

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 12 October 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Lancaster Gate	
Subject of Report	2-3 Orme Court, London, W2 4RL		
Proposal	External alterations and extensions to 2-3 Orme Court, amalgamation of 2-3 Orme Court with 1 and 4-8 Orme Court, internal reconfigurations and refurbishments to facilitate change of use to residential, religious and educational establishment for international community of professionals, students and priests, including en-suite private bedrooms, communal areas, work and study spaces, meeting rooms, library and ancillary spaces (Sui Generis).		
Agent	Mr Lorenzo Pandolfi		
On behalf of			
Registered Number	20/07819/FULL	Date amended/ completed	8 December 2020
Date Application Received	8 December 2020		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

Planning permission is sought for external alterations and extensions to 2-3 Orme Court and its amalgamation with No's. 1 and 4-8 Orme Court in connection with its change of use to a residential, religious and educational establishment for international community of professionals, students and priests (Sui Generis) by the Netherhall Educational Association (NEA) who already operate from 1 and 4-8 Orme Court.

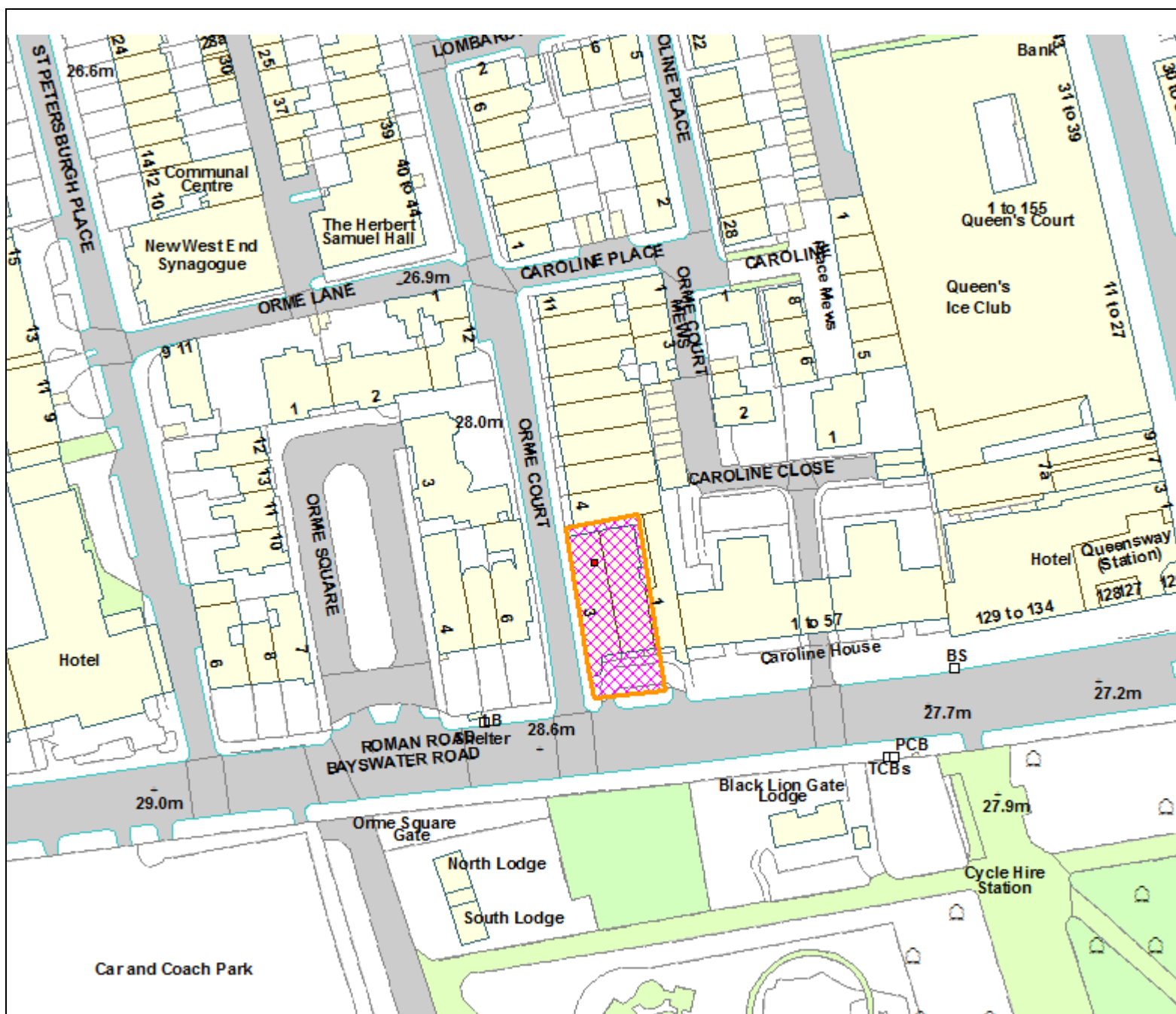
The key issues in the determination of this case are:-

- The acceptability of the loss of 13 self-contained residential flats in land use terms.
- The acceptability of the proposed external alterations and extension in design terms.
- The impact of the proposals upon the amenity of neighbouring residents.
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The proposals are considered acceptable in design and amenity terms. The loss of the C3 residential units is considered contrary to City Council policy however there are in this instance considered

exceptional circumstances in that the provision of short and long term specialist housing is being provided, as well as educational facilities and religious floorspace (community provision) to be directly linked to the existing Elemor Hub at the adjacent properties (granted in the 1980's). In addition the proposals bring about much needed external alterations to an important corner building. For the reasons set out further in this report, on balance and in this particular case it is considered that there is sufficient justification to allow the loss of residential accommodation.

