



City of Westminster

Committee Agenda

Title: **Planning & City Development Committee**

Meeting Date: **Thursday 18th March, 2021**

Time: **6.30 pm**

Venue: **Please note that this will be a virtual meeting**

Members: **Councillors:**

Robert Rigby (Chairman)	James Spencer
Geoff Barraclough	Eoghain Murphy
David Boothroyd	Selina Short
Jim Glen	Richard Elcho
Louise Hyams	Mark Shearer
Matt Noble	Susie Burbridge
Tim Roca	Antonia Cox

This will be a virtual meeting and members of the public and press are welcome to follow the meeting and listen to discussion to Part 1 of the Agenda

This meeting will be live streamed and recorded. To access the recording after the meeting please revisit the link.

If you require any further information, please contact the Committee Officer, Georgina Wills, Committee and Governance Officer.

**Email: gwills@westminster.gov.uk; Tel: 07870 548348
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership

2. DECLARATIONS OF INTEREST

To receive and record declarations of interest.

3. MINUTES

To sign the minutes of the last meeting as a correct record of proceedings.

(Pages 3 - 12)

4. PROPOSED CLASS E TO RESIDENTIAL PERMITTED DEVELOPMENT RIGHTS

(Pages 13 - 42)

5. DRAFT EARLY COMMUNITY ENGAGEMENT GUIDANCE

(Pages 43 - 74)

6. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS URGENT

7. DATE OF NEXT MEETING

- 22 July 2021
- 25 October 2021

**Stuart Love
Chief Executive
10 March 2021**



CITY OF WESTMINSTER

MINUTES

Planning & City Development Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning & City Development Committee** held on **Wednesday 28th October, 2020**, Please note that this will be a virtual meeting..

Members Present: Councillors Robert Rigby (Chairman), Geoff Barraclough, David Boothroyd, Jim Glen, Elizabeth Hitchcock, Louise Hyams, Matt Noble, James Spencer, Eoghain Murphy, Selina Short, Richard Elcho, Antonia Cox and Guthrie McKie

Also Present: Councillor Matthew Green

Apologies for Absence: Councillor Tim Roca and Councillor Mark Shearer

1 MEMBERSHIP

1.1 Election of Deputy Chairman

1.2 The Chairmen proposed that Councillor Jim Glen be appointed as Deputy Chairman for the duration of the Meeting.

There being no other nominations it was

RESOLVED:

That Councillor Jim Glen be appointed as Deputy Chairmen for the duration of the Meeting

2 DECLARATIONS OF INTEREST

2.1 Cllr David Boothroyd declared that he was Head of Research and Psephology for Thorncliffe, whose clients were companies applying for planning permission from various local authorities. No current schemes were in Westminster; if there were he would be precluded from working on them under the company's code of conduct.

3 MINUTES

3.1 That the Minutes of the Planning and City Development Committee meeting held on 30 June 2020 be approved.

3.2 Matters Arising from the Minutes

3.2.1 Item 5 Update On the Planning Review

3.2.2 Point 5.4 - Site Visits

Members were advised that physical site visits continued to be carried out and these were only done in exceptional circumstances. There are protocols in place to ensure that site visits are safely conducted. During the Covid-19 Pandemic lockdown the Service has been using various tools to undertake site assessments and these instruments were found to be robust and effective when undertaking such tasks.

3.2.3 Point 5.7 – Hybrid Meetings

The Sub-Committee noted that hybrid meetings were permissible under the current Planning Legislation and these were dependent on three factors which include relevant risk factors/ assessment, the local outbreak control plan and technology. Members were advised that updated legal advice on hybrid meetings had now been provided.

3.2.4 Point 5.9 / 5.9- Public Comments on Planning Portals.

Members were advised that bespoke software was being developed to prevent inappropriate comments from appearing on the Service's electronic public portals. The software would filter comments and be in operation in the forthcoming weeks.

4 ANNUAL UPDATE ON PLANNING APPLICATIONS AND APPEALS PERFORMANCE 2019/20

4.1 The Committee received a report which provided an annual update on the performance of the Place Shaping and Town Planning department in terms of the timeliness and quality of its planning application decision making and the success rate of planning appeals. The performance of the department over the period between April 2019 and March 2020 continues to significantly exceed the required performance thresholds set by the Ministry of Housing, Communities and Local Government (MHCLG).

4.2 The performance of local planning authorities in determining major and non-major development is assessed on a quarterly basis by the MHCLG. For the period from April 2019 to March 2020 the City Council met and exceeded the MHCLG Performance thresholds for both Major and Non-Major applications. The Major applications threshold was exceeded by 13.5%, whilst the Non-Major applications threshold was exceeded by 3.1%. Coupled with similar performance for the preceding 2017/ 2018 financial year, the City Council is not at risk of designation in respect of the quality and speed of its decision

making. The Service continues to handle a high volume of planning applications whilst ensuring that timely decisions are made for the majority of applications.

- 4.3 There have been 14 virtual Planning Applications Sub-Committees since April 2020. The first virtual Sub-Committee were viewed by a wide range of audience which included local authorities, academic institutions, development industries and applicants. Officers advised that the diverse audience indicated that parties wished to view how the Council responded to the current climate and that they wanted to replicate the virtual Committee. The number of viewers of the virtual Sub-Committees have declined in the subsequent months and this was attributed to difficulties in finding the links to the live broadcast on the Council's Web Page. Members were advised that the Council would be reverting to using previous broadcasting platforms in the forthcoming months and this would ensure easier access to the virtual meeting and increase the number of viewers.

Members noted the following: -

- That Extensions of time (EoTs) were not proactively used and that the Service's main priority was to maintain performances for decision making. This was achieved by ensuring that there was good timetabling of applications and that decisions are made within these set timeframes.
- That the Council met the cost of applications that it had been directed to refuse, which were later allowed following appeal. The Committee noted that there was no automatic cost award for allowed appeals and that there was an application process for these awards.
- That the 51 refusals of advertisement consent (Table 8 2019/20 Appeal Performance by Application) that were successfully appealed were predominately associated with telephone boxes.
- That the appeal statistics was an assured established independent method to measure the quality of decision making of the Service. Members noted that the appeal system in practice determined whether decisions could stand up to independent scrutiny.

RESOLVED:

1. Members considered the contents of the report and noted the ongoing good performance of the Place Shaping and Town Planning department in terms of its performance in the determination of planning applications and defending decisions to refuse permission at appeal.
2. That the Committee be provided statistics on the number of planning applications which were recommended for refusal by Officers and were granted by the Sub-Committees.

5 RECENT CHANGES TO PLANNING LEGISLATION AND REGULATIONS

- 5.1 The Committee received a report which provided an update on the recent changes to planning legislation and regulations and identifies where these may impact upon planning decision making in Westminster.
- 5.2 There have been a number of changes made to certain aspects of the planning system in recent months. Some of these changes are temporary and seek to assist the recovery from the immediate impacts of the COVID-19 pandemic, both from a public health and economic perspective. Other changes are permanent and seek to address the longer-term impacts of COVID-19, as well as the issues related to the long-term decline in traditional high street retailing and to seek to promote the delivery of more housing. The Ministry of Housing, Communities and Local Government (MHCLG) will be reviewing what temporary measures should be extended and may refer to Planning Authorities on which of these areas were problematic.
- 5.3 Members held discussion and noted the following: -
- That the new permitted development right for upward extensions on blocks of flats allowed up to 2 storeys to create new flats on existing blocks flats built after 1 July 1948 and before 5 March 2018 without the requirement for planning permissions.
 - That the new permitted development rights to demolish and replace blocks of flats allows demolition and redevelopment of detached purpose-built blocks of flats and single detached buildings used as offices or other uses within Class B1 that were constructed before 31 December 1989.
 - That these permitted development rights did not apply to conservation areas or listed buildings.
 - The permanent changes to the Use Classes Order includes the creation of a new Class E titled 'Commercial, Business and Service' contains a wide range of uses between which changes of use can occur without the need for planning permission. The changes were noted to provide more flexibility and ensure different needs of localities can be taken into consideration. Planning Permission would still be required for associated physical alterations of buildings.
 - The Committee was informed there were several town centres and high streets which required support and that the flexibility and broader use of Class E should enable this. The Sub-Committee was advised that there was a trend for 'hyper mixed uses' comprising a range of uses formally within different use classes and the new Class E would support this trend. The existing Article 4 Direction preventing the loss of Class B1 offices to residential in the CAZ had been examined to ensure it remains enforceable in light of the inclusion of offices in Class E. At current time during the transition period that ends on 31 July 2021 there is no requirement for a new Article 4 Direction. Officers will continue to monitor

trends and examine whether the new Class E is having a positive impact on the vitality of our town Centres and high streets.

- The Committee noted that Article 4 Directions can be cancelled by the Secretary of State at any time before or after its confirmation.
- That the Service was mapping the number of properties and areas that may be affected by the changes to permitted development rights. Members noted that there were other factors which would influence whether the new permitted development rights would be utilised and these included the 'consent' of the freeholders of properties that were affected and the associated legal parameters.
- That there were no discernible trends regarding large scale developments at current and it was likely that planning agents were observing the market and liaising with their clients about changes to the planning legislation and regulations and its impact on prospective schemes. Officers advised that any future trends on large scale developments would be reported to the Committee.
- That the new pavement licensing regime was more streamlined and had amalgamated the licensing and the planning application regimes into a single application process for external seating.
- Members noted that some interested parties relied on site notices for notification about proposed planning applications and welcomed that they would continue to be used by the Service.
- That applications for the extension of construction hours for a temporary period was permitted until 1 April 2021.
- That the draft new City Plan had been amended prior to the Examination in Public held earlier in October 2020 to take account of the changes to the Use Classes Order.

RESOLVED:

1. Members considered the contents of the report and noted the likely impacts recent changes to planning legislation and regulations on future planning decisions.
2. That Officers provide feedback on the effects of permitted development rights and an analysis of the trends which have emerged following changes to the Use Classes Order during the next 12-month period.

6 THE PLANNING WHITE PAPER 'PLANNING FOR THE FUTURE'

- 6.1 The Committee received a report which provided an overview of the proposals set out by Government in the Planning White Paper 'Planning for the Future' and identifies those aspects that would have the most significant impact on planning in Westminster, should they come forward in the form currently proposed.
- 6.2 The Planning White Paper proposes significant change to the current planning system in England. The aims of the White Paper, to increase housing delivery, speed up and streamline both the plan-making and decision-making processes and better promote 'beautiful' design are supported. However, the lack of detail in the White Paper leaves significant questions about how these aspirations are to be achieved and in many instances further detail will be required following consultation on the White Paper to fully understand the impact that the proposals will have on the management of development and the delivery of good growth in Westminster in the future.
- 6.3 Members held discussion and noted the following: -
- That the three main pillars of the White Paper were Planning for Development, Planning for Beautiful and Sustainability and Planning for infrastructure and Connected Places.
 - That local design guidance and design codes would be prepared with community involvement and would shift the debate around design, characteristics and desirability of developments from being considered at the planning application stage to the planning policy setting stage. The White Paper does not provide any definition about 'localities' or how areas would be grouped for the purpose of delivering design codes. The Committee noted that this was of high importance as the built environment of the City has a rich variety of buildings of significant design quality and historic interest and it was preferred for design codes to be flexible and allow local input.
 - That there was uncertainty on whether there will be any Growth Areas in the City. At present there is no information on how the Growth, Renewal and Protect Areas would be defined. The Committee noted that further clarification on these three Areas would be given after the consultation ends and that it was probable that some part of the City might be deemed to be 'Growth Areas'.
 - That the Council's Innovation and Change Service had submitted a response to the consultation regarding the Government's proposed changes to the standard method for assessing local housing need. The Committee noted that there were concerns about the proposed methodology and this was due to the process largely focusing on the maximisation of housing stock, with insufficient regard to the physical, economic and other constraints that can serve to limit housing supply..
 - The Planning Service had liaised with Innovation and Change Service regarding responses to the consultation and that local amenity societies

and other interested parties had been liaised with to ascertain views about proposed changes and their likely effects on local communities.

- That it was not anticipated that the number of appeals would increase when parts of the Planning White Paper becomes legislation. The Committee noted that the White Paper indicated that there would be regimes within Growth and Renewal areas which may remove the need for full planning applications, with greater consideration of appropriate development in these areas being undertaken at local plan stage or through further expansion of permitted development rights.
- There was a strong indication that conservation areas would continue to be protected and that development in these areas would continue to be assessed under the existing planning regime.
- That development schemes involving the reconversions of office units back into residential units would be largely led by market trends and demands. The Committee noted that there was existing policy which aimed to protect office units and that there had been a considerable reduction in the number of these units. There has been an increase in the demand for smaller local offices in residential areas outside the capital.

RESOLVED:

1. Members considered the contents of the report and noted the possible impacts of the Planning White Paper proposals on future planning plan making and decision making in Westminster.
2. That the members of the Committee be provided with a copy of the Council's response to the Planning White Paper 'Planning for the Future'.
3. That the Committee comments on the proposals listed in the Planning White Paper 'Planning for the Future' be included in the Council's response to the consultation.

7 DIGITAL PLANNING OPTIONS

- 7.1 The Committee received a report which provided an overview of the digital planning technology ('plan tech') sector. The sector has expanded rapidly in recent years through greater understanding of the potential for technology to enhance the planning process and due to the availability of new sources of funding, such as the Government's Local Digital Fund. It is in this context that the Government's White Paper 'Planning for the Future' provides significant support for greater use of digital technology in planning.
- 7.2 The Town Planning service has been operating as a wholly digital, paperless, service since November 2015 using the Uniform software platform and IDOX document management system. Over the last five years the paperless model adopted in 2015 has been steadily refined using knowledge built up through day to day operation of the service. Consequently, it is now an effective platform on which to operate the service. Indeed, the paperless operating

model, in tandem with use of more recent digital networking tools such as Microsoft Teams, has enabled the day to day operation of the Town Planning service to continue largely uninterrupted by the impact of the COVID-19 during 2020

7.3 The Committee were informed that the MHCLG Digital Fund provided funding rounds for digital projects via their local Digital Collaborative Unit to enable local authorities that are signed up to the Local Digital Declaration to research ideas for new digital technology that can be developed into implementation digital applications. The new emerging digital Technology have included: -

- Plan X. The Application provides a single point of access for planning enquires to a Council's website and allows applicants to upload images and be provided information on whether projects requires planning permission.
- Planning Back Office. The software creates a back-office system which enables for planning data and records to be easily accessible.
- Submit my Planning Application. The software enables household planning applications to be submitted via the Application without the need for applicants to use the Planning Portal.
- Planbot – Planning Advice Chatbox. The Application fields general planning enquires using artificial intelligence and enables officers without specialist planning knowledge to respond to planning queries.
- A London Development Database & London Infrastructure Mapping Application. The database will create an automated back office process for obtaining planning information data from applicants via the London Boroughs. All data will be captured at the point of submission of the application.
- Viability Assessment Checker & Viability Comparison Tool. The application would improve the accessibility of viability assessment for members of the public and remove barriers that viability assessments can place for small developers.

7.4 The Committee was advised that a majority of the new digital tools were still being BETA tested by the local authorities which had developed them and were not generally market ready. The Planbot - Planning Advice Chatbox was reported to be in use by LB Redbridge. The Service has been held initial fact finding discussions with officers from LB Redbridge to better understand the potential benefits of this software.

7.5 The Committee agreed that digital tools which can assist the Sub-Committee in visualising proposed development should be explored and noted that these images would need to be verified. Officers advised that a digital tool titled Vu.City was used by officers to view proposals from various angles. The Committee was informed that large scale developers were encouraged to

submit data and that this information was inputted into the Vu.City model. Members were advised that computer generated images may give misconceptions about the bulk, scale and height of building and that developers would provide data which focused on the positive aspects of their proposals. The Committee agreed that further discussions on whether Vu.City or other similar 3D modelling software could be used as part of the officer's presentation for large scale developments at Sub-Committees should be held and whether their decisions could be based on the 3D views that the programme generates.

