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Your ref PP-10454807
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Via Planning Portal - PP-10454807

15 December 2021

Dear Sir/Madam,

**83A CHESTER SQUARE, LONDON, SW1W 9HJ
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION.**

We write on behalf of Andrew Mitchell ('The Applicant') to submit an application for planning permission for alterations to his house at 83A Chester Square, London SW1W 9HJ.

For clarification, planning permission is sought for:

"Infill extensions to the front and rear at lower ground floor level; addition of a small glazed "planar" extension and new terrace area to the rear at ground floor level; and associated works"

This application comprises the following documents, which have been submitted online via the planning portal (PP-10454807):

Document	Author
Application Form	JLL
CIL Form	JLL
Planning Statement (incorporated within this covering letter)	JLL
Heritage Statement (incorporated within this covering letter)	JLL
Design and Access Statement	Arc8 Projects
Site Location Plan ref: 01 Location Plan	Arc8 Projects
Existing drawing, ref: 050721_SH/A- Existing plans	EMP Chartered Surveyors



Proposed Drawings refs: 1021/12/G Proposed LGF Plan 1021/13/F Proposed GF Plan 1021/14/F proposed FF Plan 1021/15/F Proposed SF Plan 1021/18/A Proposed Front Elevation 1021/19/B Proposed Rear Elevation 1021/20/A Proposed Side Elevation	Arc8 Projects
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The application fee of £206 has been paid online via the Planning Portal.

Site Description

The site is located within the administrative area of Westminster City Council (WCC) and comprises 83a Chester Square – a single (use class C3) dwellinghouse extending over lower ground, ground and two upper floors.

The property is an end of terrace dwelling located at the North Eastern end of Chester Square near the intersection of lower Belgrave Street, within the Belgravia area. The property is accessed from Chester Square and also has rear access via Eaton Mews to the rear. 83a Chester Square fronts onto Chester Square and adjoins a terraced house at 84 Chester Square to the South-West; an Estate Agency at 82/83 Chester Square; as well as the flank wall to 9 Eaton Mews South to North and the gardens boundary walls to the residential properties at 51 and 53 Belgrave Street to the North-East.

83a Chester Square is a modern unlisted building; however, there are three Grade II listed buildings located in the vicinity of the site; namely, 47 Lower Belgrave Street, 49-55 Lower Belgrave Street and 84-88 Chester Square.

The site is subject to the following designations as identified by the adopted Westminster City Plan 2019-2040 Policies Map:

- Belgravia Conservation Area
- Area of open Space Deficiency
- Protected vista 9A.1 - King Henry VIII's Mound, Richmond to St Paul's Cathedral

The Surrounding Townscape

Belgravia has a coherent and formal architectural character, the result of its rapid development in a short period between 1825 and 1850. It remains of historic significance as a planned aristocratic residential quarter, as an example of high-class, early 19th century speculative development on an unprecedented scale, which influenced other similar developments in Victorian London. Much of the area remains in the ownership of the Grosvenor Estate.

The distinctive character of the conservation area derives from the combination of opulent cream stucco terraces, spacious streets and the verdant garden squares. Few public buildings or landmarks were provided in the original layout

of the area, and this, coupled with the consistent use of materials and repetition of classical architectural detailing, contributes to a high degree of townscape uniformity and coherence.

To the South East of the site, Chester Square the gardens are one of five spaces within Belgravia Conservation Area (along with Belgrave Square, Chesham Place, Eaton Square and Wilton Crescent) protected by the London Squares Act 1931 as 'ornamental pleasure grounds or grounds for play, rest and recreation'.

Planning History

Research of the online statutory register provided by Westminster City Council has revealed the following planning history records for the site of relevance to the proposals, below.

Reference number	Description	Decision
16/01692/ADFULL	Approval of details pursuant to condition 2 of planning permission dated 9 February 2016 (RN: 15/11133/FULL); namely the submission of detailed design proposal for windows, front awning and front balcony.	Permitted 18 May 2016
15/11133/FULL	External alterations including replacement of all windows with timber sash double-glazing windows and installation of steel balustrades to front elevation at first floor only, installation of an awning to entrance door, installation of glazed balustrade to rear elevation, raising of rear wall and new door with wider opening to rear lightwell.	Granted 11 Feb 2016
02/00880/FULL	Redevelopment to provide a single family dwellinghouse comprising basement, ground and two upper floors	Granted 23 May 2002
02/03286/CAC	Demolition of existing building.	Granted 23 May 2002
00/09945/FULL	Redevelopment to provide a single family dwelling house comprising basement, ground and two upper floors.	Granted 26 Apr 2001
00/09944/CAC	Demolition of existing building.	Granted 26 Apr 2001
99/06226/CAC	Complete demolition	Refused 27 Sep 1999
99/06225/FULL	Redevelopment to provide new dwelling house.	Refused 14 Oct 1999
98/09552/CAC	Complete demolition and rebuild	Refused 20 Apr 1999
98/09551/FULL	Demolition of two-storey house & erection of a house of basement, ground & 3 upper floors	Refused 20 Apr 1999