## 3. LOCATION PLAN



#### 4. PHOTOGRAPHS



View from Bayswater Road



View from Grounds of Caroline House to rear

## 5. CONSULTATIONS

### FIRST CONSULTATION

#### WARD COUNCILLORS FOR LANCASTER GATE

Any response to be reported verbally

#### BAYSWATER RESIDENTS ASSOCIATION

Supportive of renovation of building but object to negative impact of ramp to front elevation and suggest short lift preferable.

#### ORME SQUARE ASSOCIATION

Supportive of renovation of south and west elevations, roof extension and dormers, link bridge between No.s 1-3 and 4-11. Neutral view of wheelchair ramp to front entrance. Concern at the proposal for two lift overruns which project beyond the profile of No. 1-3, especially the north-east shaft which is particularly unsympathetic.

#### THAMES WATER

No objection subject to conditions and informatives

#### TRANSPORT FOR LONDON

No objection

#### LONDON UNDERGROUND LIMITED

No comment

#### THE ROYAL PARKS

No objection

#### THE GARDENS TRUST

Any response to be reported verbally

#### ARBORICULTURAL SECTION

No response

#### HIGHWAYS PLANNING

No response

#### WASTE PROJECT OFFICER

Although bin store indicated the drawings submitted are not in line with the council recycling and waste storage requirements. No objection subject to waste storage provision condition.

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 21

Total No. of replies: 1

No. of objections: 0

No. in support: 0  
No. neutral Comment 1

Design:  
Concern at the proposed disabled ramp

PRESS ADVERTISEMENT / SITE NOTICE:  
Yes

**SECOND CONSULTATION** – Following re -working of the East Façade of Nos. 2 and 3, reduction of the height of lift shaft, and omission of direct access to the roof for maintenance, omission of disable ramp and introduction of platform lift in forecourt and submission of additional information on proposed use.

LANCASTER GATE WARD COUNCILLORS  
Any response to be reported verbally

BAYSWATER RESIDENTS ASSOCIATION  
No further response

ORME SQUARE ASSOCIATION  
Supports revisions to the application and now the proposal as a whole.

THAMES WATER  
No further response

TRANSPORT FOR LONDON  
No further response

LONDON UNDERGROUND LIMITED  
No further response

THE ROYAL PARKS  
No further response

THE GARDENS TRUST  
Any response to be reported verbally

ARBORICULTURAL SECTION  
No objections subject to conditions

HIGHWAYS PLANNING  
No objection subject to cycle parking spaces and the two off street car parking spaces be dedicated for disabled users being secured by condition.

WASTE PROJECT OFFICER  
Although bin store indicated the drawings submitted are not in line with the council recycling and waste storage requirements. No objection subject to waste storage provision condition.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 21  
 Total No. of replies: 0  
 No. of objections: 0  
 No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE:  
 Yes

6. **BACKGROUND INFORMATION**6.1 **The Application Site**

2-3 Orme Court is a non-listed building located within the Bayswater Conservation Area. The site is currently in use as 13 self-contained flats (three one bed, five two bed, four three bed and 1 four bed).

The site adjoins 1 Orme Court (to the East) and 4-8 Orme Court (to the North) which are owned and run by the Netherhall Educational Association (NEA) as a residential, religious and educational establishment. The application site is also owned by NEA.

6.2 **Recent Relevant History**

None

7. **THE PROPOSAL**

Planning permission is sought for the change of use of the building to a residential, religious and educational establishment for international community of professionals, students and priests, including en-suite private bedrooms, communal areas, work and study spaces, meeting rooms, library and ancillary spaces (Sui Generis) and the erection of rear and roof extension to 3 Orme Court, erection of link bridge at first floor level between 3 and 4 Orme Court, erection of lift on the northern side of 3 Orme Court and the introduction of platform lift in the forecourt fronting Bayswater Road.

The proposal has been amended during the course of consideration. The amendments involve detailed design changes to the East Façade of Nos. 2 and 3, the reduction of the height of lift shaft, and omission of direct access to the roof for maintenance and the omission of disable ramp and introduction of platform lift in forecourt.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Use (residential)	2038	0	-2038
Use (residential, religious and educational)	0	2130	+2130

establishment)			
Total	2038	2130	+92

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

#### Loss of residential Use

The proposal would lead to the loss of 13 self-contained residential flats and a total of 2038sqm of habitable residential floorspace. All the flats meet minimum space standards and provide a good standard of accommodation. Five of the units are family sized (3 or more bedrooms).