- 7.6 The Committee commented on the importance of new technology packages being compatible with existing programmes used by the Service and noted that officers are currently analysing applications or tools that have the greatest potential to deliver service improvements and efficiencies in the context of the Council's existing planning service. As officers are at an early exploratory stage of identifying which digital technology may be of benefit to the Council's planning service, a timeframe for implementation of preferred technology has yet to be adopted.

RESOLVED:

Members considered the contents of the report and noted the possible planning technology that could be adopted in future following further exploration and evaluation by officers.

8 ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS URGENT

- 8.1 Members were reminded that a training session on Sustainability would be taking place in January 2021 and requested to forward topics for future sessions.

9 DATE OF NEXT MEETING

- 31 March 2021

The Meeting ended at 8.20 pm

CHAIRMAN: _____

DATE _____

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City of Westminster

Planning & City Development Committee

Date: 18 March 2021

Classification: General Release

Title: Proposed Class E to Residential Permitted Development Rights

Report of: Director of Place Shaping and Town Planning

Financial Summary: None.

**Report Author and Contact Details: Oliver Gibson, Strategic Planning Officer
(ogibson@westminster.gov.uk/ 07971026919)**

1 Executive Summary

- 1.1 This report provides an overview of proposed changes to permitted development rights to enable changes of use from Class E uses to residential use without the need for planning permission, which the Government recently consulted on during December 2020 and January 2021. The report also highlights the potential impacts of these changes in Westminster.
- 1.2 The proposed permitted development right would result in the council having significantly less planning policy levers with which to deliver sustainable economic growth through planned growth of existing commercial clusters. Should the Government not introduce the mitigation measures recommended in the council's consultation response, the principal impacts of the new right are likely to be:
- Large scale commercial floorspace within the CAZ could be lost to residential impacting in the unique contribution the city makes to the local and national economy.
 - Uncontrolled increases in residential floorspace in the CAZ at the expense of commercial floorspace, irrespective of whether it is vacant or surplus to current demand, would undermine its unique character and function of the area.
 - Uncontrolled loss of retail and complementary town centre uses at ground floor level within our international, major, district and local shopping centres leading to a loss of overall commercial character and function and an erosion of their vitality and viability. Initial analysis suggests most significant impacts could be in local and district centres outside the CAZ where the offset between commercial and residential property values is typically greater.
 - Permitted development schemes could be brought forward without the need to provide any affordable housing or infrastructure to support the increased population, unlike schemes granted planning permission.
 - The council's efforts to address the climate emergency would be undermined as permitted development schemes, which would not be required to comply with higher energy performance and sustainability standards in the London Plan and City Plan.

- Permitted development schemes would not be required to optimise the use of residential land leading to inefficient development that fails to meet identified housing demand.

2 Recommendation

- 2.1 Members are asked to consider the contents of this report and to note the likely impacts of the proposed changes to permitted development rights to land uses and future development in Westminster should the Government bring forward the changes in the form consulted on, notwithstanding the significant concerns highlighted in the council's consultation response.

3 Background

Recent Changes to Use Classes Order

- 3.1 The Government amended the Town and Country Planning (Use Classes) Order 1987 (as amended) (the 'UCO') in summer 2020 via the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 ('the 2020 Regulations'). These regulations, which came into force on 1 September 2020, consolidated many commercial, business and services uses (including retail shops, financial and professional services (estate agents etc.), offices, medical uses, gyms and other indoor sport uses, creches and nurseries) into a single new use class, Class E. Changes between uses now within Class E no longer require planning permission as these changes no longer constitute development.
- 3.2 In addition to Class E, a new Class F.1 was created titled 'Learning and non-residential institutions' to allow changes between education uses such as museums, art galleries, libraries, places of worship etc. without the need for planning permission. Additionally, a new Class F.2 titled 'Local Community' was also created to protect certain uses, such as isolated small shops (where they are less than 280m² and more than 1km from the nearest shop selling essential goods). Class F.2 also includes halls or meeting places for local communities, outdoor sport and recreation facilities and indoor or outdoor swimming pools and skating rinks. Changes between the Class F.2 uses would not require planning permission.

Transitional Arrangements for Permitted Development Rights

- 3.3 In making the changes to the UCO in summer 2020, Government acknowledged that the changes resulted in a number of the existing permitted development rights within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 'GPDO') becoming obsolete or inconsistent with the newly created use classes. To allow time to address these inconsistencies, the 2020 Regulations include a transition period until 31 July 2021 during which the use classes in force prior to September 2020 are to be used to interpret and apply permitted development rights.
- 3.4 During the transitional arrangements the council's Article 4 Directions remain in force and therefore the existing permitted development right, which permits office to residential conversion continues to be precluded within the Central Activities Zone (CAZ) at the current time, until the end of July 2021. Accordingly, the changes to the UCO in September 2020 have not yet had an impact in terms of increased development under permitted development.

4 Proposed Changes to Permitted Development Rights

Government Rationale for Proposed Changes

- 4.1 Government consulted on its proposed amendments to the GPDO, to make it consistent with the updated UCO, between 3 December 2020 and 28 January 2021. The consultation cites changes in consumer behaviour, magnified by the COVID-19 pandemic, which have resulted in a shift to online shopping as a key driver for their proposals to introduce greater flexibility into how buildings in town centres are repurposed. The Government identifies in the introduction to the consultation that the use of surplus retail floorspace in town centres would contribute to housing delivery and deliver homes in sustainable locations close to services. The consultation paper suggests that increasing housing in town centres will also boost footfall and create additional demand for remaining shops and services.
- 4.2 The consultation also includes proposals to amend permitted development rights for schools, colleges and universities, hospitals and prisons so that they can expand and adapt their buildings to more easily respond to changes in demand and ways of working.

Proposed Class E to Residential Permitted Development Right

- 4.3 It is proposed that the right would allow for the change of use from any use, or mix of uses, within Class E to residential use. The proposed permitted development right would go significantly beyond existing rights, allowing for restaurants, indoor sports, and creches etc. to benefit from the change use to residential under permitted development for the first time. Pubs, theatres, and live music venues are all now Sui Generis uses and therefore planning permission would still be required for a change of use to or from such uses. The permitted change of use would apply everywhere in all cases, not just on the high street or in town centres.
- 4.4 The uses in Class E that could be converted to residential under the proposed permitted development right are:
- Retail shops.
 - Restaurants and cafes.
 - Financial and professional services (including banks, building societies, estate agents etc).
 - Indoor sport, recreation or fitness facilities (gyms, sports centres etc.).
 - Medical and health service uses (doctors' surgeries, clinics, dentists etc.).
 - Creches, day nurseries or day care centres.
 - Offices and other commercial premises used for research and development premises or industrial processes (where these uses can be carried out in any residential area without detriment to the amenity of that area).

- 4.5 Government proposes that there would be no size limit on the buildings that can benefit from the proposed right (albeit development requiring an Environmental Impact Assessment would be precluded). The proposed right would allow for the building, or part of the building, to change use. The impacts of changes of use under the proposed right are intended to be managed through the use of prior approval applications.

- 4.6 It is proposed that the right would not apply to sensitive sites including listed buildings and land within their curtilage, and sites that are or contain scheduled monuments. The proposed rights are though currently proposed to apply within conservation areas; albeit with an additional prior approval consideration in such circumstances that would

allow the local planning authority to consider the impact of the loss of the ground floor use to residential would have on the conservation value that retail frontage brings to the conservation area.

- 4.7 The following issues are currently proposed to be included as matters for consideration as part of prior approval applications pursuant to the new right:
- flooding, to ensure residential development does not take place in areas of high flood risk;
 - transport, particularly to ensure safe site access;
 - contamination, to ensure residential development does not take place on contaminated land, or in contaminated buildings, which will endanger the health of future residents;
 - the impacts of noise from existing commercial premises on the intended occupiers of the development;
 - the provision of adequate natural light in all habitable rooms;
 - fire safety, to ensure consideration and plans to mitigate risk to residents from fire;
 - the impact on the intended occupiers from the introduction of residential use in an area the authority considers is important for heavy industry and waste management.
- 4.8 The consultation sets out that prior approval application fees would be set at £96 per new dwellinghouse, capped at a maximum of the fee for 50 homes, which is significantly below fee levels for planning applications (£462 per dwellinghouse up to 50 homes and £22,859, plus £138 for each additional 75m² up to a maximum of £300,000).

5 Considerations

Overview

- 5.1 The proposed permitted development right risks undermining attempts to achieve the objectives set out in the NPPF, which are reflected in our new City Plan, to build a strong, competitive economy, and ensure the vitality of town centres. It will become more difficult in future to use planning policy as a lever to deliver sustainable economic growth as the council will no longer have certainty over where the clustering of commercial uses will occur and be maintained. Similar challenges will be posed when seeking to manage the mix of uses within town centres if any commercial use within Class E can be converted to residential. The proposed permitted development right will therefore place significant additional responsibility in future on land owners to responsibly manage their building stock through the use of the tools at their disposal (such as leasehold clauses etc.), to ensure that appropriate and complementary uses are maintained throughout the commercial centres within the city.
- 5.2 Whilst the principal of any measure to promote housing supply within the city is supported, the council has demonstrated through the adoption process for the new City Plan that the new plan will enable the planned delivery of sufficient new market and affordable housing over the plan period in sustainable locations within the city to meet projected housing demand. Given this evidenced ability to meet projected local housing need, the unplanned consequences of the proposed permitted development right (as considered later in this section) would significantly outweigh the benefit derived from a windfall of market housing supply from future permitted development schemes.
- 5.3 In terms of decision making, planning conditions on existing permissions controlling the use of a building or premises may or may not continue to have effect following the

introduction of the proposed permitted development right, depending upon the precise wording of the condition in question. It will therefore be necessary in future for officers to undertake careful analysis of existing conditions on a case by case basis to establish whether they would preclude changes of use under the proposed permitted right.

- 5.4 The following paragraphs set out potential Westminster specific impacts of the proposed permitted development right, should it be introduced by Government later in 2021 in the form recently presented for consultation.

Impact on the Unique Character and Function of the CAZ and International Centres

- 5.5 The proposed right proposes a one size fits all approach that has no regard to the unique role of much of Westminster as an area for commercial agglomeration in economic growth sectors, providing jobs for Londoners and commuters across the south east and beyond, and drawing in visitor spend from domestic and international tourism. In particular it fails to recognise that the scale and mix of mutually supportive commercial uses in the CAZ is unlike anywhere else in the country, and that the West End is a global symbol of London and the UK's success. It also fails to recognise that the shopping, leisure and tourism offer in Knightsbridge (which falls within the CAZ but not the WERLSPA) also plays a significant role in the attractiveness of the capital to visitors – hence its designation as an International Centre in the London Plan and the new City Plan.
- 5.6 The CAZ provides a rich mix of commercial uses that make a vital contribution to the national economy, and central London's wide appeal. It includes over 75 million sqm of commercial floorspace. If harmed by uncontrolled and unmanaged conversion to residential as could be enabled by the proposal, its vibrant mix of uses will never return. In this context the council has responded to consultation to assert that it is vital that an exemption is made for Westminster's portion of the CAZ, or as a minimum, the WERLSPA and Knightsbridge International Centre. A temporary two year exemption for these areas would then enable consideration to be given to the introduction of targeted, non-immediate Article 4 Directions (subject to the impact of amendments to the criteria for making Article 4 Directions that Government has included in the recently published draft NPPF). Without an exemption, most of the commercial uses in these areas, other than theatres, pubs, bars, cinemas and hotels, would be vulnerable to unmitigated loss to residential without the need for planning permission.
- 5.7 Pre-pandemic, the economic activity in Westminster generated over £63 billion GVA to the national economy (2018), of which over £60 billion can be attributed to the parts falling within the CAZ. Businesses in the CAZ contributed 25% of all business rates in London and 8% of all business rates in England. Footfall data (CACI, Jan - Feb 2020) also indicates the majority of people in the CAZ generating such high levels of GVA are visitors (82%) and workers (13%) rather than residents (5%). This highlights the different role this area plays to smaller centres elsewhere in the country that have that suffered from long term decline.
- 5.8 Given the above, in response to consultation the council has called for transitional arrangements to be introduced that ensure that existing well justified protections against the loss of office floorspace from the CAZ, which includes major clusters of office floorspace not just in the West End, but also Opportunity Areas such as

Paddington and Victoria, remain in force until superseded by any subsequent targeted Article 4 Directions related to all forms of Class E use.

Impact of No Size Limit on Permitted Development Schemes

- 5.9 Within the CAZ there are likely to be more frequent opportunities for re-purposing of large commercial buildings under the proposed right given that it is applicable to all buildings in Class E use on 1 September 2020 and not just those which become vacant or surplus to requirement by their current occupier in future. The principle the conversion of genuinely vacant or redundant commercial buildings to a variety other economic purposes (as already enabled through the recent introduction of Class E), or by mixed-use developments that provide for housing growth alongside a retained economic function is supported. However, the lack of restrictions proposed on what buildings the proposed right will be applicable to has the potential to result in the closure of viable businesses that could then struggle to find alternative space to let in suitable locations, potentially leading to otherwise avoidable job losses.
- 5.10 As an example, the lack of restrictions on the types of buildings that can benefit from the proposed right would enable wholesale loss of large flagship retail stores from key shopping destinations in the CAZ, such as Oxford Street, or from one of our unique high streets, to 100% residential schemes (including at ground level where outside a conservation area), which would harm, rather than enhance, the vitality and viability of our town centres, some of which are of international importance. Similarly, it could result in wholesale loss of large office floorplates from parts of the CAZ such as in the West End, Paddington or Victoria to wholly residential schemes, with no re-provision of any commercial floorspace, would undermine their role and function as areas for commercial-led growth of national importance. Such losses would pose a significant threat to city's post pandemic economic recovery.
- 5.11 In light of these concerns in response to consultation the council has recommended that if the proposed new right is introduced it should be limited to developments of not more than 10 new homes and that a minimum vacancy period be required. These restrictions would enable the new right to contribute towards speeding up housing delivery, whilst ensuring it does not compromise the role and function of town centres or other commercial areas of significance. Such an approach would not rule out proposals for larger scale conversions of Class E floorspace coming forward, but instead ensures these are subject to more detailed consideration via a full planning application as is currently the case.

Affordable Housing & Infrastructure Provision

- 5.12 Any new housing delivered through the proposed new right, regardless of scale, would not be required to provide affordable housing, either on-site, off-site or as a financial contribution to the Affordable Housing Fund. In areas of a highly commercial character, such as in the CAZ, a high take up of the proposed right would severely impede opportunities for the delivery of the council's target of at least 7,240 new affordable homes (i.e. over 35% of all new homes) by 2040. As set out in paragraph 5.8, the

inclusion of a limit of 10 residential units would help mitigate against the adverse impact the proposed right would have on affordable housing delivery.

- 5.13 It is also unclear how any new housing under the proposed right would contribute towards the infrastructure provision needed to support a larger resident population. New housing delivered under the proposed right would not be subject to s106 contributions, and it does not appear that it would be subject to the CIL. Funding currently secured through CIL and s106 pursuant to planning permissions makes a valuable contribution towards a wide variety of infrastructure provision across the city, including in education and health sectors, transport infrastructure, community facilities, public realm, and carbon off-setting. These are all essential in delivering high quality, sustainable developments in environments where people want to live. This issue is further exacerbated by the fact that some forms of vital infrastructure will also become vulnerable to being lost through the new right, given they now fall within Class E (i.e. creches, nurseries, medical centres and gyms).
- 5.14 Once again the council has recommended in its consultation response that a sensible size limit is introduced in terms of when the proposed permitted development right applies so that smaller developments that help deliver residential growth without introducing significant infrastructure demands can comprise permitted development, whilst larger developments placing greater demand on infrastructure continue to be assessed in more detail through a planning application, via which s106 and CIL contributions can be secured if permission is granted.

