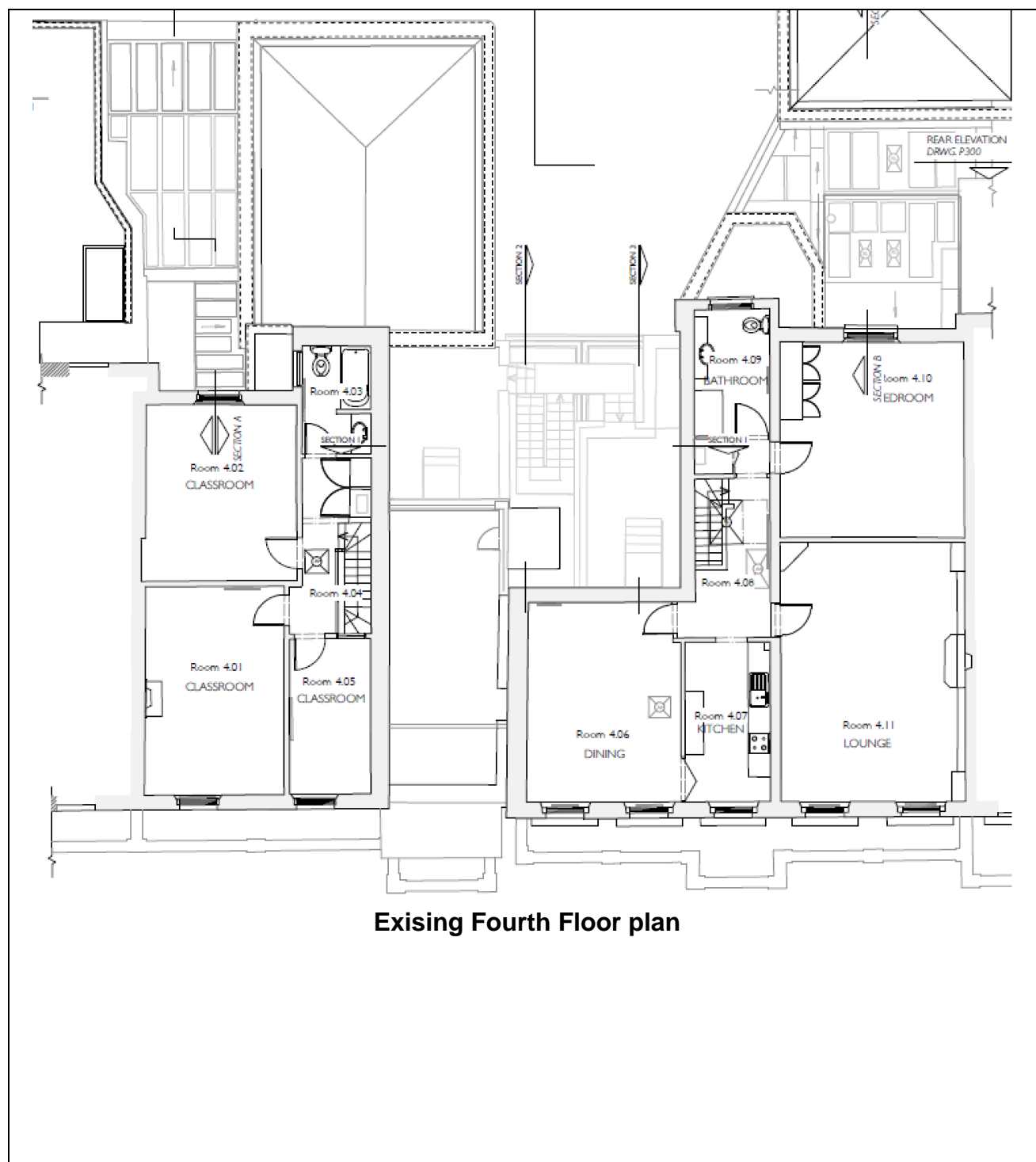


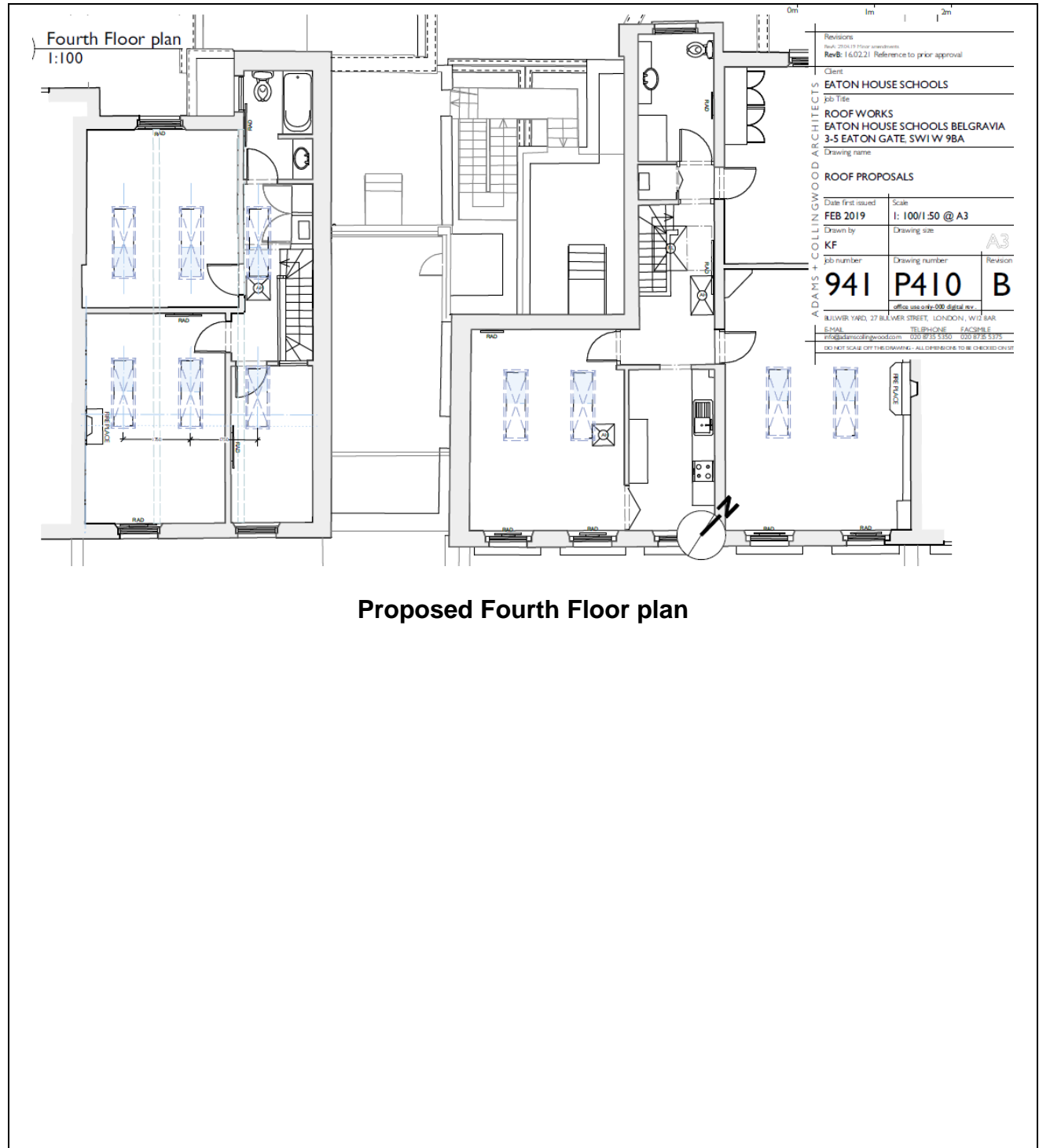




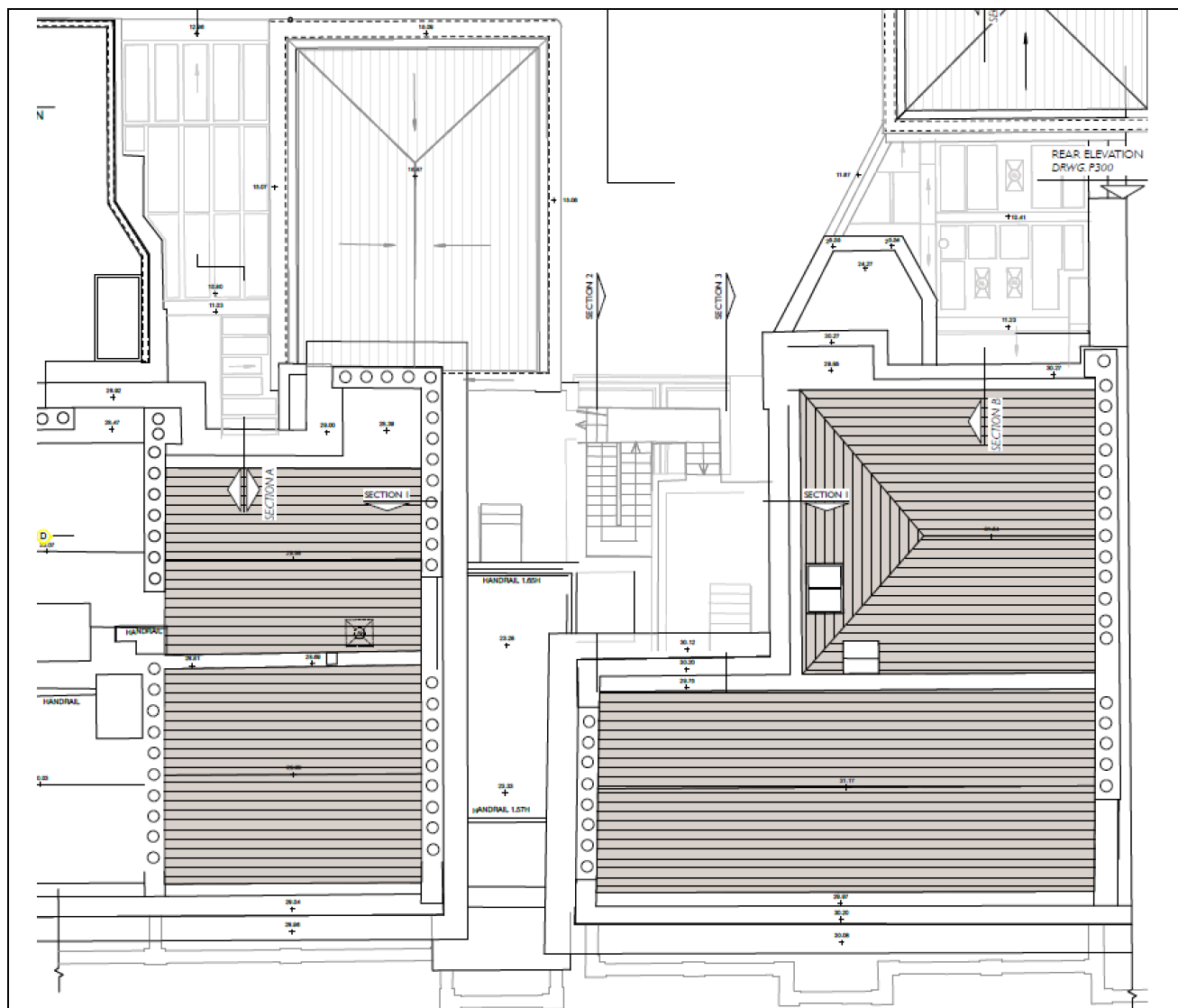
Existing Third Floor plan

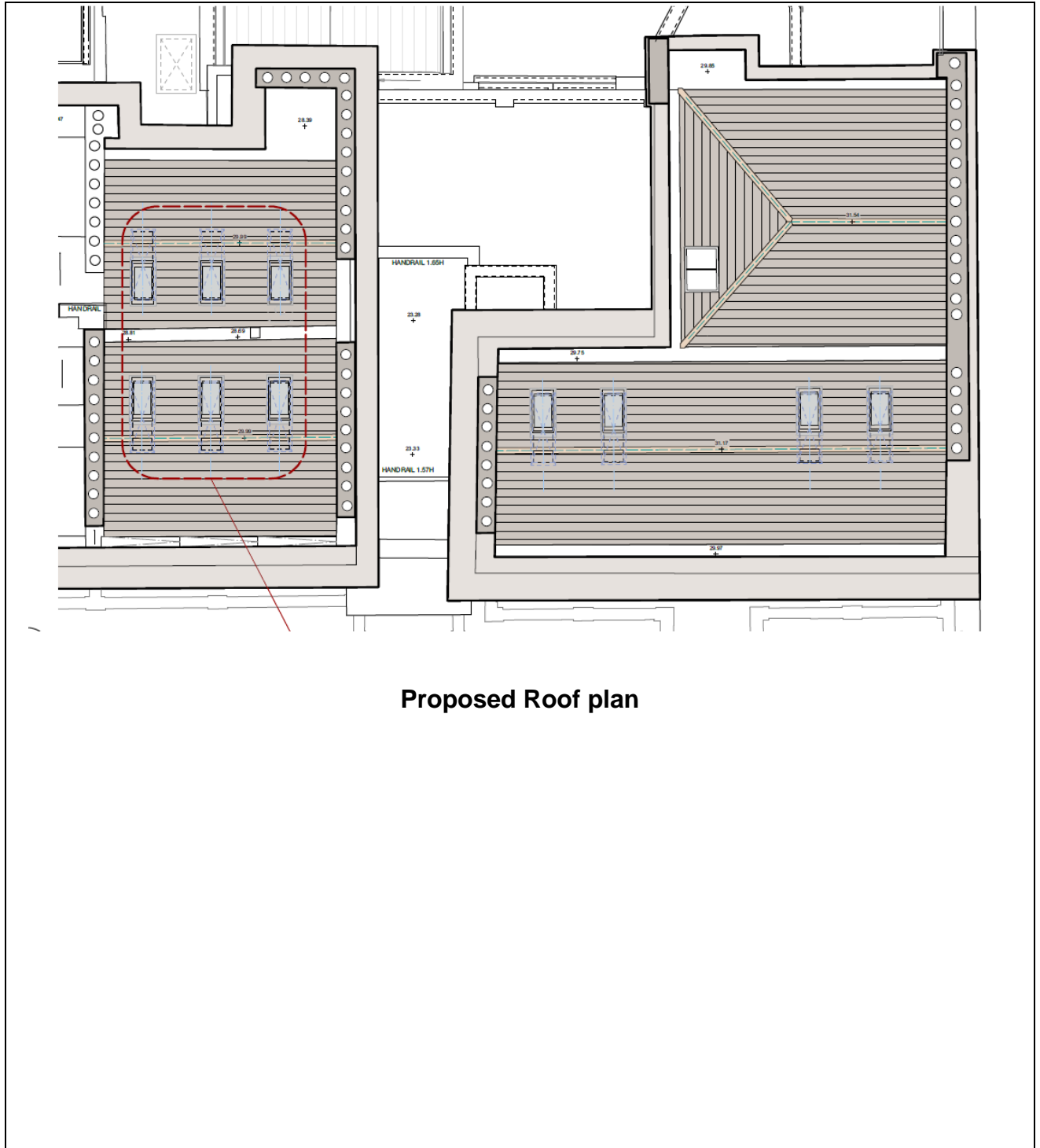