Policy 8 C. of Westminster's City Plan 2019-2040 states that all existing residential units, uses, floorspace and land will be protected, except where: 1. the reconfiguration or redevelopment of supported or affordable housing would better meet need; or 2. non-family sized housing is being reconfigured to create family sized housing. The proposal does not meet these exemptions and so would normally be considered unacceptable. Therefore, for the proposal to be considered acceptable in land use terms then exceptional circumstances must be demonstrated.

#### New residential, religious and educational establishment use

The proposed use of the building is as 23 private en-suite bedrooms with significant communal living areas and facilities, including a library, a gym and therapy pool, halls/meetingspaces, lounges, meeting rooms study and sitting rooms in addition to admin rooms and staff rooms. This accommodation and facilities will be operated by NEA as an extension to the existing Elmore Centre which occupies the adjacent buildings at Nos. 1 and 4-8 Orme Court and operates as a mix of residential, religious and educational uses. The applicant states that the use involves a coexistence of a residential and community element allowing its members to share a living space which is a mix between a hall of residence, spiritual centre and training centre for charitable and educational facilities.

The NEA's stated aims are to provide personal development to people of all ages but particularly young people. This includes mentoring for which Elmore Centre is a hub. The NEA states that from the Elmore Centre, people have organised projects to feed the homeless near Victoria or helping out in soup kitchens among other social activities in Westminster and elsewhere.

The residents are anticipated by the applicant to be a made up of three main groups. Firstly people working for NEA or NEA projects or as chaplains to NEA projects for whom accommodation is part of their job. Secondly residents who have their own jobs and use the property, pay rent and use the centre as their long term accommodation and in some cases give part of their time to NEA projects. Thirdly short term residents such as visiting academics who typically stay for between a week and a full academic year, pay rent and may be involved in NEA activities as their circumstances allow.



Accommodation would be available to members of the NEA and other religious charities and institutions only. It is considered that the proposed use is “Sui Generis”.

It is considered that the proposed use falls under the Specialist Housing category of Policy 10 of the City Plan 2019-2040. Policy 10 D. states that the council supports the provision of well-managed new housing which meets an identified specialist housing need. Because of the mixed nature of the type of use proposed it is also considered that policies 17 and 18 Policy of City Plan 2019-2040 which relate to community and education facilities are also relevant. Policy 17 of City Plan 2019-2040 supports new community infrastructure and facilities where there is an identified present or future need and Policy 18 supports the provision of new or expanded education facilities to meet the needs of a changing population and enhance education provision. Policy S1C of the London Plan also states that Development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.

The applicant has stated that there is a need for an expansion of the accommodation because of an increased in demand for people wanting to live in this environment. The NEA has outlined that they identified the need for more space in 2001 which had been behind their purchase of 2-3 Orme Court. Since this time the NEA has been expanding their operations. This has meant that more and more people are associated with projects run by NEA or in which NEA is involved who require accommodation in central London. There are currently nine people waiting to move to the existing Elmore Centre and it is anticipated this will increase.

The existing configuration of the property as 13 self contained units within C3 use would not meet the requirements of the NEA, the operational model of which involves members sharing living space and facilities. The NEA have stated that this form of accommodation is essential in order for them to operate successfully.

The exceptional circumstances in this case include the fact that due to the sites unique position located adjacent to the properties forming the existing NEA Elmore Centre it provides the most efficient and logical location for the expansion of that facility and consolidation of its activities. It would ensure the continuation of the educational, pastoral and residential activities of this long term occupier on the site (The NEA have operated from 6 Orme Court since 1962 and expanded into No's.1, 4, 5, 7 and 8 Orme Court in the 1980's). This amalgamation and development on the site would achieve a number of goals of sustainable development including consolidating compatible land uses, optimising the sites potential, guaranteeing high accessibility for all users and reducing the need for travel between sites if NEA was required to find another site to expand its facilities.

It is also noted that as a result of the proposal, although Class C3 residential accommodation would be lost, the site would still provide specialist housing within a communal living environment the majority of which would be permanent residents with a small number of rooms being available for visitors who contribute towards the NEAs work. The applicant has confirmed that they would be agree to a condition making any permission for the use personal to the NEA.

It is noted that Paragraph 92 of the NPPF states 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.

Because of the nature of the use and in particular the high degree of communal facilities the space standards for the residential accommodation element are not assessed as they would be non-self contained residential accommodation. All units are en-suite and would have a good level of natural light and provide a good standard of accommodation for specialist housing.

In this particular unique set of circumstances, it is considered that there is sufficient reason to justify the loss of the residential accommodation. It is recognised that good quality accommodation with a significant number of family sized units will be lost but on balance for the exceptional circumstances outlined above the provision of this specialist housing outweighs the loss of 13 self contained units in this case.

