

Consultation Statement

Submission Draft (Regulation 22) Mixed Use Revision



Revision to Westminster's City Plan

November 2015



City of Westminster

1.0 Introduction

1.1 This document summarises the consultation undertaken for the Mixed Use Revision to Westminster's City Plan. It has been prepared to meet legal requirements¹ and must accompany the revision itself when it is made publically available and submitted to the Secretary of State. It also helps inform the independent Inspector appointed to examine the Revision and advise whether it is 'sound'.

1.2 This statement covers the consultation responses at the formal consultation stages². It sets out who was consulted, for how long, and how they were invited to make representations. A summary of the main issues raised by the responses is provided, and details as to how these representations have been taken into account in the Mixed Use Revision.

1.3 All contacts on the council's LDF database were consulted, together with all specific consultees³, all ward councillors, and all neighbouring boroughs. Information on the database is updated on a continual basis, with contacts being added, removed or amended on request. This included a full refresh of contact details in 2013. The database currently has 615 consultees. Consultation was carried out in compliance with the council's Statement of Community Involvement⁴. It is noted that the Council laid an Article 4 Direction to remove permitted development rights to convert offices to residential in Westminster's designated Central Activities Zone at the same time as the most recent consultation. However, responses to this are not summarised in this document.

1.4 Development of these policies has had a lengthy gestation. Detailed development management policies were being developed as a separate Development Plan Document (DPD) to be called the 'City Management Plan' (CMP) as follows:

1	Notify intention to produce a City Management Plan	Oct/Nov 2008	Now Regulation 18
2	Consultation workshop	Jun 2009 -Dec 2010	Informal
3	Informal consultation and evidence gathering	Summer 2009	Informal
4	Policy Options consultation	Jan-Feb 2011	Old legal stage no longer required
5	CMP Policy Draft Informal Consultation	Nov 2011 - Mar 2012	Informal
6	Notify intention to produce the CMP Revision to the Core Strategy	May 2012	Regulation 18
7	Informal consultation booklet	Dec 2014-Feb 2015	Informal
8	Notify intention to produce the CMP Revision to Westminster's City Plan	May 2015	Regulation 18
9	Consultation on draft Mixed Use Revision	Jul-Sep 2015	Regulation 19

¹ Regulation 22 of the Town and Country Planning (Local Development) (England) Regulations 2012 ("The Regulations")

² Regulation 18, which notifies people of our intention to revise the plan, and Regulation 19 which is the formal, pre-submission consultation

³ These are consultees the Council is legally required to consult, and are usually public bodies or organisations responsible for utilities and infrastructure, and they are set out in Section 2 of the Regulations

⁴ This is a legal requirement under Regulation 19 of the Planning and Compulsory Purchase Act 2004 (as amended)

1.5 The loss of offices emerged as an issue from the 2010/11 monitoring period, and data over the following 4 years suggests this is a longer term trend. Therefore amendments were not made during the Core Strategy or NPPF Revision stages (previous stages of the Westminster's City Plan: Strategic Policies) to ensure that policy changes were being made to a longer term trend rather than short-term market anomaly. However, consultees raised concerns about the mixed use policy and loss of offices at both the Core Strategy (public examination July 2010) and the NPPF Revision (public examination May 2013) stages. At that stage the loss of offices was predominantly identified through pipeline rather than completions, and there were extenuating circumstances (development associated with the 2012 Games and celebrations and introduction of the Mayoral Community Infrastructure Levy for Crossrail) which meant that policy changes would not have been appropriate at that stage. Policy changes were first proposed by the City Council in the consultation booklet published in December 2014.

2.0 Formal Pre-Submission Consultation (Regulation 19)

2.1 This consultation took place between 10th July to 9th September 2015, for a period of 8 weeks. Notification was made by email to the vast majority of the 615 consultees (see Appendix 4), with a small number of letters sent to 5 of the consultees. Specific consultees including local/regional authorities contacted are set out in Appendix 3.

2.2 A copy of the consultation letter is attached as Appendix 6. The City Council's website also advertised this stage of consultation on the page relating to the Revision to Westminster's City Plan (attached as Appendix 7). This also included a link to the consultation letter.

2.3 Twenty three responses were received (attached as Appendix 8). The following is a summary of the main issues raised at this stage and details how the council took the main issues into account.

3.0 Consultation Response Summary

There were 23 responses to the formal pre-submission consultation⁵, of which 15 raised substantive issues (objections, comments or support). Objections are outstanding from 3 objectors, Soho Society, Westminster Property Association and British Land. Eleven respondees support the revision, either in whole or part. These include all of those who have outstanding objections. There are a number of comments outstanding from 13 respondees, with a total of 46 separate issues of which 18 are considered to be addressed, including by proposed minor modifications as set out in the Schedule of Minor Modifications in Annex A to this statement. Only 3 of those that made comments did not also support the revision in whole or in part. There are an additional 3 comments that fall outside the scope of the revision.

⁵ Regulation 19

3.1 Objections

The following sets out the unresolved objections to the Revision and the Council’s response to them.

1. The approach will reduce affordable housing provision.¹

The mixed use policy requires the provision of housing, and where this cannot be provided, a payment in lieu is sought which is used to deliver affordable housing (it is made to the Affordable Housing Fund - AHF). Additionally, where the required housing floorspace is provided, this can also trigger the requirement for affordable housing in itself, bought forward either as actual floorspace or a payment in lieu. Therefore, the mixed use policy, whilst about commercial development, has delivered affordable housing both directly and indirectly. Changes to Policy S1 will reduce receipts to the AHF. Looking at agreements over the past 5 years, the amount of AHF agreed to from the mixed use policy is estimated as the following per year:

	Potential Payments in Lieu per annum
1. AHF from non-office commercial (e.g. from hotels/retail)	£1,156,000
2. AHF from schemes in the wider CAZ but outside Core CAZ, the Named Streets and the Opportunity Areas	0
3. AHF affected by changes to the thresholds for mixed use policy	£1,658,000
AHF from schemes with a development uplift of < 30%	£1,308,000
AHF from schemes with a development uplift of 30%-50%, and discounting the first 30%	Approx £312,000
development uplift >50%, and discounting the first 30%	Approx £38,000
4. Mixed use schemes involving office losses to residential (which would be refused under the proposed policy S20 of the Mixed Use Revision)	£1,980,000 ²

Taking each of the elements in turn:

1. removing non-office commercial e.g. hotels and retail - if these were to be included within the policy, the same allowance of 30% uplift before the policy applies would be appropriate, to continue to incentivise commercial floorspace. If the contribution to the AHF from schemes of less than 30% uplift are removed from the figure above, and for larger increases, an allowance of 30% uplift without the policy applying is allowed, it reduces the commitment to about £300,000 per year. It is noted that this is simply signed legal agreements. There will be some schemes that will not go on to be completed and therefore the full amount will not be realised. Therefore the vast majority of the AHF commitment is from smaller schemes that would not be subject to the requirement. The additional burden on both developers and officers to calculate and negotiate is not justified by the amount of funding that would be generated. It is therefore proposed to leave this as it is.

¹ Soho Society

² There are a number of instances where schemes subject to the mixed use policy nonetheless provide housing. In the majority of cases the residential floorspace is equivalent or more than the commercial floorspace and therefore the payment is generated by the affordable housing policy, not the mixed use policy. However, in two schemes falling within this category, it is not possible to tell, and these delivered a combined total of £1.2 million.

2. *removing the requirement from the wider CAZ* - this did not yield any AHF and therefore this change to the adopted policy does not result in the loss of any affordable housing funding.

3. *introducing the 30% threshold* - this is an appropriate change to incentivise and stimulate office delivery.

4. *refusing office to residential conversions/demolition and rebuild* - this element of the policy framework is necessary to stem the significant office losses that have been seen over the past 5 years, albeit that it will result in a reduction in commitments to the AHF.

It is therefore proposed that also it will result in a reduction in receipts to the affordable housing fund, this is appropriate in the context of significant office losses in one of the most important commercial clusters in the world. The approach will incentivise and stimulate commercial growth.

2. Policy S1(C)(ii) and (iii): objection to the restriction requiring the necessary floorspace to be provided within the Opportunity Area: the policy should be the same as elsewhere should apply to stimulate growth and economic development⁸.

It is considered that the limitation on the Opportunity Areas is appropriate and should be retained. This only applies to the Paddington and Victoria Opportunity Areas, two areas with significant development capacity. In the interests of proper place-shaping, the balance of uses should be managed across but within the area, and not beyond its boundaries. Paddington was subject to early master-planning work to ensure that there was an appropriate balance of uses delivered over the entire delivery period. The office floorspace was delivered first, followed by the residential element in later years. Similarly, a Planning Brief Supplementary Planning Document was adopted to cover the Victoria area and deliver an appropriate balance of uses. In this respect, these areas differ from other commercial areas in the CAZ because of the scale and extent of development which is sufficient to create a new character which needs to be managed to ensure a good mix of uses and good functioning (particularly in Paddington). For this reason it is appropriate to ensure that throughout delivery of the significant uplift in development an appropriate balance of uses is maintained.

3. Policy S1(D): Policy 20 is sufficient to manage office losses and there should be no additional requirement to provide commercial floorspace when offices are turned into residential, as this can be difficult to accommodate. If this approach is retained, it should be at the applicant's discretion how the floorspace is met, and the existing exceptions should be kept.⁹

It is appropriate to seek a proportion of commercial development within these commercial areas where the building was not originally built for residential. Given the shift in priority from housing to other uses, and the need to balance housing delivery in these areas with commercial uses, the provision of retail, private gym or clinic, or office/workshop will support mixed use at a fine grain and ensure both commercial floorspace and the commercial activity it provides. It is noted that this requirement applies in core commercial areas where it is entirely appropriate that some commercial activity is delivered alongside the housing.

There is considerable flexibility in applying this policy and it is only the largest of development uplifts that has a specific requirement for a certain amount of commercial floorspace - for other

⁸ British Land, Westminster Property Association

⁹ British Land, Westminster Property Association

sites it is a matter for negotiation and will take into account the specifics of the site. The requirement for a specified amount of floorspace, at 50%, will only apply to about 3% - 10% of the sites.

There is also considerable flexibility about how this floorspace is delivered. It can be on- or off-site, or through a payment in lieu. Therefore this part of the objection is considered already resolved.

4. Policy S20 Should apply to the whole of CAZ, particularly other parts of Marylebone and Fitzrovia where the pressure for office to residential will intensify, and where the character will irrevocably change¹⁰. (see also comment 11 under Policy 20 below)

The Council has signalled an intention to look again at the Core CAZ and CAZ definitions through its West End booklet consulted on in Jan to Mar 2015. This will be part of a further revision scheduled for next year. However, plan development isn't advanced enough to submit these changes for independent examination and requires further informal and formal consultation. Therefore they have not been included as part of this revision.

However, it is noted that those parts of Marylebone and Fitzrovia that are primarily commercial, the Named Streets, are included within the policy and therefore will have their office floorspace protected.

3.2 Support

General

- Welcome prominence to the extraordinary business clusters and their contribution, including specifically Soho and the West End, and the entertainment and creative businesses.¹¹
- As a business owner, many customers are from the commercial uses and this would impact viability of local (non-office) businesses¹² and often conversion to luxury flats, and insufficient commercial buildings, including to serve residents such as shops with basic amenities.¹³
- Finding available and affordable business floorspace is one of the biggest limiters on job creation and therefore the move to slow the loss of commercial floorspace is welcomed.¹⁴
- Encouraging commercial development in CAZ¹⁵.

Part II: A Unique City

- A more balanced approach¹⁶ including the need to provide employment/commercial floorspace¹⁷.
- Paragraph 2.22: first two sentences¹⁸.

¹⁰ Westminster Property Association

¹¹ Soho Create

¹² Raymond Davis, Owner The Burlington Arms

¹³ Katharine Lubar

¹⁴ Soho Create

¹⁵ Land Securities

¹⁶ British Land

¹⁷ The Crown Estate

¹⁸ Soho Society

Policy S1

- A more flexible approach¹⁹, to rebalance the drivers of office to residential²⁰, specifically S1(A), S1(B) and S1(D)²¹, the Reasoned Justification²², exclusion of other commercial uses to bring forward a mix of uses, particularly retail²³, relaxation of thresholds²⁴.

Policy S6

- ²⁵including specifically the new first bullet²⁶ and reference to agglomeration in Reasoned Justification²⁷.

Part IV Housing Provision

- Paragraph 4.4: commitment to ensuring heritage is not compromised by accommodating growth and reference to the fine-grained mix as these are particularly associated with historic buildings and vulnerable to amalgamation or erosion.²⁸
- Policy S14 Reasoned Justification: Removing reference to housing priority²⁹

Part IV Business and Employment

- Paragraph 4.20: supports the Mayor's Culture Strategy priorities RE art galleries and fashion retail.³⁰

Policy S18

- ³¹ including target, prioritisation, and the need to strike a balance between residential and business³², directing commercial development to Paddington³³ and the reference to the West End Partnership³⁴.

Part VI: Implementation

- Policy CM47.1 Land use swaps: potentially useful tool³⁵
- Policy CM47.2 Credits: potentially useful tool and welcome relaxation of restrictions on the use of credits³⁶

¹⁹ British Land, Conde Nast

²⁰ Heart of London Business Alliance, The Crown Estate

²¹ Heart of London Business Alliance

²² Westminster Property Association

²³ The Crown Estate, Westminster Property Association

²⁴ Westminster Property Association

²⁵ The Crown Estate

²⁶ Soho Create, Westminster Property Association

²⁷ Soho Create

²⁸ Historic England

²⁹ Soho Create

³⁰ Mayor of London

³¹ Mayor of London, British Land

³² British Land, The Crown Estate, Westminster Property Association

³³ British Land

³⁴ The Crown Estate

³⁵ British Land, The Crown Estate, Westminster Property Association

³⁶ British Land, The Crown Estate, Westminster Property Association

3.3 Comments

1. Part II: A Unique City

1. Paragraph 2.22: Delete “without compromising business activity” as residents have demonstrated they do not have unreasonable expectations.³⁷
2. Strategic Objective 4: Reinstate ‘across all parts of the city’³⁸
3. Paragraph 2.40: Change “As a general principle, housing is acceptable in all parts of Westminster...” to “As a general principle, housing is acceptable in some parts of Westminster...”³⁹.

Response: It is considered that the revision strikes the appropriate balance between housing and commercial uses in relation to Westminster’s core commercial areas.

2. Policy S1

1. (A): Should go further and state that some areas are significantly less appropriate for residential.⁴⁰
2. (B) and Appendix 4, Point 4 after Figure 58: Remove the applicant’s discretion as to how to meet the requirement.⁴¹
3. (B): Clearer wording as follows⁴²:
B) Where proposals are in Core CAZ, the Named Streets or Opportunity Areas and increase the amount of floor space by between 30% and 50% of the existing building, and more than 400sqm, residential accommodation or an affordable housing payment should be provided.
The amount of residential accommodation required is equivalent to the lower of:
 - i. The increase in B1 office floor space, less an allowance of 30% of existing B1 office floor space; or*
 - ii. The net increase in floor space in all uses, less an allowance of 30% of all existing floor space.*
The requisite residential accommodation can be provided either:
 - i. on-site;*
 - ii. off-site;*
 - iii. by mixed use credits (Policy CM47.2); or*
 - iv. by an affordable housing payment in lieu equivalent to the required residential accommodation (Policy XX.XX).*
It is at the applicant’s discretion which of i. – iv above they apply.
4. (C): Concern that the ability to meet the residential requirement off-site will be difficult as offices are less likely to be allowed to convert to residential under other policies⁴³

³⁷ Soho Society

³⁸ Soho Society

³⁹ Soho Society

⁴⁰ Heart of London Business Alliance

⁴¹ Soho Society

⁴² Westminster Property Association, Land Securities

5. (C): should allow the residential floorspace to be provided outside CAZ, as is the case with clause (B)⁴⁴
6. (C): Consider further flexibility including off-site residential which can be incompatible with the commercial use.⁴⁵
7. (C): Clarify what “greater and higher quality” means⁴⁶ or remove as it goes further than current policy and is inconsistent with nationally described standards and suggest “equivalent” is also appropriate⁴⁷.
8. (C): State that loss of residential floorspace will be resisted and it cannot be reprovided by payment in lieu.”⁴⁸
9. (D): Include caveat “where appropriate and practical” to ensure the amount of residential schemes does not reduce to an unacceptable level including meeting the housing target.⁴⁹
10. (D): Would like it to go further by reducing the 400sqm threshold to support small-scale start-ups, but acknowledge consistency in approach.⁵⁰
11. (D): Concerns about residential exemption including the loss of small offices⁵¹, contrary to London Plan Policy 4.3Bc and which should be provided off-site⁵² or because it includes areas now predominantly commercial in character that could be significantly affected and should therefore be identified and exempted⁵³ and there is a history of houses also being used for businesses e.g. Soho⁵⁴.
12. (D): The options should be retained as a cascade rather than it being at the applicant’s discretion how they meet the requirement as actual floorspace (whether on- or off-site) better meets objectives.⁵⁵
13. (D): seek clarification that this is only applied above 400sqm threshold⁵⁶.
14. Policy Application: While the diagram is useful, worked examples would be helpful⁵⁷ and the diagram should clarify that it is the shaded area that should be matched by residential floorspace⁵⁸.

Response:

- 1, 2, 9. It is considered that the revision strikes the appropriate balance between housing and commercial uses in relation to Westminster’s core commercial areas.
3. An amendment has been made to clarify the text.
- 4, 5, 6, 12. There is considered to be adequate and appropriate flexibility whilst still achieving mixed use aims in Westminster’s core commercial areas.
7. Reference to “greater” removed and amendment made to Policy Application.

⁴³ British Land, The Crown Estate

⁴⁴ British Land, The Crown Estate

⁴⁵ Heart of London Business Alliance

⁴⁶ Mayor of London

⁴⁷ Westminster Property Association

⁴⁸ Soho Society

⁴⁹ CBRE

⁵⁰ Heart of London Business Alliance

⁵¹ Heart of London Business Alliance, Mayor of London

⁵² Mayor of London

⁵³ Heart of London Business Alliance, Soho Create

⁵⁴ Soho Create

⁵⁵ Mayor of London

⁵⁶ The Crown Estate

⁵⁷ Mayor of London

⁵⁸ Westminster Property Association

8. Provided in adopted Policy S14.

10, 11. This policy does not regulate to the principle of the office loss in the first instance which is covered by Policy S20. If the loss of a small office workspace of less than 400sqm was not appropriate, the proposal would not meet the tests of Policy S20 and therefore this part of the policy would not apply. It is only where it is considered appropriate for that small office to be lost to residential that this policy would apply, requiring some commercial floorspace to be retained. It is considered unreasonable to require commercial floorspace from an otherwise acceptable development because the amount of residential is so small.

14. There are a number of different scenarios and a guide will be produced with worked examples. However, the revisions to the policy text should also clarify.

3. Policy S6

1. Don't restrict residential to 'complimentary'.⁵⁹
2. Clarify as follows "Supporting strategically important clusters of uses consistent with enabling the growth and evolution of places to ensure that the function of the area as a globally important reputation of the area as a business location is retained and enhanced." to support its function rather than reputation.⁶⁰

Response:

1. It is considered that the revision strikes the appropriate balance between housing and commercial uses in relation to Westminster's core commercial areas.
2. Text modified to improve wording.

4. Part IV Housing Provision

1. Paragraph 4.8: Remove reference to a significant expansion in commercial floorspace⁶¹.

Response:

1. It is considered that the revision strikes the appropriate balance between housing and commercial uses in relation to Westminster's core commercial areas.

5. Policy 18

1. Remove the reference to scale and intensity as the objectives will lead to intensification and commercial uses are now the priority in Core CAZ⁶².
2. Reasoned Justification: Remove the reference to unrealistic expectations of residential amenity etc.⁶³

Response:

1. Commercial development still needs to be appropriate in terms of scale and intensity. Some parts of the Core CAZ are residential in character and it is not proposed to allow commercial development to encroach into these areas. Likewise, development in commercial areas still needs

⁵⁹ Soho Society

⁶⁰ Westminster Property Association

⁶¹ Soho Society

⁶² Westminster Property Association

⁶³ Soho Society

to be appropriate as different commercial areas have different scales and intensity of commercial activity.

2. Whilst the comment relates to established communities, people moving into an area also have expectations. It is also the experience of the Council that complaints are made arising from legitimate business activity.

6. Policy S20

1. Housing should remain the highest priority, particularly in light of London's housing supply shortages, the NPPF, and Westminster's housing target and impeding housing will unbalance the mix of uses.⁶⁴
2. Commercial development should be "encouraged and" directed to the named areas⁶⁵. Paddington is less constrained than other parts of the borough and it would capitalise on Crossrail.⁶⁶
3. Westminster is home to some of the most unique and important buildings, some of which, while technically offices, were built for specific users at a specific time and are unsuited to future office use (e.g. specific government department headquarters). Their architectural and historic significance would be better suited to alternative uses where the benefits to securing the long-term future of the building outweigh the loss of the (very poor) office floorspace, and also make a contribution to housing.⁶⁷
4. Viability should also be a consideration to avoid retaining poor office floorspace with limited economic benefit which is no longer viable.⁶⁸ Viability cannot be divorced from consideration of a proposal in the way suggested by the policy. Retaining a building as offices where an appropriate housing tenure mix cannot be achieved due to viability is contrary to the housing policies that take viability into account.⁶⁹
5. Policy S20: Add the following criteria:
 - *the quality of the existing stock, the length of vacancy and other relevant specific reasons for redevelopment*⁷⁰ *the likelihood of the existing building being successfully refurbished and redeveloped for office use*⁷¹
 - *The townscape benefits of redeveloping the existing building, especially where the existing building is unsightly or visually intrusive.*⁷²
 - *where an alternative use would secure a long term, viable future for listed buildings.*⁷³
 - the nature and performance of office sub-markets, rather than just CAZ as a whole.⁷⁴
 - the economic benefits of alternative uses e.g. training and development opportunities.⁷⁵
 - the ability to consolidate office floorspace and maintain employment generation through better quality floorspace.⁷⁶

⁶⁴ Clivedale Ventures Limited

⁶⁵ British Land, The Crown Estate

⁶⁶ British Land

⁶⁷ CBRE, The Crown Estate

⁶⁸ CBRE, Clivedale Ventures Limited

⁶⁹ Clivedale Ventures Limited

⁷⁰ GVA

⁷¹ Westminster Property Association

⁷² Westminster Property Association

⁷³ GVA

⁷⁴ Clivedale Ventures Limited

⁷⁵ Clivedale Ventures Limited

⁷⁶ Clivedale Ventures Limited

6. Clarify the target is office only⁷⁷ and reference which figures were used from the London Office Policy Review in the footnote⁷⁸ and the relationship between the target here and in S18⁷⁹.
7. Policy S20 Reasoned Justification: Hotels are not appropriate everywhere in CAZ (London Plan Policy 4.5(C)).⁸⁰
8. Add a further numbered bullet relating to the diversity of the housing tenure and a balanced community.⁸¹
9. There is no clear indication of how a decision maker should react to a development proposal and further supporting explanatory text should be provided in the Policy Application.⁸²
10. Developers will not necessarily pursue offices as an alternative: this is more likely to result in a gradual decline in secondary office stock particularly in the context of other protections such as hotels and Special Policy Areas.⁸³
11. The policy applies to the appropriate area and should not be extended to the wider CAZ.⁸⁴

Response:

1. For the most part these issues have been considered previously and it has been considered that on balance giving priority to commercial development in these areas is appropriate. The detail of this is set out in the Cabinet Member Report approving the Publication Draft Revision for Regulation 19 consultation. However, it is noted that there are parts of the Core CAZ that are still predominantly or wholly residential in character, particularly when looking at individual streets. Currently this is addressed by the reference in Policy 18 Commercial Development which states that *“proposals for new commercial uses must be appropriate in terms of scale and intensity of land uses, and character and function of the area.”* A minor modification to the wording is suggested to ensure that there is no inference that commercial development can encroach into residential streets (e.g. a number of streets in Mayfair). An additional sentence is proposed in the Reasoned Justification to clarify that although *“commercial and other non-residential activity is the priority in the Core CAZ”* (Policy S18 Mixed Use Revision), in areas that are still residential this does not justify commercial encroachment. Additional text is therefore proposed at the end of Policy S18 Mixed Use Revision Reasoned Justification.
2. No response needed - text already in the revision.
3. The policy is flexibly worded, enabling exceptional circumstances and properties to be considered on their individual merits.
4. Policy S33 notes that the obligations would not be sought at a level that would compromise development and therefore viability would be taken into account when considering the refurbishment of an office. Viability should not be used to justify an otherwise non-compliant scheme. It is noted that Policy S33 Delivering Infrastructure and Planning Obligations states: *“Planning obligations and Community Infrastructure Levy contributions will be sought at a level that ensures the overall delivery of appropriate development is not compromised.”* As this policy requires an appropriate mix of housing to justify the loss of office floorspace (criteria 2 and 3 of the policy) this specific requirement overrides the more general statement in Policy S33

⁷⁷ Mayor of London, Turley

⁷⁸ Mayor of London

⁷⁹ Westminster Property Association

⁸⁰ Mayor of London

⁸¹ Soho Society

⁸² Clivedale Ventures Limited

⁸³ Clivedale Ventures Limited

⁸⁴ Clivedale Ventures Limited

and it is appropriate that the Policy S1 is clear about this. Policy S1 could not be effectively implemented if criteria 3 requiring an appropriate housing mix could be undermined by viability. The *principle* of the office loss is only acceptable where an appropriate housing mix is viable and deliverable. The policy could not operate if this was not the case. It is also noted that lower quality office floorspace often makes a significant contribution to the local economy by providing more affordable workspace and diversity in the commercial activity.

5. These matters can be addressed through consideration of the contribution of the office *vis-à-vis* the proposed housing, the contribution of the office building and the contribution of the proposed floorspace. No specific criteria have been included deliberately so that the assessment of the relative benefits of the office versus the housing can be weighed openly and without constraint in the context of the overall office floorspace delivery. By putting specific criteria, this can be interpreted as those matters being of greater importance than others which are not stated, which is not considered to be appropriate. However, a guidance document could be developed which sets out detailed guidance and potentially case studies which developers may find helpful in both considering an office to residential proposal and setting out their justification for an office to residential development. As a basic principle, this policy should be interpreted as a protection for offices *until* pre-application advice or an outline permission has been obtained confirming that the loss of office is justified for the specific proposal.

6. Minor modification to clarify it is an office floorspace target. It is considered there is sufficient detail in the footnote and the target figure is not disputed.

