

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 7 December 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	38 Belgrave Square and 28A Chapel Street, London, SW1X 8NT		
Proposal	<p>Application 1 (Planning): Alterations and extensions to the buildings, including installation of an external lift to an existing lightwell of the main building and plant enclosures, in connection with their use as a members wellness club (sui generis).</p> <p>Application 2 (Listed building): Internal and external alterations, including installation of an external lift to an existing lightwell of the main building, installation of plant enclosures, and associated works.</p>		
Agent	THIS Planning		
On behalf of	Kimanda No 2 Ltd		
Registered Number	<p>Application 1 (Planning): 20/07039/FULL</p> <p>Application 2 (Listed building): 20/07038/LBC</p>	Date amended/ completed	4 November 2020
Date Application Received	4 November 2020		
Historic Building Grade	<p>38 Belgrave Square: Grade I</p> <p>28A Chapel Street: Grade II</p>		
Conservation Area	Belgravia		

1. RECOMMENDATION

1. Refuse permission (Application 1) - loss of a single family dwelling house and impact of proposed entertainment use on the character and function of the area, local environmental quality and residential amenity.
2. Grant conditional listed building consent (Application 2).
3. Agree the reasons for granting conditional listed building consent (Application 2) as set out in Informative 1 on the draft decision letter.

2. SUMMARY

38 Belgrave Square is a grade I listed building connected to a grade II listed mews building, 28A Chapel Street. Both buildings are used as one single family dwellinghouse. The site is located within the Belgravia Conservation Area and the Central Activities Zone.

The planning and listed building applications propose alterations to the buildings to allow their use as a private members wellness club.

The key issues in this case are:

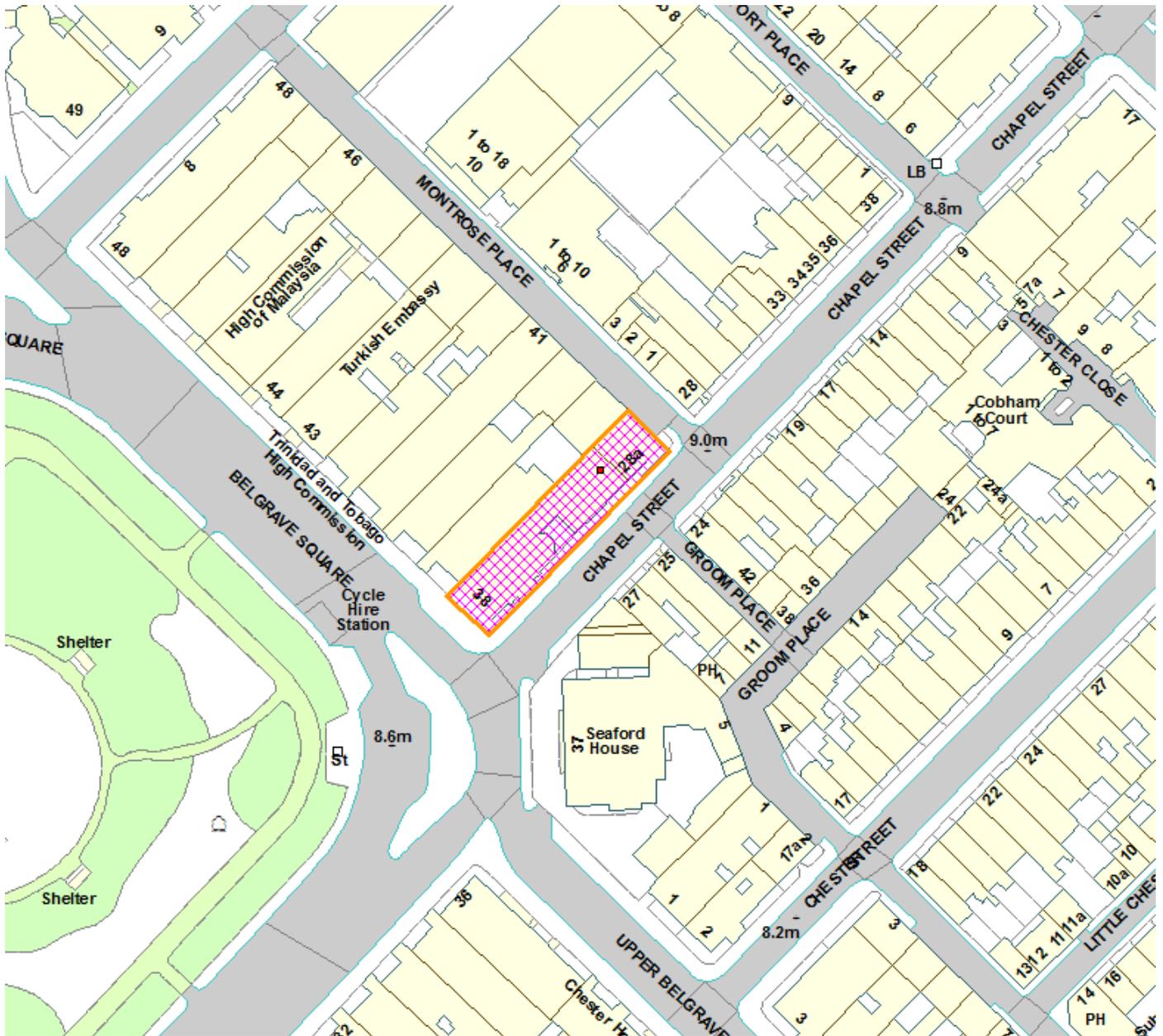
- The acceptability of the loss of the single family dwellinghouse in land use terms;
- The impact of the private members club on the character and function of the area, the quality of the area's environment and on amenity; and
- The impact of the proposals on the significance of the listed building, on the conservation area and the setting of surrounding listed buildings.

