

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

**APP NO. PP/13/00716/Q06
 PLANNING APPLICATIONS COMMITTEE 16/04/2013
 AGENDA ITEM NO. S30**

SITE ADDRESS

Land at Royal Hospital Chelsea Royal Hospital Road LONDON SW3 4SR	<u>APPLICATION DATED</u>	11/02/2013
	<u>APPLICATION COMPLETE</u>	12/02/2013
	<u>APPLICATION REVISED</u>	07/03/2013 11/03/2013

APPLICANT/AGENT ADDRESS

Mr J Field
 Jones Lang LaSalle
 22 Hanover Square
 LONDON
 W1S 1JA

<u>LISTED BUILDING</u>	Grade 1	<u>CONS. AREA</u>	Royal Hospital	WARD	Royal Hospital
<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>
241	6	1	0	0

Applicant Royal Horticultural Society

PROPOSAL: Erection of temporary structures annually in connection with Chelsea Flower Show (Major Application)

RBK&C Drawing No(s):PP/13/00716 and PP/13/00716/A PP/13/00716/B

Applicant's Drawing No(s): Existing access gates plan, Main site plan 1/500, Main site plan 1/1250, Red line site plan, Shell scheme typical section, 001C, 004, 005, 005A, Royal marquee layout, CFS-13-05b.dwg, TD-PS-DD-GE-20m, TD-PS-GE-16m,1005172 -01, GB5979-01, 1005417, GB5979-02, GB5979-03, Hospitality 2 X artists' impressions, 104850/302D, 104850/303A, 104850/304B, Rockl Bank and Garden terrace 2 X artists' impressions, 012, 012A, 001, 002, 002A, 003A, De Boeur drawings 001 - 005, Great Pavilion 2 X artists' impressions, 013A, 013, 1005172 - 05-01, 1005172 - 03, 1005172 - 05, and 1005172 - 07.

RECOMMENDED DECISION: Grant planning permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (C001)**
Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)
2. **The buildings hereby permitted shall be retained for a limited period only of 42 days from the fourth Thursday in April each year. By the end of this period each year the buildings shall be removed, unless otherwise approved in writing by the local planning authority, the land restored to its former condition and the use discontinued. Evidence of the former condition shall be submitted to the Local Planning Authority before implementation of this permission. (C003)**
Reason - The form and appearance of the building is out of character with the surrounding area and is permitted for a limited period only because of the special circumstances of the case. (R003)
3. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on submitted plans, Existing access gates plan, Main site plan 1/500, Main site plan 1/1250, Red line site plan, Shell scheme typical section, 001C, 004, 005, 005A, Royal marquee layout, CFS-13-05b.dwg, TD-PS-DD-GE-20m, TD-PS-GE-16m,1005172 -01, GB5979-01, 1005417, GB5979-02, GB5979-03, Hospitality 2 X artists' impressions, 104850/302D, 104850/303A, 104850/304B, Rockl Bank and Garden terrace 2 X artists' impressions, 012, 012A, 001, 002, 002A, 003A, De Boeur drawings 001 - 005, Great Pavilion 2 X artists' impressions, 013A, 013, 1005172 - 05-01, 1005172 - 03, 1005172 - 05, and 1005172 - 07. (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
4. **For the 2013 Chelsea Flower Show, the trees existing on the site at the date of this permission shall be protected against damage in accordance with the Tree Protection Statement dated January 2013 throughout the period of building and other operations pursuant to this permission, including site preparation.**
Reason - To ensure that the trees are adequately protected and to safeguard the amenities of the area. (R020)
5. **At least 3 months prior to the occupancy of the site by the Royal Horticultural Society for the purposes of the setting up of the 2014 Chelsea Flower Show, a Tree Protection Statement shall be submitted to the Local Planning Authority for approval. From 2014 onwards, the trees existing on the site shall be protected against damage in accordance with the Tree Protection Statement so approved throughout the period of building and other operations pursuant to this permission, including site preparation.**
Reason - To ensure that the trees are adequately protected and to safeguard the amenities of the area.
6. **By 31 August each year a report by an Arboricultural Association Registered Consultant upon the condition of the trees in Barrack Walk in each August shall be submitted to the Local Planning Authority for its approval. The report shall include recommendations for any remediation considered necessary for the soil and around the**

trees in Barrack Walk, together with a timetable for implementation. The remediation as approved shall be carried out in accordance with the approved timetable. The remediation process shall be supervised by an Arboricultural Association Registered Consultant and 2 weeks' notice in writing of the date(s) of implementation of the programme of remediation shall be given to the Local Planning Authority's Arboricultural Officer.

Reason - To address concern at the condition of the trees on Barrack Walk.

7. **Written notification of the intention to start work with regard to tree protection shall be sent to the local planning authority no less than 14 days before works start on site.**

Reason - To ensure that the trees are adequately protected.

8. **Noise emitted by all temporary mechanical plant and equipment shall not increase the existing lowest LA90(15min) background noise level at any time when the plant is operating. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential premises or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The plant shall be serviced regularly in accordance with manufacturers instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is unable to comply with this Condition, it shall be switched off and not used again until it is able to comply. (C57c)**

Reason - To protect the amenities of nearby occupiers.

9. **The means of protection of the listed Bull Ring Gate and the War memorial obelisk shall be installed before work begins on site for the setting up of the Chelsea Flower Show. The means of protection of the listed Bull Ring Gate shall be retained on-site for the duration of the show and the means of protection of the war memorial obelisk shall be retained on site for set-up and breakdown of the event.**

Reason - To protect the listed structures from potential damage.

10. **The applicant shall (i) monitor travel to the event, including the enumeration of vehicle movements to and from the site and undertake a travel survey to establish mode share and (ii) by 1 July each year shall submit to the Local Planning Authority, in writing, a report presenting the data collected in connection with the event.**

Reason - In order that the Local Planning Authority may monitor the impact of the proposal and in order to protect the amenity of neighbouring properties and in the interests of highway safety.

11. **The 2013 Chelsea Flower Show hereby permitted shall not be carried out except in accordance with the submitted Traffic Management Plan contained in the Transport Statement dated March 2013**

Reason - In the interest of highway safety and to safeguard the amenity of the area and to comply with the Subterranean Development SPD and policy CT1 and CL5.