Loss of Commercial Uses at Ground Floor Level

- 5.15 The Government proposes to make the retention of a commercial use at ground floor level within conservation areas a matter for consideration during prior approval applications and the council has strongly supported this proposed safeguard. Historic retail areas form part of the historic interest and character of many of the city's conservation areas, such as St Johns Wood, Harley Street, East Marylebone, Pimlico, Soho, Knightsbridge, and Belgravia. Unmanaged ground floor conversion of commercial premises to residential use would fundamentally harm local character, particularly when done on a piecemeal basis by different landowners. Currently the retention of a continuous high street character, and historic design features under the application of heritage and townscape policies in the City Plan, is essential to maintaining the character and appearance of conservation areas. Where neighbourhood plans have or are coming forward, the protection of the character of high streets in conservation areas has also been identified by neighbourhood forums and the communities they represent as a key priority.
- 5.16 The agglomeration of a range of commercial uses providing active frontages at ground floor is a defining feature of our successful district and local centres, and much of the CAZ - not just the centres that happen to fall within a conservation area. Whilst the pandemic has heightened the challenges commercial areas in the city face, the recent merging of several types of commercial use into a single Class E has now provided significant flexibility to enable the diversification of commercial activity, whilst ensuring

the core function of town centres as places to work, shop, and spend leisure time is maintained.

- 5.17 In this context, the proposed right to allow unchecked the loss of ground floor Class E uses to residential use outside of conservation areas will have negative economic and townscape impacts on all of the city's designated town centres and much of the CAZ. The piecemeal fragmentation of ground floor uses to residential in town centres or the CAZ, which under the proposals would be entirely dependent on landowner appetite to put forward such proposals, rather than any overarching policy framework, will compromise the vitality and viability of town centres, making them less attractive to visitors. It will also result in dead frontages that are detrimental to the appearance and vitality of traditional high street frontages. Initial analysis suggests the most significant impacts could be felt in local and district centres outside the CAZ where the offset between commercial and residential property values is typically greater, providing owners and developers with greater incentive to utilise the proposed permitted development right.
- 5.18 Well planned new residential development on upper floors of commercial premises, or in peripheral areas of town centres with low footfall, can be beneficial and would also overcome challenges presented by introducing new living accommodation at ground level, such as securing adequate levels of privacy and ensuring satisfactory noise levels. In light of these concerns, the council has recommended that the appropriateness of retaining a commercial use at ground floor level should be a matter for consideration as part of all prior approval applications irrespective of whether a site is inside or outside of a conservation area.

Sustainability & Energy Performance

- 5.19 The built environment contributes 86% of Westminster's carbon emissions and represents a key area for reducing emissions in the council's commitment to achieving net carbon zero status by 2040. A significant proportion of emissions originate from older commercial buildings which could be subject to change of use under the proposed right. Ensuring these buildings are retrofitted to a high standard would help make a positive contribution towards the addressing the council's declared climate change emergency, and the emphasis in the NPPF on sustainability. However, the prior approval regime proposed in tandem with the new permitted development right does not include any assessment of the energy efficiency or sustainability of the converted building, with prior approval schemes only required to be compliant with building regulations. Conversely development delivered by virtue of planning permission will be required to be compliant with the higher energy performance and sustainability policies in the new London Plan and City Plan. The council has therefore recommended that the prior approval regime is modified to give local planning authorities the ability to assess the energy efficiency and sustainability of Class E to residential schemes.

Size & Type of New Homes

- 5.20 The proposed right would undermine the efficient use of land to maximise the delivery of new homes in the city that meet identified need as the mix of units and the size of the units proposed would be specified by the developer, provided all units exceed the space standard set out in the Technical Housing Standards. Given the high targets for

housing delivery in Westminster, and the constrained nature of land supply, the new City Plan policies seek to address this issue through introducing maximum dwelling sizes. However, as proposed, the new rights would remove any opportunity to consider such matters in cases where the new units are delivered via the new permitted development right.

- 5.21 To address this concern the council has recommended that further thought is given to how the permitted development right can be structured to incentivise efficient use of land that meets housing need in accordance with the NPPF. Further controls are also recommended to avoid new homes delivered via permitted development being left vacant or predominantly used as short term lets, which do little to improve the availability of homes for those that need them.

Amended Permitted Development for Certain Public Buildings

- 5.22 Whilst existing permitted development rights to enable schools, colleges and universities, and hospitals to be amended and enlarged are supported as a vital tool to allow them to respond to changing demand and working practices, the proposed further relaxation of these rights is of concern.
- 5.23 In dense urban environments, such as many parts of Westminster, large public infrastructure sites such as schools and hospitals are often surrounded by residential and mixed used neighbourhoods. As a result, increasing the allowance for enlargement of these buildings to 250m² or a 25% increase in the cumulative footprint of all existing buildings, whichever is greater, and up to 6 metres in height, could result in new or extended buildings that are disproportionate in scale to the original buildings and which could have significant amenity impacts on surrounding neighbourhoods. The council therefore responded to consultation to advise that proposals of the scale proposed should continue to be subject to detailed consideration either through a planning application, or by making appropriate provisions in the prior approval process pursuant to the permitted development right.
- 5.24 Other detailed questions related to widening of permitted development rights schools, colleges and universities were posed by the Government in the consultation (questions 7.1 to 18) and the responses to these can be seen in of the council's consultation response in the Background Papers.

6 Financial Implications

- 5.2 There are no current financial implications as the proposals are at draft stage. The financial implications of the changes to permitted development rights will need to be assessed following the introduction of finalised changes to the GDPO later in 2021. Note that the proposed right could generate additional change of use development in addition to more complex schemes that would continue to require planning permission and therefore the financial implications are likely to be complex to assess.

6 Legal Implications

- 6.2 None.

7 Conclusion

- 8.1 The proposed Class E to residential permitted development right could have significant implications for Westminster in terms of the future character and function of the CAZ and our designated town centres. Whilst the rationale for delivering flexibility to certain commercial properties through the introduction of Class E in September 2020 is understood in light of the changes currently occurring in consumer habits and work patterns, the relatively unchecked conversion of Class E properties to residential risks irreversible damage to commercial centres that are important to local residents, workers and visitors, as well as being vital to the economic prosperity of the city and the UK as a whole.
- 8.2 However, the most significant adverse impacts of the proposed permitted development right could be mitigated via the measures recommended in the council's consultation response and by introduction of a rigorously justified and targeted Article 4 Directions.

If you have any questions about this report, or wish to inspect one of the background papers, please contact: Oliver Gibson (ogibson@westminster.gov.uk / 07971026919)

Background Papers:

1. Westminster's formal consultation response to MHCLG consultation titled 'Supporting Housing Delivery & Public Service Infrastructure'.

Supporting Housing Delivery & Public Service Infrastructure

About this Consultation

This consultation document and consultation process have been planned to adhere to the consultation principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation 2016, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included on the next page.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Please confirm you have read this page. *

Yes	X
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Privacy Notice

The following is to explain your rights and give you the information you are be entitled to under the data protection legislation.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk.

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

Article 6(1)(e) of the General Data Protection Regulation 2016 (GDPR) provides that processing shall be lawful if processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Section 8(d) of the Data Protection Act 2018 further provides that this shall include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department.

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Ministry of Housing, Communities and Local Government. The task is consulting on departmental policies or proposals or obtaining opinion data in order to develop good effective government policies in relation to planning.

4. With whom we will be sharing your personal data

We will not share your personal data with organisations outside of MHCLG without contacting you for your permission first.

5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for 2 years from the closure of the consultation

6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

7. Storage of your personal data

We are using SmartSurvey to collect data for this consultation, so your information will be stored on their UK-based servers in the first instance. Your data will not be sent overseas. We have taken all necessary precautions to ensure that your data protection rights are not compromised by our use of third-party software.

If your submit information to this consultation using our third-party survey provider, it will be

moved to our secure government IT systems within six months of the consultation closing date (28 January 2021).

8. Your personal data will not be used for any automated decision making.

Please confirm you have read this page. *

Yes	<input checked="" type="checkbox"/>
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Respondent Details

This section of the survey asks for information about you and, if applicable, your organisation.

First name *

Sean

Last name *

Walsh

Email address

swalsh2@westminster.gov.uk

Are you responding on behalf of an organisation or as an individual? *

Organisation	<input checked="" type="checkbox"/>
Individual	<input type="checkbox"/>

Organisation (if applicable)

Westminster City Council

Position in organisation (if applicable)

Principal Policy Officer

Please indicate whether you are replying to this consultation as a: *

Developer	<input type="checkbox"/>
Planning consultant	<input type="checkbox"/>
Construction company or builder	<input type="checkbox"/>
Local authority	<input checked="" type="checkbox"/>
Statutory consultee	<input type="checkbox"/>
Professional organisation	<input type="checkbox"/>
Lawyer	<input type="checkbox"/>
Charity or voluntary organisation	<input type="checkbox"/>
Town Council	<input type="checkbox"/>
Parish Council	<input type="checkbox"/>
Community group, including residents' associations	<input type="checkbox"/>
Private individual	<input type="checkbox"/>
Other (please specify):	<input type="checkbox"/>

Please indicate which sectors you work in / with (tick all that apply): *

Education section	
Health sector	
Prison sector	
None of the above	X

Supporting housing delivery through a new national permitted development right for the change of use from the Commercial, Business and Service use class to residential

Q1 Do you agree that there should be no size limit on the buildings that could benefit from the new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3)?

Agree	
Disagree	X
Don't know	

Please give your reasons:

The absence of any proposed size limit on the buildings that would benefit from the proposed new right, particularly in areas where Class E uses traditionally agglomerate, such as Westminster's portion of the Central Activities Zone (CAZ), poses a significant threat to the UK's economic recovery. While nationwide there may be some cases where commercial floorspace can be successfully re-purposed to provide residential accommodation, scale and location of an individual proposal will both be important factors to consider.

Where large scale commercial floorspace becomes vacant, it can offer opportunities to be re-purposed for a variety other economic purposes (as enabled through the recent introduction of Class E), or mixed-use developments that provide for housing growth alongside a retained economic function. By contrast, enabling the wholesale loss of large flagship retail stores from key shopping destinations in the CAZ such as Oxford Street, to 100% residential schemes, would harm rather than enhance the vitality and viability of this internationally important town centre. Similarly, wholesale loss of large office floorplates from parts of the CAZ such as in the West End, Paddington or Victoria to wholly residential schemes, with no re-provision of any commercial floorspace, would undermine their role and function as areas for commercial-led growth of national importance.

Should the proposed new rights be introduced, it is suggested that a size limit of sites that can accommodate less than 10 homes (that meet national space standards) is applied. This would enable the new rights to contribute towards speeding up housing delivery, whilst ensuring it does not compromise the role and function of town centres or other commercial areas, and the needs for housing and economic growth can be properly balanced in accordance with the NPPF. Such an approach would not in itself rule out proposals for larger scale conversions of Class E floorspace coming forward, but instead ensures these are subject to more detailed considerations, including the need to contribute towards much needed affordable housing and supporting infrastructure.

Q2.1 Do you agree that the right should not apply in areas of outstanding natural beauty, the Broads, National Parks, areas specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981, and World Heritage Sites?

Agree	X
Disagree	

Don't know	
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Please give your reasons:

An exemption should also be made for the Central Activities Zone (CAZ) in Westminster, or as a minimum, the West End Retail and Leisure Special Policy Area (WERLSPA) and Knightsbridge International Centre, as set out in response to Q5 below.

Q2.2 Do you agree that the right should apply in conservation areas?

Agree	
Disagree	X
Don't know	

Please give your reasons:

Historic retail areas frequently form part of the historic interest and character of a Conservation Area, where the retention of a continuous high street character, and historic design features under the application of heritage and townscape policies, is essential. A strong townscape and heritage value, which needs careful management, is also a key feature of the CAZ in Westminster.

Numerous Conservation Area Character Appraisals in Westminster highlight the vital importance commercial land uses play in defining distinct character areas of heritage value within our highly valued Conservation Areas – some examples include: St Johns Wood, Harley Street, East Marylebone, Pimlico, Soho, Knightsbridge, and Belgravia. Where neighbourhood plans have or are coming forward, the protection of the character of high streets in Conservation Areas has also been identified by neighbourhood forums and the communities they represent as a key priority.

In Conservation Areas, the unmanaged ground floor conversion of commercial premises to residential use would fundamentally harm local character, particularly when done on a piecemeal basis by different landowners. Rather than help create beautiful places, as is the governments stated aims in the recent Planning White Paper, it would do the opposite, and harm beautiful places that are highly valued by local communities and visitors. It is therefore essential should the proposed right be introduced, Conservation Areas are made exempt.

Q2.3 Do you agree that, in conservation areas only, the right should allow for prior approval of the impact of the loss of ground floor use to residential?

Agree	
Disagree	X
Don't know	

Please give your reasons:

The agglomeration of a range of commercial uses providing active frontages at ground floor, is a defining feature of all successful town centres, and much of the CAZ - not just town centres that fall within Conservation Areas. While the Covid-19 global pandemic has heightened the challenges commercial areas face, the recent merging of several types of commercial use into a single Class E has now provided significant flexibility to enable the diversification of commercial activity, whilst ensuring the core function of town centres as places to work, shop, and spend leisure time is maintained.

The loss of ground floor Class E uses to residential will have negative economic and townscape impacts on any designated town centres and much of the CAZ, not just town centres that fall within Conservation Areas. The piecemeal fragmentation of ground floor uses to residential in any town centre or the CAZ, which under the proposals would be entirely dependent on landowner appetite to put forward such proposals, rather than any overarching policy framework, will compromise the vitality and viability of town centres, making them less attractive to visitors, contrary to the aims of the NPPF.

Well planned new residential development on upper floors of commercial premises, or in peripheral areas of town centres with low footfall, can be beneficial. However, unplanned ground floor residential in key frontages not only harms townscape and the local economy, it also presents challenges in terms of the quality of living accommodation provided - e.g. securing adequate levels of privacy, satisfactory noise levels etc.

It is therefore suggested that if introduced, provisions should be made for proposals to be subject to assessment of the suitability of retaining ground floor commercial premises, and conformity with the NPPF (in particular its requirements to enhance town centre vitality and build a strong, competitive economy). Such an approach will enable the flexibilities offered by new Class E to help town centres diversify and evolve whilst still retaining a commercial function, whilst also increasing opportunities for city centre living in appropriate site-specific circumstances and on upper floors.

Q3.1 Do you agree that in managing the impact of the proposal, the matters set out in paragraph 21 of the consultation document should be considered in a prior approval?

Agree	X
Disagree	
Don't know	

Please give your reasons:

It is important to ensure that any new homes secured through permitted development rights secure appropriate living conditions for future occupiers. The matters set out in paragraph 21 will go some way to helping achieve this and are therefore supported. However, they are by no means exhaustive, and several other important considerations should also apply – particularly to ensure new homes are well designed, located in suitable locations, and the economic impact of the resulting loss of commercial floorspace is properly considered. Full details of other important planning matters that need considering as part of any change of use from Class E to residential are set out in response to Q3.2 below.

Q3.2 Are there any other planning matters that should be considered?