7. The relevant section of the policy protecting office floorspace except in specific circumstances relates to Core CAZ, the Named Streets and the Opportunity Areas. Adopted Policy S23 of Westminster's City Plan makes it clear that hotels are appropriate in all of these areas.

8. This can be taken into account as one of the aspects that contributes to the benefits of the housing offer but does not need to be specifically stated as this will unbalance the policy.

9. A balance must also be struck with paragraph 21 of the NPPF "*Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances*" itself echoing the definition of sustainable development set out in Paragraph 14. The City Council carries out monitoring and other organisations likewise monitor office delivery across Westminster. Achievement against the new targets will therefore be measurable and publically available. In terms of the other two criteria set out in the policy, like many aspects of a planning application there will be a degree of negotiation, and the Council will be able to provide pre-application advice on matters such as whether the proposed justification in terms of the office *vis-à-vis* the housing offer is acceptable.

10. This will be a matter for on-going monitoring. However, rental values for offices within those areas subject to the policy are such that improvement to office stock can be delivered as can be seen by the refurbishments currently being delivered across Westminster.

11. As noted in relation to Objection 4 above, this is considered to be the subject of further discussion.

7. Policy CM47.1 Land use swaps

1. Clarify that the no net loss of protected floorspace is across all of the sites⁸⁵.
2. Remove the reference to higher quality in bullet 5 as the more onerous requirement will discourage use of the mechanism⁸⁶.

⁸⁵ Westminster Property Association

⁸⁶ Westminster Property Association

Response:

1. Clarification made through minor modification.
2. The land use swap should benefit residential by using the swap to deliver a high quality of housing. Examples might include providing better access to outdoor and green space, reduced noise, better air quality or other local environmental benefits, or more generous site or unit layouts.

8. Policy CM47.2 Credits

1. Inclusion on the Proposals Sites should not exclude use as a credit as cross-funding may make the proposals site more deliverable⁸⁷.
2. The nominal value should be indexed when used in the viability assessment to account for inflation⁸⁸.

Response:

1. There would be no additionality if a site already identified for housing was used as a housing credit.
2. Further clarification added regarding the nominal value.

9. Appendix 4

1. Windfall development figures do not seem correct.⁸⁹

Response:

1. Agree, the error has been corrected by minor modification.

10. General

1. Need protection of artists due to their contribution to the City.⁹⁰
2. The document is unbalanced and additional references to the historic environment should be added.⁹¹
3. Review after a few months and adjust if necessary on an area-by-area basis.⁹²
4. Ensure affordable housing delivery.⁹³
5. The evidence base should only refer to completions, with other data referred to as pipeline as it will not necessarily be realised⁹⁴.
6. The office floorspace lost is not necessarily of good quality or fit for purpose⁹⁵.
7. Not all offices are occupied e.g. Victoria has a 5% vacancy rate⁹⁶.

⁸⁷ Westminster Property Association

⁸⁸ Westminster Property Association

⁸⁹ Mayor of London

⁹⁰ Katharine Lubar

⁹¹ Historic England

⁹² Pimlico Grid Residents' Association

⁹³ Pimlico Grid Residents' Association

⁹⁴ GVA

⁹⁵ GVA

⁹⁶ GVA

8. The evidence base should relate to offices across London's CAZ, not just Westminster⁹⁷.

Response:

1. The protection of artists is not within the scope of this revision. Whilst the contribution of artists is important, there is not such a significant cluster within Westminster to justify singling out. Moreover, if this were the case (as it is for the cluster of art-related uses around Cork Street) this would be addressed through a special policy area.
2. Modifications made.
3. Planning policies are subject to monitoring through the Authority's Monitoring Report. However, monthly reviews are not possible due to the resource burden, and wouldn't be useful as development operates over far longer timescales.
4. Affordable housing is discussed in full in the Objections section above.
5. The evidence would distinguish between the completions, under construction and pipeline. The reference in 4.23 for example relates to actual losses over the stated period, and no specific reference are given.
6. It is noted that the city needs a range of floorspace, including poorer quality floorspace, buildings in different stages of their lifecycle, and a range of sizes and affordability. For example, the recent Ramidus report commissioned by the Mayor of London notes the importance of non-Grade A office stock to small businesses.
7. Westminster does not have a pool of long-term vacant offices that need to be bought back into use. The industry benchmark for vacancy is 8%, below which there is insufficient supply to provide a range of available offices to the market. Even the quoted vacancy rate at Victoria falls below this industry standard and is symptomatic of supply issues. In fact, viewed another way, given that there is a significant volume of office floorspace under construction in Victoria it is notable that with all of this construction activity, 95% of the market is occupied and there is such a significant amount of pre-letting that offices are almost fully occupied on completion.
8. As evidenced in Section 4 to this report, Westminster works closely with central London, wider London and Mayoral representatives. There are issues of constrained supply across most, if not all, central London office markets. However, this revision is part of a local plan and articulating the broader picture is one most appropriate in the Mayor's London Plan or draft CAZ SPG.

11. Other

These references are to adopted policy which are not part of the revision. They will be considered in a later revision, or in the case of the Habitat Regulation Assessment Screening, has been resolved to the satisfaction of Natural England.

1. The principle of commercial development should be extended across the whole of CAZ.⁹⁸
2. Policy S6: question the restriction on entertainment uses and reference to the Millbank Strategic Cultural Area.⁹⁹
3. Protect open space from commercial growth.¹⁰⁰
4. The Habitat Regulation Assessment Screening has an error¹⁰¹.

⁹⁷ GVA

⁹⁸ Westminster Property Association

⁹⁹ Soho Create

¹⁰⁰ Pimlico Grid Residents' Association

¹⁰¹ Natural England

4.0 Formal Notification under Regulation 18 of The Regulations

4.1 Formal notification of the intention to produce the Mixed Use Revision to Westminster's City Plan was carried out between 19th March to 1st May 2015, for a period of just over six weeks (Stage 8 in paragraph 1.6 above). Notification was made by email to the vast majority of the 615 consultees (see Appendix 4), with a small number of letters sent to 5 of the consultees. The specific consultees contacted, including local/regional authorities, are set out in Appendix 3.

4.2 A copy of the consultation letter is attached as Appendix 1. Consultees were advised that the City Council was intending to make 7 revisions to Westminster's City Plan including this, the Mixed Use Revision (further information on this revision is available on the Council's website). This coincided with the publication of a new Local Development Scheme. Consultees were advised that notice was given in accordance with Regulation 18, that once the first 6 revisions had been made this would replace the Unitary Development Plan, and that although the revisions were notified together, they would be progressed separately. Consultees were invited to let the council know what they would like to see in these two revisions, and asked what they thought the revisions should contain. They were also advised of the consultation timescale, provided with a telephone contact for further information, and relevant weblinks for further information.

4.3 The City Council's website also advertised this stage of consultation on the page relating to the Revision to Westminster's City Plan (attached as Appendix 2). This also included a link to the consultation letter.

4.4 Eleven responses were received to the notification of 7 revisions to the City Plan (attached as Appendix 5), however only one of these responses had relevance for the Mixed Use Revision: British Land who reiterated comments made in relation to the mixed use consultation booklet, an earlier informal consultation stage.

4.5 There was a significant response to an earlier informal consultation stage including a petition organised by the Save Soho campaign and signed by 137 individuals. Save Soho is a *"coalition of performers, residents and politicians who came together out of concern for the future of Soho's historic role as a national platform for the performing arts"*. There has also been significant joint working around national amendments to permitted development rights, and lobbying to ensure the appropriate powers remain in place to stem office losses. This includes liaison with the Business Improvement Districts, Westminster Property Association and SohoCreate and the Save Soho Campaign. Relevant documents are included in Appendix 9 below.

5.0 Duty to Cooperate

The following sets out examples of the established relationships which fulfil the requirement in the Localism Act for the duty to cooperate. As this is a partial revision to the plan, only those aspects of the relationship most relevant to mixed use and the loss of offices have been included. This may or may not be specific to the "planning policy" function of the City Council, but nonetheless informed development of the Mixed Use Revision. These relationships also continue to inform plan development across the wider City Plan review.

Environment Agency

- Close working relationship but not directly relevant to the Mixed Use Revision.

English Heritage

- Close working relationship with detailed application specific liaison including joint site visits on many schemes and EH provide advice on archaeology. This directly influences policy development.
- Twice yearly liaison meetings between senior City Council officers and English Heritage. Council officers and English Heritage attend quarterly liaison meetings to discuss issues around major heritage assets including Ministry of Defence Estate and Royal Courts of Justice.
- On-going liaison and informal meetings on emerging policy as necessary.
- Joint working and consultation on conservation area audits, which in some cases the use and mixed use are part of the character of the area.
- Greater London Historic Environment Records maintained by English Heritage, with input from Westminster.
- Paddington and Victoria Station Masterplans.
- Various public realm schemes as required e.g. Leicester Square

Natural England

- Close working relationship but not directly relevant to the Mixed Use Revision.

Mayor of London (including Transport for London and Homes and Communities Agency)

Information: GLA Intelligence Unit forms part of the evidence base e.g. office loss datasets, ward level housing projections, economic papers, state of the environment reports, London Economics and bespoke evidence including the now published Ramidus research relating to offices. Provide NLUD/Brownfield review data return, London Development Database (recording rolling land supply and therefore capacity across London), Strategic Housing Land Availability Assessment

Joint working on development of the Mayor's draft Central Activities Zone SPG, specific and on-going discussions about office losses, including permitted development rights, and broader discussions about economic sustainability and various business sectors and clusters. Joint working regarding the future policy approach to mixed use, including office losses and gains in housing in London's core, to inform both the Mixed Use Revision and review of the London Plan. Joint lobbying of national government on office losses. Joint discussions with other boroughs on the approach to potential Article 4 Directions relating to office to residential for London's Central Activities Zone. Joint working to agree housing targets, published in the London Plan.

Joint working through the West End Partnership, as well as the strong relationship with businesses including Business Improvement Districts through their bi-annual meetings, and regular networking events such as the London Real Estate Forum.

Clinical Commissioning Group

- Close working relationship but not directly relevant to the Mixed Use Revision.

Network Rail

- Masterplans and schemes for all four termini and routes including the two specific Station Review Groups for Victoria and Paddington stations

Cross Borough Partnerships

Officers and politicians come together across London informally, with either regular groupings such as the Association of London Borough Planning Officers and London Council's, or informal task groups and meetings around particular topics or consultations/legislative changes.

West End Partnership¹⁰²: place-specific public/private partnership, bringing together key stakeholders from across the West End including the Mayoral family.

Central London Forward¹⁰³ (CLF): economic development and strategic partnership e.g. commissioning a shared infrastructure study, with a bespoke element for Westminster which formed the Core Strategy evidence base on infrastructure, currently commissioning a Central London Local Economic Assessment.

Cross River Partnership¹⁰⁴ (CRP): economic development, regeneration and sustainability projects e.g. EU electric vehicle programme (Evue) completed and major freight consolidation programme underway.

HCA Investment Region¹⁰⁵: sub-regional working arrangements covering housing strategy, investment, private sector housing and housing allocation, with regular meetings every 6 weeks.

City of London

- Relevant cross-borough partnerships: CLF, CRP, SHLAA
- Regular meetings held with economic development counterparts
- Regularly liaise with over mixed use and office-related issues
- Regular liaison with policy counterparts, particularly cross-borough issues more generally

¹⁰² Board made up of London Boroughs of Camden and Westminster, Mayor of London, Transport for London, Metropolitan Police, London First, Baker Street Quarter, Heart of London, New West End Company and Northbank BIDs, Federation of Small Businesses, London Chamber of Commerce, West End Community Network and Westminster Property Association

¹⁰³ London Boroughs of Camden, Islington, Kensington & Chelsea, Lambeth, Southwark, Westminster and the City of London

¹⁰⁴ Angel Aim BID, Better Bankside BID, Camden Town Unlimited BID, Cheapside Initiative, City of Westminster, Corporation of London, Greater London Authority, Groundwork London, Heart of London Business Alliance, InSW1 BID, London and Partners, London Borough of Camden, London Borough of Islington, London Borough of Lambeth, London Borough of Southwark, Network Rail, Royal Borough of Kensington and Chelsea, South Bank Employers Group, Team London Bridge BID, Transport for London, Waterloo Quarter Business Alliance

¹⁰⁵ GLA Homes and Communities Agency, London Boroughs of Camden, Haringay, Enfield, Barnet, Islington and City of Westminster.

- Liaison for Mayor of London's emerging Central Activities Zone SPG and broader London picture around office losses and permitted development rights

London Borough of Camden

- Relevant cross-borough partnerships: CLF, CRP, SHMA, SHLAA, West End Partnership, HCA Investment Region
- Regular liaison with policy counterparts, particularly cross-borough issues
- Close alignment on strategy e.g. east end of Oxford Street / St Giles including shared public realm projects, BIDs etc
- Shared experience and liaison on office losses, including permitted development rights
- Liaison for Mayor of London's emerging Central Activities Zone SPG
- Close working relationship on neighbourhood planning

London Borough of Brent

- Not relevant to Mixed Use revision other than the broader London picture regarding office losses through ALBPO.

Royal Borough of Kensington & Chelsea

- In tri-borough arrangements, e.g. shared services e.g. libraries, sport and leisure provision, tri-borough Planning and Health Workshop which in turn informs thinking on plan development, tri-borough infrastructure planning meeting.
- Relevant cross-borough partnerships: CLF, CRP, SHLAA
- Meetings held with economic development counterparts
- Shared experience and liaison on office on residential permitted development rights
- Liaison for Mayor of London's emerging Central Activities Zone SPG
- Close working relationship on neighbourhood planning
- Joint public realm projects e.g. Exhibition Road

London Borough of Wandsworth

- Relevant cross-borough partnerships: SHLAA
- Discussions on economic development held when necessary
- Regular officer level meetings including discussions regarding loss of offices and permitted development rights
- Liaison for Vauxhall Nine Elms Opportunity Area
- Liaison for Mayor of London's emerging Central Activities Zone SPG

London Borough of Lambeth

- Relevant cross-borough partnerships: CLF, CRP, SHLAA

- Liaison for Mayor of London's emerging Central Activities Zone SPG and broader London picture around office losses and permitted development rights
- Liaison for Vauxhall Nine Elms Opportunity Area

London Borough of Southwark

- Cross-borough partnerships: CRP, CLF, SHLAA, GiGL, CLSRTP
- Discussions on economic development held when necessary
- Liaison for Mayor of London's emerging Central Activities Zone SPG and broader London picture around office losses and permitted development rights
- Liaison for Mayor of London's emerging Central Activities Zone SPG and broader London picture around office losses and permitted development rights

Annex A Schedule of Minor Modifications

Reference	Reason for change	Change made
Paragraph 3.1	Historic England	Addition of reference to heritage
Policy S1 (A)	Clarification	Introducing subclauses and numbering to aid clarity
Policy S1 (B)	Clarification	Introducing subclauses and numbering to aid clarity
Policy S1(B)	Westminster Property Association and improved clarity	Improved clarity
Policy S1(C)	Clarification	Introducing subclauses and numbering to aid clarity, and rewording to bring in line with way policy is expressed in S1B.
Policy S1(C)	Mayor of London	Remove reference to 'or greater' as this is confusing and difficult to apply
Policy S1(D)	Clarification	Introducing subclauses, numbering, and italics to aid clarity
Policy S1 Policy Application	Mayor of London, Westminster Property Association	Improved clarity and diagrams
Policy S1 Policy Application	Mayor of London	Clarification as to what better quality means
Policy S6	Westminster Property Association	Improved clarity
Paragraph 4.8	Clarification	Addition of reference to this being in commercial areas
Paragraph 4.9	Correction	Insertion of word "Availability"
Policy S14 Reasoned Justification	Correction	Correct timescales, including consistency with graph
Policy S14 Reasoned Justification	Correction	Additional cross reference to revised policy which is now relevant
Policy S18	Clarification	Clarification that the policy does not infer that commercial development can encroach into wholly residential streets and areas.
Paragraph 4.20	Correction and clarification	Improved wording
Policy S20	Mayor of London, Turley	Clarification that the target is for office floorspace
Policy CM47.1	Westminster Property Association	Clarification that it is the sites taken as a whole
Policy CM47.2 Policy Application	Westminster Property Association	Clarification that the nominal value will be linked to inflation
Appendix 4, bullet 2 on page 36	Mayor of London	Correction from 44% to 33%
References	Addition	Reference to new report on small offices

Appendix 1: Regulation 18 letter



**From: Councillor Robert Davis DL
Deputy Leader of Westminster City Council
and Cabinet Member for the Built Environment**

**Westminster City Hall, Victoria Street, London SW1E 6QP
020 7641 8574**

Please reply to: Lisa O'Donnell

Direct Line / Voicemail: 020 7641 2503

Fax: 020 7641 3050

Email: planningpolicy@westminster.gov.uk

19th March 2015

Dear Sir/Madam

Revisions to Westminster's City Plan: Strategic Policies

Westminster City Council adopted the Westminster's City Plan: Strategic Policies in November 2013. We are writing to advise you that the City Council is going to make revisions to this document as follows:

1. Basement Revision to Westminster's City Plan
2. Vacant Building Credit Revision to Westminster's City Plan
3. Mixed Use Revision to Westminster's City Plan
4. Special Policy Areas and Policies Map Revision to Westminster's City Plan
5. Energy Revision to Westminster's City Plan
6. Full Revision to Westminster's City Plan
7. Waste Revision to Westminster's City Plan

This notice is being made in accordance with Regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations 2012.

Once the first six revisions have been made, the new document will be the Local Plan for Westminster and will replace all current policies in the Unitary Development Plan. Although we are notifying you of these revisions together, they will be progressed separately to ensure there are no unnecessary delays.

We are inviting you to let us know what you would like to see in these revisions. What do you think these revisions should contain?

Detailed information about each revision is set out in Westminster's Local Development Scheme which can be viewed at www.westminster.gov.uk/local-development-scheme . However the revisions are briefly summarised as follows:

Basement Revision - Insertion of new detailed basement policy into Westminster's City Plan: Strategic Policies for managing basement developments and for use in determining these planning applications

Vacant Building Credit Revision - New definition of vacancy and policy for the application of the vacant building credit within Westminster

Special Policy Areas and Policies Map Revision - A) Strategic designation of the Mayfair Special Policy Area and inclusion of this area in City Plan Policy S2, for art galleries and antiques traders. B) Insertion of detailed policies into Westminster's City Plan: Strategic Policies for managing the following Special Policy Areas: Harley Street (to replace UDP Policy SOC5), Portland Place (to replace UDP Policies COM6 and COM7), East Marylebone (to replace UDP Policy COM12), Savile Row, St James's and Mayfair. C) Make minor boundary alterations to the adopted 'Westminster City Plan: Strategic Policies' Policies Map to address some minor errors in the current boundaries. The OS base map is updated periodically and this has created minor anomalies in the boundaries, for example where a City Plan designation boundary does not follow the actual site boundary on the base map.

Mixed Use Revision to Westminster's City Plan - New policy including revision to the adopted Strategic Policy in Westminster's City Plan: Strategic Policies for managing office development including proposals involving the loss of office floorspace and office to residential conversion/redevelopment, and delivering mixed use

Energy Revision - Insertion of new detailed energy policy into Westminster's City Plan: Strategic Policies for delivering energy efficiency, on-site and local energy solutions and the cost of carbon for where required energy targets cannot be achieved.

Full City Plan Revision - To set out criteria against which planning applications covering all of the policy areas set out in the topic-based booklets subject to informal consultation Oct 2013 to Mar 2015 not covered by the revisions set out in 1 to 5 above to: A) Provide greater detail to those policies in the City Plan and ensure the development accords with the objectives set out in the City Plan. B) Revise to the adopted Westminster City Plan: Strategic Policies as appropriate.

This revision will replace all remaining Unitary Development Plan policies. Once this revision is adopted, the Unitary Development Plan, adopted Jan 2007, will no longer form part of the statutory development plan for Westminster.

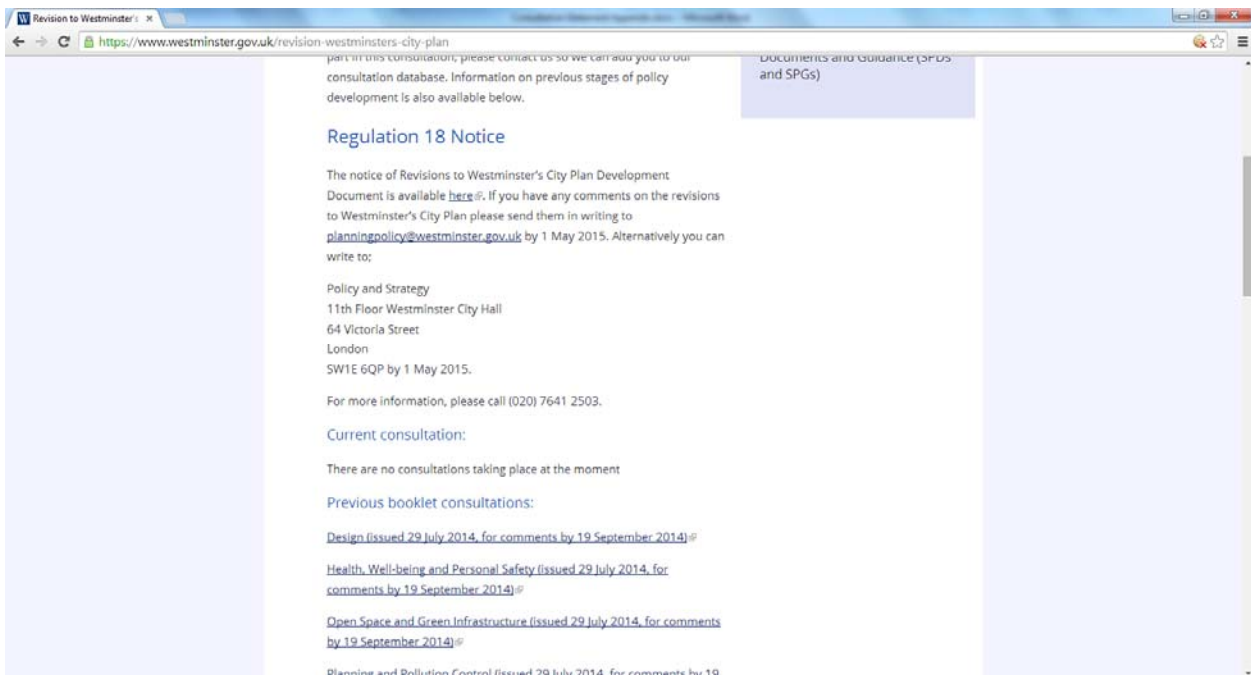
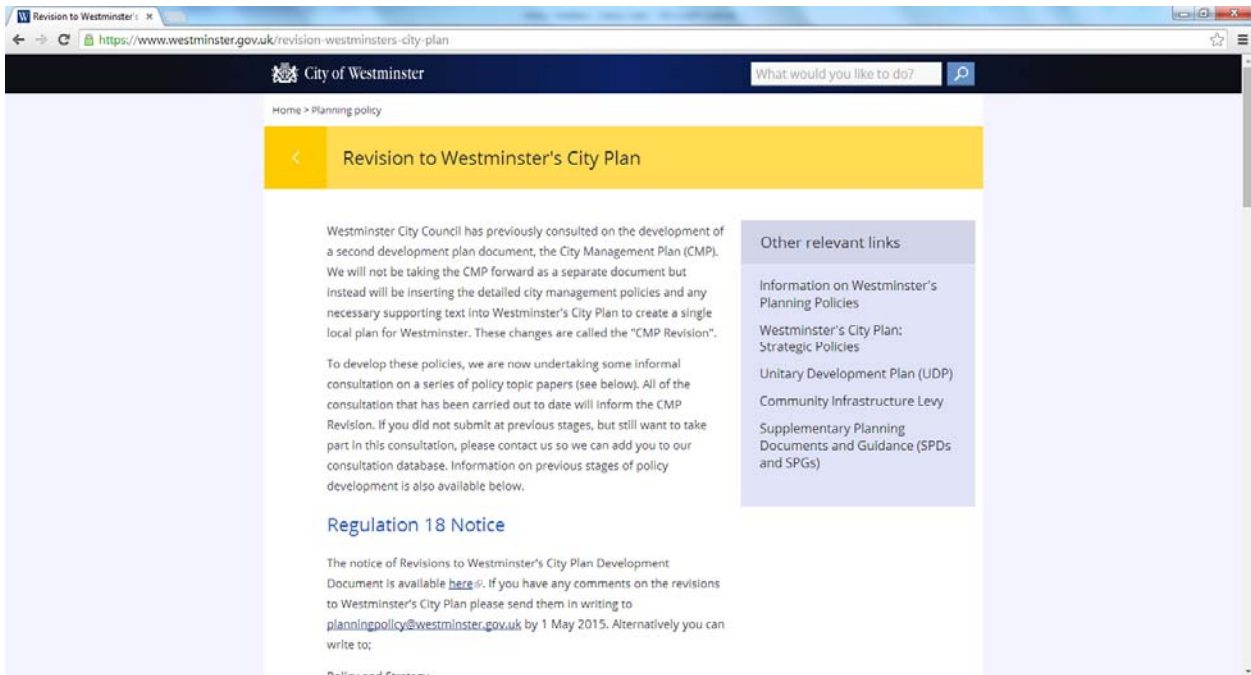
Waste Revision - To be developed alongside, and build upon, revisions to Westminster's Municipal Waste Management Strategy, and connect contractual obligations with waste planning and capacity provision within Westminster. The Waste Revision will secure any new waste sites that have been identified, and will also set out any joint working arrangements with other London Boroughs.

If you have any comments on the revisions to Westminster's City Plan please send them in writing by the **1st May 2015**. For more information, please call (020) 7641 2503. You can also find further information on the City Council's website at www.westminster.gov.uk/revision-westminsters-city-plan .



