

ROYAL BOROUGH OF KENSINGTON AND CHELSEA
REPORT BY EXECUTIVE DIRECTOR,
PLANNING AND BOROUGH DEVELOPMENT

APP NO. PP/13/00360/Q18
PLANNING APPLICATIONS COMMITTEE 16/04/2013
AGENDA ITEM NO. N28

SITE ADDRESS

Colville Primary School Lonsdale Road LONDON W11 2DF	<u>APPLICATION DATED</u>	18/01/2013
	<u>APPLICATION COMPLETE</u>	18/01/2013

APPLICANT/AGENT ADDRESS

Mr J Heaney
DGA Architects
149a Grosvenor Road
LONDON
SW1V 3JY

<u>LISTED BUILDING</u>	Grade II	<u>CONS. AREA</u>	Colville	WARD	Colville
<u>CAPS</u>	Yes	<u>ENGLISH HERITAGE</u>	N/A	ART '4'	No

<u>CONSULTED</u>	<u>OBJECTIONS</u>	<u>SUPPORT</u>	<u>PETITION</u>	<u>COMMENTS</u>
222	8	0	0	0

Applicant Colville Primary School

PROPOSAL: Variation of condition 2 (adherence to approved plans) and removal of conditions 6 (council drawings stipulation), 7 (drawings or material samples), 8 (level access requirement) and 9 (site security) of planning permission PP/09/00271 to allow for alterations to the approved scheme

RBK&C Drawing No(s):PP/13/00360

Applicant's Drawing No(s): 001 Revision T1, 002 Revision T2, 021 Revision T2, 031 Revision T2, 032 Revision T2, 033 Revision T6, 034 Revision T6, 035 Revision T5, SK-001 Revision T1.

RECOMMENDED DECISION: Grant Planning Permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on submitted plans, 001 Revision T1, 002 Revision T2, 021 Revision T2, 031 Revision T2, 032 Revision T2, 033 Revision T6, 034 Revision T6, 035 Revision T5, SK-001 Revision T1. (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
2. **All work and work of making good to the exterior shall be finished to match the existing original work to the building in respect of materials, colour, texture, and profile and, in the case of brickwork, facebond and pointing, and shall be so maintained.**
Reason - To preserve and enhance the character and appearance of the Conservation Area and to protect the character and appearance of the building which is statutorily Listed.
3. **All external windows, doors and framing thereof shall be of painted timber (not stained or varnished) and so maintained.**
Reason - In order to safeguard the special architectural or historic interest of the building.
4. **No plumbing or pipes other than rainwater pipes shall be fixed on the external faces of the building other than those shown on the approved drawings unless otherwise approved in writing by the Local Planning Authority.**
Reason - In order to safeguard the special architectural or historic interest of the building.
5. **Prior to the occupation of the extension and Laundry building, the raised walkway as shown on the approved drawings shall be constructed in its entirety and maintained thereafter.**
Reason - To ensure level access to and from the building.
6. **The handrail and railings to the roof of the extension and enclosing the raised walkway and secured playground hereby permitted shall be painted black, and so maintained.**
Reason - To safeguard the appearance of the building and preserve this part of the Conservation Area.
7. **Prior to the occupation of the extension, details of the colour of the external paint to be applied to the timber facing material shall be submitted to and approved in writing by the Local Planning Authority and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained.**
Reason - In order to safeguard the special architectural or historic interest of the building.

INFORMATIVES

- 1 Your attention is drawn to the Conditions of this Permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. You are advised that from the 6th April 2008 there is a formal system by which planning conditions should be discharged. The appropriate application form can be downloaded from the Council's website (www.rbkc.gov.uk) or requested from the Planning Information Office at the Town Hall. In most instances there will be a fee associated with each request for the discharge of conditions. Please see the guidance notes and fee regulations on the Council's website or telephone 020 7361 3012 for further advice.
- 2 This property is within a Conservation Area. Building works should, therefore, be completed with great care. External facing work and detailed treatment should be finished in a manner sympathetic to the existing building. If there is any doubt about the way in which work should be carried out, you should consult the Directorate of Planning Services. (Tel. No. 020-7361-2465)
- 3 The use of the premises for public entertainment may require a licence under the London Government Act 1963, and other entertainment may require a licence under the Private Places of Entertainment (Licensing) Act 1967. Separate application should be made to the Council in this regard, and the Director of Environmental Services should be consulted at an early stage.
- 4 IDN1 GTD/No pre-app/Est. Guid/No amend rqd

1.0 SITE

1.1 The site is situated within the grounds of Colville Primary School which is on the northern side of Lonsdale Road between its junctions with Portobello Road and Colville Road. The site consists of the former laundry building of the school and a small parcel of land to its west. The laundry building sits toward the north western corner of the school grounds. The school is a Grade II listed building and the Laundry building is curtilage listed. The site is within the Colville Conservation Area.

