

ENVIRONMENTAL SUPPLEMENTARY PLANNING DOCUMENT

ESPD CONSULTATION REPORT
February 2022

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1. Introduction

- 1.1 Westminster City Council announced a Climate Emergency in September 2019 and set the ambition for it to be carbon neutral by 2030, with the whole city to follow suit by 2040, 10 years ahead of the Government target of 2050.
- 1.2 The council adopted a new City Plan in April 2021 which sets out the council's vision for the City of Westminster for the period 2019-2040. The City Plan 2019-2040 forms Westminster's principal planning policy document. It will be used to determine planning applications in the city and will guide development across the city over the long term.
- 1.3 The council committed to producing an Environment SPD (ESPD) to follow the adoption of the City Plan. It will provide additional detail to the new City Plan environment policies, specifically Air Quality, Local Environmental Impacts (light pollution, noise, vibration, odour, land contamination and construction impacts), Green Infrastructure, Flood Risk, Energy, Waste Management, and Retrofitting and Sustainable Design.
- 1.4 The Environmental Supplementary Planning Document (ESPD) is intended to provide guidance for developers on how they can meet the environmental policies within the City Plan 2019-2040. The ESPD will not introduce new planning policies into the development plan, it will be however, a material planning consideration.
- 1.5 This document summarises the consultation on the draft Environmental Supplementary Planning Document (ESPD) in accordance with the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 Part 5 Regulation 12](#).

2. Consultation Process

- 2.1 Consultation on the ESPD took place 17th May - 28th June 2021; a period of six weeks. A range of stakeholders were invited to comment, including the development industry, statutory consultees such as Historic England and the Environment Agency, and local people including Amenity Societies and Neighbourhood Forums.

Notifications

- 2.2 The council's website advertised the ESPD consultation and articles were placed in the Environment Newsletter for May and June.
- 2.3 Notification was made by email to the vast majority of consultees that were on the council's planning policy database. The text of this email can be found in Appendix A. About 1,660 consultees were consulted including:
 - all specific consultees including the Mayor of London, Historic England, Thames Water, Network Rail, the Environment Agency, Natural England, the Homes

and Communities Agency, the National Health Service, the Marine Management Organisation, the Highways Agency and the Coal Authority;

- all ward councillors;
- all neighbouring boroughs;
- all neighbourhood forums; and
- and other specific consultees.

2.4 In response to the coronavirus pandemic, the government temporarily relieved local authorities of the obligation to provide hard copies of local plan documents for inspection. In light of this, hard copies of the ESPD were not made available at Westminster’s libraries or Westminster City Hall. No requests for hard copies were received.

Workshops

2.5 Virtual workshops on each of the chapters took place during the consultation period, giving participants the opportunity to ask questions directly to officers. Notes were taken of comments made during the online workshops which were considered as part of the consultation feedback. The issues raised are summarised below.

Air Quality – 7th June

- 2.6 Questions were raised about how to ensure **on-site mitigation measures**. Officers responded that policy requires mitigation measures to be provided on site and that robust justification would be required to provide them offsite.
- 2.7 A question was asked about the balance between **demolition and refurbishment**. Officers responded that trends show that less demolition and more refurbishment is taking place, and that this is likely to increase in the future with links to the requirement for Circular Economy Statements and sustainable design.
- 2.8 Air pollution from **traffic** was discussed. Officers noted there is a general trend of air quality improvements. 20mph limits have been rolled out across Westminster alongside the council’s ‘Don’t be Idle’ campaign and a Freight, Servicing and Delivery Action Plan is being prepared. GLA schemes include the Congestion Charge Zone (CCZ) and Ultra Low Emissions Zone (ULEZ).
- 2.9 The subject of **electric vehicles** was brought up, in particular the environmental impact of an increased use of electric vehicles. Officers noted that the council is considering the climate emergency and climate resilience as a whole and can deliver some of this through its powers. Some of the response will be through behaviour change. A modal shift to electric vehicles is part of a wider range of activity to promote sustainable travel and encourage use of electric vehicles. There may be short-term environmental impacts, but there will be long-term gains as technology moves forward and as legislative frameworks are updated and people’s behaviour changes.

- 2.10 A question was raised about **car parking** in new developments. Officers noted that Westminster is aligned with London Plan policy to limit the number of car parking spaces and promote active travel.
- 2.11 **Monitoring** of air pollution was raised. Officers noted that Westminster has a monitoring network across the city and the council publishes monitoring data annually. The London Air website also has monitoring data which is mapped. More monitoring is likely to take place in the future.

Local Environment Impacts – 22nd June

- 2.12 A participant asked if the council has any influence over **noisy vehicles** on the roads it manages? Officers responded that there is nothing the council can do about this from a planning perspective. There are some pilot schemes to address this elsewhere in London, for example noise cameras but the data from these is not yet available.
- 2.13 A question was raised about how the council will ensure that **light pollution** from new developments will not affect **biodiversity**. Officers responded that if a development affects protected species or habitats, this will need to be addressed in a biodiversity assessment. The Institution of Lighting Professionals (ILP) guidelines will provide the basis for assessing lighting schemes and references will be included in the ESPD.
- 2.14 A question was asked about whether the council is using **energy saving light bulbs in public places** and if residents will be encouraged to use more sustainable lighting in their homes. The council is undertaking a city-wide energy review and consultants are supporting Westminster in preparing a lighting design guide which will be consulted on. Work includes replacing bulbs with more energy efficient lighting and the right lighting levels. ILP guidance includes information for residents on appropriate porch lighting. Planning doesn't have powers to influence lighting in existing homes, but the climate change team may have more information on upcoming campaigns. Westminster is also talking to local businesses about their lighting.
- 2.15 A number of technical questions about **odour extraction methods** were raised. Officers responded that high level discharge is the preferred option, but this is not always possible. Recirculation options only have limited application. Mitigation of odour nuisance will be conditioned as part of any permission. Post-operation checks can also be conditioned.
- 2.16 Clarity was requested on when odour assessments are required. This will be provided in the ESPD and through the council's Planning Validation Checklist.
- 2.17 Mitigation of **noise from street works** was raised. Officers noted that the council has some funding to address noise from street works. While it is difficult to control emergency works, the council will be developing guidelines for planned street works. This will include limiting noisy works to the daytime and improved notification for residents. The council is also working with TfL to establish London-wide guidelines.

- 2.18 Mitigation of **noise from construction** was raised. The council has a Code of Construction Practice (COCP) which requires participation in the considerate contractor scheme and large sites are monitored with regards to noise and dust. The council is concerned with minimising impacts but it is not possible to entirely eliminate these. An updated COCP is out to consultation (and has since been adopted).

Green Infrastructure – 18th June

- 2.19 One participant asked if **habitats**, for example bird, bat and bee boxes, can be promoted more strongly in the ESPD. Officers agreed to this.
- 2.20 A participant asked if developers will be asked to check the **swift mapper** website to check for the presence of swifts before they undertake roof work. Officers responded that biodiversity studies might pick up on this information but only for larger developments. Swift Mapper can be referenced in the ESPD and developers will be encouraged to check. If development doesn't require planning permission the council will not be able to influence this.
- 2.21 A question was raised over which **types of trees** are more effective at dealing with pollution and about trees in planters. Officers noted that different trees have different benefits, for example canopy cover as well as tackling pollution. The policy is to plant a range of trees, including native and non-native species tolerant of the urban environment and which enhance the streetscape. Trees in the ground are better than trees in planters which require more maintenance and irrigation but trees are sometimes not able to be planted in the ground due to underground services.
- 2.22 A resident asked if planting will take into account **hay fever** sufferers. Officers noted this is a difficult balance because trees which affect hay fever sufferers have benefits which make them of value such as pollution and drought tolerance. Hay fever can be taken into account when considering the location of certain trees, for example in a school planting scheme.
- 2.23 A question about off-site provision of green space was asked. Officers responded that major developments should provide **new open space** on site in the first instance and in the vicinity if this is not possible. All on-site opportunities for urban greening should be maximised.
- 2.24 A question was asked about the **Wild West End (WWE) Matrix** and how it related to the GLA's **Urban Greening Factor (UGF)** and **Biodiversity Net Gain (BNG)**. Officers agreed that there is a lot of cross-over between climate adaptation measures in developments. The intention is to maximise the opportunities on site and developers are encouraged to talk to the council through pre-application discussions. Further clarity will be provided in the ESPD.
- 2.25 A participant asked how open space can be increased in **areas of deficiency** and if the council is considering street closures and landscaping measures. Officers responded that new open space in areas of deficiency will include pocket parks and green spines.

Opportunities to green the streetscape are also being considered in the post-pandemic world, for example piazzas, pavement widening and changes to parking. There is a lot of activity already on this and the council is also developing a Public Realm SPD and which will address options for improvement including potential street closures and landscaping measures.

- 2.26 A question was raised about the **threshold for developments** contributing to green infrastructure. All developments have opportunities to contribute to the greening of the city and secure net gains for biodiversity. The type and scale of measures that will be suitable will depend on the specific type, scale and context of the development. Planning requirements are proportionate to the scale of development so larger developments will require a greater level of information, for example a landscaping strategy. A management plan is required for green roofs which would include details of planting and maintenance.
- 2.27 A participant noted that plants can be located in basements rather than on roofs to **maximise space for green roofs**. Officers agreed and noted that this is encouraged and discussed during pre-application stage.
- 2.28 A comment was made about the green infrastructure and flood risk sections being separate, but that there are opportunities for **Sustainable Drainage Systems (SuDS)** to help biodiversity. Officers agreed improved cross-referencing will be added to the ESPD.
- 2.29 A question was raised about how **Biodiversity Net Gain (BNG)** is measured. Officers noted that more information on BNG is currently emerging on this and will be clarified in the ESPD. The council is considering conditions for all the new policies and this would be a way of enforcing BNG. This will be monitored through the council's Authority Monitoring Report.

Flood Risk – 18th June

- 2.30 A question was asked about how **sewer flooding** and wastewater levels are monitored. Officers responded that Westminster works with WSP consultants, and they look at surface water flooding and particular hotspots. The Thames Tideway Tunnel project means that sewer flooding will become less of an issue in future. Westminster also works with Thames Water and the Environment Agency (EA) to model projections and ensure measures and intervention are in place. The council's Strategic Flood Risk Assessment (SFRA) has further details.
- 2.31 A resident raised the issue of **blocked drains** including fatbergs and construction waste being put down drains. Officers noted that waste storage and collection is sought as part of an application but it's very difficult to enforce against bad practice. Changes of use within Class E will be hard to control without conditions. Westminster has a Code of Construction Practice (COCP) which is enforceable but on smaller sites bad practice is harder to control. The COCP is being updated and includes water and water pollution. Westminster does liaise with businesses and will consider the issue

of disposal down the drain. Gully cleaning is also being introduced to help prevent blocked drains.

- 2.32 There was a question about the embankment and whether this will be sufficient to prevent **flooding from the Thames** and that this is an issue for insuring homes. Officers responded that the council is continuously discussing and reviewing flood defences in partnership with the Environment Agency and Thames Water. A lot of modelling takes place to review and project future scenarios, including a failure at the Thames Barrier. All parties are in agreement that flood defences are sufficient for current and projected models, but this is continually monitored.
- 2.33 A question was raised about existing green space being able to take storm water and water run-off and the scope for more **SuDS**, for example on roads. Officers responded that hard engineering falls outside the scope of the ESPD but it is something the council is planning for. The green infrastructure and flood risk sections in the ESPD will be better integrated.

Energy – 15th June

- 2.34 A question was raised about **Local Heat Networks** and why the ESPD does not include a timetable to switch to renewable energy sources. Officers noted that this is outside of the ESPD remit. There is a transition in networks towards low-carbon sources, decentralised energy systems moving to electrified heating through heat pumps. For existing networks running mainly on gas there is also movements towards decarbonisation and GLA policy encourages operators to explore this through decarbonisation strategies.
- 2.35 A question was raised about monitoring of housing association buildings operating at zero carbon. Officers noted that this is outside of the ESPD remit as it focuses on new development but there is a Climate Action Group in the council which looks at existing infrastructure such as housing estates, and a Climate Action Plan will come out of this work. Engagement with tenants and business owners will also be part of this work.
- 2.36 A participant asked if there has been any comparison of designed **energy use** and actual energy use. Officers responded that there is currently a lack of data on this, as these are new policies and there is a gap between planning permissions and when the developer implements and completes. However, this data will come in over the next 18 months or so. In addition, the GLA have added the 'Be Seen' element of the energy hierarchy in order to monitor this which is reflected in both City Plan policy and the ESPD. When the data comes forward it will improve the council's understanding of this, and we will be able to close any gaps between design and performance.
- 2.37 A question was asked about how **older buildings** will be assessed for energy performance. Officers responded that older buildings will only be assessed if a planning application is submitted for development. The ESPD retrofitting chapter shows what type of works can improve energy efficiency in historic buildings.

- 2.38 **Solar panels** on older properties were discussed. Many solar panels don't require planning permission so there isn't much data on their performance.
- 2.39 A question was asked about whether Westminster will follow the GLA's detailed spreadsheet on **Whole Life-cycle Carbon Assessment** or the LETI methodology. Officers responded that the ESPD requires conformity with the GLA's WLC Assessment approach. The ESPD encourages developers to provide alternative metrics and targets, as advocated by the London Energy Transformation Initiative (LETI), that better reflect operational energy demands of the development.
- 2.40 The impacts of demolition waste were raised and whether **Circular Economy Statements (CES)** will be required for major applications as well as referable applications. Officers responded that the City Plan requires CES for referable applications only. Below this threshold a site waste management plan also addresses demolition waste. The council also encourages embedding circular economy and WLC principles on schemes under the referable threshold and some developers are doing this already. The council will consider lowering the CES threshold to major applications in the next iteration of the City Plan. The council is currently updating the Code of Construction Practice to reflect these new requirements.

Waste Management – 10th June

- 2.41 Participants wanted to understand how the council can control a change between uses in **Class E** if insufficient waste storage is available for that use. Officers responded that for new development applicants should demonstrate space for waste storage for all types of development within Class E if a flexible use is being sought. Where harm would occur as a result of an unrestricted Class E use being granted, the council can use conditions to mitigate this, which will be decided on a case-by-case basis.
- 2.42 A question was raised about tackling the build-up of waste bags in Soho, multiple collection contractors driving through the streets, and the possibility of new development providing space for **additional waste storage** for other businesses in the area. Officers responded that Westminster is acutely aware of the lack of storage space for waste in places like Soho and are working hard to try and tackle some of the issues, in particular related to movements of large vehicles. There is a limit on what the council can do regarding waste collection for businesses because the commercial waste market is a free market. This position can only change through intervention by central government. In terms of planning policy, City Plan and London Plan policies require developers to ensure there is sufficient waste storage space within new buildings. The ESPD can encourage the consolidation of waste storage, but it can't be a requirement because it is outside the scope of the council's planning powers to secure third party improvements on a development site.
- 2.43 A question was raised about whether officers had the necessary **skills** to ensure developers have properly considered retention and refurbishment before demolition. Officers responded that this is a new area of policy and the council is in the process of setting up a Design, Conservation and Sustainability Team within the Town Planning

Service to assess these types of application. Circular Economy Statements are for referable applications which the GLA's consultants will assess. The GLA will be providing further guidance and training for officers on Circular Economy Statements. For major developments which include substantial demolition, developers will be required to justify their approach as part of a Whole Life-cycle Carbon Assessment.

Retrofitting and Sustainable Design – 24th June

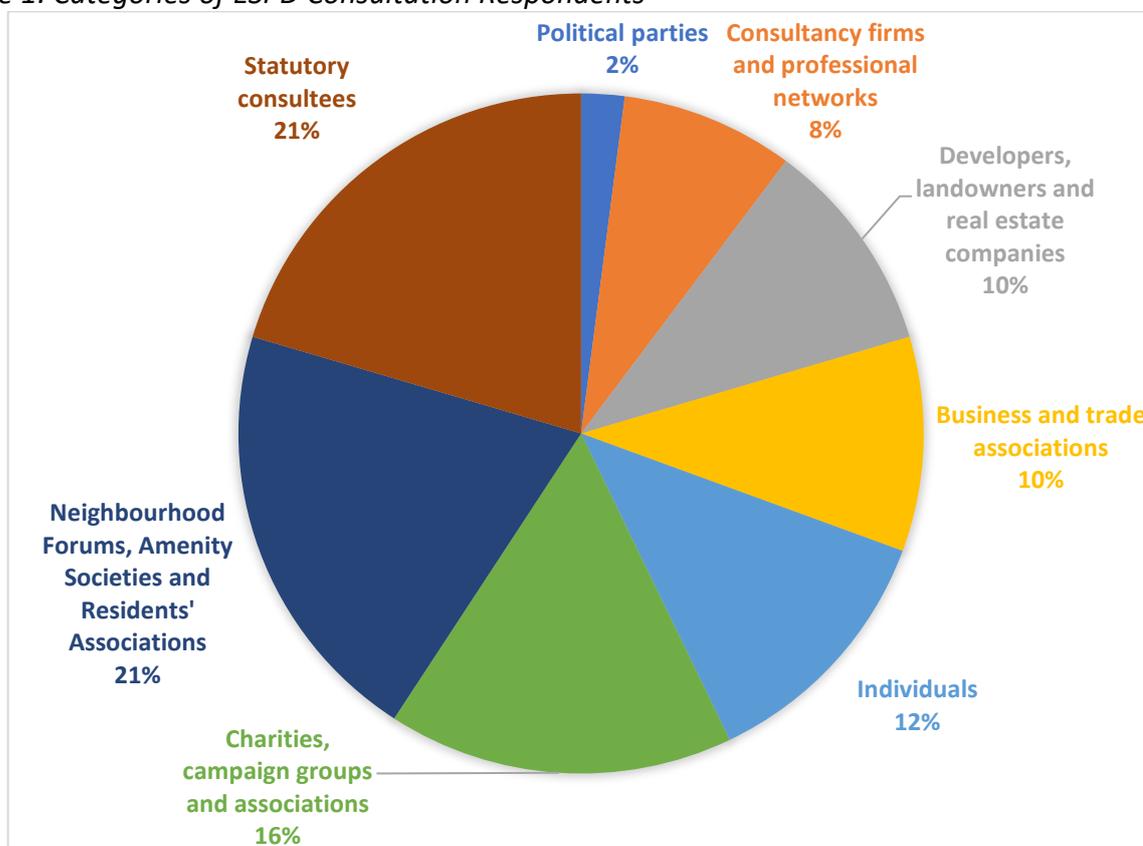
- 2.44 A question was raised about whether officers had specific **expertise in retrofitting**. Officers responded that the Design, Conservation and Sustainability Team includes officers with experience of working with historic building and retrofit measures.
- 2.45 A question was asked about double-glazing and photovoltaic tiles in **conservation areas and listed buildings**. Officers responded that both are permitted in conservation areas and sometimes don't need planning permission. Both are also allowed for listed buildings where the design and siting does not harm significance or appearance. Listed buildings will be considered on a case-by-case basis and the council aligns with Historic England guidance. Sometimes secondary glazing is a more appropriate option and better performing.
- 2.46 A question was posed about whether carbon reduction through retrofit will be considered a **public benefit** to balance the need for heritage protection and climate action. Officers responded that national planning policy identifies heritage as a public benefit and addressing climate change is also a public benefit.
- 2.47 A participant asked how an individual flat can take account of the **building as a whole** in terms of energy performance and WLC. Officers said that this is likely to happen often, and the council will consider this on a case-by-case basis. The council wants to avoid unintended consequences of a single intervention having negative consequences for another part of the building. External aesthetics is also a consideration. There may be opportunities for flat leaseholders to work together on upgrading windows, for example.
- 2.48 A question was raised about the financial constraints to retrofitting and **funding opportunities**. Officers responded that funding opportunities change often but the council intends to develop a webpage on what residents can do, including funding opportunities, which can be updated more easily.
- 2.49 A participant asked if WLC analysis for new materials will apply to householder applications. Officers responded that WLC assessments won't be required for householder applications but all applicants are encouraged to consider the impact on the environment.

3. Summary of Written Responses

- 3.1 There were 49 respondents who provided written representations to the draft ESPD consultation. Representations were received from a wide range of consultees

including residents, businesses, developers and professional organisations. This is shown in the figure below.

Figure 1: Categories of ESPD Consultation Respondents



3.2 A list of representors is provided below.

Statutory consultees (10)

- Canal & River Trust
- Coal Authority
- Environment Agency
- Greater London Authority
- Historic England
- Marine Management Organisation
- Natural England
- Port of London Authority
- Southwark Council
- Transport for London

Business and trade associations (5)

- Al Balad Restaurant
- Westminster Business Improvement Districts
- No. 1 café
- Sara Café
- Victoria, Victoria Westminster, Whitehall and Northbank BIDs

Charities, campaign groups and other clubs/associations (8)

- Clean Air in London
- Brent and Westminster Swifts Group
- London Parks and Gardens Trust
- London Wildlife Trust
- St John's Wood Society
- Swifts Local Network
- The St Marylebone Society
- Theatres Trust

Consultancy firms and professional networks (4)

- Green Infrastructure Consultancy Ltd
- Hilson Moran
- Vertical Meadow
- WSP UK Lighting

Developers, landowners and real estate companies (5)

- CAPCO
- Houses of Parliament Restoration and Renewal Programme
- Howard de Walden Estate
- Shaftesbury
- Westminster Property Association

Neighbourhood Forums, Amenity Societies and Residents' Associations (10)

- Belgravia Neighbourhood Forum
- Covent Garden Community Association
- Fitzrovia West Neighbourhood Forum
- Knightsbridge Neighbourhood Forum
- Maida Hill Neighbourhood Forum
- Notting Hill East Neighbourhood Forum
- Pimlico Neighbourhood Forum
- Princes Gate Mews Residents' Association
- The Soho Society
- Victoria Neighbourhood Forum

Individuals (6)

- Huguette Zola
- Achim von Malotki
- Gillian Brown
- Verina Glaessner
- James Hewitt
- Matthew Bennett

Councillors and political parties (1)

- Cllr Pancho Lewis, Labour group

4. Key issues and how these have been taken into account in the final ESPD

- 4.1 There was very strong support for the ESPD and the direction of travel on environmental issues. Many respondents, particularly residents, Neighbourhood Forums and Amenity Societies, were very keen to see the council do as much as possible to tackle and mitigate the effects of climate change and other environmental issues; however it is important to note that the ESPD cannot introduce new policy requirements over and above those in the City Plan.
- 4.2 Developers and landowners wanted to see more clarification on the assessments required for each type of development. This relates to the Local Validation Requirements, which has recently been updated and published, and Planning Obligations SPD, which is currently being prepared, and signposting to these documents will be provided in the final ESPD. The ESPD seeks a balance between residents' expectations, wider strategic planning goals and development viability.
- 4.3 Some respondents highlighted sections of the ESPD where further information would be helpful. Respondents also asked for additional requirements of developers as well as reassurance about staff resourcing, planning conditions and enforcement. A number of technical and professional consultees were able to suggest amendments to the text to provide greater clarity and accuracy, and these changes will be incorporated in the final ESPD.
- 4.4 Some respondents raised matters that are dealt with in other strategies and action plans being prepared by the council such as the Climate Action Plan, Code of Construction Practice, Air Quality Action Plan, Freight, Servicing and Deliveries Strategy, Public Realm Strategy, Electric Vehicle Charging Infrastructure Strategy, Municipal Waste Management Strategy, Flood Risk Strategy and others. The council has worked to ensure that all feedback is captured, considered and reflected consistently across all relevant documents. Improved signposting to these documents in the final ESPD will allow readers to find out more about what else the council is doing to tackle and mitigate the effects of climate change.
- 4.5 Looking at the chapters in more detail, **Air Quality** is a key issue for residents who felt that the council should be more ambitious in its approach to reducing air pollution. Residents wanted greater range of developments to achieve air quality neutral benchmarks or air quality positive, in particular in Air Quality Focus Areas. Developers wanted greater clarity on the types of development required to provide Air Quality Assessments. The chapter has been strengthened to say more about the sources of air pollution and how the council intends to reduce pollution as well as mitigate its effects. The GLA's draft guidance on Air Quality Neutral and Positive has been reflected in the chapter and greater clarity on which standards are required for each type of development has been included.

- 4.6 The impacts of development and other works is a concern for residents and the **Local Environmental Impacts** chapter has been amended to include references to the Code of Construction Practice to provide readers with more information on the mitigation measures required of developers during construction. Additional information has been provided on how conditions can be applied to limit harmful impacts from change of use within Class E. Light pollution from internal lighting was also raised as an issue, but unfortunately this is not something which can be controlled through planning. A number of café owners want to understand why shisha smoking is singled out from other forms of smoking and additional text has been included to explain this approach.
- 4.7 A number of respondents noted that the City's waterways were missing from the **Green Infrastructure** chapter. References to canals and waterways have been added, along with their contribution to biodiversity, access to nature, leisure activities and cooling. Protecting and enhancing biodiversity was highlighted as an issue which could be promoted more strongly in the ESPD and this aspect has been strengthened. In response to comments from consultees, greater clarity has been added on how Biodiversity Net Gain (BNG) will be assessed, reflecting Natural England's BNG Matrix. To address the uncertainty raised about urban greening, the ESPD now clarifies that the council intends to develop a locally specific Urban Greening Factor (UGF) based on the Wild West End (WWE) Matrix and in the meantime the London Plan's UGF will apply.
- 4.8 Respondents felt more could be said about tidal flooding in the **Flood Risk** chapter and in response the findings of the Strategic Flood Risk Assessment have now been better reflected in the ESPD, including requirements for developments near a tidal flood defence. Links between Sustainable Drainage Systems (SuDS) and green infrastructure for natural drainage and water retention have been improved, as well as the opportunities for SuDS to create habitat and increase biodiversity. More detailed information on basements developments and flood risk has been included.
- 4.9 Comments on the **Energy** chapter made clear that reducing carbon emissions is a key focus for residents. Respondents want the council to do more on this issue and have a clear plan to achieve the 2040 net zero target. Increased signposting has been added to other plans and strategies, in particular the Climate Action Plan, to show what else the council is doing to de-carbonise energy. In response to comments that refurbishment of buildings should be prioritised over demolition, more information on how the council will consider this has been included. This includes the adoption of the GLA's approach to Whole Life-cycle Carbon Assessments (WLC) which includes consideration of the retention of the existing building. The ESPD also notes that the benefits of refurbishment need to be carefully balanced against other sustainability objectives, the need to deliver new housing and economic growth, meaning demolition will still be appropriate in some circumstances.
- 4.10 Many comments on the **Waste Management** chapter raised issues related to the collection of waste. Signposting to the Municipal Waste Management Strategy has

been included which will help readers find more information on what the council is doing to tackle this. Some respondents want the council to produce a 'Code of Waste Practice' and a response to this will be provided in the consultation statement. Improved links between the circular economy, including avoiding demolition of buildings, and the WLC section in the Energy chapter have been provided. More information on how waste storage for Use Class E developments will be conditioned. The potential for area-wide strategies to contribute to the management of waste has been recognised.

- 4.11 Developers want the **Retrofitting and Sustainable Design** chapter to be clear that there is a balance in weighing the public benefits of delivering environmental improvements and protecting heritage assets. Additional text has been added on this point. References to water use efficiencies have been included. The importance of buildings for roosting birds and bats was raised and more information on this has been provided. Residents have submitted queries relating to domestic improvements to listed buildings or those in conservation areas. The chapter has been strengthened by providing clearer signposting for residents.

Appendix A: ESPD consultation notification email



Good afternoon,

We announced a Climate Emergency in September 2019 and set the ambition for the council to be carbon neutral by 2030, with the whole city to follow suit by 2040.

The City of Westminster is unique in that 86% of its emissions come from the built environment, a much higher proportion compared to other areas across the country. Having an up to date, ambitious and robust planning policy is a critical next step to achieving net zero across the city's wider built environment.

Today we are launching the consultation on our draft Environmental Supplementary Planning Document (ESPD) as part of our ambitious programme to deliver on our climate emergency commitments.

The ESPD provides further detail and guidance on the City Plan's environment policies, supporting our aspirations to create a greener, cleaner and healthier city. It gives details on how developers can meet the highest sustainability standards covering issues such as air quality, local environmental impacts, green infrastructure, flood risk, energy and waste.

Westminster is leading the way in tackling climate change and improving air quality to deliver a cleaner, greener and healthier environment for our residents, workers and visitors. The ESPD, working alongside the new City Plan, will help ensure that we drive emissions reductions and wider environmental sustainability through the city's built environment.

We will be holding a series of consultation events over the coming weeks focusing on the topics covered in the charters of the ESPD and very much hope you will join these.

The consultation draft of the ESPD is available [here](#) and the consultation is open for six weeks until 28 June 2021. Responses to the consultation should be sent to planningpolicy@westminster.gov.uk

Yours sincerely,

Cllr Matthew Green
Cabinet Member for Business, Licensing, and Planning
Westminster City Council



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Appendix B: Schedule of ESPD Representations and Responses by Chapter

[General](#)

[Introduction](#)

[Air Quality](#)

[Local Environmental Impacts](#)

[Green Infrastructure](#)

[Flood Risk](#)

[Energy](#)

[Waste Management](#)

[Retrofitting and Sustainable Design](#)

[Internal comments](#)

General

ES PD	Respondent	Representations	Response
GE N	Huguette Zola	<p>I had to sit down after the webinar and really think about the topic discussed and below are my perspective as a Westminster resident. Overall your consultation is looking good.</p> <p>My main thought would be interlinking all the 7 elements and adding one more which captures logistic collaboration from the community composed of tenants/residents/businesses/WCC staff and visitors. To unify it with community champions, beneficial eco schemes incentive, success stories and Street zero carbon signage.</p> <p>Thank you for your time is reading my thoughts as a Westminster resident/Housing Association Tenant.</p>	<p>Support welcomed.</p> <p>The council’s Climate Action Plan contains more information about how the council will tackle and adapt to climate change. In addition, signposting for how residents and businesses can help address climate change is</p>

ESPD Consultation Statement (February 2022)

ESPD	Respondent	Representations	Response
			being developed by the council.
GEN	Matthew Bennett	<p>This is a major step forward containing lots of good reasoning, guidance and procedures. A very welcome document, my thanks to WCC councillors and officers for putting it together and now consulting on it.</p> <p><u>Herewith both general and specific comments.</u></p>	Support welcomed
GEN	Matthew Bennett	<p>Separately to the ESPD itself it would be good if WCC could publish a timeline of actions towards the 2040 goal of net zero carbon so that it indicates to all stakeholders in Westminster the steps we will all need to take if we are to meet your target. At the moment for those who wish to procrastinate 2040 seems a comfortably long way away. However, if left to the last moment the target either won't be met or will be particularly costly and disruptive to achieve in the final years. Starting to make changes incrementally now will allow stakeholders to build the necessary changes into their business and personal life objectives and create shared momentum.</p>	<p>A timeline of actions towards the 2040 goal of net zero carbon has been published in the Climate Action Plan. In addition, signposting for how residents and businesses can help address climate change is being developed by the council.</p>

ES PD	Respondent	Representations	Response
GE N	Westminster Business Improvement Districts	<p>We are writing to you with our representations on the draft Environmental Supplementary Planning Document, on behalf of the nine designated Business Improvement Districts within the Westminster City Council authority, which includes around 3,000 business members and a number of property owners.</p> <p>Firstly, we strongly welcome the principles of the draft Supplementary Planning Document and the clear guidance it provides to residents, developers, property owners and BIDs, explaining how they can actively address the Climate Emergency and meet the City Council’s ambitions for the authority to be carbon neutral by 2030 and for Westminster as a borough to be carbon neutral by 2040. These are ambitions which the Westminster BIDs fully support and which we are actively seeking to deliver within our designated BID areas.</p> <p>There are nonetheless some amendments or clarifications to the draft Environmental SPD which we would suggest that could improve the SPD prior to adoption.</p>	Support welcomed.
GE N	Westminster Business Improvement Districts	<p><i>General</i></p> <p>Whilst the Westminster BIDs strongly welcomes the ambitions and detailed proposals set out within the draft Environment SPD, we also consider that there should be some recognition by the City Council as to the costs of implementing leading environmental and sustainability measures. A number of the measures outlined in the draft SPD will result in significant costs for developers, and we are keen to ensure these costs are taken into account when assessing the viability of applications.</p> <p>With the suggestions outlined above, we very much welcome the draft Environmental SPD and the opportunity to work with the City Council to achieve the 2030 and 2040 carbon neutral targets.</p>	<p>Support welcomed.</p> <p>The City Plan policies have undergone a Viability Review to consider the ability of developments to accommodate the policies alongside adopted Westminster Community Infrastructure Levy (‘CIL’) rates.</p>

ES PD	Respondent	Representations	Response
GE N	Belgravia Neighbourhood Forum	<p>The Belgravia Neighbourhood Forum intends to support the intentions of Westminster to set a new gold standard in its Environmental SPD with the measures needed to tackle the climate and biodiversity emergencies. This will require the achievement of nearly 'zero air emissions' from buildings in Westminster over the life of the City Plan, which are currently responsible for about 80% of total greenhouse gas emissions generated locally.</p> <p>We hope that our support will be helpful as we move forward to this target.</p>	<p>Support welcomed</p> <p>The City Plan includes policies to improve air quality in Westminster. The council is targeting net zero carbon emissions rather than zero air pollution emissions.</p>
GE N	Canal & River Trust	<p>We are pleased to see the publication of the Environment SPD, although we note that it doesn't reference the borough's waterways. We would be pleased to work with Westminster to explore where our canals can help facilitate action against, and adaptation to, climate change.</p> <p>We have the following specific comments on the document:</p>	<p>Improved referencing of Westminster's waterways has been added. This includes their value as open space and green infrastructure, contribution to wellbeing and access to nature, sustainable transport, impacts of light pollution, contribution to BNG, drainage, flood protection, heating/cooling and urban cooling.</p>
GE N	CAPCO	<p>Thank you for the opportunity to comment upon the City Council's Environmental Supplementary Planning Document ("SPD") Consultation. Please accept this letter as Capco's formal response which summarises their general support for the overall principles within the SPD whilst</p>	<p>Support welcomed.</p> <p>The Validation Checklist provides further details of</p>

ES PD	Respondent	Representations	Response
		<p>highlighting some general and more practical points for further consideration based upon our extensive development, place-shaping and Estate management expertise. Capco is the majority landowner in Covent Garden and over the past 15 years has invested considerable sums across the District through the curation of highest quality residential, retail, restaurants, culture and public realm. Capco has undertaken sensitive restoration and conversion works to heritage buildings, delivered major development projects and made substantial investment in the public realm, both in terms of physical, public realm and place-making enhancements and also the management and stewardship of the District. The retail and food & beverage tenants are curated of the highest quality such that the District is globally renowned for its retail and entertainment function. Capco has a strong environmental track record and the many examples include, installation of extensive planting requiring the setting up of an on-site gardening team, living walls on Regal House, green roofs, promotion and management of new pedestrian streets, provision of extensive public seating, delivering 15 car charging points and conversion of WCC street lights to LED sources on Floral Street. It is also an active member of the Zero Emissions Working Group and contributor to the 2020 Climate Emergency workshops.</p> <p>General Commentary on Environmental SPD Strategically, Capco welcomes the publication of the document both as a reflection of the vital importance of environmental matters and in support of the WCC declared Climate Crisis, and as a tool to assist those designing developments at an early stage of the design process. Providing the necessary guidance on the application of the City Plan policies on</p>	<p>which assessments are required for which types of developments.</p> <p>Reference to estate-wide strategies have been included.</p> <p>Signposting to the policies map for more details on the AQFAs has been added.</p> <p>Definitions of AQN and AQP have been improved and more information has been included about when these are required.</p> <p>The NPPF states that where a proposed development will lead to harm or loss of a heritage asset, local authorities should consider if the harm or loss is necessary to achieve substantial public benefits that outweigh that</p>

ES PD	Respondent	Representations	Response
		<p>environmental matters in a single document, with a clear status, is a helpful simplification.</p> <p>Capco is an active member of the Westminster Property Association (WPA) and supports the strategic comments made by the WPA including the areas where greater clarification upon the detail of the application of the guidance, particularly around the specific documents, or level of assessment to be provided with different types of applications and scales of development, would be useful. For example, change of use applications for large sites often involve no significant physical works and so it would not be reasonable to submit some of the documents associated with this. In addition, Capco is supportive of the SPD given that the seven environmental topics covered align closely to its own strategy. Air Quality is one of its own pillars and Capco therefore support all planning frameworks that seek to improve air quality both interior and exterior across Westminster. As a Wild West End (“WWE”) Partner, Capco welcome inclusion of the WWE matrix for biodiversity and green infrastructure. The inclusion of retrofitting and sustainable design is a key aspect aligning with Capco’s strategy, given the challenge of improving energy performance of listed and historic fabric buildings and the inherent embodied carbon benefit of this approach against the significant carbon investment of new development. Capco has made a commitment to be net zero carbon by 2030 and therefore supports the energy objectives. More specifically for Capco and our wider ownership and stewardship across Covent Garden, it is important that the principle of an Estate wide approach needs to be established. This will enable environmental benefits to be appropriately considered across the District, to ensure maximum and sustainable environmental gain. The</p>	<p>harm or loss. Addressing, mitigating and adapting to climate change is considered a public benefit as well as other environmental aims such as improving air quality and reducing flood risk. Due to the unique nature of heritage assets, the balance of addressing climate change, protecting heritage assets and viability will need to be considered on a case by case basis.</p> <p>This will be made clear in the ESPD.</p> <p>The ESPD highlights potential technologies but does not promote one solution over another.</p>

ES PD	Respondent	Representations	Response
		<p>SPD should also be flexible to allow for pragmatic and creative solutions which will ensure the required environmental benefits can be provided without impacting on the viability or practical use of the proposed development or existing building. For example, avoiding the need to divert underground utilities to plant trees when the instalment of an above ground planter, or an artificial carbon absorbing tree could be an equally beneficial solution. To ensure maximum number of environmental benefits can be provided, initiatives must be both practical and affordable. For example, the image shown on page five of the draft SPD, although attractive, would likely struggle to be effective due to the porous undersized soil planters which will not retain the moisture or nutrients required. This would therefore likely be an intensive and wasteful watering regime as well as the need for regular replanting. The SPD should also not be too prescriptive in terms of requiring new and/or expensive technology to deliver the necessary environmental benefits, especially in instances when policy requirements may change in the future. For example, Combined Heat and Power (CHP) systems whilst a planning requirement are frequently turned off for operational efficiency reasons where they have been conditioned in inappropriate circumstances. We have set out the commentary below in response to each of the following chapters:</p> <p>Conclusion Capco welcomes the publication of, and opportunity to comment on, the draft SPD and is supportive of the principles within it. We are fully committed to helping the City to fulfil its climate emergency objectives and action plans. Having said this, we request that consideration be given</p>	

ES PD	Respondent	Representations	Response
		<p>to allow a more Estate wide approach, which would enable the environmental benefits to be appropriately distributed across the district, indeed across the West End given the extent of Estate ownership owned by like-minded, equally collaborative landowners. The SPD should also be flexible to allow for pragmatic and creative solutions which will ensure the required environmental benefits can be provided without the need to impact on the viability or practical use of the proposed development or existing building. To ensure maximum number of environmental benefits can be provided, initiatives must be practical, affordable and economic to run and maintain. We also request that the SPD is not prescriptive in terms of requiring new and/or expensive technology to deliver the necessary environmental benefits, especially when such policy requirements may be altered in the future and technology superseded by better solutions. Further flexibility should also be given to allow environmental benefits to be provided to listed buildings or heritage assets. There are a number of listed buildings within the Covent Garden district and recognition needs to be given to the retrofitting and other measures which improve sustainability performance and provide a public environmental benefit. These benefits should be given appropriate weight when considering the balance of public benefit and harm to heritage significance.</p>	
GE N	Clean Air in London (CAL)	<p>[First submission] Congratulations again for putting the new Westminster City Plan (WCP) in place. Clean Air London (CAL) is particularly pleased that the Council's declaration of a Climate Emergency and commitment to mitigate and adapt to climate change are embedded in Policy 1.A.8 and throughout your plan.</p>	<p>The GLA has confirmed that the City Plan is in general conformity with the London Plan and this was also confirmed by the independent Planning</p>