Yes	X
No	
Don't know	

Please specify:

There are a number of other highly important planning matters that any proposed prior approval process should not seek to bypass – in order to ensure proposals for increasing housing supply through this source do not result in damaging unintended consequences. These are set out below:

- 1. Impact on the role and function of a designated town centre or the CAZ**

Allowance for the loss of any commercial floorspace from designated town centres or the CAZ, regardless of scale, or location at ground floor, poses a major threat to the future success of town centres and much of the CAZ as places to shop, work, visit, and spend leisure time. Rather than enhance town centre vitality, as per section 7 of the NPPF, it would be harmful to their primary role and function.

While introducing new residential uses can help breathe new life into struggling centres, proper consideration is needed of site-specific circumstances. Failure to do so risks unnecessary job losses, the closure of viable businesses that struggle to find alternative space to let, harm to townscape, and a cumulative reduction in the attractiveness of town centres as locations for footfall generating businesses to agglomerate.

These concerns could partially be mitigated by:

- Making clear proposals are subject to assessment of the suitability of retaining ground floor commercial premises;*
- Requiring proposals to have regard to the NPPF (as has been included in other recent alterations to permitted development rights regarding upwards extensions) and;*
- A minimum vacancy period being a requirement as per recent changes to permitted development rights regarding the demolition and replacement of existing office floorspace.*

2. Contribution towards affordable housing

As proposed, any new housing delivered through the proposed new right, regardless of scale, would not be required to make any contribution towards much needed affordable housing - either on-site or in the form of financial contributions towards off-site provision. In areas of a highly commercial character, such as Westminster's portion of the CAZ, a high-take up of the proposed right would severely impede opportunities for the delivery of at least 7,240 new affordable homes (i.e. over 35% of all new homes) by 2040, despite affordable housing delivery being one of the key strategic policies of the NPPF.

As suggested in response to Q1, the inclusion of a sensible size limit on when the right applies would help mitigate against this risk.

3. Contribution towards infrastructure provision

It is unclear how any new housing under the proposed right would contribute towards infrastructure provision needed to support a larger resident population. New housing delivered under the proposed right would not be subject to s106 contributions, and the only reference in the consultation paper to any Infrastructure Levy is in the context of views being sought on if it should be applied to permitted development rights in the recent Planning White Paper.

Funding currently secured through CIL and s106 on planning permissions makes a valuable contribution towards a wide variety of infrastructure needs, including in education and health sectors, transport infrastructure, community facilities, public realm, and carbon off-setting. These are all essential in delivering high quality, sustainable developments in environments where people want to live. This issue is further exacerbated by the fact that some forms of vital infrastructure will also become vulnerable to direct loss through the new right, given they now fall within Class E – e.g. creches, nurseries, medical centres and gyms.

To some extent, these negative consequences could be mitigated if sensible size limits are introduced in terms of when the right applies, as set out in response to Q1. This would ensure the new right can help deliver residential growth, but that larger scale

schemes with a greater need for supporting infrastructure, are assessed in more detail through a planning application.

4. External appearance

As set out in response to Q2.3 above, the conversion of ground floor commercial premises to residential within designated town centres and the CAZ can have a detrimental impact on townscape regardless of if the site in question also falls within a Conservation Area. The ground floor conversion of commercial premises to residential frequently results in dead frontages that are detrimental to the appearance of traditional high street frontages – examples in Westminster can be found along stretches of Harrow Road.

To rectify this issue, it should be made clear that proposals are subject to assessment of the suitability of retaining ground floor commercial premises in town centres or the CAZ. Legislation could also usefully refer to consideration of external appearance as a prior approval matter – as included in recent permitted development rights for upwards extensions.

5. Sustainability credentials

The built environment contributes 86% of Westminster's carbon emissions and represents a key area for reducing emissions in the Council's commitment to achieving net carbon zero status by 2040. Appropriate consideration needs to be given to energy efficiency and sustainability of change of use properties in any planning approval process. Premises converted from commercial use to residential often require significant upgrades in order to meet energy efficiency standards. Retention of more detailed planning approval, or scope to consider such matters through any prior approval process, would ensure accommodation is fit for purpose in this respect. It would also provide an opportunity to enhance energy efficiency in existing building stock. A significant proportion of emissions originate from older commercial buildings which could be subject to change of use under the proposed right. Ensuring these buildings are retrofitted to a high standard would help make a positive contribution towards the City Council's declared climate change emergency, and the emphasis in the NPPF on sustainability.

Furthermore, while new residential converted from commercial premises may be sustainable in terms of access to remaining shops and services in town centres, and public transport, they may not always be sustainable in other terms – e.g. access to public open space, scope for provision of decent levels of amenity space and refuse and recycling storage, and exposure to poor air quality.

6. Size and type of new homes created

In addition to the issues raised above regarding impact on affordable housing delivery, it is also important that where new homes are delivered, they make efficient use of land, in order to conform with paragraphs 122 – 123 of the NPPF. In high value areas such as Westminster's portion of the CAZ, market conditions can incentivise the delivery of supersized homes for private sale at values that are only attainable for a very small proportion of the population. Given the City Council's high targets for housing delivery, and the constrained nature of land supply, new City Plan policies seek to address this issue through introducing maximum dwelling sizes. However, as proposed, the new rights would remove any opportunity to consider such matters.

To make a genuine and meaningful contribution to new housing supply, some controls over the occupiers of any new homes through the proposed right is also needed. Where new homes are delivered, if they are not occupied as primary residences, and are either

left vacant, or predominantly used as short term rentals such as AirBnBs, this will do little to improve the availability of homes for those that need them.

Q4.1 Do you agree that the proposed new permitted development right to change use from Commercial, Business and Service (Class E) to residential (C3) should attract a fee per dwellinghouse?

Agree	X
Disagree	
Don't know	

Please give your reasons:

While they may be subject to less considerations than a full planning application, the determination of prior approval proposals still generates a significant amount of work for local planning authorities – work that should be funded by the applicant in the same way a planning application is.

Introducing a fee per dwelling provides a logical way of ensuring fees charged are proportionate to the scale and complexity of the development proposal, and the amount of officer time needed to determine the proposals. Proposals to cap fees at 50 dwellings as set out in the consultation paper is however opposed – as these larger schemes will have more significant impacts on their locality and will require additional officer time to administer and determine than schemes delivering less than 50 dwellings.

Q4.2 If you agree there should be a fee per dwelling house, should this be set at £96 per dwellinghouse?

Yes	
No	X
Don't know	

Please give your reasons:

Regardless of whether proposals for new homes are addressed through a planning application or prior approval process, they will still require detailed consideration of a number of matters, which involve a significant amount of officer time, and should be funded by the applicant/ developer. As set out in response to Q3.2 above, to avoid unintended negative consequences, any prior approval process should allow for proper consideration of several additional important planning matters that are not addressed in the consultation paper.

The proposed fee of £96 per dwelling is substantially less than that charged to planning applications in Westminster – which are currently charged at £462 per dwelling. Reducing the fees that local planning authorities can collect in a manner that is not proportionate to any reduction in the amount of officer time needed to reach a decision will do little to meet government aims of ensuring planning authorities are properly resourced, as set out in the recent Planning White Paper. The City Council would be happy to work with MHCLG to ensure an evidence-based approach to setting appropriate prior approval fees.

Q5 Do you have any other comments on the proposed right for the change of use from Commercial, Business and Service use class to residential?

Yes	X
No	

Please specify:

The rights propose a one size fits all approach that has no regard to the unique role of much of Westminster as an area for commercial agglomeration in economic growth sectors, providing jobs for Londoners and commuters across the south east and beyond, and drawing in visitor spend from domestic and international tourism. In particular it fails to recognise that the scale and mix of mutually supportive commercial uses in the CAZ is unlike anywhere else in the country, and that the West End is a global symbol of London and the UK's success. They also fail to recognise that the shopping, leisure and tourism offer in Knightsbridge (which falls within the CAZ but not the WERLSPA) also plays a significant role in the attractiveness of the capital to visitors – hence its designation as an International Centre in the London Plan and the Westminster City Plan.

The CAZ provides a rich mix of commercial uses that make a vital contribution to the national economy, and central London's wide appeal. It includes over 75 million sqm of commercial floorspace. If harmed by uncontrolled and unmanaged conversion to residential as could be enabled by the proposal, its vibrant mix of uses will never return. It is therefore vital that if the rights are introduced, an exemption is made for Westminster's portion of the CAZ, or as a minimum, the WERLSPA and Knightsbridge International Centre. A temporary 2 year period exemption for these areas would then enable the introduction of targeted, non-immediate Article 4 Directions. Without a temporary exemption, most of the commercial uses in these areas, other than theatres, pubs, bars, cinemas and hotels, would be vulnerable to unmitigated loss to residential without planning permission.

Furthermore, if the proposed rights are introduced, transitional arrangements should ensure that existing well justified protections against the loss of office floorspace from the CAZ, which includes major clusters of office floorspace not just in the West End, but also Opportunity Areas such as Paddington and Victoria, remain in force until superseded by any subsequent targeted Article 4 Directions related to all forms of Class E.

Pre-pandemic, the economic activity in Westminster generated over £63 billion GVA to the national economy (2018), of which over £60 billion can be attributed to the parts falling within the CAZ. Footfall data (CACI, Jan - Feb 2020) also indicates the majority of people in the CAZ generating such high levels of GVA are visitors (82%) and workers (13%) rather than residents (5%). This highlights the different role this area plays to smaller centres elsewhere in the country that have that suffered from long term decline.

Economic activity in Westminster provides vital contributions to HM Treasury in the form of business rates. VOA data (2020) indicates there are 39,310 rateable properties in Westminster, with a rateable value of over £5.1 billion. This represents over 25% of London's rateable value and approximately 8% of all of England's. The WERLSPA alone has over 18,000 rateable properties with a rateable value of over £2.76 billion – higher than any other London borough.

Westminster has a strong track record of housing delivery whilst maintaining and enhancing the city's economic role, and protecting the city's unrivalled townscape and heritage value. Much needed housing growth can continue to be delivered through a balanced approach to growth that properly recognises the need for jobs and services alongside new homes in accessible locations, particularly at the commercial core of Central London. Any proposed new rights must enable this balanced approach to managing growth to continue.

Q6.1 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could impact on businesses, communities, or local planning authorities?

Yes	X
No	
Don't know	

If so, please give your reasons:

While the proposed new right may have benefits in terms of facilitating much needed new residential development, as proposed, it will also have significant negative impacts on businesses, communities, and local planning authorities.

It will reduce certainty for viable businesses, as where they rent commercial space, landlords may choose to evict them in order to enable residential development that is permissible under the proposed right. As proposed, this could happen regardless of the wider value of the existing use in terms of the provision of important services directly to the local community, supporting wider supply chains of economic activity, and the number of jobs the loss of such a premises would result in.

In terms of communities, the proposals would facilitate the unmitigated loss of essential services that meet local residents needs in accessible locations, wherever there is a financial incentive for the landowner to bring forward residential development. Given the wide range of potential occupiers of Class E uses, this could include the loss of premises that provide for residents shopping, childcare and health needs, provide job opportunities, and opportunities for social interaction. Furthermore, as the consultation requirements for any proposals subject to permitted development are much lower than that for a planning application, the proposals also minimise the opportunity for local residents, amenity societies, and neighbourhood forums to have any influence on proposals that will directly affect them.

In terms of local planning authorities, it will undermine attempts to achieve the objectives set out in the NPPF to build a strong, competitive economy, or ensure the vitality of town centres. Sustainable economic growth cannot be facilitated without certainty over where the clustering of commercial uses should occur and be maintained. It is also impossible to manage the mix of uses within town centres to reflect their character if any commercial use can be converted to residential. As set out in response to Q4.2 above, the proposals will also have a negative impact on the resourcing of local planning authorities, due to a significant reduction in fees being proposed, that is not proportionate to any reduction in officer time needed to issue a prior approval notice rather than planning permission.

Q6.2 Do you think that the proposed right for the change of use from the Commercial, Business and Service use class to residential could give rise to any impacts on people who share a protected characteristic?

Yes	X
No	
Don't know	

If so, please give your reasons:

Proposals could have a potential negative impact on those with disabilities, as there is often less scope for converted buildings to properly address disabled access requirements in the way a new build development could. There is also a danger that the proposals enable the delivery of

new housing in locations that are not traditionally well served by public transport (e.g. at industrial estates or retail parks), which could also minimise suitability for this group.

Supporting public service infrastructure through the planning system

Q7.1 Do you agree that the right for schools, colleges and universities, and hospitals be amended to allow for development which is not greater than 25% of the footprint, or up to 250 square metres of the current buildings on the site at the time the legislation is brought into force, whichever is the larger?

Agree	
Disagree	X
Don't know	

Please give your reasons:

In dense urban environments such as central London, large public infrastructure sites such as schools and hospitals are frequently surrounded by residential and mixed used neighbourhoods. They can also include significant amounts of existing floorspace distributed over multiple buildings and/ or multiple floors. While the need to support speedy investment in public infrastructure is understood, allowance for 250 square metres or a 25% increase in the cumulative footprint of all existing buildings, whichever is greater, and up to 6 metres in height, could result in new or extended buildings that are disproportionate in scale to the original buildings. This could have significant amenity impacts on surrounding neighbourhoods that need full consideration – either through a planning application, or appropriate provisions in the prior approval process. Potential issues associated with large extensions or new buildings include loss of light, sense of enclosure, and increased levels of noise and transport demands. Furthermore, it is not clear from the consultation paper if the right would apply in Conservation Areas, on Listed Buildings, or within the curtilage of them, where it could result in poor design outcomes that do not respond properly to their setting or heritage value.

Q7.2 Do you agree that the right be amended to allow the height limit to be raised from 5 metres to 6?

Agree	
Disagree	X
Don't know	

Please give your reasons:

See response to Q7.1.

Q7.3 Is there any evidence to support an increase above 6 metres?

Yes	
No	X
Don't know	

Please specify:

Further increased height limits above 6 metres will have an increased impact on townscape, neighbouring properties and potentially heritage assets, in dense urban environments. Any proposals for height increases beyond 6 metres should therefore remain subject to a planning application, where such proposals are subject to public consultation, and balanced judgements that consider both the benefits of such investment in public infrastructure, and its potential negative impacts on the surrounding area, can be made.

Q7.4 Do you agree that prisons should benefit from the same right to expand or add additional buildings?

Agree	
Disagree	
Don't know	X

Please give your reasons:

N/A.

Q8 Do you have any other comments about the permitted development rights for schools, colleges, universities, hospitals and prisons?

Yes	
No	X

Please specify:

N/A.

Q9.1 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals could impact on businesses, communities, or local planning authorities?

Yes	X
No	
Don't know	

If so, please give your reasons:

The absence of any proposals for a prior approval process within the consultation paper means that currently no scope is provided for local communities to voice their opinions on any proposals that would come under the new rights – even though residents amenity and businesses operational requirements could be impacted by such proposals. Furthermore, as set out in response to Q7.1, the proposals also reduce the ability for local planning authorities to properly consider and seek to mitigate the potential impacts of proposals on their surrounding neighbourhoods, in response to site specific circumstances.

Q9.2 Do you think that the proposed amendments to the right in relation to schools, colleges and universities, and hospitals, could give rise to any impacts on people who share a protected characteristic?

Yes	
No	
Don't know	X

If so, please give your reasons:

N/A.

Q10.1 Do you think that the proposed amendment to allow prisons to benefit from the right could impact on businesses, communities, or local planning authorities?

Yes	
No	
Don't know	X

If so, please give your reasons:

N/A.

Q10.2 Do you think that the proposed amendment in respect of prisons could give rise to any impacts on people who share a protected characteristic?

Yes	
No	
Don't know	X

If so, please give your reasons:

N/A.

Q11 Do you agree that the new public service application process, as set out in paragraphs 43 and 44 of the consultation document, should only apply to major development (which are not EIA developments)?

Yes	
No	X

Please give your reasons:

See responses to Q13 and 14 below.

Q12 Do you agree the modified process should apply to hospitals, schools and further education colleges, and prisons, young offenders' institutions, and other criminal justice accommodation?

