

From: Sarah Lane <[REDACTED]>
Sent: 08 September 2015 10:35
To: Planning Policy
Subject: RE: New article 4 directions: Office to Residential and Basements

Dear Lisa

Thank you for giving the Trust the opportunity to comment on this. Our comments are as follow:

The Covent Garden Area Trust shares the City Council's concerns regarding the need to maintain an appropriate balance between office and residential uses, in particular the loss of small, affordable office accommodation and that if these market trends continue without appropriate planning controls, the mixed use character and distinctiveness of neighbourhoods such as Covent Garden will be lost as the existing office stock is further eroded. These concerns have been detailed in the Trust's response to consultation in relation to the Revision to the City Plan (Booklet 18: Mixed Use Office to Residential) which were submitted in March 2015. The Trust agrees that urgent action needs to be taken to address this issue and wishes to record its strong support for the City Council's proposal to introduce an Article 4 direction to remove the permitted development rights for change of use from office to residential in the Central Activities Zone (CAZ).

The Trust also supports the City Council's proposal to remove the permitted development rights for basement development throughout the City of Westminster as a means of ensuring tighter planning controls over development which could impact on the heritage, character and appearance of Covent Garden and the amenity of residents living in the area.

Kind regards

Sarah Lane
Trust Secretary
Covent Garden Area Trust

[REDACTED]
[REDACTED]
London

[REDACTED] **direct dial)**
[REDACTED] **(mobile)**
www.coventgardentrust.org.uk

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From: Planning Policy [mailto:planningpolicy@westminster.gov.uk]
Sent: 31 July 2015 16:21
To: Planning Policy
Subject: New article 4 directions: Office to Residential and Basements



From: Robert Walker [REDACTED]
Sent: 20 August 2015 11:32
To: Planning Policy
Subject: Article 4 Basement Development

Dear Sir / Madam,

I wish to register an objection to the proposed Article 4 direction in relation to Basements.

We do not support the blanket removal of permitted development rights and we consider that the introduction of an Article 4 Direction that takes basements out of permitted development is an unnecessary infringement of the house owner's right.

The NPPF states in paragraph 200 that "the use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities). Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so." We do not consider that the local amenity and wellbeing of the area would be compromised throughout the entire Borough in order to justify the Article 4 Direction.

The proposed Basement SPD has only just been introduced which clarifies what can be built under permitted development. The Article 4 direction adds another cost to the Council when a planning application is required because permitted development rights have been removed, no fee is payable. This means the full cost of assessing applications must be carried by the Council. The full cost should include the cost of producing all of the documents that form the planning application if the basement could normally be constructed through permitted development, including Construction Method Statement, Subterranean Structural Method Statement and Construction Management.

Kind regards

Robert Walker BA(hons) MSc

Senior Architectural Designer

For and on behalf of Cranbrook Basements

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Hammersmith,
London, W6 7BA

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[Redacted]

From: David Rapson <[Redacted]> on behalf of David Rapson
Sent: 04 September 2015 11:29
To: [Redacted]
Subject: Re: Article 4 Directive

Dear Collette Willis,
Thank you for your prompt reply, I would propose an Article 4 Directive for change of use and all building alterations and development in conservation areas, but if this is not possible then for both Basements & Office to Residential.
Kind regards,
David Rapson

> On 4 Sep 2015, at 10:51, Willis, Collette <[Redacted]> wrote:

>
> Thank you for your comments. I would be grateful if you could clarify whether this was for the Article 4 for Basements, the Article 4 for office to residential, or for both.

> Many thanks

>
>
> Collette Willis
> Principal Policy Officer
> Policy, Performance & Communications Department
>
> Westminster City Council
> 19th Floor
> Westminster City Hall
> 64 Victoria Street
> London SW1E 6QP
> Tel: [Redacted]

> -----Original Message-----

> From: David Rapson [mailto:[Redacted]] On Behalf Of David Rapson
> Sent: 04 September 2015 10:38
> To: Planning Policy
> Subject: Article 4 Directive

> I support the introduction of this Directive by Westminster City Council.
> I previously lived in Hampstead Garden Suburb which benefitted from such a Directive.

> David Rapson.

> [Redacted],
> [Redacted]

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City Planning Delivery Unit
Westminster City Council

Our ref: HD/P 5034/54

By e-mail: planningpolicy@westminster.gov.uk

14 August 2015

Dear Sir/Madam

City of Westminster – City Plan Basement Revision (Regulation 19 consultation) July 2015

and Article 4 Direction for basements

Thank you for consulting Historic England on the draft City Plan Basement Revision and the associated Article 4 Direction. As the Government's adviser on the historic environment, and a statutory consultee in the context of Strategic Environmental Assessment (SEA), Historic England is keen to ensure that the conservation and enhancement of the historic environment is fully taken into account at all stages and levels of the Local Plan process.

