

Applicant response to Committee Book

Prepared by LUC and David Miller Architects on behalf of King's House School

08/02/2022

We refer to the Committee Book submitted to all Committee Members over the weekend 5/6th February 2022. While the Committee Book simply repeats the various objections submitted on behalf of the objector over many months, and on several occasions, we felt it necessary to respond again to the points made. The Committee Book makes no reference to the detailed responses submitted by the applicant to these points, nor the fact that all matters have been satisfactorily addressed and confirmed as such by Council Officers and all technical consultees. Furthermore, in many cases the details included are inaccurate and misleading. But in summary:

- The Committee Book questions whether the new application is materially different from the previous application. It demonstrably is in several respects, and fully addresses the two reasons for refusal.
- The Committee Book repeats the numerous inaccurate and misleading statements submitted by the objector. For example, none of the visualisations submitted by the objector are in accordance with the Landscape Institute's *Visual Representation of Development Proposals Technical Guidance Note 06/19 17 September 2019*. Consequently, they cannot be relied upon in decision-making (e.g., page 17).
- There are numerous assertions not backed up by robust technical evidence. For example, the objector's Arboricultural Consultant is quoted as saying retained trees will not survive or have limited chance of survival (page 18). The detailed tree assessment work submitted with the application, including on-site trial-trenching and verification with the Council's Tree Officer, proves this is not the case. All proposed tree work complies with British Standard "Trees in Relation to Design, Demolition and Construction - Recommendations" (BS 5837) (2012).
- The scheme complies with Policy 12 of London Plan - Fire. A signed declaration has been submitted to this effect, as required by the policy. It is bordering on the preposterous to suggest Kings House School would sanction a development proposal which is contrary to the required fire safety standards given the overriding priority of protecting pupil and staff safety (page 7).
- Andraos Associates analysis, the detail of which has not been made available, is wrong with respect to accessibility (page 25). A primary driver of the scheme is to improve pupil, staff, parent and community-user accessibility, and this has been achieved
- Aspect Ecology's assertion that there will be no Biodiversity Net Gain (BNG) is wrong (page 19). The BNG has been calculated using DEFRA's BNG Metric 3.0, the required metric for calculations of this sort. The application of the metric is fully documented and confirmed as accurate by the Council's Ecologist. The BNG is 15.2%.
- The assessment of relevant planning policies prepared by Walsingham Consultants is not supported by evidence (page 28). In contrast, the Planning Statement submitted with the application explains in detail why the proposed scheme complies fully with all extant development plan policy, a fact confirmed by the Council Officers in the Committee Report.

We set out in the table below our response to the points made:

Comment in Committee Book	Page	Applicant response
Charmouth Court separation is given as 26m.	1	This is incorrect, the separation is 23m.
Is this application materially different to last years application?	2	It demonstrably is materially different in several respects, and fully addresses the two reasons for refusal. This view is supported by officers, in the officer's report.
The objector states the volume of the current planning application as 5350.6 cubic metres total and 3252.6 cubic metres excluding the gym block. They state the previous planning application volume as 5318.2 cubic metres and 3220.2 cubic metres respectively.	3	These figures incorrectly suggest that the volume of the current application is higher than that of the previous application. As stated in past responses these figures are actually: Previous application: 5922 cubic metres Current application: 5589 cubic metres The volume of the refurbished hall remains unchanged.
Height, mass and siting of music and classroom block – elevation of classroom and music block.	4	The objector has generated an unusual elevation taken at a 45-degree angle to suggest that the proposed extension dominates No.64a This is a very confusing drawing. We believe it has been generated from a poor quality 'SketchUp' model built from PDFs. It isn't accurate. If it was, the person positioned 'for scale' would be 1.2m (3'11") high. The digital survey shows that the ridgeline of No. 64a is 176mm higher than drawn and the eaves are 191mm higher than drawn.
Siting of the buildings.	6	The separation distances on this page are not accurate, they are: 7.1m not 6.8m 10.3m not 10m 8m not 7.6m
Fire - non-compliance with Policy 12 A of London Plan.	7	The Planning Fire Safety Strategy, Revision C, 08/02/2022 has been prepared under the supervision of Lee Leston-Jones, partner at Cundall and Steven Reilly, Associate Member of the Institute of Fire Engineers. Paragraph 1.2 includes the following signed declaration of compliance: <i>A number of objections have been raised with regards the fire service access to the building extension meeting the guidance set out in with BS 9999, Fire Safety in the design, management and use of buildings – Code of Practice (2017). As set out in section 2.2.6 of this document mitigation measures have been taken into consideration to compensate for the design not meeting the BS 9999 guidance and therefore, this Declaration of Compliance section has been added to the Fire Statement to confirm that in the authors</i>