Councillor Robathan and neighbouring residents have raised objections to the loss of the single family dwellinghouse and the impact of the private members club on the area and on surrounding residents' amenity.

The City Plan 2019 – 2040 requires all existing residential units be protected. Losing this single family dwellinghouse would harm Westminster's ability to achieve its housing targets, which is the key priority of the plan. The City Plan also requires entertainment uses be of a type and size appropriate to their location. Because of the nature of the proposed use, proximity of residential neighbours and the residential character of Chapel Street and Montrose Place, it is considered that the proposed private members club would be harmful. The planning application is therefore recommended for refusal for the two reasons set out on the draft decision letter for Application 1.

The alterations and extension proposed would not have a harmful impact on the significance of the listed buildings, and it is therefore recommended that listed building consent is granted subject to the conditions set out on the draft decision letter for Application 2.

3. LOCATION PLAN



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4. PHOTOGRAPHS



38 Belgrave Square from Belgrave Square



28A Chapel Street from Chapel



Street

28A Chapel Street from Montrose Place

5. CONSULTATIONS

WARD COUNCILLOR RACHEL ROBATHAN:

Note that the application has been linked to another property nearby as a 'land swap'. It is not clear what the connection is between the two properties or their use, other than that they are both in Belgravia. Question whether this accords with the spirit of the policy and, given the desperate need for Affordable Housing contributions in Westminster, seek reassurance that these two applications do indeed comply with the policy.

While the address is Belgrave Square, given that the entrance to the house is on Chapel Street, which is a relatively narrow and quiet residential street. concerned about the impact of introducing a commercial use in such a quiet residential area.

Note the applicants estimate that there will be up to 250 people using the club each day. Given that members of such a club are unlikely to use public transport, it will likely increase vehicle movements in the street and concerns about drivers idling engines as they wait outside the premises.

Given the pressure on resident parking bays in the street it is not acceptable to remove bays in order to allow servicing and drop off areas for the club.

Given that the dining area will be at the top of the building next to the roof terrace, what provisions would be put in place to ensure no noise or disturbance. There would need to be very robust sound proofing to ensure that any music played in the gym couldn't be heard from outside.

In conclusion, this is not an appropriate venue for a use such as this and the impact on Chapel Street would be considerable and unacceptable.

WARD COUNCILLOR TONY DEVENISH:

Should not be opposing a business use. Requests that the application be considered by planning sub-committee.

THE BELGRAVIA SOCIETY:

Comments dated 8 March 2021:

The land swap proposal between 1 and 2 Upper Belgrave Street and 38 Belgrave Square and 28A Chapel Street is flawed and does not comply with policy. It would not help meet CAZ objectives and would compromise the quality of the residential neighbourhood.

The land swap proposal is flawed because part of the land swap site (1 and 2 Upper Belgrave Street) is already an ambassador's residence which means that overall there would be a loss of residential floorspace between the two sites.

The application would harm the amenity of neighbouring residential occupiers because the private members club would result in large numbers of visitors to the site, generating traffic and noise and harming the character of the area (in particular Chapel Street). The applicant did not consult widely enough.

The loss of the residential use would harm the special interest of the listed building.

There are residential parts of the CAZ and commercial/ entertainment uses need to ensure no harm to residential amenity, local environmental quality and the character and function of the area which these proposals breach. This is because of the type of uses proposed within the building, the number of patrons, how they access the building (from Chapel Street), through increased traffic/ servicing, activities both internal and external, from equipment, and the impact on the residential character of the area (in particular, Chapel Street).

Comments dated 7 June 2021:

The previous objections remain. Oppose the loss of the single family dwelling house, particularly in the face of withdrawing the land swap agreement. The house is in good condition and could be used. The proposed wellness club use is unnecessary and unwanted in the area and will harm existing residents.