12. **From 2014 onwards, not less than three months prior to the erection of the temporary structures on the site each year, the applicants shall submit a traffic management plan for approval in writing by the Local Planning Authority covering:**

a. Identification of key strategies which are 1) to minimise the impact of the visit of traffic on the road network and 2) to control vehicle access and egress for the show site.

- b. Identification of the access and egress points.
- c. Details of operational times.
- d. Details of internal and external parking (including coach parking) for visitors, exhibitors and organisers.
- e. Details of the disabled parking
- f. Details of bicycle parking for visitors and those employed on site
- g. Publicity about public transport facilities available for visitors.
- h. Details of pedestrian access and egress and pedestrian routes within the site both during build-up and breakdown and during the show days.
- i. Traffic management within the show site.
- j. Traffic management outside the show site
- k. Monitoring of both vehicle and pedestrian arrivals and departures during build-up and breakdown and on show days.

All traffic and travel to the site during the Chelsea Flower Show shall be managed in adherence to the agreed plan.

Reason - To ensure that the development functions satisfactorily and to protect the safe and free flow of traffic.

13. **No parking shall be provided on the grounds of the Royal Hospital and Burton's Court for the Chelsea Flower Show on Show days (including the preview day) except for disabled parking and the following vehicles:**

- emergency service vehicles;
- contractor vehicles;
- outside broadcast vehicles;
- catering vehicles (demobilised);
- mobile storage units;
- any vehicle which is carrying any member of the Royal family and/or a guest of the Royal family;
- any vehicle associated with the Royal visit such as police, protection vehicles, coaches;
- outside of Show open hours, exhibitor vehicles for re-stocking, and service vehicles.

Reason - In the interest of highway safety and to safeguard the amenity of the area and to comply with policy CT1.

14. **This permission shall be personal to the Royal Horticultural Society and shall not enure for the benefit of the land. (C006)**

Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case/applicant, and considers that use otherwise than by Royal Horticultural Society would have had different implications, and would be likely to have resulted in planning permission being refused. (R006)

INFORMATIVES

- 1 You are reminded of the importance of protection of the trees on the site, and that the main ways trees can be damaged during temporary events are:
By direct physical damage from cranes and vehicles particularly during erection and dismantling.
By compaction of soil again principally due to vehicles.
By poisoning due to the leakage of noxious materials especially diesel, cleaning chemicals and effluent.
By the severance of roots due to unauthorised excavation within Root Protection Areas.
By hanging items in trees and nailing things to branches and stems.
You are requested to draw this to the attention of those involved with the setting up, running and break down of the Chelsea Flower Show.
- 2 Please note that the Tree Protection Statement to be provided under Condition 5 for the Show from 2014 onwards should have regard to the British Standard (BS 5837 2012: Trees in relation to design, demolition and construction - Recommendations). You are also advised that, with reference to Condition 6, subject to the findings of the tree condition survey, a programme of de-compaction and amelioration may not be required every year.
- 3 In order to manage the impacts on the London Underground network the applicant is requested to share the details of the event with London Underground's events team. This information should include the expected number of attendees and the associated timings of the event. This would allow TfL to plan accordingly based on flow levels at Sloane Square. This information should be forwarded to StephenPriestley@tfl.gov.uk.
- 4 You are requested to consult with Thames Water/Thames Tideway Project Team prior to submission of future Traffic Management proposals pursuant to condition 11 of this decision.
- 5 The Ranelagh Sewer runs through the site. You are advised to consult with Thames Water about the weight limit for structures above the Sewer and that there should be no excavation above the Sewer unless agreed with Thames Water.
- 6 I11 Care - Conservation Area
- 7 I29 Refuse Storage
- 8 IDN1 GTD/No pre-app/Est. Guid/No amend reqd
- 9 Given the potential for impact upon the amenity of residents of Embankment Gardens in terms of noise and smell nuisance, you are requested to give particular attention to the careful siting of extractor fans and to give consideration to the location of catering facilities further from the boundary with Embankment Gardens or elsewhere in the site.
- 10 I.67A

1.0 **SITE**

- 1.1 The Royal Hospital Chelsea site includes Grade I, Grade II* and Grade II listed buildings and is located within the Royal Hospital Conservation Area. The site is approximately 20 hectares and is included on the Register compiled by English Heritage of Parks and Gardens of Special Interest. To the north the main site is bounded by Royal Hospital Road, to the east by Chelsea Bridge Road, to the west is Embankment Gardens, and to the south is Chelsea Embankment. The Royal Hospital provides residential accommodation and care for retired soldiers.
- 1.2 Ranelagh Gardens are located on the eastern side of the Royal Hospital grounds and south of the new Infirmary Building which caters for the sick Chelsea pensioners. Ranelagh Gardens are landscaped gardens of mature trees and shrubs and provide a recreational park area open to members of the public.
- 1.3 The South Grounds of the Hospital run down to the Embankment. A central point of access is the Bull Ring Gate on the embankment where there is an ornate listed entrance gate. Views are afforded from the gate across the open grassed grounds towards the main Wren buildings, with a formal vista along the central path known as Monument Walk towards the War Memorial obelisk (also listed) and the southern frontage of the Royal Hospital buildings beyond.
- 1.4 On the western side of the South Grounds is Western Avenue, which runs towards Creek Gate and Chelsea Gate on Royal Hospital Road. A playground and an area of lawn with mature trees lie between Western Avenue and the mansion blocks of Embankment Gardens. On the eastern side of the South Grounds is Main Avenue, beyond which there is a lawn described as "The Strip" and then an avenue of mature trees with a pedestrian footpath which forms a strong north south axis through the grounds and links to London Gate on Royal Hospital Road. The main grassed area is enclosed to the north and south by Northern Road and Southern Road.
- 1.5 The Royal Hospital buildings are set back from Royal Hospital Road behind the North Lawns. On the opposite side of Royal Hospital Road is Burton's Court, an area of open grass and trees, which provides the open setting for the Royal Hospital in views from the north.
- 1.6 The site is within Flood Risk Zone 3a and part of the site is the Chelsea Embankment Foreshore which is subject to a safeguarding direction for the Thames Tideway Tunnel.