ES PD	Respondent	Representations	Response
		<p>Thank you for the opportunity to comment on the ESPD. CAL is writing now and will respond to the ESPD consultation in more detail before the deadline.</p> <p>CAL applauds Westminster’s ambition to have the City of Westminster leading the way in tackling climate change and improving air quality and biodiversity. In CAL’s view that ambition can and must be translated into policy and guidance which will shape the environment of Westminster and protect the health and lives of its residents, workers and visitors. Recent developments have made it clear that achieving clean air is a firm legal duty of local authorities, not only through the regulation of emissions at source and levels of pollution in ambient air but also because of the obligation of public bodies to protect health and life under the Human Rights Act and the European Convention on Human Rights. In addition, Westminster’s plans must conform to those of London.</p> <p>Against this legal background, CAL is concerned that the draft ESPD is not ambitious enough, nor detailed enough (and has some gaps), in a number of key areas to meet the Council’s legal duties or its stated aims. For example, the section on air quality is too brief and lacking in clarity: if followed it risks decisions which do not measure up to either your own City Plan nor the London Plan and could worsen air quality. Put another way, if the draft air quality guidance was followed to the letter, or is used as an excuse by developers to justify inadequate measures, it would be inconsistent with the City Plan, the London Plan and arguably be unlawful.</p>	<p>Inspectors examining the City Plan.</p> <p>The council can apply City Plan policies, and ESPD guidance, only when a planning application is submitted. For permitted development or where there is no proposal to upgrade a building then the council has no influence.</p> <p>The council has a separate Air Quality Action Plan which looks at air quality in the round and provides more detail on how the council will address the issue. The Freight, Servicing and Delivery strategy also addresses air quality in Westminster.</p> <p>An expanded section on sources of air pollution and</p>

ES PD	Respondent	Representations	Response
		<p>By contrast, the City of London Air Quality SPD (adopted as early as July 2017), set out in detail the guidance which could achieve clean air and climate goals, and which were consistent with the London Plan 2016: https://www.cityoflondon.gov.uk/services/environmental-health/air-quality/air-quality-supplementary-planning-document https://www.cityoflondon.gov.uk/assets/Business/city-of-london-air-quality-spd-2017.pdf</p> <p>This was built upon the in the City of London’s Air Quality Strategy 2019-2024: https://www.cityoflondon.gov.uk/assets/Business/City-of-London-Air-Quality-Strategy-2019-24.pdf</p> <p>and more recently in the draft Climate Change section of the City of London Local Plan 2036: https://www.cityoflondon.gov.uk/services/planning/planning-policy/local-plan-review-draft-city-plan-2036 https://www.cityoflondon.gov.uk/assets/Services-Environment/proposed-submission-draft-climate-change-topic-paper.pdf</p> <p>The last of these clearly seeks to be in conformity with the London Plan 2021.</p> <p>In CAL’s considered view, which we have discussed with Harrison Grant Solicitors, Westminster can, and should and indeed must take every opportunity to bring to life its commitment to becoming a carbon neutral council by 2030 and carbon neutral city by 2040. In practice this will mean zero air emissions from buildings as soon as possible, through every planning decision, guidance, SPD and policy whether relating to substantial refurbishments, complete retrofits or new</p>	<p>the council’s strategy to tackle them has been included. However, the focus of the ESPD is planning and it should not be read in isolation. Other measures to address air quality are covered by other strategies and action plans.</p>

ES PD	Respondent	Representations	Response
		<p>buildings. CAL would be pleased for Grant Harrison Solicitors to discuss these issues with your legal team is that would be welcomed.</p> <p>Planning law, policy and practice and your climate declaration and City Plan give Westminster the opportunity and duty to match or beat the best standards and practice across London and elsewhere.</p> <p>The leader of Westminster and you and your colleagues have the ambition, opportunity and need to establish a new gold standard in London on environmental matters. CAL urges you to match or beat the City of London Corporation in all environmental policies and documents eg air quality, climate change, energy, transport and urban forests!</p> <p>Please lead the way in tackling pollutants and climate change and restoring biodiversity to our wonderful City as we head to the UN Climate Change Conference (COP26) in Glasgow in November 2021. You are already well on the way to doing so!</p> <p>I would be pleased to continue this exciting and productive engagement.</p> <p>[Second submission]</p> <p>Congratulations again for putting the new Westminster City Plan (“WCP” or “City Plan”) in place.</p> <p>Clean Air London (“CAL”) is particularly pleased that the Council’s declaration of a Climate Emergency and commitment to mitigate and adapt to climate change are embedded in Policy 1.A.8 and throughout the City Plan. Thank you also for bringing Westminster’s commitment to Net Zero to life with many references in the ESPD to the Council’s declaration of a Climate Emergency.</p>	

ES PD	Respondent	Representations	Response
		<p>Thank you for the opportunity to comment on the ESPD. CAL wrote initially to you about the ESPD consultation on 3 June 2021 so this letter represents a further response.</p> <p>CAL applauds Westminster’s ambition to have the City of Westminster leading the way in tackling climate change and improving air quality and biodiversity. In CAL’s view that ambition can and must be translated into policy and guidance which will shape the environment of Westminster and protect the health and lives of its residents, workers and visitors. The Leader of Westminster and you and your colleagues have the ambition, opportunity and need to establish a new gold standard in London on environmental matters. This does <u>not</u> mean ‘gold plating’.</p> <p>The Importance of Supplementary Planning Documents</p> <p>The KNF understands that Supplementary Planning Documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making ie they rank behind the London Plan, City Plan and Neighbourhood Plans but ahead of guidance documents. The KNF encourages you therefore to take full advantage of the ESPD’s potential to implement a new gold standard that will achieve the ambitions and requirements in the new City Plan.</p> <p>Please lead the way in tackling pollutants and climate change and restoring biodiversity to our wonderful City as we head to the UN Climate</p>	

ES PD	Respondent	Representations	Response
		<p>Change Conference (COP26) in Glasgow in November 2021. You are already well on the way to doing so!</p>	
GE N	Environment Agency	<p>We are pleased to see that ambitions are being set for the council to be carbon neutral by 2030, and the whole city by 2040 and support this document as opportunity to assist developers in meeting the highest sustainability standards required to hit these targets.</p> <p>The City of Westminster has various environmental constraints and opportunities that are best addressed at this strategic planning level. Whilst the SPD has recognised and highlighted many of these we feel there are opportunities to strengthen certain aspects of the document and form more robust policies. The document particularly lacks in areas related to the River Thames, Thames Estuary 2100 and tidal flooding in general. This is of particular concern due to the large river frontage and the damage that would be caused in a tidal breach scenario.</p> <p>We have provided our comments following the general order of the topics presented in the draft SPD. Where we are making specific comments we have referenced the relevant paragraph numbers or bullet points for ease of navigating our response.</p>	Noted, detailed responses below.
GE N	Fitzrovia West Neighbourhood Forum	<p>5. This SPG is a useful summary of best practice, guidance and statutory requirements which are enforceable. We recommend the Council reviews how the highest standards can best be encouraged and if necessary enforced through the planning process. For example, how can developers and their architects best be briefed through pre-application discussions, which conditions added to planning permissions best secure compliance, and how far can the threat of refusal ensure the highest standards are adopted? Are delegated and committee decisions</p>	<p>The council has standard conditions which can be found on the council's website.</p> <p>A reference to the council's pre-application advice</p>

ESPD	Respondent	Representations	Response
		<p>consistent in requiring the same standards and conditions? In addition, are appropriate enforcement procedures in place to assess compliance and to take necessary action if they are not? Is there any case law on the planning inspectorate supporting local authorities which require high environmental standards?</p> <p>In conclusion, this is a very welcome statement of environmental policy which should be publicised widely. The test will be the extent to which it is implemented and results in improved environmental standards over time.</p>	<p>service has been added to the ESPD.</p> <p>The council is able to enforce where there is a legal requirement to meet standards.</p>
GE N	Gillian Brown	<p>I've had a look through the document, but not being a specialist I am limited in what I can say. The general thrust of what it sets out seems to reflect an admirable goal, though no doubt the implementation is where the devil in the detail will be.</p> <p>I have the following observations/comments:</p>	Support welcomed.
GE N	Historic England	<p>Thank you for consulting Historic England regarding the above draft SPD. As the Government's statutory adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is taken into account at all stages and levels of the planning process.</p> <p>It is important to emphasise that Historic England recognises the urgent need for positive action to tackle climate change and is committed to achieving net zero. As an organisation we have a duty of care to protect our heritage. We actively seek and promote actions that address the causes of climate change and that reduce greenhouse gas emissions. These goals are compatible. In fact, looking after and learning from the historic environment contributes positively to overall global sustainability</p>	<p>Support welcomed.</p> <p>Detailed responses below.</p>

ES PD	Respondent	Representations	Response
		<p>and can help us adapt to and mitigate for climate change. In this sense, historic buildings can be seen to be part of the solution rather than part of the problem in the context of climate change. England has one of the oldest building stocks in the developed world and we lead the world in our ability to recycle our buildings and infrastructure, reducing unnecessary waste and carbon emissions. We have an internationally-renowned system for conserving our built assets, with the expertise to adapt, re-purpose and re-use our buildings for generations to come. Given this background, we welcome the draft SPD and strongly support the objectives it seeks to achieve, including the whole building approach set out on page 98. We consider the advice on the retrofitting of historic buildings to be logical and, subject to our comments below, appropriate to the issues and challenges it addresses.</p> <p>Nevertheless, we are keen that the document is clear that while clearly well-intentioned, there are risks not only to heritage significance but also to carbon emission objectives in poorly conceived interventions. Uncontrolled and ill-informed retrofit measures are potentially not only damaging to heritage but may worsen carbon emissions rather than reducing them and could be harmful to the health and well-being of occupiers. Going forward it is key to understand the importance of embodied carbon and energy rating processes.</p> <p>I trust these comments are helpful. Please note that this opinion is based on the information provided by you and, for the avoidance of doubt, does not affect our obligation to advise you on, and potentially object to any specific development proposal which may subsequently arise from this or later versions of the plan which is the subject to consultation, and which may, despite the SA, have adverse effects on the environment.</p>	

ESPD	Respondent	Representations	Response
GEN	Houses of Parliament Restoration and Renewal Programme	<p>This representation is submitted on behalf of the Houses of Parliament Restoration and Renewal Programme (R&R Programme) and the Parliamentary Estate. The submission relates to the Parliamentary Estate buildings, including the Palace of Westminster, and the Queen Elizabeth II Conference Centre.</p> <p>This representation is submitted in broad support of the draft Environmental SPD, but seeks further clarification on particular matters within the Green Infrastructure and Energy sections of the document.</p> <p>Conclusion</p> <p>The above concludes the comments and queries we have to raise. We are supportive of the aims and objectives of the SPD and hope the Council will consider the need for clarification on these points when revising and updating the draft document.</p>	Support welcomed
GEN	Howard de Walden Estate	<p>We enclose herewith, on behalf of the Howard de Walden Estate, a summary of our comments and concerns with regards to the draft Environmental Supplementary Planning Document as shown and read on Westminster City Council’s website.</p> <p>The Estate welcomes the opportunity to comment on Westminster City Council’s Environmental Supplementary Planning Document (“SPD”) Consultation Draft and The Estate looks forward to working with the City Council to achieve reduced carbon emissions and to help tackle the climate emergency in Westminster overall.</p> <p>As you may know, The Howard de Walden Estate is the freehold owner of most of the building within 92 acres of Marylebone, central London. The Estate manages and leases properties across this area which extends from Marylebone High Street in the west, to Portland Place in the east,</p>	Noted.

ESPD	Respondent	Representations	Response
		<p>and from Wigmore Street in the south to Marylebone Road in the north. Therefore, the Estate has a valued and historic understanding of place within this part of Westminster and how people live work and play throughout this area. Thus, the Estate very much values the City Council’s enhanced proposed policy context for the future of sustainability not only with Marylebone but across Westminster overall.</p> <p>The comments below are made with the understanding that this is a draft consultation document and therefore The Estate is simply highlighting where greater clarification could be provided on the detail of the application of particular guidance and potentially where documents are to be submitted for what application types in conjunction with the advice given.</p> <p>Commentary on each chapter is as follows:</p>	
GEN	James Hewitt	<p>I attach my comments concerning the consultation about the ESPD. I thank the Council’s planning and technical personnel for their work in compiling the EPSD and for the virtual workshops.</p> <p>In the continuing absence of a credible climate emergency action plan (which does not rely on prayer and indulgences (negative emissions technologies and offsets respectively), and with the prospect of substantial changes in legislation concerning planning and the environment, one can not judge whether the ESPD will need to be substantially re-drafted.</p> <p>It may be that shifts in the economy and actions which do not require planning approvals will contribute most to ensuring that the borough’s (whole life cycle) greenhouse gas emissions do not exceed its carbon budget - which, as the Council knows (for example) is rapidly diminishing.</p>	<p>The council’s Climate Action Plan has been published online.</p> <p>The ESPD has a very specific role in providing guidance for applicants and officers on the City Pan environmental planning policies and cannot repeat all other national regional and local strategies which seek to address climate change.</p>

ES PD	Respondent	Representations	Response
		<p>Comments on Westminster City Council’s ESPD</p> <p><u>General</u></p> <p>The Environmental Supplementary Planning Guidance Draft adds thoughtfully to the City Plan 2019- 2040¹. However, neither indicate greater commitment than required under the London Plan. Crucially, all three are not fit for the over-riding purpose of addressing the collapsing climate.</p> <p>The ESPD² has been compiled in advance of details of how the City of Westminster (i) sees its role in addressing the Climate Emergency (declared nearly two years ago)³ and (ii) will achieve related annual targets. The ESPD does not indicate what supplementary powers and funding the Council requires from regional and central government to carry out that role.</p> <p>The 2040 target for net zero suggested in that declaration reflects a fundamental misunderstanding (or an attempt to mislead). That year is far less relevant than the borough’s remaining carbon budget. The ESPD does not anticipate the self-evident imperatives of the emergency – particularly a greater than 11% annual decline in greenhouse gas emissions across the borough, including in 2021⁴. That decrease is sufficient in urgency and scale to require, for example, annual inventories of greenhouse gas emissions by sector and tier of government responsibility, annual targets for the reduction of each and by leading stakeholder, and annual public audits.</p> <p>The ESPD does not attempt to be consistent with the legally binding fourth and fifth carbon budgets of the Climate Change Act (2008) – which, it seems, no one in authority seriously expects will be achieved. It does not reflect the sixth carbon budget, recently endorsed by the Prime</p>	<p>The ESPD is aligned with the 6th Carbon and in particular the topic paper on Buildings.</p> <p>Information on the council’s remaining carbon budget can be found in the Climate Action Plan.</p>

ES PD	Respondent	Representations	Response
		<p>Minister. The workshops gave no indication that the ESPD would take into account last week’s Climate Change Committee warning that current policy in the UK would achieve roughly 20% of these obligations. Although investors might argue that the Council has misled them into assuming that its Climate Emergency policy will be no more demanding than the ESPD and that neither will need tightening, such arguments would indicate a lack of due diligence and would presumably be rejected in court.</p> <p>The ESPD does not seem to anticipate the forthcoming shift in central government regulations (concerning planning and the environment) which related announcements and draft documents imply.</p> <p>The following comments are based on the chapters of the ESPD and the related workshops.</p>	
GE N	Knightsbridge Neighbourhood Forum	<p>Net Zero by 2040 requires an ESPD that sets a new gold standard</p> <p>The UK Government signed the legislation to commit the UK to a legally binding target of net zero emissions by 2050 on 27 June 2019. The KNF congratulates Westminster on its ambition to make the new ESPD the ‘gold standard’ for such documents.</p> <p>Such ambition is needed following Westminster’s declaration of a Climate Emergency on 18 September 2019 and commitment to becoming a carbon neutral council by 2030 and carbon neutral city by 2040⁸ i.e. Net Zero ten years ahead of Government targets. As you will appreciate this means ‘Zero Air Emissions’ from all buildings in the City of Westminster by these dates, or close to it. It does not mean ‘no net change from emissions today’ or the ‘offsetting’ of increasing emissions. It is also important to understand that references to ‘carbon neutral’ and ‘air</p>	<p>1. Support welcomed. The City Plan requires major developments to be at least air quality neutral and major developments in Opportunity Areas and Housing Renewal Areas and those subject to an Environmental Impact Assessment to be air quality positive. GLA guidance on air quality neutral and positive is being prepared.</p>

ES PD	Respondent	Representations	Response
		<p>quality neutral’, in planning and legal terms, mean quite different things, almost the opposite!</p> <p>I know you are also committed to tackling the biodiversity crisis. Sadly, we do not often see insects or hear small birds in the City of Westminster anymore. Please reverse this trend for current and future generations.</p> <p>General</p> <p>1. The KNF congratulates you on launching the consultation on this ESPD so soon after the adoption of the new Westminster City Plan. In general, it is an excellent document. However, the Forum urges you to make more of the opportunity for the ESPD to set a new gold standard and achieve necessary outcomes by fixed deadlines. In the KNF’s view, this will require:</p> <p>1.1. the precise and explicit articulation of your vision to set a new gold standard;</p> <p>1.2. significant strengthening and expanding of some sections (e.g. air quality and energy);</p> <p>1.3. filling of some gaps (e.g. trees policy); and perhaps most important</p> <p>1.4. the articulation of explicit requirements to achieve unambiguous outcomes over the life of the City Plan i.e. Net Zero and effective not token resilience (i.e. adaptation) to climate change.</p> <p>The last of these represents and requires a dramatic change relative to all previous planning policy and ESPDs. With a new ‘adopted’ City Plan in place, the ESPD represents the best way to show and help developers and landowners to play their part. In fact, if it does not, developers and property owners face investment ‘cliff edges’ when the government requires the rapid decarbonisation of buildings, as it surely will e.g. as the first Clean Air Act required in 1956 over up to seven years.</p>	<p>The City Plan does more than London Plan by requiring Air Quality Assessments for all residential development in Air Quality Focus Areas</p> <p>The City Plan does more than the London Plan by requiring Air Quality Neutral for all developments that incorporate CHP.</p> <p>There is an opportunity to require a wider range of developments to achieve air quality neutral benchmarks or air quality positive. This will require a revision to the City Plan and further viability testing to ensure requirements are proportionate to the nature and scale of the application.</p> <p>The ESPD will be strengthened by including more information on how</p>

ES PD	Respondent	Representations	Response
		<p>2. The pace of UK and international promises on the environment in recent years must be backed by action. These promises, together with those in the London Plan (March 2021) and the London Environment Strategy 2018, and strong references to climate and other action in the City Plan (April 2021) give you every opportunity, indeed obligation, to set a new gold standard in the ESPD.</p> <p>Supplementary Planning Documents</p> <p>3. The KNF considers that the ESPD needs to be exceptional. If the message is clear that matters in it are a critical consideration, this should ensure that they are embedded as principles from the start of the design process in all development. Too often, practical aspects are missing from design or shoe-horned into it after the event.</p> <p>4. Please strengthen the Objectives section in the ESPD (page 8). It needs to spell out the outcomes needing to be achieved over the life of the City Plan such as Net Zero by 2040. Please explain, as above, that this means ‘Zero Air Emissions’ so that people understand the scale of the task ahead. Please explain that this ‘outcome’ must not be achieved at the expense of air quality e.g. as BREEAM and other scoring can sometimes ‘encourage’. Please explain that the Council is keen to work towards full compliance with the World Health Organisation’s (WHO’s) latest air quality guidelines rather than ‘improving air quality’ which could mean little or nothing over the life of the plan. New WHO air quality guidelines are due to be published imminently i.e. Q3 2021.</p> <p>5. The KNF encourages Westminster to codify key planning considerations as standard planning conditions attached to approvals e.g. as it has done for many years on construction and noise.</p>	<p>biodiversity will be protected and how Biodiversity Net Gain will be assessed, with links to Natural England’s BNG Metric 3.0 and Small Sites BNG Metric.</p> <p>The City Plan sets out baseline requirements for developers and the ESPD provides further guidance on how to achieve these standards.</p> <p>As the new London Plan and City Plan environmental policies are implemented over the next few years, developers and their technical consultants will become more familiar with how to prepare the technical assessments. Monitoring of the policies and of operational energy performance will provide analysis data, and</p>

ES PD	Respondent	Representations	Response
		<p>This would make the planning system more predictable and perhaps align it more closely to US-style 'design codes'.</p> <p>6. We address these matters in more detail below.</p>	<p>ultimately best practice will emerge.</p> <p>2. The council has published its Climate Action Plan online. Westminster is required to review the City Plan every five years, but this may happen earlier in light of the Environment Act and future Planning Bill. When reviewing the City Plan there will be opportunities to consider how to further strengthen policy and lower thresholds for certain requirements where appropriate. The ESPD can be revised sooner if required.</p> <p>3. The council can only intervene in the design process if developers request a pre-application consultation. Further work to explain and clarify the City Plan's policies relating</p>

ES PD	Respondent	Representations	Response
			<p>to design will be undertaken next year through the preparation of a Design SPD.</p> <p>4. The objectives of the ESPD are the same as those of the City Plan because the ESPD is directly related to the City Plan. However, the ESPD should not be read in isolation and is part of a suite of policies and strategies to tackle climate change and air pollution. The City Plan targets net zero carbon emissions not zero air pollution emissions.</p> <p>5. Standard Planning Conditions and Reasons for the City Plan 2019-2040 can be found on the council's website</p>
GE N	London Wildlife Trust	London Wildlife Trust ('the Trust') broadly welcomes and supports the SPD, not only in its scope but also how it is set out. We have a number of suggestions and comments primarily in relation to biodiversity, which we hope are considered before the SPD is adopted	Support welcomed

ESPD Consultation Statement (February 2022)

ES PD	Respondent	Representations	Response
GE N	Maida Hill Neighbourhood Forum	We thank WCC for the opportunity to comment on the ESPD, as we believe that the issues that it covers are absolutely crucial for quality of life in the Maida Hill / Harrow Road ward. We have comments in relation to Air Quality and Green Infrastructure as set out below.	Noted
GE N	Marine Management Organisation	[No specific comments]	N/A
GE N	Natural England	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. We are supportive of the measures being proposed, and welcome the inclusion of Biodiversity Net Gain with reference to both developments and green spaces within the borough. Natural England has no further comments to make on this consultation	Support welcome
GE N	Labour group	The Labour Group welcomes the Council's focus on climate action including through the Supplementary Planning Document (SPD) and in other areas, following sustained pressure from the Group, residents and campaign groups to declare an emergency in 2019. We recognise there is work underway to track Council and City-wide emissions to measure progress in achieving the 2030 and 2040 goals. However, for the moment this work is still underway and has not been made publicly accessible; this should be made available as soon as possible for residents and other interested stakeholders to hold the Council to account on delivering on its objectives. In addition, there should be a clear timeline of actions and milestones needed to achieve	A timeline of actions towards the 2040 goal of net zero carbon has been published in the Climate Action Plan . In addition, signposting for how residents and businesses can help address climate change is being developed by the council.

ES PD	Respondent	Representations	Response
		<p>these goals. Without this there is a risk that there is space for procrastination, both within the Council and outside it; in the midst of other more immediate and short-term pressures, it is easy for difficult but important decisions around Greenhouse gas (GHG) reduction to be delayed. The area of tracking reduction of emissions is particularly pertinent to goals in regard to Westminster’s built environment given that Westminster’s buildings contribute 86% of the City’s emissions. The SPD is a step forward in setting the foundations for climate and environmental action, however we believe there are several areas for improvement.</p> <p>We are concerned about the potential implications of one of the opening statements in the SPG: namely that “[t]his document aims to help applicants understand how to make successful planning applications without adding unnecessarily to the financial burdens of development in line with the requirements of the National Planning Policy Framework (NPPF).” It is right that costs are wherever possible minimised, but it is crucial there is recognition from this local authority and others, and critically also national government, that adapting and shifting our built environment to net zero will cost substantial sums of money; making resources available to get to net zero needs to be seen as an investment which will be far less expensive than dealing with the effects of runaway climate change. National government needs to be fronting a lot more investment than it is currently; the Council should be explicit in recognising this as well as the point about short to medium term large investments paying off in the long-term.</p> <p>We await to see other representations from expert organisations and may make a further submission then.</p>	

ES PD	Respondent	Representations	Response
GE N	Pimlico Neighbourhood Forum	Pimlico Neighbourhood Forum is grateful for an opportunity to comment on the Environment SPD. While recognise that this document is primarily about guidance in relation to planning decisions, the issues it covers impinge on a variety of non planning activities of the Council and our remarks are intended to respond to the document in that context as well.	Noted
GE N	Port of London Authority	For information, the PLA is the Statutory Harbour Authority for the Tidal Thames between Teddington and the Thames Estuary. Its statutory functions include responsibility for conservancy, dredging, maintaining the public navigation and controlling vessel movements and its consent is required for the carrying out of all works and dredging in the river and the provision of moorings. The PLA's functions also include for promotion of the use of the river as an important strategic transport corridor to London	Noted
GE N	Princes Gate Mews Residents' Association	Thank you very much for the chance to comment on this excellent document. I have only 4 comments which relate to solar panels, to green roofs and to air conditioning and excessive glazing.	Noted
GE N	Shaftesbury	About Shaftesbury Shaftesbury is a Real Estate Investment Trust which invests exclusively in the heart of the West End. Our portfolio extends to 16 acres, focussed on Soho and Covent Garden incorporating the internationally recognised locations of Carnaby, Chinatown and Seven Dials. Assembled over 34 years, the portfolio provides accommodation for c.600 shops, restaurants, cafes, pubs and bars, across 1.1 million sq. ft. In addition, the upper floors of our buildings comprise 0.4 million sq. ft. of SME office	Support welcomed. Detailed responses provided below. Applicants are encouraged to engage in pre-application discussions

ES PD	Respondent	Representations	Response
		<p>accommodation and over 600 rental apartments. We estimate the average age of our buildings is c.150 years and some 20% are listed and the majority are located within Conservation Areas.</p> <p>Our strategy is based on long-term ownership, investment and active management with the goal of curating safe, attractive, vibrant and sustainable places. Our buildings and locations make an important contribution to the historic heart of the West End and its global reputation as a shopping, entertainment, culture and visitor destination, as well a high-profile commercial hub. We recognise the importance of the local residential community to the authentic feel of the West End and work closely with it to address the challenges of an intensively-used urban environment.</p> <p>Our environmental strategy is built on the principle of extending the useful lives of our heritage buildings. Re-using and enhancing existing buildings, rather than demolition and redevelopment, is fundamentally the most sustainable approach; increasing energy efficiency whilst avoiding carbon emissions and use of materials associated with new construction. Through our programme of low carbon refurbishments, we preserve our buildings, protect the character of our areas and increase biodiverse green space, working in partnership with Wild West End.</p> <p>Draft ESPD</p> <p>Shaftesbury are supportive of the key aims and objectives of this document, as it reflects our shared values on all matters relating to the environment. We also welcome the additional detail and clarity it seeks to provide with regards to the planning process.</p>	<p>with the council where there may be pressures on roof space.</p>

ES PD	Respondent	Representations	Response
		<p>In this representation we will comment on the seven key themes that are set out in the draft SPD, and in particular where we consider there to be important issues which may affect the ongoing management of our portfolio across the West End.</p> <p>However, we wish to make a general comment regarding rooftops, which has relevance to several parts of this SPD including Energy, Noise and Urban Greening.</p> <p>Our building rooftops are becoming ever more important spaces, especially in the denser parts of the City such as the West End. They provide an ever-increasing number of features and facilities. Modern plant, which is required to be more energy efficient and more sustainable to meet building regulations and planning policies, are without question getting bigger. They are taking up more area in plan and are getting taller. As a result, the acoustic enclosures required to go around them are also getting bigger.</p> <p>PV panels and other technologies such as surface water attenuation, are best located on roofs.</p> <p>External amenity space on roofs is in increased demand to meet new expectations linked to Well-being, and green and brown roofs are also required with extensive planting for biodiversity.</p> <p>This is notwithstanding the standard requirements for fire escape and maintenance access.</p> <p>Simply put, we are asking that these conflicting pressures are realised and acknowledged and that on occasion it may not be feasible, practical or viable to meet the all requirements – particularly on the smaller-sized developments with limited roof space. Under these circumstances, to approve good development that meets some or most of the</p>	

ES PD	Respondent	Representations	Response
		<p>environmental objectives of this Special Policy is better than no environmental improvement at all. We would welcome any additional text which recognises these increased pressures and conflicts of interest on the use of roof space. At Shaftesbury, there is ambition to meet these challenges, especially as new technologies come forward.</p> <p>We are willing and able to engage further in another round of consultation or alternatively in a meeting where some of the above matters can be discussed in greater detail face-to-face, if that is helpful.</p>	
GE N	Southwark Council	<p>The LB Southwark is supportive of Westminster City Council’s submission of an Environmental SPD which builds upon and emphasises the existing environmental policies in Westminster’s City Plan (2019-2040). We recognise the need for this SPD and the role that it plays in further highlighting the ambitions and commitments of Westminster City Council to address the climate emergency.</p> <p>The structure of the document is clear and concise, and it is easy to understand how the content of the SPD relates to other key policy documents in Westminster. Of particular note is the clarity with which development requirements have been presented using a colour-coded traffic light system indicating the levels of expectation for each requirement.</p> <p>Southwark commends Westminster’s use of this SPD to strengthen the commitments made in Policy 32 of the City Plan, Air Quality Manifesto (2018) and Air Quality Action Plan (2019-2024) to tackle air pollution and improve air quality in the Borough. The SPD clearly outlines the development requirements associated with assessing and mitigating air quality issues. Southwark Council is also supportive of the Air Quality</p>	Support welcome

ES PD	Respondent	Representations	Response
		<p>Positive approach outlined in the SPD, which aligns with London Plan guidance that is due to be adopted later this year.</p> <p>Southwark is supportive of the structured and concise way that guidance on managing the negative effects of certain land use activities such as light pollution, noise and/or vibrations, construction impacts, odour and land contamination is presented in support of City Plan Policy 33.</p> <p>Southwark supports Westminster’s use of the SPD to outline the opportunities, and development requirements, for improving green infrastructure across the borough through development that incorporates green roofs, green walls, species and habitat protection measures, trees and urban greening. We also commend the identification of areas that are deficient in open and play space, as well as the comprehensive Wild West End Matrix which outlines criteria for the development of new open space in the borough.</p> <p>Westminster’s inclusion of guidance on Flood Risk Assessments, as well as guidance on the types of Sustainable Urban Drainage System which are most appropriate to the Borough is supported by Southwark. We also support the inclusion of guidance on vulnerability classification for various development types and the relevant development requirements.</p> <p>Southwark endorses Westminster’s energy strategy as outlined in this SPD in support of Policy 36 of their City Plan, as well as their commitment to the borough’s carbon neutrality by 2040. The guidance in this SPD aligns with the London Plan’s ‘Be Lean, Be Clean, Be Green’ framework, with reference to their separate carbon offset guidance and the London Plan’s ‘Be Seen’ monitoring which is due to be adopted later this year.</p> <p>Southwark also supports Westminster’s incorporation of the Whole Life</p>	

ES PD	Respondent	Representations	Response
		<p>Cycle approach, which aligns to guidance produced by the GLA and LETI and the inclusion of energy assessment requirements for various types of development.</p> <p>Southwark commends the Circular Economy Approach to waste management and the implementation of a waste hierarchy to achieve Westminster’s waste and recycling targets. Southwark is also supportive of the inclusion of Circular Economy Statements for referable schemes amongst other development requirements relating to waste management as described in this SPD.</p> <p>Southwark is supportive of Westminster’s Whole Building Approach which informs the guidance provided in this SPD on the opportunities for appropriate retrofitting of historic buildings to improve their energy efficiency.</p> <p>Overall, Southwark is supportive of this Environmental SPD, which will be a helpful guidance resource for developers and the council in foregrounding the climate emergency in planning decisions. The SPD provides clarity on the Local Plan and the general approach taken by the council to the climate emergency and aligns well with the approach taken in the London Plan (2021). Many of the issues and concerns highlighted by LB Westminster in this document are shared by LB Southwark.</p>	
GEN	St John’s Wood Society	<p>General</p> <p>The Environmental Supplementary Planning Guidance Draft adds thoughtfully to the City Plan 2019-2040⁽¹⁾. However, neither indicate greater commitment than required under the London Plan. Crucially, all three are not fit for the over-riding purpose of addressing the collapsing climate.</p>	<p>The council’s Climate Action Plan has been published online. The ESPD has a specific planning role to provide guidance for applicants and officers on the City Pan</p>

ES PD	Respondent	Representations	Response
		<p>The ESPD^[2] has been compiled in advance of details of how the City of Westminster (i) sees its role in addressing the Climate Emergency (declared nearly two years ago)^[3] and (ii) will achieve related annual targets. The ESPD does not indicate what supplementary powers and funding the Council requires from regional and central government to carry out that role.</p> <p>The 2040 target for net zero suggested in that declaration reflects a fundamental misunderstanding (or an attempt to mislead). That year is far less relevant than the borough’s remaining carbon budget.</p> <p>The ESPD does not anticipate the self-evident imperatives of the emergency – particularly a greater than 11% annual decline in greenhouse gas emissions across the borough, including in 2021.^[4] That decrease is sufficient in urgency and scale to require, for example, annual inventories of greenhouse gas emissions by sector and tier of government responsibility, annual targets for the reduction of each and by leading stakeholder, and annual public audits.</p> <p>The ESPD does not attempt to be consistent with the legally binding fourth and fifth carbon budgets of the Climate Change Act (2008) – which, it seems, no one in authority seriously expects will be achieved. It does not reflect the sixth carbon budget, recently endorsed by the Prime Minister. The workshops gave no indication that the ESPD would take into account last week’s Climate Change Committee warning that current policy in the UK would achieve roughly 20% of these obligations.</p> <p>Although investors might argue that the Council has misled them into assuming that its Climate Emergency policy will be no more demanding than the ESPD and that neither will need tightening, such arguments</p>	<p>environmental planning policies and cannot repeat all other national regional and local strategies which seek to address climate change.</p> <p>The ESPD is aligned with the 6th Carbon and in particular the topic paper on Buildings.</p> <p>Information on the council’s remaining carbon budget can be found in the Climate Action Plan.</p> <p>The ESPD cannot anticipate with any certainty what will be in the Planning Bill and much of the detailed information from the Environment Act will be contained in secondary legislation due later in 2022. Westminster is required to review the City</p>

ES PD	Respondent	Representations	Response
		<p>would indicate a lack of due diligence and would presumably be rejected in court.</p> <p>The ESPD does not seem to anticipate the forthcoming shift in central government regulations (concerning planning and the environment) which related announcements and draft documents imply.</p> <p>The following comments are based on the chapters of the ESPD and the related workshops.</p> <p>^[1] The Inspectors who approved the City Plan 2019-2040 and the Leader of Westminster City Council were notified of concern that the City Plan did not reflect the climate emergency.</p> <p>^[2] References to the ESPD in this note may also refer to the City Plan.</p> <p>^[3] The following might reflect the level of comprehension and concern about the climate emergency across the Council leadership – (i) the Council’s internet homepage does not mention the climate emergency; (ii) <u>during</u> the most recent Westminster Forum, the Cabinet Member for Business, Licensing and Planning said that the Climate Emergency was declared last year (rather than two years ago) – at 25 minutes 05 seconds.</p> <p>^[4] https://carbonbudget.manchester.ac.uk/reports/E09000033/. This was considered by the Council’s Westminster Scrutiny Committee on 20 April 2021 (prior to publication of the ESPD).</p>	<p>Plan every five years, but this may happen earlier in light of the imminent Environment and Planning Bills. When reviewing the City Plan there will be opportunities to consider how to further strengthen policy and lower thresholds for certain requirements where appropriate. The ESPD can be revised sooner if required.</p>
GE N	Swifts Local Network	The document is clearly set out and provides some very useful guidance,	Support welcomed

ESPD	Respondent	Representations	Response
GEN	The Coal Authority	[No specific comments]	N/A
GEN	The St Marylebone Society	<p>Enforcement of policies</p> <p>While the intentions of the draft SPD are moving in the right direction, lack of manpower to check/enforce the rules is an eternal problem, and this lack often has a significant impact on the lives of local people.</p> <p>A couple of examples:</p> <p>Noise: WCC used to have an excellent noise team which came <i>when</i> the nuisance was happening and shut it down. Lack of funding has robbed us of this, which means residents have to endure the nuisance and then put in a huge amount of effort to try and prevent it happening again.</p> <p>Light Pollution: a member pointed out a mansion block which has emergency lighting on its fire escape, which is always on, and so bright it has an impact streets away. How can something like this be dealt with properly without residents having to nag for extended periods?</p>	The council is able to use its enforcement powers where there is a legal requirement to meet standards.
GEN	Theatres Trust	<p>As the document notes, there are a high number of heritage assets across Westminster. Many of the area's theatres are designated or non-designated heritage assets, sit within conservation areas or would otherwise impact the setting of other assets. Theatres have a key role to play by improving their own sustainability through alterations, adaptations and retrofitting but clearly this can give rise conflict where harm would be caused to historic significance and/or setting.</p> <p>Therefore the Trust is supportive of this document and the additional detail it provides to guide theatre owners and operators in respect of meeting Local and London Plan policy requirements and helping theatres to sensitively address environmental matters. The document provides a</p>	Support welcome

ES PD	Respondent	Representations	Response
		<p>good overview of considerations relating to common theatre projects that have been referred to us recently, such as heating and ventilation upgrades, installation of solar panels and replacement glazing.</p>	
GE N	Verina Glaessner	<p>This is overall a welcome and practical contribution to the implementation of environmental policy at the level of application approval and delivery. Addressed to applicants council planning officers and developers it should give adequate grounds for pressing for further attention being paid to environmental goals when granting or withholding planning and Listed Building consents.</p> <p>The cross referencing of policy and practice clarified through tables for instance figure 15 Retrofitting. checklists of information required for specific projects is very welcome. This enables applicant or planning officer to ensure not only that the correct environmental boxes are ticked but that the whole, often amorphous range of environmental concerns relevant to a particular site, have been nailed down and dealt with and that they can confidently be implemented.</p> <p>Is the traffic light system used here to signal levels of requirement for an application to meet its environmental requirements : essential, desirable and best practice, the best way to flag up, urge and promote best practice?</p> <p>Colour reproduction is not always clear or uniform. Nor are the maps. There should be no doubts about boundaries - crucial in the decision making process.</p>	<p>Support welcome.</p> <p>The maps included in the ESPD are necessarily small scale but the council's interactive Policies Map can be viewed at a much larger scale and a link has been added to the ESPD.</p>
GE N	Victoria Neighbourhood Forum	<p>I am a member of the Victoria Neighbourhood Forum (VNF) Steering Committee. On behalf of the committee we welcome the Westminster City Council Environment SPD.</p>	Noted.

