



ROBINSON ESCOTT PLANNING LLP



CHARTERED TOWN PLANNING AND DEVELOPMENT CONSULTANTS

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Mr T Cuthbertson
Development Management
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

04 March 2021

Dear Mr Cuthbertson

FLAT 3 40 MONTAGU SQUARE LONDON W1H 2LL
APPLICATION FOR PLANNING PERMISSION AND LISTED BUILDING CONSENT
PLANNING STATEMENT

Introduction & Proposal

1. I am instructed by the applicants, Mr, and Mrs O. Merican, to prepare a Planning Statement in support of an application for planning permission and listed building consent at Flat 3, 40 Montagu Square, London.
2. In summary, the following main elements are sought, with a comprehensive list of all works outlined on the keys of the proposed drawings:
 - The replacement and upgrading of the early 20th century roof lantern.
 - Improved insulation at fourth floor.
 - Modification of the layout at third floor, including an alteration to the handrail of the late Victorian or Edwardian landing area.
3. This submission represents a revised set of proposals following the withdrawal of applications 20/06617/FULL and 20/06618/LBC.
4. This Planning Statement should be read in conjunction with the planning drawings prepared by Beacham Architects and the following technical documents:
 - Design and Access Statement – Beacham Architects.
 - Heritage Impact Assessment – Heritage Collective.
5. The purpose of this Planning Statement is to assess the site and its history, review relevant planning policy and legislation and to undertake a planning appraisal of the development proposals.



Site & Planning Designations

6. The application site comprises a flat which occupies the top two floors of a five storey (plus basement) property on the western side of Montagu Square. In terms of planning designations, the site is Grade II listed and is located in the Portman Estate Conservation Area.
7. A full description of the property and the heritage designations is outlined in the Heritage Impact Assessment.

Planning History

8. The only planning history listed on the Council's website for the property are the two applications which were withdrawn late last year:
 - Remodelling and refurbishment of a third and fourth floor flat including replacement windows and a replacement enlarged roof light. (Linked to 20/06618/LBC)
Ref. No: 20/06617/FULL | Status: Application Withdrawn
 - Remodelling and refurbishment of a third and fourth floor flat including replacement windows and a replacement enlarged roof light. (Linked to 20/06617/FULL)
Ref. No: 20/06618/LBC | Status: Application Withdrawn
9. The advice received from these applications has informed this resubmission.

Planning Policy & Legislation

Planning Policy

10. The following planning policy has been reviewed as part of this Planning Statement:

National Planning Policy Framework (NPPF)

11. The following chapters of the NPPF have been reviewed as part of this Planning Statement.

- (2) Achieving sustainable development
- (12) Achieving well-designed places
- (16) Conserving and enhancing the historic environment



12. I have referred to relevant paragraphs within the appraisal section of this report.

London Plan

13. The relevant policies of the London Plan are outlined below:

Policy 7.6 deals with architecture, requiring that new developments make a positive contribution to the public realm and streetscape, requiring the use of the highest quality of materials.

Policy 7.8 documents that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Publication London Plan

14. The Mayor has formally approved a new London Plan, the 'Publication London Plan'. It has been prepared to address the Secretary of State's directions of the 13 March 2020 and 10 December 2020 to the Intend to Publish plan.

15. It has been sent to the Secretary of State for his consideration. He has up to 6 weeks to decide whether he is content for the Mayor to formally publish the Publication London Plan or apply for a further extension of time.

16. Once the Mayor has formally received confirmation from the Secretary of State that he is content for the Publication London Plan to be published, the Mayor will proceed with the final steps to publish the final London Plan. On publication it will become the Spatial Development Plan for London and part of the statutory Development Plan for Greater London.

17. The following policies have been reviewed as part of this Planning Statement:

- HC1
- D4

Westminster City Plan - 2016

18. I have reviewed the following policies as part of this Planning Statement:

Policy S25 Heritage

Recognising Westminster's wider historic environment, its extensive heritage assets will be conserved, including its listed buildings, conservation areas, Westminster's World Heritage Site, its historic parks including five Royal Parks, squares, gardens and other open spaces, their settings, and its archaeological heritage. Historic and other important buildings should be upgraded sensitively, to improve their environmental performance and make them easily accessible.