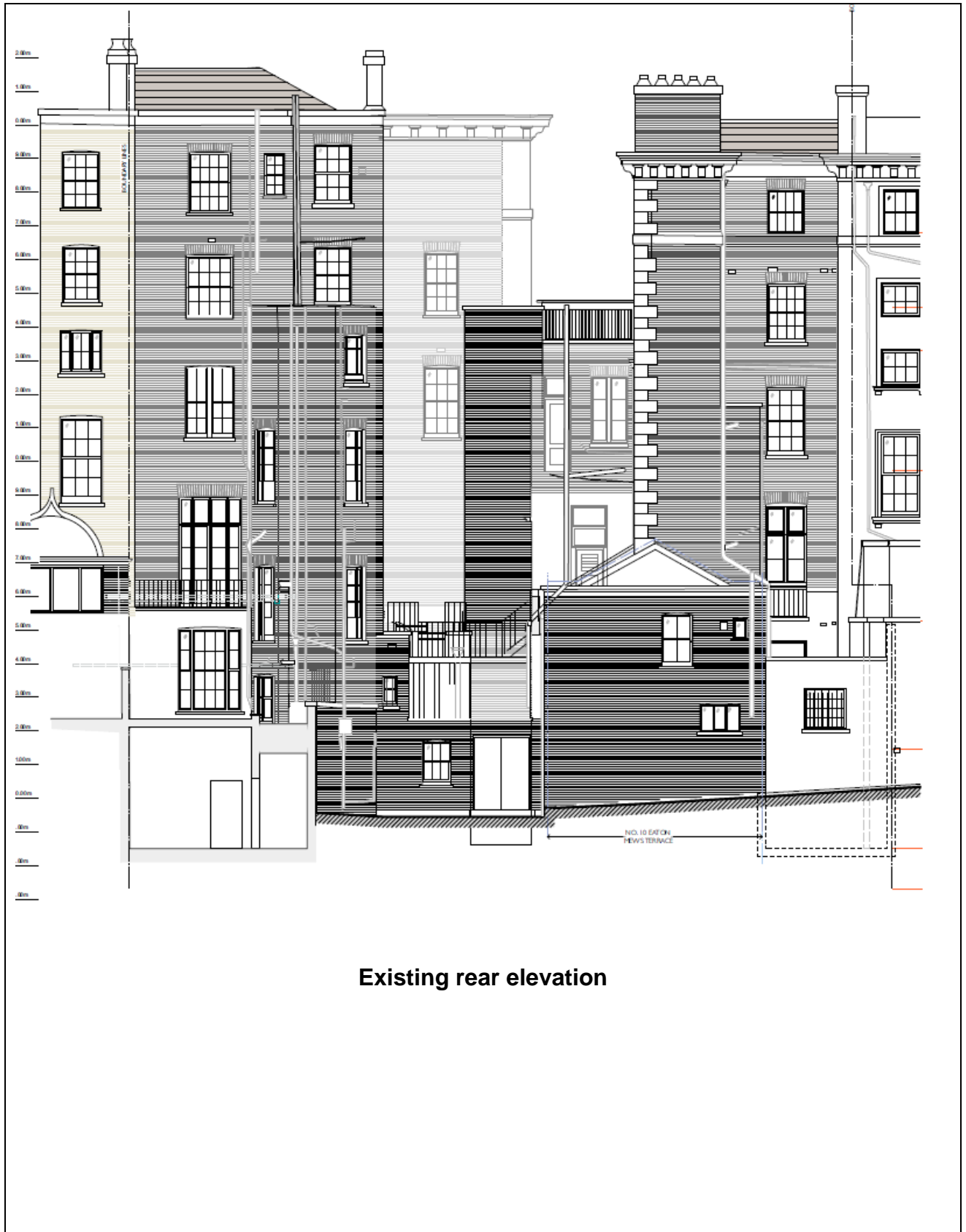


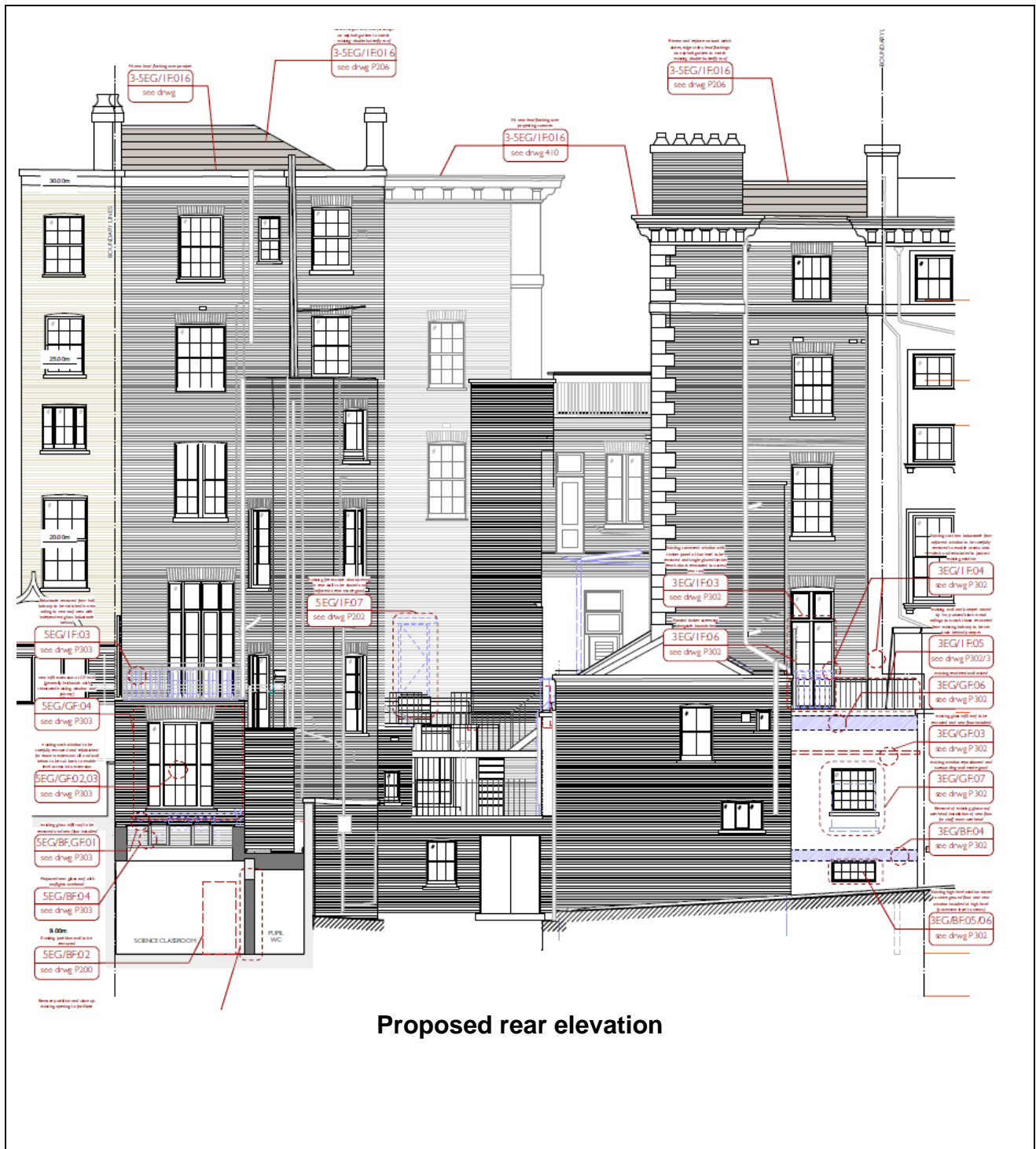
Proposed Fourth Floor plan





Proposed Roof plan





DRAFT DECISION LETTER

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

Proposal: Erection of single storey rear extension at 3 Eaton Gate (first floor to mews), erection of single storey rear extension at 5 Eaton Gate (first floor to mews), refurbishment of buildings including, new roofs to extensions with accessible walk on terraces, repair of windows, internal reorganisation of the building, replacement kitchen extract flue, and associated works. (Linked to 21/01291/LBC)

Reference: 21/01290/FULL

Plan Nos: P01; P100 D; P101 D; P102E; P103D; P104 D; P105 C; P110 B; P111 B; P112 B; P113 B; P114 B; P115 A; P130 C; P140 A; P200 H; P201 H; P202 J; P203 I; P204 I; P300 G; P302 D; P303 D; P304 B; P410 B; C610 A; C611 A; C612; C613; Windows/French doors to Headmaster's Office Room 1.05, No 3 Eaton Gate; Document titled "List of items to be intervened Rev.F"; External Learning Space Management Plan; Planning Compliance Review Report 18894.PCR.01 dated 08 May 2019.