The existing house on-site was built following the grant of planning permission ref: 02/00880/FULL (and conservation area consent ref: 02/03286/CAC) in 2002, with alterations to improve the building subsequently granted planning permission (ref: 15/11133/FULL) in 2016.

The Proposal

The applicant purchased the property in June 2021 and is looking to make alterations to improve and upgrade it to provide a more usable and bright family home.

As detailed in the supporting Design and Access Statement, the key alterations, subject of this application for planning permission comprise:

- **The front infill extension (lower ground floor):** It is proposed that a glass roof be added to the front lightwell to internalise the area at lower ground floor level so as to increase the usable internal floorspace of the property. The use of a glass roof, set below pavement height so as not to be visible in street views, will maintain the function of the lightwell by maintaining daylight penetration into the property at lower ground floor level.
- **The rear infill extension (lower ground floor):** It is proposed that the existing yard at lower ground floor level to the rear of the property be infilled by an extension to allow for a consolidated plant and utility area to be created to the rear and the entire floorplan re-ordered. The existing layout of the lower ground floor rear is predominately comprised of a long thin corridor, lined by smaller rooms. Extending out at the back of the property and relocating the staircase to the centre of the floor enables a larger, more usable space to be created. A large rooflight is proposed to be provided in the flat roof above to allow for daylight to enter with the remainder of the new roof to provide a terrace accessible from the ground floor living area.

The glazed extension and terrace (ground floor): In conjunction with the rear infill extension and terrace, it is proposed to add an extension to the ground floor by means of a small glazed "planar" extension within the corner formed by the existing rear walls to the property at ground floor level. The glazed extension will provide limited additional floorspace that enables a 'square' reception room to be created in the expanded space, will provide access to the roof terrace and will also allow for more light to enter the home at this level. To provide privacy and any potential overlooking to and from the adjoining properties, a perimeter wall and obscured glazed balustrade, up to a height of 1.8m screening will be introduced. This screening will also serve to screen views into and out of the property through the glazed planar extension.

The extensions proposed will create more internal space and facilitate the reconfiguration of the internal layout to create a brighter, larger and more useable home.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Where there is a difference in policy,

Section 38(5) requires that the most recently adopted policy takes precedence. The Statutory Development Plan for this site comprises:

- The London Plan: The Spatial Development Strategy for Greater London (adopted March 2021)
- Westminster's City Plan 2019-2040 (adopted April 2021)
- WCC is under a legal duty to have regard to all material considerations. This includes the Government's National Planning Policy Framework (NPPF) (first published March 2012 and last updated July 2021) and the continually updated Planning Practice Guidance (PPG). Supplementary Planning Guidance and Documents (SPG and SPD) produced by WCC and the Mayor of London; in particular, Development and Demolition in Conservation Areas SPG (1996) and Design Matters in Westminster SPG (2001) are also relevant material considerations. Although not formally adopted by WCC, the Draft Belgravia Conservation Area Audit (2013) is identified to be of relevance to the application proposals.

The London Plan (2021)

The London Plan is the spatial development strategy for Greater London. It sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. London Boroughs' Local Plans should be in general conformity with the London Plan, and its policies guide decisions on planning applications by Councils and the Mayor.

Chapter 3 (Design) and Chapter 7 (Heritage and Culture) of the London Plan are of most relevance to this proposal.

Within chapter 3, Policy D3 (Optimising site capacity through the design-led approach) require all development to make the best use of land by following a design-led approach that optimises the capacity of sites with a series of design requirements to guide high-quality – context responsive architecture that provides safe, secure and inclusive environments and delivers "appropriate outlook, privacy and amenity."

Alongside this, Policy D4 (Delivering good design) emphasises the importance of maintaining design quality and seeks for a high standard of design to be maintained all the way through to the completion of a development.

Policy D6 (Housing quality and standards) states that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners.

Within chapter 7, Policy HC1 (Heritage conservation and growth) requires that development proposals affecting heritage assets and their settings should conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid causing harm and should identify enhancement opportunities by integrating heritage considerations early on in the design process.