ES PD	Respondent	Representations	Response
		<p>I provide below a few specific, albeit very brief, comments on the draft SPD. Please note that these comments have had committee member review and input, although they are not comprehensive and don't necessarily represent the views of the full committee.</p>	
GE N	Westminster Property Association	<p>I am writing on behalf of the Westminster Property Association (the "Association"), the membership body and advocacy group for the leading owners, investors, professional advisors and developers of real estate in the City of Westminster. A list of the 240+ member companies we represent is available here.</p> <p>The Association welcomes the opportunity to comment on Westminster City Council's Environment Supplementary Planning Document ("SPD") Consultation Draft. We look forward to working with you to achieve our shared aspirations to reduce the carbon emissions and environmental impact of the built environment in Westminster, and help tackle the climate emergency.</p> <p>The SPD is ambitious and well structured, deftly bringing together a number of overlapping planning concerns into a single document. Given the complexity of many of the issues we support the flexibility shown by the City Council which will encourage the adoption of additional measures as technology advances.</p> <p>General commentary</p> <p>1. The Association welcomes the publication of the document both as a reflection of the vital importance of environmental matters to development and as a tool to assist those designing developments at an early stage of the design process.</p>	<p>1-3. Support welcomed.</p> <p>4. The NPPF states that where a proposed development will lead to harm or loss of a heritage asset, local authorities should consider if the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Addressing, mitigating and adapting to climate change is considered a public benefit as well as other environmental aims such as improving air quality and reducing flood risk.</p> <p>Due to the unique nature of heritage assets, the balance of addressing climate change, protecting heritage assets and</p>

ES PD	Respondent	Representations	Response
		<p>2. Providing the necessary guidance on the application of City Plan policies on environmental matters in a single document, with a clear status, is a helpful simplification.</p> <p>3. The WPA supports the overall principles outlined in the draft document.</p> <p>4. The SPD should specifically recognise that measures which improve sustainability performance and reduce carbon emissions, including retrofitting of historic buildings, provide a public benefit. This should be taken into account when weighing the balance of public benefit and harms, including heritage harm. This will be vital in achieving the environmental aims of the City Plan.</p> <p>5. There are a number of instances where greater clarification of the detail of the application of the guidance, particularly around the specific documents, or level of assessment, to be provided with different types of applications, would be very useful. Various specific instances are identified in this response to illustrate this. For example, change of use applications for large sites often involve no significant physical works and so it would not be reasonable to submit some of the documents associated with physical works which are otherwise required for major applications.</p> <p>6. There are a number of references to maps - these should be published alongside the document for transparency and clarity.</p> <p>7. Commentary on the each of the chapters follows.</p> <p>Conclusion The Alliance welcomes the publication of, and opportunity to comment on, the draft SPD and supports the principles within it.</p>	<p>viability will need to be considered on a case by case basis.</p> <p>This will be made clear in the ESPD.</p> <p>5. The Local Validation Checklist provides more detail on assessments required for each type of development.</p> <p>6. The council's interactive Policies Map can be viewed at a much larger scale and a link has been added to the ESPD.</p>

Introduction

ES PD	Respondent	Representations	Response
IN	Matthew Bennett	<p>Page 7 Retrofitting and Sustainable Design. Last sentence, after ‘City Plan Policies’ insert ‘Policy 36 on energy,’ as the reductions in energy use in construction and operational use which can also be achieved through retrofitting and refurbishment are relevant to this section.</p> <p>Page 8 Second paragraph on the right. Replace ‘listed’ with ‘historic’.</p> <p>Page 9 Right hand column needs reordering so that the coloured boxes follow the text.</p>	Proposed amendments incorporated where appropriate.
IN	London Wildlife Trust	<p>Introduction Green infrastructure (p6). We recommend that the aspirations set out here should also be explicit at securing net gains for biodiversity, in particular those that contribute to the objectives of the Westminster Biodiversity Action Plan.</p>	Additional information on Biodiversity Net Gain has been added to the ESPD.

Air Quality

ES PD	Respondent	Representations	Response
AQ	Covent Garden Community Association (CGCA)	<p>Air Quality Impacts We believe that all developments within Air Quality Focus areas of Westminster should be Air Quality Neutral, not just those which are major or sensitive. The impact of many small developments will make a bad situation worse.</p> <p>The way that servicing and delivery takes place is an important contributor to the environmental impact of the operation of a building. The impact of road transport is shown in Figure 10 for example. It would therefore be appropriate for ESPD to require that developments, show how they will contribute to the implementation of the FSD Strategy and Action Plan. It would also seem appropriate to allow steps to promote sustainable delivery to count towards a development being Air Quality Positive/Neutral. For example, if a developer includes a facility for freight or waste consolidation which benefits the surrounding area and reduces delivery and servicing trips (as encouraged by the FSD Policy in the City Plan and by the new Strategy and Action Plan) then this will improve air quality in the area. Allowing this improvement to be part of the net AQ impact calculation may assist these types of proposals to come forward.</p>	<p>The City Plan does more than London Plan by requiring Air Quality Assessments for all residential development in Air Quality Focus Areas. There is an opportunity to require a wider range of developments to achieve air quality neutral benchmarks or air quality positive. This will require a revision to the City Plan and further viability testing to ensure requirements are proportionate to the nature and scale of the application.</p> <p>Servicing and delivery fall outside the scope of the ESPD, however a reference to policy intervention including the Freight, Servicing & Delivery Strategy, has been added.</p>

ES PD	Respondent	Representations	Response
AQ	Huguette Zola	<p>The points I raised in today's webinar on air quality:</p> <ul style="list-style-type: none"> - 20mph zone air quality by % evidence per year - Evidence on improvement on the congestion charge Vs the original days/times. - Businesses delivery company vans small/large vehicles collaboration to monitor their air pollution yearly and provide this information to be part of an air quality (Premier League style) to incentive behaviour change. - Visual branding vehicle sticker for zero carbon <p>Additional idea: a zero carbon permit like the Westminster parking permit, where businesses have to include a company 'air quality' pdf file example for accountability but also to measure who adheres to the council plan & GLA's.</p> <ul style="list-style-type: none"> - Grounds maintenance machinery when will the equipment be zero carbon? In addition, how do you monitor housing associations in your borough with their air quality/noise quality/zero carbon, controlling dust from ground floor residents and do you see the option to work closely together to improve the pollution of the air and the chemical smell it produces. Is there a zero carbon test for such machinery in place? For residents peace of mind, air quality and the environment what is your solution you could potentially present? - Can you hold Housing Association in your borough accountable to review projection strategy inline with your improvement plan of ESPD, Climate Emergency Plans, Greener City Campaign and Noise strategy for a 'greener approach'? - Learning from other boroughs was an excellent idea with an annual conference 	<p>These measures fall outside the scope of the ESPD, and some are outside the scope of planning altogether. However better referencing to other plans and strategies to tackle air pollution has been added.</p>

ES PD	Respondent	Representations	Response
		<p>- Learning from other boroughs success stories as well: https://www.smartcitiesworld.net/news/news/maintenance-contract-to-help-london-borough-achieve-carbon-neutrality-in-one-year-6257</p> <p>Also, air quality for people with asthma, how is their health breathing needs or anybody else with breathing conditions been incorporated into the plan?</p> <p>I am intrigued to know out of those with asthma (of all ages and ethnicities) in my borough, are there a trend statistics figure from which building floor/level they live on?</p> <p>Those who already have patrolling responsibilities such as Traffic Warden will benefit from receiving zero carbon/air quality training and to Educate drivers parked with the engine while quickly going shop with #DontBeldle campaign reminder and logging the business registration vehicle for repeated 'air quality offenders'.</p> <p>Something new I learnt today from the webinar: The electricity charge point (for electric cars and hybrid plugin) is not coming from Westminster borough. Wow, shocking, how is this then eco friendly? Where is it coming from and why aren't solar panels charging points as an option? What is the cost so far of introducing the E-POINT and how many are they up until June 2021?</p>	

ES PD	Respondent	Representations	Response
		<p>I am in the process of thinking about upgrading my 2016 smart car petrol-unleaded to electric but after hearing this I might refinance the car I have instead since it passes the emission test/zone.</p> <p>The keywords for me today was the 'Behaviour Change'.</p> <p>I am willing to change my carbon footprint behaviour but only if it's the better option to improve nature's condition of air quality in regards to eco/zero carbon and pollution waste noise + toxic smells Otherwise the plan is only recreating another cycle for the same outcome in 10 years time. Adding a 7 point behaviour change you would like to see? Would enrich this document in my point of view.</p> <p>Which page is the air quality provision breakdown as per the waste management example?</p> <p>On the last page of the ESPD Consultation and the 7 element of environment, it would benefit from a diagram with one common thread 'behaviour change' to see if all of the above is done. What would it look like for now & 2030 with a logistical collaboration from the community composed of tenants/residents/businesses/WCC staff part of the 7 element sharing good practices and visitors?</p>	
AQ	Matthew Bennett	<p>Page 12 First paragraph in green box, add new sentence at the end 'Even where not required, all applicants are encouraged to think about the potential air quality impacts of their development and avoid or mitigate these where they can.'</p>	<p>Proposed amendments incorporated where appropriate.</p>

ES PD	Respondent	Representations	Response
		<p>Page 17 Conclusion, why do taxis not need to be included in the assessment? No explanation given in the text.</p>	
AQ	Canal & River Trust	<p><u>Air Quality</u> The Trust have been trialling the additional provision of electric charging points in some areas so that boats can be less reliant on diesel, and further Council support for this would be welcomed. The Trust have already been starting to work with WCC regarding installing these within Paddington Basin. As part of this we would also suggest that support should be provided for boaters wanting to convert to electric propulsion, due to costs being prohibitive for many. See also comments below, under ‘Green Infrastructure’, regarding sustainable transport and active travel along our towpaths.</p>	<p>The council’s Climate Action Plan includes a commitment to mobilise funding and support to enable residents, organisations, and local communities to install and use renewable energy technologies.</p>
AQ	CAPCO	<p><u>Air Quality</u> The important distinction in the document that carbon dioxide is not an air pollutant is welcomed. Capco fully recognises the importance of reducing carbon emissions to mitigate effects on climate change but agrees that this is best addressed through a specific focus on the energy efficiency and carbon performance of new development, rather than by treating carbon dioxide as a local air quality pollutant. A plan showing Air Quality Focus Areas (“AQFA’s”) is included at page 14. It is not clear from this plan which areas are designated as “AQFA’s” and which areas fall outside this designation. We suggest that a large-scale version of the plan is made available, and / or the relevant areas including on the City Council’s interactive mapping system.</p>	<p>The ESPD has been amended to clarify that carbon dioxide is not an air pollutant but that it is a greenhouse gas.</p> <p>The Air Quality Focus Areas can be viewed at a larger scale on the Policies Map and a link to this has been added.</p>

ES PD	Respondent	Representations	Response
		<p>The table at pages 16 and 17 provides guidance on the content of ‘Air Quality Assessments’ and ‘Air Quality Neutral Assessments’. The preceding text, however, does not include reference to both these terms. Clarification should therefore be provided on: a. the difference between an AQA and an AQNA; and b. the circumstances in which one, other, or both, assessments will be required.</p> <p>The box on page 14 indicates that major developments will be expected to submit AQAs. Applications for change of use (including those which qualify as major developments as a result of exceeding 1,000 sqm in scale). Where no, or limited, physical works are proposed an AQA should not be required to automatically include an assessment of air quality impacts as this is likely to be disproportionate, except where the proposed use will include either a sensitive receptor or emit air pollutants. The box on Page 14 should therefore be amended such that applications for changes of use that qualify as major development are not required to provide AQAs.</p>	<p>The ESPD has been amended to clarify terminology around air quality.</p> <p>Changes of use can have significant implications in terms of air quality and are therefore required to provide an AQA. The Local Validation Checklist provides clarity on when AQA are required and a reference has been included in the ESPD.</p>
AQ	Clean Air in London (CAL)	<p>Net Zero – Air quality, energy and mitigation and adaptation to climate change</p> <p>The new London Plan (March 2021) and City Plan (April 2021) mean that the planning regime in Westminster is up to date. The City Plan emphasises the need to mitigate and adapt to climate change in many sections. The Environment chapter (page 124) could not be clearer: <i>“Tackling climate change head on is the only way we can continue to grow and prosper as a healthy and resilient city.”</i></p> <p>The difference between this ESPD and all its predecessors in Westminster is that this one needs to help the City Plan to achieve Zero Air Emissions (“ZAE”) from buildings, more or less, throughout Westminster over the</p>	<p>The council can apply City Plan policies, and ESPD guidance, only when a planning application is submitted. For permitted development or where there is no proposal to upgrade a building then the council has no influence.</p>

ES PD	Respondent	Representations	Response
		<p>life of the City Plan ie between 2030 and 2040. This will be a gargantuan task that can only be completed if every refurbishment from today gets close to ZAE, through energy efficiency and on-site and other measures, and every retrofit or major new development goes the whole way to ZAE or very close to it. Developers and property owners should welcome clear requirements in the ESPD as to how this should and must be done because it will help them to avoid ‘investment cliff edges’ when the Government inevitably introduces a new Clean Air Act, or similar, to decarbonise all buildings within (say) seven years as the first one did in 1956. In this context please be clear that the burning of solid fuels and fossil fuels must end. Please note that is most efficient and effective to reduce emissions at source.</p> <p>Please develop standard planning conditions to implement the City Plan and ESPD and drive the transformation needed to reduce air emissions and increase resilience to climate change. Other strategies, guidance and enforcement should reinforce this. Remember how the 10pm threshold for nuisance noise complaints made Westminster ‘liveable’ almost overnight! That is the sort of revolution needed now on ‘air emissions’ and resilience.</p>	<p>However, the council can and does encourage homeowners and landlords to adopt measures and technologies to address the climate emergency even where planning permission is not required.</p> <p>Standard Planning Conditions and Reasons for the City Plan 2019-2040 can be found on the council’s website.</p>
AQ	Environment Agency	<p>Air Quality</p> <p>We are pleased to see that Air Quality has been highlighted in your SPD. We recommend the following changes to strengthen the section and ensure the policy aligns with planning policy.</p> <ul style="list-style-type: none"> • Page 10, policy overview: ‘National Policies’ should include reference to the DEFRA Clean Air Strategy and London Plan, Policy D13 which relates to avoiding nuisances created by emissions to air e.g. dust. We also recommend that reference to nuisances (e.g. dust) caused by 	<p>References to DEFRA Clean Air Strategy and London Plan Policy D13 have been added.</p> <p>A reference to the Code of Construction Practice and</p>

ES PD	Respondent	Representations	Response
		<p>development be identified within the policy text and potential mitigation strategies to ensure development doesn't impact on the surrounding communities and local area.</p> <ul style="list-style-type: none"> • Page 14: It would be helpful to provide a definition for "major developments" to avoid uncertainty. This should be aligned with any such definition in the emerging London Plan Guidance on Air Quality. • Page 15: 'Examples of mitigation that could be implemented include: -...' It should be clarified if this mitigation is for Air Quality neutral, Air Quality positive or for both. 	<p>dust mitigation measures has been added.</p> <p>A definition for major developments has been included.</p> <p>More information about AQN and AQP has been added.</p>
AQ	Fitzrovia West Neighbourhood Forum	<p>We would like to make the following observations on the above draft SPD:</p> <ol style="list-style-type: none"> 1. We warmly welcome this statement of environmental policy which is clearly stated and which is designed to provide guidance to those involved in development. Implementation is crucial and we urge the Council to achieve the highest possible standards in all aspects of the planning process and other means. Air quality is a major concern in our area particularly as there may be further displacement of traffic into Fitzrovia arising from the part-closure of Oxford Street. The Council is not providing information on this and is proceeding without consultation on an 'experimental' basis. 2. We are aware of the Mayor of London's draft guidance on Air Quality Positive approaches to major development. We urge the Council to investigate whether this approach might also apply to area designations such as neighbourhood plan areas where the cumulative effect of many 	<ol style="list-style-type: none"> 1. Support welcomed. The part-closure of Oxford Street is outside the scope of the ESPD. 2. The council intends to explore opportunities to require a wider range of developments to achieve air quality neutral benchmarks or air quality positive. This will require a revision to the City Plan and further viability testing to ensure requirements are proportionate to the

ES PD	Respondent	Representations	Response
		<p>small-scale development can have a similar impact to developments defined as 'major'. Could air quality assessments be required for all developments over a certain size in neighbourhood plan areas as well as others indicated on p.15?</p>	<p>nature and scale of the application.</p>
AQ	Gillian Brown	<p>2. Air quality: could something be done (no doubt would need cooperation with TfL or the Mayor, and probably neighbouring boroughs) about considering more carefully the impact of road closures on air pollution? For example, every time Parliament Square/Whitehall is closed and the traffic diverted down Horseferry Road (which is increasingly frequent) the amount of traffic build-up with near stationary traffic belching out emissions from the idling engines is significant – even in this period when traffic levels are generally lower than before all the lockdowns started. Either have the road closures for shorter periods of time, or try and find more alternative routes/have electronic displays at a distance from the road closure to warn drivers and suggest alternative routes, before they hit the bottleneck?</p> <p>3. Vehicle Emissions: the sightseeing tour buses have started operating again. Hardly any of them are electric. Can nothing be done to force them to convert to electric or hydrogen?</p> <p>4. Electric Vehicles: I am a very infrequent car user, but I am keen to switch to an electric vehicle for the short distances I do travel within the borough. The only reason I have not done so already is the lack of public charging points. On Horseferry Road, there have been two designated EV parking spaces marked-out since March 2020, but there is yet to be a charging point installed – this delay is crazy. The installation of charging points on lamp posts in undesignated parking spaces is also pretty useless – so often the space is occupied by a vehicle that is not an EV. I</p>	<p>Most of the policy interventions to address pollution from vehicles falls outside the scope of the ESPD and many fall outside the planning system altogether. However better referencing to other plans and strategies to tackle air pollution from vehicles has been added, including Air Quality Action Plan, Electric Vehicle Charging Infrastructure Strategy, City Plan Policy 29: Freight and Servicing as well as Westminster’s Freight, Servicing and Deliveries Strategy and Code of Construction Practice.</p>

ES PD	Respondent	Representations	Response
		<p>know the desire is to have us all walking and cycling, but for many of us that's just not viable. But if we are to do our bit and give up petrol vehicles, we need the infrastructure to enable it. Surely the provision of EV charging infrastructure should have a place in the ESPD and ought to be one of the easier things to actually turn from a "plan" into a reality?</p>	
AQ	Howard de Walden Estate	<p>Air Quality</p> <ul style="list-style-type: none"> • A plan showing Air Quality Focus Areas ("AQFA's") is included on page 14 of the document. It is not clear from this plan which areas are designated as "AQFA's and which areas fall outside this designation. We would like to see a larger scale version of this plan to interpret this further. • We would like to see some further clarification on the difference between Air Quality Neutral Assessments and Air Quality Assessments and in what circumstances both or one would be required. • The Estate would also like to understand that if no development works are proposed with a project especially if it is major development would there be an expectation to submit an Air Quality Assessment as we believe this would be disproportionate except where the proposed use will include either a sensitive receptor or emit air pollutants. 	<p>The Air Quality Focus Areas can be viewed at a larger scale on the Policies Map and a link to this has been added to the ESPD.</p> <p>More information about the differences between AQA, AQN and AQP has been added to the ESPD. A summary table has also been included setting out when Air Quality Assessments are required and which developments should meet Air Quality Neutral and Air Quality Positive standards. The Local Validation Checklist provides more detail on when AQA are required</p>

ES PD	Respondent	Representations	Response
			and a reference has been included in the ESPD.
AQ	James Hewitt	<p><u>Air Quality</u> The ESPD does not clarify which “developments” will require an air quality assessment or adopt a neutral or positive “air quality approach”, [pages 14 & 15]. Central to such assessments is whether a hypothetical building of the same floor area would have a greater, similar or lesser impact on air quality than the proposed structure – regardless of whether the proposed site is (i) empty or heavily polluting or (ii) in a street canyon or in open surroundings. This reflects guidance from the GLA. The ESPD allows developments to have an impact on air quality (and greenhouse gas emissions) less favourable than the hypothetical building - provided that the developer “offsets” the adverse impact by making payments to a fund established for that purpose. During the workshop, two councillors expressed concern about the governance implications of this (especially if the rules are not dissuasive) and suggested that it would be difficult to show that an at least equal, permanent reduction in impact had been achieved elsewhere (locally) - additional to what would otherwise have been achieved. Rules for offsetting (whether in relation to air quality or greenhouse gas emissions) have yet to be determined and would follow GLA guidance. Guidance concerning whether and how to monitor the impact on air quality of major developments (including during their construction) is not provided, [page 16]⁵. The ESPD might influence policy concerning high-rise developments or the replacement of social housing. However, the extent to which it will do so is unclear. Life cycle assessments of developments are crucial given</p>	<p>A summary table has been added to the ESPD of when Air Quality Assessments are required and which developments should meet Air Quality Neutral and Air Quality Positive standards. The Local Validation Checklist provides more detail on when AQA are required and a reference has been included in the ESPD.</p> <p>The City Plan and ESPD makes clear that offsetting is only acceptable if it can be demonstrated that it is not financially or technically viable to achieve zero-carbon or air quality neutral measures on-site.</p>

ES PD	Respondent	Representations	Response
		<p>the climate emergency - particularly concerning the embodied energy in the building materials proposed and that of the building(s) being replaced (if any)⁶. The ESPD explicitly recognises that the Council does not require Whole Life Carbon assessments, [page 84].</p>	<p>Additional information on monitoring has been provided for each chapter.</p> <p>The ESPD cannot create new policy.</p> <p>WLC assessments are required for referable applications and the ESPD encourages applicants of major developments to meet the WLC standard where possible. The GLA will be publishing WLC guidance shortly and once best practice has been established then, over next few years, the council will review whether requiring WLC assessments for major developments is appropriate.</p>
AQ	Knightsbridge Neighbourhood Forum	<p>Air quality</p> <p>7. At the moment the 'Air quality' section of the ESPD largely repeats wording in the City Plan and refers to other guidance over six pages. It does not specify new requirements as for example the City of London</p>	<p>7. The ESPD is a planning document containing guidance on how developers should meet</p>

ES PD	Respondent	Representations	Response
		<p>Corporation’s Air Quality SPD (July 2017)⁹ did over some 48 pages. This is a missed opportunity to say the least.</p> <p>8. Please start by saying that the declaration of a Climate Emergency means that the City is committed achieving ‘Net Zero’ emissions by 2040 and that this will mean Zero Air Emissions in practice (which will have commensurate benefits for air quality).</p> <p>9. The KNF considers that the guidance on how to achieve air quality neutral/positive development needs to provide more detail to help developers and property owners to meet the requirements of City Plan Policy 32 (Air quality) and for air quality assessments to be effective. It is vital that ambition is maximised.</p> <p>10. The ESPD provides examples of mitigation of air pollution impacts on page 15. The first measure is to maintain adequate separation distances between sources of air pollution and receptors. The KNF has reservations about this approach, despite it being referred to in this and other planning policy, because it suggests that air pollution is not a problem – just distance from it! Air Quality Focus Areas provide the opportunity to require developments in these locations to meet a much higher standard.</p> <p>11. The Mayor of London’s Air Quality Positive (“AQP”) guidance is focused solely on the very largest developments. The Greater London is expected to consult on tighter guidance on Air Quality Neutral in parallel with AQP later this year.</p> <p>12. Please include a section about Smoke Control Areas. Attention should be drawn in particular to requirements for restaurants. The City of London Corporation is clear about such requirements¹⁰.</p> <p>Other matters</p>	<p>the requirements set out in the City Plan’s environmental policies, including through Air Quality Neutral and Air Quality Positive developments. It cannot create new policy or requirements.</p> <p>Westminster’s Air Quality Action Plan contains more details on the council’s plan to improve air quality.</p> <p>8. In its introduction the ESPD states “Westminster has declared a climate emergency and committed to becoming a carbon neutral council by 2030 and carbon neutral city by 2040.” The policy focus is net zero carbon emissions rather than net zero air pollution emissions. However, net zero carbon emissions, along with Air Quality Neutral and Air</p>

ES PD	Respondent	Representations	Response
		<p>46. Healthy people – Please include a section in the ESPD about environmental impacts on health. Again, the KNF points you to Policy KBR40 and its many requirements including that “Development which is likely to have a significant adverse impact on human health will be refused planning permission”. Westminster should follow a similar or better approach in the ESPD.</p> <p>47. Indoor air quality – Please explain that buildings can have ventilation, air conditioning or air filtration or none of these. Air filtration or air cleaning is better than ‘air treatment’ (which may be meaningless) and needs to comply with UK and internationally recognised test and other standards. Here is a presentation about such issues 10.</p>	<p>Quality Positive developments, and measures in the Air Quality Action Plan, will deliver improvements to air quality.</p> <p>9. The GLA guidance on air quality neutral and air quality positive will provide more information for developers. This is due to be published in 2022.</p> <p>10. An expanded section on sources of air pollution and the council’s strategy to tackle them has been included.</p> <p>11. Westminster will respond to the consultation on AQP.</p> <p>12. Smoke Control Areas is not a planning matter as this is bespoke legislation. However, a note has been added to the ESPD that premises intending to use solid fuels e.g. charcoal,</p>

ES PD	Respondent	Representations	Response
			<p>wood etc must comply with AQMA requirements where only 'Authorised Fuels' and /or 'Exempt Appliances' can be employed.</p> <p>46. It is not possible to assess the impact on human health unless an assessment is required as part of a planning application.</p> <p>47. This is not something that can be addressed via the planning regime as it is influenced by use of the building and can't be controlled. The exception is where new residential units are proposed in area of poor air quality, which will be picked up in the air quality assessment.</p>
AQ	Maida Hill Neighbourhood Forum	<p><i>Air Quality</i></p> <p>Although we do not object to any of the comments included in this chapter, we wish to point out that it is very disappointing for the information in the chart on air quality to be based on data from 2016.</p>	<p>Figure 1 is intended to show the Air Quality Focus Areas rather than the most up to date pollution data.</p>

ES PD	Respondent	Representations	Response
		<p>Our ward has major issues in relation to air quality – with the Air Quality Action Plan (p19) citing “Harrow Road and the Westway” as an area of key concern.</p> <p>This has two implications. First, a time-lag of 5 years in monitoring the issue in Westminster as a whole, and Harrow Road and the Westway in particular, is deeply problematic. This should be addressed by having suitable monitoring arrangements in place within the Harrow Road and Westway area. Second, land pollution effects due to air toxicity are potentially being neglected, and this should be addressed by also having suitable monitoring arrangements in place rather than relying upon historical land-use to identify risks.</p>	<p>The text will be changed to make this clear and a link to the annual pollution maps will be included.</p>
AQ	Notting Hill East Neighbourhood Forum	<p>[Second submission]</p> <p>The Notting Hill East Neighbourhood Forum urges Westminster to set a new gold standard in its Environmental SPD with the measures needed to tackle the climate and biodiversity emergencies. This will require the achievement of nearly 'zero air emissions' from buildings in Westminster over the life of the City Plan which are currently responsible for about 80% of total greenhouse gas emissions generated locally</p>	<p>The policy focus is net zero carbon emissions rather than net zero air pollution emissions. However, net zero carbon emissions, along with Air Quality Neutral and Air Quality Positive developments, and measures in the Air Quality Action Plan, will deliver improvements to air quality.</p>
AQ	Labour group	<p>The Labour Group has long advocated for all new developments to be car free and we would like to see the SPD embrace this policy.</p>	<p>The ESPD cannot create new policy, and parking falls outside its remit,</p>

ES PD	Respondent	Representations	Response
			<p>however the City Plan policy 27 applies the parking standards in the London Plan. The majority of Westminster falls within the car-free threshold.</p>
AQ	Pimlico Neighbourhood Forum	<p><u>Air quality</u> First of all, the data presented on air quality is of concern across much of the Forum area, especially in the focus areas which are close to residential areas and our main shopping areas. We would encourage the council to take steps to minimise the incidence of poor air quality in those areas.</p>	<p>The City Plan policy 32. Air quality and the guidance in the ESPD is intended to improve air quality by requiring developments to reduce exposure to poor air quality and maximise opportunities to improve it locally.</p>
AQ	Shaftesbury	<p>1. Air Quality Shaftesbury’s portfolio is almost exclusively located within the West End of London, where air quality is a rising concern. We fully understand the problems that poor air quality can bring and support any efforts to improve air quality. We also fully support the clarity and detail provided by the draft SPD in relation to planning applications and when Air Quality Assessments (AQA) will be required to support those applications. It is noted that an AQA would be required for all residential developments within Air Quality Focus Areas. We have three specific questions relating to this, which are as follows –</p>	<p>A summary table has been added to the ESPD of when Air Quality Assessments are required and which developments should meet Air Quality Neutral and Air Quality Positive standards. The Local Validation Checklist provides more detail on when AQA are required and a reference</p>

ES PD	Respondent	Representations	Response
		<ul style="list-style-type: none"> • Will the requirement for an AQA extend to proposals for just one or two units and changes of use of existing buildings to residential? • If yes, would the City Council consider graduated validation requirements to suit the various sizes of applications, i.e. 1-10 units, or 10+ units? • Will the Air Quality Focus Areas be plotted on the Local Plan mapping system as the current map within the draft SPD is unclear? 	<p>has been included in the ESPD.</p> <p>AQA will be required for all developments that create new residential units within Air Quality Focus Areas. The threshold is one unit and includes changes of use.</p> <p>The Air Quality Focus Areas can be viewed at a larger scale on the Policies Map and a link to this has been added to the ESPD.</p>
AQ	St John's Wood Society	<p><u>Air Quality</u></p> <p>The ESPD does not clarify which “developments” will require an air quality assessment or adopt a neutral or positive “air quality approach”, [pages 14 & 15]. Central to such assessments is whether a <i>hypothetical building</i> of the same floor area would have a greater, similar or lesser impact on air quality than the proposed structure – regardless of whether the proposed site is (i) empty or heavily polluting or (ii) in a street canyon or in open surroundings. This reflects guidance from the GLA.</p> <p>The ESPD allows developments to have an impact on air quality (and greenhouse gas emissions) less favourable than the <i>hypothetical</i></p>	<p>Further information on AQA, AQN and AQP has been added to the ESPD. The Local Validation Checklist also provides further details on when AQA are required and a reference has been included in the ESPD.</p>

ES PD	Respondent	Representations	Response
		<p><i>building</i> - provided that the developer “offsets” the adverse impact by making payments to a fund established for that purpose.</p> <p>During the workshop, two councillors expressed concern about the governance implications of this (especially if the rules are not dissuasive) and suggested that it would be difficult to show that an at least equal, permanent reduction in impact had been achieved elsewhere (locally) - additional to what would otherwise have been achieved. Rules for offsetting (whether in relation to air quality or greenhouse gas emissions) have yet to be determined and would follow GLA guidance.</p> <p>Guidance concerning whether and how to monitor the impact on air quality of major developments (including during their construction) is not provided, [page 16].^[1]</p> <p>The ESPD might influence policy concerning high-rise developments or the replacement of social housing. However, the extent to which it will do so is unclear. Life cycle assessments of developments are crucial given the climate emergency - particularly concerning the embodied energy in the building materials proposed and that of the building(s) being replaced (if any).^[2]</p> <p>The ESPD explicitly recognises that the Council does not require Whole Life Carbon assessments, [page 84].</p>	<p>The City Plan and ESPD makes clear that offsetting is only acceptable if it can be demonstrated that it is not financially or technically viable to achieve zero-carbon or air quality neutral measures on-site.</p> <p>The ESPD cannot create new policy.</p> <p>Additional information on monitoring has been provided.</p> <p>WLC assessments are required for referable applications and for major applications involving substantial demolition.</p>
AQ	The St Marylebone Society	<p>We largely agree with the points made by Clean Air London:</p> <ul style="list-style-type: none"> - WCC should be more ambitious in its AQ policies. - Alignment with London Environment strategy would be a good idea. 	<p>The council has a separate Air Quality Action Plan which looks at air quality in the round and provides more detail. The Freight,</p>

ES PD	Respondent	Representations	Response
		<p>- Refurbishment and re-use is always preferable to endless and environmentally costly demolitions and rebuilds. We are skeptical of claims by developers that rebuilding to new standards will lower future carbon costs.</p> <p>Other Comments</p> <p>Parking: Residents’ parking occupies vast amounts of roadway which effectively becomes “residential” land, thus the residential parking permit is an extraordinarily generous subsidy to residents, (many of whom occupy very expensive properties), and is also a discouragement to many to switch to public transport and cycling. Fewer residents’ permits would allow cycle parking, wider pavements with planting, or even more cycle lanes in some cases.</p> <p>Emissions from devices such as woodburners, fire-pits, wood and/coal-fired ovens and grilles should be looked at, and at least some of these should be restricted or banned. While we support the hospitality industry so badly affected by the pandemic, the widespread use of external heaters is not sustainable longterm, and should be examined.</p>	<p>Servicing and Delivery strategy also addresses air quality in Westminster.</p> <p>The GLA has confirmed that the City Plan is in general conformity with the London Plan and this was also confirmed by the independent Planning Inspectors examining the City Plan.</p> <p>Additional information will be included about the circular economy, in particular the hierarchy in favour of retention and refurbishment over demolition, however this needs to be carefully balanced against the need to deliver new housing and economic growth, meaning demolition will still be appropriate in some circumstances.</p>

ES PD	Respondent	Representations	Response
			<p>Parking and emissions from wood burners fall outside the remit of the ESPD. However, a note has been added to the ESPD that premises intending to use solid fuels e.g. charcoal, wood etc must comply with AQMA requirements where only 'Authorised Fuels' and /or 'Exempt Appliances' can be employed.</p>
AQ	Transport for London	<p>Thank you for consulting Transport for London (TfL). We welcome the preparation of the Environment SPD. We appreciate that, according to the figures presented, the built environment contributes 86% of total emissions in Westminster and that this is the main focus of the SPD, However, we would welcome the inclusion of measures to address the substantial contribution of road transport which accounts for a further 11% of total emissions – a not insignificant figure. This should include measures to limit car parking and encourage conversion of car parking to alternative uses, particularly where the alternative use can provide a net environmental gain. Minimising the impacts of construction transport and servicing/deliveries should also be addressed in the more general proposals for construction management. Reducing the environmental</p>	<p>A section identifying road traffic as a significant source of air pollution has been added to the air quality section and signposting to the appropriate strategies to address this has also been included.</p> <p>More explanation on the Code of Construction Practice has been added</p>

ES PD	Respondent	Representations	Response
		<p>impacts of freight logistics and encouraging use of micro hubs for consolidation and use of cargo bikes should all be covered.</p> <p>More generally we would urge that there is a clear focus on tackling the global climate emergency as well as addressing local impacts.</p> <p>On two detailed points we have concerns about the supposed benefits of green infrastructure in improving air quality. It needs to form a dense and continuous barrier and will only be effective in limited circumstances. TfL has commissioned a new guide which can determine how effective green infrastructure can be in reducing exposure to roadside air pollution.</p> <p>https://doi.org/10.25500/epapers.bham.00003398</p> <p>Similarly we would urge a more cautious approach regarding the benefits of green walls. They are very expensive to maintain and require a lot of water to irrigate. It may not be appropriate to cite them as environmental best practice.</p>	<p>which includes a section on construction transport and servicing/ deliveries.</p> <p>Signposting to the Freight, Servicing and Deliveries Strategy and Action Plan has been added, and this includes freight logistics and use of cargo bikes.</p> <p>An additional paragraph to the introduction places the ESPD in a local, national and global context.</p> <p>A link has been included to the Green Infrastructure for Roadside Air Quality guidance.</p> <p>Green walls are not presented as environmental best practice but they are one option for urban greening and cooling. Additional</p>

ES PD	Respondent	Representations	Response
			wording has been added to include maintenance and water use as considerations when designing green roofs.
AQ EN	Verina Glaessner	Westminster's historic built fabric is seen as central to City Council's climate emergency plan 'refurbishment and retrofit provides an excellent opportunity to improve energy efficiency and reduce emissions'. Its embodied energy avoids the higher carbon footprint of new build especially when taking into account the manufacture of materials and the transportation of waste. something rarely considered in practice. '86% of Westminster's emissions come from buildings' There is no breakdown by building type. And it is of course not the buildings themselves, but the use that is the cause. This suggests requiring shifts in occupation, behaviour and expectations.	Buildings emit both air pollutants and greenhouse gases. More explanation of the sources of air pollution from buildings and circular economy principles has been included in the ESPD. The Energy chapter breaks down GHG emissions by building type.
AQ	Victoria, Victoria Westminster, Whitehall and Northbank BIDs	1. Our main comment concerns freight and the level of attention it is afforded in the draft document. Among other council documents the recently published, Freight, Servicing and Deliveries (FSD) Strategy and Action Plan, 2020-2040 highlights that "Goods vehicles (both light and heavy) form a considerable component of total traffic in Westminster" and that "...goods vehicles have a significant impact on traffic congestion, road safety and emissions...". Currently the only reference to the impacts of	Freight falls outside the remit of the ESPD. Improved cross-referencing to City Plan Policy 29 and the Freight, Servicing and Deliveries Strategy and Action Plan has been added to the Air Quality

ES PD	Respondent	Representations	Response
		<p>freight in the draft document is in relation to noise and vibration (see p22).</p> <p>Given the negative impacts of freight movements on residents, businesses and visitors and the weight it is given within the City Plan we submit that there should be a separate section in the final ESPD focused on freight. We suggest it could cover deliveries and servicing and the safety, environmental and social benefits of well stewarded freight management. It could explain the benefits of consolidation and deliveries and servicing plans and be strongly linked to Policy 29 of the City Plan and the Air Quality section of the ESPD.</p> <p>The new section could focus on monitoring and measuring the performance of deliveries and servicing plans to the same level of focus as is afforded to monitoring and measuring building energy use (page 83). The council may also wish to highlight in this section behaviour change to encourage sustainable operations once buildings are in use, sustainable travel plans, the Westminster Charter, as well as projects such as green leases, and similar activity currently being explored by the West End Partnership, the Great Estates and BIDs.</p>	<p>section of the ESPD. The impacts of freight (and other road traffic) to air pollution has also been added.</p>
AQ	Victoria, Victoria Westminster, Whitehall and Northbank BIDs	<p>We submit that the text "Air pollution causes significant detrimental health, environmental and economic impacts in Westminster." (p12) could be expanded. More detail, particularly for the economic impacts of poor air quality, will provide additional evidence for a persuasive argument as to why tackling poor air quality should matter to developers.</p> <p>The council may wish to replace the term 'manmade' with 'anthropogenic' or similar to make the document more inclusive. (p12).</p>	<p>An expanded section on sources of air pollution and the council's strategy to tackle them has been included. However, the focus of the ESPD is planning and it cannot include all measures</p>

ES PD	Respondent	Representations	Response
		<p>4. By focusing more on the natural sources of poor air quality than anthropogenic ones on page 12 and weather conditions the document risks downplaying anthropogenic sources of poor air quality. We submit this may risk engendering feelings of powerlessness (how can my actions overcome poor air quality if the main source is natural?) that may undermine efforts (e.g. council communications campaigns) to galvanize activity on improving air quality.</p> <p>5. The use of the term atmosphere (p12) is at a scale that may be challenging for readers to assimilate. We suggest a term be used that is more relatable, such as at ground level or similar.</p> <p>6. The Air Quality Focus Areas map on p14 is helpful in communicating the extent and distribution of poor air quality in Westminster. However, without the adjacent paragraph or map title explaining what the colours in the map denote and what the text 'limit' is referring to in the map key the value of the map and its potential to increase people's understanding of poor air quality is diminished.</p> <p>7. The current ordering of examples in the right-hand box on page 15 (Examples of mitigation that could be implemented) begins with suggesting that people should be separated from pollution sources. The council may wish to consider whether the first example should promote reducing incidences of pollution in the first place.</p> <p>8. We submit that minimizing the use of backup generators and avoiding testing backup generators on days of poor air quality should be highlighted in the air quality section.</p>	<p>covered by other strategies and action plans.</p> <p>The council's Climate Action Plan commits to working with residents, visitors and businesses to tackle climate change.</p> <p>Suggested textual changes have been incorporated where appropriate.</p> <p>The Air Quality Focus Areas can be viewed at a larger scale on the Policies Map and a link to this has been added.</p> <p>Examples of mitigation now includes “taking action to reduce levels of pollutants through good design”.</p> <p>For major developments, the London Plan requires</p>

ES PD	Respondent	Representations	Response
			<p>Air Quality Assessments to include the impacts of a scheme, including fixed plant, such as boiler and emergency generators, on local air pollution.</p>
AQ	Westminster Property Association	<p>Air Quality</p> <p>8. The important distinction in the document that carbon dioxide is not an air pollutant is welcomed. The Association fully recognises the importance of reducing carbon emissions to mitigate effects on climate change but agrees that this is best addressed through a specific focus on the energy efficiency and carbon performance of new development, rather than by treating carbon dioxide as a local air quality pollutant.</p> <p>9. A plan showing Air Quality Focus Areas (“AQFAs”) is included at page 14. It is not clear from this plan which areas are designated as “AQFAs” and which areas fall outside this designation. We suggest that a large-scale version of the plan is made available, and / or the relevant areas including on the City Council’s interactive mapping system.</p> <p>10. The table at pages 16 and 17 provides guidance on the content of ‘Air Quality Assessments’ and ‘Air Quality Neutral Assessments’. The preceding text, however, does not include reference to both these terms.</p> <p>11. Suggested amendment: Clarification should be provided on: – the difference between an AQA and an AQNA; and – the circumstances in which one, other, or both, assessments will be required.</p> <p>12. The box on page 14 indicates that major developments will be expected to submit AQAs. Applications for change of use (including those</p>	<p>8. The ESPD has been amended to clarify that carbon dioxide is not an air pollutant but that it is a greenhouse gas.</p> <p>9. The Air Quality Focus Areas can be viewed at a larger scale on the Policies Map and a link to this has been added to the ESPD.</p> <p>10. The ESPD has been amended to clarify terminology around air quality.</p> <p>11. The Local Validation Checklist provides clarity on when AQA are required and a reference has been included in the ESPD.</p> <p>12 and 13. Changes of use can have significant</p>