2.0 PLANNING HISTORY

2.1 In 2009, planning permission and listed building consent were granted for the erection of a single storey side extension to the laundry building and the conversion of the laundry building into classroom accommodation (applications PP/09/00271 and LB/09/00272).

3.0 PROPOSAL

3.1 Planning permission and listed building consent are sought for a variation to the approved drawings for the approved scheme in consented in 2009 as well as the removal of Conditions 6, 7, 8 and 9 of PP/09/00271 and Conditions 8 and 9 of LB/09/00272. This report addresses both applications. The consent granted in 2009 was for the erection of a single storey side extension to the laundry building and the conversion of the laundry building into classroom accommodation. The extension would house an office and reception associated with the classroom uses. Internally, the upper floor of the laundry building would be divided into two classrooms with toilets. The lower floor of the laundry building is currently unenclosed but would be furnished with glazing between its brick arches to enclose the space. This space would then be divided into two classrooms and additional toilet facilities.

3.2 The variations sought as part of the current submission are:

- (a) Addition of a metal fence atop the boundary walls to north and west boundaries;
- (b) Slight increase in the depth of the extension by moving the external wall forward, resulting in an increase in floorspace of approximately 5sqm;
- (c) Internal layout changes to provide one small classroom within the extension, one large classroom to the ground floor of the Laundry building and a Community/Playspace to the ground floor of the existing building;
- (d) Removal of the previously approved enclosed link staircase structure;
- (e) Material for the proposed extension will be horizontal timber boards;
- (f) Provision of a raised walkway and metal railings to enclose this and the secured playground to the east of the Laundry building

3.3 Works to implement the 2009 consent have commenced on site. The applicant for this current pair of applications is the Council. The Council has no power to grant itself listed building consent and as such a decision to grant listed building consent is subject to approval by the Secretary of State (in the form of the National Planning Casework Unit which took over after the Government Office for London was disbanded).

4.0 PLANNING CONSIDERATIONS

4.1 The main considerations in this case relate to:

- The impact of the proposal on the architectural and historic interest of the listed building;

- The impact of the proposal on the character and appearance of the Conservation Area
- The impact on the amenities of adjoining properties

4.2 The Core Strategy of the Local Development Framework for the Royal Borough was adopted on December 8th 2010, and contains planning policies which have succeeded the majority of those in the Unitary Development Plan (UDP). For the purposes of S.38(6) of the Planning and Compulsory Purchase Act 2004, the 'Development Plan' now comprises the Core Strategy, the London Plan (July 2011), plus relevant 'saved' policies from the UDP. The relevant policies are listed elsewhere in this report. The contents of the Government's National Planning Policy Framework have also been taken into account.

Impact on the Listed buildings and Conservation Area

4.3 The minimal increase in the footprint of the extension is acceptable and will result in no change to the overall design of the extension which has previously been and still is of an acceptable standard. The extension will remain visually subordinate to the laundry building and will respect the character and integrity of the buildings on this site.

4.4 The proposed metal fence will be a visual improvement on the existing chain link fence which currently exists and the removal of the link staircase structure is also welcomed.

4.5 The internal changes will not have a harmful impact on the architectural and historic fabric of the listed building.

4.6 Metal railings are proposed to enclose both the raised walkway and the secured playground as well as around the flat roof of the extension. A condition has been imposed requiring that these metal railings are painted black to ensure that they are in keeping with the character and appearance of the site and the conservation area.

4.7 The proposed amendments are minor in nature and would have a minimal impact on the setting of the listed buildings. They would not harm the character or appearance of the Colville Conservation Area, would be acceptable in terms of its design and would not harm the architectural or historical interest of this listed building, complying with Core Strategy policies CL1, CL2, CL3 and CL4.

Impact on adjoining occupiers

4.8 Core Strategy policy CL5 requires new extensions to achieve high standards of amenity. The proposed amendments will allow for reasonable visual privacy for the occupiers of adjoining properties and would not result in a development which would result in a perceived or actual sense of enclosure or loss of light.

4.9 Concerns relating to the safety of children in respect of the fencing around the flat roof of the extension. The proposed fencing to the north and west boundaries atop the extension will ensure safety of those who have to access the roof for repair and maintenance.

Impact on surrounding highway network

4.10 The application has been assessed by the Director of Transportation and Highways and further information was requested in respect of additional information regarding the use of the access and tracking diagrams to ensure that larger vehicles can still access the site safely. This was to address concerns relating to the provision and subsequent siting of the raised walkway. This information has been provided and assessed by the Director of Transportation

and Highways who is satisfied that the proposed raised walkway will not materially detract from the normal functioning of the access.