## 8.2 Townscape and Design

The key legislative requirement in respect to designated heritage assets is s.72 of Planning (Listed Buildings and Conservation Areas) Act 1990 and states 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."*

The relevant policies for consideration are 38, 39, 40 of the adopted City Plan April 2021. Whilst there is no statutory duty to take account of effect on the setting of a conservation area, policy 39 of the Westminster City Plan 2019-2040 (April 2021) requires development to conserve features that contribute positively to the settings of conservation areas and take opportunities taken to enhance their settings, wherever possible. 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.

No. 1, 2 and 3 Orme Court are an attractive group of mid-late 19<sup>th</sup> century, red brick Victorian buildings with principal façade facing Bayswater Road. The buildings comprise of 3 storeys plus basement, attic (3<sup>rd</sup> floor) and later roof additions (4<sup>th</sup> floor). The buildings are set back from the road, arched entrances, stone dressed windows and banding between storeys with attractive loggia and railing balcony at 1<sup>st</sup> floor. The roofscape is varied and comprises of deep tiled roofs, turrets, brick faced hipped roof dormers and tall brick chimney stacks. No. 4-11 Orme Court are attractive late 19<sup>th</sup> century Art's and Craft inspired red brick terraced buildings, comprising of 3 stories, plus basement set in a lightwell with Dutch gables with steep double attic behind, stone dressed chamfered bays and entrance canopy with first floor continuous metal balcony. These buildings are not listed but retain high quality original features and are unlisted buildings of merit in the Bayswater Conservation Area.

The development proposal seeks to physically link 3 and 4 Orme Court via a new bridge structure in the gap between the buildings and a ramp to operate as an integrated site and provide direct internal access to shared communal facilities. Installation of 2 new

lifts and a platform lift outside 2 Orme Court to improve access into and around the buildings, removal of unsightly later additions and reinstatement of the front façade. Alterations and extension at the rear of 2 and 3 Orme Court with improved amenity space, extension of the existing mansard at the rear of 3 Orme Court to create new residential units, installation of photovoltaic panels and new crucifix to the corner turret. The application has been subject to pre-application discussions and negotiations during the course of the application, has changed significantly in response to concerns raised by officer's and local residents.

The proposed bridge structure is well set back and sensitively designed to complements the character and appearance of the buildings and no harm to the conservation area. Also the alterations to the rear elevation would significantly improve on the existing facture and ugly appearance at the rear, there is additional bulk with new extensions but are of an appropriate in scale, detailing and appearance that would not harm the character and appearance of the building or the conservation area.

A large ramp with Cor-Ten steel balustrade was originally proposed to provide level access into the building (2 Orme Court), this has been revised due to officers and neighbours concerns on the significant harmful impact on the buildings. The revised scheme involves the installation of a platform lift and associated new steps with match balustrade outside 2 Orme Court, this is a significant improvement and acceptable impact on the appearance of the building to facilitate level access. Also 2 new lifts are proposed to provide access to all floors throughout 1-3 Orme Court. A lift in proposed near the entrance of 3 Orme Court and another located on the rear elevation of the same building, this has been supported by a lift study and justification. The height of both the lift shafts have been reduced during the application. Both would be visible in long townscape views, in particular a lift shaft would be seen behind the attractive corner turret. However, with the reduction in height and visible against existing roof features such as chimney stacks and dormer hipped roofs as well as the removal of unsightly dormers and restoration of a 3<sup>rd</sup> floor historic hipped dormer roof this part of the proposal is on balance is considered acceptable.

The proposal for a new storey to the existing mansard roof at the rear of 3 Orme Court has been revised to redesign the form and reduce the number, scale and sized of the dormers and this is a vast improvement to the relationship of the building. The roof extension would add bulk and be clearly seen in the townscape views from Bark Place and Orme Square. However, given the improvements to design and the particular circumstances of this case, the impact to the building and the conservation area is outweighed by the benefits of creating new residential units with improved integration and continued use of this extensive site and the improvements to the front façade.

The existing operation of the building provides centralised catering facilities in 4-8 Orme Court thus reducing waste and power consumption and this will continue as part of the proposal. Also, the plans demonstrate large bicycle storage to encourage this method of transport. The development proposal includes various new and retrofit features to improve the environmental performance and operation of the building such as the thermal insulation to walls throughout the building, installation of double glazing with improved air tightness, new underfloor heating in 2 and 3 Orme Court. High-efficient heat pumps with attenuation screens has been discussed in the Design and Access Statement but has not been specifically identified on the plans. Photovoltaic panels are

proposed on the flat roof at the rear of 3 Orme Court and mounted to the new flat roof of the extension. In addition, the Design and Access Statement has discussed the storage of salvaged building materials in the rear court to be re-used in the development. All these measures are encouraging within minimal impact on the character and appearance of the building and the Bayswater Conservation Area, in accordance with policy 38, 39, 40 of the adopted City Plan April 2021.

### 8.3 Residential Amenity

Development that could result in a change to the amenity of neighbouring residents such as that of the proposals here must be found to be in accordance with policy 7 of the City Plan 2019 - 2040. The policy seeks to prevent unacceptable impacts in terms of losses of daylight and sunlight, privacy and increases in sense of enclosure and overshadowing.