ES PD	Respondent	Representations	Response
		<p>which qualify as major developments as a result of exceeding 1,000 sqm in scale) where no, or limited, physical works are proposed should not be required to automatically include an assessment of air quality impacts as this is likely to be disproportionate, except where the proposed use will include either a sensitive receptor or emit air pollutants.</p> <p>13. Suggested amendment: The box on Page 14 should be amended such that applications for changes of use that qualify as major development are not required to provide AQAs.</p>	<p>implications in terms of air quality and will therefore all major applications will require an AQA.</p>

Local Environmental Impacts

ES PD	Respondent	Representations	Response
LEI	Covent Garden Community Association (CGCA)	<p>Class E As any Class E use can become a use in the future that has a higher environmental impact (in terms of waste storage, noise, odour etc). The ESPD should make clear that to manage future impacts a condition excluding Class E uses which include food preparation should be imposed. If the applicant is unwilling to accept this then Planning Conditions appropriate to a Class E Restaurant use should be applied to the permission granted.</p>	<p>The ESPD has been amended to clarify that developments falling within Class E should provide appropriate mitigation for all types of development within Class E. Permitted changes of use within Class E can be restricted in exceptional circumstances where demonstrable harm would be caused contrary to</p>

ES PD	Respondent	Representations	Response
			<p>development plan policies. Where harm would occur as a result of an unrestricted Class E use being granted, the council will use conditions to mitigate this This will be on a case by case basis.</p>
LEI	Matthew Bennett	<p>Page 20 Second paragraph in box. End sentence after ‘impacts’, delete ‘and’ then start new sentence ‘It requires.....’</p> <p>Right hand column first sentence after ‘can’ insert ‘pollute the night sky,’</p> <p>Right hand column last paragraph, first sentence after ‘lighting’ insert the words ‘both internally and externally’. Finish sentence at ‘considered’, delete ‘and’ and start new sentence ‘It does not....’</p> <p>Page 21 Bottom paragraph, right hand column insert new second sentence. ‘Where lighting is attached to buildings and their facades downward facing light fittings will reduce wasted light and help to prevent pollution of the night sky.’</p> <p>Page 25 Third paragraph add final sentence. ‘This factor must be considered in considering designs which include large area of openable windows and/or fully openable shopfronts.’</p> <p>Page 26 First sentence at the end add the words ‘even when windows and doorways are open’.</p> <p>Page 27 The paragraph on development outside a tranquil space needs to clarify what document is that section 2.3 and 2.4 refer to.</p>	<p>Proposed amendments incorporated where appropriate.</p>

ES PD	Respondent	Representations	Response
		<p>Page 29 Add to list of types or receptors ‘Businesses whose activities are particularly sensitive to the impact of external noise, such as recording studios.’</p> <p>Page 31 The issue of the use of wood burning stoves such as pizza oven should also be addressed. Also, the effectiveness of recirculation extract systems may reduce if operator or cuisine changes.</p> <p>Page 36 Spell out SEMP and CMP.</p>	
LEI	Shaftesbury	<p>2. Local Environmental Impacts</p> <p>This is a key section of the document, which includes impacts arising from development which can directly affect local residents or businesses. Shaftesbury is committing to ensuring that such impact can be mitigated in the most practical way possible. Our comments are broken down according to the 5 subsections with the draft SPD:</p>	Noted.
LEI -CI	James Hewitt	<p><i>Construction impacts:</i> The ESPD does not consider the general impact on neighbourhoods of the construction of basements.</p>	This is dealt with in the Code of Construction Practice . A reference to this document has been added to the ESPD.
LEI -CI	Knightsbridge Neighbourhood Forum	<p>15. Construction impacts – the KNF encourages Westminster to cover more than noise and vibration in this section. Please also look at the RBKC approach to construction management plans which requirements developers to consult several neighbours during before it submits its CMP to the council for approval and then puts these plans out to consultation on its planning portal.</p>	15. Reference to the Code of Construction Practice has been added to the ESPD, including the requirement to liaise with the public.
LEI -CI	Knightsbridge Neighbourhood Forum	<p>18. Construction impacts – KNF would like to see a separate construction impacts section in the ESPD rather than have it included in two only of</p>	18. Construction impacts are dealt with in the Code

ES PD	Respondent	Representations	Response
		<p>the other sections within 'Local environmental impacts'. We are aware that Westminster is looking to produce a new Code of Construction Practice. Please incorporate the requirements identified in the KNF's 'Best practice guidance on construction standards and procedures' e.g. section 2.6 on the need to achieve or exceed a minimum score from the Considerate Constructors Scheme¹¹. Developers should be encouraged to use the latest available all-electric construction vehicles (Section 5.2).</p>	<p>of Construction Practice. The ESPD will be strengthened by including references to the CoCP.</p>
LEI -CI	Labour group	<p>We welcome the focus on local environmental issues surrounding new developments including noise, vibrations and air quality; these are a source of considerable disruption and disturbance to residents and others. However, there is still much that is weak in the SPD. There is merely a suggestion of "controlling dust and emissions from construction, operation and demolition" as one of the examples of air quality mitigation. Many construction sites try to minimise dust but the HSE hasn't updated its guidance since 2013 and the latest London Plan SPD is in 2014. It's, therefore, difficult to refer to any new standard that sites should try to meet. The Council should press for an update to the HSE guidance & London Plan SPD to provide more teeth in this area. Also important when it comes to mitigating the impact of development is engaging local communities early on; the Council had promised to bring forward a 'Neighbourly development' plan in 2018 but this appears to have fallen by the wayside; this should be brought forward.</p>	<p>Construction impacts are dealt with in the Code of Construction Practice. Reference to the Code of Construction Practice will be added to the ESPD, including the requirement to liaise with the public.</p>
LEI -CI	Matthew Bennett	<p>Rightly the emphasis is on preventing or mitigating adverse impacts from development. However, the document should also contain a paragraph</p>	<p>Construction impacts are dealt with in the Code of</p>

ES PD	Respondent	Representations	Response
		<p>to emphasise to developers the value of good and early communication to those affected by development. Part of mitigation for those affected is timely knowledge so that in appropriate cases neighbours and others can prepare and take their own actions. Refer to early engagement strategy.</p>	<p>Construction Practice. Reference to the Code of Construction Practice will be added to the ESPD, including the requirement to liaise with the public.</p>
LEI -CI	Matthew Bennett	<p>For me the key climate change issue within Westminster is buildings which cause 86% of our emissions and how can we create an environment in which buildings can evolve and be modernised remain commercially and residentially attractive but with a much reduced carbon footprint. This everything to designer make overs of flats to huge office blocks. The biggest savings and perhaps the quickest will be if WCC can do more needs to move the development industry away from a traditional redevelopment approach towards the conservation and upgrading of assets to make them more sustainable as well as more commercially attractive. This must be emphasised particularly in conservation areas where a redevelopment approach inherently involves a loss of heritage and a change to character. An additional benefit of this approach is that it will normally shorten the length of building works and reduce the disturbance to neighbouring businesses and residents.</p>	<p>Additional information will be included about the circular economy, in particular the hierarchy in favour of retention and refurbishment over demolition, however this needs to be carefully balanced against the need to deliver new housing and economic growth, meaning demolition will still be appropriate in some circumstances.</p>
LEI -CI	St John's Wood Society	<p><i>Construction impacts:</i> The ESPD does not consider the general impact on neighbourhoods of the construction of basements.</p>	<p>Construction impacts are dealt with in the Code of Construction Practice. Reference to the Code of</p>

ES PD	Respondent	Representations	Response
			Construction Practice will be added to the ESPD.
LEI -CI	Westminster Property Association	25. The WPA is supportive of the use of the Code of Construction Practice (“COCP”) as an appropriate tool for managing the construction process and mitigating its impacts. The use of the COCP allows the detailed management of the environmental aspects of work to be considered at the appropriate stage, when this information is available preceding the start of physical works.	Support welcomed
LEI -L	Canal & River Trust	Artificial lighting and ecology The Trust advises that artificial light spill over the surface of waterways should be avoided to minimise adverse impacts on biodiversity. Amongst other species, bats are known to use waterway corridors as foraging routes and are understood to be particularly sensitive to artificial light within these corridors. The Trust recommends that regard is had to the Institution of Lighting Professions (ILP) and the Bat Conservation Trust’s guidance in considering whether the light spill associated with a new development is consistent with the NPPF’s requirement at paragraph 170 for “minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.	Canals have been added to Lighting Zone 2
LEI -L	CAPCO	Light Pollution We note that it is the provision or installation of equipment which provides lighting (or its provision as part of a wider development) which requires planning permission, as this may be a material operation under s55 of the 1990 Act, rather than the casting of artificial light which is not, itself, development for which planning permission is required. The	Suggested changes made where appropriate. The council has recently updated its Lighting Design Guide and Lighting

ES PD	Respondent	Representations	Response
		<p>reference to lighting at page 20 should therefore be clarified to explain that it relates to what is subject to planning control. Capco appreciate that the Covent Garden lighting strategy is a sensitive subject, and their principal aim is to ensure that the District is safe and well lit, whilst not impacting adversely on the local amenity of residents and businesses. Capco therefore request that the SPD gives due consideration to replacing gas streetlights, which are often inoperable, with energy efficient solutions which provide a similar quality and level of light without the need for frequent vehicle maintenance trips and at significantly reduced carbon emissions. Capco also request, where appropriate, that the City Council look favourably upon planning applications which look to promote sustainable façade lighting to supplement WCC street gas lighting from historic gas fittings. Such a District wide lighting strategy would improve public safety by reducing the potential for anti-social behaviour. This benefit should be viewed as a material consideration in the context of listed buildings where lighting needs to sensitively provided.</p>	<p>Masterplan which provides more information.</p>
LEI -L	James Hewitt	<p><i>Lighting:</i> The focus of the ESPD is external lighting. It does not consider lights left on overnight in empty buildings. <i>Noise and vibration:</i> Noise from road vehicles is not within the remit of the ESPD.</p>	<p>Internal lighting is not something which can be influenced by the council’s planning powers. However the Climate Action Plan includes an action to work with business owners in the City to improve building performance.</p>

ES PD	Respondent	Representations	Response
			The Public Realm SPD will look at ways to mitigate noise from road vehicles.
LEI -L	Knightsbridge Neighbourhood Forum	<p>Local environmental impacts</p> <p>13. Light pollution – the KNF welcomes the clarity and robustness of the development requirements e.g. “External lighting must...” and similar wording on page 21. The KNP includes strong wording on lighting in Policies KBR2, KBR33 and KBR40 which we encourage you to follow or improve upon.</p>	Support welcomed
LEI -L	Port of London Authority	<p>Local Environmental Impacts</p> <p>With regard to the light pollution section on page 20, welcome acknowledgement in City Plan Policy 33B that glare and light spill can impact biodiversity and waterway users. The lighting zoning with the Thames and Royal Parks presented in Zone 2 also appears appropriate. The development requirements for external lighting on page 21 cover the PLA’s concerns for minimising glare and light spill and avoiding conflict with river users and areas of importance for wildlife. As part of this it is considered that the SPD should include specific recognition that the River Thames is a Site of Metropolitan Importance for Nature Conservation (SMINC) due to the protected species living within it as a wildlife corridor.</p>	<p>Support welcomed.</p> <p>A reference to the river’s designation as a SMINC has been added.</p>
LEI -L	Shaftesbury	<p>(i) Light Pollution</p> <p>On page 20 reference is made to reasons where artificial lighting can be used to illuminate the City. Consideration should be given to expanding this section, as architectural and façade lighting can also be suitable for a number of other reasons including –</p> <ul style="list-style-type: none"> • where it is considered to enhance the appearance of the building 	The word “including” has been added to the reasons lighting is used to indicate it is not a finite list.

ES PD	Respondent	Representations	Response
		<ul style="list-style-type: none"> • to highlight attractive heritage buildings • where it creates an interesting focal point • where it would enhance the night-time environment and/or economy <p>Some additional wording covering the above examples would provide officers with greater flexibility when considering lighting applications.</p>	
LEI -L	St John's Wood Society	<p><i>Lighting:</i> The focus of the ESPD is external lighting. It does not consider lights left on overnight in empty buildings.</p>	<p>Internal lighting is not something which can be influenced by the council's planning powers. However the Climate Action Plan includes an action to work with business owners in the City to improve building performance.</p>
LEI -L	Victoria, Victoria Westminster, Whitehall and Northbank BIDs	<p>9. In regard to light pollution (p20), it could be made more explicit why and how biodiversity is disrupted by excessive and poorly designed lighting and why this matters to the council and should matter to the development community.</p>	<p>Further information has been added on how lighting affects biodiversity.</p>
LEI -L	Westminster Property Association	<p>Light Pollution</p> <p>14. We note that it is the provision or installation of equipment which provides lighting (or its provision as part of a wider development) which requires planning permission, as this may be a material operation under s55 of the 1990 Act, rather than the casting of artificial light which is not, itself, development for which planning permission is required.</p> <p>15. Suggest amendment: The reference to lighting at page 20 should be clarified to explain what is subject to planning control.</p>	<p>Suggested changes made where appropriate. The council has recently updated its Lighting Design Guide and Lighting Masterplan which provides more information.</p>

ES PD	Respondent	Representations	Response
LEI -L	WSP UK Lighting	<p>My background is in artificial light & lighting and I have supported Westminster’s highways team for some 18 plus years now. I sit on a number of Institution of Lighting Professionals (ILP) and International Commission for Illumination (CIE) technical committees and have developed much of the UK’s and some international guidance regarding obtrusive light. My response is therefore focussed on my area of expertise – Light pollution.</p> <p>I have reviewed the proposed chapter and would like to make the following observations / recommendations:</p> <p>Westminster City Council have two live relevant documents that should be reference within this section, they are as follows and I have provided the links:</p> <ul style="list-style-type: none"> • WCC lighting design guide which includes sections relating to artificial lighting impact requirements https://www.westminster.gov.uk/media/document/westminster-lighting-design-guide , and • Westminster Lighting Master Plan https://committees.westminster.gov.uk/documents/s38067/2.%20200610%20Westminster%20Lighting%20Master%20Plan.pdf <p>The Cabinet member for Environment and Highways approved the adoption of the Master Lighting Plan 2020-2040 in July 2020. Both documents are being reviewed this year and I am leading this process</p>	Information noted, suggested changes made where appropriate.

ES PD	Respondent	Representations	Response
		<p>and we have been commissioned by Dean Wendelborn of WCC City Highways, Environment and City management, consultation is being held as part of this review.</p> <p>Looking at the light pollution section I would like to advise / comment as follows: City lighting zones, we need to cross reference those advised with the WCC lighting Master Plan and lighting design guide to ensure consistency. This could also do with defining what is meant by the Thames, this should not just be the river but the embankment areas, bright lighting (be it creative or functional for the purpose of the bridge i.e. highway or footway lighting) but also need to consider the requirements of navigation lighting. The text mentions LED bulbs this is not really right and it would be better to use the term LED light sources as that is the industry norm. Development requirements, the lists provided are good but do not cover everything required and address key aspects such as competent designers and other attributes, these should perhaps be advised as an not exhaustive list and reference to the Master Plan and lighting design guide advised as these contain the definitive application requirements. Page 20 there is reference to the Institute of Lighting Professionals, this should <u>Institution</u> of Lighting Professionals. Page 21, reference is made to the ILP's GN01/20, this has now been superseded and is GN01/21, this is a live document so perhaps just reference GN01.</p>	

ES PD	Respondent	Representations	Response
LEI -LC	Environment Agency	<p>Local Environment Impacts</p> <p>We welcome that 'Land Contamination' is addressed on pages 32-34, as per Policy 33E in the City Plan and support the 'Development Requirements'.</p> <p>Developable land is limited in Westminster, and development will likely take place on or adjacent to land that may potentially be contaminated. In line with Paragraph 170 of the National Planning Policy Framework development should remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land. It may be more effective in identifying and remediating contamination, for Westminster to commit to developing a borough-wide land contamination strategy.</p>	<p>Suggestion noted and the council will consider land contamination strategy as part of future work. However, most of Westminster's land has already been developed and the Council addresses contamination within the planning process.</p>
LEI -LC	Howard de Walden Estate	<p><u>Contamination</u></p> <ul style="list-style-type: none"> • The text within this section of the document refers to the provision of land contamination assessments for development “on or near a site which is potentially contaminated” • We believe that this should be clarified to only require land which has a historic record or evidence of being contaminated to require the submission of a land contamination assessment. This removes the potential for all applications requiring physical works to require a land contamination assessment. 	<p>The sentence has been amended to clarify that applicants are required to carry out contaminated land assessments and take appropriate remediation measures for development on or near a site which is potentially contaminated.</p>
LEI -LC	Knightsbridge Neighbourhood Forum	<p>17. Land contamination – KNP Policy KBR40(E) has a good policy on contamination land.</p>	<p>Noted</p>
LEI -LC	Shaftesbury	<p>(iv) Land Contamination</p> <p>We have no further comments on this section.</p>	<p>Noted</p>
LEI -LC	Westminster Property Association	<p>Contamination</p>	<p>The sentence has been amended to clarify that</p>

ES PD	Respondent	Representations	Response
		<p>28. The text refers to the provision of land contamination assessments for development “on or near a site which is potentially contaminated”.</p> <p>29. Suggested amendment: To assist in the application of this text to applications, it should be clarified that land contamination assessments are only required for applications where there is evidence in the form of a historic record which suggests contamination may be present. This removes the potential for all applications requiring physical works to require a land contamination assessment.</p>	<p>applicants are required to carry out contaminated land assessments and take appropriate remediation measures for development on or near a site which is potentially contaminated.</p>
LEI -N	CAPCO	<p>Noise Pollution</p> <p>The wording in the box including Table 2 states that “Where existing residential units or other noise sensitive receptors could be affected the design of the development must ensure that there will be no increase of noise above existing levels”. In our view this is unreasonably onerous, given that a development (including changes of use) could result in a change which increases noise levels whilst still not being audible in an adjoining noise sensitive property. It is also unclear how this relates to the noise limits specified on the right of this page (which appear to be defined as acceptable noise limits when measured in the relevant noise-sensitive neighbouring property). We have a particular concern as road traffic noise is a major contributor to noise in the District. Therefore, in instances where roads have become pedestrianised, either permanently or as part of an experimental traffic order, a development that had been designed to meet the historic noise criteria would subsequently fail its acoustic condition due to the absence of surrounding road noise in the area. This change to the background noise levels needs to be taken into consideration when discharging conditions. In a similar vein, in instances and locations where, historically, amplified street performers have</p>	<p>The Council’s approach to noise policy is to ensure that new development does not contribute cumulatively to increases in background noise and instead ensures that existing background noise levels are maintained or are capable of being reduced in future. The Council’s standard conditions (C47) that are imposed on new mechanical plant include provision within them for applicants to ‘fix’ the background noise level against which it will be</p>

ES PD	Respondent	Representations	Response
		<p>played but pitches have since been extinguished or footfall within the district have been reduced (i.e. due to the Covid-19 pandemic), the change in noise level should be taken into account when looking to promote new development or event spaces which would significantly benefit the economic recovery of the district and wider West End. It is therefore suggested that the wording (outlined in bold above) is removed.</p>	<p>assessed in future to ensure that mechanical plant is not the subject of unreasonable planning enforcement action where other positive environmental improvements, such as reductions in traffic noise, have led to reductions in the prevailing background noise level.</p> <p>The wording in the box supports the relative values in Table 2. All the noise criteria in the table require noise levels to be 5dB or 10dB below background. There are also absolute thresholds in the table for gym noise etc but also values relative to background. These criteria are not new and have been policy now for over 15 years. The policy is in place to prevent progressive</p>

ES PD	Respondent	Representations	Response
			<p>background noise creep which has led to excessively high noise levels in large parts of Westminster. Where existing noise levels are lower the policy is less stringent.</p>
LEI -N	Covent Garden Community Association (CGCA)	<p>Noise The Policy sets out actions and limits for noise from the development itself. It also recognises the impact that noise from customers can have in the surrounding area. It is not possible to design a development to limit the level of noise from customers once they are outside a building. It is therefore necessary to limit the hours of use of the building for any purpose which may generate noise as customers leave. With the introduction of Class E we believe that this needs to be done for all Class E uses, as well as more traditional uses such as the previous A4 and A5 uses (now SG uses). The hours should be limited by condition to within 07:00-23:00 or less.</p>	<p>The council has standard conditions on noise which can be found on the council's website.</p> <p>The ESPD has been amended to clarify that for developments falling within Class E an applicant will have to demonstrate appropriate mitigation for all types of development within Class E. Permitted changes of use within Class E can be restricted in exceptional circumstances where demonstrable harm would be caused contrary to development plan</p>

ES PD	Respondent	Representations	Response
			<p>policies. Where harm would occur as a result of an unrestricted Class E use being granted, the council will use conditions to mitigate this This will be on a case by case basis.</p>
LEI -N	Howard de Walden Estate	<p>Local Environmental Matters <u>Construction Impacts</u></p> <ul style="list-style-type: none"> On page 28 of the document it states that “An acoustic report is required that sets out the noise and vibration impact from the proposed demolition and construction activities, to any identified noise sensitive receptors” It is not clear what type of development or planning application this refers to. We understand that the intention is to refer only to Environmental Impact Assessment however we believe further clarification is required around this point. 	<p>The Code of Construction Practice provides further details on the requirement for developers to produce a site-specific noise and vibration management plan, and a reference has been included in the ESPD</p>
LEI -N	Knightsbridge Neighbourhood Forum	<p>14. Noise and vibration – the KNF welcomes the requirements and encourages Westminster to make it easy for itself, when granting permissions, to take enforcement action subsequently e.g. if noise complaints are lodged because of poor maintenance of plant. The KNP includes strong wording in Policy KBR40 which we encourage you to use or improve upon e.g. ‘...designed to mitigate any adverse impact on the local noise environment...’.</p>	<p>14. The ESPD cannot create new policy. The council has standard conditions on noise which can be found on the council’s website.</p>
LEI -N	Princes Gate Mews Residents’ Association	<p>In relation to solar panels – it is well known these can be a significant source of noise pollution (eg inverters) and vibration harms. Please can standards be set for both installation and maintenance to ensure such</p>	<p>In the majority of cases solar panels fall under permitted development</p>

ES PD	Respondent	Representations	Response
		<p>harms do not occur? Solar panels can also result in harmful solar glare where neighbouring properties are a different heights – again can standards be set to minimise this?</p>	<p>and the council does not have any influence. Further information is available on the Planning Portal website.</p>
LEI -N	Shaftesbury	<p>(v) Construction Impact The requirement for an acoustic report for the construction phase for EIA schemes is understood. But on first reading of this section of the SPD, it was initially assumed that a construction noise acoustic report was required for all applications. It would be helpful to clearly state that this is only a requirement for EIA's, especially considering concerns over construction impacts which are covered by the Council's Code of Construction Practice,</p>	<p>The Code of Construction Practice provides further details on the requirement for developers to produce a site-specific noise and vibration management plan, and a reference has been included in the ESPD.</p>
LEI -N	Shaftesbury	<p>(ii) Noise and Vibration This section provides a lot of technical detail and clarity on what is expected to be included within Acoustic Assessments and this is welcomed. We have the following comments: a) The wording in the box including Table 2 states that "Where existing residential units or other noise sensitive receptors could be affected the design of the development must ensure that there will be no increase of noise above existing levels". This is unreasonably onerous, given that a development (including changes of use) could result in a change which increases noise levels whilst still not being audible in an adjoining noise sensitive property or being within acceptable levels. It is unclear how this relates to the noise limits specified on the right of this page (which</p>	<p>a) The Council's approach to noise policy is to ensure that new development does not contribute cumulatively to increases in background noise and instead ensures that existing background noise levels are maintained or are capable of being reduced in future. The Council's standard conditions (C47) that are</p>

ES PD	Respondent	Representations	Response
		<p>appear to be defined as acceptable noise limits when measured in the relevant noise-sensitive neighbouring property).</p> <p>We suggest the removal of the wording in the box containing Table 2.</p> <p>b) In order to protect local character and cultural uses, we believe that the Special Policy should be made clear that Acoustic Reports are also required where new residential dwellings are proposed in areas where existing noisy uses such as bars, clubs, workshops, etc are present. This will ensure that those residential dwellings are suitably acoustically treated (to WHO standards) and will not result in complaints of noise being raised by the new residential occupants.</p>	<p>imposed on new mechanical plant include provision within them for applicants to 'fix' the background noise level against which it will be assessed in future to ensure that mechanical plant is not the subject of unreasonable planning enforcement action where other positive environmental improvements, such as reductions in traffic noise, have led to reductions in the prevailing background noise level.</p> <p>The wording in the box supports the relative values in Table 2. All the noise criteria in the table require noise levels to be 5dB or 10dB below background. There are also absolute thresholds in the table for gym noise etc but</p>

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			<p>also values relative to background. These criteria are not new and have been policy now for over 15 years. The policy is in place to prevent progressive background noise creep which has led to excessively high noise levels in large parts of Westminster. Where existing noise levels are lower the policy is less stringent.</p> <p>b) The noise environment requirements for new residential development set out in Table 1 (page 24) applies the agent of change principle (see para 33.1 in the City Plan) and places the onus on applicants to demonstrate that these noise levels within new homes can be achieved without causing existing</p>

ES PD	Respondent	Representations	Response
			nearby uses from having to curtail their activities.
LEI -N	St John's Wood Society	<p><i>Noise and vibration:</i> Noise from road vehicles is not within the remit of the ESPD.</p>	<p>Traffic noise has been added to the list of sources for noise nuisance. Noise from road vehicles is not something the council can directly influence through its planning powers, however, the Public Realm SPD will consider measures to mitigate the impact of noise from road vehicles.</p>
LEI -N	Verina Glaessner	<p>Traffic noise is absent from the list of sources given for noise and vibration, although it is something which could be remedied by altering road surfaces. It is clear 'the effects of' noise rather than the sources are addressed here. Triple glazing should not be required, except in the most extreme situations for historic buildings.(curtains with removable interlining and or internal shutters are cost effective options and do. not damage original fabric.)</p> <p>Noise abatement should be an urgent priority. There should be recognition of the structural damage caused to historic buildings by vibration and also at some levels to the proper function of the computers etc.</p>	<p>Traffic noise has been added to the list of sources for noise nuisance, however noise from road vehicles is not something the council can directly influence through its planning powers, however, the Public Realm SPD will consider measures to mitigate the impact of noise from road vehicles.</p>

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LEI -N	Victoria Neighbourhood Forum	<p>Noise – In relation to acoustic assessments for developments (operation), I would expect to see reference to the noise limits as set out in <i>BS 4142: Methods for rating and assessing industrial and commercial sound</i>. Admittedly, I’ve not reviewed this in enough detail to know which is more stringent.</p> <p>Noise – There is reference to suitable competency of the assessor for an air quality neutral assessment. Such competency should also be applied to the carrying out of noise assessments.</p>	<p>WCC's planning noise criteria are far stricter than BS4142. WCC noise policy requires design criteria to be set using the lowest LA90, whereas BS4142 uses a 'representative' background sound level' LA90 which is far less stringent. As existing background noise levels across most of Westminster are already higher than levels recommended by the WHO, WCC planning criteria aims to prevent any further increase in the background noise level in areas where WHO criteria are exceeded. BS4142 methodology in most cases would lead to background noise creep in these areas, particularly in lightwells and other areas with</p>

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			<p>clusters of plant that build up over time.</p> <p>Appropriate level of competency of report author has been added to the requirements for an acoustic report.</p>
LEI -N	Westminster Property Association	<p>Construction Impact</p> <p>23. Page 28 states that “An acoustic report is required that sets out the noise and vibration impact from the proposed demolition and construction activities, to any identified noise sensitive receptors”. It is not clear what type of development or planning application this refers to. We understand that the intention is to refer only to Environment Impact Assessment (which is discussed in the preceding text box).</p> <p>24. Suggested amendment: It should be confirmed that acoustic reports for construction will only be required for EIA development. A requirement to provide such information with other development would be disproportionately onerous.</p>	<p>23-24. Developments that are subject to an Environmental Impact Assessment (EIA) are required to submit an assessment of potential construction impacts to noise and sensitive receptors as part of the planning application. For development below the EIA threshold, control of noise from construction sites comes under non-planning legislation. This ESPD should be read in conjunction with the Code of Construction Practice (CoCP) which deals with</p>

ES PD	Respondent	Representations	Response
			<p>impacts resulting from the construction phase of development, including noise and vibration. The Code of Construction Practice and Validation Checklist provides further details on the requirement for developers to produce a site-specific noise and vibration management plan, and a reference has been included in the ESPD.</p>
LEI -N	Westminster Property Association	<p>Noise Pollution</p> <p>16. The wording in the box including Table 2 states that “Where existing residential units or other noise sensitive receptors could be affected the design of the development must ensure that there will be no increase of noise above existing levels”. This is considered to be unreasonably onerous, given that a development (including changes of use) could result in a change which increases noise levels whilst still not being audible in an adjoining noise sensitive property. It is unclear how this relates to the noise limits specified on the right of this page (which appear to be defined as acceptable noise limits when measured in the relevant noisesensitive neighbouring property).</p> <p>17. Suggested amendment: That this wording in the box containing Table 2 is removed.</p>	<p>16 - 18. The Council’s approach to noise policy is to ensure that new development does not contribute cumulatively to increases in background noise and instead ensures that existing background noise levels are maintained or are capable of being reduced in future. The Council’s standard conditions (C47) that are imposed on new</p>

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		<p>18. The WPA would be keen to engage with Westminster City Council and acoustics consultants to better understand the technical impact of noise limit numbers, how the assessments are done, and the potential impact on development.</p> <p>19. The wording in the text box at page 25 (which contains Table 2) refers to the application of noise assessment standards in relation to the provision of new uses falling in Class E. The wording at page 25 also states that “This applies where a new use is adopted in proximity to an existing noise sensitive property, for example a shop adjoining a residential property being converted to a restaurant which requires new plant or extraction equipment. The criteria should also be applied in cases where there are proposals to extend operating hours or intensify the existing use”.</p> <p>20. In relation to the first point, a change of use from a shop to a restaurant which excludes physical works does not itself require planning permission and as such could not be controlled in the manner the text suggests. It is also unclear under what circumstances the second part of the text could be applied. Notwithstanding this, were such small-scale proposals and changes to be subject to control as suggested, the impact on the ability of ‘high street’ premises and locations to respond to rapidly evolving demand by modifying their operations and accommodating uses within Class E, is considered likely to be disproportionately and negatively affected.</p> <p>21. Suggested amendment: that this wording (quoted above) is removed from the box at page 25.</p> <p>22. The text at page 27 also refers to ‘Sections 2.3 and 2.4’, which may refer to other documents – this should be clarified.</p>	<p>mechanical plant include provision within them for applicants to ‘fix’ the background noise level against which it will be assessed in future to ensure that mechanical plant is not the subject of unreasonable planning enforcement action where other positive environmental improvements, such as reductions in traffic noise, have led to reductions in the prevailing background noise level.</p> <p>The wording in the box supports the relative values in Table 2. All the noise criteria in the table require noise levels to be 5dB or 10dB below background. There are also absolute thresholds in the table for gym noise etc but also values relative to</p>

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			<p>background. These criteria are not new and have been policy now for over 15 years. The policy is in place to prevent progressive background noise creep which has led to excessively high noise levels in large parts of Westminster. Where existing noise levels are lower the policy is less stringent.</p> <p>19. The ESPD has been amended to clarify that developments falling within Class E should provide appropriate mitigation for all types of development within Class E. Permitted changes of use within Class E can be restricted in exceptional circumstances where demonstrable harm would be caused contrary to development plan policies.</p>

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			<p>Where harm would occur as a result of an unrestricted Class E use being granted, the council will use conditions to mitigate this This will be on a case by case basis. 20-21 Paragraph referring to Class E has been amended. 22. This should be Table 3 and has been amended.</p>
LEI -O	Al Balad Restaurant	<p>Having objected to the City Plan policies for shisha smoking I am very disappointed to note once again that Westminster is unfairly focusing on just shisha smoking activities mainly undertaken by people with protected characteristics under the Equalities Act 2010.</p> <p>It remains unclear to me why the Council is not focusing on all smoking activities that give rise to odour from smoking, or odour from alcoholic drinks, or from al fresco cooking and barbequing etc. using hot coals, when it takes place on public house premises and external areas, at restaurants, and cafes etc. as well as shisha smoking premises?</p> <p>This SPD makes specific reference to shisha smoking on pages 30 and 32. Shisha smoking taken with refreshments, but not with the consumption of alcohol, plays a very important part in the social life of local communities, where they are mainly of the Islamic faiths, and or, from a family background connected with North Africa, the Levant and Middle East. It is also important for visitors from these areas as well as part of the social and</p>	<p>While we recognise that shisha smoking is particularly prevalent within specific ethnic and faith groups, and that tackling the issues caused by this activity in a targeted way can give rise to perceptions of discrimination, the policy does not intend to prohibit shisha smoking or disadvantage any protected group in doing so. The restriction on the</p>

ES PD	Respondent	Representations	Response
		<p>tourist activities of the Westminster area. People from these communities and faiths have protected characteristics.</p> <p>As well as having a very important economic function for the local communities, by way of employment it is also important to the many businesses meeting the local demand for shisha smoking by offering shisha smoking in a safe a manner as possible, by meeting Health Act and Health Regulations.</p> <p>It should be sufficient to meet the needs of the relevant legislation and there should be no need or requirement for the planning system or planning policies to seek to replace or exceed the requirements of other legislation for all forms of smoking. Such Acts and Regulations apply to all forms of smoking not just shisha smoking.</p> <p>If policies are to be imposed for problems of odour from smoking they should be applied equally and fairly to all forms of smoking.</p> <p>Smoking shelters are used by many businesses, not just for shisha smoking, and there can be odours and emissions from smoking cigarettes and the smell of alcoholic drinks combined, and separately, and from the external cooking of food with hot coals.</p> <p>Surely these similar activities giving rise to similar problems also need to be brought within the remit of the proposed requirements for shisha smoking premises as well?</p> <p>The SPD pages 30 and 32 need to be amended to take account of all external odour emissions arising from all forms of external smoking, provision of smoking shelters, external drinking of alcohol, and external cooking over hot coals as odour and safety concerns equally apply.</p>	<p>use of premises and outdoor areas for shisha smoking is intended to protect the health and amenity of local residents and users.</p> <p>The lack of control within the licensing regime means that control needs to be exerted at the planning stage. The policy therefore requires applicants to demonstrate how any potential negative impacts can be mitigated through the submission and implementation of a management plan.</p>

ES PD	Respondent	Representations	Response
		<p>If the SPD is not extended to cover all similar uses with similar impacts then these pages and references to shisha smoking should be dropped from the SPD.</p> <p>With regard to page 32 with regard to smoking areas below openable windows this is simply impracticable in Westminster. If this restriction is applied, and it is the case that nearly all places offering shisha smoking are located below openable windows, there will be virtually nowhere to operate shisha smoking in the City of Westminster.</p> <p>This approach must likewise be applied to all forms of odour emission from activities with external smoking and use of hot coals as outlined above or this will be clearly discriminatory.</p> <p>It also appears excessive for all openable windows irrespective of use. It should at least be restricted to fully openable windows of habitable rooms in dwellings.</p> <p>It would be appreciated if these changes are made before the SPD is adopted otherwise a formal legal challenge may be considered necessary.</p>	
LEI -O	Covent Garden Community Association (CGCA)	<p>Odour</p> <p>The ESPD comments on the need for high level discharge of odours, and the fact that recirculation systems are not appropriate unless food is cooked by electric means only.</p> <p>We believe that the ESPD should go further in terms of the type of cooking equipment. The use of gas for cooking generates CO2 as well as requiring higher level of air flow requiring more complex and higher energy systems to manage it. We believe that the ESPD should encourage the use of electric only kitchens and the use of recon systems to avoid negative environmental impacts and that developers that wish to make</p>	Cooking appliances are not something that the council can influence under its planning powers.