BELGRAVIA NEIGHBOURHOOD FORUM:

Objection. Loss of the single family dwellinghouse, which is important to retain in Belgravia to maintain the residential community. The introduction of a commercial use is inappropriate. The main entrance is on Chapel Street which is a residential street and will be harmful to its character and function. The proposals would also harm residential amenity because of the proximity to neighbouring residential occupiers and the number of visitors to the private members club. Overall, strongly object because the application fails to adhere to the Forum's vision to "preserve Belgravia's unique character, architecture and heritage, making it the most attractive and agreeable 'village' in the heart of London for those who live and work there".

BELGRAVIA RESIDENTS ASSOCIATION

Any response to be reported verbally.

HISTORIC ENGLAND

Authorised to determine.

HIGHWAYS PLANNING TEAM - CITY HIGHWAYS:

Comments dated 30 December 2020

Concern regarding the loss of on-street car parking which would adversely impact on the operations of the highway. The proposed servicing arrangement is unacceptable, including the loss of off-street parking (which could be used for off-street servicing). Cycling parking arrangements do not adhere to London Plan requirements.

Comments dated 1 April 2020

Suggested amendments by the applicant would likely be sufficient to overcome highway concerns.

WASTE PROJECT OFFICER

The waste storage arrangements are not in line with City Council requirements.

ENVIRONMENTAL HEALTH:

No objection on environmental noise or nuisance grounds subject to conditions being attached to an approval.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 44
Total No. of replies: 30 from 23 individuals
No. of objections: 28 from 21 individuals
No. in support: 2

In summary, 21 neighbouring residents/interested parties object on the following grounds:

Land use:

- The private member club use would harm neighbouring residential amenity (including those who reside in neighbouring diplomatic buildings) because of noise and disturbance through increased activity associated with the site.
- The private member club would harm the residential character of the area.
- Entertainment uses should be directed to more commercial parts of Belgravia/ city.
- Loss of existing residential units should not be permitted, the building and area should remain residential.
- There are other similar facilities nearby.
- The type, scale and timings of activity on and around the site would be harmful.

Amenity (other than that related to land use):

- The roof terrace would result in a loss of privacy.

Highways:

- The private member club use would generate harmful levels of traffic and on-street parking demand and pollution.
- The private member club use would require increased servicing, harmful to the highway and neighbours.

Two neighbouring residents/ interested parties support on the following grounds:

- The private member club would be a great addition to the area, giving the area more life and diversity.
- Residents will benefit from the opportunity to join the club.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

38 Belgrave Square is a grade I listed building connected to a grade II listed mews building, 28A Chapel Street. Both buildings are used as one single family dwellinghouse. The site is located within the Belgravia Conservation Area and the Central Activities Zone ('CAZ').

The area is of significant heritage importance. Belgrave Square is the centrepiece of Belgravia and is bound by grade I listed buildings set around the grade II registered gardens at its centre. Chapel Street contains grade II listed buildings.

The boundary of the CAZ is to the rear of site, running along Montrose Place. While the application site is within the CAZ, the adjacent properties to the rear on Chapel Street and the north-east side of Montrose Place are outside the CAZ. The properties on Belgrave Square are predominately in diplomatic, institutional and office uses whereas the properties on Chapel Street and Montrose Place are predominately residential. The main entrance to the site is on Chapel Street.

6.2 Recent Relevant History

On 6 January 2005, the City Council granted permission and listed building consent for extensive works, including the demolition and reconstruction of an existing rear extension to the main house and 28A Chapel Street; the creation of a basement; erection of extensions and other associated alterations. This work was carried out mid to late 2000s.

7. THE PROPOSAL

The applicant seeks permission and listed building consent to carry out internal and external alterations in connection with the use of the buildings as a members wellness club (sui generis). The alterations include the installation of an external lift to an existing lightwell of the main building and plant enclosures. The floorspace figures are provided in the table below.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Residential (Class C3)	1,908	0	-1,908
Private Members Club (Sui Generis)	0	1,942	+1,942
Total	1,908	1,942	+34

During the course of the application, and following objections, the applicant has provided amendments as to how the private members club would operate. This included a reduction in maximum capacity, changes to servicing arrangements and to the management of the private members club.

The applicant initially proposed that the development formed part of a land use swap to provide the residential floorspace lost as part of this application at 1 and 2 Upper Belgrave Street which are currently in use as an embassy/ambassadors residence . Following officer advice, this land swap package was abandoned, and the City Council granted permission for the use of 1 and 2 Upper Belgrave Street for residential use in June 2021.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of the Single Family Dwellinghouse

Objections have been raised regarding the loss of the single family dwellinghouse and to the originally proposed, but now abandoned land use swap.

City Plan Policy 8 relates to housing delivery, and states that the number of new homes built in Westminster will exceed 20,685 over the plan period. To achieve this key priority and to help meet growing housing need, it is necessary to protect all existing residential units (as well as deliver new units) and so the policy requires all residential units be retained. The policy sets out two exceptions where the loss of a residential unit may be acceptable, and these relate to circumstances where the loss would help better meet affordable housing needs or where two small units are amalgamated to create a family sized unit.