#### Sunlight and Daylight

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant's consultant, Gia has carried out the necessary tests using the methodology set out in the BRE guidelines on residential properties surrounding the site.

The proposed alterations relevant for daylight and sunlight testing consist of the erection of rear and roof extension to 3 Orme Court, erection of link bridge at first floor level between 3 and 4 Orme Court, erection of lift on the northern side of 3 Orme Court and extension of the northern chimney. It should be noted that the proposed lift shaft has been reduced in height by approximately 0.75m since the sunlight and daylight assessment data was run, which is likely to have only a minor reduction in the impact of the proposal.

Consideration has been given to the Vertical Sky Component (VSC) and No Sky Line (NSL) for daylight whilst sunlight effects have been identified through the assessment of Annual Probable Sunlight Hours (APSH) and Probable Sunlight Hours in Winter (WPSH).

The assessments have shown that the impacts on 1 Caroline Close, 1 Orme Court and 6 Orme square would be compliant with BRE's recommendations for both daylight and sunlight.

With the exception of one window serving one non-habitable room, all windows and rooms of 4 Orme Court would also be BRE compliant for both daylight and sunlight. The only room seeing relative reductions beyond BRE recommendations does so due to the very low existing levels of light, for which very small absolute reductions generate disproportionate relative alterations. This room however does not accommodate a habitable use and as such the impact would not affect the occupants' main activities. The effects on this property are unlikely to be noticeable, and are therefore considered acceptable. It should be noted that 4 Orme Court forms part of the existing Elmore Centre which the site is proposed to be amalgamated with.

With the exception of two rooms seeing NSL reductions slightly beyond 20%, all windows and rooms of Caroline House to the east would also be BRE compliant for both daylight and sunlight. Planning records suggest that the two rooms seeing NSL reductions of 20.4% are bathrooms and as such they would not be considered relevant for assessment. Overall the impacts upon Caroline House are considered acceptable.

### **Sense of Enclosure**

It is considered that the relatively modest scale of the proposed additional bulk to the building and the distance (over 20 meters from Caroline House) and orientation to the nearest adjacent windows mean that there will be no significant increase in sense of enclosure to neighbouring properties.

### **Privacy**

The new fenestration to the eastern elevation will be approximately 21 meters from Caroline House which they face and therefore are not considered to result in any significant increase in overlooking. The new dormer windows on the western elevation will be set back from the existing fenestration on this elevation and would not result in any significant increase in overlooking.

The proposal includes terraces at rear second floor and fourth floor level however these are approximately 18 meters and 21 meters away from the windows of Caroline House that they face and therefore are not considered likely to result in significant overlooking.

### **Amenity impact of proposed use**

The proposals with its short and long term residential accommodation and facilities as a result of the changed of use is likely to result in some increase in pedestrian movements from the site however as detailed above the use would be an expansion of the existing use by the NEA which has operated Elmore Centre in adjacent buildings for 50 years and has a track record of managing the use without complaints related to noise or anti-social behaviour from neighbours. It is not considered that the change of use of the site would result in any significant harm to surrounding residential amenity. It is also noted that the amalgamation of 2-3 and the proposed bridge link to 4 Orme Court would internalise existing movements between the buildings.

### **Noise**

The applicant has stated that the use of the rear terraces will be managed to ensure that no large gatherings or noise generating activities will take place there. It is considered that such management together with the distance to surrounding residential properties would mean it is unlikely to create noise disturbance.

The proposal does not include the installation of any external mechanical plant.

## **8.4 Transportation/Parking**

### **Car Parking**

There are currently 2 parking spaces and these are proposed to remain. Policy 27 does not require parking for any residential or commercial use. The City Council's Highways Planning Manager has requested that the retained car park spaces are restricted to disabled users only and the applicant has agreed to this. The proposals are considered acceptable in car parking terms.

### **Cycle Parking**

The proposal include 23 specialist housing/ residential units and cycle parking standards require that they should each have a cycle parking space. 24 cycle parking spaces are provided, 12 internally and 12 externally. Although ideally the 23 spaces should be weatherproof and secure it is recognised that there are practical issues with providing all these spaces internally and there would be undesirable design implications in providing enclosed sheds within the forecourt of the property. The required quantum of spaces has been provided and in this case the provision is considered acceptable.

### **Servicing**

Servicing will take place from the in/out courtyard at the front of the building which is off the public highway and this is therefore in line with City Plan policy and acceptable.

The Waste Project Officer has no objection to the proposal subject to a condition requiring the submission of waste storage provision in line with the City Councils requirements.

## **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

## **8.6 Access**

The proposal involves a number of improvements to the building which will make it and the adjoining building more accessible to disabled and wheelchair users. This includes the reconfiguration of the internal lift provision and a new platform lift linked to the front stair access in the forecourt, will also provide wheelchair users access to the building.

## **8.7 Other UDP/Westminster Policy Considerations**

### **Trees**

There are no trees on site, but there is a London plane in the footway outside 1-3 Orme Court and an Indian bean tree outside Caroline House. Both of these trees are owned and managed by the City Council. At the rear of Caroline House, adjacent to the boundary with 1 Orme Court, there are London planes but no tree survey or arboricultural implication assessment has been submitted so it is not certain if there are 2 or 3 of these.. All of trees are protected by virtue of being in a conservation area, and the trees at the rear of Caroline House are protected by a Tree Preservation Order.