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		provision for gas kitchens are required to justify why these are required for this particular use as an exception to the ESPD.	
LEI -O	James Hewitt	<i>Odour:</i> Further thought to the ESPD will be given in response to questions (about restaurants and permitted hours) which were asked during the workshop.	Noted. The council has standard conditions on opening hours which can be found on the council's website .
LEI -O	Knightsbridge Neighbourhood Forum	16. Odour – the KNF supports Westminster’s policy and approach to controlling ‘Shisha smoking’ because the activity has impacts that can be similar to those in licensed premises without the protection of licensing laws and regulation. The KNF encourages Westminster to say it will include conditions prohibiting shisha smoking, where permission for it has not been obtained, to avoid the risk of ‘use’ commencing followed by lengthy or repeated applications for retrospective approval.	16. This is a matter of enforcement rather than one for the ESPD. There is no need to add conditions relating to potential unlawful uses as they are not directly related to the development permitted.
LEI -O	No1 café	Having objected to the City Plan policies for shisha smoking I am very disappointed to note once again that Westminster is unfairly focusing on just shisha smoking activities mainly undertaken by people with protected characteristics under the Equalities Act 2010. It remains unclear to me why the Council is not focusing on all smoking activities that give rise to odour from smoking, or odour from alcoholic drinks, or from al fresco cooking and barbequing etc. using hot coals, when it takes place on public house premises and external areas, at restaurants, and cafes etc. as well as shisha smoking premises? This SPD makes specific reference to shisha smoking on pages 30 and 32.	While we recognise that shisha smoking is particularly prevalent within specific ethnic and faith groups, and that tackling the issues caused by this activity in a targeted way can give rise to perceptions of discrimination, the policy does not intend to prohibit

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		<p>Shisha smoking taken with refreshments, but not with the consumption of alcohol, plays a very important part in the social life of local communities, where they are mainly of the Islamic faiths, and or, from a family background connected with North Africa, the Levant and Middle East. It is also important for visitors from these areas as well as part of the social and tourist activities of the Westminster area. People from these communities and faiths have protected characteristics.</p> <p>As well as having a very important economic function for the local communities, by way of employment it is also important to the many businesses meeting the local demand for shisha smoking by offering shisha smoking in a safe a manner as possible, by meeting Health Act and Health Regulations.</p> <p>It should be sufficient to meet the needs of the relevant legislation and there should be no need or requirement for the planning system or planning policies to seek to replace or exceed the requirements of other legislation for all forms of smoking. Such Acts and Regulations apply to all forms of smoking not just shisha smoking.</p> <p>If policies are to be imposed for problems of odour from smoking they should be applied equally and fairly to all forms of smoking.</p> <p>Smoking shelters are used by many businesses, not just for shisha smoking, and there can be odours and emissions from smoking cigarettes and the smell of alcoholic drinks combined, and separately, and from the external cooking of food with hot coals.</p> <p>Surely these similar activities giving rise to similar problems also need to be brought within the remit of the proposed requirements for shisha smoking premises as well?</p>	<p>shisha smoking or disadvantage any protected group in doing so. The restriction on the use of premises and outdoor areas for shisha smoking is intended to protect the health and amenity of local residents and users.</p> <p>The lack of control within the licensing regime means that control needs to be exerted at the planning stage. The policy therefore requires applicants to demonstrate how any potential negative impacts can be mitigated through the submission and implementation of a management plan.</p>

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		<p>The SPD pages 30 and 32 need to be amended to take account of all external odour emissions arising from all forms of external smoking, provision of smoking shelters, external drinking of alcohol, and external cooking over hot coals as odour and safety concerns equally apply. If the SPD is not extended to cover all similar uses with similar impacts then these pages and references to shisha smoking should be dropped from the SPD.</p> <p>With regard to page 32 with regard to smoking areas below openable windows this is simply impracticable in Westminster. If this restriction is applied, and it is the case that nearly all places offering shisha smoking are located below openable windows, there will be virtually nowhere to operate shisha smoking in the City of Westminster.</p> <p>This approach must likewise be applied to all forms of odour emission from activities with external smoking and use of hot coals as outlined above or this will be clearly discriminatory.</p> <p>It also appears excessive for all openable windows irrespective of use. It should at least be restricted to fully openable windows of habitable rooms in dwellings.</p> <p>It would be appreciated if these changes are made before the SPD is adopted otherwise a formal legal challenge may be considered necessary.</p>	
LEI -O	Sara Café	<p>Having objected to the City Plan policies for shisha smoking I am very disappointed to note once again that Westminster is unfairly focusing on just shisha smoking activities mainly undertaken by people with protected characteristics under the Equalities Act 2010.</p> <p>It remains unclear to me why the Council is not focusing on all smoking activities that give rise to odour from smoking, or odour from alcoholic</p>	<p>While we recognise that shisha smoking is particularly prevalent within specific ethnic and faith groups, and that tackling the issues caused</p>

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		<p>drinks, or from al fresco cooking and barbequing etc. using hot coals, when it takes place on public house premises and external areas, at restaurants, and cafes etc. as well as shisha smoking premises?</p> <p>This SPD makes specific reference to shisha smoking on pages 30 and 32. Shisha smoking taken with refreshments, but not with the consumption of alcohol, plays a very important part in the social life of local communities, where they are mainly of the Islamic faiths, and or, from a family background connected with North Africa, the Levant and Middle East. It is also important for visitors from these areas as well as part of the social and tourist activities of the Westminster area. People from these communities and faiths have protected characteristics.</p> <p>As well as having a very important economic function for the local communities, by way of employment it is also important to the many businesses meeting the local demand for shisha smoking by offering shisha smoking in a safe a manner as possible, by meeting Health Act and Health Regulations.</p> <p>It should be sufficient to meet the needs of the relevant legislation and there should be no need or requirement for the planning system or planning policies to seek to replace or exceed the requirements of other legislation for all forms of smoking. Such Acts and Regulations apply to all forms of smoking not just shisha smoking.</p> <p>If policies are to be imposed for problems of odour from smoking they should be applied equally and fairly to all forms of smoking.</p> <p>Smoking shelters are used by many businesses, not just for shisha smoking, and there can be odours and emissions from smoking cigarettes and the smell of alcoholic drinks combined, and separately, and from the external cooking of food with hot coals.</p>	<p>by this activity in a targeted way can give rise to perceptions of discrimination, the policy does not intend to prohibit shisha smoking or disadvantage any protected group in doing so. The restriction on the use of premises and outdoor areas for shisha smoking is intended to protect the health and amenity of local residents and users.</p> <p>The lack of control within the licensing regime means that control needs to be exerted at the planning stage. The policy therefore requires applicants to demonstrate how any potential negative impacts can be mitigated through the submission and implementation of a management plan.</p>

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		<p>Surely these similar activities giving rise to similar problems also need to be brought within the remit of the proposed requirements for shisha smoking premises as well?</p> <p>The SPD pages 30 and 32 need to be amended to take account of all external odour emissions arising from all forms of external smoking, provision of smoking shelters, external drinking of alcohol, and external cooking over hot coals as odour and safety concerns equally apply. If the SPD is not extended to cover all similar uses with similar impacts then these pages and references to shisha smoking should be dropped from the SPD.</p> <p>With regard to page 32 with regard to smoking areas below openable windows this is simply impracticable in Westminster. If this restriction is applied, and it is the case that nearly all places offering shisha smoking are located below openable windows, there will be virtually nowhere to operate shisha smoking in the City of Westminster.</p> <p>This approach must likewise be applied to all forms of odour emission from activities with external smoking and use of hot coals as outlined above or this will be clearly discriminatory.</p> <p>It also appears excessive for all openable windows irrespective of use. It should at least be restricted to fully openable windows of habitable rooms in dwellings.</p> <p>It would be appreciated if these changes are made before the SPD is adopted otherwise a formal legal challenge may be considered necessary.</p>	
LEI -O	Shaftesbury	<p>(iii) Odour</p> <p>Shaftesbury is the landlord of more than 300 food, beverage and leisure operators across the West End, so the issues we raise with the policy for</p>	<p>A link to Prevention of odour, smoke and fume nuisance from commercial</p>

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		<p>Odour and to a similar extent, Noise are borne from significant experience of how such premises are run and operated. We work closely with our operators and are keen to ensure that the impact of these operations is minimised, but we are also keen to ensure that by operating within an inflexible policy it does not lead to more vacancy or a homogenised offer.</p> <p>It is noted that the EH guidance entitled ‘Prevention of odour, smoke and fume nuisance from commercial kitchen exhaust systems, March 2021’, which is referred to extensively in this section is not openly available online. <u>We would ask that this is made easily available as soon as possible.</u></p> <p>Currently the SPD reads as though the EH guidance document is the sole determining factor when reviewing planning applications for extract ducts, when it should in fact be one of several a material considerations. It would be useful to clarify this.</p> <p><u>Odour Assessments</u></p> <p>The requirement to submit Odour Assessment to support a planning application is not clear in the SPD and this should be clarified. Currently the SPD says that it will be required when there is a nuisance, however planning applications are not usually submitted because there is an odour nuisance, unless the application is seeking to resolve a either an Environmental Health complaint or a Planning Enforcement issue.</p> <p>In summary we require the following clarity with regard to Odour Assessments –</p> <ul style="list-style-type: none"> • Under what circumstances will an Odour Assessment be required to support a planning application? 	<p>kitchen exhaust systems has now been added.</p> <p>The EH guidance document should not be regarded as the ‘sole determining factor’ as the document allows for any scheme to be submitted – the only limitation is that any scheme submitted must demonstrate ‘Best practicable Means, BPM’ standard.</p> <p>Odour assessments should be submitted where a proposal is likely to generate odour or where a odour nuisance is already occurring and the mitigation measures requires a planning application for them to be able to be implemented. An Odour Assessment should assess the proposal</p>

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		<ul style="list-style-type: none"> • How will the submitted Odour Assessment be used/assessed by officers, i.e. against what measures? <p><u>Extraction</u> The SPD indicates that the City Council will consider 3 different types of extract systems for hot food premises. The SPD is not entirely clear on this or on what exactly is meant by each option and as such we have the following comments:</p> <p><u>Option 1 - Full height extraction</u> We understand that high level extraction is preferred, however the EH guidance referred to in the SPD states that these must terminate 1 metre above any openable windows on the host building and higher than any building within at least a 20metre radius <u>regardless of that buildings use</u>. This appears to set an extremely high bar particularly given the significant differences in building heights and the dense mix of uses throughout the West End which all contribute to its character. We would like further clarification and consideration of this option as it is currently described with the EH guidance:</p> <ul style="list-style-type: none"> • Can the EH guidance and/or the SPD be specific about differentiating between sensitive uses and non-sensitive uses in relation to the application of the 20-metre rule? • Do planning officers have the flexibility to consider other site-specific material considerations if the EH guidance cannot be adhered to, i.e. if the duct stops a metre short because of design/conservation reasons, or the nearest openable window is 19 metres away? If a proposed system is designed for full mitigation then it would as such not create a nuisance and this should be a consideration. 	<p>against the FIDOL factors as advised by the Institute of Air Quality Management (IAQM). A link will be added to the ESPD for 'Guidance on the assessment of odour for planning' (July 2018). The Validation Checklist also clarifies when odour assessments are required.</p> <p>Option 1 – standard of 'regardless of the building use' is correct as buildings can have many uses at different times – so all buildings within 20m need to be protected and are considered to be sensitive.</p> <p>The full height, 20m rule and 1m is the best option (option 1 in the EH guidance) enabling Environmental Health to advise at the outset</p>

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		<ul style="list-style-type: none"> • If the extract duct proposed cannot meet the strict criteria for full height extraction and described in the EH guidance, and there is no flexibility or discretion available to officers will it immediately be considered a ‘bespoke duct’ (option 3)? <p><u>Option 2 - Re-circulation systems</u></p> <p>Re-circulation units provide a good solution where outside extraction is difficult. They have become more commonplace and accepted by EH in recent years, which is welcome, however they have some severe limitations, some of which are not necessarily within the gift of a developer to resolve:</p> <ul style="list-style-type: none"> • They require large amounts of power, which can be limited by the electrical infrastructure/substations. The provision of power upgrades in the West End is an extremely costly and time-consuming process which means properties often lay empty for longer. • They only allow cooking by electricity, and as such this severely limits their appeal to a range of possible operators. • They are often only viable for the smallest of hot food premises and not always compatible with other air circulation requirements such as air conditioning. <p>It should also be noted that there are no external alterations required for re-circulation units to be installed and therefore planning permission would not be required. As mentioned above, there are some circumstances where air conditioning is required for the kitchen, but this would not be linked to the re-circulation unit. The installation and acceptance of a re-circulation unit will therefore fall to EH and not planning. How does the SPD seek to deal with this, as planning cannot control or prescribe the use of a re-circulation system?</p>	<p>nuisance is unlikely to occur no matter what the food operation will be. All other schemes can be submitted (including those that only just fail option 1) but will be considered against BPM criteria for the particular food operation proposed at application stage and Environmental Health advice will be that nuisance is unlikely but final assessment in such circumstances can only be made once the scheme has been installed and operating.</p> <p>So if option 1 cannot be implemented all other schemes will be considered ‘bespoke’</p> <p>Option 2 – The EH guidance is both for new planning uses and use by</p>

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		<p><u>Option 3 – Bespoke</u></p> <p>We note that both the EH guidance and the SPD contain a third option for ‘bespoke ducts’. On paper this appears to offer an alternative where option 1 and 2 cannot be rigidly met and appear to capture applications where discretion or the consideration of other mitigating factors is not currently explicit in option 1 or 2.</p> <p>For example, if a high level duct was set at 0.75m above an openable window, and 18m from a ‘sensitive use’ (which we now know includes any occupied premise), would it then immediately become a bespoke duct proposal? We seek clarification on this.</p> <p>We also have some concerns how this will work in tandem with the planning process. Essentially it appears that the end-user will play an important role in determining whether a bespoke extract will be acceptable.</p> <p>In practice the end user is not always known at the time of the planning application and this is likely to be the case across Westminster. It is noted that the EH document states that <i>a desktop assessment by Environmental Health shows the proposed low level externally discharging scheme meets Best Practicable Means standard for the food operation proposed and is therefore unlikely to result in odour nuisance. However final assessment as to whether the system will prevent odour or fume nuisance will only be able to be made after the system has been installed and started operations under its most intense use conditions</i> – should nuisance still occur post installation and after operations have started then further adaptations will be required.</p> <p>Shaftesbury’s properties are characterised typically by smaller footprints and appeal to new businesses or small independent entities who require</p>	<p>Environmental Health to provide solutions for preventing nuisance from existing premises. Save for small scale units recirculation systems often require separate air conditioning or mechanical ventilation for make-up air – these usually have external manifestations which would require planning applications.</p> <p>Option 3 – see comments above – yes if option 1 or 2 cannot be implemented then it will be considered as bespoke so long as it meets with BPM criteria and it is therefore correct that the ‘end-user will play an important role’ as stated – only option 1 can provide a desk-top assessment of acceptability without first having to be</p>

ES PD	Respondent	Representations	Response
		<p>certainty before making a move to open their own premises. The prospect of being shut down after opening is not a risk any occupier would be willing to take.</p> <p>Therefore, we have some matters requiring specific clarification:</p> <ul style="list-style-type: none"> - The guidance states that the ‘food type’ should be proposed at the time of application, but this is not usually known at application stage - We are concerned that narrowly limiting the food type would effectively result in a personal permission, which is not normally encouraged and is difficult to enforce as operators may change regularly and may result in letting difficulties and vacant units. - As shown above in italics, the SPD appears to state that the City Council may impose a condition requiring a post-commissioning odour report once the use had commenced. As stated above, this does not provide certainty to new operators and such a condition may not meet the 5 tests set out in the NPPG. <p>Shaftesbury would instead support a condition requiring a maintenance regimes/plans to mitigate any longer-term concerns, in the same way that plant and machinery have noise conditions which work in perpetuity. Applications for bespoke ducts would therefore require additional information as part of the initial application to sufficiently demonstrate that the proposed duct mitigate nuisance and will not cause any amenity impact.</p>	<p>installed. In any case the Class E changes has made this largely redundant as a new operator going into a previously retail premises will have to submit a bespoke scheme if option 1 is not feasible or proposed.</p> <p>– a new operator with a new food operation going into an existing hot food use premises will have to assess if the existing odour control scheme is consistent with the new food operation otherwise they will be subject to a Nuisance abatement notice under the Environmental Protection Act 1990.</p>
LEI -O	St John’s Wood Society	<p><i>Odour:</i> Further thought to the ESPD will be given in response to questions (about restaurants and permitted hours) which were asked during the workshop.</p>	<p>Noted. The council has standard conditions on opening hours which can be found on the council’s website.</p>

ES PD	Respondent	Representations	Response
LEI -O	Westminster Property Association	<p>Odour</p> <p>26. The Association supports the proposed hierarchy for the prevention of odour from hot food premises proposed in the red box on page 31.</p> <p>27. It is, however, unclear on the planning need for the ambient temperature of kitchens to be controlled by condition. Planning policy, and indeed other environmental safety and workplace legislation, does not seek to regulate maximum workplace temperatures and it is not appropriate or necessary to seek to control workplace temperatures within this SPD.</p>	<p>26. Support welcomed.</p> <p>27. The EH guidance document is both for Planning and EH to use – and designing an appropriate kitchen extract scheme for planning purposes requires any scheme to also consider such intrinsically linked Workplace standards, eg workplace temperatures, for the scheme to be effective.</p>

Green Infrastructure

ES PD	Respondent	Representations	Response
GI	Achim von Malotki	<p>Green walls</p> <p>Make sure that applicants do not green their buildings unsustainably by relying on irrigation from water mains. Only if integrated water storage for irrigation is provided should green walls be permitted.</p>	<p>A new sentence has been added to the green walls section about sustainable water sources for irrigation.</p>
GI	Huguette Zola	<p>Following on from my questions at the green infrastructure webinar.</p>	<p>Noted with thanks.</p>

ES PD	Respondent	Representations	Response
		<p>Net gain 'green' data analysis organisations narrow it down to UK: Biodiversity net gain advice note - The Ecology Consultancy The Extraordinary Rise and Rise of Biodiversity Net Gain CIEEM Biodiversity net gain and biodiversity offsetting Lodders Solicitors https://ramboll.com/projects/reh/biodiversity-net-gain-scotland Biodiversity services Biodiversity Net Gain</p> <p>Plus additional local greener charity for 'energy' partnership: Green Doctors London</p> <p>public space signage branding agency collaboration: Greenhouse PR Award winning green PR agency</p>	
GI	Matthew Bennett	<p>Any aerial view of the WEST End in particular shows that roofs are a wasted resource in terms of greening and I think the ESPD should aim to be much more ambitious. In terms of greening the public realm in many parts of the West End there is great uncertainty about the sustainability of tree planting because of future damage by tree roots to cables and pipe work.</p> <p>WCC should take the lead by carrying out a ground penetrating radar survey in the West End to indicate those parts of the streets and the public realm where trees can be planted safely. This would encourage developers to make off site provision towards green space when it is not possible within immediate vicinity of the development.</p>	<p>A radar survey of Westminster is not currently a viable option for the council. It should be noted that GPR is not sufficiently accurate, and undertake trial excavations would still need to be carried out before planting trees.</p>
GI	Matthew Bennett	<p>Page 42 Referring to 'boxes' in column 2 restricts the likely range of provision. Instead of the three examples restate as 'a variety of habitats and structures which can be used by birds, bats and invertebrates.'</p>	<p>The WWE Matrix was developed by Central London's largest property</p>

ES PD	Respondent	Representations	Response
		<p>Page 43 Thermal Comfort add 'use of harvested rainwater to help provide natural cooling to buildings.'</p> <p>Page 44 First row of comments add to 'Water Management' 'Where access to green roofs is safe and practical provide for rainwater storage to provide opportunities for natural watering of plants'.</p> <p>Page 45 First row of comments add to 'Well Being, Sensory' 'Roofs that are covered with elements of greening will indicate a commitment to the environment and deliver practical ecological and climate benefits.'</p> <p>Add to 'Well being, Active' 'Where access to a green roof is safe and accessible as well as of sufficient size it can provide both sensory and active benefits to well being.'</p> <p>Page 46 The reference should be improved as it only provides very limited information on green roofs. Applicants should have access to much more information on green roofs including guidance on the issues to consider and installation. In an intensely developed area like the West End roofs provide the major opportunity to green the area to enhance biodiversity, slow water run off, provide additional insulation and enhance wellbeing and a sense of pride in the approach all are taking to climatic changes.</p>	<p>owners and not Westminster Council.</p> <p>A link to best practice guidance has been added. It should be noted that green roofs are the subject of ongoing innovations.</p>

ES PD	Respondent	Representations	Response
GI	Westminster Business Improvement Districts	<p><i>Green Infrastructure</i></p> <p>The Westminster BIDs welcome the commitment to every resident being within a five-minute walk of an open space and enhancing the benefits of existing spaces at ground level and roof level.</p> <p>However, we do have reservations that the draft SPD proposes a new Wild West End Value Matrix, as a potential alternative measurement to the London Plan’s Urban Greening Factor. Whilst open to the potential for a bespoke Westminster matrix covering issues such as new green space, microclimate, wellbeing and social topics we are concerned about the potential for confusion in this area and would welcome further details on any alternative matrix as soon as possible in order to provide more detailed comments.</p> <p>We also note that at present the draft Environmental SPD does not reference the importance of blue infrastructure to the City, and the positive role that water space plays in biodiversity, cooling and offering access to open space. With rivers, canals, lakes and ponds in Westminster, we therefore believe that this should also be referenced within the SPD.</p>	<p>The council intends to develop a locally specific UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>References to waterways have been added to the ESPD.</p>
GI RE	Brent and Westminster Swifts Group	<p>These comments are relating to the chapters on Green Infrastructure, and Retrofitting and Sustainable Design.</p> <p>I have recently set up a Brent and Westminster Swifts Group to help protect the swifts inhabiting my area of Maida Vale, W9.</p> <p>I am concerned about the decline in the swift population. Refurbishment of properties seems to be a significant factor as they are losing their nest sites in older buildings. Swifts are faithful to these sites for many years,</p>	<p>The ESPD currently states that “Applicants should consider incorporating wildlife-friendly element in their designs, e.g. planting creepers, creating vertical habitats or introducing ‘bird bricks’ or spaces for</p>

ES PD	Respondent	Representations	Response
		<p>and find it difficult to source new places to nest as modern buildings do not usually have any suitable spaces. Integrated swift nest bricks (built into walls, or retrofitted) would be an ideal solution. Swift nestboxes and integrated swift nest bricks are also good for other small birds such as house sparrows. Integrated nest bricks are the best type of nestbox as they last for the lifetime of the building and do not need maintenance. I believe swifts should be added to the list of important species on page 48. Swifts are declining in population, are currently Amber-listed and may soon be Red-listed, as a Bird of Conservation Concern. Due to lack of tree holes, swifts are dependent on human habitation for their nest sites, and have been making the 6,000 mile trip from Africa to London each summer for hundreds of years, to the same spot every time. The Maida Vale swifts have been here far longer than me, and I was born here over fifty years ago. It would be a shame if we let them down at this point.</p>	<p>bats within new or converted buildings.” The retrofitting section also adds “Before undertaking works, check the roof space for bird / bat roosts.” Both these sections have been expanded to provide more guidance.</p> <p>The priority species list has been amended to reflect the Opportunity Species in the London Priority Species List. This includes Swifts.</p>
GI	Canal & River Trust	<p>Tranquil Open Spaces in Westminster We consider that the Regent’s Canal and Grand Union Canal should be included in the list of tranquil open spaces within Westminster, as a blue/green corridor used for leisure and with well-known wellbeing benefits. The Canal & River Trust is a wellbeing charity and we believe our waterways are key to supporting health and wellbeing for their local communities: https://canalrivertrust.org.uk/enjoy-the-waterways We would be pleased to see further emphasis in the SPD on the role the waterways can play in this, with reference to the Canal & River Trust and</p>	<p>A new reference to canals and their contribution to wellbeing has been included in the Green Infrastructure section as well as a link to the Canal and River Trust website.</p> <p>There is an assessment matrix for spaces to qualify</p>

ES PD	Respondent	Representations	Response
		<p>our commitment to wellbeing. Further information is available on our website, and in our Waterways & Wellbeing, First Outcomes Report 2017: https://canalrivertrust.org.uk/news-and-views/features/wellbeing-on-your-doorstep https://canalrivertrust.org.uk/refresh/media/thumbnail/33802-canal-and-river-trust-outcomes-report-waterways-and-wellbeing-full-report.pdf</p> <p>Green Infrastructure We note that the Canal is also missing from this section, and would request that the borough’s waterways be acknowledged as valuable and unique blue/green infrastructure.</p> <p>Walking and Cycling The Trust supports partnership and investment in cycling infrastructure, including along the canal towpath and connecting it to the wider network in the borough.</p> <p>The document should highlight opportunities to reduce emissions through transport, along with building for and encouraging people to switch to sustainable travel. We are keen to support the move from reliance on cars in favour of walking and cycling particularly through canal and towpath improvements, connections to the highway, and wayfinding etc, and consider this should be a priority for the Council.</p>	<p>as tranquil open spaces and new tranquil spaces will be considered as part of a new Green Infrastructure Strategy.</p> <p>Cycling infrastructure and reducing emissions from transport are outside the remit of the ESPD, however the council’s Air Quality Action Plan, Freight, Servicing and Delivery Strategy, and Public Realm Strategy all address these issues. The ESPD will be amended to provide references to these documents.</p> <p>Cycling infrastructure does not fall within the remit of the ESPD but the council has a separate cycling strategy.</p>

ES PD	Respondent	Representations	Response
		<p>In our responses to planning consultations we often request the LPA secure planning contributions (S106 and CIL) to fund active travel infrastructure, including towpath improvements.</p> <p>Ecology and mitigation Some mitigation of the adverse ecological impacts of development can be provided for by the installation of new habitat (including floating ecosystems within the waterspace).</p>	<p>Emissions from transport does not fall within the remit of the ESPD however more has been added on this subject with signposting to other strategies.</p> <p>Reference to the creation new habitat has been added to the ESPD.</p>
GI	CAPCO	<p>Public Realm Around the Covent Garden Estate, development sites are generally minor scale development and constrained within the historic setting. Where public realm spaces or public greening is required, this will often only be possible on public highway or land requiring third party consent. To help ensure that these required benefits are provided in an estate wide context, Capco suggest that a framework be put in place to ensure that the determination of these initiatives are fast tracked through the planning application process. As an example of how estate wide benefits arise, Capco already contribute significantly to the public environmental benefits across the district, successfully delivering initiatives such as: · Free management of bollard access control (10 gates) to WCC pedestrian streets; · Greening through planters; and · Provision of extensive public seating.</p> <p>Green Infrastructure</p>	<p>The council is preparing a separate Public Realm Strategy.</p> <p>The council intends to develop a locally specific UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London</p>

ES PD	Respondent	Representations	Response
		<p>The principle of providing a bespoke urban greening measure in the form of the Wild West End Matrix, which may be more tailored to the specific context of the City of Westminster than the GLA’s urban greening factor measure, is supported in principle, as are the factors suggested for inclusion. Further information or explanation should be set out regarding how the matrix would be applied, including whether it replaces, or would be required alongside, assessment of the GLA urban greening factor measure. Further clarification on how this Matrix would be applied to provide a ‘measure’ of the performance of a development should be provided.</p> <p>The text in the amber box at page 49 states that “as a first option trees should be retained where possible”. It is suggested that the definition of ‘where possible’ should be clarified to allow it to be applied meaningfully to developments. This could include, for example, where there is a technically feasible alternative that would allow the same, or similar, benefits to those in the proposed development to be provided whilst retaining the tree or, as an alternative, provision for additional replacement planting, or the introduction of planters which could be equally beneficial.</p> <p>The approach to the application of Biodiversity Net Gain to developments (page 51) is unclear and would benefit from clarification. It appears to be suggested in the text box that the Mayor’s guidance, once published, will be followed. The Biodiversity Net Gain text box (page 51) begins with policy reference where the policy number is missing. We are also keen for further clarification as to whether it would be acceptable for green infrastructure to be provided within the vicinity of a new development, making use of an adjoining building or public realm that may be more</p>	<p>Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>“Where possible” has been removed to avoid confusion.</p> <p>The London Plan UGF applies to major development proposals and is assessed on how much green infrastructure is provided on site. Loss of biodiversity should be avoided and off-setting of biodiversity net gain is the option of last resort.</p> <p>The WWE Matrix was developed by Central London’s largest property owners and not Westminster Council.</p> <p>Evergreen trees can perform a useful function</p>

ES PD	Respondent	Representations	Response
		<p>suitable. Policy 34 of the City Plan should have regard to an Estate wide approach to encourage greening on a variety of buildings around the district, including listed buildings.</p> <p>The Wild West End Matrix on page 44 states that “where practicable, soil-based systems should be used” to ensure sufficient water management. We would disagree with this approach as growing media such as that deployed on Regal House, can be a more successful solution and would significantly reduce the need to replace plants so frequently, perhaps a less prescriptive approach should be adopted. We also suggest that the matrix makes specific reference to the need for suitable green infrastructure located in areas that receive sufficient sunlight and therefore the most sustainable and cost efficient. A specific section relating to the use of planters should also be included. Planters would prevent the need to unnecessarily divert underground utilities to plant trees, consequentially releasing embedded Carbon, when the addition of an above ground planter could be an equally beneficial solution. The provision of public water facilities (or other such initiatives) integrated into the public realm could also help to assist with providing the necessary watering provision. Capco also suggest that Evergreen trees should be prioritised across the district as they are possibly better at extracting pollution. Evergreen trees currently only make up a small proportion of current greening provision so helps with bio-diversity.</p>	<p>in absorbing pollution, but trees need to be planted according to the principle of the ‘right tree in the right place’, and there are many other considerations. These have been added to the ESPD.</p>
GI	Clean Air in London (CAL)	<p>Biodiversity Sadly, we no longer see insects or hear small birds in London for many months of the year. Please do everything you can to reverse this trend.</p> <p>Trees and the urban forest</p>	<p>The ESPD has been strengthened by including more information on how biodiversity will be protected and how</p>

ES PD	Respondent	Representations	Response
		<p>CAL is pleased to see some mention of trees in the ESPD. However, the Green Infrastructure section of the ESPD must conform to the London Environment Strategy 2018 which references the Mayor of London’s London Urban Forest Plan (LAFP) which was published subsequently in November 2020. The LAFP “sets out the goals and priority actions needed to protect, manage and expand the capital’s urban forest”. Goal 1 is “Manage London’s urban forest according to a set of principles ensuring improved resilience against pests, diseases and climate change”. Given the importance of the urban forest to Westminster, it is essential that Westminster’s ESPD references the LAFP and is wholly consistent with it. Please note, generally speaking, that “urban forests” do not regenerate naturally and need to be proactively managed. This will necessarily require the introduction of a broader range of species to adapt to pests, diseases and climate change.</p>	<p>Biodiversity Net Gain will be assessed, with links to the London Priority Species List, Natural England’s BNG Metric 3.0 and Small Sites BNG Metric.</p> <p>The council has a separate open spaces and biodiversity strategy: A Partnership Approach to Open Spaces and Biodiversity in Westminster (March 2019)</p> <p>Management of Westminster’s Urban Forest falls outside the remit of the ESPD, however 88% of the City’s woodland lies within SINCs which have a high level of planning protection. In addition, the council will be preparing a Green Infrastructure Strategy which will look at the</p>

ES PD	Respondent	Representations	Response
			management of urban forests in more detail. A reference to the London Urban Forest Plan has been added to the regional policy context section.
GI	Covent Garden Community Association (CGCA)	<p>Green Infrastructure</p> <p>We welcome the addition of green infrastructure. However, we have several developments which include items such as Green Walls where the maintenance of these walls is carried out at night, causing significant disturbance to residents. It should be clear in the table on P47 that that where green infrastructure is provided there needs to be a management plan which avoids harm to residential amenity.</p>	The ESPD includes a requirement for a management plan and an appropriate maintenance regime. Residential amenity would be one of the considerations when officers assess the appropriateness of the maintenance regime and details such as time of day may be secured by condition.
GI	Environment Agency	<p>Green Infrastructure</p> <p>We are pleased that Green Infrastructure has been included in the SPD and that the creation of new green spaces will be achieved through the creation of spines and networks. Whilst Environmental impacts/ Green infrastructure have been considered within the terrestrial sense we expect more from the SPD in relation to aquatic habitats. The SPD should highlight the River Thames corridor as an important aspect of this.</p>	<p>Support welcomed.</p> <p>The ESPD has been strengthened by including the contributions of the City's waterways and water bodies.</p>

ES PD	Respondent	Representations	Response
		<p>Page 38: There is additional support for urban greening and its contribution to healthy streets provided in London Plan, Policy T2, which states development should ‘identify opportunities to improve the balance of space given to people... so space is used more efficiently and streets are greener and more pleasant.’ This should be outlined in the relevant policy section on page 38 alongside the other London Plan Policies highlighted.</p> <ul style="list-style-type: none"> • Page 40 - 41: As noted previously, in the main text there is little reference to the River Thames, the role of the river corridor, and access along it. We believe this is a missed opportunity in the SPD to promote connection between the open spaces along the river, and enhancement of the riverside environment. • Page 42: Table 5 provides a very clear, and understandable focus on the Wild West End Green Space matrix, and subsequently on the role of green roofs / walls. We welcome its inclusion. • Page 46: We believe the SPD should consider whether London Plan, Policy - G8 Food Growing, would also be relevant as further justification for urban greening, green walls and roofs etc., in support of the City Plan, Policy 34. This could also be included in the policy overview on page 38. • Page 51: We welcome the text on Biodiversity Net Gain. Reference should be made to the upcoming Environment Bill and the likely requirements of it for new developments. To further support the Net Gain section, additional reference should be made to the NPPF paragraphs 174 and 175: 	<p>London Plan Policy T2 Healthy Streets and G8 Food Growing have been referenced in the policy overview section.</p> <p>NPPF chapter 15 Conserving and enhancing the natural environment is already referenced in the policy overview section and it is not considered necessary to repeat the NPPF text.</p> <p>The council will be preparing a Green Infrastructure Strategy. This could include river wall enhancements and naturalisation or semi naturalisation of river banks.</p>

ES PD	Respondent	Representations	Response
		<ul style="list-style-type: none"> ○ 174: To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. b) Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. ○ 175. When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; <p>As aforementioned, aquatic biodiversity improvements should be touched on in the SPD. One way this could be done is through river wall enhancements. The EA would support biodiversity enhancements to river walls. These could include but are not limited to timber fenders that act to provide purchase/substrate for vital microorganisms. In addition, timber planters either pre planted with common reed or self to self-colonise between Mean High Water Neap and Mean High Water Spring.</p>	

ES PD	Respondent	Representations	Response
		<p>Historically many of our urban rivers have seen a net loss of biodiversity value through engineered concrete or steel sheet piled rivers banks. It is important to encourage new development to address naturalisation or semi naturalisation where possible. This SPD provides an opportunity to highlight this.</p>	
GI	Fitzrovia West Neighbourhood Forum	<p>3. Green infrastructure: We welcome this section in particular. We note that the Figure indicating areas of open space deficiency is included in Figure 5 on p 40 but there is little guidance on how the deficiency in these areas will be directly addressed. Under 'development requirements' we would like to see included the potential for full or part-street closures in order to create healthy streets where additional landscaping can be included to make up for OS deficiency. There is no discussion of how to remedy the deficiency in children's play space which is also indicated on Figure 5.</p>	<p>Policy 34 D. requires Major developments to provide new or improved public open space and space for children’s active play, particularly in areas of open space or play space deficiency.</p> <p>A new Public Realm SPD will provide more information about how open space and play space deficiency will be addressed.</p> <p>Street closures are beyond the remit of the ESPD.</p> <p>The council will also be preparing a Green Infrastructure Strategy to help focus any new provision to areas of deficiency.</p>

ES PD	Respondent	Representations	Response
GI	Gillian Brown	<p>1. Given the preponderance of government buildings (especially in the southern part of the borough), would it be possible to have these lead the way in terms of installing more green walls/roofs, or the use of solar panels?</p>	<p>The Climate Action Plan sets out the council's commitment to improving our own buildings.</p>
GI	Greater London Authority (Green Infrastructure Team)	<p>We welcome the focus on green infrastructure and design for biodiversity in the draft document and have the following comments and suggestions on those sections:</p> <p>The Wild West End framework matrix is a useful way to describe the quality and function of the types of greening that will be appropriate for developments in the borough, however it does not include any quantifiable targets. For this reason we recommend that the draft is amended to make clear that for schemes to be compliant with London Plan policy G5 Urban Greening the Wild West End Framework cannot be used as an alternative to the UGF for major development schemes. Instead we recommend that it could be promoted as a design guide to aid design decisions about the type and function of green infrastructure delivered to maximise the benefits provided, or as an alternative to the UGF for minor developments only.</p> <p>The GLA have published guidance on the use of the UGF that would be relevant to reference in the SPD https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/urban-greening-factor-ugf-guidance-pre-consultation-draft</p> <p>We have also published guidance on the design of greening to achieve biodiversity net gains which we believe aligns well with the principles of the Wild West End matrix and would be a useful additional resource to highlight in the SPD https://www.london.gov.uk/what-we-do/urban-greening-biodiversity-net-gain-design-guide</p>	<p>The council intends to develop a locally specific UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan's Urban Greening Factor will apply and the ESPD will make this clear.</p>

ES PD	Respondent	Representations	Response
GI	Green Infrastructure Consultancy Ltd	<p>Page 42. Biodiversity: It is important that plants that serve as larval food plants are included in planting schemes, as well as plants that supply pollen Water management: Amendments to topography and soil to improve ability to receive and hold water more important than mulching. Probably good to mention rain gardens as well as swales and depressions because rain gardens will be installed in streets more often than swales or depressions (rain gardens are mentioned on page 46) What is meant by 'trees with flaking bark'? Is that London plane or are there others? Not sure if advice on planting and air quality will still be relevant after electrification of motor transport. Page 48. Usual to use the singular when describing a species eg Tawny Owl not Tawny Owls. Bats OK because this is generic 52/118 Flood Risk. Why use a picture of a poor-quality green roof that would not store very much water? Page 56: SuDs tree pits and rain gardens should be included in the descriptions of suitable interventions Page 82: Photo shows a poor example of a biosolar roof Page 105: The term living roofs is used here instead of green roofs earlier in the document. Also the term 'brown roof' is used here which is also not used earlier in the document and is no longer a useful term Page 112: Again the term living roof is used. Perhaps for consistency should be green roof throughout?</p>	<p>The WWE Matrix was developed by Central London's largest property owners and not Westminster Council.</p> <p>Species list has been amended to singular and updated to align with the London Priority Species List.</p> <p>Green roof has replaced 'living roof' for consistency.</p> <p>More on rain gardens and tree pits has been added.</p>
GI	Hilson Moran	<p>The proposed Environmental SPD document is welcomed in that it helps clearly set out the expectations for developments in the City of Westminster in relation to biodiversity elements, and the processes that</p>	<p>Support welcomed.</p> <p>The WWE Matrix was developed by Central</p>

ES PD	Respondent	Representations	Response
		<p>will need to be followed. I have reviewed the proposals in relation to the biodiversity element of the SPD, and have the following comments:</p> <p>Table 5</p> <ul style="list-style-type: none"> • Green roof – it is unclear how extensive roofs with sedum plants would sit within this, would it comply with the requirement for 50% wildflower, herbs and grasses? This habitat type can be important in some developments where restrictions limit what can be incorporated, and it would be a shame to not encourage this where the deeper roof types are not possible; • Green wall – what is the basis for requiring a minimum of three species to be incorporated? In some circumstances climbing plants of a single type may be more suited to circumstances so I would suggest this is softened slightly to encourage all types of green wall. <p>Green Roof Management Plan It is assumed that this can be conditioned to a planning application, as this level of detail is not always known early on in the planning process and is typically well suited as a pre-commencement condition.</p> <p>Urban Greening Finally, in relation Urban Greening I would question the need for a further habitat enhancement assessment matrix in addition to the Urban Greening Factor and Defra Metric 2.0, particularly in addition to these established methodologies. Developers are getting their heads around the two established methods, alongside the BREEAM methodology, with all three often generating different results that require some explanation as they can seem contradictory – for example our experience in the</p>	<p>London’s largest property owners and not Westminster Council.</p> <p>A biodiversity management plan will be conditioned. Further details are available in the council’s Standard conditions.</p> <p>The council intends to develop a locally specific UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p>

ES PD	Respondent	Representations	Response
		<p>urban environment is that developments can achieve a significant net gain for biodiversity but still fall short of the required UGF. The addition of a further matrix is unlikely to change the design developments take forward but instead will serve to introduce further confusion to developers as to the actual value of enhancements that are being delivered. If there was a way for the matrix to work alongside one of these established methodologies it would better serve to clarify the existing confusions as opposed to adding further confusion with a further output.</p> <p>The SPD text appears to suggest that the Wild West End Matrix is an optional deliverable, however this was not the impression that was given in the workshop which seemed to indicate that it would be needed for planning. Clarification on this needs to be provided so developers are aware of the required parameters and can set the scope of works out accordingly. Furthermore, it was indicated that the UGF would only be required for schemes that were GLA referable – the text in the SPD does not appear to suggest this and therefore if this is the intention it would be good for further text to be provided to set this out clearly for developers, and their advisors, to understand. I hope these comments can help with the delivery of an SPD that can encourage developers to consider how their developments can positively enhance London’s Green Infrastructure, if you have any queries on the items I have raised I would be happy to discuss.</p>	
GI	Houses of Parliament Restoration and Renewal Programme	<p>Environmental SPD – Green Infrastructure</p> <p>We support the aims set out within the Green Infrastructure section of the draft SPD, including the recognition of the wider physical and mental health and wellbeing benefits of green infrastructure.</p>	<p>Support welcomed.</p> <p>The council intends to develop a locally specific</p>

ES PD	Respondent	Representations	Response
		<p>We are also supportive of a more bespoke approach to urban greening that takes into account Westminster’s unique character in the form of the proposed Wild West End (WWE) Value Matrix. However, further clarity is sought on a number of matters.</p> <p><u>Intended application of the WWE Value Matrix</u> The WWE Value Matrix is noted in the draft SPD as being ‘an alternative in some cases’ or an ‘addition’ to the London Plan’s Urban Green Factor (UGF) that could be ‘helpful for smaller schemes’. Given that the Matrix is mostly qualitative in nature, it differs significantly from the adopted UGF and its associated calculation methods. We consider that there could be value in its use as an alternative where schemes are constrained in their ability to meet UGF target scores (for example, in relation to major heritage refurbishments, as discussed below). The supporting text to Policy G5 of the London Plan (Paragraph 8.5.4) states that the Plan’s UGF standards are recommended as a reference point ‘while each borough developers its own bespoke approach’, yet the draft Environmental SPD does not make clear whether the Matrix is intended to be applied as Westminster’s bespoke approach. Further clarity is requested on how the Matrix relates to existing UGF policy requirements within the London Plan, whether it is an alternative for smaller schemes only, or in what circumstances it might be used as an alternative for larger schemes.</p> <p><u>Westminster’s heritage context</u> It is welcomed that the draft SPD recognises Westminster’s unique context, with specific reference to the Royal Parks which cover 19% of the Borough. However, the borough also contains a high concentration of</p>	<p>UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>Due to the unique nature of heritage assets, the balance of addressing climate change, protecting heritage assets and viability will need to be considered on a case by case basis. This will be made clear in the ESPD.</p> <p>The map will be corrected.</p>

ES PD	Respondent	Representations	Response
		<p>built heritage assets and there is currently no mention of how the need to conserve and enhance these assets might be factored into the WWE Matrix or UGF calculations.</p> <p>Like many other heritage assets in Westminster, the heritage significance of the Grade I-listed Palace of Westminster and parts of the Northern Estate creates a predominantly ‘urban’ and hard landscaped character. In such instances, a more restrained approach to greening may be more appropriate in heritage terms, constraining the range of greening opportunities available.</p> <p>Further clarity is therefore sought on how the Council proposes to accommodate the weighing of heritage significance against urban greening requirements, particularly for major refurbishment proposals to which the London Plan UGF applies.</p> <p><u>Open Space and Areas of Deficiency Map</u></p> <p>The ‘Open Space and Areas of Deficiency Map’ included at Figure 5 of the draft SPD appears to have been extracted from an earlier draft of the now adopted City Plan, which incorrectly showed the triangular-shaped raised lawn to the south of the Queen Elizabeth II Conference Centre as public open space.</p>	

ES PD	Respondent	Representations	Response
		 <p data-bbox="667 959 1601 1029">Figure 5 of the Environmental SPD - Open Space and Areas of Deficiency Map</p> <p data-bbox="667 1078 1574 1225">Following our representations to the City Plan consultation process, Figure 27 of the adopted City Plan was amended to correctly illustrate this lawn as a private open space. We therefore request that the Environmental SPD is also amended accordingly.</p>	
GI	Howard de Walden Estate	<p data-bbox="667 1251 936 1278">Green Infrastructure</p> <ul data-bbox="667 1289 1615 1358" style="list-style-type: none"> <li data-bbox="667 1289 1615 1358">• We support the use of the Wild West End Matrix because as one of the founding members of Wild West End, we believe the consistency of using 	The council intends to develop a locally specific UGF based on WWE