2.0 **PROPOSAL**

- 2.1 This application seeks personal planning permission for the erection of temporary structures required annually for the operation of the Chelsea Flower Show by the Royal Horticultural Society(RHS).
- 2.2 The Chelsea Flower Show is a long established event at the Royal Hospital – it celebrates its centenary this year. Whilst much of the Show is an outdoor event, it clearly could not function in its present form without the various temporary structures.
- 2.3 The Royal Horticultural Society's tenancy at the Royal Hospital grounds runs for 42 days from the fourth Thursday in April. This year it will run from Thursday 25 April to Wednesday 5 June. Minor site preparation, such as marking out of the site, is carried out a week before the tenancy begins. The Show itself runs for 6 days from the third Monday in May, starting with a press, gala and preview day followed by 5 days of being open to RHS members and the public. This year the

Show, including the preview day, runs from Monday 20 May to Saturday 25 May. It is attended by about 165,000 visitors over the Show period.

- 2.4 The proposed temporary structures have a gross external area of 25,391 sq.m. Most are located in the South Grounds, which is the most open area. This accommodates the largest structure, the Great Pavilion which is 90m. X 145m. and 8.52m to 13.3m high and spans the War memorial obelisk. Other structures in this area are mostly single storey i.e. restaurants, the press tent, and exhibitors' stands, although the Garden Terrace and Rock Bank catering marquees are two storeys and up to 9.29m high. The show gardens are in this area.
- 2.5 Ranelagh Gardens is less intensively used but is the site for the "hospitality village", trade stands, Exhibitor Restaurant, President's/Royal Marquee and North Ranelagh Restaurant. All of these are single storey, except the latter which is two storeys.
- 2.6 The President's Conference Suite marquee is located on the North Lawn at the front of the Royal Hospital. It is single storey and measures 12m by 45m.
- 2.7 The materials for the marquees are generally white hard panel walls, glazing and canvas or PVC roofs usually of ridged form. The Great Pavilion roof would have a series of tented structures with a visible metal frame.
- 2.8 The applicants' supporting documents include the following: Planning, Design and Access and Heritage Statement, including Statement of Community Involvement, Site Management Plan, Environmental Noise Survey and Noise Impact Assessment Report, Transport Statement, Flood Risk Assessment, and Tree Protection Statement.
- 2.9 They have also provided a list of suggested planning conditions that they would find acceptable if planning permission is granted. These include reference to the permission being personal to the RHS, preclude parking on the grounds except for specified categories, tree protection, noise levels in accordance with the Acoustics Report, monitoring of traffic movements on Show days, submission of and adherence to a Traffic Management Strategy and adherence to the Site Management Plan.
- 2.10 The Site Management plan provides detailed information about the event. Access to the site will be mainly from the Bull Ring Gate during build up and break down. Build up this year would be from 25 April. All noisy work is restricted to 07.00 to 20.00.
The hours of operation are set out below and are the same as in previous years. The dates are for the 2013 Show, and of course will vary from year to year.

During the build 25 April – 19 May

07.00 to 22.00 with all vehicles moving off site by 21.30. From 19 May to 26 May, Caterer's Gate (on Chelsea Bridge Road) is operational from 05.00 to 23.00 and from 05.00 on 20 May to 03.00 on 21 May.

On 19 May (and 22 May), floral arrangers work overnight to arrange their exhibits with vehicles coming on to the site at 21.30 and leaving by 06.00 the following morning.

Press/gala/preview day on 20 May)

Press from 05.00 to 15.30.

RHS Council members, guests and celebrities from 9.00 to 15.30

Royal visit from 15.30 to 18.30

Gala from 18.30 to 23.30

21-24 May

Open to RHS members or RHS members and public from 08.00 to 20.00. Stocking of exhibits from 07.00 to 07.45, and again at 20.15 to 22.00 on alternate days. Hospitality and exhibitor guests on site until 22.30.

25 May

Open to RHS members and public from 08.00 to 17.30. Breakdown of the Show starts once the site is clear of visitors. Site closes 23.00.

Break down 26 May – 4 June

Removal of exhibits and structures.

5 June

Fully vacate site.

This year, since the Show is immediately followed by the 2013 Masterpiece Arts and Antiques Fair (see Section 3 below), ground restoration by means of reseeded of the grass of the South Grounds will be deferred until Masterpiece has vacated the site.

- 2.11 The Transport Statement incorporates a Traffic Management Strategy which the RHS has established over a number of years to include measures to control traffic during the build up, open period of the show and breakdown.

The Show involves a considerable number of vehicle movements e.g. during the build up period there can be 200-350 vehicles per day and up to 500 vehicles in the last few days before the Show opens. During the Show, the numbers fall markedly, but reach similar levels in the breakdown period.

The Bull Ring Gate is the primary means of access to the site for exhibitors and contractors and is open 24 hours per day. Caterers Gate is a secondary access, and is generally open 07.00 -19.00 with some extended hours of 05.00 – 23.00 for a week and one day when it is in use overnight. Ambulance Gate and River Gate (on Chelsea Embankment and Barrack Gate (on Chelsea Bridge Road) are in minor use for parts of the RHS tenancy and for periods ranging from 07.00 – 19.00 or up to 23.00. and Chelsea Gate (on Royal Hospital Road) would be used for only the first evening of breakdown between 16.00 – 20.00.

Traffic marshalls are employed at the gates and enforce a one way system within the site.

Vehicle assembly points will operate when the highest amount of traffic for the Show is anticipated. This will be in Battersea Park for the build up and in Battersea Park, Burton's Court and New Covent Garden for the breakdown. Vehicles will be directed to the site in groups to avoid excessive queuing on the highway.

During the Show, Burton's Court will be used for disabled persons' vehicles (60 spaces), exhibitors and bicycle parking (15 spaces).

Other visitor parking, coach parking and exhibitors' parking will be in Battersea Park. Shuttle buses would run from the Park and from Victoria Station.

There would be limited parking on site on Show days. This would be for emergency service vehicles, key contractors, outside broadcast vehicles etc.