The proposal would result in the loss of a single family dwellinghouse (of a very large size 1,908 sqm (GIA)) and does not meet a specified exception of Policy 8 where this could be allowed. Therefore, the loss would harm Westminster's ability to meet its housing targets, and this is unacceptable in policy terms.

Westminster's housing targets are based on the Greater London Authority's estimate of land capacity through the Strategic Housing Land Availability Assessment (SHLAA). As Policy 8 notes, this land capacity target is below Westminster's housing need. This is because housing need in Westminster exceeds the land capacity identified in the SHLAA – i.e. there is not enough identified land to meet housing need in Westminster. This underlines the severity of the housing shortage in Westminster, and the vital importance of not only ensuring new residential units are delivered where land is available and suitable for it, but also ensuring existing units are retained to mitigate the impact the shortage of housing has on Westminster's residents as much as possible.

To overcome this significant land use issue, the applicant explored the possibility of a land use swap package with a nearby site. This would have resulted in the single family dwellinghouse floorspace at the site being 'swapped' to 1 and 2 Upper Belgrave Street (where the existing use is diplomatic (sui generis) consisting of an embassy and ambassador's residence). This is no longer proposed. The applicant has also explored the possibility of purchasing and utilising land use credits, but this proved too costly. The applicant has also noted that it is difficult to let or sell a home of such a scale, and this is one of the motivations for the proposals. However, as some of the objectors note, the single family dwellinghouse is in very good condition. Policy 8 limits the size of new homes to 200sqm, and paragraph 8.11 explains the reason this restriction is needed in Westminster is because of the demand for super-sized homes in this part of London – so the applicant's experience of a lack of demand is at odds with the situation in Westminster generally. Moreover, the applicant has not demonstrated the lack of demand for this property in their submission.

For these reasons, it is recommended that the application is refused on the grounds of the loss of the single family dwellinghouse.

Provision of a Private Members Wellness Club

Objections primarily relate to the harmful impact the private members club would have on the character and function of the area, local environmental quality and amenity through increased activity on and around the site and because of the type of activity that would occur. The objectors consider the character of the area to be residential and note the main entrance (as well as the secondary and servicing entrances) do not face onto Belgrave Square but onto predominately residential streets (Chapel Street and Montrose Place).

City Plan Policies 7, 16, 33 and 38 are most relevant. These require developments to be neighbourly, and require the protection of amenity, local environmental quality and the local character of the area. Entertainment uses must be of a type and size appropriate to their location and should, where appropriate, demonstrate wider benefits for the local community. Developments should prevent adverse effects on local environmental quality, including in terms of noise, traffic and other impacts.

Larger entertainment uses can have a disproportionate impact on residential amenity and local environmental quality and can contribute to the loss of character, and unacceptably change the function, of an area. They have the greatest potential to generate noise and disturbance in nearby streets and to adversely affect local amenity. In this case, the proposed club would be very large at 1,942 sqm (GIA). It is located within the CAZ, but is adjacent to it's boundary. The adjacent properties on Chapel Street and Montrose Place are predominately residential. This differs to Belgrave Square which contains predominately diplomatic, institutional and office uses. Belgravia more widely is predominately a residential area.

Westminster's larger entertainment uses are normally located within the most commercial parts of city. Different types and/ or size of entertainment uses can have different impacts, a small restaurant has a different impact to a large night-club for instance. Different private member clubs can also differ in terms of their impacts. The impacts vary according to the size of the property, the activity that occurs and the area it is within. Historical private members clubs are concentrated in the Mayfair and St James's areas of Westminster, although other clubs can also be found in other commercial parts of the city including some within Belgravia. Private member clubs ordinarily focus on socialising and entertainment and sometimes include late-night activities.

The private member club proposed here would be in a less commercial part of the CAZ, and although its focus is on health and wellbeing, there are significant entertainment aspects – this includes multiple dining/ bar areas, lounge areas and outdoor terraces. In terms of the main health and wellbeing activities, there would be gym and yoga areas, spa, swimming pool (pre-existing) and treatment rooms. Given the size of the building, and these type of uses, there would be potential to significantly impact on neighbouring residential occupiers in terms of noise and other disturbance.

Sport, leisure and health facilities are considered to be community infrastructure under City Plan Policy 17, and therefore arguably this policy is also relevant here because an

aspect of the private member club would provide these facilities. Nonetheless, the facilities are part of a wider use which overall is considered to better fit within an entertainment use category. In any case, Policy 17 states new community infrastructure and facilities will be supported where there is an identified present or future need for them and the applicant's submission does not provide evidence demonstrating this type of use is in fact needed – whereas objectors have identified various other sport, health and leisure facilities in the vicinity. Also, this type of private member club would unlikely serve a range of residents, nor would it accommodate a range of community uses – which limits the public benefit of this type of use. Furthermore, facilities such as gyms and other indoor recreation can have similar impacts on amenity, local environmental quality and character of an area, which City Plan Policies 7, 16, 33 and 38 are concerned with, and this will particularly be the case where these uses are part of a larger entertainment use located within or adjacent to residential areas, as proposed here.

