



UNION 4 PLANNING

Costas Michaelides

1 Montpelier Square, Knightsbridge, London, SW7 1JT

Section 73 application for variation of Condition 1 attached to planning permission 23/03312/FULL (approved plans) and application for listed building consent

PLANNING STATEMENT

April 2024



UNION4
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1.0 Introduction

- 1.1 Union4 Planning has been instructed by Costas Michaelides to submit a planning application allow for minor changes at basement level of 1 Montpelier Square in Knightsbridge.
- 1.2 Excavation of a new basement has been approved under application 23/03312/FULL and listed building consent 23/03313/LBC which this submission seeks to amend. The original permissions were granted on 2 January 2024.
- 1.3 This application seeks to amend Condition 1 of planning permission 23/03312/FULL under Section 73 of the Town and Country Planning Act 1990 (as amended) and to obtain a new listed building consent.
- 1.4 One of the key objectives of the proposed changes is to ensure that the basement level is fully accessible by a variety of users, whilst also providing an improved standard of accommodation.
- 1.5 This Planning Statement provides a comprehensive overview of the proposals and includes an assessment of the proposed development against the relevant planning policies and guidance.

Structure of this Planning Statement

- 1.6 The subsequent sections of this Planning Statement are set out as follows:
 - Section 2 provides an overview of the application site, including the location, description, site allocations and planning history;
 - Section 3 sets out details of the proposed development;
 - Section 4 sets out the policy context which is relevant to the proposals;
 - Section 5 outlines the key planning considerations; and
 - Section 6 provides a summary and conclusions.

2.0 Site Location and Description

- 2.1 The site is located at the northeast corner of Montpelier Square in Knightsbridge and comprises a five-storey, end of terrace residential dwelling with basement level. The immediate surroundings are predominantly residential, however are within approximately 200m of the main commercial area of Knightsbridge.

Figure 1: Site Location (boundary approximate)



Source: Google Maps (2024)

- 2.2 The dwelling is a Grade II Listed property, forming part of the wider designation at 1-7 Montpelier Square. The listing describes the buildings as follows:

"Row of houses. Mid C19. Stock brick channelled stucco to ground floor; stucco dressings. Four storeys and basement (nos 1 to 2 with full attic storey, No 3 with mansard attic). Two windows each. Entrances to left hand side, that to No 1 in return; square headed entrances with flanking pilasters. Windows square headed except to 1 and 2, which are round headed in round reveals. Continuous cast iron bombé balcony to first floor. Windows mainly sashed, with glazing bars. Cornice. Parapet. Area railings. Part of group with rest of Montpelier Square."

- 2.3 Internally, the building has been significantly altered through a series of refurbishments and adaptations, meaning little of the historic interior remains.
- 2.4 The site is also within the Knightsbridge Conservation Area and Central Activities Zone (CAZ) albeit the CAZ designation is not relevant to this application.

2.5 The site is located within Flood Zone 1 and therefore has a low probability of flooding. It is also located within a WCC Surface Water Management Zone

Planning History

2.6 The planning history for the site comprises a number of applications and listed building consents for alterations to the building.

2.7 Most recently, planning permission was granted on 2 January 2024 under reference 23/03312/FULL for the following:

"Excavation of a new basement, extension at rear lower ground to first floor levels with mechanical plant and enclosure to the roof of the new extension."

2.8 At the same time, listed building consent was granted, also on 2 January 2024 under reference 23/03313/LBC for:

"Excavation of a new basement, extension at rear lower ground to first floor levels with mechanical plant and enclosure to the roof of the new extension and installation of double glazed windows. Internal alterations including replacement of lift and dumb waiter within their existing shafts, replacement of window sashes with double glazing and repairs to the roof."

2.9 The above permissions are of direct relevance to this S73 application which seeks to amend the proposed changes at basement level.

2.10 There is also an application currently pending consideration (Ref: 24/00888/LBC) for replacement of window sashes to provide double glazing.