Westminster City Plan 2019-2040 (2021)

WCC adopted the City Plan 2019-2040 on 21st April 2021, replacing the former City Plan (2016) and the saved policies of the Unitary Development Plan (2007) as the local development plan for the borough. The City Plan 2019-2040 policies most relevant to the proposals are identified below.

In respect of residential quality, Policy 12 (Housing Quality) requires all new homes and residential extensions to provide a well-designed, energy efficient and high-quality living environment, both internally and externally.

As regards design and heritage matters, Policy 38 (Design Principles) expects development to positively contribute to townscape and streetscape, having regard to character and appearance.

Policy 39 (Westminster's Heritage) requires developments to preserve or enhance the character and appearance of Westminster's conservation areas, with features that contribute positively to the significance of conservation areas and their settings to be conserved; and for opportunities to be taken to enhance conservation areas and their settings, wherever possible.

Policy 40 (Townscape and architecture) requires developments to be sensitively designed, having regard to the prevailing scale, heights, character, building lines and plot widths, materials, architectural quality and degree of uniformity in the surrounding townscape. Furthermore, spaces and features that form an important element in Westminster's local townscapes or contribute to the significance of a heritage asset will be conserved, enhanced and sensitively integrated within new development, including important architectural details, boundary walls and railings, historic roof forms or structures.

Policy 40 specifically identifies that: "*Alterations and extensions will respect the character of the existing and adjoining buildings, avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groupings of buildings and spaces that contribute positively to Westminster's distinctive townscape.*"

Within the supporting text of policy 40, paragraph 40.1 states, '*The densely developed townscape and concentration of heritage assets in Westminster means that most development opportunities involve the infilling of small sites or extensions to existing buildings within areas of established townscape. We will seek to ensure the design of such development will respond positively to the character of Westminster's diverse and distinctive neighbourhoods and celebrate and build upon the legacy of high-quality architecture in the city.*'

Policy 7 (Managing development for Westminster's people) is also of relevance to the proposals in requiring developments to protect the amenity of residents within and adjoining development sites, including preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking, protecting and positively responding to local character and the historic environment.

Other Relevant Material Considerations

- **Draft Belgravia Conservation Area Audit (2013)**

Although a draft document, The Draft Belgravia Conservation Area Audit (2013) is relevant to the proposals in identifying those features of special historic and architectural interest which contribute to the local townscape and which the council will seek to protect.

Belgravia has a formal grid street layout. This is based on a pattern of related squares, crescents and parkways enclosing central gardens and linked by wide terraced streets, with a clear hierarchy of spaces, squares, streets and mews.

Within chapter 9 (Management Proposals) paragraph 9.3, page 99, the Audit states that '*New proposals for infill development should include an analysis of the character and appearance of the conservation area and should reflect the predominant scale and architectural detail of the particular character area, making reference to the findings of the conservation area audit.*'

- **National Planning Policy Framework (NPPF) (updated 2021)**

In determining applications for development, Paragraph 170 states planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by noise pollution. Paragraph 180 advises that developments should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Assessment of Proposals

- **The principle of development**

The proposed extensions and the creation of a roof terrace are key to significantly upgrading the property. The alterations will provide a well-designed and high-quality living environment, both internally and externally, that will ensure the safety, health and wellbeing of its occupants as promoted by Policy 12 of the Westminster City Plan 2019 - 2040 (2021) and Policy D6 of the London Plan

- **Amenity**

With respect to amenity considerations, the front infill extension is wholly self-contained, and the rear lower ground floor infill extension will be visually contained at low level and below adjoining windows and out of sight of any public views. The Ground Floor extension is very small and will be significantly set-back from both the rear and side elevations. The inclusion of 1.8m wall and frosted glass screen enclosing the new terrace will serve to prevent overlooking from the terrace and will also ensure no overlooking will occur through the glazing to be provided by the "planar" extension at this

level. Whilst there will be additional built form to the North Western boundary, there will be no material increased sense of enclosure or overshadowing for residents of the adjoining properties, as the distance from the flank of the terrace to the adjacent window at 51 Lower Belgrave street would be some 12.5m.

As a consequence, there would be no risk of overlooking nor any significant increased sense of enclosure for residents in the adjoining properties, compared to existing. Accordingly, proposals will not result in any significant adverse amenity impacts, fully in compliance with policy 7 of the Westminster City Plan 2019 - 2040 (2021) and Policy D3 of the London Plan.