Councillor Robert Davis DL
Deputy Leader of Westminster City Council
Cabinet Member for Built Environment

Appendix 2: Webpages for Regulation 18



Appendix 3: Specific consultation bodies

1475	Association of Electricity Producers
1944	Cavendish Communications
2149	City of London
2513	Clinical Commissioning Groups
1267	Crossrail
1006	Historic England (English Heritage)
2054	Environment Agency (London Office)
1212	Highways Agency
193	Homes and Communities Agency
1000	London Borough of Brent
2328	London Borough of Camden
746	London Borough of Southwark
462	London Borough of Wandsworth
2251	Marine Management Organisation
2512	Mayor of London and Assembly (GLA)
562	National Grid DPM Consultants
1499	Natural England
2573	NHS Property Services
2216	Office of Rail Regulation
684	Royal Borough of Kensington and Chelsea
1227	Thames Water Utilities Ltd
1345	The Coal Authority
1214	Town Planning Network Rail
2514	Transport for London (TfL)

Appendix 4: General consultation bodies

7	Abbey Centre	2567	Bidwells Property Consultants
1049	Abbey Community Association Ltd/South Westminster Action Network	22	Bishop Ho Ming Wah Association
12	Abercorn School	26	Black and Ethnic Minority Diabetes Association
2547	Acting Head of Development	27	Black Disabled People's Association
2546	Acting Head of Policy	1927	BLD International Fashion Agency Ltd
1545	Action on Hearing Loss	37	BME Health Forum
1548	Advocate for Mental Health	39	BME Network, Voluntary Action Westminster
586	Africa Centre	2135	BRE Global Limited
1613	Age Link	1110	Brent Planning Service
1014	Age UK Westminster	2233	Brewery Logistics Group
13	Al Manaar Muslim Cultural Heritage Centre	47	British Arab Resource Centre
2173	Alan Wipperman and Co	2184	British Beer and Pub Association
20	Al-hasaniya Moroccan Women's Centre	48	British Black Anti Poverty Network
25	All Souls Clubhouse	107	British Buddhist Association
1552	Alzheimer's Society	2394	British Land
32	Amberley Club	117	Brownie Guide Unit 6th East Paddington
36	American School in London	2536	Business
38	Ancient Monuments Society	1742	Butterfly Conservation
1919	Andrew Cotton	2324	Campaign to Protect Rural England
105	Arab Maghreb Community Association	2463	CAMRA
90	Arab Women and Youth	2282	CAMRA
96	Arab Women's Centre	1075	Canal & River Trust London
42	Archdeacon of Charing Cross	2526	Capco (Capital and Counties Properties Plc)
1562	Arthritis Care	2580	Capita
1331	ARUP	2568	Carbon Culture
1604	Ashley Gardens Residents Association	138	Cardinal Hume Centre
1223	Atkins Global	1253	Carers Network Westminster
2293	Baker Street Quarter Partnersip (BID)	5	Carlton Hill Residents' Association
2303	Basement Force	2410	Carter Jonas
67	Bayswater Residents Association	2393	Carter Jonas
1649	Bayswater Social & Cultural Association	1334	Cathedral Area Residents Group (CARG)
2199	Bayswater Village (BID)	144	Caxton Youth Organisation
2421	Bective	1328	CB Richard Ellis
2564	Belgravia Neighbourhood Forum	2275	CBRE - Central London Retail
1687	Belgravia Residents Association	1568	CBRE Ltd
77	Belgravia Residents Association	2319	CBRE Ltd
79	Bengali Cultural Association	1500	Central London Forward
200	Bengali Women's Welfare Project	1897	Centred (formally Kairos in Soho)
2056	Bennetts Associates	1249	Centro Cristiano Casa De Adoradores - CCCA
2305	Berkeley Homes	2468	Cgms
2261	Beverley Butler	2279	CgMs Consulting
1352	BG Gas Services Limited		

1258	Charlotte Street Association		Association
2488	Chief Executive (Westminster City Council)	206	Covent Garden Community Association
2545	Chief of Staff - Westminster	1303	Cross River Partnership (Lambeth Office)
1039	Chinese Community Centre	2511	Cultural Partnerships Officer
1801	Chinese Information and Advice Centre	224	Davis Coffey Lyons
1793	Chinese National Healthy Living Centre	2575	Deloitte LLP
999	Chris Thomas Ltd	246	Deloitte Real Estate
1790	Christian Muslim Forum	262	Democratic Development and Understanding
704	Church Army - Marylebone Project	1572	Department for Environment Food and Rural Affairs (DEFRA)
1452	Church Street Library	2505	Deputy Director Public Health
2565	Church Street Neighbourhood Forum	2427	deputy private secretary to the Prince of Wales
1036	Churches Together in Westminster	1637	Derek Horne & Associates Ltd
1692	Churches Together in Westminster	231	Derwent London
1056	Churchill Gardens Estates Residents	2039	Development Securities Plc
176	Churchill Gardens Lessees Association	222	DHA Planning
2096	City Commissioner of Transportation (CLT)	2542	Director of Communications and Strategy (SEB)
2221	City Of Westminster College	2540	Director of Public Health
2544	City Treasurer	1090	Director of Sport, Leisure and Wellbeing
1057	CityWest Homes Limited	1017	Disabled Living Foundation
1478	Civil Aviation Authority	2148	Dolphin Square Foundation
2559	Clarence Gate Gardens Residents Committee	240	Dorothy Gardner Nursery Centre
1020	Cluttons LLP	2284	DP9
2276	Cluttons LLP	2288	DP9
1647	Colliers International	2292	dp9
2285	Colliers International	2392	DP9
2259	Colliers International	2466	Dp9
2297	Colliers International	2555	Dp9
2301	Collins & Coward Limited	2560	dp9 Ltd
2495	Commissioner of Events, Filming and Contingencies (CLT)	2582	DP9 Ltd
2094	Commissioning Waste and Parks (CLT)	243	DPDS
2508	Commissioning Waste and Parks Team	2252	Drew Planning & Development Ltd
1940	Condici Limited	2587	E.ON Ruhrgas UK Energy Trading Limited
1479	Confederation of Passenger Transport	1010	Eagle Eyes NGO
1949	Consortium of LGBT Voluntary & Community Organisations	1063	eas planning a trading name of Capita Symonds
2412	Consultancy	1424	Eclipse Internet Home (KCOM Group Plc)
1358	Corona Energy Retail Limited	1224	EDF Energy
202	Cosmic (Children of St. Mary's Intensive Care)	2487	Edgware Road Partnership
203	Cotes House Tenants & Residents Association	2549	English Heritage
1276	Covent Garden Area Trust	274	Eritrean Community Support & Information Centre
2323	Covent Garden Community	2467	Ernst and Young

272	Ershad Community Centre	2417	GVA Grimley Ltd
2274	ESA Planning	2425	GVA Ltd
2588	ESP Electricity Limited	2539	H&F Executive Director of Finance & Corporate Finance
1245	Essie Graham	353	Hallfield Estate Residents' Association
1591	European Land & Property Ltd	362	Harrowby and District Residents Association
2283	Exhibition Road Cultural Group	1270	HCA International Ltd
572	Filipino Women's Association	2424	HDG Ltd
1584	First Base Ltd	1646	Head of Affordable and Private Housing
1038	Firstplan	2502	Head of Investment (WCC and CLT)
2530	Firstplan	2503	Head of Legal and Democratic Services (CLT)
292	Fitzrovia Court Residents' Association	2504	Head of Service Westminster Adult Education Services
1272	Fitzrovia Neighbourhood Association	1696	Head of Strategy Housing
1337	Fitzrovia Trust	2343	Heart of London BID
2235	Forextra Developments Ltd	1043	Heart of London Business Alliance
297	Forsterss Solicitors	2552	Hilson Moran
1463	Forward UK	2553	Hodkinson Consultancy
1461	Foundation 66	1277	Howard de Walden Estates Ltd
1756	Four Rivers Resident's Association	2164	Hugh Cortazzi
306	Freshwater Court Residents' Association	1938	Hunza
1297	Fusion Online Ltd	1124	Hyde Park Estate Association
1320	Future Champions	2407	Iceni Projects Limited
1748	Garden Square News	2300	Iceni Projects Limited
1326	Gay Business Association	2465	Iceni Projects Limited
1308	Gemma	2355	Iceni Projects Ltd
321	Genuine Empowerment of Mothers in Society	330	Imaan
2517	Gerald Eve	387	Imperial College Early Years Education Centre (EYEC)
2194	Gerald Eve LLP	1096	In Deep Community Task Force
2583	GIA - Surveying and Design Consultancy	391	Independent Mothers Pre-School
1416	Gieves and Hawkes	1097	India Welfare Society
2420	GL Hearn	1625	Individual
2572	GLA and Mayor contact	2464	Individual (Resident)
2183	GMRA Committee	1853	Individual (Resident)
1575	GMS Estates Limited	2434	Individual (Resident)
467	Go Ahead London	2435	Individual (Resident)
328	Golaw	2436	Individual (Resident)
337	Great Portland Estates Plc	2437	Individual (Resident)
2192	Grosvenor	2438	Individual (Resident)
1045	Grosvenor	2439	Individual (Resident)
345	Grosvenor Ltd	2440	Individual (Resident)
1597	Grosvenor Ltd	2441	Individual (Resident)
997	Groundwork Trust (Camden, Islington & Westminster)	2442	Individual (Resident)
2470	GVA	2444	Individual (Resident)
2585	GVA	2447	Individual (Resident)
2458	GVA Grimley		

2448	Individual (Resident)	2476	London Borough of Lambeth
2449	Individual (Resident)	2477	London Borough of Lewisham
2450	Individual (Resident)	2478	London Borough of Tower Hamlets
2451	Individual (Resident)	1578	London Business School
2452	Individual (Resident)	1906	London Chinatown Chinese Association
2453	Individual (Resident)	1263	London Diocesan Fund
2454	Individual (Resident)	2480	London Enterprise Partnership
2459	Individual (Resident)	1011	London Fire and Emergency Planning Authority (LFEPA)
2516	Individual (Resident)	475	London First
2538	Individual (Resident)	1683	London Forum of Amenity & Civic Societies Residents
2165	Individual (Resident)	2479	London Green Grid Local Nature Partnership
1244	Individual (Resident)	1631	London Irish Centre
2243	Individual (Resident)	1630	London Tigers
2446	Individual resident	487	London Travel Watch
706	Inner London Scope Nor-West Club	492	London Wildlife Trust
2220	Inner North West London PCT's	536	Londonewcastle
2501	Interim CIO	494	Look Ahead Housing Association - Head Office
1286	J Young	500	Lydford Estate Tenants & Residents Association
402	Jacs Club	502	M R Partnership
1917	Jeffrey Green Russell Limited	506	Malcolm Scott Consultants Ltd
1627	Joan Safran	511	Martlett Court Residents' Association
2581	Jon Dingle Ltd	512	Mary Paterson Nursery School
1281	Katherine Hosleyns	2204	Mary Travers
1898	Kenric	2226	Maryland Road Community Association
2100	Kensington and Chelsea with Westminster Friends of the Earth	998	Marylebone Association
1697	Kensington Society	2186	Marylebone Association
2313	Kingly Partners LLP	644	Marylebone Bangladeshi Society
2267	Kirkwells	1232	Matthew Bennett
2556	Knight Frank	2227	Mayfair Residents Group
304	Knight Frank LLP	2296	McCarthy & Stone
1900	Kongolese Centre for Information and Advice	519	Meanwhile Gardens Playhut
2198	Land Securities Group PLC	1280	Meard and Dean Street
426	Landmark Hotels	2571	Media Officer - Westminster City Council
1616	Langham Estate Management Limited	2402	Member of Parliament
2062	Legal and General Property	2548	Members Services WCC
2102	Leicester Square Association	1549	Mencap
477	LHA London Ltd	2403	Merit Thornton Consultants
1481	Licensed Taxi Drivers Association Ltd	2280	Metropolis
1903	Lighthouse West London	526	Metropolitan Police (Central Traffic Unit)
446	Lisson Green and Church St Arab Association	525	Metropolitan Police Service
453	Loftus Family Property	534	Migrants Resource Centre
1019	London Borough of Hackney		
2474	London Borough of Hammersmith & Fulham		
2475	London Borough of Islington		

1551	Mind - National Association for Mental Health	2310	Paul Kentish & Co
585	Mono Consultants Ltd on behalf of The Mobile Operators Association (MOA)	2318	PC Dalton Planning
1338	Moreton Triangle Residents Association	613	PCCG Licensing Working Party
2076	Mothers' Union	617	Peacock and Smith
1851	Nathaniel Lichfield & Partners	2577	Pegasus Group
2109	National Portrait Gallery	2406	Pilbrow and Partners
2321	Natural England	1609	Pimlico FREDA
2074	Naz Project London	624	Pimlico FREDA
1757	Network Stadium Housing Association	2445	Pimlico Grid Resident Association
2075	New Roots	622	Pimlico Mothers And Childrens Association
1241	New West End Company (NWECC)	628	Pimlico Toy Library
2317	Nicholas Taylor and Associates	2460	Planning Aid for london
1858	Nimax Theatres Ltd	2574	Planning Consultant
1123	North Paddington Society	2404	Planning Consultants
2533	Northbank (BID)	2456	Planning Consultants
1915	Notre Dame de France	2457	Planning Consultants
2563	Notting Hill East neighbourhood forum	2519	Planning Consultants
1081	Octavia Housing	2520	Planning Consultants
44	One Housing Group	2522	Planning Consultants
195	One Support One Housing Group	2521	Planning Consultants
1100	Open Age	2432	Planning Potential Ltd
2497	Operational Director Development Planning (CLT)	1641	Pocket Living
2082	Operational Director for Children's Services	2072	Polish Social and Cultural Centre (POSK)
2496	Operational Director for Street Management (CLT) Interim	1569	Positively UK
2086	Operational Director Premises Management (CLT)	1570	Press for Change
588	Our Lady of the Assumption & St Gregory Church	2308	Preston Bennett
589	Out and About Club	1602	Pride London
2168	Outdoor Media Centre	2506	Private sector and Energy Commissioning Manager
1668	Paddington Academy	648	Pursuing Independent Paths - PIP
592	Paddington BID	2206	Qatari Diar
1305	Paddington Development Trust (PDT)	2188	Quadrant Town Planning Ltd
1131	Paddington Residents Active Concern on Transport (PRACT)	651	Queen's Park Crèche
601	Paddington Waterways & Maida Vale Society	649	Queen's Park Bangladesh Association
1689	Paddington Waterways and Maida Vale Society	656	Queen's Park Estate Society
2350	Paddington Waterways and Maida Vale Society	657	Queen's Park Neighbourhood Forum
605	PAN Westminster	2268	Quod
162	Parents Empowerment Community Association (PECA)	662	Radha Krishna Temple
608	Parkinson's UK	1273	Real Action Ltd
612	Paul Dickinson & Associates	1254	Refuge (Head office)
		668	Reliance Trust Ltd
		1661	Residents of Carlton House Terrace
		670	Residents' Society of Mayfair and St James's
		1332	Richard Coleman City Designer
		2409	Rinsler

1740	RNLI	2190	St James's Conservation Trust
676	Road Haulage Association Ltd	1282	St James's Conservation Area Trust
1074	Rolfe Judd Planning	766	St John's Wood Pre-Preparatory School
2132	Rose Doyle	1126	St John's Wood Society
1922	Royal Air Force Club	1318	St Marylebone Society
1876	Royal Albert Hall	759	St. Andrews Club
2473	Royal Borough of Greenwich	760	St. Christina's School (RC)
2311	Ruth Bloomfield	771	St. Judes Over 50s Club
697	Salvation Army - Edward Alsop Court	776	St. Marylebone Society
701	Sanctuary Housing Association - Dean Abbot House	777	St. Mary's Hospital Estates & Facilities
2316	Sanei Hopkins Architects	782	St. Vincent's Family Project
2217	Savile Row Bespoke	2020	Stanhope Plc
2469	Savills	1628	Stewart Ross Associates (also known as Dev Plan)
2265	Savills	2490	Strategic Director for City Management (SEB)
2270	Savills	2492	Strategic Director for Housing Regeneration and Property (SEB)
2411	Savills (UK) Limited	2299	Strategic PH Advisor
2431	Savills (UK) Limited	2586	Strathmore Estates
2315	Savills (UK) Ltd	2413	Strutt and Parker
199	School's Out!	2414	Strutt and Parker
2562	Scott Brownrigg	2077	Subway Gallery
2510	Senior PH Officer (Workforce Development)	804	Sudanese Supplementary School
2584	Serle Court	810	Sustrans
710	Shaftesbury PLC	813	Tachbrook Nursery School
204	Shanfina Voluntary Organisation	809	Terrence Higgins Trust
2066	Shape Arts	355	The Advocacy Project
2554	Shaw Corporation	251	The Anglo-Egyptian Society
1693	Shire Consulting	1093	The Avenue's Youth Project
2291	Simon Tarrant	2120	The Belgravia Society
2529	Smith Jenkins Town Planning Consultants	823	The Berkeley Group
2289	Snr Practitioner, Air Quality	2255	The British Antique Dealers' Association (BADA)
2307	Soho Estates Ltd	824	The British Hospitality Association
729	Soho Family Centre	1467	The British Land Company
732	Soho Society	1098	The Cara Trust
2561	SohoCreate	826	The Central London Gurdwara
2295	Sotheby's	1082	The Chelsea Society
1127	South East Bayswater Residents Association (SEBRA)	1330	The Church Commissioners
1555	Spinal Injuries Association (SIA)	1002	The Crown Estate
1034	Sport England	261	The Egyptians' UK Association
2543	SSA Planning	2472	The Foreign and Commonwealth Office (FCO)
751	SSAFA Forces Help (Westminster Division)	317	The Garden History Society
1407	SSE Utility Solutions	1325	The Georgian Group
752	St George Central London Limited	1669	The Inland Waterways Association
754	St James Group Ltd	419	The Knightsbridge Association

2379	The Lorenz Consultancy	1588	Victoria Palace Theatre
837	The Portman Estate	1092	Voluntary Action Westminster
1327	The Portman Group	359	WAIT UK
1333	The Roman Catholic Diocese Of Westminster	184	Walsingham Planning
1048	The Royal Parks Agency	878	Wand UK
2257	The Society of London Art Dealers (SLAD)	2532	Warwick Way Residents' Association
839	The Strand, Aldwych and Trafalgar Square Association	2419	Wells Mackereth Architects
1257	The Theatres Trust	2481	West Berkshire Council - (Waste)
840	The Tree Council	896	Westbourne Neighbourhood Association
862	The Twentieth Century Society	1288	Westbourne Neighbourhood Association
1324	The Victorian Society	2566	Westbourne Neighbourhood Forum
217	The Westminster Society for people with learning difficulties (Croxley Project)	185	Westbourne Park Family Centre
2045	The Wigmore Hall Trust	897	Western Charitable Foundation
1921	Thornbury Castle	1665	Westminster Academy
845	Thorney Island Society	2570	Westminster Advice Forum (Citizens Advice Bureau)
2569	Tibbalds Planning and Urban Design Ltd	356	Westminster Advocacy Service for Senior Residents
2245	Tim Carnegie	1482	Westminster Amenity Societies Forum (WASF)
2422	TJR Planning	2071	Westminster Arts
1636	tp bennett LLP	652	Westminster Bangladeshi Association
1008	Transport for London (TfL) - specific contacts	905	Westminster Boating Base
860	Travis Perkins	466	Westminster Islamic Community Centre
861	Trehearne Architects	238	Westminster Learning Disability Partnership
2541	Tri Borough Executive Director of Adult Social Care	2429	Westminster Living Streets
2500	Tri-borough Director of Libraries and Archives	2430	Westminster Living Streets
2491	Tri-Borough Executive Director for Children's Services	556	Westminster Muslim and Bangladeshi Association (WMBA)
1064	Tri-borough Head of Asset Strategy (Children's Services)	1255	Westminster Property Association (WPA)
1594	Turley	1250	Westminster Refugee Consortium
2362	Turley	1321	Westminster Senior Citizens Forum
2312	Turley Associates	1252	Westminster Senior Citizens Forum
2320	Turnberry Consulting	841	Westminster Society
400	Turning Point	505	WhiteKat Collective Trust
2576	UK Screen Association	2528	Wildstone Planning
401	Umoja Pamoja	507	Yaa Asantewaa Arts Centre
1513	University of Westminster	514	YMCA Central London
2537	URS (Acoustic consultants)	940	Young England Kindergarten
1715	Valentine Montagnani	944	Zoroastrian Trust Funds Of Europe (Inc)
1225	Verizon		
1293	Victoria Business Improvement District (BID)		
1750	Victoria Interchange Group		

Appendix 5: Regulation 18 responses

- 1 Natural England
- 2 Highways Agency
- 3 Office for Rail Regulation
- 4 Marine Management Organisation
- 5 British Land
- 6 Royal Borough of Kensington and Chelsea
- 7 BBC
- 8 Criterion Capital
- 9 Historic England
- 10 Heart of London Business Alliance
- 11 Covent Garden Area Trust

APPENDIX 6: REGULATION 19 LETTER



From: Councillor Robert Davis MBE DL

**Deputy Leader of Westminster City Council
and Cabinet Member for Built Environment**

**Westminster City Hall, Victoria Street, London SW1E 6QP
020 7641 8574**

**Please reply to: Lisa Fairmaner
Telephone: 020 7641 4240
Email: planningpolicy@westminster.gov.uk**

Date: 10th July 2015

Dear Sir/Madam

Mixed Use Revision to the Westminster's City Plan: Publication Draft Article 4 Direction for Office to Residential Conversion in the Central Activities Zone

Westminster City Council is making revisions to Westminster's City Plan, adopted in November 2013. We are writing to consult you on the "Mixed Use Revision" which has now been published.

The Mixed Use Revision will ensure adequate provision of commercial floorspace, particularly offices, and jobs in Westminster's Central Activities Zone. It is accompanied by a proposed Article 4 Direction which will remove permitted development rights for office to residential conversions across Westminster's Central Activities Zone. The Article 4 Direction will come into effect on the 10th July 2016.

The Publication Draft document for the Mixed Use Revision, and supporting documents can be requested, viewed or downloaded as follows:

Web: www.westminster.gov.uk/revision-westminsters-city-plan

Request a paper copy:

Phone: (020) 7641 2503

Email: planningpolicy@westminster.gov.uk.

Inspect copies: Westminster City Hall and Westminster's libraries. Please see below for details of the representations procedure which gives more details of the places and times at which these documents can be inspected.

The supporting documents are:

- An Integrated Impact Assessment for each revision, including a Sustainability Appraisal report, and equalities and health impact assessments.
- A Consultation Statement for each revision, which summarises consultation undertaken at the previous Regulation 18 stage and informal consultation stages

Representations relating to the Mixed Use Revision (or supporting documents) must be made to arrive by close of business on Friday 4th September 2015 to planningpolicy@westminster.gov.uk or posted to:

Policy and Strategy,
Westminster City Council,
19th floor, City Hall, 64 Victoria Street,
London SW1E 6QP.

All responses will be made public, although private email and postal addresses and other contact details, and any signatures will be redacted. We will submit all representations received to the Inspector appointed to examine the Mixed Use Revision. We will also add your details to our database and notify you of future planning policy and neighbourhood planning consultations **unless you specifically request not to be added to the database.** We will not use your contact details for other purposes.

The purpose of the public examination referred to above is to consider whether the revisions comply with legal requirements, has regard to national policies, is in general conformity with the London Plan and is sound. 'Soundness' is assessed using the criteria set out in detail in paragraph 182 of the National Planning Policy Framework which can be viewed at <http://bit.ly/GXntIS>.

Representations may be accompanied by a request to be notified at a specified address of any of the following:

- that the Mixed Use Revision has been submitted to the Secretary of State for independent examination under section 20 of the above Act,
- the publication of the recommendations of any person appointed to carry out an independent examination of the Mixed Use Revision, and
- the adoption of the new local plan incorporating the Mixed Use Revision.

For further information please email planningpolicy@westminster.gov.uk or telephone 020 7641 2503.

Yours faithfully

Councillor Robert Davis MBE DL
Deputy Leader of Westminster City Council
Cabinet Member for the Built Environment

In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, notice is hereby given that copies of the Publication Draft Mixed Use Revision to Westminster's City Plan document, together with Sustainability Appraisal Report (included within a wider Integrated Impact Assessment also looking at equalities and health), Consultation Statement, and Article 4 Direction for office to residential conversions across Westminster's Central Activities Zone are available for inspection free of charge at the following places and times from 10th July to 4th September 2015:

- Westminster City Hall, 62 Victoria Street, London SW1E 6QP: Monday – Friday 9.00am to 5.00pm (by prior arrangement by telephoning (020) 7641 2503)
- Charing Cross Library, 4-6 Charing Cross Road, London WC2H 0HF, Mon 9.30am-8.00pm, Tues,Thurs & Fri 9.30am-7.00pm, Wed 10.00am-7.00pm, Sat 10.30am-2.00pm, Sun 11.00am-5.00pm
- Church Street Library, 67 Church Street, London NW8 8EY, Mon 9.30am-8.00pm, Tues,Thurs & Fri 9.30am-7.00pm, Wed 10.00am-7.00pm, Sat 9.30am-5.00pm
- Little Venice Sports Centre Library (completely self-service), 6a Crompton Street London W2 1ND, Mon-Fri 9.00-10.30pm, Sat-Sun 10.00am-5.30pm
- Maida Vale Library, Sutherland Avenue, London W9 2QT, Mon 9.30am-8.00pm, Tues,Thurs & Fri 9.30am-7.00pm, Wed 10.00am-7.00pm, Sat 9.30am-5.00pm
- Marylebone Library (entrance in **Gloucester Place**), 109-117 Marylebone Road, London NW1 5PS, Mon,Tues,Thurs & Fri 9.30am-8.00pm, Wed 10.00am-8.00pm, Sat 9.30am-5.00pm, Sun 1.30pm-5.00pm
- Mayfair Library, 25 South Audley Street, London W1K 2PB, Mon-Fri 11.00am-7.00pm, Sat 10.30am-2.00pm
- Paddington Library, Porchester Road, London W2 5DU, Mon,Thu&Fri 9.30am-10.00pm, Tues 9.30am-9.00pm, Wed 10.00am-9.00pm, Sat 9.30am-5.00pm, Sun 11.00am-5.00pm
- Pimlico Library, Pimlico Academy, Lupus Street, London SW1V 3AT, Mon to Fri 9.30am-8.00pm, Sat 9.30am-5.00pm, Sun 1.30pm-5.00pm
- Queen's Park Library, 666 Harrow Road, London W10 4NE, Mon 9.30am-8.00pm, Tues,Thur&Fri 9.30am-7.00pm, Wed 10.00am-7.00pm, Sat 9.30am-5.00pm
- St John's Wood Library, 20 Circus Road, London NW8 6PD, Mon,Tues &Thurs 9.30am-7.00pm, Wed 10.00am-7.00pm, Fri 9.30am-8.00pm, Sat 9.30am-5.00pm, Sun 11.30am-3.00pm
- Victoria Library, 160 Buckingham Palace Road, London SW1W 9UD, Mon 9.30am-8.00pm, Tues,Thurs &Fri 9.30am-7.00pm, Wed 10.00am-7.00pm, Sat 9.30am-5.00pm

**THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT) (ENGLAND) ORDER 2015**

CITY OF WESTMINSTER

**NOTICE OF MAKING OF A DIRECTION UNDER ARTICLE 4(1) RELATING TO THE ENTIRE AREA
OF THE CITY OF WESTMINSTER**

NOTICE IS GIVEN by the City of Westminster, being the appropriate Local Planning Authority, that it has made a Direction under Article 4(1) of The Town And Country Planning (General Permitted Development) (England) Order 2015 (GPDO) .