2.11 Previous planning history is set out in the table below.

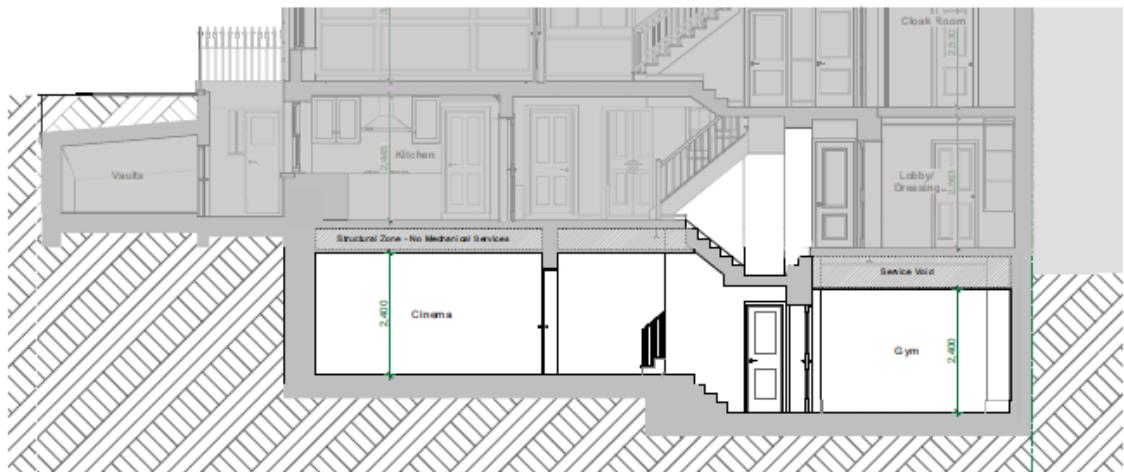
Reference	Description	Decision
03/09221/LBC	<i>Enclosure of existing first floor terrace with a timber and glass lantern roofed conservatory</i>	Approved 13 January 2004
03/09220/FULL	<i>Enclosure of existing first floor terrace with a timber and glass lantern roofed conservatory</i>	Approved 13 January 2004
98/04757/FULL	<i>Erection of rear conservatory at basement level, modifications to parapet detail at 1st floor rear and internal alterations</i>	Approved 14 August 1998
98/04128/LBC	<i>Internal alterations. Erection of conservatory at rear BST level, alterations to boundary wall/railing to first floor terrace</i>	Approved 14 August 1998
95/06029/LBC	<i>Carry out works to extend the existing lift to the 4th floor with a lift top housing protruding through the roof</i>	Approved 6 November 1995

95/06028/FULL	<i>Install lift to run to the 4th floor only with new lift housing projecting through the roof</i>	Approved 6 November 1995
95/02051/LBC	<i>Internal alterations: installation of a lift and shaft, new stairs at 2nd and 3^d floors, general rearrangement of existing house rooms</i>	Approved 23 June 1995
86/03994/LBC	<i>Internal alterations including a new bathroom</i>	Approved 4 February 1987

3.0 Proposed Development

- 3.1 The proposals involve minor material amendments to the scheme approved under planning application 23/03312/FULL and listed building consent 23/03313/LBC.
- 3.2 The changes proposed include levelling of the floorplate at basement level and minor alterations to internal walls and openings.
- 3.3 At present, the consented scheme comprises a split level basement which is connected via a small staircase which limits accessibility to all areas of the basement. It is therefore proposed to level out the entirety of the basement floor to provide ease of access for all. The floor to ceiling height will remain as consented, with a slightly larger ceiling void in one area of the basement which will house mechanical plant.

Figure 2: Section Drawing Showing Consented Scheme



Source: Garnett Architecture (2023)

Figure 3: Section Drawing Showing Proposed Scheme



Source: Garnett Architecture (2024)

- 3.4 As noted in the Design and Access Statement, there are also limitations in terms of drainage due to the omission of mechanical services from the ceiling void. It is therefore proposed to increase the size of the void to allow for incorporation of these services, providing a better solution in terms of water flow and drainage and avoiding the need for additional pumping.
- 3.5 The proposals also include other minor internal works which comprise an increase to the size of the doors to the cinema and gym, pushing back the wall to the wellness room and removal of the wall between the main stair and lobby.
- 3.6 The doors as consented are incoherent due to the split floor level, sitting low to the floor and leaving a blank wall at the top with an irregular form. The new doors would comprise a glazed partition that is uniform in height and design, allowing for a much more legible and practical approach to these entrances. An extract of Section F-F demonstrates below, how the proposals will rationalise these doors, providing a better standard of accommodation.

Figure 4: Section F-F as Approved



Source: Garnett Architecture (2023)

Figure 5: Section F-F as Proposed



Source: Garnett Architecture (2024)

- 3.7 Finally, pushing back of the wall to the wellness room and removal of the wall between the stair and lobby will allow for more generous circulation spaces, further contributing to the accessibility of the basement level.