- 2.12 Two back-up generators are proposed on Barrack Walk towards Ambulance Gate (near Chelsea Embankment). No details are provided of the location of other plant.

- 2.13 Existing listed structures in the vicinity of the Show i.e. the Bull Ring Gates and the War memorial obelisk, are protected. The gates are manned at all times when in use and metal protective barriers are put in place to narrow the entrance so that vehicles cannot touch the gates. Barriers are erected around the obelisk during the construction of the Grand Pavilion, which is designed with a central element to clear its height.

3.0 RELEVANT PLANNING HISTORY

- 3.1 As explained above, the Chelsea Flower Show has historically occupied the South Grounds and Ranelagh Gardens from late April until early June, with the Show taking place for 6 days in the last week in May. The structures associated with the Flower Show require planning permission. This has been the subject of discussions between the Executive Director and the RHS in recent years. For the past few years, Council officers have monitored the operation of the Show against a set of draft conditions, based upon those imposed upon other permissions for temporary events, to assess its impact. Unsolicited, the RHS and the Royal Hospital also submitted a Unilateral Undertaking dated 11/1/2010 making a commitment about how they would operate. This covered restrictions on the duration and use of the land for the Chelsea Flower Show, the protection of trees and traffic management. However, ongoing discussions with the RHS have culminated in the submission of the current planning application.
- 3.2 For several years now, until winter 2010/2011, the pattern of other temporary events for which the Council has granted a series of planning permissions on the site has been as follows.
- 3.3 The Ultimate Experience Summer events:
This provided a venue for corporate, charitable and private events in a marquee of about 1679 sq.m, maximum height 6.14m, located within Ranelagh Gardens. These ran typically from early June - when the Chelsea Flower Show had vacated - until early August. This has now ceased under the terms of a Unilateral Undertaking provided by the Royal Hospital in respect of the initial application for the Masterpiece Show (see below).
- 3.4 The Decorex International/Art London Exhibitions:
These were held "back to back" in a marquee covering most of the eastern side of the South Grounds, east of Monument Walk and the obelisk. The marquee was in position from early September to mid October. Initially, the event was only run by Decorex, but since 2006 it was run as a joint event with Art London using the same marquee. This was granted permission in February 2011 under application PP/10/03589. It occupied the site from 8/9 to 20/10/2011. The marquee was 13,035 Sq.m. in area and a maximum of 12.5m. high. The Exhibitions ran for 4 and 5 days and were expected to attract a total of about 24,000 visitors. Permission for the 2012 event was granted on 9/2/2011 under application PP/10/03592. This has now ceased under the terms of a Unilateral Undertaking provided by the Royal Hospital in respect of the initial application for the Masterpiece Show (see below).
- 3.5 The Ultimate Experience Winter events:
This was similar to the summer events but the marquee was located in the south eastern corner of the South Grounds on "The Strip" adjacent to the Avenue. This has now ceased under the terms of the Unilateral Undertaking provided by the Royal Hospital.
- 3.6 The sale of Christmas trees from Monument Walk, south of the obelisk, involving the installation of two portacabins for a site office and store. This has taken place for the past six years, the last four with the benefit of planning permission. Last year's use was granted planning permission on 08/11/2012

under application PP/12/03004.

- 3.7 The Masterpiece London Arts and Antiques Fair has operated from a large marquee in the South Grounds, following on from the Chelsea Flower Show, for the last two years. It was first approved to operate in 2011, under application PP/10/02690. The 2012 Fair was granted under application PP/11/02785. Planning permission PP/12/03657 was granted on 18/12/2012 for the 2013 Fair. This will run for a period of eight days from 26 June 2013 to 3 July 2013, to include the erection of a temporary marquee from 7 June 2013 to 17 July 2013
- 3.8 The permissions above were approved following a Unilateral undertaking submitted by the Royal Hospital dated 24/2/2011. The Undertaking covenants as follows:
1. From 8/1/2011, not to use the land for any temporary structures, except for the Chelsea Flower Show, one temporary event following directly on, as far as practical, from the Chelsea Flower Show, the duration of the second temporary event not exceeding 41 days, (which for the avoidance of doubt includes the construction and breakdown of the event) and the temporary use by Decorex/Art London in accordance with any planning permissions that might be granted.
 2. From 1/1/2013, not to use the land for any temporary structures, except for the Chelsea Flower Show and one temporary event following directly on, as far as practical, from the Chelsea Flower Show, the duration of the second temporary event not exceeding 41 days, (which for the avoidance of doubt includes the construction and breakdown of the event) in accordance with any planning permission that might be granted.
 3. From 1/1/2013 use reasonable endeavours to secure the sharing of a single, large scale temporary structure for the Chelsea Flower Show and one temporary event.
- 3.9 Whilst the parties have been considering Item 3, it has not been possible as yet to arrange the sharing of a single large scale temporary structure by Masterpiece and the Chelsea Flower Show.

4.0 PLANNING CONSIDERATIONS

- 4.1 The application relates to the erection of the temporary structures on the site rather than to the use by the Chelsea Flower Show. However, as explained above, the Show could not operate in its present form without the structures, so to an extent, the issues of assessment of the operational development, and the resultant impact of the use that the structures enable, overlap. The issues in this case are considered to be:
- 4.1.1 The continued provision of an arts and cultural use;
 - 4.1.2 The impact upon the setting of the listed buildings and the character and appearance of the conservation area and the registered garden;
 - 4.1.3 The effect upon the residential amenity of nearby premises;
 - 4.1.4 The transport implications of the development;
 - 4.1.5 The effect upon the open space of the Royal Hospital Grounds as a leisure facility;
 - 4.1.6 Flooding;

- 4.1.7 The duration of any planning permission..
- 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 2011, plus relevant 'saved' policies from the UDP.