In some instances, appropriate management of an entertainment use can help mitigate the harmful impacts of the use. In this case, the applicant has sought to address some of the concerns raised by neighbours through improved management proposals for the club. This includes a reduction in maximum visitor numbers from 240 to 170 per day. The applicant explains that on a typical day, up to 115 visitors are expected in the building during the peak hours which they consider would be between 18:00 and 20:00 hours. The club would be open from 06:00 hours to midnight every day, however. While the applicant proposes management of the building, including relating to external areas (terminating their use at 22:00 hours), management of arrivals and exits, management of servicing and equipment – there would undoubtedly be a noticeable increase in activity both on and around the site. While the applicant does not consider the site suitable for events, these are not prevented by the proposed management proposals and these would likely increase impacts further still.

Clearly this private member club would result in a significant increase in comings and goings associated with the site over that which would be expected for a single family dwellinghouse. While the highway planning manager expects that with suitable operational management this impact could be managed so to be acceptable in terms of operation of the highway, the dropping off and picking up, visitors using the entrances on Chapel Street, together with the use of external terraces and the internal activities on site, will cumulatively generate noise and disturbance audible to neighbours on the surrounding streets.

While the highway planning manager indicates that revised servicing arrangements, utilising the existing garage as a temporary storage area for deliveries and refuse, and the measures to reduce servicing trips, could mean that the proposal would not be determinantal to the highway network – there would be increased deliveries to the site. These deliveries, however well managed, would contribute to the disturbance of neighbours on Montrose Place and Chapel Street which are predominately residential. Such activity would be alien to the existing character and function of these streets.

Environmental Health do not object to the proposal, although the acoustic report they assessed is limited to considering noise from the external courtyard/ terrace areas and plant equipment rather than from activity around the site. There would undoubtedly be significant impacts that would harm both local environmental quality and amenity, and

given the location of the entrances on Chapel Street and the proximity to residential properties outside the CAZ, these impacts would harm the character and function of the area.

For these reasons, the provision of a private members club in this location is considered unacceptable.

8.2 Townscape and Design

Legislation, NPPF and Policy

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 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.”*

Section 66 of the same Act requires that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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.”*

Section 72 of the same Act requires 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.”*

Furthermore 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, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

City Plan Policy 40 explains development will be sensitively designed, having regard to the prevailing scale, heights, character, building line and plot widths, materials architectural quality and degree of uniformity in the surrounding townscape.

City Plan Policy 39 explains development states that development will preserve and enhance the character and appearance of Westminster conservation areas, and will preserve the special interest of listed building.

Cit Plan Policy 38 states that, new development will incorporate exemplary standards of high quality, sustainable and inclusive urban design and architecture befitting Westminster’s world-class status, environment and heritage and its diverse range of locally distinctive neighbourhoods.

Considerations

38 Belgrave Square is at the southern end of the grade I listed terrace forming the east side of Belgrave Square; and 28A Chapel Street lies immediately to the east and is internally linked. The latter is separately listed at grade II. All of the site lies within the Belgravia Conservation Area, with several listed buildings in the immediate vicinity.

Belgrave Square is one of the most significant and intact of the great late Georgian squares of London. It is group listed (Grade-I) with 38-48 Belgrave Square and makes a very positive contribution to the character and appearance of the Belgravia Conservation Area. Internally, the building has been heavily altered, largely owing to its previous conversions from residential to office, and then back to residential use in 2007. The plan form of the ground and first floors is still recognisable to that of the original layout, however the basement, second, third and fourth floors have been heavily reconfigured and retain very little original fabric. As such, these secondary floors make only a limited contribution towards the building's overall special interest.

28A Chapel Street is Grade-II listed and makes a positive contribution to the character and appearance of the Belgravia Conservation Area. The importance of the mews building has though been compromised by many later alterations. Although the elevation to Chapel Street reflects the building's original form, the remainder of the structure has, to all intents and purposes, been re-built in the early 20th century and then subsequently remodelled post 1950, and then again entirely reconstructed in the 2007 scheme.

The proposed alterations are associated with a proposed change of use from residential to a private members club – focussed on wellness. For the most part the physical alterations are associated with fabric and areas introduced or altered as part of the significant phase of works which took place following permission and consent in 2007.

External alterations are relatively limited: the entrance steps to 28A will be modified to accommodate a sesame access system, to enable step-free access. These steps are of modern construction. Two a/c units are to be sited within the enclosed courtyard, encased within an enclosure and behind planting. Also, in the courtyard and adjacent to the modern orangery a glass lift will be installed to run between basement and ground floor levels.