4.0 Planning Policy Context

- 4.1 This section sets out the planning policies at national, regional and local level which are considered relevant to the proposals.
- 4.2 The overall planning policy context is set by the National Planning Policy Framework (December 2023) and by the Development Plan which comprises the following documents:
- The London Plan (March 2021);
 - City of Westminster City Plan (April 2021);
 - City of Westminster Conservation Area Audit and Management Proposals – Knightsbridge, Knightsbridge Green, Albert Gate (May 2009).

National Planning Policy Framework (December 2023)

- 4.3 The National Planning Policy Framework was last updated in December 2023 and promotes the delivery of sustainable development that meets the needs of the community. Paragraph 8 sets out three overarching objectives to achieve sustainable development which are an economic objective, social objective and environmental objective.
- 4.4 Paragraph 123 outlines that planning policies and decisions should promote an effective use of land in meeting the need for homes, while improving the environment and ensuring safe and healthy living conditions.
- 4.5 Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 4.6 Paragraph 135 states that planning policies and decisions should ensure that developments create safe, inclusive and accessible places which promote health and wellbeing with a high standard of amenity for existing and future users.
- 4.7 Paragraph 139 applies significant weight to development which reflects local design policies and government guidance on design, taking into account local design guidance and supplementary planning documents.
- 4.8 Chapter 16 sets out policy guidance for developments affecting the historic environment. Paragraph 195 highlights the significance of heritage assets, stating the following:
- "These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations."*
- 4.9 Paragraph 203 states that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

4.10 Paragraph 208 goes on to state the following:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The London Plan (March 2021)

4.11 The London Plan was adopted in March 2021 and provides the overall strategic plan, which sets out an integrated economic, environmental, transport and social framework for the development of London over a period of 20-25 years. The policies relevant to the proposals are set out below.

- Policy D3 'Optimising site capacity through the design-led approach'
- Policy D5 'Inclusive design'
- Policy D6 'Housing quality and standards'
- Policy D10 'Basement development'
- Policy HC1 'Heritage conservation and growth'

Westminster City Plan (April 2021)

4.12 The current Westminster City Plan was adopted in April 2021. It is the statutory Development Plan setting out the vision and strategy for Westminster up to 2040, including the policies that are used to determine planning applications.

4.13 The policies of relevance to the proposals are set out below.

- Policy 7 Managing development for Westminster's people
- Policy 12 Housing quality
- Policy 38 Design principles
- Policy 39 Westminster's heritage
- Policy 40 Townscape and architecture
- Policy 45 Basement developments

Knightsbridge Neighbourhood Plan (December 2018)

4.14 The Knightsbridge Neighbourhood Forum was established under the Localism Act 2011 to develop planning policy and influence neighbourhood management locally. The Knightsbridge Neighbourhood Plan 2018 – 2037 was adopted in December 2018 and includes policies and guidance intended to sit alongside WCC's Development Plan. Applicable policies include the following:

- Policy KBR1: Character, design and materials;
- Policy KBR24: Reconfiguration of existing residential buildings.

SPD 'Conservation Area Audit and Management Proposals for Knightsbridge, Knightsbridge Green and Albert Gate' (April 2009)

- 4.15 This SPD was adopted in April 2009 and provides an audit of both the historical development, and character and appearance of the Knightsbridge, Knightsbridge Green, and Albert Gate Conservation Areas.
- 4.16 The Site at 1 Montpelier Square is within Knightsbridge Conservation Area East (Area 1), which includes the area between Trevor Square and Exhibition Road, thereby encompassing the Site.
- 4.17 The townscape of the area is described as "largely of terraces of houses arranged around garden squares and interconnected by short streets".
- 4.18 Montpelier Square is referenced at Paragraph 4.34 of the document, stating as follows:

"In neighbouring Montpelier Square detailing is similar to the Trevor Estate terraces but the houses are larger and grander: four storeys and a basement."