ES PD	Respondent	Representations	Response
		<p>this matrix in Westminster will help to measure urban greening across the whole borough.</p> <ul style="list-style-type: none"> • The approach to the application of Biodiversity Net Gain to developments (page 51) is unclear and would benefit from clarification. It appears that the Mayor’s guidance once published will be followed. • We also note that the policy reference to Biodiversity Net Gain in reference to the City Plan is missing. 	<p>Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>The ESPD will be strengthened by including more information on how biodiversity will be protected and how Biodiversity Net Gain will be assessed, with links to Natural England’s BNG Metric 3.0 and Small Sites BNG Metric.</p> <p>The policy reference has been corrected.</p>
GI	James Hewitt	<p><u>Green Infrastructure</u> The ESPD notes that the Council is exploring alternatives to the GLA’s guidance concerning the requirements for “green infrastructure” in new</p>	<p>The council intends to develop a locally specific UGF based on WWE</p>

ES PD	Respondent	Representations	Response
		<p>developments. It also states that “incorporating green infrastructure onto walls and buildings is hugely valuable additional infrastructure” (– but this depends on how it is maintained). In the context of air quality, that statement may be “over-egging the pudding” in the context of air quality – as is the implication that green infrastructure is always beneficial in terms of air quality (including where avenues of trees alongside and covering busy roads hamper the mixing of pollution from traffic with cleaner air). The ESPD does not comment on the extent to which a few planted tubs outdoors in an otherwise barren development contribute to “biodiversity net gain” – a parameter for which the Council awaits guidance from the GLA.</p>	<p>Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>Maintenance plans for green infrastructure is required.</p> <p>The ESPD will be strengthened by including more information on how biodiversity will be protected and how Biodiversity Net Gain will be assessed, with links to Natural England’s BNG Metric 3.0 and Small Sites BNG Metric.</p>

ES PD	Respondent	Representations	Response
GI	Knightsbridge Neighbourhood Forum	<p>Green infrastructure</p> <p>19. Greening – It is essential that biodiversity and greening remain a vital part of Westminster. This will require active efforts because air pollution, light, noise and loss of habitats means that small birds and insects have disappeared from many parts of Westminster for several months of the year. This problem has been exacerbated by the widespread trend to using ‘plastic’ or ‘synthetic greenery’ in new and existing developments. The ESPD should make clear that planning conditions prohibit such materials externally as Policy KBR10 does.</p> <p>20. Green roofs and walls – The KNF prefers green roofs to green walls because they will be much easier to maintain over the long term. Please see Policy KBR10 for suggestions of material considerations e.g. the need to comply with relevant structural design requirements. See also KBR9.</p> <p>21. Natural environment – KNF Policy KBR37 points to a number of matters that should be considered.</p> <p>22. Trees – Please see KNP Policy KBR38 and the KNF’s “Best practice guidance for Tree Management Plans”¹² for specific measures that should be included in the ESPD.</p> <p>23. Urban forest – the KNF is pleased to see some mention of trees. However, this section must conform to the London Environment Strategy 2018¹³ which references the Mayor of London’s London Urban Forest Plan¹⁴ (LUF) which was published in November 2020. This will necessarily require the introduction of a broader range of species to adapt to pests, diseases and climate change.</p> <p>24. Urban Greening Factor – it is acknowledged that the London Plan Urban Greening Factor (UGF) is not always the best approach in Westminster. However, it is disappointing that WCC has yet to develop</p>	<p>19. We don’t feel it is necessary to explicitly resist ‘synthetic greenery’ in the ESPD as it does not meet the definition of green infrastructure and therefore implicitly will not meet the requirements of City Plan Policy 34. Planning conditions to govern use of materials are added to permissions as a matter of course. This could be further addressed via our Design SPD if found to be a widespread issue.</p> <p>20. The section on green walls will be amended to include greater consideration of maintenance issues.</p> <p>21. Noted</p> <p>22. Further information on the council’s approach to tree planting, including resilient to climate change, diseases and pests, has</p>

ES PD	Respondent	Representations	Response
		<p>an alternative. This ESPD will provide the basis for a significant proportion of the development in Westminster over the crucial early part of the plan period and therefore developers need clarity immediately. Given these circumstances, the ESPD should be clearer about the circumstances whereby the UGF is and is not considered appropriate. In this regard the KNF supports the use of the Wild West End Matrix as an alternative but there is a lack of clarity over when it is expected to be applied. Page 51 notes, “As an alternative in some cases or addition [to the London Plan UGF], the Wild West End Matrix could be applied...This may be helpful for smaller schemes...” This does not provide a developer with clarity as to which approach they should adopt and why.</p> <p>25. The inclusion of reference to an urban forest approach would greatly help to make the key point that every part of a city should contribute towards urban greening in some way. This includes streets, parks, gardens, plazas, campuses, river embankments, wetlands, railway corridors, community gardens, green walls, balconies and roofs.</p> <p>26. The ESPD expects new trees to be species that provide shade and minimise the effects of downdrafts and wind tunnelling from tall buildings. This is an important function of trees in an urban context. However, it is as important that species are selected which are disease-resilient and are more able to survive in a changing climate. The dominant London Plane tree remains at risk from disease (with ‘Plane wilt’ devastating the species in other European cities) and significant loss of such trees would have severe detrimental effects on meeting the challenge of climate change and biodiversity loss. 27. The ESPD needs to be more stringent in its expectations in respect of green infrastructure. In particular, the default position should be that all developments are</p>	<p>been added to the ESPD alongside links to relevant council strategies and action plans.</p> <p>23 and 25. Management of Westminster’s Urban Forest falls outside the remit of the ESPD, however 88% of the City’s woodland lies within SINCs which have a high level of planning protection. In addition, the council will be preparing a Green Infrastructure Strategy which will look at the management of urban forests in more detail. A reference to the London Urban Forest Plan has been added to the regional policy context section.</p> <p>24. The council intends to develop a locally specific UGF based on the WWE Matrix. This will require developing a Local</p>

ES PD	Respondent	Representations	Response
		<p>expected to provide green roofs. The KNF recommends that the ESPD require all applications to provide at least 50% roof coverage as a green roof; they should only be permitted not to do so if there are clear reasons why this is not possible. It is notable how much success has been achieved near City Hall with many ‘green roofs’ visible nearby.</p> <p>28. The same principle should apply to the provision of hedgerows in the public realm i.e. this should be the default requirement that is only departed from where it is clearly not possible or practical.</p> <p>29. The requirements for water management should be similarly more ambitious and expect such provision to represent the default position. The ESPD should require minimum levels of rainwater collection and re-use, based on the roof size of any development.</p>	<p>Evidence Base including a Green Infrastructure Strategy and bringing in technical expertise, for example an ecologist. Further viability testing will also be required to ensure requirements are proportionate to the nature and scale of the application.</p> <p>In the meantime the London Plan’s UGF will be used for major applications and the ESPD will clarify this position.</p> <p>26. Further information on the council’s approach to tree planting, including resilient to climate change, diseases and pests, has been added to the ESPD.</p> <p>27. City Plan policy 24 is clear that “Developments will, wherever possible, contribute to the greening of Westminster by</p>

ES PD	Respondent	Representations	Response
			<p>incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme.”</p> <p>Not all buildings are able to accommodate a green roof and this will need to be considered on a case by case basis, in particular for historic buildings.</p> <p>28. Urban greening factors will be considered on a case by case basis with consideration of the particular opportunities and constraints of the site.</p> <p>29. Water management will be considered on a case by case basis with consideration of the particular opportunities and constraints of the site.</p>
GI	London Parks and Gardens Trust	The London Historic Parks and Gardens Trust, trading as the London Gardens Trust (LGT) welcomes the production of the SPD and the opportunity to be transparent to both developers and the wider community on what makes an appropriate development. We believe the	City Plan policy 34A. commits to protecting and enhancing the city’s green infrastructure to maximise

ES PD	Respondent	Representations	Response
		<p>rich heritage of the borough’s open spaces should be conserved and improved not only for its intrinsic landscape heritage value but also recognising its value for its contribution to the tourism economy, its value to the mental and physical health of residents and employees, its cultural value and for its contribution towards mitigating the impacts of urban warming and flood risk management. The LGT Inventory, identifies over 160 important historic gardens including, public parks, churchyards, greens, residential gardens and squares. (See list below). Of these, 23 parks and gardens in Westminster are included in the Historic England Register. Whilst the Royal Parks are registered of special historic interest at Grade I, the Trust believes that all green spaces that are open to the public should be valued as they also provide vital amenity space, essential for wellbeing and sustainable development. Some open spaces are part of the designed historic landscape of residential estates. These too, should be protected from adverse environmental impacts as they serve the same amenity value to their residents as public open spaces for their local communities.</p> <p>Light Pollution The zoning principle is too simplistic and does not recognise specific circumstances eg the need for lighting facilities such as sports facilities & footpaths within Royal Parks; The need to protect biodiversity and provide respite for residents in green spaces even within the central activity zone; Light levels on development adjacent to green spaces should also be controlled to avoid unnecessary lighting of the natural environment. Appropriate lighting should be designed on a site by site basis.</p>	<p>its environmental, social and economic value.</p> <p>An Open Space Audit was commissioned by Westminster in 2016 which identifies 204 open spaces in the City. This will be updated through a new Green Infrastructure Strategy expected in 2023. This will take account of the LGT inventory, potential new tranquil open spaces and consider a new category of historic green spaces.</p> <p>The Light Zoning has been developed from the Institution of Light Professionals’ Guidance Note 1 for the reduction of obtrusive light 2021.</p> <p>The council intends to develop a locally specific</p>

ES PD	Respondent	Representations	Response
		<p>Noise and Vibration Tranquil open spaces are not evenly distributed across the Borough, so many residents and businesses do not have access to green space for recuperation and escape from the urban environment. There are only 22 open spaces designated as tranquil open space There are notable omissions of green spaces compared to LGT inventory (see list appended). The text refers to thresholds set out in section 2.3 and 2.4. Where are these sections? There needs to be a review of all open spaces to ensure all parts of the borough have a refuge from noise. We are concerned that the omission of many valued green spaces will result in the deterioration of the unprotected spaces despite their value to residents and workers. There should either be a second category of historic green spaces as featured on our Inventory or be minimum standards for all historic green spaces. The category of tranquil open spaces is bound to be used as a proxy in many future decisions about the development and use of land around and within these green spaces. It is important to ensure that the right spaces are protected in the interests of mental and physical wellbeing.</p> <p>Green infrastructure The Wild West End (WWE) Value Matrix We welcome the principle of developing a Westminster specific detailed framework. We welcome the criteria, in particular the recognition of the wellbeing and social criteria. Should heritage be an additional criteria? Is cultural value included in the social value? However, we are concerned that you will be able to defend this approach when faced with a planning</p>	<p>UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>Guidance on protected views is set out in the London View Management Framework.</p> <p>Due to the unique nature of heritage assets, the balance of addressing climate change, protecting heritage assets and viability will need to be considered on a case by case basis.</p>

ES PD	Respondent	Representations	Response				
		<p>application. How will this be enforceable – presumably the London Plan takes precedence and you would be challenged at an inquiry. We think your approach should be presented as a refinement and application of the Londonwide standard rather than an alternative.</p> <p>Potential omission Is this SPD the place to cover protected views from within parks and gardens and other designed landscapes looking out? The SPD should address potential conflicts between issues eg SUDS vs Heritage and other climate mitigation measures.</p> <table border="1" data-bbox="663 730 1503 1361"> <tr> <td data-bbox="663 730 1081 927"> LGT sites http://www.londongardensonline.org.uk/ Registered parks and gardens highlighted [*] </td> <td data-bbox="1081 730 1503 927"> Tranquil Open Spaces in Westminster </td> </tr> <tr> <td data-bbox="663 927 1081 1361"> Abbey Orchard Estate: Little Abbey and Abbey Orchard Courtyard Garden Alma Square Garden Ashley Gardens Ashworth Mansions Garden Belgrave Square Gardens * Berkeley Square Gardens * Bessborough Gardens Brown Hart Garden The Brunel Estate * Bryanston Square Buckingham P </td> <td data-bbox="1081 927 1503 1361"> Ebury Square Edbrooke Road Gardens Golden Square Green Park Grosvenor Estate Garden Grosvenor Square Garden * Halkin Street Garden Hallfield Estate and Hallfield School Hanover Square Garden Hanover Terrace Garden Hide Tower Garden Holy Trinity Churchyard Hyde Park, including Hyde Park </td> </tr> </table>	LGT sites http://www.londongardensonline.org.uk/ Registered parks and gardens highlighted [*]	Tranquil Open Spaces in Westminster	Abbey Orchard Estate: Little Abbey and Abbey Orchard Courtyard Garden Alma Square Garden Ashley Gardens Ashworth Mansions Garden Belgrave Square Gardens * Berkeley Square Gardens * Bessborough Gardens Brown Hart Garden The Brunel Estate * Bryanston Square Buckingham P	Ebury Square Edbrooke Road Gardens Golden Square Green Park Grosvenor Estate Garden Grosvenor Square Garden * Halkin Street Garden Hallfield Estate and Hallfield School Hanover Square Garden Hanover Terrace Garden Hide Tower Garden Holy Trinity Churchyard Hyde Park, including Hyde Park	<p>This will be made clear in the ESPD.</p>
LGT sites http://www.londongardensonline.org.uk/ Registered parks and gardens highlighted [*]	Tranquil Open Spaces in Westminster						
Abbey Orchard Estate: Little Abbey and Abbey Orchard Courtyard Garden Alma Square Garden Ashley Gardens Ashworth Mansions Garden Belgrave Square Gardens * Berkeley Square Gardens * Bessborough Gardens Brown Hart Garden The Brunel Estate * Bryanston Square Buckingham P	Ebury Square Edbrooke Road Gardens Golden Square Green Park Grosvenor Estate Garden Grosvenor Square Garden * Halkin Street Garden Hallfield Estate and Hallfield School Hanover Square Garden Hanover Terrace Garden Hide Tower Garden Holy Trinity Churchyard Hyde Park, including Hyde Park						

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ES PD	Respondent	Representations	Response
		<p>alace Gardens * Cambridge Square Gardens Carlton House Terrace Gardens, including Waterloo Place East Garden Cavendish Square Gardens Chelsea Bridge Shrubbery Chesham Place Chester Square * Christchurch Gardens Churchill Gardens Estate * Cleveland Gardens Cleveland Square Connaught Square Gardens Craven Hill Gardens: Corringham Garden Craven Hill Gardens: Hempel Garden Square The Crescent Garden Crewe House Cundy Street Flats Gardens Dolphin Square Garden * Dorset Square No.10 Downing Street Garden Drury Lane Gardens Eaton Square Gardens * Ebury Square Garden Eccleston Square * Ennismore Gardens Forbes House Gardens Formosa Garden Garden of Rest Marylebone Gloucester Square Gardens Golden Square Garden The Goring Hotel Great</p>	<p>Corner * Hyde Park Gardens Hyde Park Square Gardens Irving Gardens Kensington Gardens * Kensington Gardens Square Kent Terrace Kildare Gardens Lancaster Gate Lancaster House Leicester Square Gardens Leinster Square Lillington Gardens Estate and Longmoore Gardens Little Venice Gardens Lower Grosvenor Garden Manchester Square Gardens * Marble Arch Marlborough House Gardens Millbank Estate including Millbank Gardens Millbank Tower Gardens Montagu Square Montpelier Square Mount Street Gardens Norfolk Crescent Gardens Norfolk Square Garden North Row Buildings Orme Square Hyde Park Kensington Gardens Oxford Square Gardens Paddington Green Paddington Recreation Ground Paddington Street Gardens North and South</p>

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ES PD	Respondent	Representations	Response
		<p>Cumberland Place Green Park * Green Street Garden Ebury Square Edbrooke Road Gardens Golden Square Green Park Grosvenor Estate Garden Grosvenor Square Garden * Halkin Street Garden Hallfield Estate and Hallfield School Hanover Square Garden Hanover Terrace Garden Hide Tower Garden Holy Trinity Churchyard Hyde Park, including Hyde Park Corner * Hyde Park Gardens Hyde Park Square Gardens Irving Gardens Kensington Gardens * Kensington Gardens Square Kent Terrace Kildare Gardens Lancaster Gate Lancaster House Leicester Square Gardens Leinster Square Lillington Gardens Estate and Longmoore Gardens Little Venice Gardens Lower Grosvenor Garden Manchester Square Gardens * Marble Arch Marlborough House Gardens</p>	<p>The Palace of Westminster: Abingdon Street Gardens, Jewel Tower and Old Palace Yard The Palace of Westminster: New Palace Yard and Black Rod's Garden Park Lane Gardens Park Crescent * Park Square * Parliament Square Garden * Pimlico Gardens * Porchester Square Gardens Nos.3 & 5 Porchester Terrace Portman Square * Prince's Gardens No.107 Prince's Gate Prince's Square Gardens Queen's Gardens Queen's Walk Gardens, Green Park Quintin Kynaston School Randolph Gardens, including St Augustine's Church Regency Place Regent's College Garden * Regent's Park, including Queen Mary's Gardens * Rembrandt Gardens Richmond Terrace Garden Riverside Walk Garden Rutland Gate South Garden and Upper Garden St Anne's Churchyard St Clement Danes</p>

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ES PD	Respondent	Representations		Response
		<p>Millbank Estate including Millbank Gardens Millbank Tower Gardens Montagu Square Montpelier Square Mount Street Gardens Norfolk Crescent Gardens Norfolk Square Garden North Row Buildings Orme Square Hyde Park Kensington Gardens Oxford Square Gardens Paddington Green Paddington Recreation Ground Paddington Street Gardens North and South The Palace of Westminster: Abingdon Street Gardens, Jewel Tower and Old Palace Yard The Palace of Westminster: New Palace Yard and Black Rod's Garden Park Lane Gardens Park Crescent * Park Square * Parliament Square Garden * Pimlico Gardens * Porchester Square Gardens Nos.3 & 5 Porchester Terrace Portman Square * Prince's Gardens No.107 Prince's Gate Prince's Square Gardens</p>	<p>Churchyard St George's Fields St George's Square * Paddington Recreation Ground Porchester Square Queens Park Gardens Regent's Park St Anne's Churchyard St George's Square St James's Churchyard, Piccadilly St James's Palace and Clarence House Gardens St James's Park, including Queen Victoria Memorial Gardens * St James's Square * St John's, Smith Square St John's Gardens St John's Lodge Gardens * St John's Wood Church Grounds St Margaret Westminster Churchyard St Martin-in-the- Fields Churchyard St Mary's Church Grounds St Mary's Churchyard St Marylebone Parish Church Grounds St Paul's Churchyard, Covent Garden St Stephen's Garden Open Space Savoy Churchyard Soho Square Garden South Street Garden Spencer House Garden Sussex</p>	

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ES PD	Respondent	Representations	Response
		<p>Queen's Gardens Queen's Walk Gardens, Green Park Quintin Kynaston School Randolph Gardens, including St Augustine's Church Regency Place Regent's College Garden * Regent's Park, including Queen Mary's Gardens * Rembrandt Gardens Richmond Terrace Garden Riverside Walk Garden Rutland Gate South Garden and Upper Garden St Anne's Churchyard St Clement Danes Churchyard St George's Fields St George's Square * Paddington Recreation Ground Porchester Square Queens Park Gardens Regent's Park St Anne's Churchyard St George's Square St James's Churchyard, Piccadilly St James's Palace and Clarence House Gardens St James's Park, including Queen Victoria Memorial Gardens * St James's Square * St John's, Smith Square St John's Gardens St</p>	<p>Gardens Sussex Gardens Open Space Sussex Square Gardens Tachbrook Estate Talbot Square Gardens Tate Britain Gardens The House of St Barnabas-in-Soho Trafalgar Square * Trevor Square Triangle Garden Upper Grosvenor Garden Victoria Embankment Gardens: Main Garden, Whitehall Garden, Temple Gardens, Ministry of Defence * Victoria Square Victoria Tower Gardens * St James's Park St Mary's Churchyard Inigo Jones Gardens St Stephen's Gardens Shrewsbury Road Soho Square Temple Gardens Victoria Tower Gardens Victoria Tower Gardens South Vincent Square Violet Hill Gardens Warwick Square * The Water Gardens * Wellington Barracks Westbourne Gardens Westbourne Terrace Westminster Abbey Precincts - Chapter House Garden / The</p>

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ES PD	Respondent	Representations	Response
		<p>John's Lodge Gardens * St John's Wood Church Grounds St Margaret Westminster Churchyard St Martin-in-the- Fields Churchyard St Mary's Church Grounds St Mary's Churchyard St Marylebone Parish Church Grounds St Paul's Churchyard, Covent Garden St Stephen's Garden Open Space Savoy Churchyard Soho Square Garden South Street Garden Spencer House Garden Sussex Gardens Sussex Gardens Open Space Sussex Square Gardens Tachbrook Estate Talbot Square Gardens Tate Britain Gardens The House of St Barnabas-in-Soho Trafalgar Square * Trevor Square Triangle Garden Upper Grosvenor Garden Victoria Embankment Gardens: Main Garden, Whitehall Garden, Temple Gardens, Ministry of Defence * Victoria Square Victoria Tower Gardens * St James's Park St</p>	<p>Close Westminster Abbey Precincts / Westminster School - Dean's Yard Westminster Abbey Precincts - Great Cloister Garden, Little Cloister Garden Westminster Abbey Precincts - St Catherine's Garden Westminster Abbey Precincts - The College Garden Westminster Cathedral Piazza Wilton Crescent Garden * Wool House Garden York Terrace West Violet Hill Gardens Westbourne Gardens</p>

ES PD	Respondent	Representations	Response
		<p>Mary's Churchyard Inigo Jones Gardens St Stephen's Gardens Shrewsbury Road Soho Square Temple Gardens Victoria Tower Gardens Victoria Tower Gardens South Vincent Square Violet Hill Gardens Warwick Square * The Water Gardens * Wellington Barracks Westbourne Gardens Westbourne Terrace Westminster Abbey Precincts - Chapter House Garden / The Close Westminster Abbey Precincts / Westminster School - Dean's Yard Westminster Abbey Precincts - Great Cloister Garden, Little Cloister Garden Westminster Abbey Precincts - St Catherine's Garden Westminster Abbey Precincts - The College Garden Westminster Cathedral Piazza Wilton Crescent Garden * Wool House Garden York Terrace West</p>	

ES PD	Respondent	Representations	Response
GI	London Wildlife Trust	<p>Green Infrastructure Introduction (p40) We note the City’s decision to develop a different metric to that of the GLA’s Urban Greening Factor (UGF). For information, we recognise that the UGF doesn’t necessarily need secure benefits for biodiversity (being a ‘greening’ factor), and that the Defra Biodiversity Net Gain metric (version 3.0 shortly to be published for consultation) is typically difficult to apply in dense inner city environments involving demolition & rebuild on the footprint (potentially 10% uplift of ‘zero biodiversity units’ equals zero). On this basis the Trust developed with the GLA specific guidance as to best use the UGF to secure benefits for biodiversity. This was recently published on the Mayor of London’s website.¹</p> <p>Development Requirements (p46-51) Green infrastructure We suggest that biodiverse terrestrial greenery (hedgerows, herbaceous habitats, etc.) is also referenced in the introductory paragraph to ensure that the broadest spectrum of green infrastructure is considered</p> <p>Management Plan We suggest that explicit reference is made to ensure all management plans adopt peat-free, sustainable water use and integrated pest management principles. ¹ https://www.london.gov.uk/what-we-do/urban-greening-biodiversity-net-gain-design-guide Page 2 of 2</p> <p>Species and habitat protection All listed here - bar bats - are singular species (not plural), and are important for Westminster. But there will be others in the City which should also be considered (and referenced). These are those listed as</p>	<p>The council intends to develop a locally specific UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>The ESPD will be strengthened by including more information on how biodiversity will be protected and how Biodiversity Net Gain will be assessed, with links to the London Priority Species List, Natural England’s BNG Metric 3.0 and Small Sites BNG Metric, and the GLA’s</p>

ES PD	Respondent	Representations	Response
		<p>Priority Species (as listed under s41 of the NERC Act 2006), for which a London list has been developed, and in Westminster include common frog, song thrush, black redstart, peregrine falcon. This list has been recently been reviewed and updated and includes a new category of Opportunity Species. These are London Priority Species for which there are likely to be the most opportunity to provide new or enhanced areas of habitat for across London’s greenspaces or within new development. This is because these species are either relatively mobile, are able to use a wider range of habitats, or do not have specific ecological requirements that limit the suitability of sites to provide habitat, for example a restricted geology. This is now published on the Mayor of London’s website. 2</p> <p>Biodiversity Net Gain Reference could also be made to the UGF for BNG tool, referred to above.</p>	<p>Urban Greening for Biodiversity Net Gain: A Design Guide.</p> <p>Suggested changes have been incorporated where appropriate.</p> <p>The species list has been updated to align it with the opportunity species identified in the London Priority Species List and a link to the list provided.</p>
GI	Maida Hill Neighbourhood Forum	<p><i>Green Infrastructure</i></p> <p>In this chapter, we note one reference to Urban Greening (p51) in the comment that “Major development proposals should contribute to the greening of the city.”</p> <p>This reference is wholly inadequate to meet the needs of a ward that has open space deficiency, such as Maida Hill. It fails to recognise the important comment of the City Plan that “In areas of open space deficiency every opportunity to increase the supply of open spaces by focussed ‘small open spaces’ and ‘pocket parks’ through new development should be explored”. (City Plan 2019-2040, p132)</p>	<p>The council intends to develop a locally specific Urban Greening Factor based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan</p>

ES PD	Respondent	Representations	Response
		<p>We would, therefore, strongly urge WCC to determine a suitable approach to (a) recognising wards that have open space deficiency; and (b) framing the ESPD in such a way as to find ways to encourage increases in the supply of open spaces by focussed small open spaces and pocket parks.</p>	<p>and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>A new Public Realm SPD will provide more guidance on increasing supply of play space.</p> <p>The council will also be preparing a Green Infrastructure Strategy to help focus any new provision to areas of deficiency.</p>
GI	Labour group	<p>The role of trees is mentioned at great length in the SPD, which we welcome. One challenge is the uncertainty of tree planting because of the damage roots can cause to underground infrastructure like pipes and cables. The Council should become a leader in using radar technology to see where trees can be planted safely; currently trees are sometimes removed because of damage caused to underground infrastructure. In respect to biodiversity, the SPD repeats what is in City Plan policy 34 and the London Plan. Neither of them explain what biodiversity net gain actually means nor how it should be achieved, though we note that the Mayor of London is publishing guidance on what net biodiversity gain</p>	<p>Radar surveys are not a viable option at this time. It should be noted that GPR is not sufficiently accurate, and undertake trial excavations would still need to be carried out before planting trees.</p> <p>The ESPD will be strengthened by including</p>

ES PD	Respondent	Representations	Response
		<p>means. It is important this is not delayed so that there can be clarity on this point.</p>	<p>more information on how biodiversity will be protected and how Biodiversity Net Gain will be assessed, with links to Natural England’s BNG Metric 3.0 and Small Sites BNG Metric.</p>
GI	Port of London Authority	<p>Green Infrastructure Within this chapter it is considered that reference must be given in the development requirements section to the potential to encourage “greening the edges” of rivers and tributaries as part of new development. Further information on this can be found on the Estuary Edges guidance co-ordinated by the Thames Estuary Partnership which contains guidance on features that support wildlife and improve access when reconstructing or refurbishing the banks of the estuary. (https://www.estuaryedges.co.uk).</p> <p>Within this section, support the development requirements section on local environmental impacts, particularly those that cover requirements for green walls and roofs and the need to ensure a minimum species diversity.</p>	<p>The ESPD has been amended to include a reference to “greening the edges” and the link to further information.</p>
GI	Shaftesbury	<p>3. Green Infrastructure Shaftesbury welcomes all efforts to support and facilitate the greening of the City where possible, and we fully support the inclusion of the Wild West End Matrix in the SPD.</p>	<p>The council intends to develop a locally specific UGF based on WWE Matrix. This will require</p>

ES PD	Respondent	Representations	Response
		<p>It is noted that major applications will be required to contribute to the urban greening process and that ALL development should seek to achieve a biodiversity net gain where feasible.</p> <p>Page 46 – Green Roofs – <i>‘The irrigation provided should be sustainable (i.e. not mains water)’</i>.</p> <p>We are not convinced that this is always going to be practical. We understand why a sustainable/recycled water source is preferred, but for a variety of site-specific reasons it may not always be an option. If it cannot be irrigated in this way will the council still encourage green roofs and walls onsite? There is a trade-off here, and the SPD should build-in some flexibility beyond just what is the best-practise/exemplar approach.</p>	<p>preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>London Plan policy S15 requires developments to minimise the use of mains water in response to serious water stress in London. More on water stress and the need for water efficiencies has been added to the ESPD.</p>
GI	St John’s Wood Society	<p><u>Green Infrastructure</u></p> <p>The ESPD notes that the Council is exploring alternatives to the GLA’s guidance concerning the requirements for “green infrastructure” in new developments. It also states that <i>“incorporating green infrastructure onto walls and buildings is hugely valuable additional infrastructure”</i> (– but this depends on how it is maintained). In the context of air quality,</p>	<p>The council intends to develop a locally specific UGF based on WWE Matrix. This will require preparation of a local evidence base, including a</p>

ES PD	Respondent	Representations	Response
		<p>that statement may be “over-egging the pudding” in the context of air quality – as is the implication that green infrastructure is always beneficial in terms of air quality (including where avenues of trees alongside and covering busy roads hamper the mixing of pollution from traffic with cleaner air). The ESPD does not comment on the extent to which a few planted tubs outdoors in an otherwise barren development contribute to “biodiversity net gain” – a parameter for which the Council awaits guidance from the GLA.</p> <p>[1] No such monitoring seems to have taken place for the Marylebone Low Emission Neighbourhood.</p> <p>[2] Although developers might win awards for the minimal in-use impact of their projects, those awards tend not to consider either the impact of the manufacture and disposal of building materials or of construction and any demolition required.</p>	<p>Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>Maintenance plans for green infrastructure are required.</p> <p>The ESPD will be strengthened by including more information on how biodiversity will be protected and how Biodiversity Net Gain will be assessed, with links to Natural England’s BNG Metric 3.0 and Small Sites BNG Metric.</p>
GI	Swifts Local Network	<p>Green Infrastructure Please amend the reference to bird boxes, e.g. in table 5 and on page 48, to:</p>	<p>ESPD text has been amended to incorporate</p>

ES PD	Respondent	Representations	Response
		<ul style="list-style-type: none"> • <i>bird boxes or bricks, e.g. universal/ swift nesting bricks</i> <p>Please state:</p> <ul style="list-style-type: none"> • <i>Swift nesting bricks may also be used by house sparrows and other small bird species so are considered a 'universal brick'.</i> • <i>Integrated nesting bricks should be specified rather than external boxes where possible for reasons of longevity, reduced maintenance requirements, better temperature regulation with future climate change in mind, and aesthetic integration with the building design.</i> • <i>Best-practice guidance is for at least one nest box or brick per dwelling on average.</i> <p>This is based on the following guidance and policy which refers to bird bricks or swift bricks, rather than bird boxes. In particular, sparrow terraces have a low take-up and do not allow other birds to use them, whereas universal/ swift nesting bricks have a high take-up by a range of small birds including house sparrows, and are therefore now promoted in national policy and guidance.</p> <p>Swifts are an amber-listed species which nests in Westminster (with significant populations especially in the north-west of the borough) as recorded on the RSPB Swiftmapper database, and therefore this would also provide an opportunity to provide nest sites for this species, at the same time as providing nest sites for the Westminster priority species: the house sparrow.</p> <p>Here are the references:</p>	<p>further advice on swift bricks.</p>

ES PD	Respondent	Representations	Response
		<p>National Planning Policy Guidance (NPPG, 2019) does not make reference to bird boxes but does make specific reference to swift bricks: <i>"...relatively small features can often achieve important benefits for wildlife, such as incorporating 'swift bricks' and bat boxes in developments and providing safe routes for hedgehogs between different areas of habitat"</i></p> <p>(Natural Environment, Paragraph 023, Reference ID: 8-023-20190721). https://www.gov.uk/guidance/natural-environment</p> <p>NHBC Foundation: Biodiversity in New Developments 2021 report refers to universal nest bricks and 1:1 provision overall: <i>"Provision of integral nest sites for swifts is through hollow chambers fitted into the fabric of a building while in construction. Although targeting swifts they will also be used by house sparrows, tits and starlings so are considered a 'universal brick'... Fitting at a ratio of 1 nest brick per house across the development will ensure sufficient nest sites for colonial species.</i></p> <p>(Section 8.1 Nest sites for birds, page 42) https://www.nhbcfoundation.org/wp-content/uploads/2021/05/S067-NF89-Biodiversity-in-new-housing-developments_FINAL.pdf</p> <p>CIEEM also provides the same guidance on numbers: <i>"...an equal number overall of nest sites and residential units..."</i></p> <p>(How Many Swift Bricks, page 40) https://cieem.net/resource/the-swift-a-bird-you-need-to-help/</p> <p>Action for Swifts set out the benefits of swift bricks rather than boxes: <i>"more aesthetically pleasing; maintenance free; long lasting; less prone to predation; less prone to temperature variations"</i></p>	

ES PD	Respondent	Representations	Response
		<p>https://actionforswifts.blogspot.com/2020/12/swift-bricks-universal-nest-brick.html</p> <p>Living With Beauty (Government’s Building Better Building Beautiful Commission, 30/01/20) recommends: <i>"Bricks for bees and birds in new build homes"</i> (Policy Proposition 33, page 110).</p> <p>https://www.gov.uk/government/publications/living-with-beauty-report-of-the-building-better-building-beautiful-commission</p> <p>Note that The London Plan (March 2021) makes a generic reference which is in accordance with the above guidance: <i>"seek opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context"</i> (London Plan Policy G6 B(4), page 325)</p> <p>https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf</p> <p>Brighton & Hove Council for example have guidance prioritising swift nest bricks rather than external boxes where possible: <i>"Swift bricks should be used unless these are not practical due to the nature of construction"</i> (Model Planning Condition, page 3)</p> <p>https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Swift%20Guidance.pdf</p>	
GI	Verina Glaessner	<p>The map (figure 2) in the context of tranquil spaces could usefully show the networks of garden squares many of which, although small in area, not only actively perform valuable functions in absorbing rain water and run off but also provide peaceful shields against noise and pollution.</p>	<p>An Open Space Audit was commissioned by Westminster in 2016 which identifies 204 open spaces in the City. This will be</p>

ES PD	Respondent	Representations	Response
		<p>All garden squares should be recognised as at least potential tranquil areas and treated as such. Indeed there should be some mention of the self regulating function of the garden square street plan prevalent over so much of Central Westminster. This with its careful correlation of building height to street width, built area to open space, reduces runoff risks, ensures adequate daylight and sunlight and proper cross ventilation within terraced houses without the need for air conditioning (which of course contributes to the raising of ambient temperature) Rus in urbe was of course an environmental policy.</p>	<p>updated through a new Green Infrastructure Strategy expected in 2023. This will take account of potential new tranquil open spaces.</p>
GI	Victoria Neighbourhood Forum	<p>Green infrastructure – Green measures in this section are strongly supported. It is important that green walls etc are installed with consideration to public safety in terms of being secured suitable to the environmental conditions (the building structure and for high wind areas) and with consideration to security.</p> <p>Green infrastructure – Trees should be selected with consideration to species which have greater potential to improve air quality. Developers should also consider species that are less likely to have harm to human health in terms of respiratory problems.</p>	<p>Additional text has been added to the ESPD on safety and security related to green walls.</p> <p>More information on tree selection has been included in the ESPD.</p>
GI	Victoria, Victoria Westminster, Whitehall and Northbank BIDs	<p>10. Given the biodiversity crisis, we submit that all areas of the city are important to wildlife and that the phrase within p21 (External lighting box) could be re-worded.</p> <p>11. The WWE matrix is heavily referenced in the ESPD. Page p51 states: "As an alternative in some cases or addition, the Wild West End Matrix could be applied to provide an indication of greening appropriateness of a development. This may be helpful for smaller schemes to be able to demonstrate a high greening value of development." The inclusion of the</p>	<p>10. The box has been amended to refer to priority habitat designation.</p> <p>11. The council intends to develop a locally specific UGF based on WWE Matrix. This will require</p>

ES PD	Respondent	Representations	Response
		<p>WWE Matrix in the draft ESPD prompts the question as to whether WCC Officers are trained in how to use this matrix when assessing applications from developers? If not, is a resource being provided to upskill them? This brings forward a wider comment in that the adopted ESPD needs to be resourced as does the work related to the policies within the City Plan that the ESPD promotes. Readers may risk being confused if the WEE Matrix is included but not explained in terms of its relationship with the Urban Greening Factor. Does a developer use one (if so, which)? Or both? It would also be helpful to explain under what cases applying the WWE matrix might be permissible.</p> <p>12. The text “The habitat of these species are also protected.” (p48) seems to be written as an afterthought and could be expanded.</p> <p>13. In regard to the text “However, due to unconventional roof formations and a lack of space in Westminster implementing such systems can be problematic at times.” (p56) it is not clear what the point that is trying to be made.</p> <p>14. The text on the same page “They should be used where appropriate, or it should be demonstrated that they have been considered.” in relation to rainwater harvesting leads one to query what level of evidence is adequate to demonstrate they have been considered? The council may wish to set this out.</p> <p>15. We very much welcome the text on p68 “There should be a preference for green over grey features, and drainage by gravity over pumped systems.” However, the photograph of a water pump on p69 undermines this. We can supply a high-resolution image of a water spout retrofitted into a water downpipe that diverts water into a planter at the John Lewis Head Office on Victoria Street as part of a green</p>	<p>preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>12. The section on habitat has been expanded.</p> <p>13. This sentence has been amended to add clarity.</p> <p>14. Requirements around rainwater harvesting has been clarified.</p> <p>15. Noted with thanks.</p>

ES PD	Respondent	Representations	Response
		<p>infrastructure project brought forward by VBID and others in 2015. We can provide this on request.</p>	
GI	Westminster Property Association	<p>Green Infrastructure</p> <p>30. The principle of providing a bespoke urban greening measure in the form of the Wild West End Matrix, which may be more tailored to the specific context of the City of Westminster than the GLA’s urban greening factor measure, is supported in principle, as are the factors suggested for inclusion. The guidance should confirm that this will, in fact, be an acceptable alternative to the UGF measurement.</p> <p>31. Further information or explanation should be set out regarding how the matrix would be applied, including whether it replaces, or would be required alongside, assessment of the GLA urban greening factor measure.</p> <p>32. Suggested amendment: Further clarification on how this Matrix would be applied to provide a ‘measure’ of the performance of a development should be provided. It should be confirmed this will be an acceptable alternative to the UGF.</p> <p>33. The text in the amber box at page 49 states that “as a first option trees should be retained where possible”.</p> <p>34. Suggested amendment: The definition of ‘where possible’ should be clarified to allow it to be applied meaningfully to developments. This could include, for example, where there is a technically feasible alternative that would allow the same, or similar, benefits to those in the proposed development to be provided whilst retaining the tree or, as an alternative, provision for additional replacement planting. The removal of single trees to enable otherwise positive development when</p>	<p>30-32. The council intends to develop a locally specific UGF based on WWE Matrix. This will require preparation of a local evidence base, including a Green Infrastructure Strategy. This will be reflected in the next iteration of the City Plan and ESPD. In the meantime the London Plan’s Urban Greening Factor will apply and the ESPD will make this clear.</p> <p>33-34. “Where possible” has been removed to avoid confusion.</p> <p>35. The ESPD will be strengthened by including more information on how biodiversity will be protected and how Biodiversity Net Gain will be assessed, with links to</p>

ES PD	Respondent	Representations	Response
		<p>accompanied by other greening / biodiversity initiatives or improved planting elsewhere should be acceptable.</p> <p>35. The approach to the application of Biodiversity Net Gain to developments (page 51) is unclear and would benefit from clarification. It appears to be suggested in the text box that the Mayor's guidance, once published, will be followed. The Biodiversity Net Gain text box (page 51) begins with policy reference where the policy number is missing.</p>	<p>Natural England's BNG Metric 3.0 and Small Sites BNG Metric.</p>