Yes	
No	X

If not, please give your reasons as well as any suggested alternatives:

See response to Q13 and 14 below.

Q13 Do you agree the determination period for applications falling within the scope of the modified process should be reduced to 10 weeks?

Yes	
No	X

Please give your reasons:

While the intent to speed up decisions on important investment in public infrastructure is understood, any reductions in timescales for determining planning applications needs to be accompanied by better resourcing of local planning authorities to ensure they have capacity to meet such targets. Without proper resourcing, any prioritisation of public infrastructure applications may reduce the speed within which other planning applications, for example, for much needed housing growth, can be determined.

Proposals elsewhere within the consultation paper to streamline what needs planning permission are not sufficient to alleviate resourcing issues, as prior approval schemes generate lower fees than planning applications, yet can still be costly in terms of officer time.

Reducing target timescales for the determinations of applications by 3 weeks will only have a marginal overall impact on the delivery of these types of infrastructure.

Q14 Do you agree the minimum consultation / publicity period should be reduced to 14 days?

Yes	
No	X

Please give your reasons:

Reducing minimum publicity and consultation periods could significantly reduce the ability of local communities to engage with and respond to major planning applications that affect them. The ability of statutory consultees to provide responses within a shorter timeframe is also unclear. Reducing the scope for proper input into development proposals by key stakeholders will do little to enhance the quality of decisions on planning applications, which is as important as the speed within which they are determined.

From the wording provided, it is currently unclear if the proposed reduction in consultation periods relates to all major developments, or just those that are subject to a modified process as set out in the consultation paper.

Q15 Do you agree the Secretary of State should be notified when a valid planning application is first submitted to a local planning authority and when the authority anticipates making a decision? (We propose that this notification should take place no later than 8 weeks after the application is validated by the planning authority.)

Yes	
No	X

Please give your reasons:

Additional administrative burdens on under-resourced local planning authorities does little to improve the quality of planning decisions, nor the speed within which they are made.

Furthermore, it should be noted that where decisions are not made within target timeframes, this can be due to delays in receiving complete information from the applicant that is needed in response to negotiations on the proposal after it was first submitted.

Q16 Do you agree that the policy in paragraph 94 of the NPPF should be extended to require local planning authorities to engage proactively to resolve key planning issues of other public service infrastructure projects before applications are submitted?

Yes	X
No	

Please give your reasons:

Pre-application discussions are an effective tool in ensuring key planning issues are resolved early in the development process, helping ensure that once submitted, planning applications can be determined in a timely manner. However, productive engagement at an early stage is dependent on two parties – both the local planning authority and the applicant. Any update to paragraph 94 of the NPPF should therefore make clear that public service infrastructure providers are also required to engage proactively in these discussions for public service infrastructure projects.

Q17.1 Do you have any comments on the other matters set out in the consultation document, including post-permission matters, guidance and planning fees?

Yes	
No	X

Please specify:

N/A.

Q17.2 Do you have any other suggestions on how these priority public service infrastructure projects should be prioritised within the planning system?

Yes	
No	X

Please specify:

N/A.

Q18 Do you think that the proposed amendments to the planning applications process for public service infrastructure projects could give rise to any impacts on people who share a protected characteristic?

Yes	
No	

If so, please give your reasons:

N/A.

Consolidation and simplification of existing permitted development rights

Q19.1 Do you agree with the broad approach to be applied to the review and update of existing permitted development rights in respect of categories 1, 2 and 3 outlined in paragraph 76 of the consultation document?

Agree	X
Disagree	
Don't know	

Please give your reasons:

N/A.

Q19.2 Are there any additional issues that we should consider?

Yes	X
No	

Please specify:

See responses to section 1 regarding concerns with the proposed new right for Class E to residential.

Q20 Do you agree think that uses, such as betting shops and pay day loan shops, that are currently able to change use to a use now within the Commercial, Business and Service use class should be able to change use to any use within that class?

Agree	X
Disagree	
Don't know	

Please give your reasons:

Uses such as betting shops and pay day loan shops are frequently located in high streets and designated town centres, occupying ground floor shop type premises. They can contribute to the provision of continuous active frontages in such locations, but also raise concerns in terms of negative impacts on more vulnerable sectors of society; e.g. contributing to gambling addictions. Their conversion to a variety of other Class E uses that do not raise such concerns can therefore help support the evolution and diversification of town centres and high streets as important hubs of commercial activity where people shop, work, and spend leisure time. Any revisions to the GPDO should however ensure planning permission is still required for the reverse – i.e. conversion of any Class E uses to betting shops or pay day loan shops.

Q21 Do you agree the broad approach to be applied in respect of category 4 outlined in paragraph 76 of the consultation document?

Agree	
Disagree	
Don't know	X

Please give your reasons:

It is understood that there may be several rights that need further detailed consideration. However, if in the interests of providing increased flexibility, this includes any proposals to expand the scope of existing rights (e.g. removing any size limits, or altering/ removing any exemptions to existing rights), this should be subject to further public consultation on the detail of the proposals. Such consultation will ensure key stakeholders including local planning authorities can consider and advise of their likely impacts at a local level, and ensure they do not result in damaging unintended consequences.

Q22 Do you have any other comments about the consolidation and simplification of existing permitted development rights?

Yes	
No	X

Please specify:

End of survey

You have reached the end of the consultation questions. Thank you for taking the time to complete them and for sharing your views. Please note that you will not receive an automated email to confirm that your response has been submitted.

After the consultation closes on 28 January 2021 we will consider the responses we have received and publish a response, in due course.



City of Westminster

Planning & City Development Committee

Date: 18 March 2021

Classification: General Release

Title: Draft Early Community Engagement Guidance

Report of: Director of Place Shaping and Town Planning

Financial Summary: None.

**Report Author and Contact Details: Oliver Gibson, Strategic Planning Officer
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1 Executive Summary

- 1.1 Over recent years local communities have raised concerns that they are regularly consulted too late in the planning pre-application process by developers, or in some instances not consulted at all. Often the engagement that is undertaken amounts to presentation of a finalised scheme, which is shortly after submitted as a formal application without scope for the community engagement to influence the proposal. In this context, officers have developed a draft Early Community Engagement Guidance Note (see draft document in the Background Papers). The purpose of the draft guidance is to ensure that developers are aware of the Council's expectation that community engagement is undertaken as early as possible during the planning pre-application phase using methods that maximise meaningful engagement with all parts of the local community.
- 1.2 The draft guidance sets out examples of good practice and provides a template timeframe for engagement to show how community engagement should be scheduled relative to other pre-application engagement with other stakeholders and officers. It also explains the level of information that should be submitted with pre-application requests to officers and with formal planning applications to demonstrate the community engagement that has been undertaken and how the engagement has helped to refine the finalised development proposal.
- 1.3 The guidance seeks to ensure that all engagement is compliant with the Equality Act 2010 and is inclusive, engaging traditionally disengaged groups as well as those who are more frequently engaged in planning matters.

2 Recommendation

- 2.1 Members are asked to support the principle of the draft Early Community Engagement guidance and are invited to provide comments on the format and content of the draft guidance document.

3 Background

Aim and Purpose of Guidance

- 3.1 The Government recognises the importance of community engagement in planning. Paragraph 39 of the National Planning Policy Framework (NPPF) (2019) states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Paragraph 40 identifies that local planning authorities (LPAs) have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. It notes though that LPAs cannot require developers to engage with other parties, including the local community, prior to submitting a planning application, but they may seek to encourage them to do so where they consider this would add value to the planning process and enhance planning outcomes.
- 3.2 Local communities have consistently raised concerns with councillors and officers that they are regularly consulted too late in the planning pre-application process by developers, or in some instances not consulted at all. Engagement that is currently undertaken often amounts to presentation of a finalised scheme that is submitted shortly after as a formal application without scope for the community engagement to positively influence the proposal.
- 3.3 In light of the guidance in the NPPF and to address these frequently voiced concerns, officers have developed a draft 'Early Community Engagement Guidance Note for Applicants and Developers'. The purpose of the draft guidance is to ensure that developers are aware of the Council's expectation that community engagement is undertaken as early as possible during the planning pre-application phase using methods that maximise meaningful engagement with all parts of the local community. The guidance also puts in place a mechanism to provide officers with enhanced visibility of views of the local community at pre-application stage, allowing officer advice at this stage to take greater account of local views where these are consistent with the development plan.
- 3.4 The advice in the guidance note builds upon the expectations and requirements set out in Section 8 of the Statement of Community Involvement (2014), which will be update later in 2021 following the adoption of the new City Plan.
- 3.5 All local authorities must have a Statement of Community Involvement (SCI) in order that they comply with Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). However, SCIs typically focus on how the LPA will act when engaging local communities and other stakeholders in the planning process, rather than seeking to guide developers on how to deliver best practice early engagement on their own development proposals. Some local authorities, such as Lambeth, Lewisham and Southwark do go further and provide more detailed advice for engagement advice to developers, but this is done either within their SCI, on their website or as guidance on how to engage with communities across all local authority service areas (i.e. not guidance that is specific to the planning process). No other Inner London LPA (including the City of London) currently has dedicated guidance on planning pre-application engagement for developers and applicants.
- 3.6 Support for the draft guidance from local communities and the developer community within Westminster is critical to the future success of the guidance given that its content will be advisory as developers cannot be required to carry out pre-application

engagement. To gather support and invite critical comment, the draft guidance has therefore been subject of informal consultation.

Informal Consultation

- 3.7 Informal consultation on the draft guidance was carried out between 15 February and 12 March 2021 with amenity societies, neighbourhood forums, semi-recognised societies, the Queens Park Community Council (QPCC) and the Westminster Property Association (WPA). Separate discussion forums with the local groups and the WPA were also held during the week commencing 1 March. In addition, the Chairman of Planning, chairmen of each of the Planning Applications Sub-Committees and the Shadow Cabinet Member for Business and Planning have also attended a discussion forum with officers to discuss the content of the draft guidance.
- 3.8 Following the end of the consultation period the consultation responses have been collated and the draft guidance will be updated and amended in light of the consultee comments prior to its finalisation and publication.
- 3.9 Up to the date of finalisation of this report (9 March), the following consultation responses had been received from amenity societies, neighbourhood forums, semi-recognised residents' groups, the QPCC and WPA in response to consultation. Following the end of the consultation period on 12 March a full summary of all comments received will be circulated to the Committee in advance of the committee meeting.

Belgravia Neighbourhood Forum

- Fully support the objectives of this initiative and are in overall support of it but consider there are areas where it does not go far enough.
- Welcome inclusion of neighbourhood forums as bodies that should be consulted by developers.
- Concerned that the asymmetry between the resources available to developers and consultees will remain and suggest measures are recommended in guidance to redress the balance including (i) an independent audit of developer presentations; (ii) an obligation for developers to produce a 'balance sheet' of positives and negatives; and (iii) appointment of a 'community champion' (a professional to represent the communities interests).
- Will remain too easy for developers to ignore community responses. Can guidelines be strengthened to guard against this?
- In Belgravia it is often non-major development that causes most annoyance, disturbance and distress to local residents and therefore guidance should be expanded to cover non-major development.
- Engagement forums will be intensive forms of engagement with limited numbers of participants – how can it be ensured that excessive participants are not included with specific views that dominate the consultation outcome?
- Recommend that more consultation methods are recommended for all development scales in Table 2.
- Impacts on the local community should specifically be addressed in developer presentation materials and information should be provided on how feedback should be acted on by developers.
- Once a Forum has a 'made' Neighbourhood Plan, the Forum needs to have the right to engage with officers to ensure that the policies contained within their plan have been appropriately considered, particularly as the plan will have been endorsed by the community via a referendum.

- Even where the neighbourhood plan is still at draft stage, the community and any advisors they may retain, must have the opportunity for detailed discussions with the relevant council throughout the planning process.

Belgravia Residents Association

- Draft proposal for engagement neither seems to be early, nor does it seem to engage the community very much and suggest following amendments.
- Non-major development should be required to be subject to consultation with leaflets/ mail drop and online communication to residents and business in the area. BRA should continue to receive email alerts to proposals.
- 10+ residential unit schemes should be as per non-major development, plus interactive digital engagement.
- 25+ residential units should be as above but also including early engagement forums.

The Belgravia Society

- Suggest changing the name of the guidance document so it is more meaningful.

Hyde Park Paddington Neighbourhood Forum/ Marble Arch Partnership

- Usability of the guidance could be improved in terms of web links.
- Section on groups should include a helpful narrative about who does what, and where influence lies/the hierarchy of influence (i.e. who amenity societies, neighbourhood forums and BIDs represent and how they function).
- Table 3 should not say 'and/or ward councillors/community' – both should be consulted.

Mayfair Forum

- Role of Neighbourhood Forums is understated in the draft guidance, particularly where a neighbourhood plan has been adopted.
- Ask that prior communication with the Form is made a required as a specific engagement event.
- More focus should be included on minor development which can also have impacts and would benefit from community engagement.
- Suggest that all developers of schemes proposing in excess of 100m² of new floorspace or a change of use should notify forums that have an adopted plan.

Pimlico Neighbourhood Forum

- Forums establish a high level vision for their area, collect views on what matters most for an area as regards future development, consult on priorities for policy areas, consult on policy proposals and provide binding policy through their plans.
- In light of these roles and responsibilities neighbourhood forums will be in a special position to respond and input on consultations
- Particular weight should be attributed to the views of neighbourhood forums and stronger emphasis on the role that forums play should be included in the guidance.
- Developers should address how proposals meet neighbourhood plan policies.
- Further work is required in the document to explain how developers should demonstrate compliance with City Plan policy objectives when carrying out engagement.

Soho Society

- Provided tracked changes to the draft guidance to address the following concerns.

- Initial engagement should occur on the basis of a written concept prior to a developer commissioning an architect or development team to produce a drawn scheme.
- Consultation with immediate neighbours should be prioritised.
- Greater priority should be given in the guidance to engagement on non-major development.
- Table 3 (example timeline) should be simplified and community engagement given greater prominence with table.
- To ensure accuracy and transparency, consulted groups should be asked to agree the minutes or notes taken at engagement events before they are provided in the developer's Early Engagement Strategy or SCI.

Westminster Property Association

- Recognise the crucial role of meaningful consultation and engagement in successfully managing change in the built environment. Note that this was a key theme of the WPA Insight Paper in 2018, 'Building Trust'.
- Believe that extensive community consultation already occurs on most large and strategic scale development in Westminster but recognise there is always scope for improvement.
- Detailed comments made on the content of the draft guidance, but highlight 5 key recommendations:
 - 1 Launch a pilot based on interim guidance before finalising, so that the framework can be tested and refined with feedback from participants
 - 2 Expand the principles of early engagement to all groups, regardless of whether property, business, resident or amenity, which all consult their local communities
 - 3 The criteria should as flexible as possible so individual site circumstances, not just unit size, can be taken into account
 - 4 Any rigid barrier to dialogue with officers pre-engagement could be detrimental to bringing forward some schemes, and could cause delay. The option should remain
 - 5 Facilitators may be useful in some instances, but once again flexibility as to if/when to appoint one is important

4 Considerations

Overview

- 4.1 The draft guidance document is structured to set out what effective early community engagement is and how this benefits all participants (Sections 1 and 2), before setting out a step by step process to designing a community engagement programme for major scale development in Westminster in the later sections.

Promoting Early and Structured Engagement

- 4.2 The draft guidance sets out examples of good practice methodology and provides a template timeframe for engagement to show how community engagement should be scheduled relative to other pre-application engagement with other stakeholders and officers. It also explains the level of information that should be submitted with pre-application requests and formal planning applications to demonstrate the community engagement that has been undertaken and how the engagement has helped to refine the finalised development proposal.