The relevant Core Strategy policies are:

CL1 (Context and Character)
CL3 (Historic Environment)
CL4 (Historic Assets)
CL5 (Amenity)
CR3 (Street and outdoor life)
CR5 (Parks, gardens, open spaces and waterways)
CR6 (Trees and landscape)
CR7 (Servicing)
CE2 (Flooding)
CE6 (Noise and vibration)
CT1 (Improving alternatives to car use)
CF7 (Arts and cultural uses)
CP15 (King's Road/Sloane Square)

The relevant 'saved' UDP policies are as follows;

CD8 (protect important views and vistas around the Royal Hospital)
CD9 (protect the open spaces around the Royal Hospital from development)
CD63 (views in conservation areas)
H4 (commercial activity in residential areas)

- 4.3 The London Plan 2011 forms part of the Development Plan for the Borough but no policies are considered of particular relevance to this case. The National Planning Policy Framework (March 2012) has been taken into consideration and the relevant sections are:

1 (Building a strong, competitive economy)
2 (Ensuring the vitality of town centres)
12 (Conserving and enhancing the historic environment)

- 4.4 The Royal Hospital Conservation Area Proposals Statement is supplementary planning guidance. It contains general guidance about development in the conservation area. The Transport, Access and Noise SPDs have also been given weight.

- 4.5 English Heritage's Guide "Temporary Structures in Historic Places" notes, concerning financial benefits, that the proceeds from a revenue generating event will often help to offset the operating costs of a heritage asset, including the costs of maintenance and repair. "In some cases, local planning authorities may wish to explore how the proceeds can be reinvested in the heritage asset, for example by identifying a specific repair project." It also advises that enabling development, defined by English Heritage as "development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved" will rarely be applicable to temporary structures. However, in exceptional cases a case may be made. If approved, provision should be made for the proceeds to be spent on the heritage asset. This can be through a Section 106 agreement.

4.6 Arts and cultural use

Core Strategy policy CF7 supports the Borough's role in world-class culture. It states that the Council will protect, nurture and encourage existing cultural institutions and facilities. In particular, it will support proposals which enhance the cultural draw of parts of the Borough including King's Road/Sloane Square. The supporting text to policy CF7 identifies the Chelsea Flower Show as one of the Borough's major cultural attractions. Policy CP15 is that the Council will ensure King's Road and Sloane Square remains one of London's iconic and vibrant shopping streets by supporting proposals likely to favour independent retailers and small up market chains, supporting cultural facilities etc.

4.7 The Show is an important and popular national event, one of the Borough's major cultural attractions, which is celebrating its centenary at the Royal Hospital this year. Its presence, and the associated media coverage of the Show, publicise the area. The Show probably benefits the local economy, as more visitors come to the area during the Show and use the services around the site in the Kings Road centre and Sloane Square and further afield. This is beneficial to the economy of the Borough and London as a whole. The presence of a thriving Chelsea Flower Show is consistent with the above policies. The applicants have sought planning permission on a personal basis (recommended condition 14). This is entirely appropriate given that the nature of the use as an established and renowned cultural event is a material consideration in the acceptability of its impact upon the site's heritage assets and amenity impacts; further, the RHS has a "track record" of generally managing this extremely large event well, which might not be the case if run by another operator (see below).

4.8 Impact upon the setting of the listed buildings and the character and appearance of the Conservation Area and the Registered garden

UDP Policy CD8 is to protect important views and vistas in and around the Royal Hospital. CD9 is to protect the open spaces surrounding the Royal Hospital from inappropriate development both in the landscaped areas themselves and in neighbouring streets. Policy CD63 is to consider views generally within, into and out of conservation areas.

4.9 Core Strategy Policy CR3e requires that occasional use of parks, gardens and open spaces for special events will be well managed, and that in the duration, frequency and scale of the event has no adverse impact upon, *inter alia*, the setting of historic listed buildings, the setting of registered parks and gardens, and the character and appearance of conservation areas. CR3f requires an Events Management Plan and a Management Strategy for repeated use of an open space to be submitted as part of a planning application.

4.10 Policy CL1 requires all development to respect existing context, character and appearance. CL1e resists development which interrupts, disrupts or detracts from strategic and local vistas, views and gaps. Policy CL3 requires developments to preserve and to take opportunities to enhance the character and appearance of conservation areas, historic places, spaces and townscapes, and their settings. Policy CL4 requires development to preserve or enhance listed buildings and their settings. Policy CR5 is to protect, enhance and make the most of existing parks, gardens and open spaces. CR5b is to resist development that has an adverse effect upon the environmental and open character or visual amenity of sites which are listed within the Register of Parks and Gardens of Special Historic Interest in England, or their setting. Policy CR6 requires the protection of trees.

4.11 The temporary structures associated with the Chelsea Flower Show include large trade stands, tent buildings, show gardens, catering units, sanitary facilities, artisan retreats, cabins and other ancillary structures. These are

primarily located on the South Grounds, and to a lesser scale within Ranelagh Gardens and North Lawn of the Royal Hospital site. The largest individual structure is the Great Pavilion which is centred on the War memorial obelisk in the South Grounds. This dominates the view of the site from Chelsea Embankment, blocking the views and vistas between the Embankment and the listed Wren buildings of the Royal Hospital (and vice versa).

- 4.12 The impact assessment has to relate to the following three classes of Heritage assets:
1. The Grade I, Grade II* and Grade II listed buildings
 2. The Royal Hospital Conservation Area, and
 3. The grounds or the RH and Ranelagh Gardens which themselves were included in October 1987 by English Heritage under the Historic Buildings and Ancient Monuments Act 1953 within the 'Register of Historic Parks and Gardens' for its special historic interest - registered as Grade II.
- 4.13 The relevant guidance provided by English Heritage in their publication "*Temporary Structures in Historic Places*", published in 2010 states that whilst events such as this generate cultural, social and economic benefits, careful planning and project management, including the length of time of the structures on site, are necessary to prevent permanent damage to the heritage assets. Short term and genuinely temporary changes are unlikely to have an unacceptable impact on the heritage assets or their setting, whilst longer term or frequently recurrent or permanent changes may have a more serious impact. On the other hand EH recognises the importance that temporary structures and events can have for the economic sustainability of heritage assets.
- 4.14 By their nature and location, the structures may be seen as harmful to the setting of the listed buildings, the appearance of the open space, and the Royal Hospital Conservation Area. However, the structures are mostly a considerable distance from the listed buildings, and many of them are partly or substantially screened by trees, which helps to limit the impact on the views and setting of the heritage structures. Further, the use is temporary, and - subject to the applicant's usual protection of the listed obelisk and Bull Ring Gates (secured by recommended condition 9) and the prompt reinstatement of the grass - does not have any lasting impact. Further, as explained at paragraphs 4.6 - 4.7 above, the Chelsea Flower Show is a major cultural attraction within the Borough as well as a prestigious world class cultural event generating considerable income. The proceeds from the show make a substantial contribution to the charitable work of the RHS as well as to the Royal Hospital itself.
- 4.15 This year, there is planning permission for the Masterpiece Arts and Antiques Fair to follow on from the Chelsea Flower Show. This involves use of the South Grounds, but not Ranelagh Gardens or the North Lawn. Restoration of the latter can take place upon cessation of the RHS tenancy each year, but restoration of the South Grounds would be deferred until Masterpiece vacates the site in July. In accordance with the clauses in the Unilateral Undertaking for the grounds, after the Masterpiece event has been removed, the South Grounds will not be used again until the setting up for the 2014 Chelsea Flower Show. This allows a 9 month period in which the grounds can be reinstated and then used as open space.
- 4.16 The Royal Hospital has previously confirmed the importance of funding raised by temporary events, and that these funds would go towards meeting annual running costs (where there is a substantial annual funding deficit). In terms of the preservation and enhancement of the listed buildings and the registered garden, this source of funding is a significant material consideration. Whilst English Heritage guidance refers to accepting "enabling development" in such circumstances and the use of a Section 106 agreement to secure the spending