Accordingly, in consultation with the Greater London Archaeological Advice Service (GLAAS) we have reviewed this consultation in the context of the National Planning Policy Framework (NPPF) and its core 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. Having done this, Historic England advises that:

City Plan Basement Revision

Historic England welcomes the clear references in this proposed policy to heritage assets (points 3b and 9). Specifically we are pleased that the document makes specific reference to the potential impact of basement developments on listed buildings, and to archaeology. This should help applicants address these issues at an early stage in the development planning process.

Nevertheless, as the two are different issues we would suggest that you split the paragraph on heritage (currently pp.7-8) into two. This is important with regard to archaeology as the excavation of a basement normally necessarily involves the destruction of archaeological remains within its footprint. Therefore it would be helpful if the reasoned justification were to make reference to the Archaeological Priority Areas within the City of Westminster, cross referencing where these can be found. You could also direct applicants in need of further advice to the GLAAS team (████████████████████).



Historic England

In regard to listed buildings we are pleased that consideration of the impact of basements on the hierarchy of listed buildings is clearly expressed. You may also wish to make reference to likely impacts on the historic fabric, as some construction methods involve the total destruction of the original foundations when the building is underpinned and a new floor slab is cast.

While not heritage related, we are concerned that the intelligibility of part 1 a) and b) of the policy may undermine the overall effectiveness of the policy. This is because these clauses are very difficult to understand, and may encourage people submitting applications that the City Council would find unacceptable. In addition to providing clearer wording, we would ask you to consider whether more detailed guidance could be provided in the Policy Application section, including, potentially illustrations to illustrate what the Council considered acceptable.

Article 4 Direction for basements

Considering the proposed basement policy discussed above, Historic England notes that this Article 4 Direction could have particular advantages for the assessment and management of Westminster's archaeological resource.

Conclusion

Historic England welcomes the City Council's proposed basement policy, which should help manage the impacts of this type of work on the historic environment.

Finally, it must be noted that this advice is based on the information provided by you and for the avoidance of doubt does not reflect our obligation to advise you on, and potentially object to, any specific development proposal which may subsequently relate to this policy or Article 4 Direction and which may have adverse effects on the environment.

Yours sincerely



David English
Historic Places Adviser - London



Historic England, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST
Telephone 020 7973 3700 Facsimile 020 7973 3001
HistoricEngland.org.uk

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[REDACTED]

From: Matthew Bennett <[REDACTED]>
Sent: 07 September 2015 22:46
To: Planning Policy
Subject: Article 4 directions

The Soho Society supports the City Council's proposed article 4 directions in respect of planning for basements and office to residential conversions. We would urge the Council to bring these in before 31st July 2016 if at all possible.

Matthew Bennett, Chair of Planning and Environment Committee

Matthew Bennett MBE
[REDACTED]

Date: 01 September 2015
Our ref: 164106



Ms Lisa Fairmaner
Westminster City Hall
Victoria Street
London
SW1E 6QP

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

T 0300 060 3900

BY EMAIL ONLY

Dear Ms Fairmaner

New article 4 directions: Office to Residential and Basements

Thank you for your consultation dated 31 July 2015 and received on 31 July 2015.

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 new article 4 direction 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

David Allcock
Consultations Team

From: Harrison, Anneli [REDACTED]
Sent: 14 August 2015 11:48
To: Planning Policy
Subject: Westminster City Council New article 4 directions: Office to Residential and Basements

Dear Sir/Madam,

Thank you for consulting ORR on the above Article 4 Directions Office to Residential and Basements. The Office of Rail and Road has no representation to make on this particular document.

Kind regards

A Harrison
Planning Executive

Office of Rail and Road | One Kemble Street | 2nd and 3rd Floors | London | WC2B 4AN
Tel: [REDACTED] e-mail [REDACTED]
Twitter: @railregulation - @highwaysmonitor Web: www.orr.gov.uk

ORR will use the name Office of Rail and Road for operating purposes with effect from 1 April 2015. Legal force is expected to be given to this name from 1 October 2015.

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[REDACTED]

From: Shrestha, Anup <[REDACTED]>
Sent: 13 August 2015 11:47
To: Planning Policy
Cc: [REDACTED]
Subject: New article 4 directions: Office to Residential and Basements

For the Attention of: Lisa Fairmaner

Consultation: New article 4 directions: Office to Residential and Basements

Dear Lisa,

Thank you for the email we received on 31 July 2015 advising Highways England of the above consultation.

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.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the strategic road network (SRN).

We do not have any comments at this time.

Thank you again for consulting with Highways England.

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



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Miles, Nina: WCC

From: McEllistrum Richard <[REDACTED]>
Sent: 08 September 2015 13:20
To: Planning Policy
Subject: Article 4 consultation - Basements

Article 4 consultation – Basements

Thank you for consulting TfL. I write in response to consultation undertaken on 16th July 2015. TfL have no comments in regard to the proposed Article 4 direction, which relates to the removal of Permitted Development rights in relation to basement development that may otherwise have been allowed under Part 1, Schedule 2 of the GPDO 2015.

Thank you,

**Richard McEllistrum | Principal Planner
Borough Planning, TfL Planning, Transport for London**

T: [REDACTED]
A: 10th Floor, Windsor House, 42-50 Victoria Street, London SW1H 0TL



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