For information only: Heritage statement dated June 2019; Statement of Community Involvement dated April 2019; Planning, design and access statement dated February 2021; Planning statement dated 24 February 2021; Statement of need dated June 2021.

Case Officer: Aurore Manceau

Direct Tel. No. 07866038763

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 4 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 Belgravia Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 5 You must apply to us for approval of detailed drawings (sections 1:5 and elevations 1:10) of the following parts of the development:

- i) New rooflights and new windows;
- ii) New balustrades including frameless glass.

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

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 6 The facing brickwork must match the existing original work in terms of colour, texture,

face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 Belgravia Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 7 At roof level only welsh slates to closely match the existing must be used.

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 Belgravia Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 8 (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 in writing 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 in writing 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 written 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 LA90, 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. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 9 The plant/machinery hereby permitted shall not be operated except between 0700 hours and 2300 hours daily. (C46CA)

Reason:

To safeguard the amenity of occupiers of noise sensitive receptors and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) the draft Noise Technical Guidance Note (November 2019). (R46CC)

- 10 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019). (R48AB)

- 11 The use of the terraces for outdoor learning must be carried out in accordance with the measures included in your management plan at all times .

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 - 2040 (April 2021). (R05GC)

- 12 You must install the screening to the first floor terrace to the rear of 3 Eaton Gate hereby approved prior to using the terrace for outdoor activities. You must then retain it.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 HIGHWAYS LICENSING:

Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

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

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in

relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 Conditions 8, 9 and 10 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

- 4 Under the Construction (Design and Management) Regulations 2015, 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.

- 5 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.

- 6
- The kitchen extract ducts should be designed to discharge vertically
 - All cooking equipment must be under the extraction canopy
 - The kitchen extract ducts must be fitted with doors/hatches at approximately 20-3 metres interval to allow access to the ducts for cleaning and maintenance or in compliance with the Building & Engineering Services Association document TR19 for cleaning
 - Any cladding must be made of non-flammable materials and should allow access for cleaning and maintenance of the doors/hatches
 - Access to the ducting must follow the Health and Safety Safe Access Standards
- 7
- 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.

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

Proposal: Erection of single storey rear extension at 3 Eaton Gate (first floor to mews), erection of single storey rear extension at 5 Eaton Gate (first floor to mews), refurbishment of buildings including, new roofs to extensions with accessible walk on terraces, repair of windows, internal reorganisation of the building, replacement kitchen extract flue, and associated works. (Linked to 21/01290/FULL)

Reference: 21/01291/LBC

Plan Nos: P01; P100 D; P101 D; P102E; P103D; P104 D; P105 C; P110 B; P111 B; P112 B; P113 B; P114 B; P115 A; P130 C; P140 A; P200 H; P201 H; P202 J; P203 I; P204 I; P300 G; P302 D; P303 D; P304 B; P410 B; C610 A; C611 A; C612; C613; Windows/French doors to Headmaster's Office Room 1.05, No 3 Eaton Gate; Document titled "List of items to be intervened Rev.F"; External Learning Space Management Plan; Planning Compliance Review Report 18894.PCR.01 dated 08 May 2019.

For information only: Heritage statement dated June 2019; Statement of Community Involvement dated April 2019; Planning, design and access statement dated February 2021; Planning statement dated 24 February 2021; Statement of need dated June 2021.

Case Officer: Aurore Manceau

Direct Tel. No. 07866038763

Recommended Condition(s) and Reason(s)

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (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 Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040

(April 2021). (R27AC)

- 3 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 4 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 5 You must apply to us for approval of detailed drawings (sections 1:5 and elevations 1:10) of the following parts of the development :

- i) New rooflights and new windows;
- ii) New balustrades including frameless glass.

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (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, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:, Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.