of the proceeds on the heritage asset, it is not anticipated that formalising this is necessary. The Council is not aware that there is any deficiency in the Royal Hospital's maintenance or care of its listed buildings and structures.

4.17 English Heritage was consulted on the application and has stated that it does not wish to offer any comments on this occasion. It recommends that the application be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.

4.18 The Council's Arboriculturist has considered the submitted Tree Protection Statement. Whilst generally the Show has operated without harming most trees on the site, he does not agree with the report's claim that "*the show has been run for many years without it causing any significant detriment to the tree stock*". He draws attention to the decline of the trees (mostly mature London planes) on the eastern boundary (Barrack Walk) adjoining Chelsea Bridge Road. In 2010, during annual monitoring of the impact of the Show, he noted that the trees were beginning to struggle, a few had extensive dead wood and one appeared to be dying. He advises that he can think of no other plausible explanation than this being the cumulative effect of compaction and root severance over the many years of the show's operation. His past recommendations for soil de-compaction, ground protection and mulching, (techniques which have been used with great success at Kew), have not been implemented. However, the submitted Tree Protection Statement does contain proposals for remedial de-compaction so the intention is that this will now be addressed. Accordingly, recommended condition 6 requires the annual submission of details of a programme of soil de-compaction and amelioration around the trees in Barrack Walk and its implementation, with a requirement for an annual report upon the condition of the trees.

4.19 He notes that the submitted Tree Protection Statement defines the Root Protection Area as 4 times the diameter of the trunk. This does not accord with the British Standard (*BS 5837 2012: Trees in relation to design, demolition and construction - Recommendations*) which defines it as 12 times the diameter. This could have implications for tree health and is not acceptable on a permanent basis. Given that time is short before the setting up for the current year's Show, he recommends that the existing Tree Protection Statement be accepted for the 2013 Show, but that a revised Tree Protection Statement be required from 2014 onwards. This is addressed by recommended conditions 4 and 5. Recommended Informative 1 advises of the potential for tree damage and Informative 2 advises that the Tree Protection Statement to be provided under Condition 5 for the Show from 2014 onwards should have regard to the British Standard (*BS 5837 2012: Trees in relation to design, demolition and construction - Recommendations*). Condition 7 requires written notice of the intention to start the tree protection work.

4.20 Subject to the recommended conditions, and given the temporary nature of the development, there would be no lasting harmful impact upon the setting of the listed buildings and the character and appearance of the Conservation Area and the Registered garden in accordance with CS policies CL1, CL3, CL4, CR5 and CR6 and 'saved' UDP policies CD8, CD9 and CD63.

4.21 The effect upon the residential amenity of nearby premises

UDP Policy H4 is to resist the encroachment into residential areas of commercial activities which would be inappropriate by virtue of size, scale, hours of operation, traffic generation or nature of use. Core Strategy Policy CL5 requires high standards of amenity and no significant impact on the use of buildings or spaces due to increases in traffic, parking, odours, noise or vibration. Policy CE6 resists development that fails to meet noise and vibration standards.

- 4.22 The impact is in terms of noise and disturbance from the setting up of the marquee etc, the running and servicing of the event itself, and the dismantling and removal of the marquee etc after the event. The closest residents are in Embankment Gardens to the west. Other nearby dwellings are the flats opposite Ranelagh Gardens on the eastern side of Chelsea Bridge Road, within the City of Westminster. However, the road is busy and traffic noise will to an extent be a barrier to activities within the Royal Hospital grounds. Traffic movements in Royal Hospital Road have the potential to affect residents in Ormonde Gate, Franklin Row and Royal Hospital Road. This issue is dealt with under transport implications below.
- 4.23 The Bi-Borough Director for Environmental Health advises that the Council has not received any complaints about noise and nuisance from the Show for the last 2 years. Previous complaints have related to noise from reversing alarms fitted to vehicles on the site and noise from power tools. Given the size and scale of the event, the number of complaints received over the years is relatively low, which appears to indicate that noise is generally well managed. The majority of complaints have been received from residents of Embankment Gardens, who are closest to the event site.
- 4.24 He advises that, in line with the Council's usual policy, noise from fixed plant should be regulated by a condition imposing normal noise criteria. It is suggested within the applicant's submitted noise report that a 5 dB relaxation of the normal policy should be considered. However, in his opinion the normal criteria are achievable, as this is a large and well-resourced event, there are relatively large distances to the nearest "receptors" (flats in Embankment Gardens) and super-silence fixed plant (e.g. generators, etc.) is available. Therefore recommended condition 8 refers to the Council's standard noise criteria.
- 4.25 Concerning the hours of working for set up and breakdown of the event he comments that historically, the site set-up and break-down of the show has extended beyond RBKC's 'permitted hours' for noisy construction/building activities that are audible at the site boundary, which are: 0800 – 1300 hours, Monday to Friday; and 0800 – 1300 hrs, Saturdays, and at no time on Sundays or public holidays. He has noted that within the submitted Site Management Plan (dated January 2013), noisy working hours are intended to be extended to 0700 - 2000 hrs, Monday to Sunday. No detailed timings are provided for the break-down of the site. The applicant has not proposed any conditions restricting the hours for activities on the site. As a compromise, his suggestion is that build-up and break-down work, that takes place close to the Embankment Gardens properties and is clearly audible there, should be restricted to the Council's normal hours. He suggests that this restriction is placed on all build-up and break-down works that take place within the area to the west of the Western Avenue and the boundary with Embankment Gardens. However, the applicant advises that this would impose undue constraints upon the setting up and break down of the event. Therefore, a condition is not recommended in this respect, and any nuisance experienced would be addressed through Environmental Health Legislation.
- 4.26 Whilst the Council normally includes conditions relating to hours of operation, servicing etc in respect of temporary events, in order to control potential impact upon neighbouring residents, the Chelsea Flower Show is something of a special case. It has been a part of Chelsea life for the past century and is an important cultural event. The RHS finds the usual hours restrictions unworkable and is unwilling to accept conditions in this respect. However, the above conditions are recommended as a compromise. Subject to the recommended conditions, the proposals are acceptable and would show reasonable compliance with policy CE6 and policy CL5 of the Core Strategy.