The Direction was made on 10th July 2015 and applies to Westminster's Central Activities Zone.

The Direction applies to the development described in the following Class of the GPDO :-

Schedule 2 Part 3 Class J, in so far as it relates to development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) of that Schedule.

The effect of the Direction is that the permission granted by Article 3 of the GPDO shall not apply to such development and such development shall not be carried out within that area unless planning permission is granted by the City of Westminster (the "Council").

A copy of the Direction and of the Plan defining the area to which it relates may be seen at the offices of the Council at Westminster City Hall, 64 Victoria Street, London SW1E 6QP during normal office hours or can be viewed on the Council's website at www.westminster.gov.uk.

Representations may be made concerning the aforementioned Article 4 Direction between 10th July 2015 and 4th September 2015. If you wish to make representations, the Council would prefer to receive your representations by email sent to planningpolicy@westminster.gov.uk. Alternatively, you may wish to send representations by post addressed to the Policy and Strategy, 19th Floor, City Hall, 64 Victoria Street, London SW1E 6QP. Whether using email or post please put the following reference on your representation namely: '**Representation for the Non immediate Article 4- Basement Direction**'. Any representation must be received by the Council by **4th September 2015** and should include your name, postal address and, if desired, an e-mail address.

It is proposed that the Direction will come into force on 10th July 2016, subject to the consideration of any representations received during the consultation period and the Direction being confirmed by the Council.

Dated

Signed

APPENDIX 7: REGULATION 19 WEBPAGE

TEXT:

Regulation 19 Consultation

The Council is currently consulting on two revisions to Westminster's City Plan: Strategic Policies:

1. Publication Draft Mixed Use Revision, and
2. Publication Draft Basement Revision

Consultation is from **Thursday 16th July** to **Wednesday 9th September** 2015.

These are pre-submission consultation on a revision that we believe is 'sound' as set out in paragraph of the National Planning Policy Framework. Following this consultation, we intend to submit the revision to the Secretary of State for public examination by an independent inspector.

The revisions are accompanied by an Integrated Impact Assessment, bringing together the Sustainability Appraisal, Equalities Impact Assessment and Health Impact Assessment. They also have a Consultation Statement and in the case of basements, additional supporting information.

Both revisions will be accompanied by an Article 4 Direction which will be published separately following completion of necessary legal procedures.

Mixed Use Revision

This revision makes changes to the local plan in relation to commercial development in the Central Activities Zone, and introduces new borough-wide targets for commercial jobs and office jobs. It also changes the relative priority of housing, and the housing target and delivery.

[Publication Draft Mixed Use Revision to Westminster's City Plan: Strategic Policies](#)
[Mixed Use Revision Integrated Impact Assessment](#)
[Mixed Use Revision Consultation Statement](#)

Basement Revision

This revision introduces detailed development management policy for basement development.

[Publication Draft Basement Revision to Westminster's City Plan: Strategic Policies](#)
[Basement Revision Integrated Impact Assessment](#)
[Basement Revision Consultation Statement](#)

SCREENSHOT:

Regulation 19 Consultation

The council is currently consulting on two revisions to Westminster's City Plan: Strategic Policies:

1. Publication Draft Mixed Use Revision
2. Publication Draft Basement Revision

The consultation runs from Thursday 16 July to Wednesday 9 September 2015.

These are pre-submission consultations on revisions that we believe are 'sound' as set out in paragraph 162 of the National Planning Policy Framework. Following this consultation, we intend to submit the revisions to the Secretary of State for public examination by an independent inspector.

The revisions are accompanied by an Integrated Impact Assessment bringing together the Sustainability Appraisal, Equalities Impact Assessment and Health Impact Assessment. They also have a Consultation Statement, and additional supporting information in the case of basements.

Both revisions will be accompanied by an Article 4 Direction which will be published separately following completion of the necessary legal procedures.

Mixed Use Revision

This revision makes changes to the Local Plan in relation to commercial development in the Central Activities Zone, and introduces new borough-wide targets for commercial jobs and office jobs. It also changes the relative priority of housing, and the housing target and delivery.

[Publication Draft Mixed Use Revision to Westminster's City Plan: Strategic Policies](#)[®]

[Mixed Use Revision Integrated Impact Assessment](#)[®]

[Mixed Use Revision Consultation Statement](#)[®]

Basement Revision

This revision introduces detailed development management policy for basement development.

[Publication Draft Basement Revision to Westminster's City Plan: Strategic Policies](#)[®]

[Basement Revision Integrated Impact Assessment](#)[®]

[Basement Revision Consultation Statement](#)[®]

[Basement Revision Supporting Information](#)[®]

Previous Stages

[Regulation 18 Notice](#)

APPENDIX 8: REGULATION 19 CONSULTATION RESPONSES

1. British Land
2. CBRE
3. Clivedale Ventures Ltd
4. Conde Nast
5. Crown Estate (The)
6. Foreign & Commonwealth Office
7. GVA
8. Heart of London Business Alliance
9. Highways England
10. Historic England
11. Katherine Lubar (resident)
12. Land Securities
13. Mayor of London
14. Natural England
15. Office of Rail and Road
16. Pimlico Grid Residents Association
17. Raymond Davies The Burlington Arms
18. Royal Borough of Kensington and Chelsea
19. Soho Create
20. Soho Society
21. Turley
22. Westminster Property Association

City Planning Delivery Unit
Westminster City Council
11th Floor East, Westminster City Hall
64 Victoria Street
London, SW1E 6QP

8 September 2015

Letter sent by e mail

Dear Sir/Madam,

BRITISH LAND

MIXED USE REVISION – PUBLICATION DRAFT (REGULATION 19)

We act on behalf of British Land and are responding to the current 'Regulation 19' consultation on Westminster City Council's July 2015 Mixed Use Revision to Westminster's City Plan: Strategic Policies.

British Land is one of the UK's leading public property companies. The company manages, develops and finances a portfolio of properties with a particular focus on UK Retail and London Offices. British Land invests for the long term and takes pride in creating outstanding places which make a positive difference to people's everyday lives.

British Land is actively promoting a number of strategic developments across London, including projects at Regent's Place in Camden, Broadgate and the Leadenhall Building in the City of London, Blossom Street in Tower Hamlets and Canada Water in Southwark.

Within the City of Westminster, British Land is currently developing Clarges Mayfair, a mixed residential, office and retail scheme which is due to complete in 2017.

In 2013, British Land purchased the majority of Paddington Central and has, since that time, worked with the Council in bringing forward a number of projects to enhance the estate alongside consideration of development proposals for the remaining plots on site. The company has recently commenced the first phase of estate-wide public realm improvements, started building a new office block known as 4 Kingdom Street and completed the acquisition of One Sheldon Square.

We respond below to the relevant sections of the Mixed Use Revision Document as follows:

PART II: A UNIQUE CITY

British Land believes it critical that, in reviewing its City Plan, the City Council provides a robust and positive policy framework that will allow the City to both deliver much needed new housing and address

the revised housing targets in the London Plan (March 2015), as well as providing the modern, high quality commercial space that Westminster needs if it is to successfully address the forecast demand for growth in employment and the associated need for more commercial space over the plan period.

In this context, we therefore welcome the more balanced approach towards new commercial and residential development in the Central Activities Zone (CAZ) as set out in this section of the plan and in particular the proposed alterations to paragraphs 2.21, 2.22, 2.27 and 2.40.

We consider this is an appropriate approach going forward in order to enable the delivery of sustainable medium to long term growth in the centre of the City. Having regard to London Plan employment forecasts, the need to deliver significant new commercial space within the Westminster CAZ is clearly critical if growth in Westminster's economy (and the wider London economy) is to be sustained.

PART III: LOCAL SPATIAL POLICIES

Policy S1 – Mixed Use in the Central Activities Zone

We broadly welcome the more flexible approach to mixed use policy as set out in this draft policy. In particular we support the amendment to this latest iteration of the draft policy which excludes other (non-office) commercial uses from consideration under this policy. We consider this will make a positive contribution in terms of facilitating the delivery of a broad mix of land uses. We do however consider certain elements of this policy would benefit from being amended or clarified as set out below.

Part (C) of this draft policy seeks the provision of an equivalent amount of residential floorspace in connection with schemes that increase office floorspace by 50%+ (and more than 400 sq m) unless it can be demonstrated that this provision is not appropriate or practical. It is in practice often the case, particularly where off-site provision of residential is agreed, that applicants deliver the residential floorspace required under mixed use policy by way of the conversion or redevelopment of an existing office building elsewhere within their portfolio. However such an approach may not always be possible going forward in accordance with other draft City Plan policies which seek to reinforce the commercial function of the CAZ (in particular the revised version of policy S18 which identifies commercial and other non-residential activity as the priority in the Core CAZ). We consider that any assessment of the 'appropriateness' or otherwise of providing residential accommodation through conversion or redevelopment of an existing office building should take this into account.

We question the need for the conditions set out in Parts C (ii)&(iii) of this policy, which require any residential floorspace arising out of a commercial development within an Opportunity Area to be provided within the Opportunity Area. This appears to impose a more restrictive obligation on development within Opportunity Areas than that which would be applied elsewhere within the CAZ where, subject to satisfying the City Council that any required residential floorspace cannot be provided on-site or in the immediate vicinity of the site, a wider 'vicinity' may be acceptable. The same conditions should be applied to development within Opportunity Areas to stimulate growth and economic development, particularly around major transport hubs.

We welcome the change to part (B) of this draft policy (when compared to the previous iteration set out within the consultation booklet) insofar as this now provides flexibility for schemes involving a mid-range uplift in commercial space (30% to 50%) to potentially provide associated residential floorspace outside

the CAZ. We consider that it would also be appropriate to introduce this flexibility to part C of this policy particularly, as referred to above, the provision of residential accommodation within the CAZ often involves the loss of office floorspace.

British Land does not support the introduction of part (D), which in some cases would require office to residential conversions in the Core CAZ, Named Streets and Opportunity Areas to provide replacement commercial, social or community floorspace.

Policy S20 is sufficient to restrict the conversion of offices to residential. However, introducing a requirement for the provision of an equivalent amount of commercial, social or community floor space would introduce significant additional complexity. In many cases it will be impractical to provide commercial development within the same building, where an existing building is being converted residential. Commercial space would therefore be required on alternative sites which may not be within the control of the developer.

British Land therefore suggests that part (D) is removed.

If this part of the policy is retained, the final paragraph should be amended so that it is clear that the means by which the requirement for replacement floorspace is met is at the applicant's choice. The exceptions for conversions below 400 sq m and where the building was originally built as residential should also be retained.

Policy S6 – Core Central Activities Zone

We welcome the proposed amendments to this policy which specifically identify the importance of retaining and enhancing the global reputation of this area as a business location.

PART IV: CITY-WIDE SPATIAL POLICIES

Policy S18 – Commercial Development

We welcome the introduction of a specific jobs target and consider that the reference in policy S18 to commercial and other non-residential activity being the priority in the Core CAZ is appropriate, particularly in the context of the need to retain and enhance this area as business location as identified in policy S6. We agree it is important that a balance is struck between business and residential activity in this area, as identified in the supporting text to this policy.

We welcome the reference in the draft policy to new commercial development being encouraged and directed to Paddington, amongst other locations. The Opportunity Areas and Paddington in particular have significant capacity for additional commercial floorspace.

Policy S20 – Offices and Other B1 Floorspace

For consistency with policy S18 (commercial development), we consider this policy should state that new office development will be 'encouraged and directed to Paddington and the various other locations named in this policy.

We consider that the Paddington Opportunity Area is particularly well suited to accommodate the requirements for new office and commercial development as identified in the emerging City Plan revision. There are significant parts of the City of Westminster where development capacity will continue to be

constrained by established policy objectives such as preserving and enhancing designated heritage assets which include a large number of listed buildings and Conservation Areas. Paddington is much less constrained and thus has the capacity and potential to deliver major new office and mixed use development, with significant opportunities for place-making and improving connectivity, capitalising on major new transport infrastructure and the opening of Crossrail.

PART VI: IMPLEMENTATION

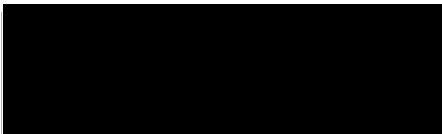
Policy CM 47.1 – Land Use Swaps and Packages/ Policy CM47.2 Credits 20 – Offices and Other B1 Floorspace

As we set out in our response to the ‘Mixed Use and Office to Residential Conversion’ consultation booklet, the principle of land use swaps and packages together with the use of credits is a potentially useful tool to enable a mix of uses to be brought forward and the development capacity of individual sites optimised.

We welcome the relaxation in the restrictions on sites which could be utilised as a residential credit (when compared to the earlier iteration of this policy) as set out in part (A)4 of policy CM47.2. We would welcome clarification however that this updated draft policy will still allow for the registration and draw down of affordable housing credits.

We look forward to continuing a positive dialogue with the City Council as the new City Plan emerges. In the meantime please let me know if you need any further clarification or would like to discuss any of these representations further.

Yours faithfully



GRAHAM TIMMS
Associate Director

Dear Lisa,

Thank you very much for your time on the phone last week.

Further to our discussions I wanted to raise the following points (as formal representations) in relation to draft policies S20 and Part D of S1.

S20

Westminster is home to some of the most unique and important historic buildings in the UK many of which are becoming surplus to the requirements their long term custodians.

I think S20 would benefit from acknowledging that these types of buildings (e.g. headquarters of specific Government departments that are unique to Westminster) while technically in B1 office use were purpose built for very specific users at a particular point in time and in many cases are not suitable for future office use.

Where these buildings are listed by nature of their architectural and/or historic significance I think is important for policy to acknowledge that the benefits of retaining these unique buildings as poor quality office space could be outweighed by allowing alternative uses on the site (including residential) where these uses secure the long term future of the building to the benefit of Westminster as a whole. Many of these buildings could make a significant contribution to Westminster's housing targets with little or no impact on Westminster's economy as a whole. I also think scheme viability should be a consideration in this policy given that it is at the heart of the NPPF and London Plan. To ignore it could result in many office to residential schemes being refused in favour of retaining office space that is extremely poor quality, is no longer viable and adds little to Westminster's economy. In addition to the above the stringent nature of the policy could impact significantly on Westminster's ability to deliver on their housing targets at a time when a significant quantum of large scale office redevelopment schemes are being brought forward.

I think a more flexible approach here would be beneficial to ensure an appropriate mix of uses is brought forward over the plan period while still allowing the City Council to retain control over how and where this comes forward.

S1D

Following our discussion I am now clearer on the aims of Policy S1D which seeks to retain an element of commercial floorspace in change of use applications where existing office space is proposed to be converted to residential (subject to satisfying Policy S20 and the caveats set out in points i and ii). Notwithstanding I think the policy should acknowledge that such space should only be provided where appropriate. Without this caveat there is a danger that the quantum of residential schemes in the City will be reduced to the point where the annual housing target is impossible to get close to.

Where such proposals involve increasing the floor area of the building by more than 50% of the original building and more than 400sqm again I think a degree of flexibility could be added to the wording to acknowledge that an equivalent amount of commercial and/or social and community floorspace should be added *where appropriate and practical*.

I hope the above is helpful.

Kind regards

Ian
Ian Rennie | Director
CBRE Ltd | Planning

DP3780/JWP/AWR

26 October 2015



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BY POST AND EMAIL

Dear Sir / Madam

REVISION TO WESTMINSTER'S CITY PLAN

Mixed Use Revision

Representations on Publication Draft (Regulation 19) Revision to Westminster's City Plan: Strategic Policies (July 2015)

We are instructed by our client, Clivedale Ventures Limited, to submit on their behalf the following representations on Publication Draft (Regulation 19) Mixed Use Revision to Westminster's City Plan: Strategic Policies (July 2015) in the context of their ongoing development work within the City of Westminster. These representations should be read in conjunction with our client's previous representations on Booklet No.16 Spatial Policy and Implementation and Booklet No.18 Mixed Use and Office to Residential Conversion dated 27 February 2015.

Introduction

The main purpose of the revised policies proposed within this document is to address the loss of offices and the growth of housing within the city whilst at the same time balancing the need to encourage increased commercial development and deliver housing. In our client's view it is unclear how Policy S20 Offices and Other B1 Floorspace, that restricts residential development in certain locations, would be applied by the City Council when assessing planning applications and further clarification should be provided within the supporting explanatory text for the policy.

To summarise the key points of our client's previous representations, in our client's view housing should remain as the highest priority land use within the City Plan (Policy S14). Particularly given that housing supply remains one of London's biggest challenges, the NPPF seeks to boost the supply of housing, and the City Council's housing target increased significantly from 770 to 1,068 housing units per year in the recently adopted London Plan 2015. Any policy that restricts residential development will impact on the supply of residential development in the city and upon the City Council meeting its significant housing targets.



Restricting residential development in favour of retaining office buildings will not necessarily mean developers will pursue office development as an alternative. More likely is a gradual decline in the quality of secondary office stock. This could have implications on the amount of new housing created for all tenures. In addition, the supply of sites for new housing is already constrained by other policies in the Local Plan that protect a range of existing uses such as hotels and those in Special Policy Areas.

It is acknowledged that a range of uses are required to meet the needs of the city, which includes new commercial floorspace to meet the key economic drivers being tourism, retail and other commercial uses, in addition to offices. There are many instances where commercial development is the preferred approach as landowners can retain long term ownership or freehold reversion with a regular rental income.

Given the continued and increasing need to provide new homes it is considered that the provision of new commercial space, and offices in particular, should not be at the expense of housing.

Policy S20 Offices and Other B1 Floorspace

For the reasons explained above and in our client's previous representations in our client's view it is not necessary to include the following proposed additional wording within Policy S20 in order to manage the loss of offices:

"Inside the Core Central Activities Zone, Opportunity Areas and the Named Streets, changes of use from office to residential or replacement of office floorspace with residential floorspace will only be acceptable where the council considers that the benefits of the proposal outweigh the contribution made by the office floorspace, taking into account:

1. *the employment and housing targets set out above, and as referred to in Policies S18 and S14, or in the case of the Victoria and Paddington Opportunity Areas, the targets set out in Policies S3 and S4;*
2. *the contribution of the office floorspace to meeting business and employment needs; and*
3. *the mix of type, size and tenure of housing proposed.*

Where 3) above is not met due to site constraints and/or viability, the floorspace will be retained as B1 office floorspace."

We understand that, notwithstanding previous representations made to Revisions to the City Plan, the City Council has put forward this revision to policy within its Publication Draft and accordingly our client offers the following comments.

Insufficient guidance is given with regard to what would be deemed to be acceptable and what tests should be met to comply with the policy, in particular in respect of parts 2 and 3. We consider that the supporting explanatory text should provide this guidance and explain in what circumstances a development scheme might satisfy these tests and more specifically what the key considerations will be for the City Council in making their assessment.

Due to the extent of the Core CAZ and the dynamic nature of the office submarkets within it, for example Mayfair being very different to Victoria and Covent Garden, there is a need to consider the nature and performance of the office submarket for each site, rather than in the context of office supply in the whole of the city. This should take account of up to date evidence on both



prevailing and projected demand and supply as well as having regard to the mix of uses and character of the area.

Due regard should be had to the economic benefits of alternative uses including training and development opportunities along with the acceptability of proposals that consolidate office floorspace and maintain employment generation through providing higher quality accommodation fit for modern needs.

Other considerations that relate to the ability to better meet other policy objectives should also be recognised such as enhancing heritage assets and townscape benefits.

In our client's view these points should be acknowledged within the supporting explanatory text for the policy to enable Policy S20 to be assessed on a site by site basis.

Finally we would encourage the City Council to reconsider the wording of the final statement of the policy as it is not considered that viability can be divorced from the decision making process in the way the policy is drafted and it will be necessary to inform the acceptability of proposals for the Council.

We are aware the City Council has received representations to increase the area covered by Policy S20 to include the whole of the CAZ. Our client does not support this proposal.

Yours faithfully

DP9 Ltd

28 August 2015

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Dear Sir / Madam,

**DRAFT MIXED USE REVISION TO WESTMINSTER'S CITY PLAN
REPRESENTATION**

These representations are submitted on behalf of Conde Nast in respect of the draft mixed use revision to Westminster's City Plan.

Conde Nast are currently located within the City of Westminster occupying commercial space at a number of locations including the following:

- Vogue House, 1-2 Hanover Square;
- Lilly House, 13 Hanover Square;
- 25 Maddox Street;
- 16-17 Greek Street; and
- 18 Haunch of Venison Yard.

Conde Nast are supportive of the proposed revisions to mixed use Policy S1 as explained in detail below.

Policy S1 of the adopted Westminster City Plan requires proposals, within the CAZ, to provide an equivalent amount of residential floorspace onsite where there is an uplift of 200sqm or more of commercial floorspace. Where this is not considered appropriate or practical a payment in lieu will be sought.

Application of the current planning policy is restrictive and can result in moderate extensions to commercial floorspace being financially unviable.

This issue has been recognised by Westminster City Council and the proposed new policy wording provides greater flexibility with a new uplift threshold introduced. Should the policy be adopted an equivalent amount of residential floorspace would only be required where proposals



within the CAZ increase the amount of commercial floorspace by 30% of the existing building or 400sqm (whichever is the greater).

The proposed new approach (which takes into account a percentage uplift) will help incentivise office development by allowing it to come forward without the requirements of the mixed use policy and its associated costs in many cases.

This direction of travel and the proposed revisions to Policy S1 are wholly supported by Conde Nast. The new mixed use policy position would help facilitate expansion of Conde Nast's current office accommodation and, therefore, retain their presence within the City of Westminster.

We look forward to receiving confirmation that the representations have been received and will be taken into account. We request that we be kept informed of forthcoming publications and consultation material. If you would like to discuss any aspect of these representations in more detail, please contact Chris Beard or Luke Thrumble of this office.

Yours sincerely,

DP9 Limited

City Planning
Westminster City Council
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64 Victoria Street
London SW1 6QP

9th September 2015

Dear Sir

THE CROWN ESTATE

RESPONSE TO WESTMINSTER COUNCIL CITY PLAN MIXED USE REVISION PUBLICATION DRAFT (REGULATION 19) - JULY 2015

CBRE is responding on behalf of The Crown Estate in relation to the above referenced consultation document. The Crown Estate is committed to the long term sustainable development of Westminster and is pleased to take part in this consultation.

The Crown Estate has a nationwide property portfolio with a combined value of over £11.5 billion. The largest concentration of these assets is in the West End in St James's and Regent Street. Between them, as well as including residential uses, these two areas form a significant proportion of The Crown Estate's UK commercial portfolio. Over 10,000 people work on Regent Street in more than 700 office businesses and over 150 retail and catering outlets.

Alongside the comprehensive renewal and redevelopment of Regent Street that has been undertaken to provide modern office, retail and residential space and an enhanced public realm, The Crown Estate has embarked on a strategy to enhance the role of St James's, acknowledging the area's distinctive mix of uses, from theatres, restaurants and bespoke shopping to the fine art businesses and international auction houses within St James's and the cluster of private members' clubs in Pall Mall as well as significant residential occupiers.

We set out below our responses to the Mixed Use Revision Publication Draft:

PART II: A UNIQUE CITY

The Crown Estate believes it critical that, in reviewing its City Plan, the City Council provides a robust and positive policy framework that will allow the City to both deliver much needed new housing and address the revised housing targets in the soon to be adopted revised London Plan, as well as providing the modern, high quality commercial space that Westminster needs if it is to successfully address the forecast demand for growth in employment and the associated need for more commercial space over the plan period.

In this context, we therefore welcome the more balanced approach towards new commercial and residential development in the Central Activities Zone (CAZ) as set out in this section of the plan and in particular the proposed alterations to paragraphs 2.20, 2.22 and 2.27.

We consider this is an appropriate approach going forward in order to enable the delivery of sustainable medium to long term growth in the centre of the City. Having regard to London Plan employment forecasts, the need to deliver significant new commercial space within the Westminster CAZ is clearly critical if growth in Westminster's economy (and the wider London economy) is to be sustained.

We welcome the proposed removal of the current prioritisation for housing and recognition of the importance of Westminster's office stock to the national economy as set out within paragraph 2.40 (and also the supporting text to policy S14 – Optimising Housing Delivery). This reflects our comments on the Mixed Use and Office to Residential consultation booklet published in December 2014 and acknowledges the need for a balanced approach, which is paramount here.

PART III: LOCAL SPATIAL POLICIES

Policy S1 – Mixed Use in the Central Activities Zone

We broadly welcome the more flexible approach to mixed use policy as set out in this draft policy. In particular we support the amendment to this latest iteration of the draft policy which excludes other (non-office) commercial uses from consideration under this policy. We consider this will make a positive contribution in terms of facilitating the delivery of a broad mix of uses, including additional retail floorspace within the defined International Shopping Centres, which will enhance the Central Activities Zone and Westminster's role as a World City.

We do however consider certain elements of this policy would benefit from being amended or clarified as set out below.

Part (C) of this policy seeks the provision of residential floorspace in connection with schemes that increase floorspace by 50%+ unless it can be demonstrated that this provision is not appropriate or practical. It is in practice often the case, particularly where off site residential is agreed, that applicants deliver the residential floorspace required under mixed use policy by way of the conversion or redevelopment of an office building elsewhere within their portfolio. We consider however that such an approach may not always be appropriate going forward in the context of other draft City Plan policies which seek to reinforce the commercial function of the CAZ (in particular the revised version of policy S18 which identifies commercial and other non-residential activity as the priority in the Core CAZ). We consider that any assessment of the 'appropriateness' or otherwise of providing residential accommodation should take this issue into account.

We welcome the change to part B of this draft policy (when compared to the previous iteration set out within the consultation booklet) insofar as this now provides flexibility for schemes involving a mid-range uplift in commercial space (30% to 50%) to potentially provide associated residential floorspace outside the CAZ. We consider that it would also be appropriate to introduce this flexibility to part C of this policy particularly, as referred to above, the provision of residential accommodation within the CAZ will often involve the loss of office floorspace.

With regards to part (D) of this policy, we are assuming that in circumstances where residential floorspace is considered acceptable in accordance with the requirements of this policy, then any associated requirement to provide commercial floorspace and/ or social and community floorspace would only be triggered by proposals which increase the amount of floorspace by more than 50% of the original building and more than 400sqm. We would however welcome clarification that this is the case as the wording of part (D) is currently somewhat ambiguous.

Policy S6 – Core Central Activities Zone

We welcome the proposed amendments to this policy which specifically identify the importance of retaining and enhancing the global reputation of this area as a business location.