5.0 Planning Assessment

- 5.1 This section of the Planning Statement assesses the proposals against national, regional and local planning policy.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan, unless material considerations indicate otherwise.
- 5.3 Given that the basement itself has already been consented, the main matter to consider is whether the proposed levelling of the basement floorplate and increase to the ceiling void is appropriate and in accordance with the relevant policies. We have also assessed the other minor changes proposed including enlargement of the doors to the cinema and gym, pushing back of the wellness room and removal of the wall between the main stair and lobby.
- 5.4 As noted above and within the accompanying Design and Access Statement, the consented scheme had been amended following advice from the Planning and Design Officer, reducing the size of the void above the basement ceiling. It was not until after the consent was issued, that the Design Team became aware of the limitations of the approved scheme, particularly in relation to the floor level.
- 5.5 The consented scheme comprises a split floor level connected by a small staircase. The rationale for the split level was to mirror the floors above, thus matching the floorplates of the listed building. However, the changes in levels mean there is no possibility for level access which limits opportunities for use, particularly for those with any mobility issues. We would also highlight that split levels are not present at all floor levels as the topmost floors comprise level floorplates, meaning it would not be out of character to provide a differing floorplate than the level above.
- 5.6 London Plan Policy D3 encourages safe, secure and inclusive environments that deliver appropriate amenity and achieve indoor environments that are comfortable and inviting for people to use. Similarly, Policy D5 encourages the highest standards of accessible and inclusive design that takes into account London's diverse population. Development should be convenient and welcoming with no disabling barriers, providing independent access. Spaces should have the ability to be entered, used and exited safely, easily and with dignity for all. Policy D6 requires housing to be of high quality design with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners.
- 5.7 Knightsbridge Neighbourhood Plan Policy KBR1 reiterates the above, stating that new development should demonstrate high quality, sustainable and inclusive design.

- 5.8 At present, the split level creates a barrier to achieving these aims by preventing fully inclusive access to the spaces proposed. It is thus considered that the proposed levelling of the floor would fully comply with the policies above, providing safe and inclusive access for all. At present, the consented scheme has some shortcomings that would not achieve these objectives.
- 5.9 Local Plan Policy 7 seeks to ensure that development is neighbourly by protecting neighbouring amenity, local environmental quality and other matters. Development should also protect and positively respond to local character and the historic environment.
- 5.10 Due to the nature of the proposals, there will be no impact to the amenity of neighbouring occupants as the works will take place at basement level and will not result in any additional floorspace or encroachment any closer to neighbouring properties. Similarly, as the works are internal, there will be no impact to local or historic character as the exterior of the building will remain unchanged.
- 5.11 The accompanying Heritage Addendum highlights at paragraph 3.4 that the hierarchy of the floor levels across the building will be sustained. Similarly, paragraph 3.8 states that the proposed amendments would not have any adverse impact on the special interest of the listed building, and that experiencing the significance of the listed building would not be based upon the hierarchies of the floor levels.
- 5.12 The Addendum also importantly notes the fact that the proposed development comprises a modern extension to the building, and that providing a level access at basement level can be achieved with no impact on the historic fabric of the building.
- 5.13 Local Plan Policy 12 refers to housing quality and emphasises the need for homes to be well-designed, accessible and of a high standard. Part A of the policy states:
- "All new homes and residential extensions will provide a well-designed, energy efficient and high-quality living environment, both internally and externally. New homes will be designed to a standard that ensures the safety, health and well-being of its occupants."*
- 5.14 Part B of the policy requires 90% of all new-build homes to meet Building Regulations M4(2) and 10% of new-build homes to meet Building Regulations M4(3). Whilst it is acknowledged that the proposals do not comprise a new build dwelling, a key objective is to ensure that as much of the dwelling as possible meets these requirements. This will not only allow better access for all but will also futureproof the building and ensure its long-term functional use by occupiers with varying needs.
- 5.15 With the above points in mind, it is considered that levelling of the basement will create a more functional space for a variety of users, thus providing a higher quality living environment and ensuring the safety, health and well-being of current and future occupants, in accordance with Policy 12.