- 4.11 As there is now no proposal to increase the numbers of children at the school as part of the current application, there will be no increase in traffic or parking pressures resulting from this proposal. As such, the impact on the surrounding highway network as a result of the proposal will be negligible.

Removal of conditions

- 4.12 Details of the recesses to the infill plinths were required as part of Condition 6 of PP/09/00271 and Condition 8 of LB/09/00272. Details of these have been submitted as part of this application and are acceptable. These conditions can therefore be removed.
- 4.13 As part of Condition 7, a number of details were required including sample panels of all facing materials, roofing materials and parapets. The applicant has shown a number of these details on the submitted drawings, including, in part, the facing materials for the extension, pipework, door and window framing as well as other requirements for this condition. What is not known at the time of writing this report is the paint colour for the timber which is the facing material for the extension. As such, rather than remove this condition in its entirety, it has been revised to require details of the paint colour to be submitted to and approved in writing prior to the occupation of the extension.
- 4.14 Core Strategy policy CL1, in part, requires all development to be inclusive to all. A condition had been placed on the grant of consent in 2009 requiring level access into the extension and laundry building. As part of this proposal, a raised walkway is proposed which would allow level access into the laundry building. The walkway will ensure that the development complies with policy CL1 and Condition 8 of PP/09/00271 can be removed.

5.0 PUBLIC CONSULTATION

- 5.1 Adjoining units are notified of the proposals, a site notice erected outside the property and a press notice issued. To date eight objections have been received.
- 5.2 The letters of objection received may be summarised as follows:

(a) Proposal will result in excessive noise as a result of the community use of the site;

The School has historically been used by the community for a variety of activities; all of which fall within the permitted use class D1 for the site. This proposal does not seek to increase the community use of the site however concerns relating to noise and disturbance are controlled by other legislation.

(b) Increase in parking and traffic pressure;

This has been discussed in Section 4 of the report.

(c) Conditions in respect of limiting school hours, restrictions on the playing of music at certain hours, selling and consumption of alcohol on the premises and the closing of a window outside of school hours are requested;

As previously mentioned, noise can be controlled by other legislation and there are no conditions on the site in respect of its use as a school. The selling of alcohol on the premises is subject to other means of control. As a school has occupied this site for many years, it is not reasonable to now restrict the opening

hours of the school.

(d) Proposal will increase rubbish removal demand which is already a serious problem in the area.

The proposed development is not considered to increase the rubbish removal demand as a result of the modest nature of the proposal and no proposal to increase the numbers of children at the school.

6.0 CONCLUSION

6.1 The development will have an acceptable impact on the character and appearance of the Laundry building and the site as a whole. It will preserve this part of the Colville Conservation Area and will not have an adverse impact on the amenities of the neighbouring occupiers. The development accords with relevant planning policies.

7.0 RECOMMENDATION

7.1 **Grant Planning Permission under Regulation 3 (Council's Own Development)**

**JONATHAN BORE
EXECUTIVE DIRECTOR, PLANNING AND BOROUGH DEVELOPMENT**

List of Background Papers:

The contents of file PP/13/00360 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Variation of condition 2 (adherence to approved plans) and removal of conditions 6 (council drawings stipulation), 7 (drawings or material samples), 8 (level access requirement) and 9 (site security) of planning permission PP/09/00271 to allow for alterations to the approved scheme

SUMMARY OF REASONS FOR DECISION

You are advised that this application was determined by the Local Planning Authority with regard to the National Planning Policy Framework (NPPF), Development Plan policies, including relevant policies contained within the Core Strategy of the Local Development Framework, the London Plan, as well as policies 'saved' from the Unitary Development Plan, and was considered to be in compliance with the relevant policies. In particular, the following policies were considered:

Core Strategy adopted 8 December 2010

CL1	Context and Character
CL2	New Buildings, Extensions and Modifications
CL3	Heritage Assets - Conservation Areas and Historic Spaces
CL5	Amenity
CT1	Improving alternatives to car use
CE6	Noise and Vibration
CK1	Social and Community Uses

'Saved policies of the Unitary Development Plan adopted 25 May 2002

CD63	Conservation Area Views
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The material circumstances of the case, including site history, location, and impact on amenity were considered. In addition, consideration was given to the results of public consultation.

The development will have an acceptable impact on the character and appearance of the Laundry building and the site as a whole. It will preserve this part of the Colville Conservation Area and will not have an adverse impact on the amenities of the neighbouring occupiers. The development accords with relevant planning policies.

The full report is available for public inspection on the Council's website at <http://www.rbkc.gov.uk/PP/13/00360>. If you do not have access to the internet you can view the application electronically on the ground floor of the Town Hall, Hornton Street, London, W8 7NX.