Flood Risk

ES PD	Respondent	Representations	Response
FL	Achim von Malotki	<p>Permeable paving</p> <p>Permeable paving (p.56) should be the expected norm for driveways, parking spaces and other hard surfaces within development proposals, not just be encouraged.</p>	<p>Paving will be dealt with in the Public Realm SPD, however the paving of front gardens is permitted development and the council does not have any planning powers to prevent it.</p>
FL	Matthew Bennett	<p>Page 55. First paragraph, add new second sentence. 'Green roofs on buildings can help to slow down water run off.'</p> <p>Page 57 It is not clear what the purpose is of this 'glossary' or what it adds to the ESPD.</p>	<p>Proposed amendments incorporated where appropriate.</p>

ES PD	Respondent	Representations	Response
		<p>Page 59 Table 6 seems very generic and is not tailored to the reality of Westminster’s built environment. It may convey the impression of a tick box approach rather than a Westminster thought through perspective.</p>	
FL	Canal & River Trust	<p><u>Flood Risk</u> Drainage Sustainable Urban Drainage Systems could also be discussed and promoted through the SPD, as well as the use of the canals for draining clean surface water away from canalside sites, which can be accepted with appropriate assessment and licencing by the Trust.</p>	<p>City Plan policy 35 requires new development to incorporate Sustainable Drainage Systems (SuDS). SuDS is discussed in the Flood Risk chapter of the ESPD. A reference to using canals for draining clean surface water has been added.</p>
FL	Environment Agency	<p>Flood Risk We are pleased with the coverage of surface water flooding in the environment SPD and support the section on sustainable drainage to assist with Westminster surface water problems. Despite this, there is a substantial lack of consideration regarding tidal flood risk. Westminster is within the rapid inundation or tidal breach zone and has an extensive area of river frontage and flood zone 3a. Therefore tidal flood risk should be given far greater consideration to ensure the SPD has effective and robust policy. We require more detail included under the Site Specific Flood Risk Assessment section on page 65. This needs to specify the following for</p>	<p>Additional information on tidal flooding has been included in the ESPD.</p> <p>The suggested additional detail has been added to the site specific FRA section and reference to City Plan Policy 35. Flood risk - Vulnerable Uses has been added.</p>

ES PD	Respondent	Representations	Response
		<p>any development within 16 metres of the landward most extent of a tidal flood defence:</p> <ul style="list-style-type: none"> • Demonstrate how tidal flood risk will be effectively managed for the lifetime of the development. • Demonstrate that development will not preclude or make the statutory crest level raising set out in the Thames Estuary 2100 plan onerous. • Wherever possible, development should implement the statutory flood defence raisings as part of the main development construction works. • Demonstrate that the tidal flood defences have a life expectancy that is commensurate with the lifetime of the development. Where the expected life expectancy of an existing structure cannot be sufficiently demonstrated to be commensurate with the lifetime of the development, or is proven to be less than the lifetime of the development, remediation or replacement of the flood defence will be required prior to occupation. • If a flood defence requires replacement, this must be designed to the 2100 statutory crest level. • Ensure a 16 metre buffer between the landward most extent of a tidal flood defence and any built structures has been secured to ensure there is sufficient space to undertake visual and engineering inspections of the defences, including any buried elements. This space is also required for maintenance, emergency works the TE2100 statutory crest level raisings and full 	<p>The City Plan policy 35: Flood Risk includes all the recommended planning requirements for TE2100. The ESPD does not create new policy, but references to the Thames Estuary 2100 Plan have been added. A section on Property Flood resilience (PFR) measures in the areas at risk of tidal breach flooding has been added.</p>

ES PD	Respondent	Representations	Response
		<p>replacement of the flood defences should this be required in the future.</p> <ul style="list-style-type: none"> • Demonstrate that the development will not have a negative impact on the structural stability of a tidal flood defence. • Demonstrate that there is no net loss in intertidal habitat or flood storage capacity over the lifetime of the development. • Replace active flood defences, such as floodgates and stop logs, with a passive flood defence wall. • CIL payments from development within a tidally influenced flood zone should be set aside to fund the maintenance and raising of flood defences owned and maintained by Westminster Council. <p>Reference should also be made to 'City Plan Policy 35. Flood risk - Vulnerable Uses' and it should be reiterated that sleeping accommodation below tidal breach level will not be accepted.</p> <p>In addition to these points, there needs to be further reference about how development needs to manage Thames Estuary 2100 (TE2100), especially given the SPD is already outlining design requirements for each of the other environmental factors.</p> <p>Westminster's TE2100 Council briefing contains the planning requirements for TE2100, and specifically sets out suggested policy wording which could be translated into the SPD. Page 2 outlines what the plan needs for Westminster. We advise that your strategic plans and development management policies should include specific requirements for development along the tidal riverside.</p>	

ES PD	Respondent	Representations	Response
FL	James Hewitt	<p><u>Flood risk</u> The ESPD shows no appreciation of the impact of the collapsing climate on flood risk from the River Thames, [page 58]. Explicitly assuming “ordinary operational conditions”, the ESPD assigns such flooding to a Low risk category. This might expose the Council to litigation if the flood risk rises during the design life of the development. That said, the ESPD also indicates that developers should consider information from the Environment Agency, [page 65]⁷.</p>	<p>The council is in regular contact with the Environment Agency and Thames Water to review the City’s tidal flood defences. Modelling takes place to assess the current position and project future scenarios, including a failure at the Thames Barrier. All parties are in agreement that flood defences are sufficient for current and projected models, but this is continually monitored. The ESPD will make this clear.</p>
FL	Knightsbridge Neighbourhood Forum	<p>Flood risk 30. SuDS – As you will know, Sustainable Drainage Systems (SuDS) comprises a very broad range of approaches to address the increasing problem of excess surface water. Inevitably, this means that there are good and bad SuDS¹⁵ . 31. The recognition that SuDS are not always appropriate is welcomed. This should be supported with a statement that, whether SuDS or an alternative approach is adopted, the best possible solutions are expected</p>	<p>30. The ESPD sets out the appropriate types of SuDS for Westminster (p56). 31. The ESPD has been amended to expand the section on SuDS and include cross-referencing to urban greening. SuDS will be considered on a</p>

ES PD	Respondent	Representations	Response
		<p>of all development. Please see KNP ‘Policy KBR39: Sustainable water’ e.g. in relation to Source Protection Zones.</p> <p>32. In particular, the lower levels in the Mayor of London’s drainage hierarchy – relating to rainwater discharge into watercourses or sewers – should only be considered where it is clearly demonstrated that all reasonable alternative approaches higher up the hierarchy are not appropriate.</p> <p>33. Thames Water – the ESPD should refer to Thames Water’s advice that the reconfiguration of existing residential buildings should be accompanied by the retrofitting of sustainable urban draining measures to the property in order to ensure that there is a net reduction in peak flows to the sewerage network. Please see KNP paragraph 5.6 on page 13.</p>	<p>case by case basis with consideration of the particular opportunities and constraints of the site.</p> <p>32. The ESPD includes the drainage hierarchy and states that “Applicants should follow the Mayor of London’s drainage hierarchy and set out the proposed SuDS maintenance schedule in the strategy.”</p> <p>33. It is not clear where this advice originates.</p>
FL	Notting Hill East Neighbourhood Forum	<p>[First submission]</p> <p>We are writing at the publication of the Environmental Supplementary Planning Document to express concern over the loss of one of the most important characterising features of our area, our planted front gardens. The paving over of these gardens has been allowed under ‘permitted development’, despite two pieces of regulation designed to prevent it: https://www.planningportal.co.uk/info/200130/common_projects/45/paving_your_front_garden and https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/1/crossh_eading/class-f-hard-surfaces-incidental-to-the-enjoyment-of-a_dwellinghouse/made</p>	<p>The paving of front gardens is permitted development and the council does not have any planning powers to prevent it.</p>

ES PD	Respondent	Representations	Response
		<p>In the introduction to the new City Plan, Councillor Green writes, ‘Sustainability must drive everything we do. This strategy defines what we need to achieve and how innovative planning and design will achieve it. Greener living must inform the choices we make – sometimes literally. Soft landscaping and streets lined with trees bring natural beauty and mitigate against the harmful effects of CO2’</p> <p>Yet our front gardens are increasingly being concreted or paved over without any prevention or intervention by Westminster. The consequences are numerous:</p> <ul style="list-style-type: none"> • Houses without any landscaping are easy to lock and leave, reducing the owner’s investment of time and money in the area to the detriment of the community. • The substantial flooding upstream in the Thames valley is to a large extent the result of the rash of hard paving across the capital, of which front gardens are a part. The run-off from this hard surfacing places an increased burden on London’s underground drainage system and is also a cause of local flooding. • Urban run-off contains such substances as engine oil, herbicides, medicines, and raw sewage, which then contaminates the rivers. • The reduced amount of water in the ground and the replacement of vegetation with hard surfaces even has an impact on local temperature, causing the ‘heat island’ effect; the local land cannot absorb heat, but intensifies it, resulting in an increased local temperature. • The loss of water from London clays may also be responsible for the cracking that sometimes occurs in our buildings. • The lack of front gardens and the removal of boundary railings can encourage speeding as it creates the impression of a wider road. 	

ES PD	Respondent	Representations	Response
		<ul style="list-style-type: none"> • Front gardens used as ugly parking spaces, though it may be convenient, reduces the amenity of neighbours and arguably, contributes to lowering property values. • The loss of planted front gardens removes an important pollution mitigating element and leads to a loss of fauna and towards a silent Spring. <p>The lockdowns of the past year may have helped people see that attractive front gardens are a usable resource as an additional outdoor room. Immediate neighbours have turned what was a car parking space into a lovely, planted garden where their toddler can play safely, and more and more residents installed benches and garden chairs to use front gardens as social spaces. But far better these be in real gardens, not on concrete yards. Is it too much to hope that neighbours' front gardens, no matter how small, be shaded by a lovely tree and surrounded by flowers and shrubs with bird song and the buzz of bees?</p> <p>To remedy the current situation, several things need to happen:</p> <ul style="list-style-type: none"> • Westminster needs to make it clear when granting planning permission, (as a condition?) that garden spaces must include permeable paving and/or planted material at ground level- especially along the front where garden meets pavement. It should be noted that raised curbs around planted areas block the run-off from being absorbed. • The existing permitted development legislation needs to be published somewhere where applicants and homeowners will see the requirements. Once a garden has been paved over, it is too late. There is rarely any action taken to return it to a soft surface. • There should be a dedicated public awareness campaign that will educate residents about run-off and the other consequences of hard 	

ES PD	Respondent	Representations	Response
		<p>surfacing and inspire them with images of planted front garden spaces, with links to landscaping resources.</p> <p>Writing in 2005 in the London Assembly Report, Crazy Paving maintained, 'There is nothing in planning or any other law to prevent a homeowner from covering their front garden with concrete or any other surface'. https://www.london.gov.uk/sites/default/files/gla_migrate_files_destination/archives/assemblyreports-environment-frontgardens.pdf</p> <p>While this is no longer true, the practice continues. We suggest that Westminster urgently reviews ways in which it can advertise and enforce current policy and encourage plantings and greening when granting planning permission. Once you have done so, would you kindly let us know what action will be taken?</p> <p>We will certainly do our part to help publicise this issue locally.</p>	
FL	Labour group	<p>We share the concerns of the Notting Hill East Neighbourhood Forum that there has been an increase in front gardens being paved over. The SPD should seek if possible to introduce policies to guard against this and encourage more greening and gardens at ground level of new developments.</p>	<p>The paving of front gardens is permitted development and the council does not have any planning powers to prevent it.</p>
FL	St John's Wood Society	<p>Flood risk</p> <p>The ESPD shows no appreciation of the impact of the collapsing climate on flood risk from the River Thames, [page 58]. Explicitly assuming "ordinary operational conditions", the ESPD assigns such flooding to a Low risk category. This might expose the Council to litigation if the flood risk rises during the design life of the development. That said, the ESPD also indicates that developers should consider information from the Environment Agency, [page 65].^[1]</p>	<p>The council is in regular contact with the Environment Agency and Thames Water to review the City's tidal flood defences. Modelling takes place to assess the current position and project future</p>

ES PD	Respondent	Representations	Response
		<p>[1] Central government has already commenced a major project to protect parts of London from the impact of rising sea level and the increasing scale and frequency of storms.</p>	<p>scenarios, including a failure at the Thames Barrier. All parties are in agreement that flood defences are sufficient for current and projected models, but this is continually monitored. The ESPD will make this clear.</p>
FL	Swifts Local Network	<p>Flood Risk We note that the flood risk section makes only brief references to biodiversity, and does not strongly refer to the Green Infrastructure section, although "Green and Blue Infrastructure" is often now considered as a single subject, e.g. in the EU Green and Blue Infrastructure Staff Working Document (2019), for example. Please include in the Flood Risk section:</p> <ul style="list-style-type: none"> • <i>SuDS schemes should maximise biodiversity value wherever possible, in line with the guidance set out in the Green Infrastructure chapter.</i> 	<p>The ESPD will be amended to create better links between SuDS and green and blue infrastructure, including biodiversity.</p>
FL	Westminster Property Association	<p>Flood Risk 36. The approach to applying the sequential and exception tests is helpful and is supported in the context of the presence of the Thames Barrier which protects Westminster and other parts of central London from flooding events.</p>	<p>36. Support welcome. 37. The Local Validation Checklist provides clarity on when FRA are required</p>

ES PD	Respondent	Representations	Response
		<p>37. The text which suggests “all development” which requires planning permission should be accompanied by a flood risk assessment, in the red boxes on pages 65 and 66, should be clarified. There are a wide range of developments, primarily involving minor physical works such as façade changes, shopfront alteration, plant replacements and some change of use, which do not alter the flood risk of a site or worsen flood risk elsewhere. It would not be proportionate or appropriate to require flood risk assessments for these developments.</p> <p>38. Suggested amendment: Pages 65 and 66 should therefore be changed to explain that flood risk assessments may not be required for some forms of smaller-scale development where the development proposed is not of a type that would directly affect, or be affected by, flood risk.</p>	<p>and a reference has been included in the ESPD.</p> <p>38.A Flood Risk Assessment is required for all development of 1 hectare or greater, all development in Flood Zones 2 and 3, and all development within a Surface Water Flood Risk Hotspot.</p>

Energy

ES PD	Respondent	Representations	Response
EN	Achim von Malotki	<p>General observations</p> <p>Given that:</p> <p>a) Westminster has some of the highest carbon emissions in the UK, producing 1.8 million tonnes of greenhouse gases in 2018,</p> <p>b) 75% of Westminster’s energy demand is from buildings including offices, hotels and shops,</p>	<p>The purpose of the ESPD is to provide further details on how developers can demonstrate the requirements set out in the City Plan’s environmental policies. The ESPD forms</p>

ES PD	Respondent	Representations	Response
		<p>c) the Council declared a climate emergency and committed to a carbon neutral City by 2040, ten years ahead of the UK Government target date, -> this supplementary planning document does not adequately translate into ambitious and binding commitments expected of applications for new developments or retrofits requiring planning permission.</p> <p>The draft ESPD falls woefully short in what its main purpose should be: to translate into environmental planning policies the Council-endorsed vision established by 'Zero Carbon Westminster: a white paper on decarbonising the City's built environment' as commissioned by the Westminster Property Association in November 2020. Its key objectives are:</p> <ul style="list-style-type: none"> • Heating systems that are fully electrified (or using other low carbon heating options) and powered by renewable energy. • Progressive and impactful carbon reduction which covers both building construction and operations. • The adoption of circular economy principles and innovative construction materials and processes to significantly reduce the whole life carbon cycles of buildings. <p>In its draft form the ESPD will most likely result in accepting development that would, as a whole, fail to achieve the target of all new developments to be 'net zero carbon' by 2030 as set out in the White Paper. To guide applicants in the private sector it should demonstrate in an additional chapter how the Council as the planning authority will lead by example, by a) environmental standards in its own planning applications, b)</p>	<p>part of a range of strategies, action plans and interventions, including the council's Climate Action Plan, to address climate change and meet Westminster's net zero target. More information and signposting of these has been added to the ESPD to help readers find out more.</p> <p>Heat pumps are permitted development, meaning they don't need planning permission, providing they meet certain conditions. More information on these has been added to the ESPD.</p> <p>An additional sentence has been added to the section on outdoor heaters to clarify that heaters which</p>

ES PD	Respondent	Representations	Response
		<p>standards to be applied by its wholly owned housebuilding company, and c) by the retrofit for the council-owned housing stock.</p> <p>Overall, too many requirements fall into the ‘green’ category, which basically only encourages applicants to apply certain minimum standards instead of setting out a clear expectation. In the description of the category ‘amber’ which currently reads: “aspects or elements of a development that may be considered to show an acceptable proposal”, ‘may’ ought to be replaced by ‘should’.</p> <p>Use the planning process to induce reduction of energy consumption The White Paper makes an eminently useful proposal: “Tenant behaviour could be influenced through the introduction of ‘green’ clauses within leases to encourage or mandate the sharing of energy data”. The planning process should indeed be used to stipulate how energy consumption is to be reduced by the applicant and their partners once the development is completed, for example by not leaving office space illuminated at night unless demonstrably necessary.</p> <p>Minimum design standards If the design recommendations set out in the LETI Design Guide are indeed supported (p.75), the Council should not just ‘encourage’ all development to implement the indicative design measures, as summarised in Table 6, wherever possible, but expect this.</p> <p>Discourage outdoor heaters</p>	<p>use fossil fuel should be avoided.</p>

ES PD	Respondent	Representations	Response
		<p>While outdoor heaters may be popular in the hospitality industry and in residential settings to provide warmth in outdoor spaces (p.77), they should be discouraged instead of just pleading with applicants to implement more sustainable types.</p> <p>District heating and renewable energy infrastructure Apart from the often-paraded Pimlico district heating system, no other sizeable district heating system has been achieved. The one for the Church Street regeneration area has been in the planning for over a decade without being implemented at scale as required. Developers can expect the Council to make a firm commitment in this ESPD to deliver on its plans, vaguely sketched out on pp.79-80. Not only must district heating be prioritised, the EPSG should contain a clear commitment to scale and timing for feeding in energy from renewable sources to indeed guide applicants. On pp.79-80 replace 'potential' heat network by 'planned'.</p> <p>Local heat networks do indeed reduce the distribution losses of traditional grid systems, and offer an efficient and competitive solution for heating buildings in areas with high heat density. A council that does not prioritise these cannot claim to take the climate emergency seriously.</p> <p>Preferred options for on-site renewable energy systems The draft ESPD explains well what heat pumps are and what the difference between air and ground-based pumps is, yet it fails to set out any objectives and incentives for including them as integral part of any new development. It rightly points out that the integration of heat pumps</p>	

ES PD	Respondent	Representations	Response
		<p>as part of a refurbishment or retrofit scheme needs to be handled sensitively, taking into account outdoor condenser units which some heat pumps utilise, and the noise pollution associated with them. Nevertheless, the final ESPD should set out the clear expectation that heat pumps will not just have to be considered, but implemented wherever possible.</p> <p>With regards to solar technologies (solar thermal and solar photovoltaic) (p.81), the ESPD should guide applicants to installing these wherever possible, not be content with just pointing out restrictions as the draft currently does.</p>	
EN	Matthew Bennett	The 'whole life carbon' assessment in the draft ESPD is a better measure than just an energy assessment and it would be good if the final document could require the former.	WLC assessments are required for referable applications and major applications which include substantial demolition. The GLA will be publishing WLC guidance shortly.
EN	Matthew Bennett	<p>Page 77 Right hand column final paragraph, insert new sentence 'When such heaters use fossil fuels these simply add to further carbon emissions and should be avoided.' Existing second sentence delete 'than' and replaced with 'then only'.</p> <p>Page 81 Section 3 final sentence penultimate line delete 'will'.</p>	Proposed amendments incorporated where appropriate.

ES PD	Respondent	Representations	Response
		<p>Page 84 Second paragraph, second sentence after ‘associated with’ insert ‘the demolition and removal of any pre-existing structure’.</p> <p>Page 85 Right hand column, penultimate bullet point after ‘achieves’ insert ‘and ideally exceeds’.</p> <p>Page 86 The Offsetting fund. Link in first sentence is not highlighted and doesn’t work.</p>	
EN	Westminster Business Improvement Districts	<p><i>Energy</i></p> <p>Whilst strongly welcoming the detailed Energy policies and approach to carbon reduction, we believe the draft policies would benefit from the following:</p> <ol style="list-style-type: none"> 1. With the City Council and GLA broadly aligning their approaches, it is unclear from the draft policies what level of weight will be applied to the highlighted transformation initiatives. 2. We recognise further guidance on local carbon pricing will be provided within a further Planning Obligations SPD – and would ask that this is expedited as the tariff levels will have an impact upon the viability of individual schemes and a material effect on the draft Environmental SPD. 	The Planning Obligations SPD is expected to be published in 2022.
EN	Canal & River Trust	<p><u>Energy</u></p> <p>Carbon Offsetting</p> <p>This section includes some mention of offsetting carbon emissions, and some of this could be targeted towards increased biodiversity enhancements along our network of waterways. The potential for the</p>	Any Carbon offsetting funds will be directed towards maximising delivery of cost-effective carbon savings. However, there may be future urban

ES PD	Respondent	Representations	Response
		<p>canals in mitigating the urban heat island effect and as a space for biodiversity net gain should be explored.</p> <p>There are a wide range of climate change benefits from biodiversity protection and enhancements, including providing for pollinators and other wildlife, urban cooling and flood protection. The Regent’s Canal and Grand Union Canal can provide some opportunities for greening and improved biodiversity, which we promote when responding to planning consultations for canalside developments, and we would be happy to explore this further with you.</p> <p><u>Overshadowing</u> With reference to overshadowing in this section, we would add that the shading caused by tall buildings can impact the potential for plankton to photosynthesise, thus impacting on their numbers and the rest of the aquatic ecosystem. Overshadowing can also adversely impact on the amenity of the canal environment, for boaters and towpath users. Finally, as indicated in the document, overshadowing can reduce the effectiveness of solar panels, which some boaters use to avoid reliance on running their boat engines for power.</p> <p><u>Heating and Cooling using Canal Water</u> It is interesting to see there is a heat network in Maida Vale, close to the canal. The canals can facilitate sustainable heating and cooling of canalside developments such as GSK in Brentford. The Trust’s Water Development Team would be happy to provide any further information on this, and we promote this in our responses to planning consultations for canalside development. Please</p>	<p>greening or biodiversity net gain off-setting funds which could be directed towards increasing biodiversity along waterways.</p> <p>Overshadowing is outside the remit of the ESPD but is dealt with in City Plan policy 7.</p> <p>A reference to Heating and Cooling using Canal water has been added.</p>

ES PD	Respondent	Representations	Response
		<p>contact Maurice.Bottomley@canalrivertrust.org.uk for more information.</p>	
EN	CAPCO	<p>Energy The adoption of the UK Green Building Council’s Framework Definition of Net Zero is strongly welcomed. With regard to Energy Assessments and Statements, it is suggested at page 85 that all full planning applications should include an Energy Assessment. The detailed text on the following page then states that for non-major developments, only an Energy Statement explaining how the principles of the Energy Hierarchy have been applied to the design is required. In some cases, the provision of an Energy Statement, even within another document, could be irrelevant to the type of development proposed particularly across the Capco Estate (such as those for change of use only, even if they exceed 1,000 sqm of floorspace, especially where plant systems are unchanged or shopfront or façade alterations). This should be clarified in the text at page 86. It is suggested that the text within the green box page 85 should be changed to be clear that an Energy Assessment, statement or commentary on energy use, proportionate to the development, should be included where relevant. The text on page 86 should recognise that in some cases, including some changes of use, this may not be relevant.</p> <p>Page 104 of the SPD makes reference to the use of Micro Combined Heat and Power systems (CHP). The SPD states that the CHP is a relatively new technology which is still being trialled but has good potential to replace domestic gas boilers. In our experience of using CHPs, traditional gas engine CHP’s are less viable than they used to be due to the decarbonisation of the electrical grid network and the reduction in unit</p>	<p>The text has been updated to clarify that major developments are required to submit a detailed energy assessment while minor applications are encouraged to integrate the principles of the energy hierarchy into the development.</p> <p>Energy Statements for major developments is in line with London Plan policy SI2. Change of use can still have a significant impact. Forthcoming London Plan guidance on energy will provide further information on exact requirements and the list cross references this guidance.</p>

ES PD	Respondent	Representations	Response
		<p>price between gas and electric where gas used to be significantly cheaper. To get efficiencies from these systems they need to be running all the time which will very rarely be the case. District heating schemes use CHP's to produce power and heat for a group or area of buildings and therefore are not dependant on one single source for its load, however where they are situated affects its viability. It is very expensive to connect into a district system which then makes the unit cost for the heating expensive for the tenant. An example of this is the Featherstone building which has been designed with a CHP and connectivity to a district heating system, the nearest District system does not make it viable for the connection to be made. To guarantee unit price stability it is necessary to put a long-term contract in place, ten plus years, with the operator and due to the volatility of utility costs at contract expiry, the relative negotiating positions of the parties can further erode viability. In short, district wide heating can work but it would have its shortcomings. CHP's could also work but only if they are sized correctly to the building. However, in our experience they very rarely are and once designed and ordered are very difficult to change. Issues also arise with district systems which are often doubled up to accommodate shortfalls from maintenance, vacancy and development when others are no longer contributing, sometimes for years. This doubling up of equipment has a high input Carbon cost.</p> <p>The SPD also contains reference to the use of outdoor heaters. Whilst the principle of reducing energy consumption generally is supported, the use of outdoor heaters does not require planning permission. In the short term, the use of outdoor heaters has been essential to supporting hospitality through Covid-19 and should be seen as a positive solution</p>	<p>District heating is still seen as part of the longer term solution to lower carbon energy supply and is supported by WCC and the GLA. It affords opportunity for flexibility of heat source, and multiple heat sources, and is therefore compatible with the low carbon agenda. Micro CHP is less likely to be part of the long-term solution as we move towards electrification of heating and away from gas-fired sources. We therefore propose to remove the paragraph on Micro CHP.</p> <p>An additional sentence has been added to the section on outdoor heaters to clarify that heaters which use fossil fuel should be avoided.</p>

ES PD	Respondent	Representations	Response
		going forward, albeit utilising an appropriate energy source and technology.	
EN	Covent Garden Community Association (CGCA)	<p>Net Zero Carbon</p> <p>We welcome the focus on net zero carbon. However, we are concerned that there is not sufficient emphasis on the desirability of refurbishing existing buildings rather than demolishing and rebuilding them. As most of the energy used by a building is embodied in it most development which involves demolition will by require a higher level of total emissions. Whilst the energy usage of a new building may be less than that of the existing one the difference is far outweighed by the carbon impact of demolition and construction. We believe that the ESPD should make this clearer.</p>	Additional information has been included about the circular economy and the GLA’s WLC Assessment template which requires developers to provide reasons for decision-making in respect of retention or demolition of existing buildings. All major developments which include substantial demolition are required to meet the WLC standard.
EN	Historic England	<p>We would also suggest that there is a lack of focus on the issue of buildings overheating in future through temperature rises. Without references and advice on ventilation measures, there is a danger that the focus can be on insulation and potentially counterproductive measures to effectively seal up historic buildings.</p> <p>We would suggest an explicit reference in the introduction to the best case scenario within the Paris Agreement that there will be a 1.5 degree temperature increase within the introduction would be helpful in this respect.</p>	Overheating is considered as part of Energy Assessments required for major applications. References to ventilation in relation to insulation are set out in Table 6: Retrofit Measures - risks and issues and heritage considerations.

ES PD	Respondent	Representations	Response
		<p>Page 72: We suggest that a reference to ongoing maintenance and the effect this can have on energy performance would be helpful. We would suggest an extra sentence (new text in <i>bold italics</i>):</p> <p><i>Ongoing maintenance is an effective method of both monitoring energy performance of existing buildings and ensuring its effectiveness.</i></p> <p><i>Nevertheless,</i> refurbishment presents a clear opportunity to sensitively upgrade existing buildings to limit their carbon impact.</p>	<p>Suggested changes included where appropriate.</p>
EN	Houses of Parliament Restoration and Renewal Programme	<p>Environmental SPD – Energy</p> <p>Within the Energy Guidance section the draft SPD states that ‘All development proposals should include a detailed energy assessment to demonstrate how energy use and carbon emissions have been reduced’. Westminster’s adopted Full Planning Permission Validation Checklist (November 2017) states that Energy Assessments are only required of ‘Major developments’. Clarity is therefore sought on whether, on adoption of this draft SPD, all types of application will be required to submit an Energy Assessment, or whether this requirement remains applicable to major planning applications only.</p>	<p>The text has been updated to clarify that major developments are required to submit a detailed energy assessment while minor applications are encouraged to integrate the principles of the energy hierarchy into the development.</p> <p>The Local Validation Checklist provides detailed information.</p>
EN	Howard de Walden Estate	<p>Energy</p> <ul style="list-style-type: none"> • The Estate welcomes the adoption of the UK Green Building Council’s Framework Definition of Net Zero. • With regard to Energy Assessments and Statements, it is suggested that all full planning applications should include an Energy Assessment, however we believe this could be irrelevant to the type of development 	<p>The text has been updated to clarify that major developments are required to submit a detailed energy assessment while minor</p>

ES PD	Respondent	Representations	Response
		<p>proposed especially of there are no works proposed- this needs to be clarified.</p> <ul style="list-style-type: none"> • The text on page 84 of this document suggests that a Whole Life Carbon Assessment will be encourage for all demolition proposals. We believe there are a wide range of developments in the City which include a small or insignificant extent of demolition which it would be clearly inappropriate to require a Whole Life Carbon Assessment. • Therefore, we believe that Whole Life Carbon Assessment should be encouraged based on the nature of the physical works comprising the development. • In addition to the above, The Estate supports the need to allow for monitoring of energy performance (Be Seen), however we suggest that this can be more transparently and appropriately achieved via planning condition rather than via a Section 106 legal agreement. 	<p>applications are encouraged to integrate the principles of the energy hierarchy into the development.</p> <p>The Local Validation Checklist provides detailed information.</p> <p>All major developments which include substantial demolition are required to meet the WLC standard and the ESPD has been amended to make this clear.</p> <p>The GLA’s Be Seen Guidance states that “responsibility for reporting will be secured through a legal agreement (Section 106 agreement) [...] It is possible to use planning conditions but a Section106 obligation is preferable”.</p>

ES PD	Respondent	Representations	Response
EN	James Hewitt	<p><u>Energy</u></p> <p>The ESPD recognises that new developments and refurbishments may affect progress towards the Council’s 2040 net zero target. It does not consider how that target can be achieved, for example, by seeking to dissuade consumption of (i) meat intensively farmed livestock, (ii) other products having a substantial greenhouse gas footprint, and (iii) electricity deriving from carbon-based fuel. A transformation of Westminster’s economy from a decline in tourism, office work and retail might also have a substantial impact. The ESPD does however describe some measures for which planning approval might not be required. (- this is very welcome) [page 100 et seq.]</p> <p>It also does not consider how it will (i) engage with freeholders of apartment blocks in the context of the Council’s 2040 net zero target and (ii) ensure that costs are apportioned fairly to lessees / tenants.</p> <p>The energy assessments which the ESPD requires need do no more than is set out in GLA guidance. Although major developments must demonstrate that they are consistent with the Council’s net zero target, doing so might depend on dysfunctional carbon accounting rules and offsets (allowed by the Council and GLA) which might be neither permanent, provable, additional, nor sufficiently large.</p> <p>Photovoltaic tiles and double-glazed wooden sash windows are permitted in Conservation Areas and Listed Buildings under some circumstances, notably when detailed and installed to a high standard, and if doing so does not adversely affect the aesthetics of the rest of a building or its neighbours.</p>	<p>The focus of the ESPD is on planning and it cannot include all measures covered by other strategies and action plans. However, improved signposting should help direct readers to other initiatives being undertaken by the council.</p> <p>Major developments are required to submit a detailed energy assessment while minor applications are encouraged to integrate the principles of the energy hierarchy into the development.</p> <p>In deciding the level of assessment required for each type development, the council takes into account the requirement that the SPD will not “add</p>

ES PD	Respondent	Representations	Response
			<p>unnecessarily to the financial burdens on development” and ensure the planning obligations are “fairly and reasonably related in scale and kind to the development”.</p> <p>Photovoltaic tiles and double-glazed wooden sash windows in Conservation Areas and Listed Buildings will be considered on a case by case basis.</p>
EN	Knightsbridge Neighbourhood Forum	<p>Energy</p> <p>34. Well done for emphasising Westminster’s declaration of a Climate Emergency throughout the ESPD. This aligns to the City Plan.</p> <p>35. Net Zero – London’s homes and workplaces are responsible for producing approximately 78% of its greenhouse gas emissions (according to paragraph 9.2.1 on page 343 of the London Plan (March 2021)). This means that Westminster needs to eliminate its share of these emissions by 2040 i.e. achieve ‘Zero Air Emissions’ from buildings within the lifetime of the City Plan, more or less.</p> <p>36. Given that most of the buildings that will exist in Westminster in 2030 and 2040 are already built, it is essential that every opportunity is taken with every planning application to upgrade buildings towards or close to</p>	<p>34. Support welcomed.</p> <p>35-37. The policy focus is net zero carbon emissions not net zero air pollution emissions. However, net zero carbon emissions, along with Air Quality Neutral and Air Quality Positive developments, and measures in the Air Quality Action Plan, will deliver improvements to air</p>

ES PD	Respondent	Representations	Response
		<p>the Net Zero standard. This approach may involve some incremental cost for developers now, when a building is already being disrupted, but it should avoid much greater costs from totally disrupting a building as we head rapidly towards 2040. It is also necessary to avoid using the world’s remaining ‘carbon budget’ too quickly and reduce the likelihood of investment ‘cliff edges’ e.g. because a building suddenly no longer complies with new national or other standards.</p> <p>37. This will mean minimising energy use and maximising energy efficiency and the production and use of renewable energy.</p> <p>38. The ESPD identifies the two preferred options for on-site renewable energy, one of which is solar that it acknowledges may have limitations due to the prevalence of listed buildings and conservation areas. Gas boilers may be appropriate in exceptional circumstances, for time limited use, but must achieve the lowest dry NOx emissions possible. Without this alternative, then based on the energy hierarchy, developers will seek to make contributions towards offsetting which the ESPD states should only be used as a last resort. Development should be given a clear signal that it should address these matters on site and not simply make a payment in lieu of addressing them as part of the design process. By way of analogy, the GLA found that it is about 40 times cheaper to reduce air pollution emissions at source than try to catch them later with planting.</p> <p>39. The ESPD section on Energy should emphasise the need to end all biomass and fossil fuel burning including with the use of hydrogen.</p>	<p>quality. In deciding the level of assessment required for each type development, the council takes into account the requirement that the SPD will not “add unnecessarily to the financial burdens on development” and ensure the planning obligations are “fairly and reasonably related in scale and kind to the development”.</p> <p>38. The City Plan and ESPD makes clear that offsetting is only acceptable if it can be demonstrated that it is not financially or technically viable to achieve zero-carbon or air quality neutral measures on-site.</p> <p>39. This is not within the remit of the ESPD.</p>
EN	Labour group	We would like to see more ambition around energy use. City Plan Policy 36 aims for net zero Carbon on major developments, but most developments in Westminster are classed as minor schemes and if net	The City Plan and ESPD are clear that Energy Assessments

ES PD	Respondent	Representations	Response
		<p>zero is only ever achieved on some larger schemes, the Council will not achieve its target. Advances in technology mean development can do much better than a 35% reduction on Part L of the 2013 Building Regulations, and the SPD should require energy assessments for net zero on major schemes (both residential and non-residential) as well as also pushing developers to achieve reductions on Part L in minor developments.</p> <p>Also of concern is that, although developers are encouraged to connect to community heating projects, this has been the policy for some time but often it does not happen; the SPD should seek to ensure a far greater number of future developments do this.</p> <p>The SPD is right to look at existing buildings and their energy use, recognising that a large portion of GHG emissions come from these. It is also right to say that historic buildings need to be sensitively retrofitted and refurbished to reduce energy use. The Council will have to find a way to square this with heritage constraints, however, and move away from overly orthodox and conservative interpretations of what constitutes 'sensitive' development. A case in point is the recent recommendation for the rejection of a planning application for 13 Soho Square by planning officers; this was a sensitive refurbishment project to allow the house to become the first Grade 2* listed building in the country to be awarded the top 'Outstanding' energy efficiency standing by BREEAM, and enable a dramatic sixfold decrease in the amount of carbon emissions, from 53 tonnes of annual CO2 emissions to only 8 tonnes. The committee decided to approve it but had it followed officer advice it would have been turned down.</p>	<p>demonstrating net zero are required for major development. The London Plan requires a minimum on-site reduction of at least 35 per cent beyond Building Regulations for major development. The text has been updated to clarify that major developments are required to submit a detailed energy assessment while minor applications are encouraged to integrate the principles of the energy hierarchy into the development. There is an opportunity to require a wider range of developments to net zero carbon. This will require a revision to the City Plan and further viability testing to ensure requirements are proportionate to the</p>

ES PD	Respondent	Representations	Response
			<p>nature and scale of the application.</p> <p>City Plan policy 36D states “Major developments must connect to existing or planned local heat networks, or establish a new network, wherever feasible”.</p> <p>The balance between reducing energy use and heritage constraints will be considered on a case by case basis.</p>
EN	Labour group	<p>The point about ‘whole life carbon’ assessment is important and we would like to see this remain in the final document. The Council should only approve applications to demolish or rebuild applications where the whole life CO2 is reduced.</p>	<p>Additional information has been included about the circular economy and the GLA’s WLC Assessment template which requires developers to provide reasons for decision-making in respect of retention or demolition of existing buildings. All major developments which</p>

ES PD	Respondent	Representations	Response
			include substantial demolition are required to meet the WLC standard.
EN RE	Pimlico Neighbourhood Forum	<p><u>Energy and Heritage</u> This is an important matter for Pimlico as for the whole of Westminster. The great majority of our land area is already developed and lies in Conservation Areas or contains other heritage buildings. Almost all of the buildings which will be in place in 2040 have already been built, with a high proportion by then being over 150 years old.</p> <p>As we see it the issue for Pimlico is:</p> <ul style="list-style-type: none"> • encouraging and permitting energy efficiency upgrades and transition to zero carbon heating. This is very likely to be powered locally by electricity or access to the Pimlico District Heating Undertaking; • prioritising energy conservation and retrofit over more carbon intensive demolition and replacement. <p>In detail, we need the Council to do the following:</p> <ul style="list-style-type: none"> • Working with the concentrated freeholders/larger developments outside the PCA (WCC, Peabody, Crown Estate, Genesis, Dolphin Living, Dolphin Square plus some other HAs) to find heating decarbonisation options that respect the heritage of these developments; • Within the PCA, understanding the status quo in terms of ownership (very disaggregated ownership save for L&Q and Sanctuary and a very high proportion –over 40% - being privately rented) and existing heating technology; likely future technological options (almost certainly electric) and providing 	<p>Additional information has been included about the circular economy and the GLA’s WLC Assessment template which requires developers to provide reasons for decision-making in respect of retention or demolition of existing buildings. All major developments which include substantial demolition are required to meet the WLC standard.</p> <p>Many energy efficiency measure fall outside the scope of the planning regime. The council’s Climate Action Plan contains further details on heating decarbonisation plans.</p>

ES PD	Respondent	Representations	Response
		<p>design guidance (like the PDG) and associated policy relevant to energy efficiency and retrofitting; and</p> <ul style="list-style-type: none"> • Creating realistic opportunities to access the PDHU, potentially expand it and to plan for its decarbonisation. 	
EN	Port of London Authority	<p>Energy For information as part of the PLA’s river works licencing process the PLA are encouraging energy efficiency and installation of renewable energy on river structures. For further information please see: https://www.pla.co.uk/Environment/Green-Technologies-on-River-Thames-Structures</p>	Noted.
EN	Princes Gate Mews Residents’ Association	<p>The document appears to miss a significant trick by failing to require that installation of air conditioning units be minimised/reduced. These are huge wasters of energy as well as causing noise pollution and roof-top/balcony clutter. Please can there be a policy requiring such units to be phased out/minimised? In addition, the document misses another trick in failing to require excessive glazing to be minimised where it will result in thermal overheating eg massive new glazing panels facing due south. A further additional requirement could be that air conditioning units will be discouraged/forbidden where the design of the house/such glazing is likely to result in overheating to act as a discouragement for such harmful introductions.</p>	<p>Most installations of air conditioning units are permitted development and the council does not have any direct influence over these. Large or noisy air conditioning units do require permission and will require planning permission alongside a noise assessment.</p>
EN	Shaftesbury	<p>4. Energy – Development Requirements The guidance states that all development proposals should include a detailed energy assessment. <u>All development proposals</u> would include all types of planning applications, ranging from shopfronts, minor external alterations,</p>	<p>The text has been updated to clarify that major developments are required to submit a detailed energy assessment while minor</p>