PART IV: CITY-WIDE SPATIAL POLICIES

Policy S18 – Commercial Development

We consider the updated reference in policy S18 to commercial and other non-residential activity being the priority in the Core CAZ is appropriate, particularly in the context of the need to retain and enhance this area as business location as identified in policy S6. We welcome the acknowledgement of the conclusions of the West End Commission's 2013 report in the reasoned justification to this policy. The West End Partnership was created following this report and their 'West End Vision 2030', which was launched in June 2015, identifies the West End's pivotal role in London's continued economic success as a key element of this vision.

We agree it is important a balance must be struck between business and residential activity in this area, as identified in the supporting text to this policy.

Policy S20 – Offices and Other B1 Floorspace

For consistency with policy S18 (commercial development), we consider this policy should state that new office development will be 'encouraged and directed...' to the various named locations in this policy.

We do however believe that one of the issues that should be taken into consideration in any assessment of the acceptability of a proposed change of use from office to residential is the benefits that would arise from bringing a building that is a heritage asset back into the use for which it was originally built. We consider that policy S20 should acknowledge this.

PART VI: IMPLEMENTATION

Policy CM 47.1 – Land Use Swaps and Packages/ Policy CM47.2 Credits

As we set out in our response to the 'Mixed Use and Office to Residential Conversion' consultation booklet, the principle of land use swaps and packages together with mixed use credits is one that The Crown Estate welcomes. This facilitates the provision of a mix of uses while at the same time allowing the rationalisation of space across sites and allowing particular uses to be provided at the most suitable site or building. This is particularly pertinent for The Crown Estate, given it has on a number of occasions brought forward linked proposals for the reuse and redevelopment of several different sites.

We welcome the reduction in the restrictions on sites which could be utilised as a residential credit (when compared to the earlier iteration of this policy) as set out in part (A)4 of policy CM47.2. We would appreciate clarification however that this updated draft policy will still allow the delivery of affordable housing credits.

We look forward to continuing a positive dialogue with the City Council as the new City Plan emerges. In the meantime, should you have any queries or require further information in connection with these representations please do not hesitate to contact me.

Yours faithfully,

A solid black rectangular box redacting the signature of Graham Timms.

GRAHAM TIMMS
Associate Director

Dear Sirs

Thank you for the attached email.

The Foreign & Commonwealth Office have no comments to make on this matter.

Regards Paul

Paul Howarth BSc MRICS Regional Estate Surveyor | UK/Europe and Asia Group | Estates & Security
Directorate | Foreign & Commonwealth Office

 King Charles Street | SW1A 2AH

Our ref: SGB/LJ12

9th September 2015

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Dear Sirs,

Mixed Use Revision Publication Draft (Regulation 19) - Revision to Westminster's City Plan: Strategic Policies - Representation by GVA

Thank you for providing us with the opportunity to comment on the Publication Version of the Mixed Use Revision to Westminster City Plan: Strategic Policies. Our representations are submitted on behalf of clients who are investors and developers within the Borough.

You will note that we submitted representations on the initial draft revisions to Westminster's City Plan, "Mixed Use and Office to Residential Conversion" Policy Booklet in February 2015. We attach our original representations at **Appendix 1**. We consider many of these points remain unresolved.

Our further representations are made with the objective of ensuring the plan meets the four Tests of Soundness within Paragraph 182 of the National Planning Policy Framework (2012), namely that the plan is: (1) Positively prepared, based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development; (2) Justified, and is the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence; (3) Effective, and is deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and (4) Consistent with national policy, and will enable the delivery of sustainable development in accordance with the policies in the Framework.

In making these representations, we have also considered the plan's conformity with the London Plan (consolidated with changes since 2011), adopted March 2015.

We have also had regard to the "Duty to Cooperate", a legal requirement as set out in the Localism Act 2011 that amends the Planning and Compulsory Purchase Act 2004, and places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

In respect of the Duty to Cooperate, Planning Practice Guidance states: "*planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination*" (Paragraph: 001 Reference ID: 9-001-20140306).

The following comments are made in relation to the Publication Version of the Mixed Use Revision to Westminster's City Plan:

1. Evidence Base

We agree that the plan should seek to deliver and maintain an appropriate balance of uses within Westminster, and we support the principle that new housing in commercial areas coexists alongside business activity.

We would re-iterate that the approach to managing office loss should be appropriately evidenced. Only those implemented office/ office to residential developments should be considered to be "actual" loss of office or future supply of office. Approved but unimplemented planning permissions should relate only to "projected" losses of office or future office pipeline supply. This data should be reported accurately, using net supply of office and residential on a comparative basis consistently and in line with the above. We note that the plan does not consistently record or report this data; this should be addressed.

The evidence base assumes that all space lost was 'fit for purpose' and does not account for existing quality. To take the Victoria office sub-market as an example, data taken from CoStar shows over 50% of the units and 95% of the floorspace have a 4 star quality rating, where office stock is generally much newer. In comparison, in the west end market, 43% of the units and 69% of floorspace have a 4 star quality rating. This data demonstrates that a more qualitative approach should be taken in appraising the loss of office.

The evidence provided in respect of loss of office suggests that all of the space was being utilised prior to its loss to residential, which is unlikely to have been the case given vacancy trends within the local market. To take Victoria as an example, from analysis of availability data from CoStar there is estimated to be a 5% vacancy rate. Again, this data demonstrates that a more qualitative approach should be taken in appraising the loss of office.

We commented previously that the relevant evidence base should not just relate to the Borough in isolation, but instead to the office sector of the wider Central Activities Zone (CAZ) and Greater London as a whole. Little information is provided with the booklet of how other office markets outside of the Borough have performed, including in the CAZ, nor how the office sector within the Borough 'fits' within a pan London context. From reviewing recent publications of the Greater London Authority's Annual Monitoring Reports and other published evidence, this is likely to demonstrate that there is no need to progress a planning policy within Westminster which seeks to protect existing office floorspace per-se. We would re-iterate that to comply with the "Duty to Cooperate", the evidence base should consider the pan-London context.

2. Suggested Local Plan Revisions

We note that the Council seeks to progress with a policy concerning "loss of office space". Notwithstanding the above representations, any option that is taken forward should include an exemption for listed buildings where an alternative use would secure a long term, viable future and should have better regard to local circumstances, including office sub-markets and other qualitative factors including the quality of the existing floorspace, the length of the office vacancy and the specific reasons for redevelopment (for example, the relocation of a government office). The policy tests within Draft Policy S20 for loss of office should be revised as suggested in **Appendix 2**. In supporting this approach, we refer to the following evidence:

- Paragraph 4.23 of the City of Westminster's Mixed Use Revision Publication Draft (July 2015) states that office to residential conversions have delivered 1,278 new homes in the past four years, resulting in a net loss across Westminster between 2011/12 – 2013/14 of 167,000 sq m. Despite general concerns across Westminster relating to the loss of office to residential use, some sub areas do not follow this trend, such as the Victoria office sub-market, where higher quality, pipeline office supply continues to be delivered.

- Whilst the borough-wide trend shows a net loss of space, within the relevant Victoria Opportunity Area there has been a net gain in completed office space of 14,672 sq m over the same period (between 2011/12 – 2013/14).
- In addition to this historic increase of floorspace, there is a further 20,842 sq m of net additional office space under construction, which once complete will further increase the supply of new, Grade A space within the Victoria Opportunity Area.
- If any, the scale of office loss is relatively low at c.7,500sqm across the whole Victoria Opportunity Area when taking into consideration both committed office development and changes of use from office to residential which are approved but not under construction. However, this data does not account for the current market position, which is experiencing a shift whereby office is increasingly attractive as a long term investment over residential, particularly given the buoyancy of office rents. In this respect, it is increasingly acknowledged in the market that office to residential conversions are likely to remain unimplemented. The market should be left to meet relevant demand on this basis.

We look forward to confirmation of receipt of these representations at the earliest opportunity and would welcome the opportunity to meet with officers to discuss any part of our representations as required. If you have any queries or wish to discuss, please do not hesitate to contact Laura Jenkinson (020 7911 2366) of this office.

Yours faithfully



GVA



Appendix %

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Our ref: SGB/LJ12

27th February 2015

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Dear Sirs,

**Revisions to Westminster's City Plan
Mixed Use and Office to Residential Conversion Policy Booklet
Representation by GVA**

Thank you for providing us with the opportunity to comment on the Westminster City Plan policy booklet "Mixed Use and Office to Residential Conversion", which forms part of an initial stage of consultation on revisions to Westminster's City Plan. Our representations are submitted on behalf of clients who are investors and developers within the Borough. We intend to respond to further published booklets in due course.

The following comments are made in relation to the section of the Mixed Use and Office to Residential booklet that refers to the management of office loss:

- (i) We consider that the approach to managing office loss should be evidence based.
- (ii) The relevant evidence base should not just relate to the Borough in isolation, but instead to the office sector of the wider Central Activities Zone (CAZ) and Greater London as a whole. Little information is provided with the booklet of how other office markets outside of the Borough have performed, including in the CAZ, nor how the office sector within the Borough 'fits' within a pan London context. From reviewing recent publications of the Greater London Authority's Annual Monitoring Reports and other published evidence, this is likely to demonstrate that there is no need to progress a planning policy within Westminster which seeks to protect existing office floorspace per-se. Indeed, we consider that the office sector would be better supported and encouraged through greater flexibility in the application of policy requirements and obligations associated with new commercial development. Paragraph 173 of the National Planning Policy Framework (NPPF) indicates that Plans should not refer to obligations and policy burdens which threaten development viability.
- (iii) The Council should only progress with a restrictive loss of office policy only where harm resulting from loss can be demonstrated in the wider CAZ and pan-London context. This is particularly pertinent given the impact that Crossrail will have on existing and emerging office locations, typically preferable in locations of high public transport accessibility.
- (iv) In the event that the Council seeks to progress with a policy concerning 'loss of office space', any option that is taken forward should include an exemption for the Victoria Opportunity Area and also listed buildings where an alternative use would secure a long term, viable future. In supporting this approach, we refer to the following evidence:

- The office market within Victoria is driven by a number of factors including its relationship to Westminster as the hub of government activity, which drives a range of institutional activities, its accessibility via Victoria Station and the underground network, and the range of major corporates located within or close to the area.
- Its traditional strength as an office location is reflected in the scale of stock within the area. CoStar estimates that there is c. 21million sqft of office space provided within 485 office buildings. Of this space over 1.4million sqft of space is currently available, of which almost 500,000sqft is currently recorded as vacant.
- CoStar data estimates that 1.1million sqft of new, Grade A space is available within Victoria, almost 900,000sqft of which is currently under construction and will be introduced to the market in the next 2 years. It is also estimated that office availability is at the highest level recorded for the past 10 years, reflecting the significant quantum of stock that has just entered, or is about to enter, the market (c.79% of all floorspace available).
- This evidence indicates to us that planning policy does not need to address an office market failure in this location. Indeed, we consider that the introduction of a greater mix of uses, including new retail and residential accommodation, should be a priority to provide balance and qualitative improvement. Such an approach would be consistent with the Council's wider policy approach for the Opportunity Area (as set out in the adopted City Plan), which promotes mixed uses and vibrancy within the CAZ.
- Paragraph 17 of the National Planning Policy Framework indicates that a core planning principle should be to "conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations". We consider that this should take precedent.

We look forward to confirmation of receipt of these representations at the earliest opportunity and would welcome the opportunity to meet with officers to discuss any part of our representations as required. If you have any queries or wish to discuss, please do not hesitate to contact Laura Jenkinson (020 7911 2366) of this office.

Yours faithfully



GVA



Appendix 2

Suggested Policy Revisions

Appendix 2:

Suggested Amendments to the Publication Version of the Mixed Use Revision to Westminster City Plan: Strategic Policies

Note: All amendments listed below relate to Pages 24-26 of the Publication Version of the Mixed Use Revision to Westminster City Plan: Strategic Policies.

Additional text is shown in bold red underlined text, deleted text is black bold text with a strikethrough.

OFFICES AND BUSINESS FLOORSPACE

4.23 Between 1996 and 2010/11, office floorspace within Westminster increased, with much of these gains being within the Paddington Opportunity Area. The Core Central Activities Zone (Core CAZ), particularly the West End, accommodates the greatest proportion of Westminster's office stock, with a net increase in the overall amount of office floorspace of 70,400 sqm between 1996 and 2010/11. The proportion of the total floorspace within Core CAZ which is in office use has remained relatively stable during this period, ranging between 48% and 51% of the total floorspace between 1983 and 2009/10. However a sustained period of office losses began in the 2010/11 monitoring period, indicative of unprecedented changes to market conditions linked to the exceptionally strong performance of the housing market.

This resulted in the loss of a significant amount of office floorspace with the loss of 167,000sqm in the four years 2010/11 to 2013/14. If continued unchecked, this would have had irreparably damaged UK's economic core.

4.24 The strategic approach to commercial and residential floorspace in the CAZ was changed in 2015 to ensure that the right mix and balance of uses was secured to support a sustainable and diverse economy. Crucial to achieving this balance is recognising the importance of the agglomeration benefits of the unique clusters of commercial activity, and their overlap and coming together to create the places like Soho, Mayfair, St James's and Covent Garden that are so attractive to businesses, workers, visitors and residents alike.

POLICY S20 OFFICES AND OTHER B1 FLOORSPACE

The council will work to achieve and exceed the target of additional floorspace capacity for 58,000 new jobs between 2016/17 and 2036/37vii, an average of 2,900 new jobs per annum.

New office development will be directed to Paddington, Victoria and Tottenham Court Road Opportunity Areas, the Core Central Activities Zone, the Named Streets, and the North Westminster Economic Development Area.

Inside the Core Central Activities Zone, Opportunity Areas and the Named Streets, changes of use from office to residential or replacement of office floorspace with residential floorspace will only be acceptable where the council considers that the benefits of the proposal outweigh the contribution made by the office floorspace, taking into account:

1. the employment and housing targets set out above, and as referred to in Policies S18 and S14, or in the case of the Victoria and Paddington Opportunity Areas, the targets set out in Policies S3 and S4;
2. the contribution of the office floorspace to meeting business and employment needs, **the quality of the existing stock, the length of vacancy and other relevant specific reasons for redevelopment;** **and**
3. the mix of type, size and tenure of housing proposed; **and**
4. **where an alternative use would secure a long term, viable future for listed buildings.**

Where 3) above is not met due to site constraints and/or viability, the floorspace will be retained as B1 office floorspace. Where appropriate, the council will request a range of business floorspace including workshops and studios.

Reasoned Justification

Westminster contributes approximately 9 million sqm of office floorspace to London and the UK's stock; the largest and most diverse office agglomeration in the country and one of the most significant globally. However, there were losses of office floorspace since 2010/11, a trend that will take some time to reverse due to the significant number of office losses granted permission between 2010/11 and September 2015. Given the importance of this office and wider commercial agglomeration, it is crucial that housing does not displace offices within the core commercial areas until employment capacity has recovered in line with the employment targets and an appropriate balance of uses is re-established. Losses of office to other commercial or social and community uses are acceptable as they likewise contribute to the commercial activity in the area.

New offices are encouraged within these locations to retain and enhance Westminster's strategic role in London's office sector, and support London's global competitiveness. The policy also identifies Westminster's capacity for growth, predominantly in the three Opportunity Areas and North Westminster Economic Development Area.

In addition to offices, a range of other B1 floorspace is required in Westminster to ensure diversity across employment sectors. This supports a range of business activities, including Creative Industries, and employment opportunities. It will be sought where non-office type floorspace such as workshops and studios are appropriate as part of the overall mix of uses because of their location or existing use.



Heart of London Business Alliance
West End Business Improvement Districts

Representation to Westminster City Council's Consultation on 'Mixed Use Revisions to Westminster's City Plan'

9th September 2015

Introduction

Members of the Heart of London Business Alliance welcome the opportunity to respond to Westminster City Council's consultation on the 'Mixed Use Revisions to Westminster's City Plan'.

The Heart of London Business Alliance was established in 2001, becoming the first central London BID in 2005. We now operate two Business Improvement Districts, representing 500 businesses in the Piccadilly & St James's and Leicester Square to Piccadilly Circus areas. Our area is home to London's most iconic entertainment areas and is a place which is rich in history and culture. Following successful ballots earlier this year, we have successfully launched the UK's first property-owner BIDs to deliver our shared ambitions for:

- Effective Leadership and Influence
- Transformational Place Management
- Destination Marketing

Summary

In summary, our members share Westminster City Council's concerns about the growing trend for converting office premises to residential use, which has seen the proportion of office floorspace in the Core Central Activities Zone decline from 51% to 46% in recent years. We also recognise the need to balance restrictions in conversions with the introduction of new incentives for the delivery of commercial floorspace in the Central Activities Zone, Named Streets and Opportunity Areas.

We are extremely concerned about the impact of the current trend on central London's economic vitality, the ability of industries to agglomerate, the delivery of new jobs and the offer of an appropriate range of commercial floorspace.

We are also concerned about the announcement in July by the Department for Communities and Local Government indicating a further relaxation of office to residential planning controls and indications that central Government is considering ending the exemption that Westminster City Council gained in 2012 to the previous national scheme.

We believe that Westminster City Council should ultimately retain planning control over office to residential conversions in the Core CAZ and that this should not be subject to further deregulation if we are to retain the economic vitality and vibrancy of the West End.

The proposals

- 1. Where proposals are in the Core CAZ, Named Streets or Opportunity Areas and increase the amount of floorspace by less than 30% of the existing building or less than 400m² (whichever is greater) no residential floorspace will be required.**

As per our submission to the consultation on the policy booklet in February, we strongly support the principle of extending the thresholds in terms of uplifts in commercial floorspace before an accompanying residential requirement is triggered.

We believe that extending the threshold will help rebalance some of the existing drivers to convert commercial premises to residential and increase the viability of commercial rebuilds and uplifts in commercial floorspace on existing premises. We consider that the proposed new policy will start to achieve this without undermining Westminster City Council's ongoing need for more affordable residential accommodation and our business needs of a locally-based workforce.

Whilst the impact of the national reforms, volume of applications and changing economic drivers varies, we would nonetheless suggest that the revised policy could still go further and clarify that some areas of the City of Westminster are significantly less appropriate than others for residential use. This would be invaluable in helping our businesses mitigate against the risk of inappropriate conversions in areas where it is very difficult to offer a standard of residential amenity without this coming at the expense of the commercial operation.

- 2. Where proposals in the Core CAZ, Named Streets or Opportunity Areas to increase the floorspace between 30% and 50% of the existing building, and more than 400m² for B1 office floorspace:**
 - a. There will be a requirement for an equivalent amount of residential floorspace (generated above the 30% threshold) on-site, off-site or by mixed use credits; or**
 - b. There will be an affordable housing payment in lieu equivalent of the net gain in B1 office floorspace (generated above the 30% threshold)**

It will be at the applicant's discretion whether they apply a. or b.

We strongly support the proposed new flexibility on mid-range uplifts in commercial space to present developers with a clear choice in terms of how they meet the associated residential requirement.

As we have already outlined, we strongly believe that in many cases providing residential accommodation on site as part of a commercial development often leads to incompatible competing demands. Equally, in predominantly commercial areas, the provision of residential accommodation in the vicinity is also often inappropriate as it can dilute the acknowledged economic benefits of the co-location of particular industries.

We therefore believe that this proposal will support good planning decisions. Retaining an appropriate mix of commercial, entertainment and retail uses is essential to the long-term economic vitality of particular areas, with the viability of other uses often co-dependent with these.

- 3. Where proposals in the Core CAZ, Named Streets or Opportunity Areas increase the amount of floorspace by more than 50% of the existing building and more than 400m², net increases in B1 office floorspace (up to a maximum of the net additional floorspace above the 30% threshold) will be accompanied by an equivalent amount of residential floorspace provided according to the following cascade:**

- a. **On site or in the immediate vicinity.**
- b. **Off site on a site in the vicinity of the development – or in the case of Victoria and Paddington – within the respective Opportunity Area.**
- c. **Off-site elsewhere within the CAZ.**
- d. **Payment of an appropriate Payment in Lieu to the Affordable Housing Fund equivalent to the net gain in B1 office floorspace (above the 30% threshold).**

We welcome the clarity provided in the above proposals as to the cascade approach that will be adopted by Westminster City Council when determining applications which do trigger the provision of new residential floorspace.

We would however refer Westminster City Council to our comments under point 1, particularly our position that the revised policy could go still further and clarify that some areas of the City of Westminster are significantly less appropriate than others for residential use.

We are also concerned that, where there is an uplift of more than 50%, there is an expectation that new residential accommodation will be provided on-site. We believe that in many circumstances, the different type of use and expected standards of residential accommodation may be incompatible with commercial use.

We would ask that further thought is given to introducing greater flexibility on this point. This would continue to incentivise the delivery of additional commercial floorspace and meet the targets set out in the draft policies.

- 4. In Core CAZ, Named Streets or Opportunity Areas, where changes of use from office to residential and / or replacement of office floorspace with residential floorspaces are acceptable in principle according to existing policies, the net increase in residential floorspace will be accompanied by an appropriate amount of commercial floorspace and / or social and community floorspace, except where:**
- a. **The net increase in residential floorspace is less than 400m²; or**
 - b. **In the case of changes of use from office to residential, the building was originally built as residential and the building is substantially retained.**

Where proposals increase the amount of floorspace by more than 50% of the original building and more than 400m², net increases in residential floorspace will be accompanied by an equivalent amount of commercial and / or social and community floorspace.

The commercial and / or social and community floorspace can be provided on-site, off-site or by the drawn down of mixed use credits or by an appropriate payment in lieu to the City Council's Civic Enterprise Fund. These options will not apply where an active frontage is required at ground floor level, which must be provided on site.

We welcome the proposed requirement that uplifts in residential floorspace of 400m² will require an appropriate accompanying amount of commercial or social and community floorspace.

We would ideally prefer the 400m² threshold to be lowered and a further incentive introduced to facilitate the provision of smaller floorplates to house small-scale start-ups. However, we also recognise the need for consistency in applying the 400m² threshold as per the earlier proposed policies.

We do retain concerns about the proposed exemption for buildings which were originally built as residential. There are some areas that are now predominantly commercial in character, but were originally built as residential. These could be badly impacted by the proposed policy. This particularly applies to former residential properties which may now host and be appropriate for the provision of smaller commercial floorplates.

Westminster City Council may therefore wish to undertake further work to identify those areas where further protections may be necessary.

Article 4 Direction

We have noted with interest the new proposal to introduce an Article 4 direction for the Core Central Activities Zone, with effect from July 2016.

We recognise that this is wholly necessary in order for Westminster City Council to retain control over office to residential conversions in the face of recent statements and indications from the Department for Communities and Local Government that they are considering further relaxations to changes between use classes.

We therefore believe that the proposed new safeguard would help protect the City of Westminster against any potential future changes at national level to deregulate such applications, which we believe would come at the expense of the economic vitality of the nation's economic heartland.

Conclusion

In conclusion, we welcome both the proposed new restrictions on the loss of commercial space and the incentives to deliver more commercial space outlined in the consultation, particularly given the ongoing buoyancy of the residential market.

We believe that policy could be strengthened in relation to the conversion of premises that were originally residential back to their original use. There are certain streets that were originally residential when built in the 18th or 19th Centuries that would be inappropriate for conversion back to residential use, due to the loss of small office floorspace that would result. We would suggest such streets should be identified and exempted from this policy.

For the attention of: Lisa Fairmaner

Consultation: Consultation on Westminster's Mixed Use Revision to the City Plan

Dear Lisa,

Thank you for your correspondence dated 16 July 2015 inviting Highways England to be involved in the above consultation process.

Please note that as from the 1 April 2015, the Highways Agency is now Highways England. Please amend any references in the document(s) accordingly.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have reviewed and have no comments on this occasion.

Thank you again for consulting with Highways England and we look forward to working with London's local authorities.

Sent on behalf of Stephen Hall (Asset Manager) at Highways England.

Many thanks

Anup Shrestha, Admin Officer

1st Floor, Bridge House, Walnut Tree Close, Guildford, GU1 4GA

Tel: [REDACTED]

Web: www.highwaysengland.co.uk



Historic England

Policy and Strategy
Westminster City Council
19th Floor, City Hall
64 Victoria Street
London
SW1E 6QP

9 September 2015

By email: planningpolicy@westminster.gov.uk

Dear Sir/Madam,

Mixed Use Revision to Westminster's City Plan: Publication draft

Thank you for consulting Historic England on the proposed revisions to the Westminster City Plan relating to Mixed Use. As the Government's adviser on the historic environment, and a statutory consultee on Strategic Environmental Assessment, Historic England is keen to ensure that conservation and enhancement of the historic environment is fully taken into account at all stages and levels of the Local Plan process.

Accordingly we have reviewed this consultation in the context of the National Planning Policy Framework (NPPF) and its core planning principle that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Our specific comments on the document are attached. In some cases we have suggested small changes to assist the Council in aligning the plan more closely with the NPPF, and the requirement to set out a positive strategy for the historic environment (paras 126 and 157(7) of the Framework). We would be pleased to discuss any of these points with you.

As a general comment we consider there is a need to define 'character' more clearly in the context of the local plan revisions to ensure consistency of interpretation. Historic England has previously suggested that Westminster completes a characterisation report to allow the contribution of the historic environment to be better understood spatially across the borough. Such information would greatly assist in the preparation of site specific and development management policies, as well as providing a clear basis for strategic policy references. We understand that a borough-wide approach is not practicable at this stage. It would be helpful for the strategic policies document to include a definition of character



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Correspondence or information which you send us may therefore become publicly available.



Historic England

at the beginning, referring to the positive contribution of the historic environment to character.

We do not wish to make detailed comments on the Integrated Impact Assessment (IIA) report. However, in our response to the IIA scoping report dated 31 July 2014 we recommended that the objective for cultural heritage be adjusted to better reflect the requirements of the NPPF by reading: *'To conserve and enhance the significance of heritage assets and their settings'*. We also recommended references to a number of relevant publications, including the Good Practice Advice in Planning Notes 1, 2 and 3 relating to the historic environment.

Lastly, these comments should be understood in the context of a partial review of Westminster's local plan document covering strategic policies. We may wish in later consultations to review how the policies as a whole work together and identify areas in this and other policy documents which may require further consideration to ensure the plan operates favourably as a whole for the historic environment, in accordance with the NPPF.

I hope this response is helpful to you. We look forward to further discussions with you in relation to the other policy areas of the plan in due course.