The replacement of the existing surfacing in the front forecourt may impact on the London plane in the footway and additional impacts as a result of construction are likely, for example compaction as a result of site activity and storage, and potentially the need scaffold. Following the submission of additional information regarding potential scaffolding, The City Councils Arboricultural Officer has no objection to the proposal subject to Tree Protection conditions including the submission of a tree survey.

#### 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**

There is no Neighbourhood Plan for the site under consideration.

#### 8.10 **London Plan**

This application raises no strategic issues.

#### 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the tree protection details. The applicant has agreed to the imposition of the condition.

#### 8.12 **Planning Obligations**

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

#### 8.13 **Environmental Impact Assessment**

An Environmental Impact Assessment is not required for this proposal.

#### 8.14 Other issues

The applicant has argued that if permission for the proposal is refused, there will be a serious interference with the Article 9 rights of the Applicant to manifest his religion or belief, in worship, teaching, practice and observance in community with members of the NEA and other Catholics. It is not considered that refusal of the application would interfere with these rights as it would not result in the loss or negatively impact on the existing NEA facilities, including those adjacent to the site. If refused on the grounds of the loss of the residential units under Policy 8 of Westminster's City Plan 2019-2040 it is considered that it would be with the legitimate public interest objective of protecting existing housing in the City. However in this case as set out in this report is considered that there are exception circumstances as to why the proposal should be approved.

(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: KIMBERLEY DAVIES BY EMAIL AT [KDAVIES1@WESTMINSTER.GOV.UK](mailto:KDAVIES1@WESTMINSTER.GOV.UK) .



9. KEY DRAWINGS



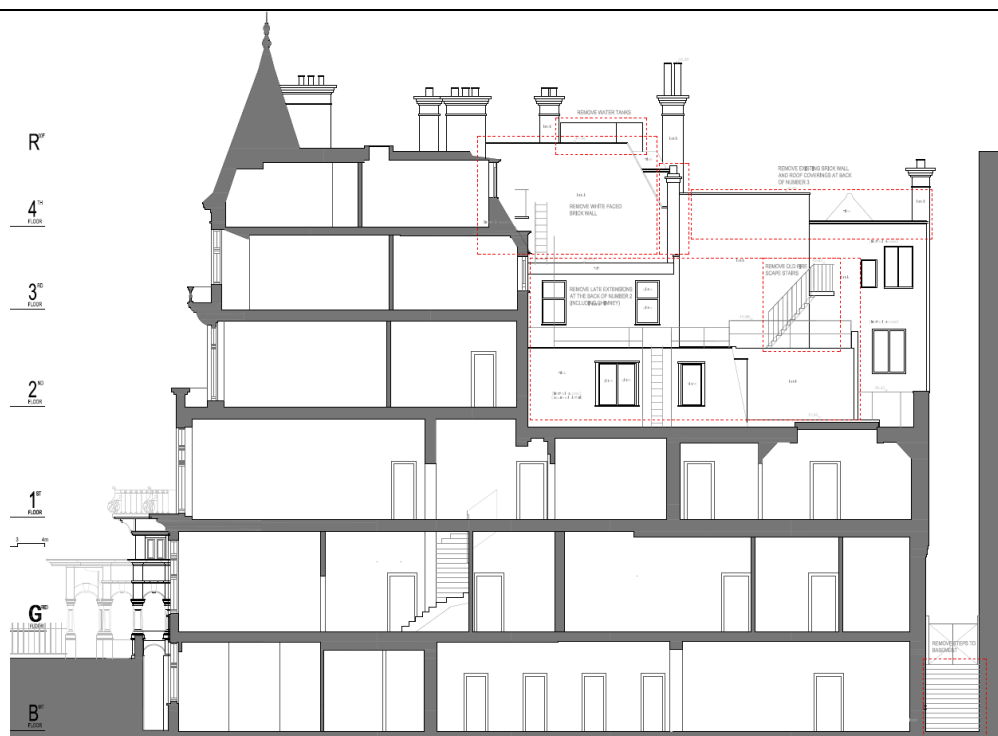
DESIGNED BY THE ARCHITECT 1 REVISION	DATE NOV-2020	DESCRIPTION FOR PLANNING PERMISSION	THIS DESIGN COMPLIES WITH ALL THE REQUIREMENTS OF THE BUILDING REGULATIONS AND THE REQUIREMENTS OF THE PLANNING ACT 1990 AND THE REQUIREMENTS OF THE PLANNING ACT 1990	CASIMIRO ASSOCIATES ARCHITECTS 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	CLIENT NETHERRALL EDUCATIONAL ASSOCIATION	PROJECT ALTERATIONS TO 2 & 3 ORME COURT LONDON W2	DRAWING TITLE EXISTING SOUTH ELEVATION	SCALE AT A1 SIZE UNLESS NOTED 1:50
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Existing South Elevation