- 4.3 Section 3 identifies the key consultees for development proposals within the city and sets out the steps necessary to ensure engagement is inclusive.
- 4.4 Section 4 sets out a range of model consultation methods to help developers deliver community engagement that is appropriately designed for the scale of development they are proposing. The majority of the consultation methods can be undertaken in person or alternatively online to ensure the reach of consultation is optimised and to provide flexibility at times when in person events may not be possible. The guidance makes clear though that the council expects developers to undertake a blend of traditional and online engagement to ensure the broadest possible range of participants are reached.
- 4.5 The range of engagement methods expected to be carried out for differing scales of major development is set out in Section 5. Table 2 visualises these expectations and sets the expectation that developers will submit an 'Early Engagement Strategy' when seeking pre-application advice from officers to demonstrate the community engagement that has taken place and share with officers the responses of the local community.
- 4.6 To improve the balance of developer presentations, the draft guidance recommends the that the following key information is be conveyed to consultees during engagement as a minimum:
- the vision and aims for the proposed development/ what the proposal is seeking to deliver and how this contributes to the Council's City Plan policy objectives;
 - site layout and details of the use, function and form of proposed development (interactive and/ or 3D modelling should be used wherever possible);
 - identified positive and adverse impacts of the development, including the impact on the local highway network, and its contribution to tackling the climate emergency¹ and increasing the sustainability of the city's building stock;
 - the S106 and other public benefits to be offered (where applicable);
 - the value of any CIL contribution (where applicable);
 - an outline timeline for delivery of the proposed development and how any foreseeable significant construction impacts could be mitigated;
 - alternative options for development of the site (at initial engagement sessions);
 - summary of feedback from earlier consultation, amendments to earlier scheme iterations and rationale for amendments (for follow up engagement sessions);
 - details of how feedback can be given during and following the engagement event.

The guidance reminds developers that the key information should identify potentially adverse, as well as positive, impacts of proposed development.

¹ Westminster's Climate Emergency declaration: <https://www.westminster.gov.uk/climate-emergency-0>

- 4.7 Section 6 promotes the undertaking of community engagement at the earliest possible point in the scheme development process to ensure community views are genuinely used to influence and enhance development. Table 3 provides an example timeline for early community engagement in context with the process of obtaining pre-application advice from officers to provide more clarity on the expectation of when initial engagement with the community should occur. The guidance reinforces that for major scale development engagement should be a multi-phase process with subsequent phase(s) being used to seek further views from all those who respond to initial engagement on the evolving proposals, whilst also communicating amendments that have been made in response to earlier engagement. This approach helps to build trust and enhance transparency in the planning process and enables stakeholders to see that their input has resulted in tangible benefits to the local community.
- 4.8 Section 7 sets out the expected content of Statements of Community Involvement (SCIs), which are a validation requirement at planning application stage. The guidance identifies that these should build upon the content of the Early Engagement Strategy submitted to officers at pre-application advice request stage and demonstrate how the scheme has been evolved in response to the outcomes of ongoing community engagement.

Ensuring Inclusivity

- 4.9 The guidance seeks to ensure that all engagement is compliant with the Equality Act 2010 and upholds the values of equality, diversity and inclusion. The guidance promotes engagement that engages traditionally disengaged groups as well as those who are more frequently engaged. The guidance identifies that all engagement both in physical venues and online, should be disability positive
- 4.10 Advice is provided in Section 4 on how engagement can be designed to increase its reach beyond traditionally engaged groups. This can include, but is not limited to, use of innovative methods of engagement, such as social media or online meetings, the use of non-traditional venues and scheduling of engagement at times to people with differing responsibilities.

Enhanced Officer Understanding of Community Views

- 4.11 The guidance introduces the expectation that developers will now submit an 'Early Engagement Strategy' with requests for pre-application advice from officers. This document is designed to focus the minds of developers on the importance of community engagement at an earlier stage in the pre-application process, prior to officer engagement. The submitted strategy should include feedback from earlier community engagement or an undertaking to provide feedback from community engagement undertaken following the submission of a pre-application advice request. The purpose of this is to enable officers to have significantly enhanced visibility of the views of the local community at pre-application stage compared to the current situation where local community views are not typically communicated to officers until the submission of a formal application.
- 4.12 This approach will enable officers to take greater account of local views that are consistent with the development plan when providing advice to developers at pre-application stage.

Encouraging a More Collaborative Engagement Process

- 4.13 The golden thread throughout the guidance is the promotion of a more collaborative and open community engagement process for development proposals in Westminster. The guidance explains to developers that early community engagement offers a vital opportunity for them to explain their vision and aims and demonstrate how they propose to realise these having regard to site and economic constraints. By sharing their vision with local communities in an open, transparent and collaborative way, they can reduce the number and severity of objections raised at formal application stage.
- 4.14 The guidance highlights the benefits of a positive approach, such as benefiting from unique local knowledge of communities; the ability to test and refine ideas at an early stage and gather support for the general principles of development; reduction of conflict; and delivery of development that is more responsive to local need and resilient to future changes in local behaviour and demand.
- 4.15 The guidance also identifies that good quality community engagement provides wider benefits such as improving the relationship between developers and local communities and increasing trust in the planning process at a time when this has been demonstrated to be at a low level (see recent research by Grosvenor in Appendix A of the draft guidance).

Future Monitoring

- 4.16 Following publication, the document will be subject to regular monitoring to ensure that it reflects evolving best practice and references new and innovative methods of engagement that may emerge through the development of new technology. Officers will develop success criteria that identify the extent to which the guidance has positively influenced engagement practices to aid the future monitoring.

Next Steps

- 4.17 The draft guidance note will be updated and amended in light of the Committee's comments and the comments received in response to informal consultation. The amendments made to the draft version of the guidance will then be fed back to the stakeholders who have commented on the initial draft. Following this feedback and subject to Cabinet Member approval, the updated and finalised guidance note will be published in May 2021.

5 Financial Implications

- 5.1 None. Any financial implications can be accommodated within existing budgets.

6 Legal Implications

- 6.1 None.

7 Conclusion

- 7.1 The introduction of guidance to encourage and support applicants and developers to carry out better structured and earlier community engagement will enhance the role that communities in the city are able to play in shaping their own places and help to increase trust in the planning process. The format and content of the draft guidance has been developed to provide constructive support to developers designing their engagement strategies and to ensure greater consistency of practice across the development industry, whilst also clearly setting out the Council's expectations of them.

- 7.2 The Committee is asked to support the principle of the draft guidance and, drawing on Members own experiences of community engagement, is invited to comment on its the format and content.

If you have any questions about this report, or wish to inspect one of the background papers, please contact: Oliver Gibson (ogibson@westminster.gov.uk / 07971026919)

Background Papers:

1. Draft Early Community Engagement Guidance Note – February 2021.

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Early Community Engagement Guidance Note for Applicants and Developers

Draft V8 - February 2021

1. Introduction and Purpose

This guidance sets out our expectations for how applicants and developers should engage with local communities at the earliest stage of scheme development and explains the information applicants should provide to demonstrate the engagement they have undertaken and how it has positively influenced the evolution of their development proposals.

The council strongly supports the view expressed by Government in the National Planning Policy Framework (2019) (para 39) that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Best practice pre-application engagement with all parties, including the local community, enables better coordination between public and private resources and improves outcomes for communities and developers by delivering high quality, sustainable development.

The advice in this guidance note builds upon the expectations and requirements set out in Section 8 of our Statement of Community Involvement (2014)¹, which we will update during 2021, and explains how public engagement on emerging development proposals should be undertaken by developers following the **principles of good engagement**, namely that it is *early, open, transparent, inclusive, responsive and accessible*.

2. What is Early Community Engagement & What are the Benefits?

Early community engagement is the process of engaging with residents, Councillors and other local stakeholders at the earliest possible stage in the scheme development process, providing the opportunity for the engagement to be multi-phased, enabling an informed 'conversation' with communities rather than notifying them of an already defined proposal. It provides communities with a meaningful role in shaping their places and allows developers to benefit from the insight that communities can provide through their unique local knowledge, test and refine ideas at an early stage and gather support for the general principles of their development proposal. Well executed community engagement following best practice makes the planning process a more positive experience for all participants.

The planning system is often viewed as a complex and highly technical process; it can be confusing, and people can feel that their views are not considered sufficiently when engagement is poorly executed or timed, leading to a breakdown in trust between all parties. Effective well thought out

¹ Statement of Community Involvement in Planning (2014): www.westminster.gov.uk/media/document/core-008---statement-of-community-involvement-in-planning

early engagement can reduce conflict, allow communities to have their say at a stage where their views can genuinely influence design decisions and consequently result in better development that is more responsive to local need and resilient to future changes in local behaviour and demand.

Early engagement can also help communities understand the developers' perspective; communities may not agree with the final proposal or the outcome but may still accept the reasoning. It offers a vital opportunity for developers to explain their vision and aims to local communities and demonstrate how they propose to realise these having regard to site and economic constraints. By sharing their vision with local communities in an open, transparent and collaborative way, developers can utilise early engagement to reduce the number and severity of objections raised at formal application stage. This can assist the council to make more timely decisions, and this in turn can help applicants by reducing unnecessary delay and cost.

When done well, early community engagement improves trust and relationships between developers and local communities, building greater overall support for development and a greater appreciation of the positive benefits that can be delivered for existing local communities by well-designed development.

3. Who to Consult – Inclusive Engagement

It is important to engage with as many members of communities affected by proposals, from as diverse a cross section of those communities, as possible. All community engagement must be compliant with the Equality Act 2010 and uphold the values of equality, diversity and inclusion.

You should ensure that your engagement seeks to reach all groups within communities, including minority groups and those that are disengaged, as well as more established community groups. To support this approach engagement should be disability positive.

Westminster has many long-standing, active community groups and amenity societies who are regularly involved in consultations or community engagement and have made a significant and positive contribution to planning in Westminster over many years. The opinions of all groups have value and you should ensure they are all engaged with in the most appropriate way and aren't marginalised as a result of their involvement (or lack thereof) in previous community engagement.

We recommend that as a minimum you ensure that the groups listed below are included when undertaking early community engagement. You should also seek advice from local community groups and planning officers who may be able to assist you in identifying additional community stakeholders and help you to understand their particular interests and needs, and how best to engage with them. Recommended groups for inclusion in early community engagement include:

- the local communities including residents, workers and businesses in the vicinity² of the development site, having special regard to how traditionally 'rarely heard from' groups can be engaged;

² 'Vicinity' should be determined having regard to the scale and impact of the proposed development.

- recognised amenity societies³⁴;
- neighbourhood forums⁵;
- existing community, residents and tenants' groups,
- Ward Councillors;
- community councils (Queens Park Community Council – where applicable);
- Business Improvement Districts (BIDs)⁶;
- local faith groups;
- special interest groups³ (e.g. 'friends of' groups, conservation groups etc.) and semi-recognised amenity societies³.

In addition to early community engagement, you should also engage with officers using the council's Pre-Application Advice Service⁷ and consult other relevant statutory and non-statutory consultees.

4. Engagement Methods – Making it Open, Accessible & Meaningful

Early community engagement can take many forms, ranging from awareness raising, for example leaflets, posters, online content/a website, to consultation using questionnaires, interactive social media, public meetings or groups and more collaborative and participatory approaches such as design workshops and forums.

Over recent years digital consultation technology and platforms have advanced significantly and this is reflected by the Government's call for greater use of digital technology to aid planning consultation, in their recent Planning White Paper (August 2020)⁸. Consultation undertaken on the council's own development proposals demonstrates that digital consultation methods and platforms reach a wider range of people within communities, often from those groups that are disengaged when using more traditional non-digital consultation methods. Typically a blended approach mixing digital and non-digital methods will ensure engagement reaches the broadest range of participants from across the local community.

The range of consultation methods available fall into three categories; namely informative, consultative or collaborative engagement (see Table 1).

Table 1: Types and Methods of Engagement.

Informative Engagement	Leaflets and traditional media
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³ List of recognised amenity societies, semi-recognised amenity societies and special interest groups: www.westminster.gov.uk/sites/default/files/list_of_amenity_societies_in_westminster2018.pdf

⁴ Link to Westminster Amenity Society Forum: <http://westminsteramenitysocietiesforum.org/>

⁵ List of Neighbourhood Forums: www.westminster.gov.uk/neighbourhood-forums

⁶ List of BIDs: <https://www.westminster.gov.uk/businesses/westminster-business-improvement-districts/bids>

⁷ Pre-Application Advice Service: <https://www.westminster.gov.uk/planning-building-and-environmental-regulations/planning-applications/request-pre-application-planning-advice>

⁸ Government Planning White Paper 'Planning for the Future' (August 2020): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf

	Development website/ council's website/ social media (where informative with no interaction)
Consultative Engagement	Interactive digital engagement/ social media (where interaction is included)/ online questionnaires
	Public exhibitions/ meetings
	Meeting(s) with Ward Members & other statutory/ non-statutory consultees
Collaborative Engagement	Engagement forums/ workshops

For major development you should use some or all of these techniques depending on scale of development (see Table 2) and you should include a mix of techniques to ensure your engagement is inclusive and reaches different audiences and communities within the vicinity of the development site. However, it is important to tailor the engagement approach taken on a case by case basis to ensure you overcome the particular barriers to participation that may exist in different communities.

When planning early community engagement, you should identify any potential barriers to engagement and design your engagement strategy to minimise them where possible. There are groups in all communities who are more difficult to engage. Potential barriers to their involvement include: (i) the capacity and ability of different stakeholders (e.g. visible and non-visible disability, childcare/ caring commitments or employment commitments); (ii) being members of typically 'rarely heard from' groups such as young people, older people, minority groups or socially excluded groups; (iii) those with limited computer literacy and/ or access to technology; and (iv) those with more limited literacy and/ or numeracy or a dominance of oral culture. Ensuring that an engagement strategy is inclusive and accessible to the widest range of community members contributes to its value and its legitimacy.

A minimum of 2 weeks notice of engagement events should be given. For all forms of participatory engagement, you should ensure that multiple sessions are scheduled at various times during the day to maximise participation. For engagement events held at a venue in the vicinity of a development site you must ensure the chosen venue is fully accessible. You should consider whether the use of non-traditional venues would assist in reaching disengaged groups. Venues that can provide appropriate audio or visual aids should be prioritised.

We recommend that the types and methods of engagement included in Table 1 are designed in accordance with the example formats outlined below. However, it should be noted that this does not preclude developers from pursuing a more bespoke approach where this would respond to the particular needs of the local community and would lead to enhanced engagement outcomes.

Method 1: Leaflets/ Use of Traditional Media & Development Information Website

Written and/ or email correspondence/ newsletters/ leaflets setting out the key aspects of a proposed development (see Section 5 for content requirements) and advising where further information can be obtained and, for larger developments, where comments can be made (i.e. by reference to an informative website/ public exhibition/ engagement event).

Method 2: Meeting(s) with Ward Councillors

Meeting with a Ward Councillor(s) specifically arranged for the purpose of discussing the development proposal and setting out any concerns relayed by their local residents. Developers should notify officers where a meeting has been arranged with a Ward Councillor(s). Ward Councillors may invite officers to attend the meeting*. The use of new technologies and 3D modelling should be used for these meetings, where appropriate, to help articulate the development proposals.

**Note that officers are not required to attend as whilst Ward Councillors can provide valuable advice on the key concerns of their constituents, the views they may express are their own and not representative of the council as Local Planning Authority.*

Method 3: Interactive Digital Engagement

Use of an interactive website and/ or digital consultation/ social media platforms to provide detailed information on the proposed development and key objectives for the site, and provision of the opportunity to comment (i.e. by use of online questionnaires, surveys, comments portal or similar). Method 3 may incorporate the use of new technologies/ interactive features and 3D modelling. It may also include digital online forums and exhibitions.