Yours faithfully,



Katharine Fletcher
Historic Environment Planning Adviser

E-mail: [Redacted]

Direct Dial: [Redacted]



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Specific comments on the Mixed Use Revision document

Part II: A Unique City

The Local Context, pp2

Para 2.1 – Westminster at the Heart of a global city

Westminster's heritage is a key to the borough being one of the most recognised around the world, and is a positive attractor for business and residents alike. The proposed changes to this paragraph could result in an imbalance without the role of heritage as a positive asset being more clearly embraced. To provide the necessary clarity and balance, in accordance with the definition of sustainable development, we recommend that changes along the following lines are incorporated:

- Amend the third sentence to 'Westminster is *the historic heart of the capital*, the seat of government and the Monarchy ...'
- Amend the final sentence to '*Westminster's outstanding historic environment is integral to this success; many of its attractions, functions and heritage assets, both in the West End and beyond, are emblematic of London itself.*'

Paras 2.4 to 2.16 – these paragraphs provide contextual information under the headings of Westminster's economy, residents, health and well-being and an environment fit for a World City. We recommend that the last section on the environment refers also to Westminster's exceptional heritage, including its World Heritage Site. This would then provide a strong link into the statement in 2.16 'The city of Westminster is therefore unique and requires a bespoke planning framework ...'. It would also place the historic environment very clearly within the bracket of environmental issues as set out in the NPPF definition of sustainable development (para 7). In suggesting this we do recognise the important later section relating to heritage; a brief addition here would be helpful to make the point.

Westminster's issues and challenges

Accommodating Strategic Land Uses within a Unique Central London Mix, p4

New para 2.21 – The highly positive role of Westminster's historic townscape should be acknowledged here as a key aspect of the special character of local areas. The synergy between historic townscape and vibrant mixed use is both a positive opportunity and a challenge. The prestige of Mayfair and Soho, for example, is inseparable from their townscape quality and heritage significance. To take this forward we recommend the following amendments:





- Opening sentences: ‘...contains a mix of uses and activities, *often within historic townscape settings* that is unique both in London and the World. *This complex mosaic of uses and attributes* gives Westminster its vitality, character and role within London as a world city.’
- Fifth sentence: ‘This mix not only makes Westminster’s Central Activities Zone unique, but *it works well with the historic significance of the townscape*, helps to give the area human scale *and enhances* the experience of the city from street level’

Part III Local Spatial Policies

Central Activities Zone, pp9

Policy S1 Mixed Use in the Central Activities Zone, and supporting text -

It is especially important to be clear in this section that ‘character’ is not only a function of land use. An additional sentence to the end of para 3.1 could help with this. For instance: ‘...This mix creates the unique character of Westminster’s CAZ that makes it so different from any other part of London and unique in the world. *The important character and significance of many buildings associated with these diverse uses is recognised by heritage designations such as conservation area and listed building status*’.

Westminster’s theatres, cinemas, museums, galleries, public houses and shops referred to in para 3.24 provide an illustration of the strong link between uses and heritage assets; this is particularly evident in the case in the special policy areas where either through architectural design, or longevity of specialist uses heritage assets and use are inextricably associated.

Within policy S1, it will be important that references to character are understood to go beyond land uses, and that the policy operates positively in conjunction with Westminster’s historic environment policies. We are aware that these are currently under review and we hope that this relationship will be carefully considered as part of the Council’s positive strategy.

Core Central Activities Zone, pp14

We strongly support the added reference to historic significance within the reasoned justification to policy S6. It would be suitable to consider integrating this into the new bullet point in the amended policy, for instance:

- ‘Supporting strategically important clusters of uses consistent with enabling the growth and evolution of places to ensure the global reputation of the area as a business location is retained and enhanced, *while sustaining the historic character of Westminster*’





Historic England

Part IV: City-wide spatial policies

Housing provision

Historic England strongly supports the references to protecting the fine-grained mix of uses in para 4.4 since these are especially associated with historic buildings and are vulnerable to amalgamation or erosion. We also welcome the commitment in 4.4 to ensuring Westminster's strategic objective for heritage is not compromised in the process of accommodating growth.



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Dear Planning Department,

I would like to make some comments about the proposed revisions to the Mixed Use policy and Basement excavation policy.

In terms of basement excavations and story additions, I don't think that this should be allowed for listed buildings. Our street (Sutherland Place) has very old houses - from the early 1850s and all the building works in the area are causing cracks and structural problems.

For building works that are allowed, I feel that the working hours allowed need to change. They shouldn't start any noisy works (ie drilling) before 9.30am during the week and 12pm on Saturdays (if Saturdays should be allowed at all, which is debatable). Many people in the area either work from home, have a disability, are retired, or work different shifts from a regular 9-5 workday, which means that loud drilling noises are extremely disturbing to many residents. The laws that stipulated allowed working hours were devised before the advent of electric drills and other loud machinery. Therefore, I feel the hours need to change, based on what is best for the local community. Saturday morning used to be a good time for builders to work as most people were out doing their shopping; whereas now, most people try to catch up on their sleep from the week on Saturday mornings and do their shopping in the afternoon, or on Sundays.

There should be penalties for building sites that cause disturbing noise, and especially is this is early in the morning.

In regards to your mixed use policy amendment, I wholeheartedly agree that there needs to be an improvement in the mix of types of properties, as there are too many property developers building more luxury flats than other, more needed buildings. I don't think that buildings should be allowed to change usage unless there is a compelling reason for this. And Westminster needs to make sure that there are enough commercial premises, so as to serve the residents in an area. Where I live, in Bayswater, there are less and less useful shops than there used to be, so this needs to be addressed as well. On Westbourne Grove, there are now too many fancy furniture shops and restaurants and not enough basic food shops or other useful amenities for residents.

In terms of housing, there should be a law that says for every new housing development, there needs to be a certain percentage (25%?) of affordable housing built. Although at the moment it seems there too many residential properties and not enough commercial/community ones. The other issue I wanted to mention was that many fine artists are being forced out of their studios in the city, as their studio buildings get turned into apartments by property developers. This is unethical as well as bad for the city, as artists bring a richness to London, even though they don't necessarily bring profits. Because so much of the property market is profit-driven, Westminster needs to make sure that artists as well as other non-profit types of activities are encouraged to thrive. It would be really helpful if Westminster provided subsidised buildings for artist studios like they do in other major cities, such as Berlin. Most artists are being priced out of London and the ones in London are barely surviving, and many aren't even able to rent studios anymore.

The ability for property developers to change the usage of buildings is part of the problem. A certain amount of buildings in the city need to be designated as fine artist studios, so that this doesn't continue to happen.

I'd be interested to be kept updated about this consultation.

Thank you for letting me share my views.

Kind regards,

Katherine Lubar

Your ref

Our ref PM

Ben Smith Esq
Policy and Strategy
19th Floor Westminster City Hall
64 Victoria Street
London
SW1E 6QP

By email - planningpolicy@westminster.gov.uk



9 September 2015

Dear Mr Smith

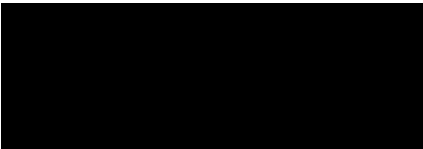
Westminster Core Strategy Regulation 19 Consultation - Mixed Use Revision

Land Securities is a FTSE 100 company and the largest Real Estate Investment Trust (REIT) in the UK on the basis of equity market capitalisation with a combined portfolio market value of £14 billion. We have an established track record as one of the foremost property developers in the UK and have a number of development projects within the City of Westminster.

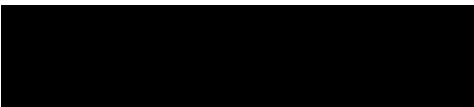
We welcome the opportunity to comment on the revisions to the Mixed Use policy within Westminster Core Strategy. We have reviewed and contributed to the Westminster Property Association response and endorse the content of their submission. Like WPA we support the principle and sentiment underlying the proposed changes to mixed use policy set out within the proposed Revision. The principle of encouraging commercial development within the CAZ is strongly encouraged and supported. We would however encourage the City Council to fully consider and incorporate WPA's suggested amendments to the draft policy.

We trust this representation is helpful and we would be happy to meet to discuss it in more detail should that be of interest.

Yours sincerely



Oliver Gardiner
Head of Development
London Portfolio



GREATER LONDON AUTHORITY

Development, Enterprise and Environment

Lisa O'Donnell

City Planning
11th Floor
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Our ref: [REDACTED]

Date: 26 August 2015

Dear Ms O'Donnell,

**Planning and Compulsory Purchase Act 2004 (as amended);
Greater London Authority Acts 1999 and 2007; Town and Country Planning
(Local Development) (England) Regulations 2012**

**Re: Consultation on Basement Revision to Westminster's City Plan: Strategic
Policies: Publication Draft (Regulation 19 and Regulation 21); and Mixed
Use Revision to Westminster's City Plan: Strategic Policies: Publication Draft
(Regulation 19 and Regulation 21)**

Thank you for consulting the Mayor of London on the proposed revisions to Westminster's City Plan listed above. As you are aware, all development plan documents have to be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. In this instance the Mayor has delegated authority to me to respond and his representations are set out below.

On 06 March 2015 the Mayor provided initial comments on the Booklet 18 (Mixed Use and Office to Residential Conversions) reference LDF33/LDD35/EK/02. The Council has responded positively to a number of matters raised as part of that process. It is my opinion that the publication draft documents for the Basement Revision and the Mixed Use Revision are in general conformity with the London Plan. However, there are some strategic policy concerns which I set out below along with representations to clarify and improve policy areas.

Basement Revision

The Council's approach to basement development is supported. The policy would benefit from further guidance on the thresholds for 'large' and 'small' sites and how a developer or owner can determine the original use of the building. Diagrams would be useful to illustrate the policy set out in criteria 1.

Criteria 4 and 5 which seek to protect gardens and trees are in line with London Plan policies 3.5 and 7.21. The Mayor has a target to increase tree cover by a further 5 percent by 2025. This is in part to help address urban heat island effect and climate change adaptation in line with London Plan policies 5.9 and 5.10.

In addition to encouraging energy efficient ventilation policy CM28.1 should encourage energy efficient lighting, and natural lighting where possible and appropriate.

It would be useful to note the specific role of SUDs to reduce the peak rate of run-off as well as other potential combined benefits such as improved biodiversity and urban greening.

It would be beneficial to extend the protection of the amenity of neighbours to the occupation stage, encouraging developers to consider the location of pumps and fans that may be required to ventilate a basement so as not to create noise nuisance.

In regard to transport issues, policy text should be amended to recognise the different approaches adopted in regard to borough roads and the Transport for London Road Network (TLRN). Further detail on this issue is provided in Appendix 1.

Mixed Use Revision

Policy S1 Mixed Use in the Central Activities Zone

Policy S1 sets out a policy cascade for determining the appropriate way that that a relevant development should provide residential floorspace. Part C iii. of the policy requires the residential floorspace to be provided in off-site within the CAZ. It states ‘...The housing provided must be greater and of a higher quality than would be possible under i. or ii. above.’ The Council should clarify in the plan what ‘*greater and of a higher quality*’ means in practice for this policy requirement.

As highlighted in my representation of the 6 March 2015, part D ii. of Policy S1 could further erode the supply of small office space in Westminster contrary to the intention of London Plan Policy 4.3Bc by incentivising the change of use of offices in building originally built as residential. Former residential building can provide a valuable supply of lower cost office accommodation due to their suboptimal layout for office use. It is appreciated that it may not be practical to require on-site provision of commercial floorspace for the change of office use in former houses to residential use. However, requiring offsite provision of commercial floorspace or use of a mixed use credit would be practical, and it would level the policy requirements for the change of use of offices that are in different building typologies.

The final paragraph of Policy S1 (copied below) provides a choice of options for meeting the requirement to provide commercial and /or social and community floorspace.

‘The commercial and/or social and community floorspace can be provided on-site, offsite or by the draw down of mixed use credits (Policy CM47.2) or by an appropriate payment in lieu to the City Council’s Civic Enterprise Fund. These options will not apply where an active frontage is required at ground floor level, which must be provided on-site.’

The likely default option for an applicant will be to make a payment in lieu to the Council’s Civic Enterprise Fund rather than provide floorspace on or offsite. The fund assists in the creation of new ventures that support economic development in Westminster. However, on-site and offsite commercial and/or social and community floorspace will better meet the objective of the policy to maintain a broad mix of uses in the CAZ than a payment to the fund which may be used outside the CAZ. Thus the policy options should be presented as a cascade similarly to part C, with the preferred option being on-site provision, then offsite, then a draw down of mixed use credits, and finally where none of these options are practical by an appropriate payment in lieu to the City Council’s Civic Enterprise Fund.

The diagram in the Policy Application section of Policy S1 is useful for explaining a complex policy. However, it would be helpful to show examples for the development of existing mix use buildings and office buildings.

Policy S6 Core Central Activity Zone

The third bullet point of Policy S6 states:

‘Within the West End Stress Area, new entertainment uses will only be allowed where the council considers that they are small-scale, low-impact and they will not result in an increased concentration of late-night uses.’

This policy is overly restrictive and anti-competitive given that the introduction of a single new late-night use in the area would result in an increase in concentration, and thus would be restricted by the policy. As stated in my earlier representations (Ref LDF33/LDD35/EK/02) on the West End Booklet, the area is a strategic location for night-time as well as evening uses. To support London’s night-time economy there will be a 24 hour tube service over weekends from September 2015. The West End will be at the centre of the new ‘night tube’ network, which will bring a greater demand for, and opportunities to provide, an increased supply of night-time entertainment destinations in the West End.

It is understood that the Council intends to revise its policy approach to the West End in the near future. Westminster’s Local Plan should recognise the regional and national importance of night-time uses (10pm to 6am¹) in the West End, and plan positively to support these uses, particularly for the strategic clusters of night-time uses around Soho/Leicester Square/Covent Garden in accordance with London Plan Policies 2.11 Ae and 4.6.

The mixed use approach to the Millbank Strategic Cultural Area is welcome, particularly the references to including affordable business floorspace, workshops and studios.

The reference to the importance of art galleries in Mayfair and St James’s and the growth of men’s fashion retail in paragraph 4.20 is welcomed as these both are areas that the Mayor’s Culture Strategy has identified as a priorities.

Policy S18 Commercial Development

The change in policy approach to make commercial and other non-residential activities the priority use in the Core Centre Activities Zone in response to Council’s monitoring evidence base is supported.

Policy S20 Offices and Other B1 Floorspace

The policy sets a target of providing additional floorspace capacity for 58,000 new jobs between 2016/17 and 2036/37. The basis of this target is explained in footnote vii on page 26. The policy should clarify that the target is for office jobs so it is not confused with the total new jobs target set in Policy S18. In addition it would aid clarity if the footnote referenced which figures have been used from the London Office Policy Review 2012 Update for calculating the target.

¹ For the purposes of transport planning TfL have used 10pm as the beginning of the night-time, continuing through to the beginning of operations the following morning (5/6am). Source: TfL 90993 – Impact of the Night Tube on London’s Night-Time Economy Report September 2014, paragraph 4.3.

The end of the first paragraph in the reasoned justification for Policy S20 states:

‘Losses of office to other commercial or social and community uses are acceptable as they likewise contribute to the commercial activity in the area.’

Other commercial uses could include hotel use. The Council is reminded that hotel uses are not appropriate everywhere in the CAZ. London Plan Policy 4.5 London’s Visitor Infrastructure part C states:

‘...within the CAZ strategically important hotel provision should be focussed on its opportunity areas, with smaller scale provision in CAZ fringe locations with good public transport. Further intensification of provision in areas of existing concentration should be resisted, except where this will not compromise local amenity or the balance of local land use’

Appendix 4: Windfall Development

The second paragraph on page 36 and the following table states that small schemes of less than 10 units make up about 44% of additional residential units completed in Westminster. The Council should check its calculations are correct as the total number of <10 unit schemes is shown in the table as 3,283, and total number of all conventional housing units is given as 10,051. Thus the <10 unit schemes make up 33% of additional residential units completed in Westminster rather than 44%.

If you would like to discuss any of my representations in more detail, please contact Elliot Kemp ([REDACTED]) who will be happy to discuss and arrange a meeting.

Yours sincerely,

[REDACTED]

Stewart Murray
Assistant Director – Planning

cc Kit Malthouse, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Alex Williams, TfL

Appendix 1: Transport for London comments for Proposed Basement Planning Policy

Policy	Original Text	Proposed Text (new / additional text in red)	Reason
<p>CM28.1</p>	<p>Basement development to existing residential buildings or buildings originally built for residential purposes will:</p> <p>1.b) leave a margin of undeveloped garden land proportionate to the scale of development around the entire site boundary with the exception of one elevation adjacent to the public highway where the basement may extend beneath the public highway provided it satisfies the requirements set out in paragraph 10 below.</p> <p>....</p> <p>10. where constructing new basement development under the adjacent highway;</p> <p>a) retain a minimum vertical depth below the footway or carriageway of 900mm; and</p> <p>b) not encroach more than 1.8m under any part of the adjacent highway.</p> <p>11. where extending or strengthening/improvement works to existing basements horizontally under the highway;</p> <p>a) maintain the existing depth below the footway or carriageway to ensure no loss of existing cover level above a vault; and</p>	<p>Basement development to existing residential buildings or buildings originally built for residential purposes will:</p> <p>1.b) leave a margin of undeveloped garden land proportionate to the scale of development around the entire site boundary with the exception of one elevation adjacent to the public highway where the basement may extend beneath the public highway (other than where the highway forms part of the Transport for London Road Network [TLRN]) provided it satisfies the requirements set out in paragraph 10 below.</p> <p>....</p> <p>10. where constructing new basement development under the adjacent (non-TLRN) highway;</p> <p>a) retain a minimum vertical depth below the footway or carriageway of 900mm; and</p> <p>b) not encroach more than 1.8m under any part of the adjacent highway.</p> <p>11. where extending or strengthening/improvement works to existing basements horizontally under the highway;</p> <p>a) maintain the existing depth below the footway or carriageway to ensure no loss of existing cover level above a vault; and</p> <p>b) not be permitted where the existing basement already extends 1.8m or more under the highway.</p> <p>Applicants will demonstrate that they have taken into account the site-specific ground conditions, drainage and water</p>	<p>To recognise the different approaches adopted in regard to borough roads and the TLRN, and the separate routes to gaining consent for work affecting those highways, or infrastructure.</p> <p>TfL do not support new non (TfL / transport) operational excavation / development beneath the TLRN and the policy needs to clearly relay that.</p>

	<p>b) not be permitted where the existing basement already extends 1.8m or more under the highway.</p> <p>Applicants will demonstrate that they have taken into account the site-specific ground conditions, drainage and water environment(s) in the area of the development and that the basement development will:</p> <ol style="list-style-type: none"> 1. safeguard structural stability of the existing building, nearby buildings and other infrastructure; 2. not increase or otherwise exacerbate flood risk on the site or beyond; and 3. be constructed so as to minimise the impact on neighbouring uses; the amenity of those living or working in the area; and on users of the highway. <p>All applications will be accompanied by a detailed structural methodology statement and appropriate self-certification by a suitably qualified engineer with separate flood risk assessment where required</p>	<p>environment(s) in the area of the development and that the basement development will:</p> <ol style="list-style-type: none"> 1. safeguard structural stability of the existing building, nearby buildings and other infrastructure including the highway and railway lines / tunnels; 2. not increase or otherwise exacerbate flood risk on the site or beyond; and 3. be constructed so as to minimise the impact on neighbouring uses; the amenity of those living or working in the area; and on users of the highway. <p>All applications will be accompanied by a detailed structural methodology statement and appropriate self-certification by a suitably qualified engineer with separate flood risk assessment where required.</p> <p>Applications adjacent to or affecting the Transport for London Road Network (TLRN) or public transport infrastructure shall have regard to advice available at www.tfl.gov.uk. Development on land within the land identified for Crossrail 2 Safeguarding shall be subject to consultation with TfL as defined in the Safeguarding Directions (2015), for which further advice is available at http://crossrail2.co.uk/ .</p>	
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FAO: Lisa Fairmaner,

Dear Ms Fairmaner,

Thank you for your correspondence in respect of the Habitats Regulations Assessment (HRA) Screening for the Publication Draft Mixed Use Revision and Basement Revision to Westminster's City Plan, this is much appreciated.

Having taken a look at the Habitats Regulations Screening as submitted for this revision to the Westminster City Plan the only comments Natural England would wish to make would be as follows. Given the search area for the HRA was 10km it would have made sense to also include and consider the Lee Valley SPA and Ramsar site which does fall well within 10km of the borough boundary. Additionally the "Essex Thames Estuaries SPA" is an incorrect naming of the site(s). The Thames Estuary & Marshes SPA and Essex Estuaries SAC appear to have been combined when these are two different Natura 2000 sites.

Other than the above points the conclusion that no further assessment is required doesn't cause an issue for Natural England.

I trust that this is sufficient for your purposes, and thank you again for keeping Natural England advised as to the progress of the Mixed Use Revision and Basement Revision to Westminster's City Plan.

Regards,

Piotr Behnke
Adviser
Sustainable Development and Regulation
Thames Valley Team

Natural England,

Date: 28 August 2015
Our ref: [REDACTED]
Your ref: Westminster's City Plan



Lisa Fairmaner
Westminster City Council
19th floor, City Hall
64 Victoria Street,
London SW1E 6QP

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

planningpolicy@westminster.gov.uk

Dear Ms Fairmaner,

**Mixed Use Revision to the Westminster's City Plan: Publication Draft
Article 4 Direction for Office to Residential Conversion in the Central Activities Zone**

Thank you for your consultation on the above dated 16 July 2015 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England does not consider that this consultation poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.

The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

Victoria Kirkham
Consultations Team

Dear Sir/Madam

Thanks for your e-mail of 16.7.15 in regard to the proposed Mixed Use Revision to Westminster's City Plan Consultation.

We have reviewed your proposals and can confirm that the ORR has no comment to make on this particular document.

For future reference ORR only requires to be consulted if the minerals & waste plan, transport plan, planning application, core strategy etc mentions or impacts on the mainline railway, tramway or London Underground network.

Kind regards

A Harrison
Planning Executive

Office of Rail and Road

Consultation July 2015: Revision Westminster City Plan: Strategy Policies
Mixed Use Revision /Regulation 19

Pimlico Grid Residents' Association offers the following for the Council's consideration regarding the above consultation:

Ensure that a review of this policy's impact is undertaken after several months of operation to assess, monitor and adjust policy if needed to attain the desired balance of residential units to commercial and business units. Attention should be given to an area- by-area analysis to assess any unsavoury changes within small village-like locations of the wider Westminster, e.g., Pimlico;

Ensure that affordable housing and rents are delivered within Westminster for those hard-working individuals who need strategic, Central London location for their work;

Protect open, green spaces to ensure that heritage, health and well-being of local residents and the area are not compromised in the Council's drive for further commercial development;

Ensure that housing density does not compromise the already existing local quality of life by robbing light from residential properties, recreational areas or heritage locations or by damaging and/or destroying trees and grassy areas required to maintain sound mental and physical well-being for city residents.

Westminster City Plan: Strategic Policies Consultation
Mixed Use: Integrated Impact Assessment

Pimlico Grid Residents' Association offers the following for the Council's consideration regarding the above document.

ACCESS TO OPEN SPACES

Table 2: Integrated Impact Assessment Framework
Number 15 of this table asks two questions which may create serious contradictions.

Question 1: Will it improve open space?

Question 3: Will it improve access to open space?

We would suggest the removal of Question 3 since "improving access to open space" can be done in ways that will actually destroy or damage the open space. If open space is readily accessible via a short walk from a nearby tube or a brief cycle journey from a nearby cycle route, the "access to the open space" should be considered ample and not in need of further improvement, particularly, if improving access to the open space in any way alters the amenity of the open space by removing its light, trees, green grass or impacting on other exercise facilities of the space.

In fact, we would argue that a cycle ride via an already available route or short walk from a local tube station to the open space actually enhance the overall well-being of the visitor to the open space by adding an added dimension of physical exercise.

Dear Sir/Madam,

I am writing to confirm that I agree with the proposals and aims detailed in the Mixed Use Revision document. I am an owner of a small business in W1, and it is very important that the area does not become predominately residential floorspace, as this would result in my losing a great many of my customers, and make my business less viable.

Yours faithfully,

Raymond G Davis
(Owner of The Burlington Arms, 21 Old Burlington Street).

Planning and Borough Development
Kensington Town Hall, Hornton Street, LONDON, W8 7NX

Executive Director Planning and Borough Development
Mr Graham Stallwood



THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

Lisa Fairmaner
Policy and Strategy
Westminster City Council
11th Floor, Westminster City Hall
64 Victoria Street
London SW1E 6QP

Sent by email: planningpolicy@westminster.gov.uk

My reference: Revisions to Westminster's City Plan: Strategic Policies – Mixed uses

Please ask for: Chris Turner

23 July 2015

Dear Mrs Fairmaner

Revisions to Westminster's City Plan: Strategic Policies – Mixed Uses

Thank you for the opportunity for the Royal Borough of Kensington and Chelsea (RBKC) to respond to Westminster City Council's (WCC) **City Plan: Strategic Policies: Mixed Use Revision** Regulation 19 Consultation. Please find the comments from RBKC below in advance of the deadline of 5pm on 9th September 2015.

Duty to Cooperate

These comments are made in light of the statutory Duty to Cooperate which places a legal duty on Councils to engage "constructively, actively and on an on-going basis" in "maximising the effectiveness" of Local Plans relating to "strategic matters" which may impact on at least two planning areas including in connection with infrastructure which is strategic¹. The Duty applies to activities relating to the preparation of 'Local Plan' documents and supporting activities, so far as relating to a strategic matter. It is considered that the revised Westminster City Plan Mixed Uses Policies must be prepared in accordance with the Duty for these reasons. Within London, the National Planning Practice Guidance (NPPG) on the Duty to Cooperate considers that the extent of any cooperation required will depend on the extent to which strategic issues have been addressed in the London Plan².

In light of this, the Council would welcome the continued engagement and dialogue.

¹ S331 Planning and Compulsory Purchase Act 2004; NPPF paragraphs 156; 178-181; NPPG Duty to Cooperate

² Paragraph 007

Direct Line: [REDACTED]
[REDACTED] gov.uk
Web: www.rbkc.gov.uk

Notifications

The Council formally requests to be notified of any of the following:

- That any or all of the revisions have been submitted to the Secretary of State for independent examination;
- The publication of the recommendations of any person appointed to carry out an independent examination of any or all of the revisions; and
- The adoption of any or all of the revisions.

Aside from this we have no further comments on the review at this stage. We look forward to being consulted further as the review progresses.

I trust you will find these comments useful. If you have any queries regarding the Council's response, please do not hesitate to contact my colleague, Chris Turner.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'JWA', with a long horizontal flourish extending to the right.

Jonathan Wade

Head of Forward Planning
Planning & Borough Development

SohoCreate
6 Brewer Street
London W1F OSD

August 8th 2015

Dear City Planning Department

Views on Revisions to Westminster's City Plan July 2015

Please consider the following as our formal comments on this consultancy. I confirm that we are happy for these views to be made public as part of the consultancy.