4.27 The transport implications of the development

Core Strategy Policy CT1 is (*inter alia*) to manage traffic congestion and the supply of parking. Policy CT1b requires it be demonstrated that development will not result in any material increase in traffic congestion or on-street parking pressure. CT1e requires non-residential development parking to be for essential need only. CT1f addresses cycling. Policy CR3 requires that temporary events have no adverse impact upon the road network. CR7 requires servicing facilities to be well designed and not give rise to traffic congestion, conflict with pedestrians or harm residential amenity.

4.28 The Bi Borough Director of Transportation and Highways advises that in recent years the operators have submitted traffic management plans (under the unilateral undertaking) for approval prior to each year's show. These traffic management plans detailed measures to control traffic during the build-up, show open and breakdown periods. The traffic management strategy employed under the plans has developed over the years, is quite comprehensive and functions well. Accordingly he recommends that any grant of consent should maintain the controls provided under the unilateral undertaking. Recommended condition 10 requires the submission of a monitoring report annually, condition 11 requires operation of the 2013 Show in accordance with the submitted Transport Statement dated March 2013, and Condition 12 requires the annual submission of a traffic management plan. Condition 13 restricts the parking at the site to disabled people and other specific categories.

4.29 The Director advises that a point of weakness in the current Transport Statement is that inadequate bicycle parking has been provided for visitors and staff. Just 15 cycle parking spaces are proposed this year, whereas in order for the RHS to "market" the use of bicycles in its event publicity, the provision would ideally be much larger – about 300 spaces. The applicant has been requested to consider whether it is possible to improve provision for this year's Show. However, given the short timescale before the event starts this year, it would not be reasonable to insist. Therefore it is suggested that cycle parking be agreed as part of the annual traffic management plan from next year.

4.30 Transport for London was consulted and advises that overall they have no objection. In order to manage the impacts on the London Underground network the applicant is requested to share the details of the event with London Underground's events team. This information should include the expected number of attendees and the associated timings of the event. This would allow TfL to plan accordingly based on flow levels at Sloane Square. Informative 3 is recommended at their request.

4.31 Thames Water were consulted given the directions imposed in respect of the Thames Tideway Tunnel. They advise that the application for development consent for the Tunnel was submitted to the Planning Inspectorate on Thursday 28 February 2013. It is envisaged that the Secretary of State would determine the application in September 2014 and if approved the works on this site may commence in 2017 and finish in 2020. The project as a whole would be operational in 2023. Chelsea Embankment would be the principal access route for construction traffic and the main work site is opposite the Bull Ring Gate. In developing the works for the Thames Tideway Tunnel site, the project team has had regard to the annual events at the Royal Hospital, including the Chelsea Flower Show, and has sought to accommodate the Show's requirements. Thames Water request:

That Thames Water and the Thames tideway tunnel project be added to RHS' list of consultees on their traffic management strategy;

From 2017, they receive the Traffic Management plan for comment at least 28

days before the Show sets up;

That they be consulted by RBKC in respect of any planning condition relating to future submission of the Chelsea Flower Show Traffic Management Strategy.

4.32 Informative 4 is recommended in this respect and Thames Water has been advised that they will be consulted upon any future Traffic Management Scheme submitted pursuant to condition 12. A copy of their representation has been provided to the applicant for information.

4.33 Subject to the recommended conditions the application is considered to comply with policies CT1, CR3 and CR7 of the CS.

4.34 The effect upon the open space of the Royal Hospital Grounds as a leisure facility

Policy CR5 is to resist the loss of existing public open space.

4.35 The grounds of the Royal Hospital are not public open space but by custom the Royal Hospital does open them to the public for recreational use. The Chelsea Flower Show use involves the temporary loss of the ability to use the open space in both Ranelagh Gardens and the South Grounds for leisure purposes. However, the closure is temporary, is a long established feature of the use of the Royal Hospital grounds, and enables the provision of an important cultural event which is also beneficial for leisure purposes. Therefore no objection is raised with reference to this policy.

4.36 Flooding

Core Strategy Policy CE2 addresses flooding. The premises are in Flood Risk Zone 3a. The applicant has submitted a Flood risk assessment.

4.37 The Environment Agency has considered the application and raises no objection to the proposal. They advise that due to the temporary nature of the scheme, the flood risk is low due to the small probability of an extreme flood event occurring during the short period of the Show.

4.38 Thames Water has commented upon the potential effect upon the Ranelagh sewer which runs below the South Grounds and Ranelagh Gardens. They request a condition setting a weight limit on the area above the Ranelagh Sewer, and that there should be no excavation above the Sewer unless agreed with Thames Water. However, there is no evidence that the weight imposed by structures above the sewer would be any different than in previous years, and it is not known that there is any excavation proposed above the sewer. A copy of their representation has been provided to the applicant for information, and Informative 5 is recommended to address this matter.