Internally, the works of alteration in the main house are primarily confined to the basement, where a series of new partitions are introduced for changing rooms and toilets (all in area of 2007 works); at second floor (floor plan most affected is area previously subdivided in 2007); and third floor where much of the current floor plan derives from 2007, albeit recreating a historic cellular character, in this case the proposals would involve greater subdivision and would be used for treatment rooms so will in all likelihood lose something of their residential character. A landing within the main staircase compartment will be re-instated – which changes the current volume but would replace an original element of the design.

The mews internal alterations see a greater level of change, including removing the double-height space that forms the mews drawing room. While the loss of some of the detailing is regrettable, this is all fabric and volumes of 21st century date and therefore their loss or modification is not considered to have a harmful impact on significance.

The change in use from residential to a private members club is regrettable given that the current use is the original use. However, it is the case that many of the Belgrave Square houses have changed their use over time, often moving to office or institutional uses. In this case the character and appearance of the main elements which contribute to significance would largely be unaltered. In such circumstances the change in use would not harmfully affect the building's significance.

So too the changes proposed would not have a harmful impact on significance. There are areas of the proposals where further detail is required such as the new built-in joinery to the principal rooms of the ground and first floors, but the principle of the works is acceptable and the detail can be secured by condition.

Conclusion

As such, the proposal is considered acceptable in listed building and design/ townscape terms being mindful of City Plan policies 38, 39 and 40 and therefore, a recommendation to grant conditional listed building consent would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. As the planning application is otherwise unacceptable because of the land use issue, only the listed building consent application can be granted (although the external works would require both planning permission and listed building consent to carry out, so these work will not be able to implemented without the applicant obtaining separate planning permission).

8.3 Residential Amenity

City Plan Policies 7 and 33 seek to protect residential amenity, including in terms of light, privacy and sense of enclosure and encourage development which enhances the residential environment, quality of life and health and wellbeing.

The impact of the proposed land use change to provide a private members club is considered in section 8.1 of this report. In relation to the external alterations to the building, these are relatively modest works which would not result in a negative impact in terms of loss of light, loss of privacy or increased sense of enclosure. While the roof terrace would be used more intensively (compared to a residential use) it is a significant distance to the nearest residential property and therefore this would not result in undue loss of privacy.

8.4 Transportation/Parking

Cycle Parking

London Plan Policy T5 and Chapter 8 of the London Cycle Design Standards (LCDS) set cycle parking standards. Although there are no specific requirements for private member clubs, space should be provided in line with the most relevant other use for which there is a specific requirement. The applicant has sought to revise their proposal to increase the number of cycle parking spaces on site to allow both patrons and staff to cycle to the site, and the highway planning manager welcomes this increase. Had the application been otherwise acceptable, such provision could be ensured by condition.

Car Parking

The initial proposals involved the removal of an existing off-street car parking space

within the garage at 28A Chapel Street, and the proposed use of existing on-street car parking bays for the private members club. While there is no expectation for this type of use to include off-street car parking for visitors or staff under the City Plan or London Plan, converting on-street car parking bays for use of the private members club would have been unacceptable. As such, the applicant has explained through revised management of the club they would no longer require this, and therefore there would be no car parking either on-street or off-street designated for use by patrons or staff. Dropping off and picking up would occur on Chapel Street however, and as explained in section 8.1 of this report, the highway planning manager considers the operation of the highway would not be unduly harmed by this (although it would impact on the amenity enjoyed by neighbouring residential occupiers).

Servicing

City Plan Policy 29 and London Plan Policy T7 expect off-street servicing to be provided in new developments. The proposal relies on on-street servicing and initially the existing garage would have been used not be utilised for this servicing. The applicant's revisions allow a holding area in the garage and no longer requires the removal of on-street car parking bays, although servicing would still be carried out on-street. While not ideal, subject to a Servicing Management Plan which would set out how this would be appropriately the highway planning manager considers the operation of the highway would not be unduly harmed by this (although it would impact on the amenity enjoyed by neighbouring residential occupiers).

8.5 Economic Considerations

If completed, the development would result in economic benefits to the local economy associated with an increased number of jobs on site. There would also be a modest and short-term economic benefit by way of jobs generated because of the construction works.

8.6 Access

City Plan Policy 38 states that all development will place people at the heart of design, creating inclusive and accessible spaces and places. The proposal involves works in order to ensure the building has step free access, and this is welcomed and necessary for a proposal that seeks to allow members of the public to utilise the building.

8.7 Other UDP/Westminster Policy Considerations

Noise/ Plant

The application includes plant equipment to various parts of the building. Environmental Health officers have assessed the acoustic report submitted and conclude that the proposed equipment would not harm neighbouring residential occupiers by way of noise and vibrations, subject to standard noise conditions.

Refuse /Recycling

The applicant provided revised ground floor plan showing an off-street servicing area which includes space for refuse and recycling storage. Had the application been

otherwise acceptable, a condition could ensure that provision, in line with the City Council's requirements, is provided.