About SohoCreate

SohoCreate is a creative festival celebrating Soho's extraordinary creativity. It is the biggest collective conversation on creativity in the country. The festival takes place at events throughout the year all coming together in early June in the most creative square mile in the world. Now in its third year, SohoCreate, with the support of Westminster City Council, is expanding out onto the streets of Soho and is now working much more closely with businesses. SohoCreate is about to launch SohoConnect, which will –

- 1 Grow productivity by ensuring Soho companies have access to the best ideas and people.
- 2 Grow innovation by improving the connectivity between Soho creative businesses.
- 3 Grow success by linking commercial industry with public policy and marketing.

SohoCreate is a private ltd company supported by ad sales and sponsorship with investors based in London and Canada. Investors include Westminster City Council.

SohoCreate Advisory Committee members are –

- Sir John Hegarty – SohoCreate Chairman
- Jude Kelly CBE, Artistic Director South Bank Centre
- Rupert Gavin, Chairman Historic Royal Palaces
- Nick Allot OBE, MD Cameron Mackintosh Ltd
- Malcolm Gerrie, CEO Whizzkid Entertainment
- Sir Peter Bazalgette, Chairman Arts Council England
- Russel Norman, Restaurateur
- Brett Rogers OBE, Director Photographers Gallery
- Sue Walter, CEO Hospital Club
- John Sorrel, Chair University of the Arts and Creative Industry Federation
- Sally Green OBE, CEO Old Vic Productions, Proprietor Ronnie Scotts.
- Brian Clivaz, Owner and Restaurateur

Soho as a creative, cultural and economic engine.

Soho's creative credentials began 450 years ago when the first Huguenot refugees and crafts people were welcomed to this neighbourhood in the heart of London. Its creative life has been well documented, from the early performances of Jagger, Hendrix and Daltry to the birth of Spandau Ballet; from the place Dickens wrote Tale of Two Cities to the place television was invented. Soho's creative companies now win an average of two Oscars a year and are responsible for 20% of London's new creative jobs. Their collective turnover is £7.5billion, and creative industry workforce numbers are 46,000.

Views

Vision

We welcome the evolving focus on the City Plan. It now gives suitable prominence to the extraordinary commercial businesses that are the life blood of London. It now acknowledges the thriving business clustering existing here and the weight and breadth of their contribution to the economic and cultural life of the City. It is much more celebratory of the contributions made by business in Soho, the West End and beyond, rightly acknowledging the positive impact of the entertainment and creative businesses both locally and globally.

We are proud to see the outputs of the creative sector being championed fully within a policy document like this and welcome the positive language being adopted.

We welcome the acknowledgment in the plan that areas such as Soho have a *'buzz and level of activity greater than primarily residential areas.'* Soho is a business district with four workers to every resident. We agree that compromise is required to maintain a successful living *and* working environment. However, at a time of high rents and squeezed margins it is important to ensure businesses are allowed to be as commercial as possible in the business district they occupy. This will be an increasing challenge as London becomes a 24 hour City.

Future

The contribution that entertainment venues make to the local economy is significant. Licensing hours are crucial to their profitability. As a future refinement to late night licensing we recommend that the cultural and developmental contribution made to the local cluster is considered. For example, a music venue with experienced staff who develop young bands, take risks, and invest back into the community, would make a much higher local contribution than a traditional night club with no development strategy. As the pressure to expand the West End entertainment offering increases, a cultural impact agenda should play a part.

Spatial Policy

We are not experts on the intricacies of current planning policy, so cannot comment on the amended percentages with the new Spatial Policy. However, we welcome the new importance given to commercial office space in the Plan.

Creative industries are the fastest growing sector in the country in turnover and job creation. Recent government figures released by the DCMS show jobs in the creative industries increased by 5.5% compared to a national 2.1% rise in employment between 2013 and 2014. At this growth rate the Soho Creative Cluster alone would deliver 2,500 new jobs per annum. The creative industries across Westminster would deliver nearly 5,000 new jobs per annum. WCC is projecting all sector combined job growth at an average of 3,850 per annum for the next 20 years. Figures suggest that the creative industries would be more than capable of delivering this figure on their own at their existing growth rates.

The fact that the Soho Cluster has lost 30,000 square metres of office space in the last five years with double that being created for mostly high end residential, has been acknowledged as a significant challenge. Clearly available, and affordable space for growth is one of the biggest limiters on job creation by the creative companies in the Soho Cluster.

We welcome the Plan's new policy guidelines to slow the loss of commercial space in the business districts, and commend WCC on their identification of the problem and the actions they are taking.

It is vital that commercial space more than meets demand if rental rates are to be restrained. Demand and supply should be monitored closely to ensure that Soho's unique creative cluster is grown and not reduced. Too little available and suitable commercial space will result in high rents that will drive creative companies out of the cluster that they have been part of developing since the 1950s. Soho is a world class cluster and the creative businesses should be encouraged by sympathetic policy where possible.

We note in Policy S1 D page 11 a good example of the protection of commercial space within the new policy. However, in Dii the policy removes the requirement to accompany increase in residential floor space with a corresponding increase in commercial floor space if –

“in the case of changes from office to residential, the building was originally built as residential and the building is substantially retained”

This precedent seems hugely problematic to us. Nearly all of Soho's unique buildings were originally built as residential. This clause would significantly undermine the new guidelines to protect office space. Despite being residential, many of the houses were also used as businesses and retail, particularly on the ground floor and basements, housing artists, writers, tailors etc. John Logi Baird perfected his

invention of television, not in a workshop, but in upstairs rooms of a house in Soho's Frith Street.

Core Central Activities Zone

We welcome the new emphasis on –

“Supporting strategically important clusters of uses consistent with enabling the growth and evolution of places to ensure the global reputation of the area as a business location is retained and enhanced.”

However, restricting new entertainment uses to small scale and low impact with no resulting increase in late night uses, runs contrary to London's impending 24 hour city status. The West End must continue to offer the best entertainment in the world, and we therefore question the restrictive wording being used in this instance.

We particularly welcome the statement –

“The unique agglomeration of commerce in this area must be protected and enhanced to ensure the economic sustainability and international reputation of this part of London. It must also be allowed to evolve, to remain vibrant and at the forefront of British culture and businesses.”

Whilst we welcome the plans to grow cultural and creative industries in the Millbank Strategic Cultural Area we note that commercial creative industries are best grown in close proximity to other more mature and successful creative companies, rather than in isolation and amongst other companies at a similar developmental and experiential level. New companies need to work with great companies to grow, not with other new companies like themselves. It would be a great loss if resource went into developing new creative companies in an area of cheaper rents in opposition to encouraging their growth and traction in amongst the existing creative cluster of world class companies.

Conclusion and recommendations

We welcome the commercial focus of the plan. It is very business friendly and recognises the importance of Soho's creative cluster in the economic and cultural life of London. The language is positive and proud which is appropriate.

We are very pleased to see WCC identifying and addressing the problem of office space loss in an assertive, constructive and inclusive manner.

We note that the licensing of entertainment venues will come under increasing pressure as London becomes a 24 hour city.

We urge caution with the plan of developing creative industries based only on the geographic availability of cheap space.

- 1. We recommend close monitoring of the change in availability of appropriate and affordable commercial space for creative industries. This should be linked to the creative industries ability to create significant new jobs in the area.**
- 2. We recommend that the current thrust of clause Dii be reviewed. As currently worded it appears to undermine much of the good intention to protect office space within the Soho Cluster.**
- 3. We recommend early discussions on the type of entertainment establishments that will be welcome due to the economic AND long term cultural impact they produce. The support and development of new talent should be a factor in the type of new entertainment businesses that should be encouraged.**
- 4. We recommend a sophisticated approach to the development of the creative industries in Westminster. Whilst all new growth initiatives are welcome, we recommend putting new companies and workers into close working proximity with existing world class companies and individuals offering a challenging commercial working environment.**

SohoCreate, it's Advisory Board and Management Board will happily take part in any discussions that can usefully finesse any of the above recommendations.

Tom Harvey MBE
CEO SohoCreate.

CONSULTATION ON WESTMINSTER'S MIXED USE REVISION TO THE CITY PLAN

Consultation ends 9th September 2015

Soho Society response

Introduction

We recognise the need to introduce controls to stop the loss of office space, particularly for small office users by conversion to residential. We also recognise the need to increase commercial floor space to help meet demand. However, we do not agree with the overall thrust of the document to reduce the amount of affordable housing that is delivered within the core West End and the CAZ. We believe that Soho and areas like it benefit from having a wide range of housing tenures and that it should not just be left to the market to provide increasingly expensive housing for sale or rent as it has done by conversions from commercial use to residential in recent years. Westminster's policies should recognise and support the role of reasonable amounts of affordable housing within the CAZ alongside private housing and continue to provide policies which incentivise some delivery within areas like Soho and the CAZ more generally. We also believe that over many generations those living long term within the CAZ have demonstrated that they can live alongside legitimate commercial uses and do not have unrealistic expectations. We recognise that better value for money in terms of the costs per unit can be achieved in other parts of the City and therefore recognise that most of the funds generated by development in the core West End will be spent elsewhere but urge very strongly that a proportion of those funds (perhaps 20 or 25%) are spent in supporting affordable housing either on site or in the vicinity of relevant developments to refresh this tenure and help contribute to balanced communities within the West End of London.

Comments paragraph by paragraph

Page 5 Para 2.22 We support the first two sentences. Third sentence delete 'without compromising business activity'.

Page 7 Point 4. Reinstate 'across all parts of the city'

Page 8 Para 2.40 In second sentence replace 'all' with 'some'

Page 10 Policy S1 B In i delete the final 'or' and insert 'Where applicants can demonstrate to the Council's satisfaction that it is not practical to provide the floor space then' Delete the final sentence of B 'It is at the applicant's discretion whether they wish to apply i or ii above'

Page 11 Policy S1 C At the end of the section add 'However, development which has the effect of removing existing residential floor space will be resisted and it will not be acceptable to replace existing housing by a payment in lieu'

Page 15 Policy S6 In first sentence delete 'complimentary'

Page 19 Para 4.8 last sentence delete 'significant'

Page 24 First Para second sentence insert full stop after 'successful' and delete rest of the sentence.

Page 25 Third Para delete 'will only' and insert point '4. Where the council considers that new residential space will add to the diversity of housing tenure and ensure a continuing balanced community'

Page 37 delete the second sentence

MB 7.9.2015

9 September 2015
Delivered by email

Policy and Strategy
19th Floor Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Dear Sirs

**CONSULTATION RESPONSE - MIXED USE REVISION TO WESTMINSTER'S CITY PLAN
(PUBLICATION DRAFT (REGULATION 19))**

The Council's mixed use policy representation consultation addresses *inter alia* the loss of office floorspace to housing in the Core Central Activities Zone, Opportunity Areas and the Named Streets.

We occasionally advise clients interested in converting offices into other uses, such as education or healthcare uses.

At the time of writing development plan policy accepts, across the majority of Westminster, such changes of use in principle. Development proposals of course still have to be assessed against the variety of other development plan policies.

The mixed use policy representation consultation does not seem to explicitly state that the Council's planning policies will continue to allow in principle, across the majority of Westminster, for changes of use from office to other non-residential uses (e.g. education or healthcare uses). Such uses of course provide important services within the city and employment.

We are grateful if the Council can clarify that the loss of offices to other non-residential uses will continue to be acceptable in principle, as per the above.

Yours faithfully

Ian Fergusson
Associate Director

████████████████████
The Charlotte Building
17 Gresse Street
London
W1T 1QL

T ██████████ turley.co.uk

B Smith Esq
Policy and Strategy
19th Floor Westminster City Hall
64 Victoria Street
London SW1E 6QP

X September 2015

Dear Barry

Westminster Core Strategy Regulation 19 Consultation - Mixed Use Revision

I write on behalf of the Westminster Property Association to submit our response to the Mixed Use City Plan revision, on which the City Council is currently formally consulting. I enclose a copy of our current membership list for your information.

As you will be aware, we have previously provided detailed comments on these matters during the previous stages of consultation, in our response to the Mixed Use Booklet (no. 18) dated 27 February 2015.

General

In broad terms, WPA strongly endorses the principle and sentiment underlying the proposed changes to mixed use policy set out within the proposed Revision. WPA strongly supports alterations to planning policy that would support the continued economic success of Westminster as the heart of a World City and as a key employment location for the UK. The principle of encouraging commercial development within the CAZ is strongly encouraged and supported.

Whilst the extent of the Core CAZ boundary does not form part of the Mixed Use Revision, WPA's view remains that Core CAZ should be extended to the wider London Plan CAZ, making the principle of commercial development acceptable across the wider CAZ area.

Policy S6 – Core CAZ

WPA supports the proposed alterations to Policy S6 that indicate that the Core CAZ is an appropriate location for a range of commercial and cultural uses, and complementary residential uses. Prioritising support for the area as a business location (first bullet) is welcomed, although we suggest that this could be made clearer, as follows:

Supporting strategically important clusters of uses consistent with enabling the growth and evolution of places to ensure that the function of the area as a globally important business location is enhanced.

It is the Core CAZ's actual function as a business and visitor location, rather than its reputation, that policy should seek to support.

The additional weight placed on the importance of commercial development within the Reasoned Justification to Policy S1 is supported for the same reason. Likewise, the proposed amendment to the Reasoned Justification for Policy S14, to remove the reference to housing as "the priority use" across the City is supported.

Policy S1 – Mixed Use in the CAZ

The amendments to Policy S1(A-C) are supported in principle. WPA welcomes the alterations proposed to the operation of mixed use policy for commercial developments.

In particular, WPA welcomes:

- (a) the relaxation in the quantum of commercial floor space that can be provided before a residential component is triggered, and
- (b) the intention that any requirement for residential floor space would be based on Class B1 office uplift only.

Cumulatively, these would provide a welcome incentive to both office development, and the development of other commercial uses, within the Core CAZ and the Named Streets.

We believe the wording of S1(B), in particular, could be simplified. We enclose suggested revised policy wording at Appendix 1. Our intention is that the effect of this policy would be identical, but that its meaning would be clearer.

The intention of the policy could also be helped by examples and we suggest some are included within the Plan. We have enclosed examples setting out our understanding of the policy at Appendix 2.

The diagram on Page 13 should be amended to clarify that it is the shaded area that should be matched by residential accommodation.

The requirement at Policy S1(C)(iii) that off-site housing must be 'greater' and 'of a higher quality' than would be possible should be amended. This goes further than current policy on use swaps, within UDP Policy COM3, which requires that such swaps be at least equivalent in terms of quantity. It is also inconsistent with draft policy CM47.1 within the document. Policy should require that replacement residential should be of an acceptable standard that meets the nationally described space standard.

A requirement to provide an increase in floor space makes off-site provision more difficult to deliver and creates uncertainty as to how much additional floor space is required. WPA suggests that the final line is amended to read **"The housing provided must be of equivalent, or greater, quantity and quality than would be possible under i. or ii. above."**

Policy S1(C)(ii) and (iii) currently require any residential requirement arising out of a commercial development within an Opportunity Area to be provided within that Opportunity Area. This would impose a more restrictive obligation on development within Opportunity Areas than would be applied elsewhere within the CAZ where, subject to satisfying the Council that any residential floor space could not be provided either on-site or in its immediate vicinity, a site within the vicinity (ii) or elsewhere within the CAZ (iii) may be acceptable. Mixed use policy within the Opportunity Areas should not be more restrictive than elsewhere in the CAZ. Instead, the same approach to the rest of the CAZ should be applied to development within Opportunity Areas to stimulate growth and economic development, particularly around major transport hubs.

WPA does not support the introduction of Policy S1(D). Policy S1(D), as drafted, would require that some replacement commercial, or social and community, floor space is provided in some cases where the conversion of offices to residential is accepted.

Policy S20 is sufficient to restrict the conversion of offices to residential. However, introducing a requirement for the re-provision of commercial, or social and community, floor space where the loss of office accommodation is accepted in principle would introduce significant additional complexity. It would generally be impractical to provide commercial development within the same building, not least because in most of the relevant cases offices would be being converted to residential. Commercial space would therefore be required on nearby sites which may not be within the control of the developer.

The policy would not provide certainty as to what amount of commercial floor space would be sought. For example, in cases where the increase in residential floor space exceeds 400sqm but the overall increase in floor space is less than 50% of the existing building there is no indication of what amount of commercial floor space is “appropriate.” The policy does not provide the clarity and certainty over the quantum and nature of replacement commercial floor space that would be required. This would lead to delay and uncertain outcomes in planning decision-making.

WPA therefore suggests that Policy S1(D) be removed.

Notwithstanding this, we suggest that, if it is retained, the final paragraph should be amended so that it is clear that the means by which the requirement for replacement floor space is addressed is at the applicant’s choice. In this case, an indication of the likely cost of contributions to the Civic Enterprise Fund should be set out within the proposed amendment.

Policy S18 – Commercial Development

The proposed changes to Policy S18 are welcomed. WPA supports the intention to include targets for additional floor space within the Core CAZ, although it is essential that these remain minima to be exceeded (as drafted) and do not become caps or limits. The reference to commercial, and other non-residential activity, being the priority land uses in the Core CAZ is strongly supported and is consistent with other proposed changes.

WPA suggests that the final paragraph of Policy S18, relating to proposals for new commercial uses “being appropriate in terms of scale and intensity of use”, should be removed, as the objectives of the policy will lead to intensification of use in some locations and commercial uses are now proposed to be the priority land use within the Core CAZ.

Policy S20 – Office and other B1 floor space

WPA supports the intention to include targets for additional floor space within the Core CAZ, although it is essential that these remain minima to be exceeded (as drafted). The relationship between the 58,000 jobs referred to in Policy S20, and the 77,000 jobs referred to in Policy S18, should be explained.

As set out in our response to the Mixed Use and Office to Residential policy booklet, WPA considers that the proposed policy restricting the conversion of offices to residential, if it is to be introduced, should be applied to the whole of the CAZ, not just to the Core CAZ, Named Streets and Opportunity Areas. This is because if other parts of the CAZ, particular in Marylebone and Fitzrovia, are excluded from this policy, the pressure for office to residential conversion in these areas – which have substantial existing office accommodation – is likely to be further intensified.

Such areas would become the only relatively central parts of the City where office to residential conversion, especially of the period buildings that predominate in large areas of them, remained acceptable. This could significantly change their existing mixed use character and local sustainability.

WPA therefore suggests that the fourth paragraph be reworded as follows:

“Inside the Central Activities Zone and the Opportunity Areas changes of use from office to residential or replacement of office floor space with residential floor space will only be acceptable where...”

WPA also supports the use of a criteria based-approach for assessing when the loss of existing employment floor space will be acceptable. Additional criteria should be introduced to give weight to the likelihood of successful office re-use, and the potential townscape benefits of redevelopment.

We suggest adding the following two additional criteria:

4. **“... The likelihood of the existing building being successfully refurbished and redeveloped for office use;**
5. **The townscape benefits of redeveloping the existing building, especially where the existing building is unsightly or visually intrusive.”**

There are likely to be circumstances, especially in secondary office locations within the CAZ, where market conditions are unlikely to support the redevelopment of an existing office building. Often such buildings may be unattractive or have adverse effects on local conservation areas or listed buildings. These criteria would ensure that there was still scope to redevelop such buildings and realise the associated potential townscape benefits.

Policy CM47.1 – Land use swaps and packages

WPA supports the continued policy support for land use swaps, and for packages across multiple sites. Criterion 3 should be clear that there should be **“no net loss overall of floorspace which is protected by other policies in the plan across the sites,”** so that the policy is clear that protected floor space can be moved from one site to another as intended.

Policy should require that any residential accommodation should be of an acceptable quality. Criterion 5 should be amended accordingly. Use swaps can potentially make more efficient use of land; their use should not be discouraged by imposing more onerous requirements on them in terms of residential quality.

Policy CM47.2 – Credits

WPA continues to endorse the principle of mixed use credits. It recognises the importance of ensuring that any credit policy is simple and effective to encourage the early delivery of appropriate development. Used appropriately, credits can be a stimulus for development.

WPA welcomes the fact sites identified on the Housing Land Supply List or with extant planning permissions are no longer prevented from establishing credits although it maintains that inclusion of a site on the Proposals Sites list should not prevent a credit for that use being formed. Inclusion on the Proposals Sites list does not, in itself, make a site deliverable. It may be that the cross-funding that can be produced by credits could actually enable that site to be brought forward and delivered in the use indicated by the plan or delivered earlier than would otherwise occur.

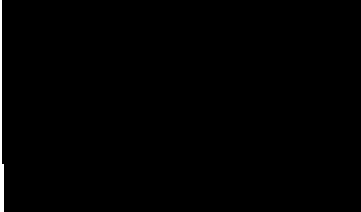
The nominal value established for the credit under A(2) should be indexed when used in a viability assessment under part B(3), to account for inflation. The value of the credit would, otherwise, erode over time.

Conclusion

WPA is grateful for the continued opportunity to engage on these key land use policies. It recognises the alterations that have been introduced since the previous consultation and continues support the broad policy direction on alterations to mixed use policy to incentivise commercial development.

If it would be helpful to discuss the content of this letter further, please do contact me.

Yours sincerely



Charles Begley
Executive Director
Westminster Property Association

Appendix 1 – WPA Suggested Replacement Policy S1

- A) No residential floor space will be required where proposals are either:
- i. outside Core CAZ, the Named Streets or Opportunity Areas; or
 - ii. within these areas and increase the amount of floor space by less than 30% of the existing building or less than 400sqm (whichever is the greater),
- B) Where proposals are in Core CAZ, the Named Streets or Opportunity Areas and increase the amount of floor space by between 30% and 50% of the existing building, and more than 400sqm, residential accommodation or an affordable housing payment should be provided.

The amount of residential accommodation required is equivalent to the lower of:

- i. The increase in B1 office floor space, less an allowance of 30% of existing B1 office floor space; or
- ii. The net increase in floor space in all uses, less an allowance of 30% of all existing floor space.

The requisite residential accommodation can be provided either:

- i. on-site;
- ii. off-site;
- iii. by mixed use credits (Policy CM47.2); or
- iv. by an affordable housing payment in lieu equivalent to the required residential accommodation (Policy XX.XX).

It is at the applicant's discretion which of i. – iv above they apply.

- C) Where proposals in Core CAZ, the Named Streets or Opportunity Areas increase the amount of floor space by more than 50% of the existing building and more than 400sqm, residential accommodation should be provided, in accordance with the cascade contained at i-iv, below.

The amount of residential accommodation required is equivalent to the lower of:

- i. The increase in B1 office floor space, less an allowance of 30% of existing B1 office floor space; or
- ii. The net increase in floor space in all uses, less an allowance of 30% of all existing floor space;

Applicants are required to demonstrate to the council's satisfaction that it is not appropriate or practicable to provide the floor space (in whole or in part) at each step of the policy cascade before they can move to the next.

- i. The required floor space will be provided on-site or in the immediate vicinity of the site.
- ii. The required floor space will be provided off-site (including through a draw down of mixed use credits in accordance with Policy CM47.2) on a site in the vicinity of the development site, including, in the case of the Victoria and Paddington Opportunity Areas, within that Opportunity Area.

- iii. The required floor space will be provided off-site (including through a draw down of mixed use credits in accordance with Policy CM47.2) elsewhere within the CAZ. The housing provided must be of an acceptable quality and a quantity equivalent, or greater, to that which would be possible under i. or ii. above.
- iv. Payment of an appropriate Payment in Lieu to the Affordable Housing Fund equivalent to the net gain in B1 office floor space (subject to the 30% development uplift threshold as above).

In demonstrating that a particular step is not practicable, site specific considerations will need to be taken into account. In demonstrating a particular step is not appropriate, considerations may include where a significantly better outcome can be achieved, in keeping with the council's mixed use objectives, by not providing the residential floor space on site."

Appendix 2 Mixed Use Policy Examples

Example 1

A 350sqm office extension is proposed to an existing office building of 1,000sqm.

The development uplift is 35% ($350/1000 * 100$).

No residential requirement is sought under S1(A) because the increase in floor space is below 400sqm.

Example 2

A 450sqm office extension is proposed to an existing office building of 1,000sqm.

The development uplift is 45% ($450/1000 * 100$).

Policy S1(B) therefore applies.

The increase in office floor space is 450sqm. From this, an allowance of 30% of the existing office area, 300sqm, is deducted ($1,000 * 0.3 = 300$). This leaves a requirement for 150sqm of residential to match the office increase.

In this scenario, the total increase under S1(B)(ii) would be the same as the office increase. In either case, 150sqm would remain to be matched by residential.

S1(B) requires that the relevant increase in office floor space be matched by residential accommodation on- or off-site, by credit, or by an affordable housing payment, at the developer's discretion.

Example 3

A 7,500sqm office extension is proposed to an existing office building of 10,000sqm.

The development uplift is 75% ($7,500/10,000 * 100$).

Policy S1(C) therefore applies.

The increase in office floor space is 7,500sqm. From this, an allowance of 30% of the existing office area, 3,000sqm, is deducted ($10,000 * 0.3 = 3000$). This leaves a requirement for 4,500sqm of residential to match the remaining office increase.

In this scenario, the total uplift under S1(C)(ii) would be the same as the office increase. In either case, 4,500sqm would remain to be matched by residential.

Under S1(C) the preference under the cascade would be for on-site residential. This could be satisfied, for example, by providing 2,250 sqm of space in the new building as residential instead of offices.

Example 4

A partial change of use to offices of a building currently principally in retail use, with some office space, is proposed:

	Existing	Proposed	Change
Retail	7,500	2,500	-5,000
Office	2,500	10,000	+7,500
Total	10,000	12,500	+2,500

The development uplift is 25% (2,500/10,000 *100).

No residential requirement is sought under S1(A) because the development uplift is below 30%.

Example 5

A partial change of use to offices of a building currently principally in retail use, with some office space, is proposed:

	Existing	Proposed	Change
Retail	7,500	2,500	-5,000
Office	2,500	11,500	+9,000
Total	10,000	14,000	+4,000

The development uplift is 40% (4,000/10,000 * 100).

Policy S1(B) therefore applies.

S1(B) / (C) provide that the residential requirement is equivalent to the lower of either the uplift in office floor space less an allowance of 30% of existing office floor space, or the uplift in total floor space less an allowance of 30% of total floor space is deducted. This is calculated as follows:

	A	B	C	D	E
Use	Existing	Proposed	30% allowance (A x 0.3)	Uplift (B - A)	Uplift less allowance (D - C)
Office	2,500	11,500	750	9,000	8,250
Total	10,000	14,000	3,000	4,000	1,000

Therefore the residential requirement is 1,000sqm, as this is lower than the equivalent office-only figure (8,250). This should be matched by residential accommodation on- or off-site, by credit, or by an affordable housing payment, at the developer's discretion.