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		<i>professional opinion, the objections do not comprise a failure to meet the requirements of Policy D12(A) (or D5 (B5) (where applicable) and no amendments are required.</i>
Is there precedent in the Conservation Area for back land development of this scale?	8	<p>The objector states that the proposed built area is 61% of the garden of No.66.</p> <p>The objectors' dimensions are not accurate.</p> <p>The proposal is built in the grounds of both No.66 & 68 and is 25% of their garden area.</p> <p>Separation between 64a and 62 is 18.2m not 25m.</p> <p>The Committee report accepts that the character of this part of the conservation area has already been changed by historical backland development and the proposal is not alien within this context.</p>
Damage to trees	9, 10, 11, 12, 13, 14, 15, 16, 18	<p>Trail pits which were dug next the Holm Oak Trees showed no roots in the foundation areas at all. Excavation depth figures showed that no roots will be found down to the proposed base of the slab. A watching brief will be maintained during the construction phase with all excavation work within the RPAs of trees 1, 2 and 4 to facilitate the installation of the foundation system being completed under direct arboricultural supervision.</p> <p>Similarly, excavation depths close to tree 21 is within the allowable incursion into the trees RPA. As with the above a watching brief will be maintained and a detailed Arboricultural Method Statement will be prepared prior to any works being undertaken.</p> <p>With regards to drainage runs it is usual that the issues of drainage and levels are addressed in a detailed Arboricultural Method Statement, which is usually prepared post planning, and which will be prepared in this case.</p> <p>Alternative drainage routes are being investigated (for example combining the runs from FW4 and SW8 into the existing manhole EX MH1 as the downstream pipe already exists – this manhole is currently buried and so further investigation would be needed at stage 4). However, if this is not possible then steps will be taken to minimise any potential damage, for example: simplification of the drainage, root radar, and a methodology to shore around any larger routes will be developed and set out in the detailed Arboricultural Method Statement.</p> <p>Any trees considered at risk from construction will be appropriately protected and this will be set out in a detailed Arboricultural Method Statement. However, it is noted that construction vehicles accessing the site will be limited in size due to the width of the access routes. One of the trees mentioned is in a planter and so will not be at risk, the other two trees are located off site, behind fencing and in an area of hardstanding.</p>

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		<p>An assessment of the Strawberry Tree at the front of the site has been undertaken and it is concluded that the limited amount of pruning required will not affect the vitality of the tree.</p> <p>It is noted that a number of conditions requiring tree protection have been recommended.</p> <p>The School's arboricultural consultants, as well as the tree officer at the Council are happy that the trees retained on site will be not be damaged as a result of the proposals.</p> <p>With regards to loss of amenity and harm to the Conservation Area it is noted that the Holly tree will be replaced like for like and significant screening between the properties will remain from the retained trees. A further 22 trees are being planted on the site and a CAVAT payment will be made to fund further planting in the borough.</p>
No Biodiversity Net Gain	19	<p>The calculations carried out by the applicant's ecologists shows that BNG of 15.2% will be achieved. The Green Roof has been designed such that the shaded areas below the PV panels still provide habitat, similarly with the gravel border. Both the applicant's ecologist and the Council ecologist agree this is the case.</p>
Additional load on existing foundations	19	<p>The objector is concerned about the additional load on the existing foundations of the multi-purpose hall.</p> <p>This has been responded to in detail by Elliott Wood the structural engineer.</p> <p>This is a repurposing of a previous query when Andros Associates confused the poor quality early 1970s gym (planned for demolition) with the current multi-purpose hall built in the late 1990s which is being retained.</p>
<p>Image provided on page 20 - view looking into the front façade of 64A.</p> <p>Image provided on page 21 – view looking in from 2nd floor bedroom window.</p> <p>Image provided on page 22 – view from the garden of Number 64.</p>	20, 21, 22	<p>This is a very poor-quality model which is not verified and is clearly not to scale. The person placed in the image 'to give scale' is the same height as the letter box.</p> <p>On page 20 the 10m separation is to corner of 64a. Not to the front door as the 3D suggests.</p> <p>Trees along the boundary have been omitted for effect.</p> <p>The railing shown around the M&E kit is in fact a fully enclosed acoustic screen. The screen has been sized to comfortably enclose the proposed M&E.</p> <p>The suggested plant shown in the image is misleadingly oversized.</p> <p>On page 22 with regard to the sprinkler enclosure and as clarified previously, the water storage tank is below ground. The enclosure is for the pump and associated pipework only. Its roof is at 2.9m not 3.5m as stated.</p>
Noise impacts	20, 21, 23	<p>Calculation / prediction of plant noise emissions cannot be undertaken until more detailed design information relating to new plant / equipment is available. However, noise emission</p>