Proposed South Elevation





Existing Section A



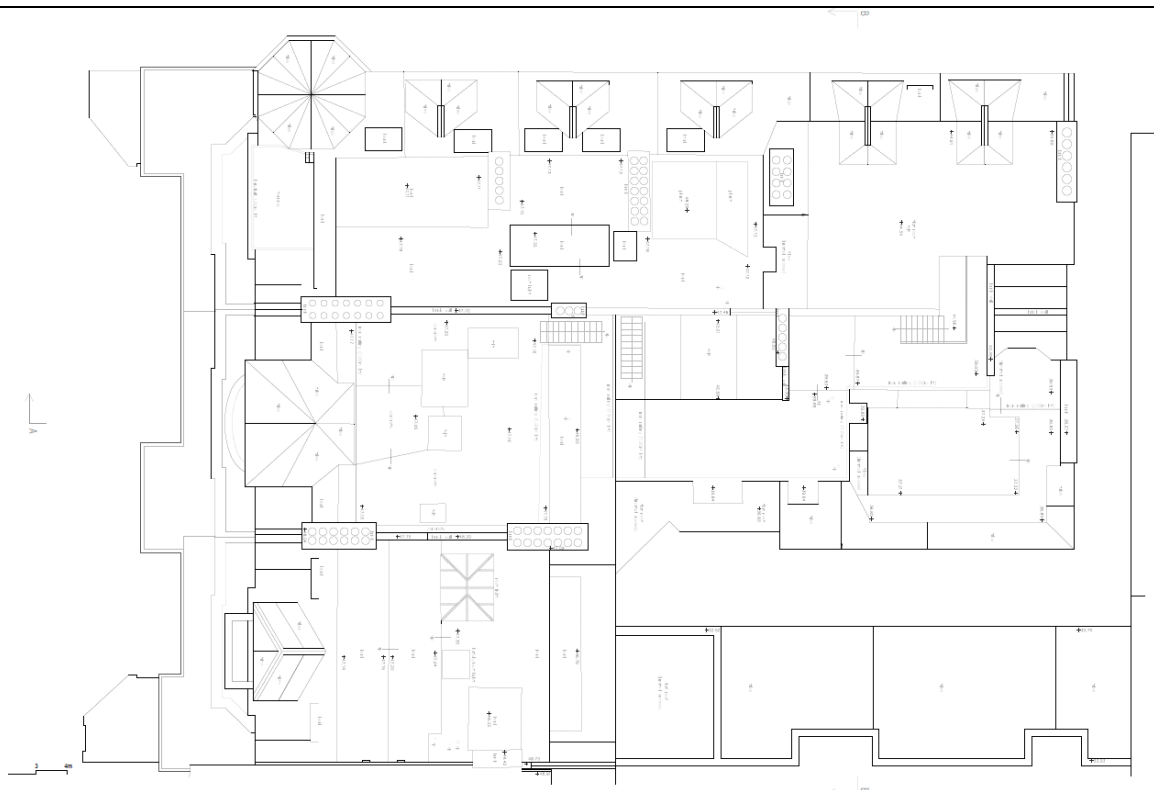
Proposed Section A



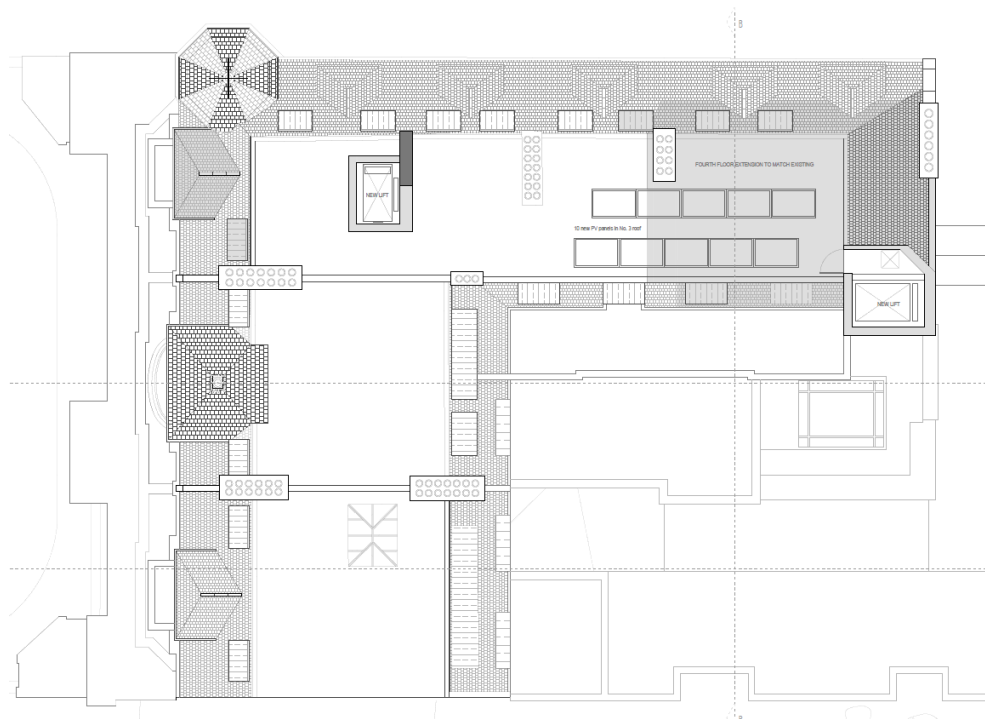
Existing Section B



Proposed Section B



Existing Roof Plan



Proposed Roof Plan

**DRAFT DECISION LETTER**

**Address:** 3 Orme Court, London, W2 4RL

**Proposal:** External alterations and extensions to 2-3 Orme Court, amalgamation of 2-3 Orme Court with 1 and 4-8 Orme Court, internal reconfigurations and refurbishments to facilitate change of use to residential, religious and educational establishment for international community of professionals, students and priests, including en-suite private bedrooms, communal areas, work and study spaces, meeting rooms, library and ancillary spaces (Sui Generis).

**Reference:** 20/07819/FULL

**Plan Nos:** XS00; XB00; XB01; XG00; XP01; XP02; XP03; XP04; XR00; EXA; EXB; XE1; XE2; XE3; XE4; GAS00 Rev2; GAB00 Rev2; GAB01 Rev2; GAG00 Rev3; GAP01 Rev2; GAP02-PP-Rev2; GAP03 Rev2; GAP04-PP-Rev2; GAR00 Rev2; GAXA Rev2; GAXBRev2; GAXC Rev2; GAE1a Rev2; GAE2 Rev2; GAE3 Rev2; GAE4 Rev2; GAD03 Rev2; GAD01 Rev2; GAD02 Rev2; Design and Access Statement - Revision: May 2021; Planning Statement with Appendices; Addendum to Planning Statement; Letter on land use February 2021; Additional Information on Land Use March 2021; Heritage Statement; Daylight and Sunlight Assessment; Sustainability Statement;

**Case Officer:** Richard Langston

**Direct Tel. No.** 020 7641  
07866036470

**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 , onot 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 This permission shall be personal to the Netherall Education Association and shall not endure for the benefit of the land.

**Reason:**

In granting this permission the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in the event of the Netherall Education al Association vacating the premises, in the light of the Development Plan and any other material considerations.

- 4 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 5 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 7 You must apply to us for approval of samples and annotated detailed drawings (scale 1:1/1:15/1:20/1:50) of the following parts of the development - Crucifix attached to the corner turret, roof extension, rear facade alterations including lift, bridge structure and ramp, platform lift and associated steps/balustrade. 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 samples and detailed drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 8 **Pre Commencement Condition.** You must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on drawing 2107 - GA S00 - PP/rev2. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2012. You must then carry out the work according to the approved details. (C31AC)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021). (R31AD)