In this example, it follows that, had the office increase been larger and the total development uplift exceeded 50%, S1(C) would have applied, rather than S1(B). The residential requirement would have been larger although still calculated on the same basis.

Example 6

A significant expansion of a building principally in retail use, with some limited expansion in office use, is proposed.

	Existing	Proposed	Change
Retail	7,500	10,000	+ 2,500
Office	2,500	4,000	+ 1,500
Total	10,000	14,000	+ 4,000

The development uplift is 40% ($4,000/10,000 * 100$).

Policy S1(B) therefore applies.

S1(B) / (C) provide that the residential requirement is equivalent to the lower of either the uplift in office floor space less an allowance of 30% of existing office floor space, **or** the uplift in total floor space less an allowance of 30% of total floor space is deducted. This is calculated as follows:

	A	B	C	D	E
Use	Existing	Proposed	30% allowance (A x 0.3)	Uplift (B - A)	Uplift less allowance (D - C)
Office	2,500	4,000	750	1,500	750
Total	10,000	14,000	3,000	4,000	1,000

Therefore the residential requirement is 750sqm as this is lower than the office uplift. This should be matched by residential accommodation on- or off-site, by credit, or by an affordable housing payment, at the developer's discretion.

Example 7

A very significant expansion of a building principally in retail use, with some limited expansion in office use, is proposed.

	Existing	Proposed	Change
Retail	7,500	15,000	+ 7,500
Office	2,500	4,000	+ 1,500
Total	10,000	19,000	+ 9,000

The development uplift is 90% ($9,000/10,000 * 100$).

Policy S1(C) therefore applies.

S1(B) / (C) provide that the residential requirement is equivalent to the lower of either the uplift in office floor space less an allowance of 30% of existing office floor space, **or** the uplift in total floor space less an allowance of 30% of total floor space is deducted. This is calculated as follows overleaf:

	A	B	C	D	E
Use	Existing	Proposed	30% allowance (A x 0.3)	Uplift (B - A)	Uplift less allowance (D - C)
Office	2,500	4,000	750	1,500	750
Total	10,000	19,000	3,000	9,000	6,000

Therefore the residential requirement is remains at 750sqm as this is lower than the office uplift. This should be matched by residential accommodation with a preference for on-site provision, or provision within the immediate vicinity, in accordance with the cascade at S1(C).

Example 7a

As at Example 7, a very significant expansion of a building principally in retail use, with some limited expansion in office use, is proposed. Some residential is now proposed, to satisfy mixed use policy.

	Existing	Proposed	Change
Retail	7,500	14,250	+ 6,750
Office	2,500	4,000	+ 1,500
Residential	0	750	+ 750
Total	10,000	19,000	+ 9,000

The development uplift is 90% (9,000/10,000 * 100).

Policy S1(C) therefore applies.

S1(B) / (C) provide that the residential requirement is equivalent to the lower of either the uplift in office floor space less an allowance of 30% of existing office floor space, or the uplift in total floor space less an allowance of 30% of total floor space is deducted. This is calculated as follows:

	A	B	C	D	E
Use	Existing	Proposed	30% allowance (A x 0.3)	Uplift (B - A)	Uplift less allowance (D - C)
Office	2,500	4,000	750	1,500	750
Total	10,000	19,000	3,000	9,000	6,000

Therefore the residential requirement remains at 750sqm, as this is lower than the office uplift.

This has been matched by the residential provided within the proposed development, in accordance with the cascade at S1(C) and there is no further requirement under mixed-use policy.

Appendix 9: Joint working

LONDON'S BUSINESS IMPROVEMENT DISTRICTS

Rt Hon Eric Pickles MP
Secretary of State
Department for Communities and Local Government
Eland House
Bressenden Place
London SW1E 5DU

10th March 2015

Dear Secretary of State,

London has a serious housing shortage – no one would deny that. But creating space for new homes should not come at the expense of the jobs and business opportunities that draw people to London in the first place. A thriving London is absolutely crucial to the improving economic performance of the UK, which is why we **37** Business Improvement Districts (BIDs) are working together to campaign on a key issue that is fundamentally threatening the vibrancy of our local high streets and is significantly damaging commercial activity across the nation's capital.

There are currently 41 BIDs in London. In 2013, when there were only 32 BIDs, BID areas included more than 7.6% of London's firms and 11.3% of London's total employment.

As part of its strategy for tackling the housing shortfall, the Government reformed the planning system to create greater flexibilities for the conversion of certain types of office space into residential property. Between May 2013, when the extension of this Permitted Development Right (PDR) was granted, and July 2014, 2,000 prior approval applications for office to residential changes of use were received in London. This is the equivalent of around 17,000 homes.

However, growing evidence suggests that this is coming at the cost of local jobs and small businesses. The Greater London Authority estimates that four million square metres of office space could be at risk because of the PDR extension, which could mean the loss of up to 340,000 jobs across the capital.

- In the London Borough of Camden, 2,500 jobs have already been lost as a result of office space being converted to homes and small businesses being 'turfed out' of the neighbourhood.
- In the City of Westminster there has been a net loss of 167,000 sq. metres of office space to other uses, 75% of which was to residential.
- Despite also being in the CAZ, London Bridge is shortly to lose Fielden House (3,500 sq. metres of office commercial space) and Capital House (4,079 sq. metres of education support facilities.) This represents roughly 700 jobs located in these spaces over 10 businesses.
- Connect House in Mitcham is being transformed into residential units at the expense of a large SME community.
- 2,705 sq. metres of office space in Burford Rd, Stratford E15, containing 23 SMEs is under threat.
- In Bermondsey, decreasing office space available means that landlords are increasing rents in what space is available, in some instances by 75%.

There is no guarantee that the additional housing created through the PDR extension is accessible to those who need it most, as there is no requirement to provide affordable housing contributions. Furthermore, developers have a financial incentive to convert the very best office space available, such as commercial property in key business hubs with good transport links and amenities. This means that the problem of vacant commercial premises will remain. And given the complex nature of ownerships and market conditions it is reasonable to assume that this is permanent change and that this stock will never be returned to office use.


As BIDs that are democratically appointed by local businesses in London to make neighbourhoods better for living and working, we are concerned that the PDR extension is taking decision making about the

economic and social make-up of communities out of the hands of local people, local representative bodies, and local partnerships. Therefore:

‘We call on this Government and the next Government to implement and maintain a full exemption for Greater London from the office to residential PDR, and to explore more sustainable and effective options for new homes that are affordable and do not cost local jobs.’

Yours sincerely,



Simon Pitkeathley, Chief  **Town** Unlimited & Chair, GLA BIDs Advisory Group
37 Camden High Street, London NW1 7JE, 020 7380 8260, simon@camdentownunlimited.com

On behalf of London’s Business Improvement Districts:

Ilker Dervish, Chair, **London Riverside** BID & Chair, GLA Industrial Estates Advisory Group

Richard Dickinson, Chief Executive, **New West End** Company

Sarah Porter, Chief Executive, **Heart of London** Business Alliance

Ruth Duston, Chief Executive, **Northbank** and **Victoria** BIDs

Ted Inman, Chief Executive, **Southbank** Employers’ Group

Peter Williams, Chief Executive, Better **Bankside**

Giles Semper, Executive Director, **Vauxhall One**

Nadia Broccardo, Chief Executive, Team **London Bridge**

Kay Buxton, Chief Executive, **Paddington** Now

Penny Alexander, Chief Executive, **Baker Street** Quarter Partnership

Lee Lyons, BID Manager, **Fitzrovia** Partnership

Ann Hunter, Chief Executive, **Ealing Broadway** BID and **West Ealing** BID

Christine Lovett, Chief Executive, **Angel** AIM

Colin Newton, Chairman, **Kimpton** Industrial Park (Kippa) BID

Tass Mavrogordato, Chief Executive, **inMidtown**

Cathy Low, Project Director, **Stratford** Renaissance Partnership

Graham Willins, Secretary, **Willow** BID

Rai Holdstock, Chair, **Ilford** BID

Helen Clark Bell, BID Manager, Love **Wimbledon**

Ross Feeney, Chief Executive, Successful **Sutton**

Patricia Bench, BID Director, **Hamersmith** BID

Matthew Sims, Chief Executive, **Croydon** BID

Ros Morgan, Chief Executive, **Kingston** First

Simon Cripps, Chairperson, **Purley** Business Association

Judith Roscoe, BID Coordinator, **Garratt Business Park**

Russell Dryden, BID Manager, Blue **Bermondsey**

Ken Burgess, Chair, **New Addington** BID

Chris Wyles, Chairman, **Hainault Business Park**

Elly Foster, Chair, **Brixton** BID

Amanda Faul, Deputy CEO, **Waterloo** Quarter BID

Andy Stubbs, Chief Executive, **Harrow** Town Centre BID

Fawaad Shaikh, Operations Director, **E11** BID

Jeremy Keates, BID Manager, This is **Clapham**

CC.

Dr Vince Cable MP, Secretary of State for Business, Innovation and Skills

Boris Johnson, Mayor of London and Chairman of the London Enterprise Panel

Brandon Lewis MP, Minister of State for Communities and Local Government

Planning Consultation Team
Department for Communities and Local Government
1/H3 Eland House
Bressenden Place
London SW1E 5DU
Sent Via Email: planning.consultation@communities.gsi.gov.uk

28 September 2014

Dear Sir/Madam,

Technical Consultation on Planning

The Westminster Property Association (WPA) is grateful for the opportunity of responding to this consultation paper.

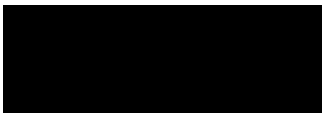
The WPA was established 25 years ago and with over 200 members we are the representative body of the property industry in the City of Westminster. Our membership is made up of all the major owners, developers, investors and professional advisors of real estate in Central London. Visit www.westminsterpropertyassociation.com

Question 2.5

We have seen both Westminster City Council response and the joint response from the Mayor of London, British Property Federation, Planning Officers Society London and London First to this question regarding permitted development rights for change of use from office (B1a) to residential (C3) and fully endorse their collective positions. We are strongly of the opinion that the current exemption for Central Activity Zone (CAZ) should be continued post May 2016 for the reasons set out in their respective responses. It is vital that we continue to protect the most strategic office floorspace in London to provide for long term economic and employment growth in this world city.

We trust this response will be taken into consideration.

Yours sincerely



JACE TYRRELL
Executive Director

Save Soho Campaign Response to Government Consultation Feb 2015

Objections with regard to Government policy relating to the change of use concerning previous office usage into residential units

We strenuously object to the current policy of allowing commercial premises to convert to residential usage. We find the premise this is based on has not taken into consideration the very real consequences this has on already existing premises with regards to specifically Music and entertainment venues that are already established, with residential units being either placed above or beside such venues it allows for the developers to create conditions using current enforcement legislation to force the existing business either to ruinous expense in relation to sound proofing such a venue or in the worst case forcing their closure. It seems to us that this is grossly unfair and a curtailment of an established venue by a developer who in the past would have been unable to change the usage of commercial properties without local government approval.

This is especially pertinent to Soho that is world famous for its venues, bars, restaurants and clubs that make up the fabric and define the area, rather than new residential developments that are now being proposed which are above these premises, which prior to the government policy change would remain as offices for this very reason.

To allow developers to change the usage into residential with no consultation and then allow them to object to noise from existing venues and to allow enforcement of legislation seems to be destroying the very unique character and spirit that is Soho. It also allows for the development of these venues into residential properties by exploiting this.

With trepidation for the future.

The Save Soho Committee

Stephen Fry, Actor and writer – Chairman

Tim Arnold, Singer Songwriter – Founder of Save Soho (Soho resident)

Guy Hamilton, Partner at BHB Agency Ltd – Founder Member

Benedict Cumberbatch, Actor – Founder Member

Colin Vaines, Film producer (Soho resident)

Alexander Parsonage, Theatre director

Howard Raymond, Chairman of Raymond Estates

Huffington Post



[Tom Harvey](#) [Become a fan](#)
CEO of SohoCreate

How To Save London's Soho

Posted: 11/12/2014 17:02 GMT Updated: 10/02/2015 10:59 GMT

It's been fascinating and heart warming to see the extent of the protest at the temporary closure of Madame JoJo's club in London's Soho. The clubs Trannyshack and Burlesque nights are already Soho legends, epitomizing the area's diversity, edge and love of extravagant live entertainment. We look forward to their return.

It's interesting to go back in time and look at the obituaries for other clubs that have had a hedonistic reign in Soho: Billy's, Blitz, Gossips, [The Wag](#), The Colony Rooms. What we see is an equal outpouring of sorrow at their departure and a wave of nostalgia about the 'old Soho'.

With the disappearance of these legendary clubs, are we watching the slow death of Soho as many in the [recent press](#) would have us believe? Or is it just more creative churn in the history of this extraordinary place?

I am interested in the creative future of Soho, so I am keen to understand the facts and complexity of what is really going on.

I have worked in Soho on and off most of my professional life. I now run [SohoCreate](#), a new creative festival for London, put in place to champion the gorgeous, mouthy, glossy entertainment capital of the country. It's a place where there are four workers to every resident - A quarter of Soho's entire workforce, earn a living in the theatres, galleries, design and effects companies, ad agencies and fashion houses that make up this most creative square mile in the world.

Soho's creative credentials began 450 years ago when the first Huguenot refugees and crafts people were welcomed to this neighbourhood in the heart of London. Its creative life has been well documented, from the early performances of Jagger, Hendrix and Daltry to the birth of Spandau Ballet; from the place Dickens wrote Tale of Two Cities to the place television was invented. Soho's creative companies now win an average of two Oscars a year and are responsible for 20% of London's new creative jobs. Their collective turnover: £7.5billion.

In light of those extraordinary statistics, why is the narrative of Soho's decline so enduring?

Partly because Soho is to some extent, a myth itself. As Ian Board of the long departed (and much mourned) Colony Rooms said of Soho "It isn't what it used to be, but it never was what it was." Soho's seedy, sexy, taboo and often violent history makes it a great place to get nostalgic about. For many, Soho is hardwired into memories of their youth, the clubs, the all night drinking, the sex workers. For a large proportion of Londoners, past and present, thoughts of Soho still quicken the heart.

The narrative also endures because we love a good polarized story. The bad guys in this narrative are mostly the agents of change, the developers, landlords and council. The good guys are the low- and high-life good-timers, the drinkers, actors, singers and performers, reeling home in the early hours, arm-in-arm through their own rainy streets.

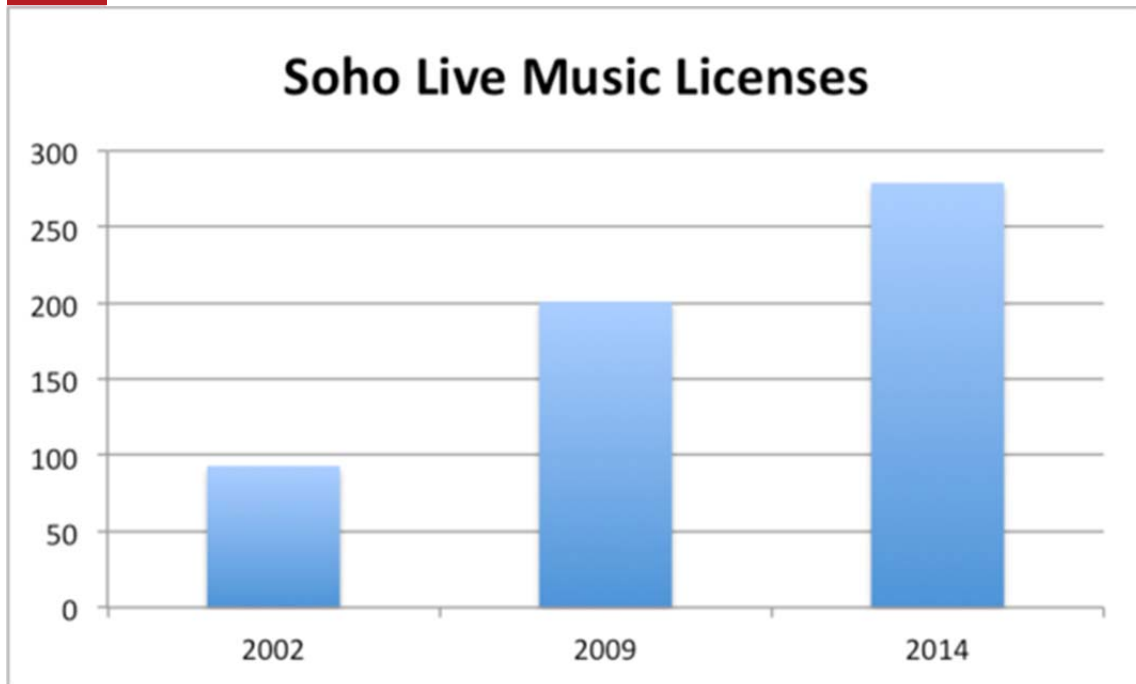
And of course, let's be clear, we hate the changes happening because we happen to hate change.

There are elements of truth in all the wringing of hands and outrage at the changing face of Soho, all triggered by the Madame JoJo's incident. Soho's glorious creative past and present is very definitely at risk. But the risks are many and complex, sadly not black and white at all.

Many critics have cited the developers and landlords as the enemy. We work closely with both Shaftesbury PLC and Soho Estates, two of the larger property owners in Soho. Indeed they are both supporters of our SohoCreate festival. I am therefore biased but also informed. Both companies care immensely about Soho and its creative future. Neither company is encouraging chains to move into Soho; both companies work hard to develop the place in keeping with its long history in fashion, entertainment and performance.

Soho Estates' plans to develop the building housing the current Madame JoJo's have been through the normal consultation process and approvals over the last two years. The refurbished building contains two nightclubs and a brand new performance space for Soho. Hardly a development that would be put forward by a company intent on profiting from ending Soho's entertainment tradition.

The dark star is also not Westminster City Council. I have found the team at Westminster City Council to be energetic champions of the creative industries, doing all they can to grow and protect the creative sector in Soho. Far from an intention to close live venues the trend is to licence more. This is evidenced by the fact that the number of Live Music Licenses has risen by 39% in the last five years.



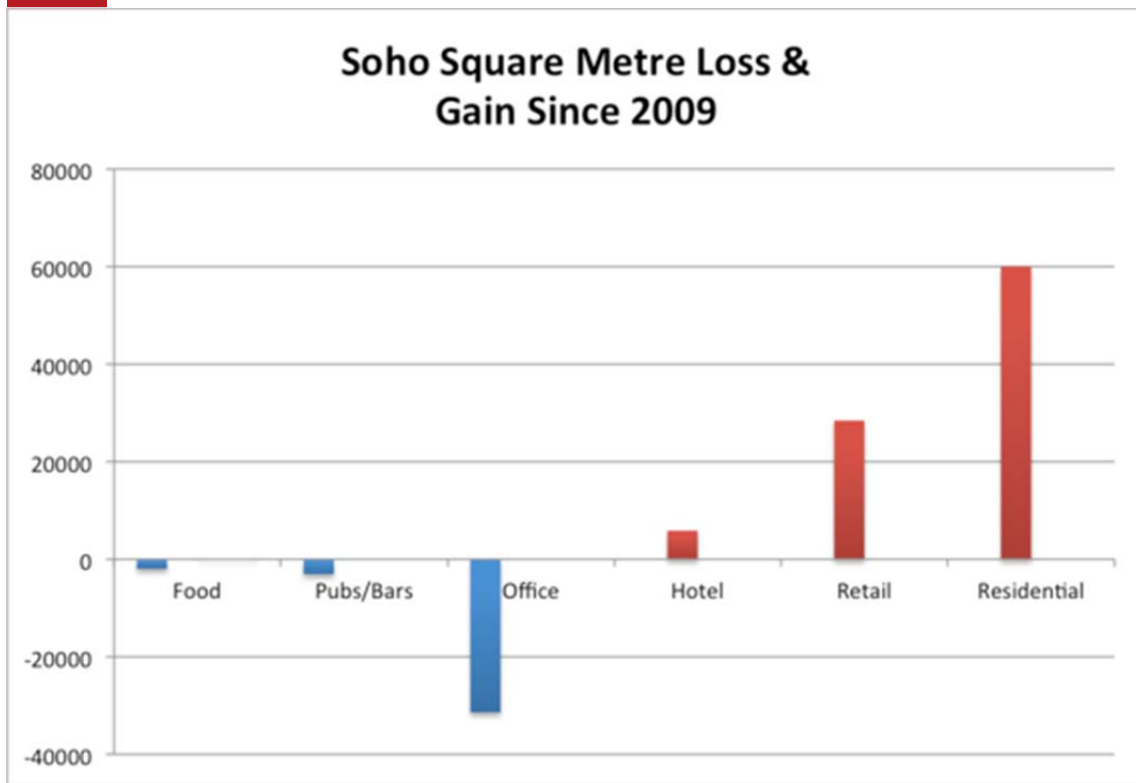
Now councils are notoriously fickle and larger ones often struggle to unify approaches across every department. But this joining up of a strategy for Soho across Westminster City Council is a key aim and opportunity for us all.

Here is the real issue.

Like many cities around the country - including Manchester, Liverpool, Leeds and Newcastle - London is at risk of hollowing out its vibrant and creative centre. As property prices inevitably rise around the country, even with low economic growth, the people who live and work in small creative spaces in our city centres can no longer afford to live and work there. A free market, without intervention, favours capital. If we fail to act, our artists will all live and work outside our cities and our performers will all commute into the clubs and theatres. As musician Tim Arnold and his celebrity supporters point out in their letter to Boris Johnson that [appeared in the Times](#), we are all keen to prevent this happening, not just in London, but across the country.

The problem arises partly from the government emphasis on residential housing. As with many positive action policies there are unintended consequences. All over the country, small office spaces, perfect for creative companies are being converted into residential.

In the last five years in Soho over 30,000 sq. metres of office space has been lost against 60,000 sq. metres of residential space gained. That's over 500 flats created and over 3,000 creative working spaces lost. As much as £500million of creative industry turnover lost to Soho, a significant dent.



This is highly counterproductive. Very little of the housing created in Soho is affordable for most residents of the UK; it also takes potential creative space out of the market for 100 years.

I have spoken to Soho Estates on exactly this topic and here is their response -

Soho Estates remains keen to champion the cause of office retention in the area. The unnecessary imposition of residential use flies in the face of our business strategy. The last thing we wish to do is create luxury flats for sale to an overseas market. Current planning policy favours others with a short term view to do just that, thereby reducing the availability of space for the creative industries keen to base themselves in this fantastic part of London

As club owner Alex Proud pointed out in his article appearing in [The Telegraph](#), high end residential can easily push out entertainment as well as business, as residents object to late licensing and club life outside their front doors.

We all want to protect Soho's character and reputation as a proving ground for new creative companies and performers. But we should be aiming at protecting its extraordinary status as the most creative square mile in the world with special planning status, not by trying to halt its development and evolution.

We need to have much more granular and local strategies for the creative development of our inner cities. Local authorities must be allowed more control within planning regulations over what these strategies are.

The real danger for Soho is a lack of unity amongst the different groups who care immensely about the place. Intervention is required and protection needed, but polarizing debate is seldom helpful and unlikely to generate solutions.

But then "All aligned on special planning status for creative square mile" is not nearly as juicy a story as: "Club closes - Soho over". Just like managing change in a complex environment is not as sexy as "developers gentrify Soho."

These are difficult times. There is not a conspiracy to destroy Soho. There is instead a powerful belief in its endearing greatness and a desire to build on that and keep it exciting, edgy and relevant. If we can do this together, we will help to keep UK creativity the best in world. If we fail, then we will be waving goodbye to much more than Madame JoJo's.

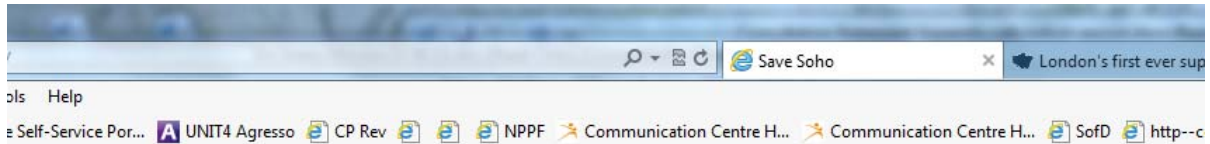
Follow Tom Harvey on Twitter: www.twitter.com/SohoCreate

Screen shots from Save Soho Campaign website

The screenshot shows a web browser window with the following elements:

- Browser Tabs:** Save Soho, London's first ever su..., Next generatio
- Browser Address Bar:** com/
- Browser Menu:** Tools Help
- Browser Bookmarks:** loyee Self-Service Por..., UNIT4 Agresso, CP Rev, NPPF, Communication Centre H..., SofD, http--committees.w
- Page Title:** CHANGE NATIONAL PLANNING FRAMEWORK
- Metadata:** FEBRUARY 25, 2015, TIM, 3 COMMENTS
- Text:**
 - Dear Save Soho supporters
 - The Good news
 - Since the Mayor voiced his concerns about the government's permitted development rights, Westminster are now consulting on changes to their Local Plan to try and safeguard some of their office space. The consultation ends in 2 days.
 - You and I have until this Friday to put in objections on the government's National Planning Framework. This is the legislation that is currently threatening all bars, clubs, entertainment venues and creative spaces in Soho.
 - HOW YOU CAN HELP
 - Please write a letter of objection to the Government's new Permitted Development Rights. These rights are at the heart of what is threatening the character and spirit of Soho.
 - Send your objection to: planningpolicy@westminster.gov.uk
 - Please see our own letter of objection below
 - [More information](#)
 - The time is now.
 - Save Soho

The browser's taskbar at the bottom shows icons for Outlook and Word.



DEMONSTRATION ON THE 22ND OF MARCH AT PARLIAMENT SQUARE.

🕒 MARCH 8, 2015 👤 TIM

The SaveSoho committee and the proposed demonstration on the 22nd of March at Parliament square.

This proposed demonstration has no authority or agreement with us and although we understand the motives, it is not a Save Soho Committee event. We applaud this well-intentioned demonstration and we understand the passion that Save Soho has released with our campaign to save the few remaining performance venues left in Soho. We have stated from the start that we want to work with all interested parties to achieve this, and are doing so with Boris Johnson Mayor of London and the GLA as well as Westminster City Council leaders and members, the developers and many others, but we have to state that the proposed demonstration on 22nd of March is not a Save Soho Committee event.

More information about the march can be found [here](#)





City of Westminster

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Planning policy helpline: 020 7641 2503
www.westminster.gov.uk/revision-westminsters-city-plan