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		<p>limits have been identified for any new plant / equipment based on local authority requirements / relevant standards. The mechanical services engineers are aware of the plant noise limits that have been set and will make selections of plant and attenuation accordingly.</p> <p>The plant is in an acoustic enclosure and is a minimum of 13 meters from No.64a's adjoining elevation, not 7m.</p> <p>The sprinkler pump is fully enclosed within a building.</p> <p>The outdoor learning area will be used for supervised learning and will replace the astro-turf play area, it is therefore anticipated that noise from this area will be reduced. The 1m distance to the house referred to, is to a blank façade.</p> <p>Conditions have been suggested and agreed to which would address any potential for noise impacts. The Environmental Health Officer at the Council is happy with this approach.</p>
Loss of garden amenity	22	<p>It is noted the image on page 22 does not show any of the trees that will be retained along the boundary with number 64 which will provide significant screening therefore, this image is very misleading.</p> <p>The Holly tree will be replaced like for like and additional trees will be planted. The large Lime tree and Ginkgo tree provide sufficient screening behind the Ash Tree that is to be removed. Additional planting is proposed along the boundary which will increase screening.</p> <p>Furthermore, windows on the first floor of the classroom block will be obscured, as will windows on the first and second floors music block. All windows on the music block will be fixed shut to protect residential amenity.</p>
Light pollution	24	<p>It is noted that recommended condition NS12 requires black out blinds to be added to the windows facing number 64 to limit any light pollution.</p> <p>There is no lighting proposed to the perimeter elevations which face the boundary wall of 64 or 64A. The Lighting Isoline Plot BSXX(63)4002 indicates there will be less than 0.03lux arriving at either building from the proposed lighting in the school courtyard. External lighting de-energises at 22:00.</p> <p>Screening will be provided by the large number of trees located along the boundary with 64 and 64a which will further reduce any light spill. The images contained on this page which omit the trees are misleading.</p> <p>We would like to clarify that the 'architect's impressions' were not created by the applicant.</p>

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Are there any real accessibility benefits?	25	<p>No.66 & 68 are old houses built on multiple levels and half levels, they have narrow staircases, landings, corridors, and doorways. It is simply not practicable to alter the existing building in the way Andraos Associates proposes.</p> <p>The school's approach is to build new optimal sized and proportioned classrooms to free up the previously domestic spaces for other uses. And to use the central quad to resolve the level changes between the buildings to improve access.</p> <p>A primary driver of the scheme is to improve pupil, staff, parent and community-user accessibility, and this has been achieved.</p>
Is the harm to the Conservation Area outweighed by the benefits?	26	<p>No harm is found to be caused to the heritage assets. As a result paragraph 196 of NPPF is not invoked, requiring a balance with public benefits. However, additional benefits, over and above those required to justify the scheme in heritage terms, are included within the proposals including improvements to accessibility, biodiversity and sustainability.</p>