8.8 Westminster City Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. 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

None relevant.

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.

8.12 Planning Obligations

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

8.13 Environmental Impact Assessment

Environmental Impact Assessment is not required for a development of this scale.

8.14 Other Issues

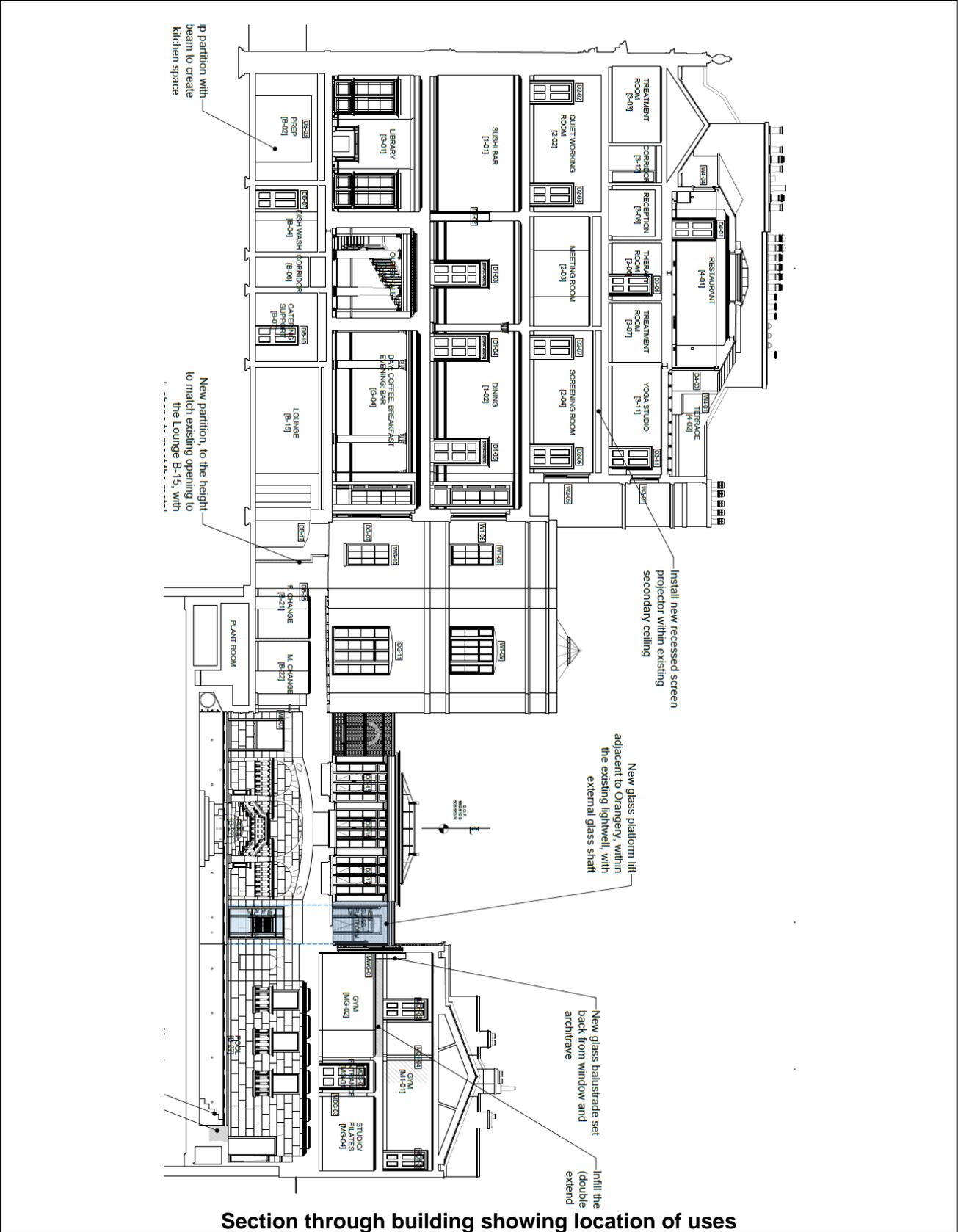
None.

(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: JULIA ASGHAR BY EMAIL AT jasghar@westminster.gov.uk

9. KEY DRAWINGS





In partition with beam to create kitchen space.

New partition, to the height to match existing opening to the Lounge B-115, with

Install new recessed screen projector within existing secondary ceiling

New glass platform lift adjacent to Orangery, within the existing lightwell, with external glass shaft

New glass balustrade set back from window and architrave

Infill the (double extend)



Section through building colour coding types of activities

DRAFT DECISION LETTER – Application 1 (Planning)

Address: Site 38 Belgrave Square And 28A Chapel Street, Belgrave Square, London, SW1X 8NT

Proposal: Alterations and extensions to the buildings, including installation of an external lift to an existing lightwell of the main building and plant enclosures, in connection with their use as a members wellness club (sui generis).