Where targeted online consultation is utilised, the parameters for consultation (i.e. the geographic and demographic profile of those targeted etc.) should be arrived at with the aim of ensuring the consultation is inclusive of all communities within the vicinity of the development site and for the purpose of transparency and openness, these parameters should be specified in the Early Engagement Strategy submitted at pre-application stage and the SCI submitted at application stage.

Method 4: Public Exhibition/ Consultation Event/ Drop In Session

A public event held be at a venue in the immediate vicinity of the development site where visual displays of the proposed development are provided, with the opportunity for the public to comment on the proposed development. Such events should be appropriately publicised in advance (including use of Method 1).

Digital alternatives to 'in person' events should also be considered and may help to reach a wider range of persons from the local community. A digital format would take the form of a webinar, which enable the presentation of the same material as could be presented in a physical space and also enable comments to be made via a question and answer session, and via follow up email or phone correspondence.

It is recommended that a professional facilitator⁹ is appointed to compile consultation materials, organise the format for collecting consultee's views and lead engagement with the public at the event.

⁹ 'Professional Facilitator' means a person or persons appointed by the developer outside of their retained development team (i.e. appointed specifically to manage and host engagement events and not retained for the purpose of handling on-going development proposal communications), who has relevant professional experience in advising on consultation content and facilitating community engagement on development proposals.

Officers should be invited to the event in an observational capacity. All feedback should be provided to officers following the event to inform their advice in response to pre-application advice requests.

Method 5: Workshops

Workshops are a more collaborative approach to engagement than public exhibitions and consultation events. Workshops typically provide attendees with greater scope to offer their opinions on the form and function of a proposed development.

Workshops should be held at a venue in the immediate vicinity of the development site or online and publicised in advance. They are likely to be more effective when held during the earliest stages of scheme development and are typically more productive when limited to a specified number of attendees that represent a cross section of all parts of the local community. Consideration should be given to the use of professional facilitators to prepare workshop materials, set discussion topics and questions and lead the workshop session. Officers should be invited to workshops in an observational capacity.

You may wish to consider livestreaming or making recordings of workshops available online for those unable to attend (i.e. where attendee numbers may have been limited to maintain the effectiveness of the session) and provide alternative online method of submitting feedback to broaden the reach of these events.

Method 6: Engagement Forums

Engagement Forums (EFs) are more structured interactive events attended by local community stakeholders, to which Ward Councillors may also be invited. EFs would normally be appropriate when developing schemes of more strategic scale and the thresholds set out in Table 2 reflect this. EFs should be organised by developers, or preferably on their behalf by a professional facilitator, and held at an appropriate venue in the vicinity of the development site. EFs should typically last 2 to 2.5 hours and comprise a concise introduction of the site and key facts regarding the proposed development.

Officers should be invited to EFs. Note that their involvement will be as impartial observers and they will not provide comment on the acceptability of the proposal to the developer or other attendees. Officers will provide an overview of the policy context for the site being discussed.

The session should conclude with a forum discussion and a question and answer session between the developer and attendees that is chaired by the appointed professional facilitator. You should ensure that the developer presentation is limited to not more than 30 minutes to ensure sufficient time for open and unconstrained discussion between participants. The developer should take minutes of the EF and these should be shared with and agreed with the attending officer. Alternatively, a recording of the EF may be made and shared where appropriate agreement has been received from all attendees. The attending officer will use the record of the EF discussions to inform subsequent written pre-application advice provided by officers.

Like workshop events, EFs may also be undertaken in a remote format, particularly where in-person events are not possible (for example due to the impact of the Coronavirus pandemic). You may wish to consider livestreaming or making recordings of EFs available online for those unable to attend and provide alternative online method of submitting feedback to broaden the reach of these events.

When a local or national emergency has been declared that prevents the carrying out of face to face engagement, such as the Coronavirus pandemic, digital and online versions of these engagement methods should be utilised rather than reducing or ceasing community engagement during the affected period.

5. How to Consult – Types of Consultation, Content & Techniques

For major development, the council’s Statement of Community Involvement in Planning sets the expectation that all applicants/ developers will engage with the local community prior to making a formal application. For larger proposals, which are likely to have a significant impact on the environment or on the local community and/ or generate a high level of significant local interest, it is especially important to undertake early consultation on a wider scale.

Table 2 sets out the expected early engagement formats for different scales of development. Developers are encouraged to exceed these where this would enhance the value of the community engagement to be undertaken.

Table 2: Early Community Engagement expectations for developers.

Expected Developer Engagement Format(s)	Development Scale (GIA floorspace*)				
	Non-Major Development	1,000-2,499m2 add. floorspace or 10-24 new residential units	2,500-4,999m2 add. floorspace or 25-49 new residential units	5,000-19,999m2 add. floorspace or 49-99 residential units	20,000m2 + add. floorspace or 100 + new residential units
Method 1: Leaflets/ online communication. 	Encouraged	✓	✓	✓	✓
Method 2: Meet Ward Councillor(s)** 	Encouraged	Encouraged	✓	✓	✓
Method 3: Interactive Digital Engagement 	Encouraged	Encouraged	✓	✓	✓
Method 4 or 5: Public Exhibition/ Workshop 				✓	✓
Method 6: Early Engagement Forum 					✓
Expected Collaboration with Officers					

Submit Early Engagement Strategy with Pre-App 		✓	✓	✓	✓
Share Consultation Responses/ Data 		✓	✓	✓	✓
Invite case officer to engagement event(s) 				✓	✓

* GIA Floorspace refers to additional floorspace in the case of proposals for extensions and all floorspace where new building is proposed (including new build schemes behind a retained façade).

** Meetings are subject to the agreement of the Ward Councillor¹⁰. Note they are not obliged to meet on all major schemes and will prioritise development that they consider to have significant impact on communities in their ward. Officers may be invited to meetings by Ward Councillors.

When carrying out all methods of engagement for major development, a minimum level of key information regarding the proposed development should be included in the community engagement material:

- the vision and aims for the proposed development/ what the proposal is seeking to deliver and how this contributes to the Council's City Plan policy objectives;
- site layout and details of the use, function and form of proposed development (interactive and/ or 3D modelling should be used wherever possible);
- identified positive and adverse impacts of the development, including the impact on the local highway network, and its contribution to tackling the climate emergency¹¹ and increasing the sustainability of the city's building stock;
- the S106 and other public benefits to be offered (where applicable);
- the value of any CIL contribution (where applicable) and;
- an outline timeline for delivery of the proposed development and how any foreseeable significant construction impacts could be mitigated;
- alternative options for development of the site (at initial engagement sessions);
- summary of feedback from earlier consultation, amendments to earlier scheme iterations and rationale for amendments (for follow up engagement sessions);
- details of how feedback can be given during and following the engagement event.

Where set out in Section 4, professional facilitators should be used to ensure that the presentation material, format, questions to participants and scope of those invited to participate are balanced and impartial and representative of all communities within the vicinity of the development site. The

¹⁰ List of ward councillors: <https://committees.westminster.gov.uk/mgMemberIndex.aspx?bcr=1>

¹¹ Westminster's Climate Emergency declaration: <https://www.westminster.gov.uk/climate-emergency-0>

professional facilitators should also chair/ lead the engagement sessions where their involvement is recommended.

The council encourages the use of 3D modelling tools when carrying out engagement. These can greatly assist with the visualisation of proposed development and help to show it in the context of existing townscape. This can help consultees to better understand the impacts of proposed development and, in some cases, allay concerns they may otherwise have had. The council uses 'Vu.City' when assessing development proposals. We encourage you to use this platform, or a compatible model specification, when including contextual 3D modelling in your early community engagement. Note that when seeking pre-application advice for major development, the provision of a Vu.City compatible 3D virtual model of the proposed development will also assist officers in providing advice on your proposal. A specification to ensure 3D models are compatible with Vu.City is provided in Appendix B.

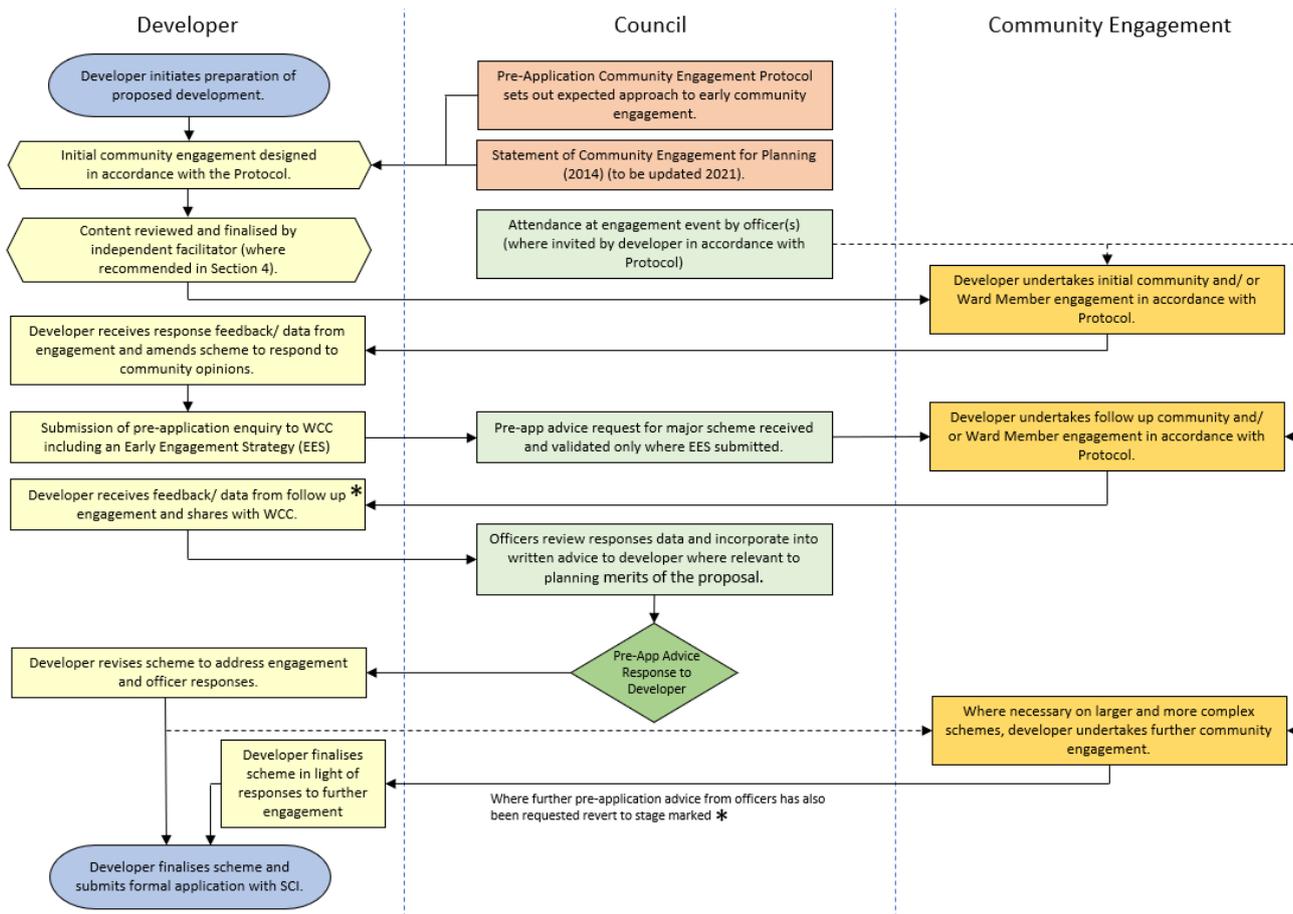
Whilst there is not an expectation for prospective applicants to engage with the community on non-major development, engagement is still encouraged and should be proportionate to the scale of the proposed development. For all scales of development, but particularly non-major development, it is important to consider how you would want to be treated if a development was proposed near you. For example, for extensions and alterations to houses, we would encourage applicants to consult those living adjacent or very close to the site at an early stage. The type of engagement expected for smaller scale proposals will include, but should not necessarily be limited to, written notice of the proposals and/ or offering a meeting with neighbours and allowing the opportunity for their comments to be made at an early stage.

6. When to Consult – Early & Responsive Engagement

Community engagement should begin at the very earliest stage of scheme development. Table 3 sets out a good practice timetable for community engagement during the scheme development process. Following this timetable will ensure that the early engagement undertaken informs the design of the scheme and enables pre-application discussions and subsequent advice from officers to be better informed by the views and expectations of the local community. We therefore strongly recommend that initial community engagement is carried out prior to seeking pre-application advice from officers wherever possible, especially on larger schemes and those where more than two phases of community engagement are planned.

The scope and timetable for the proposed community engagement activities should be captured in an 'Early Engagement Strategy' (EES). The EES should be submitted along with other documents when making a pre-application advice request to the Place Shaping and Town Planning Service. Feedback from early community engagement should be shared with officers during the pre-application advice process, either as part of the submitted EES where community engagement has already commenced or as a subsequent addendum to the EES where community engagement is scheduled to take place concurrently with pre-application discussions with officers. Officers will include reference to relevant comments and views expressed by the local community in their written pre-application advice where these are consistent the policy requirements of the City Plan.

Table 3: Early Community Engagement Process & Example Timeline.



The EES submitted with your pre-application advice request should set out the following information demonstrating how early community engagement has/ will be achieved:

- **What engagement has already been undertaken?** Early community engagement should have started well in advance of seeking pre-application advice. Therefore, you should include details of all early community engagement that has already been undertaken prior to the submission of the pre-application advice request, including community feedback from this engagement. All comments received should be included within an appendix to the EES.
- **Who will you engage with?** You should demonstrate the scope of community engagement proposed by including a list of community groups and other statutory and non-statutory consultees that have/ are to be consulted and provide a statement or methodology setting out how the engagement will encompass the principles of equality, diversity and inclusion.

- **How will they be engaged?** Confirmation of which methods will be used with reference to Table 2. The EES should specify how many phases of consultation are proposed and how feedback on earlier engagement is to be provided to stakeholders. It should also confirm that professional facilitators have been employed to organise and chair/ lead engagement events where this is recommended in Section 4.
- **How will you ensure engagement is constructive, accessible and inclusive?** Where possible media/ presentation content for the initial round of engagement should be provided in an appendix. For traditional and digital methods of consultative engagement, the questions to be asked of consultees should be provided and a rationale for the proposed approach provided. For digital/ social media consultation, where particular demographics or geographic areas are to be targeted, these should be set out and a rationale for the proposed approach given.
- **When will you carry out engagement?** A schedule for initial and follow-up engagement should be provided (note it is recognised that the date of follow up consultation may be subject to change dependent upon the response received to initial consultation).
- **How will you capture, record and share feedback?** Provide a methodology for how comments and feedback will be captured and recorded and confirm the format and timeframe for sharing the feedback with officers and (where appropriate) community stakeholders. You should also confirm that the comments and any associated personal data has/ will be captured with appropriate consents (where necessary).

Where community engagement is carried out prior to seeking pre-application advice from officers and this guidance note recommends attendance at the engagement event by officers, you should contact the relevant planning area team (see contact details in Appendix C).

Further views should be sought on the evolving proposals from all those who respond to initial engagement before a planning application is submitted, so that amendments that have been made can be communicated to stakeholders. This approach helps to build trust and enhance transparency in the planning process and enables stakeholders to see that their input has resulted in tangible benefits to the local community. Conversely where changes to a scheme cannot reasonably be made, further engagement enables developers to set out why this cannot be achieved in advance of formal consultation at application stage. For larger scale major development, it is likely that more than two phases of community engagement will be appropriate to secure the best outcomes.