- 5.16 Local Plan Policy 38 refers to design principles, stating that new development will incorporate exemplary standards of high quality, sustainable and inclusive urban design. Part C of the policy refers to people-centred design, stating that all development will place people at the heart of the design, creating inclusive and accessible spaces and ensuring a good standard of amenity for existing and future occupiers. A key objective of the development as noted previously, is to ensure that the space is accessible to all, thus providing a better standard of living space and amenity, both for existing and future occupants.
- 5.17 The minor additional changes proposed including enlargement of doors, relocation of the wall to the wellness room, and removal of the wall between the main stair and lobby will allow for more generous circulation spaces and increased light levels, thus further improving the quality of accommodation.
- 5.18 Part D of the policy refers to specifically to sustainable design, stating that development will enable the extended lifetime of buildings and provide high quality and flexible floorspace. Whilst Part D generally relates to energy performance, we would consider the above criteria relevant. As noted above, the proposed changes will ensure extended use of the building through provision of higher quality and more flexible floorspace, thus contributing to a more sustainable design.
- 5.19 Local Plan Policy 39 refers to Westminster's heritage and seeks to protect the borough's unique historic environment. Part G is of particular relevance to the proposals, stating as follows:
- "Works to listed buildings will preserve their special interest, relating sensitively to the period and architectural detail of the building and protecting or, where appropriate, restoring original or significant detail and historic fabric."*
- 5.20 London Plan Policy HC1 reiterates the above, stating that development proposals affecting heritage assets and their settings should conserve their significance.
- 5.21 As a starting point, we would refer to the description of the building by Historic England with covers Nos. 1 to 7 Montpelier Square and states the following:
- "Row of houses. Mid C19. Stock brick channelled stucco to ground floor; stucco dressings. Four storeys and basement (nos 1 to 2 with full attic storey, No 3 with mansard attic). Two windows each. Entrances to left hand side, that to No 1 in return; square headed entrances with flanking pilasters. Windows square headed except to 1 and 2, which are round headed in round reveals. Continuous cast iron bombé balcony to first floor. Windows mainly sashed, with glazing bars. Cornice. Parapet. Area railings. Part of group with rest of Montpelier Square."*
- 5.22 Notably, the listing does not describe any internal parts of the building, meaning the proposals would not alter or impact any of the defining features described above.

- 5.23 Local Plan Policy 40 refers to townscape and architecture, with Part D referring to alterations and extensions. Any such works should respect the character of existing and adjoining buildings, avoid adverse visual and amenity impacts, and not obscure any important architectural features, amongst other criteria.
- 5.24 Whilst the above policy generally refers to external works, we would reiterate that the proposals will not have any impact to the exterior of the building, thus protecting the existing townscape character. At the same time, none of the significant architectural qualities of the building will be impacted.
- 5.25 Local Plan Policy 45 refers to basement developments and sets out a list of criteria to be adhered to with regard to excavation in dense urban environments. London Plan Policy D10 generally puts the onus on local authorities to establish policies relating to basement development. Paragraph 3.10.6 highlights the benefits of smaller-scale basement excavations that are appropriately designed and their contribution to the efficient use of land through provision of extra living space without the costs associated with moving house.
- 5.26 It is considered that the key criteria have already been satisfied through the previous applications (Ref: 23/03312/FULL and 23/03313/LBC). In the case of this S73 application, paragraph 45.9 of the policy text is relevant which states that basement development will be no more than one storey below the lowest part of the original floor level, equating to approximately 2.7m floor to ceiling height.
- 5.27 As noted in the Design and Access Statement, the proposed floor to ceiling height does not exceed this threshold as it does not explicitly include ceiling voids. The accompanying sections illustrate a proposed height of 2.4m which is a common standard for residential dwellings.
- 5.28 It is acknowledged that there was concern raised by the Case Officer with regard to the previous applications in terms of the potential to remove the ceiling void and increase the floor to ceiling height in the future. However, we would highlight that this based on a presupposition, rather than the information presented. We would therefore contend that the application should be assessed on the planning merits rather than a speculative situation. Any changes to the ceiling in the future would be subject to a further detailed listed building consent.
- 5.29 The above points make clear that the proposals will provide a better standard of living accommodation with inclusive access and would not have any adverse impact on the setting or character of the listed building. Consequently, the proposed amendments are considered to fully comply with the relevant policies set out above.

6.0 Summary and Conclusions

- 6.1 This application is submitted by Union4 Planning on behalf of Costas Michaelides under Section 73 of the Town and Country Planning Act 1990 (as amended) to allow for minor changes at basement level of 1 Montpelier Square in Knightsbridge. The application also seeks a new listed building consent.
- 6.2 Excavation of the basement has been previously consented under application reference 23/03312/FULL and listed building consent 23/03313/LBC.
- 6.3 The works proposed comprising levelling of the basement floor and minor internal alterations including enlargement of doors to the cinema and gym, relocation of the wellness room wall, and removal of the wall between the lobby and stairs. The ceiling void will also be increased in depth to allow for mechanical plant and improved drainage.
- 6.4 A key objective of the proposals is to provide a fully accessible basement to serve a variety of needs and users. This will ensure the functional and long-term use of the premises, and will contribute to meeting the aims of sustainable design. The proposals will also provide a much improved standard of accommodation with better circulation space and light ingress.
- 6.5 It has been demonstrated that the proposals appropriately accord with the relevant planning policies and will not have any impact on the historic fabric or appearance of the building. Consequently, it is considered that planning permission and listed building consent should be granted without delay.