4.39 Duration of Planning Permission

The Council's usual position relating to the granting of planning permission for temporary uses involving the erection of marquees etc is to do so upon an annual basis. This follows an appeal decision in 2004 in respect of a Certificate application for a temporary use at the Duke of York's HQ Running track, where the Inspector's decision was that each act of the erection of marquees and other structures is a new building operation requiring planning permission.

4.40 In the course of negotiations leading up to the submission of the current application, the Director of Legal Services was consulted upon whether a single

planning permission could be granted for the erection of the same structures on the site for the same period each year. Having reviewed legal opinions submitted by the applicant and available to the Council, and noted that there is no case law directly on the matter, together with the uniqueness of the Chelsea Flower Show as an event, the Director was happy for the Council to consider the grant of a single permanent planning permission in this case.

4.41 Accordingly, if the Committee is minded to grant planning permission, it may be on a permanent basis, but with the duration of each event stipulated as in recommended condition 2.

4.42 Mayor of London observations

The application was referred to the Mayor of London under the Greater London Authority Acts 1999 and 2007 and the Town and Country Planning (Mayor of London) Order 2008 because of the size of floor area proposed. The GLA advises as follows:

the Show does not raise any strategic planning issues;

although the development is on (sic) Metropolitan Open Land it is noted that the Show has taken place annually since 1913 and the use is deemed lawful; however, the intention to seek consent, which enables the use of conditions/agreements to mitigate impacts of the show is welcome; and

the contribution that the RHS flower show makes to London's World City role is acknowledged and supported.

Therefore, under article 5(2) of the above Order, the Mayor of London does not need to be consulted further on this application.

5.0 PUBLIC CONSULTATION

5.1 241 addresses were notified of the proposal, mostly in Embankment Gardens, together with the City of Westminster. The application was advertised by two site notices and in the press. 4 representations were received which included 1 letters in favour of the development, 4 letters of objection, from the Chelsea Society, from a resident of St. Leonard's Terrace and from another person who does not provide an address.

5.2 The letter of support is from a resident of Embankment Gardens who states that she is "more than happy for this to go ahead".

5.3 The points raised in the four letters of objection are addressed below.

5.4 **Restaurants should not be placed under the windows of Embankment Gardens and extractor fans should at least be pointed into the gardens and not towards their bedrooms.**

In response, the submitted plans do indicate catering facilities on the western side of the Show, mostly 20 metres or more from the boundary with Embankment Gardens. The application contains no information about the extractor fans. This objection has been drawn to the applicant's attention and Informative 9 addresses this matter.

5.5 **Restrictions in Embankment Gardens should be extended to include the weekends before and after the Show until at least 10.00p.m.**

The Director of Transportation and Highways has been consulted and advises that it is possible to extend the hours of control as a temporary measure, but it is

exceptional. In practice there has not been a significant number of complaints. Parking restrictions would only be changed if there was broad support amongst the community, and as far as he is aware this is not the case here.

5.6 Permanent planning permission is inappropriate. A three year permission would allow periodic review and control.

In response, permanent permission is acceptable as explained elsewhere in this Report. Any material change from the current proposal would necessitate a further application and acceptability could be reviewed at that time.

5.7 The huge structures are of crude and utilitarian design and harm the setting of the Grade I listed building and is not justified by the Royal Hospital's fund raising. Design improvements should be sought.

The effect upon the setting of the listed buildings is temporary and is balanced by the benefit of providing an important cultural event and the financial benefits that assist in the maintenance of the listed buildings, as explained in this report. The appearance of the structures is not sympathetic to the setting, although the primary impact is due to the size of the structures.

6.0 CONCLUSION

6.1 Subject to the recommended conditions, and given the temporary nature of the development, there would be no lasting harmful impact upon the setting of the listed buildings and the character and appearance of the Conservation Area and the Registered garden in accordance with CS policies CL1, CL3, CL4, CR5 and CR6 and 'saved' UDP policies CD8, CD9 and CD63. Subject to the recommended conditions, the effects upon local residential amenity and transport are acceptable and consistent with CS policies CL5, CE6, CR3, CR7 and CT1. The temporary loss of the use of the grounds as open space allows for the provision of a major cultural event, so is acceptable with reference to policy CR5. Impact in relation to flooding and the Thames Tideway tunnel are acceptable with reference to CS policy CE2.

7.0 RECOMMENDATION

7.1 **Grant planning permission**

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

List of Background Papers:

The contents of file PP/13/00716 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Erection of temporary structures annually in connection with Chelsea Flower Show
(Major Application)

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
CL3	Heritage Assets - Conservation Areas and Historic Spaces
CL4	Listed Buildings, Scheduled Ancient Monuments & Archaeology
CL5	Amenity
CR3	Street and Outdoor Life
CR5	Parks, Gardens, Open Spaces and Waterways
CR6	Trees and landscape
CE2	Flooding
CT1	Improving alternatives to car use
CF7	Arts and Cultural Uses
CR7	Servicing

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

CD08	Royal Hospital Views and Vistas
CD09	Royal Hospital Open Spaces
CD63	Conservation Area Views
H04	Commercial Activities in Residential Areas

Weight was also given to relevant local Supplementary Planning Guidance/Documents and Statements, including: Royal Hospital adopted 4 April 1984 (20), Transport adopted 10 December 2008 (0803). These documents were adopted following public consultation. 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.

Subject to the recommended conditions, and given the temporary nature of the development, there would be no lasting harmful impact upon the setting of the listed buildings and the character and appearance of the Conservation Area and the Registered garden in accordance with CS policies CL1, CL3, CL4, CR5 and CR6 and 'saved' UDP policies CD8, CD9 and CD63. Subject to the recommended conditions, the effects upon local residential amenity and transport are acceptable and consistent with CS policies CL5, CE6, CR3, CR7 and CT1. The temporary loss of the use of the grounds as open space allows for the provision of a major cultural event, so is acceptable with reference to policy CR5. Impact in relation to flooding and the Thames Tideway tunnel are acceptable with reference to CS policy CE2.

The full report is available for public inspection on the Council's website at <http://www.rbkc.gov.uk/PP/13/00716>. 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.