In addition to the steps set out in Table 3, developers of larger scale major development may also wish to present their emerging proposals to the Cabinet Member for Business, Licensing and Planning and/ or the Chairman of Planning (as appropriate) where the development is of a scale or complexity described in Appendix A of the Guidance Note for Developers¹². In addition to falling within one of the categories in Appendix A, developers must also demonstrate that they have already made a pre-

¹² Pre-application Engagement with the Cabinet Member for Business and Planning and the Chairman of Planning – Guidance Note: www.westminster.gov.uk/media/document/cab-memberandcop-meetings-guidance-notedec2020-finalpdf

application advice submission to the Place Shaping and Town Planning Service and provide evidence of initial community engagement (i.e. by the submission of an EES with their pre-application advice request). Feedback from the community engagement should be shared with officers in advance of any meeting with the Cabinet Member or the Chairman of Planning.

7. What is Expected at Application Stage – Promoting Transparency

Where an applicant has undertaken community engagement prior to making a planning application, a Statement of Community Involvement (SCI) must be submitted with a formal planning application in accordance with our Validation Checklist requirements. The SCI should build on the content provided in the EES at pre-application stage. It must set out the type of community engagement undertaken and the success of these methods, along with details of the views expressed and the changes made by the applicant in response. Where no changes have been made, the SCI should explain why not. You will need to consider how you can demonstrate measurable community representation and support for the proposal. The SCI should follow the outline format set out below:

- Identify the scope of community engagement expected by this guidance note and explain how this has been achieved.
- Details of the engagement methods that have been utilised to meet the expected scope and provision of data to demonstrate the reach and inclusivity achieved using the chosen methods of engagement.
- Provision of a schedule/ timeline of when the engagement was undertaken relative to other milestones such as engagement with officers and/ or Councillors and application submission.
- Provision of a full schedule of the comments/ feedback provided by those consulted during each round of engagement and how the scheme has been amended to address these. Where no amendments were made, the decision not to amend the scheme should be justified/ a rationale given.

Where an application is reported to a Planning Applications Sub-Committee for determination the SCI will be used to inform a section of the report outlining the engagement that the applicant has undertaken with the local community and how this engagement has contributed to the finalised design of the proposed development.

8. GDPR / Freedom of Information

The City Council is under a legal duty to disclose any pre-application documentation or correspondence if it receives a Freedom of Information request. If any information disclosed as part of the pre-application process is commercially sensitive you must confirm this to the City Council in writing, however the City Council can only withhold information if it falls within one of the statutory exemptions and whilst it will take your representations into account it is ultimately the City Council's decision as to whether information should be withheld.

The City Council operates in full compliance with GDPR and will not disclose any personal information to third parties.

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Appendix A – Useful Publications

1. Statement of Community Involvement in Planning (June 2014):
www.westminster.gov.uk/statement-community-involvement
2. Pre-application Engagement with the Cabinet Member for Business and Planning and the Chairman of Planning - Guidance Note for Developers:
www.westminster.gov.uk/sites/default/files/planning_preapplication_guidance_notes_for_developers_1.pdf
3. National Planning Policy Guidance 'Before Submitting an Application':
www.gov.uk/guidance/before-submitting-an-application#local-people-at-pre-application-stage
4. Draft National Design Code and Guidance Notes of Design Codes (February 2021):
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957205/National_Model_Design_Code.pdf
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957207/Guidance_notes_for_Design_Codes.pdf
5. Good Practice Guide to Public Engagement in Development Schemes – Planning Aid (2010):
<http://camdencen.org.uk/Resources/Planning/Communities/Good%20Practice%20Guide%20to%20Public%20Engagement%20Development%20Schemes.pdf>
6. 10 Commitments for Effective Pre-Application Engagement – Local Government Association (2014): www.local.gov.uk/sites/default/files/documents/10-commitments-effective--927.pdf
7. 'Rebuilding Trust' – Grosvenor (July 2019):
Findings Summary: www.grosvenor.com/Grosvenor/files/a2/a222517e-e270-4a5c-ab9f-7a7b4d99b1f3.pdf
Discussion Paper: www.grosvenor.com/Grosvenor/files/b5/b5b83d32-b905-46de-80a5-929d70b77335.pdf

Appendix B – 3D Modelling Specification

The Council uses Vu.City to provide a bespoke model environment of Westminster and central London. To ensure your 3D modelling is compatible with Vu.City software please ensure it meets the following specifications:

- **Geo-referenced position.** The model should be geo-referenced in space to ensure an accurate insertion into the Vu.City model
- **Scale.** Please ensure the model is correctly scaled to the appropriate dimension.
- **File format.** The model should be in the original file format. Preferred file formats are FBX or Revit files but all standard 3D modelling formats are acceptable.
- **Simplified layers.** The 3D model should not be the final detailed design, but a basic model that illustrates the form and location of the proposed buildings.
- **Scope.** Ensure the model is solely within your red line/development boundary and does not include proposals for adjoining sites.

Further information on the use of Vu.City can be found at: <https://vu.city/>.

Appendix C – Planning Area Team Contact Details

Where the early community engagement will pre-date the submission of a request for pre-application advice from officers you should contact the relevant planning area team via the email addresses below to alert them to the proposed community engagement and request officer attendance. You should provide at least 14 days notice of the intended community engagement event.

Central Planning Team: centralplanningteam@westminster.gov.uk

Covers the W1 area.

South Planning Team: southplanningteam@westminster.gov.uk

Covers the SW1, SW7, WC2 and EC4 areas.

North Planning Team: northplanningteam@westminster.gov.uk

Covers the NW1, NW6, NW8, W2, W9, W10 and W11 areas.

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TO:	Committee Officer Planning (Major) Applications Sub-Committee LOCATION: 13 th Floor, 64 Victoria Street
FROM:	Director of Place Shaping and Town Planning
BEING DEALT WITH BY:	Oliver Gibson
EXTENSION:	07971026919
DATE:	17 March 2021

PLANNING & CITY DEVELOPMENT COMMITTEE – 18 March 2021**Item 5 – Draft Early Community Engagement Guidance**

Paragraph 3.9 of the committee report identifies that at the time the report was drafted consultation on the draft Early Community Engagement Guidance was ongoing. Below is a full summary of the consultation responses received by the end of the closure of the consultation period on 12 March 2021. Text not included in the original committee report is highlighted in blue.

Belgravia Neighbourhood Forum

- Fully support the objectives of this initiative and are in overall support of it but consider there are areas where it does not go far enough.
- Welcome inclusion of neighbourhood forums as bodies that should be consulted by developers.
- Concerned that the asymmetry between the resources available to developers and consultees will remain and suggest measures are recommended in guidance to redress the balance including (i) an independent audit of developer presentations; (ii) an obligation for developers to produce a 'balance sheet' of positives and negatives; and (iii) appointment of a 'community champion' (a professional to represent the communities interests).
- Will remain too easy for developers to ignore community responses. Can guidelines be strengthened to guard against this?
- In Belgravia it is often non-major development that causes most annoyance, disturbance and distress to local residents and therefore guidance should be expanded to cover non-major development.
- Engagement forums will be intensive forms of engagement with limited numbers of participants – how can it be ensured that excessive participants are not included with specific views that dominate the consultation outcome?
- Recommend that more consultation methods are recommended for all development scales in Table 2.
- Impacts on the local community should specifically be addressed in developer presentation materials and information should be provided on how feedback should be acted on by developers.
- Once a Forum has a 'made' Neighbourhood Plan, the Forum needs to have the right to engage with officers to ensure that the policies contained within their plan have been appropriately considered, particularly as the plan will have been endorsed by the community via a referendum.
- Even where the neighbourhood plan is still at draft stage, the community and any advisors they may retain, must have the opportunity for detailed discussions with the relevant council throughout the planning process.

Belgravia Residents Association

- Draft proposal for engagement neither seems to be early, nor does it seem to engage the community very much. Suggest following amendments.

- Non-major development should be required to be subject to consultation with leaflets/ mail drop and online communication to residents and business in the area. BRA should continue to receive email alerts to proposals.
- 10+ residential unit schemes should be as per non-major development, plus interactive digital engagement.
- 25+ residential units should be as above but also including early engagement forums.

The Belgravia Society

- Welcome the Council's intention to promote early community engagement and believe there is great benefit in improving the current pre-application engagement process.
- Would like to see improvements to the Council's website to make planning information easier to find and comment on.
- Support the detailed comments made by the Belgravia Neighbourhood Forum.
- Raise concerns over recent consultation on 'Future Victoria', which lack engagement with residents.
-

Fitzrovia West Neighbourhood Forum

- Welcome the general principles set out in the guidance of making engagement more effective and meaningful.
- Reporting of outcomes of engagement tends to accentuate the positives.
- Exhibitions and other events tend to be very short and not well advertised.
- Neighbourhood Forums and Amenity Societies should have a bigger role.
- There should be a minimum period for consultation that occurs as early as possible (4-5 days).
- Officers should decide in consultation with the forum/ amenity society which method(s) of engagement should be undertaken by the developer.
- Neighbourhood Forums and Amenity Societies should be engaged prior to other groups.
- Some non-major development (controversial sites, listed buildings, redevelopments in conservation areas) should also be subject to early community engagement.
- Outcome of engagement should be summarised in a report to officers and the forum/ amenity society, plus others submitting written comments for their agreement. The report should also summarise any changes to be made to the plans arising from the consultation and before the full application is submitted.
- Recommendations made on how success of the guidance might be assessed.

Hyde Park Paddington Neighbourhood Forum/ Marble Arch Partnership

- Usability of the guidance could be improved in terms of web links.
- Section on groups should include a helpful narrative about who does what, and where influence lies/the hierarchy of influence (i.e. who amenity societies, neighbourhood forums and BIDs represent and how they function).
- Table 3 should not say 'and/or ward councillors/community' – both should be consulted.

Knightsbridge Neighbourhood Forum

- Ask that the guidance is aligned with KNF's 'Best practice guidance on community engagement': <https://www.knightsbridgeforum.org/best-practice-guidance-community-engagement/>
- Please ask applicants to consult the local amenity society and neighbourhood forum before submitting the application.

- Please ensure that applicants understand that 'made' neighbourhood plans are a full part of the development plan.

Mayfair Forum

- Role of Neighbourhood Forums is understated in the draft guidance, particularly where a neighbourhood plan has been adopted.
- Ask that prior communication with the Form is made a required as a specific engagement event.
- More focus should be included on minor development which can also have impacts and would benefit from community engagement.
- Suggest that all developers of schemes proposing in excess of 100m2 of new floorspace or a change of use should notify forums that have an adopted plan.

Marylebone Forum

- Real concern that neighbourhood forums are not fully embedded into the City Council's consideration on this Guidance and also how they are structured within wider community interest groups and representative bodies in the planning process.
- National Planning Guidance favours local neighbourhood plans and their respective forums, so we are keen to see greater weight on this in the emerging guidance.
- Would welcome an opportunity to review the next iteration of the guidance as a group of Westminster Forums.

Pimlico Neighbourhood Forum

- Forums establish a high-level vision for their area, collect views on what matters most for an area as regards future development, consult on priorities for policy areas, consult on policy proposals and provide binding policy through their plans.
- In light of these roles and responsibilities neighbourhood forums will be in a special position to respond and input on consultations
- Particular weight should be attributed to the views of neighbourhood forums and stronger emphasis on the role that forums play should be included in the guidance.
- Developers should address how proposals meet neighbourhood plan policies.
- Further work is required in the document to explain how developers should demonstrate compliance with City Plan policy objectives when carrying out engagement.

St. Marylebone Society

- Ask for more detail about how early consultation process would work, could this include separate meetings with different parties?
- Note that online methods have been found to increase attendance over the last year.
- Question the value of community consultation after engagement with officers, but note that it local communities bring critical local knowledge in to pre-application discussions.
- Would welcome more consultation with smaller developers.
- Reporting of the outcomes of consultation should be more accurate.
- Questionnaires forcing a positive response should be avoided.
- Acknowledge that it can be difficult to get significant participation from local communities, particularly where people do not feel specifically affected.

Soho Society

- Provided tracked changes to the draft guidance to address the following concerns.

- Initial engagement should occur on the basis of a written concept prior to a developer commissioning an architect or development team to produce a drawn scheme.
- Consultation with immediate neighbours should be prioritised.
- Greater priority should be given in the guidance to engagement on non-major development.
- Table 3 (example timeline) should be simplified and community engagement given greater prominence with table.
- To ensure accuracy and transparency, consulted groups should be asked to agree the minutes or notes taken at engagement events before they are provided in the developer's Early Engagement Strategy or SCI.

The Thorney Island Society

- Welcomes the council's affirmation of the benefits of early community engagement and support the basic principles of the guidance.
- Concerned that the guide promotes good practice but without sanctions for non-compliance.
- Detailed comments made on each section of the guidance in relation to content and structure.
- More focus should be provided on consulting near neighbours and differentiating between statutory and non-statutory consultees.
- Developers should not be able to engage with officers until the first round of community consultation has ended to avoid the implication that officers have already agreed the proposal.
- Developers should agree records of comments at pre-application stage with consultees prior to inclusion in the SCI
- Would like to see early engagement more clearly promoted on smaller, non-major development which is often just as impactful.
- Would like to see pre-application requests made public via the council's Idox online platform (on website).
- It should be made clear that detailed plans should not have been prepared at the time of the initial community engagement.
- Engagement material should show how proposals are compliant with any relevant neighbourhood plan.

Westminster Business Improvement Districts

- Welcome sentiments and principles of the draft guidance, particularly the focus on openness and transparency.
- Welcome identification of BIDs as a key early consultee.
- Greater emphasis should be included in the document on the importance of the planning balance and adopted planning policies so as to manage expectations.
- It should be recognised that there are circumstances where early engagement prior to seeking pre-application advice from officers is not feasible.
- Meetings minutes and advice from officers should remain confidential.
- Do not consider that professional facilitators will improve openness or trust as they will be paid for by the applicant. Suggest instead that consultation material should be shared with officers in advance to ensure it is suitably impartial.
- Ask that BIDs are consulted more formally by the Council on planning and licensing applications.
- Document should highlight importance of engaging with alternative groups such as Youth Forums and employees and workers.
- Additional information should be provided on each of the suggested consultees and a link to a GIS map of the areas they cover provided.

Westminster Property Association

- Recognise the crucial role of meaningful consultation and engagement in successfully managing change in the built environment. Note that this was a key theme of the WPA Insight Paper in 2018, 'Building Trust'.
- Believe that extensive community consultation already occurs on most large and strategic scale development in Westminster but recognise there is always scope for improvement.
- Detailed comments made on the content of the draft guidance, but highlight 5 key recommendations:
 - 1 Launch a pilot based on interim guidance before finalising, so that the framework can be tested and refined with feedback from participants
 - 2 Expand the principles of early engagement to all groups, regardless of whether property, business, resident or amenity, which all consult their local communities
 - 3 The criteria should as flexible as possible so individual site circumstances, not just unit size, can be taken into account
 - 4 Any rigid barrier to dialogue with officer's pre-engagement could be detrimental to bringing forward some schemes, and could cause delay. The option should remain
 - 5 Facilitators may be useful in some instances, but once again flexibility as to if/when to appoint one is important

Victoria BID

- Support early and meaningful engagement for new development.
- Vicinity when referring to the scope of consultation should be defined.
- BIDs should be more clearly promoted as the voice of businesses.
- A lower threshold than 1,000m² should be considered for early community engagement on some types of development.
- Consistency required over how much consultation feedback information is to be provided to different parties.
- The benefits of engaging a professional facilitator should be explained, perhaps with reference to Grosvenor's 'Rebuilding Trust' document.
- List of key information to be included in engagement should be expanded to include flood risk, green infrastructure and biodiversity loss/ gain and details of development costs and returns.
- Detailed comments on the content and structure of the draft document.
- Ask that the Council should be sure it has the resources for officers are able to attend pre-application engagement events.

for Director of Place Shaping and Town Planning

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