Reference: 20/07039/FULL

Plan Nos: Site Location Plan; 1000.01 rev 1; 1000.02 rev 1; 1001.01 rev 1; 1001.02 rev 1; 1002.01 rev 1; 1002.02 rev 1; 1003.01 rev 1; 1003.02 rev 1; 1004 rev 1; 1005 rev 1; 1006 rev 1; 1100 rev 1; 1101 rev 1; 1200 rev 1; 1201 rev 1; 5000.01 rev 2; 5001.01 rev 2; 5001.02 rev 2; 5002.01 rev 2; 5002.02 rev 2; 5003 rev 2; 5004 rev 2; 5005 rev 2; 5100 rev 1; 5191 rev 1; 2000.01 rev 4; 2000.02 rev 2; 2001.01 rev 2; 2001.02 rev 5; 2002.01 rev 2; 2002.02 rev 2; 2003.01 rev 2; 2003.02 rev 2; 2004 rev 2; 2005 rev 2; 2006 rev 2; 2100 rev 1; 2101 rev 1; 2200 rev 1; 2201 rev 1; Proposed Extraction/Ventilation and MEP Systems; Noise Assessment Report.

For Info: Design and Access Statement; Historic Building Report; Planning Statement; Statement of Community Involvement; Structural Summary Statement; Operational Management Plan (revised March 2021); Transport Statement and Addendum (March 2021); Post-application consultation on proposed revisions to the planning application (March 2021); Servicing Management Plan (March 2021).

Case Officer: Joshua Howitt

Direct Tel. No. 07866038007

Recommended Condition(s) and Reason(s)**Reason:**

Your development would lead to a loss of housing which would not meet Policy 8(C) of the City Plan 2019 - 2040 (April 2021). We do not consider that the circumstances of your case justify an exception to our policy. (X04AD)

Reason:

The development would add an entertainment use generating increased activity and disturbance in this part of the city. This, together with the proximity and number of neighbouring residential occupiers (including on Chapel Street and Montrose Place where the site's entrances are located), would harm:

- the character and function of the area;
- the quality of the area's environment; and
- the amenity (including the general quality of the living and working environment) of the community in the area, including residents.

This would not meet Policies 7, 16, 33 and 38 of the City Plan 2019 - 2040 (April 2021).

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 so far as practicable. 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, London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

DRAFT DECISION LETTER – Application 2 (Listed Building Consent)

- Address:** Site 38 Belgrave Square And 28A Chapel Street, Belgrave Square, London, SW1X 8NT
- Proposal:** Internal and external alterations, including installation of an external lift to an existing lightwell of the main building, installation of plant enclosures, and associated works.
- Reference:** 20/07038/LBC
- Plan Nos:** Site Location Plan; 1000.01 rev 1; 1000.02 rev 1; 1001.01 rev 1; 1001.02 rev 1; 1002.01 rev 1; 1002.02 rev 1; 1003.01 rev 1; 1003.02 rev 1; 1004 rev 1; 1005 rev 1; 1006 rev 1; 1100 rev 1; 1101 rev 1; 1200 rev 1; 1201 rev 1; 5000.01 rev 2; 5001.01 rev 2; 5001.02 rev 2; 5002.01 rev 2; 5002.02 rev 2; 5003 rev 2; 5004 rev 2; 5005 rev 2; 5100 rev 1; 5191 rev 1; 2000.01 rev 4; 2000.02 rev 2; 2001.01 rev 2; 2001.02 rev 5; 2002.01 rev 2; 2002.02 rev 2; 2003.01 rev 2; 2003.02 rev 2; 2004 rev 2; 2005 rev 2; 2006 rev 2; 2100 rev 1; 2101 rev 1; 2200 rev 1; 2201 rev 1; Proposed Extraction/Ventilation and MEP Systems.

For Info: Design and Access Statement; Historic Building Report; Planning Statement; Statement of Community Involvement; Structural Summary Statement.

Case Officer: Joshua Howitt

Direct Tel. No. 07866038007

Recommended Condition(s) and Reason(s)

- 1 The works 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:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040

(April 2021). (R27AC)

3 You must apply to us for approval of full details of the following parts of the development:

- i) The new glazed enclosure for the new lift;
- ii) The new sesame access steps.

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 approved details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

4 You must apply to us for approval of full details of the following parts of the development:

- i) The new built in joinery to principal rooms of ground and first floor, including relationship to existing fabric and any services connections;
- ii) New third floor landing and balustrade;
- iii) The relationship of the new steps to the mosaic floor of the swimming pool.

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 approved details.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:, Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 This consent does not act as planning permission. You cannot implement the private member club use proposed under linked planning application RN: 20/07039/FULL because we have refused permission for that use. You also can not carry out any works granted by this consent which also require planning permission (unless you first obtain separate planning permission for those works).