Policy S28 Design

Development must incorporate exemplary standards of sustainable and inclusive urban design and architecture. In the correct context, imaginative modern architecture is encouraged provided that it respects Westminster's heritage and local distinctiveness and enriches its world-class city environment. Development will:

- reduce energy use and emissions that contribute to climate change during the life- cycle of the development; and
- ensure the reduction, reuse or recycling of resources and materials, including water, waste and aggregates. This will include providing for an extended life-time of the building itself through excellence in design quality, high quality durable materials, efficient operation, and the provision of high quality floorspace that can adapt to changing circumstances over time.

Westminster City Plan – 2019-2040

19. The Council submitted the City Plan 2019-2040 to the Secretary of State on 19 November 2019. The 'Examination in Public' has now finished, which is the last stage of the plan-making process.

20. Once the City Plan 2019-2040 has been adopted, it will be the Local Plan for Westminster and will replace all current policies in Westminster's City Plan (November 2016) and saved policies in the Unitary Development Plan (2007).

21. The following policies have been reviewed as part of this Planning Statement:

- Policy 39 – Design Principles
- Policy 40 – Westminster's Heritage

Portman Estate Conservation Area

22. The submitted Heritage Impact Assessment outlines the Council's audit of the Conservation Area dated March 2003.

Planning (Listed Buildings and Conservation Areas) Act 1990

23. Section 16 of the Act sets out the statutory duties in regard to listed building consent and Section 16(2) states that:

"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

24. As the application is located within a Conservation Area, Section 72 of the is relevant. This places a duty on decision maker, in considering development in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Planning Appraisal

25. After a review of the proposals and an analysis of the planning policy associated with the site, the following main issues will be reviewed:

- Heritage
- Residential Amenity

Heritage

26. In terms of Heritage, the submission is supported by a Heritage Impact Assessment by the Heritage Collective.

27. The Heritage Impact Assessment identifies the significance of the heritage asset. The assessment outlines that the interior of 40 Montagu Square appears to have been reconfigured in the mid-19th century, probably in the 1850s or 1860s, and again around the time of the Edwardian period. Generally speaking, the interior is not as important as the exterior, but there are aspects of the internal layout that are of some interest, and that should be preserved where possible and practical. Externally, the assessment advises that special architectural interest of the site lies in the relationship between the long terraces either side of a central garden, creating an orderly, logical arrangement of town houses. The buildings that line the square are a

very important and relatively well-preserved component of the townscape of this part of London, making a positive contribution to the character and appearance of Portman Square Conservation Area.

28. The Heritage Impact Assessment assesses that the proposed internal alterations are relatively minor, and they affect fabric that probably dates from a significant refurbishment in the mid-19th century. The main internal change will be the opening up of two partitions at third floor level, but the provision of timber shutters will allow the original layout to continue to be appreciated when desired. The proposed new roof lantern will replace a poor-quality early 20th century structure with minimal effect on a roof that is itself very unlikely to be original to the building. It will not be visible from ground level and it will have no effect on the character or appearance of 40 Montagu Square.
29. The external envelope of the building will be unaffected, and in this regard its contribution to the character and appearance of Portman Square Conservation Area will remain exactly the same as it is now.
30. Taking into account the advice received by the Council under applications 20/06617/FULL and 20/06618/LBC as well as the conclusions of the Heritage Impact Assessment, it can be assessed that the proposed changes will not affect the special architectural and historic interest of the listed building, which lies primarily in its external contribution to the character and appearance of Portman Square Conservation Area. The building will be no less significant after the completion of the works, if permitted, than it is now. Therefore, there will be no erosion of significance, and no harm to significance.
31. Overall therefore the proposals are in line with Section 16 of the NPPF, namely paragraphs 195 and 196, London Plan policy 7.8 and Policy S25 of the Westminster City Plan 2016.

Residential Amenity

32. The proposed alterations to the property, namely the roof lantern, will not add any mass or built form to the building which would result in a loss of daylight or sunlight. Given its location the altered roof lantern will not be overbearing to adjoining occupiers.
33. Importantly, no new windows or openings are proposed which will harm neighbouring privacy.



34. For the above reasons, the proposals are in line with Section 12 of the NPPF and Policy S28 of the Westminster City Plan.

Conclusion

35. In view of the above, it is concluded that the development proposed in this application is consistent with the aims and detailed requirements of the National Planning Policy Framework and the Development Plan and as such, should be given planning permission and listed building consent.

Yours sincerely

A handwritten signature in black ink, appearing to read 'N. Thompson', with a long, sweeping underline.

Neal Thompson BSc (Hons) MSc MRTPI
ROBINSON ESCOTT PLANNING