- 9 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the landscaping and planting within 1 year of completing the development (or within any other time limit we agree to in writing)., , If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CC)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Bayswater Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R30CE)

- 10 You must provide, maintain and retain the following energy efficiency and biodiversity measures before you start to use any part of the development, as set out in your application.  
PV panels,  
Green roofs  
You must not remove any of these features. (C44AA)

Reason:

To increase the biodiversity of the environment, and ensure that the development provides the sustainability features included in the application as set out Policies 34, 36 and 38 of the City Plan 2019 - 2040 (April 2021).



- 11 You must provide each cycle parking space and associated facilities for cyclists shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces and associated facilities for cyclist must be retained and the space used for no other purpose. (C22IA)

**Reason:**

To provide cycle parking spaces and associated cycling facilities for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22GA).

- 12 You must apply to us for approval of details of a revised plan to be submitted to the City Council indicating proposals for the storage of residual waste, food waste and recyclable materials., , You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark the stores and make them available at all times to everyone using the building.

**Reason:**

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 13 The two car parking spaces on the forecourt marked as disabled parking spaces on the approved drawings must be provided for disabled users only.

**Reason:**

To provide disabled user car parking in accordance with Policy 6.13D of the London Plan.

**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 Some of the trees adjacent to the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You can apply online at the following link:

[www.westminster.gov.uk/trees-and-high-hedges](http://www.westminster.gov.uk/trees-and-high-hedges). You may want to discuss this first with our Tree Officers by emailing [privatelyownedtrees@westminster.gov.uk](mailto:privatelyownedtrees@westminster.gov.uk).

- 3 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You can apply online at the following link:  
[www.westminster.gov.uk/trees-and-high-hedges](http://www.westminster.gov.uk/trees-and-high-hedges). You may want to discuss this first with our Tree Officers by emailing [privatelyownedtrees@westminster.gov.uk](mailto:privatelyownedtrees@westminster.gov.uk).
- 4 When you apply to us for approval of details of tree protection under the terms of Condition 8, the proposal should be accompanied by an up to date tree survey. This information should be prepared by a suitably qualified arboriculturist in accordance with the recommendations of BS5837: 2012 (Trees in relation to design, demolition and construction- Recommendations).

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.