- **Design and Conservation**

As the site is located within the Belgravia Conservation Area and in the vicinity of three listed buildings, careful consideration has been given to ensure there is no impact to these heritage assets. It should also be noted that whilst the site is within them and within the protected vista 9A.1 - 'King Henry VIII's Mound, Richmond to St Paul's Cathedral' the proposed works are all sought at low level - well below the threshold level of the protected view - so will not have any effect on it.

The proposed works are small in scale and in keeping with the existing (modern) building. There would be no impact on any public views, ensuring there is visual cohesion across the townscape in accordance with policies 38, 39 and 40 of the Westminster City Plan 2019 - 2040 (2021) and Policies D3, D4 and HC1 of the London Plan.

- **Heritage Assessment**

Legislation regarding buildings and areas of special architectural and historic interest is contained within the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 of the Act states that special regard must be given by the authority in the exercise of planning functions to the desirability of preserving or enhancing Listed Buildings and their setting. Further to this, Section 72 of the 1990 Act states that in exercising all planning functions, local planning authorities must have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

Complementary to these statutory provisions, Paragraph 189 of the National Planning Policy Framework (NPPF) 2019 sets out the information requirements for determining applications and states that:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

In considering the impact of proposals on the significance of designated heritage assets, the NPPF requires (paragraph 193) that great weight should be given to their conservation and the more important the asset, the greater the weight should be.

Accordingly, the significance of the Belgravia Conservation Area and the listed buildings in the vicinity of the site with the potential to be affected by the proposals is considered and the potential effects assessed below.

Belgravia Conservation Area

As identified in the Draft Belgravia Conservation Area Audit (2013), the distinctive character of the Belgravia Conservation Area as an "intact area of aristocratic 19th century housing, derives from the combination of opulent cream stucco terraces, spacious streets and the verdant garden squares on which these are set.

The historic street layout and the relationship of built form to open space define the overall framework of the area. Within this framework, the fine grain of the townscape, including sizes of plots and building lines, are important in establishing the pattern and density of development.

The adjoining properties on Chester Square are typical of the "second-rate properties" with simple, flat-fronted houses generally three-four storeys over basement and two bays wide, constructed in brick with stucco at ground floor level. It is the consistent scale and repetition of a limited combination of materials and architectural detailing across the terraces of these 'second rate properties' that contributes to a coherent character and an overall feeling of uniformity.

83a Chester Square is of modern construction and is identified to make a neutral contribution to the character and appearance of the Conservation Area. The proposed alterations are of small scale and do not impact the front elevation of the building or any public views. As such, the proposals will have no adverse impact on the character and appearance (significance) of the Belgravia Conservation Area, which will ultimately be preserved.

Listed Buildings in the vicinity

Whilst 3 listed buildings have been identified in the immediate vicinity of the application site the proposed works are below street level to the front of the property and to the rear, so the setting to 47 Lower Belgrave Street and to 84-88 Chester Square will be unaffected.

Whilst the proposed works at ground floor level to the rear of the property will be in relatively close proximity to the rear of 49-55 Lower Belgrave Street. However, the listing description (ref: 1274615) for the grade II listed terrace identifies only features to the front elevation, with the differing forms of later rear extensions to these properties, not providing the same consistency of appearance as the front façade.

The "planar extension" and the roof terrace and enclosure over the new rear extension comprise relatively minor alterations that have been carefully designed to reflect the architecture and materials to the existing modern building. Although they will be to the rear of the Grade II listed terrace at 49-55 Lower Belgrave Street, they will not be visible in any public views and will have no adverse impact on the setting of these listed properties, nor any other listed buildings in the vicinity of the site.

Overall, it is considered that the proposals will preserve the character and appearance of the Belgravia Conservation Area and preserve the setting of the listed buildings within the vicinity of the site, thus preserving the significance of these designated heritage assets in accordance with the requirements of the NPPF, and in compliance with the Statutory tests of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

In light of the above assessment, the development at 83a Chester Square will better optimise the site and significantly improve the useability of the building and the quality of living accommodation it provides. The proposals comprise relatively minor works and are considered to be entirely acceptable in design, heritage and amenity terms. They will be visually contained and will preserve the character and appearance of the Belgravia Conservation Area and as well as preserve the setting of nearby listed buildings.

On the basis that the proposals fully accord with the development plan and comply with the statutory tests of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that planning permission should be granted accordingly.

We look forward to receiving confirmation that the application has been validated. In the meantime, if you have any queries, please do not hesitate to contact Heather Guyan or Martin Moss of these offices on 07596 316664 or 07841 860734 respectively.

Yours faithfully

Jones Lang LaSalle Limited

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