ES PD	Respondent	Representations	Response
		<p>changes of use and major redevelopment schemes. The submission of an energy assessment for minor applications such as shopfronts, minor external alterations would not be proportionate to the scale of the application.</p> <p>We cannot see how the level of information required for an energy assessment could be submitted for a range of minor applications and we suggest the following:</p> <ul style="list-style-type: none"> • the requirement for energy assessments is linked to the BREEAM requirement of new developments over 500sqm; • Clarification is required on what constitutes a minor development on Pg 86 of the SPD; <p>In addition to the above points, on page 75 there is a table from the London Energy Transformation Initiative. This sets design recommendations for small-scale residential, medium and large scale residential and commercial offices. It is not clear from these headings what scale of development these relate to:</p> <ul style="list-style-type: none"> • What is small scale residential? Could it be 1-4, or 1-9 units? • What is large scale residential (over 10 units?)? • Is there a size limit for commercial developments? <p>This needs to be clarified and potentially and ideally relate to the size of development requiring energy assessments (i.e. over 500sqm).</p>	<p>applications are encouraged to integrate the principles of the energy hierarchy into the development.</p> <p>Definition of LETI thresholds included in Table on p75.</p>
EN	St John's Wood Society	<p><u>Energy</u></p> <p>The ESPD recognises that new developments and refurbishments may affect progress towards the Council's 2040 net zero target. It does not consider how that target can be achieved, for example, by seeking to dissuade consumption of (i) meat intensively farmed livestock, (ii) other products having a substantial greenhouse gas footprint, and (iii)</p>	<p>The focus of the ESPD is on planning and it cannot include all measures covered by other strategies and action plans. However, improved</p>

ES PD	Respondent	Representations	Response
		<p>electricity deriving from carbon-based fuel. A transformation of Westminster’s economy from a decline in tourism, office work and retail might also have a substantial impact. The ESPD does however describe some measures for which planning approval might not be required. (- this is very welcome) [page 100 <i>et seq.</i>]</p> <p>It also does not consider how it will (i) engage with freeholders of apartment blocks in the context of the Council’s 2040 net zero target and (ii) ensure that costs are apportioned fairly to lessees / tenants.</p> <p>The energy assessments which the ESPD requires need do no more than is set out in GLA guidance. Although major developments must demonstrate that they are consistent with the Council’s net zero target, doing so might depend on dysfunctional carbon accounting rules and offsets (allowed by the Council and GLA) which might be neither permanent, provable, additional, nor sufficiently large.</p> <p>Photovoltaic tiles and double-glazed wooden sash windows are permitted in Conservation Areas and Listed Buildings under some circumstances, notably when detailed and installed to a high standard, and if doing so does not adversely affect the aesthetics of the rest of a building or its neighbours.</p>	<p>signposting should help direct readers to other initiatives being undertaken by the council.</p> <p>The text has been updated to clarify that major developments are required to submit a detailed energy assessment while minor applications are encouraged to integrate the principles of the energy hierarchy into the development.</p> <p>In deciding the level of assessment required for each type development, the council takes into account the requirement that the SPD will not “add unnecessarily to the financial burdens on development” and ensure the planning obligations are “fairly and reasonably</p>

ES PD	Respondent	Representations	Response
			<p>related in scale and kind to the development”.</p> <p>Photovoltaic tiles and double-glazed wooden sash windows in Conservation Areas and Listed Buildings will be considered on a case by case basis.</p>
EN	Victoria Neighbourhood Forum	<p>Energy – The VNF urges Westminster City Council to set a new gold standard in its Environmental SPD with the measures needed to tackle the climate and biodiversity emergencies. This will require the achievement of nearly 'zero air emissions' from buildings in Westminster over the life of the City Plan which are currently responsible for about 80% of total greenhouse gas emissions generated locally.</p> <p>Energy – The VNF would be keen to work with the Council on the extension of the district heating networks.</p>	<p>Noted.</p> <p>The policy focus is net zero carbon emissions not net zero air pollution emissions. However, net zero carbon emissions, along with Air Quality Neutral and Air Quality Positive developments, and measures in the Air Quality Action Plan, will deliver improvements to air quality.</p>
EN	Victoria, Victoria Westminster, Whitehall and Northbank BIDs	<p>16. The text on page 77, that begins “Outdoor Heaters – Are popularly used...” seems out of place under a section heading entitled "Combined Heat and Power (CHP), and Heat Networks".</p>	<p>Suggested changes made where appropriate.</p>

ES PD	Respondent	Representations	Response
		<p>17. The title of figure 12 on page 78 makes reference to current and potential heat networks though the figure itself shows no potential heat networks.</p> <p>18. The web link provided in the third paragraph on page 83 is broken.</p> <p>19. The reference to the Westminster Charter would benefit by a web link to the document (p83).</p>	
EN	Westminster Property Association	<p>Energy</p> <p>39. The adoption of the UK Green Building Council’s Framework Definition of Net Zero is welcome. The Association’s White Paper on carbon also supported the use of this definition.</p> <p>40. With regard to Energy Assessments and Statements, it is suggested at page 85 that all full planning applications should include an Energy Assessment. The detailed text on the following page then states that for non-major developments, only an Energy Statement explaining how the principles of the Energy Hierarchy have been applied to the design is required.</p> <p>41. In some cases, the provision of an Energy Statement, even within another document, could be irrelevant to the type of development proposed (such as those for change of use only, even if they exceed 1,000 sqm of floorspace, especially where plant systems are unchanged or shopfront or façade alterations). This should be clarified in the text at page 86.</p> <p>42. The Association is keen to ensure that the swift and effective repurposing of space is not delayed by complex planning application validation requirements that could potentially add cost and delay.</p> <p>43. Suggested amendment: The text within the green box page 85 should be changed to be clear that an Energy Assessment, statement or</p>	<p>39. Support welcomes.</p> <p>40. The text has been updated to clarify that major developments are required to submit a detailed energy assessment while minor applications are encouraged to integrate the principles of the energy hierarchy into the development.</p> <p>41-43. Change of use can still have a significant impact. Forthcoming London Plan guidance on energy will provide further information on exact requirements and the list cross references this guidance. The validation</p>

ES PD	Respondent	Representations	Response
		<p>commentary on energy use, proportionate to the development, should be included where relevant. The text on page 86 should recognise that in some cases, including some changes of use, this may not be relevant.</p> <p>44. The Association supports the principle of encouraging development to reduce its carbon impact over its whole life cycle ('WLC'). The text at page 84 states that a WLC assessment will be "encouraged for all demolition proposals". There are however a wide range of developments in the City which include a small or insignificant extent of demolition, where it would clearly be inappropriate to require a WLC assessment. For instance, it would not be proportionate to require a change of use application comprising no physical works except the removal and replacement of a single lift shaft, to provide a whole life carbon assessment.</p> <p>45. Suggested amendment: The text should be clarified to state that WLC assessments are encouraged where, based on the nature of the of the physical works comprising the development, it is appropriate to do so and that this is not always the case, particularly in relation to developments with a limited extent of demolition or redevelopment.</p> <p>46. The text relating to WLC Assessments (page 84) states that "The GLA requires that all applications that are referable to the Mayor comply with the WLC standard". The wording of the GLA's London Plan policy (SI2 part F) in fact refers to a requirement to assess developments against the relevant standards (not the meet those standards), as follows: "Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions"</p>	<p>checklist has been subject to a viability assessment. 44-48. The ESPD has been amended to clarify that all referable applications and major developments which include substantial demolition are required to meet the WLC standard.</p> <p>49-50. An additional sentence has been added to the section on outdoor heaters to clarify that heaters which use fossil fuel should be avoided.</p> <p>51-52. The City Plan and ESPD makes clear that offsetting is only acceptable if it can be demonstrated that it is not financially or technically viable to achieve zero-carbon or air quality neutral measures on-site.</p> <p>53. The GLA's Be Seen Guidance states that "responsibility for</p>

ES PD	Respondent	Representations	Response
		<p>47. This is an important distinction.</p> <p>48. Suggested amendment: The relevant text should be clarified as follows: “In Westminster, to align with our climate priorities, all major developments shall be assessed against the WLC standard. Developments are encouraged to meet the WLC standard as far as reasonably possible and to refer to the LETI guidance to help minimise embodied carbon through the development lifecycle. The public benefit resulting from development meeting the WLC standard as part of a development proposal is acknowledged.”</p> <p>49. The document contains reference to the use of outdoor heaters. Whilst the principle of reducing energy consumption generally is supported, the use of outdoor heaters does not require planning permission. In the short term, the use of outdoor heaters has been essential to supporting hospitality through Covid-19.</p> <p>50. Suggested amendment: This text should be removed.</p> <p>51. The pattern of land ownership in Westminster is such that there will often be opportunities to reduce carbon emissions by supporting off-site improvements to other buildings within the same ownership or portfolio. For example, where a development proposal has some residual emissions, it may be possible to wholly or partially offset them by further improvements to the efficiency of other buildings within the same ownership in the city, particularly by energy efficiency and additional green measures.</p> <p>52. Suggested amendment: We suggest that the Offsetting section at p83 acknowledges energy efficiency and carbon reduction improvements on other properties within the same ownership as a potential alternative to financial payments in achieving net zero, where that off-site offsetting is</p>	<p>reporting will be secured through a legal agreement (Section 106 agreement) [...] It is possible to use planning conditions but a Section106 obligation is preferable”.</p>

ES PD	Respondent	Representations	Response
		<p>secured by condition or legal agreement and is clearly measurable, to ensure transparency.</p> <p>53. Whilst the need to allow monitoring of energy performance ('Be Seen') is accepted, it is suggested that this can be more transparently and appropriately achieved via planning condition rather than via a Section 106 legal agreement.</p>	

Waste Management

ES PD	Respondent	Representations	Response
W M	Achim von Malotki	<p>Circular economy</p> <p>While the differences between the linear economic model and a circular economy approach may be described adequately, the document fails to steer applicants towards reusing materials and retaining the intrinsic value of buildings and their component parts when redeveloping them. To achieve the circular economy, it will be insufficient just to “look for more opportunities”. Clear targets should be set for building materials and components to contain recycled and reused materials, based on current baselines with a clearly circumscribed materials volume and time frame to be complied with. The matter is urgent as the City of Westminster must contribute to the London Plan targets for recycling and for London’s net self-sufficiency by 2026, five years away (p.91). The council must commit to offering separate collections for dry recycling and food waste by 2023 (p.7) to give applicants the certainty they need</p>	<p>Additional information has been included about the circular economy and the GLA’s WLC Assessment template which requires developers to provide reasons for decision-making in respect of retention or demolition of existing buildings. All major developments which include substantial demolition are required to meet the WLC standard.</p>

ES PD	Respondent	Representations	Response
		<p>to provide the required facilities. The document timidly states that the Council “aims to reduce the volume of non-recyclable waste produced by Westminster households and businesses” (p.7). Without quantifiable, tangible objectives and targets that set out by how much and by when, such a statement is simply inadequate.</p> <p>Demolition processes must allow the reuse of materials (p.92); it is not enough to just point out the benefits of doing so.</p>	<p>A target of 95% recycling of construction and demolition waste is already London Plan policy and this is also referenced in the City Plan. However, Westminster does not have the powers to influence the recycled content of building materials.</p> <p>Further information on Westminster’s plans to reduce the waste from households and businesses can be found in the Municipal Waste Management Strategy 2016 – 2031.</p>
W M	Huguette Zola	<p>I missed the waste management consultation session but wanted to ask:</p> <ul style="list-style-type: none"> • If the waste management topic can interlink with 'plastic free' global campaign? • Finding an alternative bio degradable tool/equipment for dog owners to pick up dog waste? • Plus, reviewing the bins design to reduce plastic dumping? • Considering electric cars battery panel with a waste management long term plan? 	<p>These are outside the remit of the ESPD.</p>

ES PD	Respondent	Representations	Response
W M	Matthew Bennett	Page 94 First paragraph, third sentence delete 'developments are' and replace with 'development is'.	Proposed amendments incorporated where appropriate.
W M	Westminster Business Improvement Districts	<p><i>Waste Management</i></p> <p>We strongly welcome the City Council's ambitions to move to a more circular economy and the requirement to submit Circulate Economy statements on applications which would be referable to the GLA. We also support the requirement for waste storage arrangements on non-referable applications to accommodate two days or four days capacity; as well as the requirement for Waste Management Plans on major developments.</p>	Support welcomed.
W M	Canal & River Trust	<p><u>Waste Management</u></p> <p>In Paddington, the Trust are trialling composting aquatic weed to avoid landfill, in coordination with British Land and Wood Hall & Heward. We are also trialling a pilot scheme with Circular Revolution (https://www.circularrevolution.org/) to collect compostable waste from boats, to further avoid landfill waste.</p> <p>We would be pleased to work with the Council in providing additional waste facilities close to our canals, including recycling facilities. The Trust provides the following information about recycling points on our website: https://canalrivertrust.org.uk/enjoy-the-waterways/boating/boating-services/rubbish-and-recycling</p> <p>The Trust also launched a Plastics Challenge to encourage people to get involved with tackling plastic waste: https://canalrivertrust.org.uk/news-and-views/features/plastic-and-litter-in-our-canals</p>	Noted. This is outside the remit of the ESPD.

ES PD	Respondent	Representations	Response
W M	Clean Air in London (CAL)	<p>Waste management Please introduce a new Code of Waste Management for the City of Westminster similar in style, tiers and approach to your Code of Construction Practice.</p>	<p>The council will consider producing a Code of Waste Practice.</p>
W M	Covent Garden Community Association (CGCA)	<p>Waste Management The ESPD requires sufficient storage for the waste generated in the development to be stored on site for up to 2 days (where collection is daily or more frequently). This includes food (organic) waste, which is often one that is omitted as the producers prefer not to store food waste on site. The ESPD should be clear that the waste which is required to be stored includes this type of waste.</p> <p>For application for Class E use there is a requirement that either the use for food preparation is prohibited by condition or that provision for waste storage includes the requirement for organic waste to be stored on site, and that the overall waste store needs to be sized appropriately for this type of use.</p> <p>The handling of waste can be noisy, especially if it includes glass or where compaction equipment is used. It should be explicit in the ESPD that the noise from waste management should be taken into account in the noise assessment</p>	<p>The ESPD has been amended to clarify that developments are required to provide separate storage space for dry recyclables, food waste and residual waste.</p> <p>The ESPD has been amended to clarify that developments falling within Class E should provide appropriate mitigation for all types of development within Class E. Permitted changes of use within Class E can be restricted in exceptional circumstances where demonstrable harm would be caused contrary to development plan policies. Where harm would occur</p>

ES PD	Respondent	Representations	Response
			<p>as a result of an unrestricted Class E use being granted, the council will use conditions to mitigate this This will be on a case by case basis.</p> <p>A Noise Impact Assessment will include servicing and delivery, including waste collection. It is not considered appropriate to list all potential sources of noise in the ESPD as these will vary from site to site.</p>
W M	Environment Agency	<p>Waste Management</p> <p>Whilst we recognise that there are a very limited number waste sites in the borough, (being mostly for green waste), it may be helpful to highlight London Plan, Policy SI 8 in the SPD, to control local environmental impacts. It requires (policy point E), that proposals for new waste sites, or to increase the capacity of existing sites, should be evaluated against the following criteria:</p> <p>4) The impact on amenity in surrounding areas (including but not limited to noise, odours, air quality and visual impact) – where a site is likely to produce significant air quality, dust or noise impacts, it should be fully enclosed.</p>	<p>City Plan policy 37D states “Any proposals for new waste management facilities will be assessed against the criteria set out in the London Plan and national policy”.</p> <p>It is not considered necessary to repeat London Plan policy in the supplementary planning document.</p>

ES PD	Respondent	Representations	Response
W M	James Hewitt	<p><u>Waste management</u></p> <p>The ESPD does not consider fiscal measures to minimise waste (including from packaging), especially of materials for which there is no market for recycle (at current prices). Such measures would help achieve an aspiration expressed in the City Plan of self-sufficiency by 2026 [page 91] – and minimise greenhouse gas emissions from landfill or incineration. The ESPD does not consider the disposal of electrical products, the disposal of general waste by private contractors at sea or by export, or “deposit return” schemes.</p> <p>The ESPD does not seek to deter the promotion of fast fashion and excess – or the replacement of existing buildings.</p> <p>The target of 65% recycling of municipal waste by 2030 might need revision if the trend towards online purchases and door-to-door deliveries continues.</p>	<p>This is outside the remit of the ESPD and the council cannot influence these matters through its planning powers.</p>
W M	Knightsbridge Neighbourhood Forum	<p>Waste management</p> <p>40. Code of Waste Management – the KNF encourages Westminster to adopt a “Code of Waste Management” with objectives and style similar to its Code of Construction Practice. It should set minimum standards and a range of higher standards for different types of property use.</p> <p>41. The KNF welcomes the need for any ‘changes of use’ to provide details of proposed storage accommodation for waste and recyclable material. However, page 92 makes reference to ‘most’ changes of use; it should be clear that all changes of use must provide necessary details unless it can be demonstrated to be unnecessary (for example because existing provision is satisfactory and to be retained).</p>	<p>40. The council will consider preparing a Code of Waste Practice.</p> <p>41. Some changes of use are permitted development and the council has no powers under these circumstances. The ESPD will clarify that details of storage accommodation for waste and recyclable material will be required by changes of</p>

ES PD	Respondent	Representations	Response
		<p>42. KNP Policy KBR21 provides valuable suggestions that should be addressed by the ESPD e.g. development proposals should provide dedicated non-recyclable and recyclable waste collection solutions.</p>	<p>use that require planning permission and significantly change the amount of waste generated on-site.</p> <p>42. While consolidating space for waste storage is a good idea in principle, there are considerations such as permitting and other controls on waste which means that it might not be practical.</p> <p>The ESPD can encourage the consolidation of waste storage, but it couldn't be a requirement because it is outside the scope of Westminster's planning powers to secure third party improvements on a development site.</p>
W M	St John's Wood Society	<p><u>Waste management</u></p> <p>The ESPD does not consider fiscal measures to minimise waste (including from packaging), especially of materials for which there is no market for recycle (at current prices). Such measures would help achieve an aspiration expressed in the City Plan of self-sufficiency by 2026 [page 91]</p>	<p>This is outside the remit of the ESPD and the council cannot influence these matters through its planning powers.</p>

ES PD	Respondent	Representations	Response
		<p>– and minimise greenhouse gas emissions from landfill or incineration. The ESPD does not consider the disposal of electrical products, the disposal of general waste by private contractors at sea or by export, or “deposit return” schemes.</p> <p>The ESPD does not seek to deter the promotion of fast fashion and excess – or the replacement of existing buildings.</p> <p>The target of 65% recycling of municipal waste by 2030 might need revision if the trend towards online purchases and door-to-door deliveries continues.</p>	
W M	The Soho Society	<p>A. The problems On waste, WCC’s ‘Environmental Supplementary Planning Document’ focuses entirely on reducing waste and recycling it; there is nothing about removing it. While reducing and recycling are important, the more immediate concerns are:</p> <ul style="list-style-type: none"> • Waste, mainly in polythene bags from restaurants, lies around the streets of Soho and is unsightly, smelly, causes a health hazard and forces people off the pavement; the bags also attract rats and sea gulls. • Large numbers of polluting waste trucks drive slowly through Soho’s narrow streets, each collecting only a limited numbers of the refuse bags. <p>B. Underlying causes Contractors: The current law allows commercial rubbish producers to choose their own waste collector; WCC has no locus, nor can it attach any conditions. As a result, there are about eight different collectors ploughing the streets of Soho for their separate bags. A major implication</p>	<p>The council is aware of the issues related to waste collection in Soho and is looking for solutions. Unfortunately the council cannot influence market conditions or limit the number of waste collection contractors in the area. However, the council can use its powers of enforcement to take appropriate enforcement action against businesses who dispose of their waste irresponsibly.</p>

ES PD	Respondent	Representations	Response
		<p>is that it is difficult to use large bins for rubbish as separate collectors collect only their own bags.</p> <p>Places to put rubbish: WCC currently encourages businesses to put their rubbish as close to their own door as possible as they think that any defined locations would quickly build up with waste. The result is that rubbish is scattered over a large area instead.</p> <p>Times of collection: WCC specifies times/days by street, when waste is allowed to be put out on the street for collection; all collectors and waste producers should observe these times. WCC can levy fixed penalty notice (FPN) fines on waste producers that put out rubbish outside the designated times; but offenders are difficult to identify and the fines are so small (set by DEFRA) that many outlets treat them as part of the cost of business in Soho. Repeated offenders can be taken to court.</p> <p>C. Solution: Better behaviour by rubbish producers and a more sensible approach to waste collection.</p> <p>a. Reduce the numbers of contractors: WCC and/or landlords could 'expect' waste producers to choose from, say two, contractors. To 'require' this might need a change in legislation (by Standing Order), with WCC given the power to create a list of two or three 'approved collectors', chosen by a bidding/tendering process – as is often done by Central Government.</p> <p>b. With the number of contractors reduced to two or three would enable big bins to be used by all waste producers. Until then, WCC could designate specific areas for rubbish; yes, rubbish would pile up, but that would be no worse than being spread all over the streets.</p>	<p>Further information on the council's strategy for waste can be found in the Municipal Waste Management Strategy.</p> <p>The ESPD is a planning document and focuses on the planning aspect of waste management, including ensuring that new development provides sufficient on-site space for storing waste before collection.</p>

ES PD	Respondent	Representations	Response
		<p>c. Use CCTV to identify offenders putting rubbish out at the wrong times – and reduce the time window; also raise the level of FPN fines by a factor of 10.</p> <p>d. As Principal Litter Authority, WCC must have a plan to keep the public highway clear of litter and waste as far as practicable, although it is not exactly clear what this means.</p>	
W M	Westminster Property Association	<p>Waste</p> <p>54. We suggest that the potential for area-wide or estate wide strategies for the consolidation and management of waste should be recognised within the Development Requirements sections. In some instances, there may be opportunities to better improve waste handling arrangements by consolidation / a multi-building approach. The guidance should not require a single building approach in all cases.</p> <p>55. The text at page 94 states that “Policy 37C Waste Management requires developers to submit a Circular Economy Statement, Site Environment Management Plan and/or associated Site Waste Management Plan”. It is not proportionate for all developments to provide these documents.</p> <p>56. Suggested amendment: The at Page 94 should be clarified to explain that these statements are only clarified for major developments, or changes of use above a certain floorspace threshold.</p> <p>57. Introduction to waste consolidation and area, or estate-wide, approaches to waste management should be introduced to the box at Page 93.</p>	<p>54 and 57. Reference to considering estate-wide strategies for waste management has been added to the ESPD.</p> <p>55 and 56. Circular Economy Statements are required for referable applications. Site Environmental Management Plans (SEMP) are required for certain developments as set out in the Code of Construction Practice (CoCP). Site Waste Management Plans (SWMP) form part of the SEM and are required for all construction and demolition projects with a cost greater than £300,000</p>

ES PD	Respondent	Representations	Response
			and for all basement developments. The ESPD will clarify these points.

Retrofitting and Sustainable Design

ES PD	Respondent	Representations	Response
RE	Achim von Malotki	<p>PassivHaus standard</p> <p>The PassivHaus standard (p.103) may not combine well with sash windows but this should not distract from encouraging that standard in Westminster, not just ‘experimentally’ as the document infers. Triple glazing rather than double glazing and a ‘whole building approach’ should indeed be strongly encouraged by planning guidance as required by the emergency situation in making homes and offices more energy-efficient</p>	The section on Passivhaus has been amended to reference EnerPHit which is the Passivhaus certificate for achieving highly energy-efficient home retrofits.
RE	Matthew Bennett	<p>Page 98 Introduction, second paragraph at the end add a new sentence. ‘Retrofitting buildings within conservation areas also helps those areas to retain their distinctive character.’</p> <p>Page 99 add new third bullet point ‘Can the most carbon intensive elements of the building be saved or reused? The foundations, structural steel, reinforced concrete used in the construction required large amounts of energy to produce and replacing these elements requires high levels of energy use and emissions.</p>	Proposed amendments incorporated where appropriate.

ES PD	Respondent	Representations	Response
RE	Westminster Business Improvement Districts	<p><i>Retrofitting and Sustainable Design</i></p> <p>The detailed guidance on the use of retrofit technologies and methodologies in the draft SPD is particularly welcome in providing clarity on the types of works that are likely to be acceptable in conservation settings and listed buildings. This has been a significant issue previously in a number of BID areas and we look forward to this being considered and applied by Design, Conservation and Sustainability Officers and would ask that this is taken into account as a public benefit, and weighed against heritage harm accordingly.</p>	<p>Support welcomed.</p> <p>The NPPF states that where a proposed development will lead to harm or loss of a heritage asset, local authorities should consider if the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Addressing, mitigating and adapting to climate change is considered a public benefit as well as other environmental aims such as improving air quality and reducing flood risk. Due to the unique nature of heritage assets, the balance of addressing climate change, protecting heritage assets and viability will need to be considered on a case by case basis.</p>

ES PD	Respondent	Representations	Response
			This will be made clear in the ESPD.
RE	Canal & River Trust	<p><u>Retrofitting and Sustainable Design</u> See also the above comments on 'Heating and Cooling using Canal Water',</p>	Noted
RE	CAPCO	<p>Retrofitting The additional guidance provided on the potential suitability of various retrofitting measures is helpful and is welcomed. This is noted particularly in relation to contexts including heritage assets (such as listed buildings and Conservation Areas), where the introduction of a more flexible approach to retrofitting will be necessary to achieve the City Council's broader environmental aims. Capco requests that an appropriate balance is maintained to ensure that environmental requirements do not have adverse material consequences on the viability of refurbishment and development proposals The recognition that retrofitting and other measures which improve sustainability performance and reduce operational carbon consumption provide a public environmental benefit should be included when considering the balance of public benefit and harm to heritage significance. It is suggested that an amendment be made to the first paragraph in the red box at page 115. This should be altered to confirm that more sustainable design approaches that provide a public environmental benefit should be considered when balancing public benefits against the level of harm or impact to a heritage asset's significance as a result of a development.</p> <p>Capco suggest that the SPD should also allow flexibility for green walls to be removed when they are no longer appropriate or to effect a</p>	<p>Support welcomed.</p> <p>The NPPF states that where a proposed development will lead to harm or loss of a heritage asset, local authorities should consider if the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Addressing, mitigating and adapting to climate change is considered a public benefit as well as other environmental aims such as improving air quality and reducing flood risk. Due to the unique nature of heritage assets, the balance of addressing</p>

ES PD	Respondent	Representations	Response
		<p>redevelopment, provide flexibility to relocate to an alternate suitable location within the district or provide in another form of greening. Green walls should only be provided where viable and realistic achievable and does not have any fire risk implications particularly in light of the new Planning Gateway One requirements. It is also suggested that solar glass panels or tiles be recommended as an alternative to Photovoltaic Cell Solar Panels which are unattractive and very visible and unlikely to be removed over many years.</p>	<p>climate change, protecting heritage assets and viability will need to be considered on a case by case basis.</p> <p>Further text on green walls will be added to the GI chapter.</p> <p>Solar roof tiles are discussed in the ESPD as an alternative to solar PV panel. However, the council cannot recommend one technology over another.</p>
RE	Environment Agency	<p>Retrofitting and Sustainable Design</p> <p>We welcome the inclusion of a section on Retrofitting and sustainable design. To improve on the section the SPD should reference the need for water use efficiencies which would contribute to carbon and energy savings, and help manage the need for new major infrastructure. Improvements in water efficiency through retrofitting can increase the energy efficiency of buildings by reducing hot water consumption, and reduce costs on water bills.</p> <p>Whilst we welcome rainwater harvesting in the ‘Flood risk’ section as a means of offsetting mains water, the ESPD could go further in addressing</p>	<p>References to water efficiencies and London Plan policy SI5 have been added to the ESPD.</p>

ES PD	Respondent	Representations	Response
		<p>water stress. It would strengthen the SPD, to set out Westminster’s expectations for proposals to support the London Plan, Policy SI 5, and its requirements for efficiency of water use (residential at 105 L/h/d, and commercial at the BREEAM ‘excellent’ standards for the ‘Wat 01’ water category. For clarity, we suggest an expanded section in the SPD here, and reference to London Plan Policy SI 5, Water Infrastructure.</p>	
RE	Fitzrovia West Neighbourhood Forum	<p>4. Retrofitting and Sustainable Design: this is a very important section because the majority of the urban fabric is in place but can potentially have a major impact on energy saving and the reduction of greenhouse gases.</p>	Support welcomed.
RE	Historic England	<p>Page 98 Add new sentence at end of third paragraph in text box: <i>An approach to retrofitting measures that is iterative in nature and looks for lower-cost and minimally invasive interventions can often be most effective.</i> Then add new paragraph: <i>Small scale changes can deliver dramatic outcomes: these could include thoughtful maintenance and repair, changing how the building is operated (including the use of local measures to decrease thermal discomfort, and using local people-based heating and cooling rather than trying to heat or cool the air), repairing existing windows and doors and taking advantage of their special characteristics (such as the excellent control over ventilation possible with vertically sliding sash windows), installing secondary glazing (which is more efficient and much less carbon-intense than replacing single glass with double or triple glazing), and upgrading lighting.</i></p>	<p>Suggested changes made.</p> <p>Historic England’s advice note on secondary glazing is already referenced at the end of para 2 on p103.</p> <p>Additional text has been included to say that uPVC windows will be resisted within a conservation area or listed building.</p>

ES PD	Respondent	Representations	Response
		<p>Column 2, first paragraph It is important that applicants indicate where inefficiencies in the existing building stem from in order to avoid inappropriate or irrelevant interventions being undertaken. We therefore suggest: Applicants should set out in their design and access/ sustainability statement details of the building’s current performance and condition, <i>including the identification of issues and locations where it is sub-optimal</i>, options which have been assessed and how consideration has been given to this issue having regard to the advice below.</p> <p>Page 103 Column 1, paragraph 2: Historic England’s recently published advice note (available here) indicates that reversible secondary glazing where there is no damage to frames would generally not need listed building consent. This is designed to reduce the number of LBC applications coming forward and it would be helpful to reference the advice note at this point. Paragraph 2: In the majority of cases uPVC windows have no carbon pay-back with the result that the benefits of energy saved through their installation does not cover the carbon cost of their manufacture relative to their shorter life span. We recommend that this is made clear. Column 3. Add ‘ ... levels of air tightness with sash windows due to the heavier weight of triple glazed units, <i>although shutters can be helpful with this issue this and generally do not require LBC</i>. Manufacturers and designers are working to develop a solution to this.</p> <p>Page 104 – add new introductory paragraph</p>	

ES PD	Respondent	Representations	Response
		<p><i>Efficiencies in heating can be made by reducing sources of thermal discomfort and by choosing to heat the people rather than the air (especially when local sources use low-carbon energy). For space heating and cooling, adjusting the thermostat can deliver great benefits. When boilers need to be replaced, low carbon equipment should be chosen. In this way, significant energy and carbon savings can be made without adverse effects on the fabric of the historic building, its character, or its setting.</i></p> <p>Page 106, Column 4 Row 3. We consider the existing wording is potentially misleading, as if the proposal is acceptable then it is not clear why LBC would be required. We would suggest instead <i>‘Likely to be acceptable subject to detail’</i>.</p> <p>Page 109, Column 3 Row 2 It should be made clear uPVC will be resisted. Column 4, Row 2 It should be made clear that uPVC installation will be resisted unless in particular circumstances such as the replacement of existing uPVC.</p> <p>Page 111, Column 3 Row 2 It should also be made clear that the GPDO indicates that solar PV or solar thermal equipment needs to be reversible and should be removed as soon as reasonably practical once longer needed. Column 4: add further sentence <i>‘It should be noted that stand-alone solar panels are not permitted under PD rights in the curtilage of a listed building’</i>.</p>	

ES PD	Respondent	Representations	Response
		<p>Page 115, column 2 – amend to read Applicants should set out in their Design and Access Statement the options which have been considered, and how any technical risks and impacts on heritage significance have been addressed. <i>Statements should demonstrate that the least harmful option is being pursued, if not why this has been discounted and that the solution proposed actually addresses the relevant problems with performance.</i></p>	
RE	Howard de Walden Estate	<p>Retrofitting</p> <ul style="list-style-type: none"> • The Estate welcomes the additional guidance provided on the potential suitability of various retrofitting measures. This is noted in relation to context including heritage assets (such as listed buildings and Conservation Areas), where the introduction of a more flexible approach will be welcome to achieve the City Council’s environmental goals. • The recognition that retrofitting and other measures which improve sustainability performance provide a public benefit which should be included when considering the balance of public benefit and harm to heritage significance is important to achieve these environmental aims. <p>Therefore, the Estate welcome the publication of this draft Supplementary Planning Document and generally supports the principles within it as this document as this further supports the adopted environmental policies of the City Plan.</p> <p>However, in light of the comments made above, the Estate does believe that further clarification is required in various section of the document and would welcome further discussions on the content of this document going forward.</p>	Support welcomed.

ES PD	Respondent	Representations	Response
RE	James Hewitt	<p><u>Retrofitting and Sustainable Design</u> This section of the ESPD provides information which may be of particular interest to property owners. The ESPD makes no reference to the availability (or training) of skilled trades people who will be required to carry out the necessary works.</p>	<p>A reference to the importance of trained and skilled trades people has been added. The council will seek opportunities to support skills development for a green economy as part of the Climate Action Plan.</p>
RE	Knightsbridge Neighbourhood Forum	<p>Retrofitting and sustainable design 43. The KNF supports the requirement for a whole-building approach to retrofit development which is of fundamental importance. Please see KNP Policy KBR40D for suggestions of matters to cover. 44. As per our comments on Energy, the section on heating and energy options for retrofits does not provide a clear hierarchy of options. Indeed, the first option presented is a basic boiler upgrade which will simply ‘bake in’ fossil fuel heating. Moreover, with the Future Homes Standards indicating a ban on fossil fuel heating well within the lifetime of the City Plan, the inclusion of this as an option is unhelpful. 45. Wording should be particularly careful in this section. Clearer reference should be made to minimising ‘air gaps’ in respect of double glazing. Equally, references to techniques and designs should only be made where they have been established as suitable e.g. there are recognised problems with ‘slim profile’ double glazing⁹. We need double or triple glazing in listed and all other buildings in Westminster as part of any refurbishment, retrofit or new development.</p>	<p>43. Support welcomed. 44. and 45. Options for upgrading a historic building will depend on a number of factors including the budget and the condition of the building. This is set out in the ESPD (p99). It is not appropriate for the ESPD to provide a hierarchy of options, or to promote one solution over another, as each historic building is unique and will need to be considered on a case by case basis.</p>

ES PD	Respondent	Representations	Response
RE	London Wildlife Trust	<p>Retrofitting and Sustainable Design Greening (p105) Living Roofs. There is a curious statement ‘An intensive roof, which can bear the weight of people walking on it, will require a greater load bearing...’ which probably requires clarifying. The terms ‘intensive’/’extensive’ for living roofs refer to the management interventions required to maintain their ‘greenery’. An extensive living roof is one which usually consists of a monoculture of Sedum, or a ‘brown/rubble’ substrate, and can be laid ‘lightly’ on a roof. However, most will be installed on buildings that require monitoring or access to other structures, and hence will bear the load of people walking on them. Intensive green roofs generally have a more diverse vegetation, such as turf/swards/shrubs, to those which are more like gardens, and by necessity require greater load-bearing for soils and other related infrastructure. I have accessed both in Westminster.</p>	<p>This sentence has been amended for greater clarity.</p>
RE	Princes Gate Mews Residents’ Association	<p>In relation to living roofs, the policy appears to be to very far from clear on page 112. Green roofs designed for human access can result in significant over-looking and privacy harms. Please can the policy be clarified to make clear that where a living roof is to allow any form of human access (other than for maintenance and safety purposes) planning permission must be sought? The policy in referring to permitted development in this content is highly confusing, and reference to “can be used as an amenity space would be less likely to receive permission” is completely unclear. Whether there is a new roof terrace or a new living roof capable of being used as amenity space, if this can be used as a leisure space for humans there is no difference between the two and planning permission should be required no matter how deep the substrate.</p>	<p>Overlooking and privacy is outside the remit of the ESPD but it is covered in City Plan policy 7A which requires development to protecting amenity by preventing unacceptable impacts in terms of privacy and overlooking.</p>

ES PD	Respondent	Representations	Response
RE	Shaftesbury	<p>5. Retrofitting and Sustainable Design Retrofitting is a great opportunity for Shaftesbury to upgrade their existing building stock. However, clarification is required on the term retrofit and how the SPD requirements are linked to other minor works on listed/unlisted buildings, and whether this will manifest itself as a requirement. Our understanding is that this section of the Environment SPD relates to those specific proposals for retrofitting and offers guidance rather than requirements on how that can be carried out on listed and unlisted buildings. Clarification on this point would be appreciated.</p> <p>Page 100 – We are not clear where or how the ‘Initiate Retro Fit Project flow diagram’ links in with the Planning Process. The SPD should provide some further guidance and clarity on this, including perhaps examples of how it can be used practically in relevant applications.</p> <p>6. Environmental methodologies It is understood that the BREEAM requirements are set out in adopted City Plan Policy 38. It is assumed for non-domestic development that the 500sqm (GIA) or greater relates to new build floorspace rather than refurbishments and/or changes of use. Clarification on this point would be appreciated and for this to be reflected in the SPD.</p> <p><u>Development Requirement</u> The pre-occupation requirement for the BREEAM certificate is likely to lead to delays in letting new floorspace. It is understood that BRE can take up to 6 months to issue their confirmation and that length of delay would not be acceptable for Shaftesbury and will likely result in empty</p>	<p>The London Plan defines retrofitting as “The addition of new technology or features to existing buildings in order to make them more efficient and to reduce their environmental impacts”. Due to the unique nature of heritage assets, the most suitable retrofitting measures will need to be considered on a case by case basis. The information required is set out in the green box and required standards are set out in the red box.</p> <p>The Validation Checklist sets out the developments required to submit BREEAM Assessments as follows:</p> <ul style="list-style-type: none"> • Non-domestic development creating 500sqm GIA or greater

ES PD	Respondent	Representations	Response
		<p>buildings. We would suggest that the certificate is required following occupation. This will allow the floorspace to be occupied and sufficient time in which to secure the certification from BRE. Other London boroughs take a similar approach, and often the standard time is 3 months following occupation.</p> <p>The ESPD is a vital document to support and underpin the new environmental policies contained within the new City Plan and should help deliver significant environmental improvements across the Plan period. However, there are some elements, which we have highlighted above that require far greater clarity to facilitate these improvements. It is right that the SPD provides information on application requirements, as well as further clarity and guidance on the policies contained within the Local Plan, but as currently worded in some sections, it erodes flexibility for some of the more commercially dense parts of the City – particularly in the Environmental Impacts section of the SPD. It is the retention of flexibility which is crucial for businesses that need to deliver against the policy and for planning officers, especially because Westminster has such contrasting urban character and functions where a ‘one-size fits all’ approach doesn’t always deliver good, sustainable development.</p>	<ul style="list-style-type: none"> • Conversions or extensions which create 500sqm (GIA) or greater of residential floorspace or five or more residential units. <p>This will be made clear in the ESPD.</p> <p>Additional text has been added to clarify that the council will consider an extension to the pre-occupation BREEM certification timeframe to avoid buildings lying empty.</p> <p>The Local Validation Checklist document provides more detail on application requirements. Applicants are encouraged to seek pre-application advice from the council on any issues they may have.</p>

ES PD	Respondent	Representations	Response
			<p>Due to the unique nature of heritage assets, the balance of addressing climate change, protecting heritage assets and viability will need to be considered on a case by case basis.</p>
RE	St John's Wood Society	<p>Retrofitting and Sustainable Design This section of the ESPD provides information which may be of particular interest to property owners. The ESPD makes no reference to the availability (or training) of skilled trades people who will be required to carry out the necessary works.</p>	<p>A reference to the importance of trained and skilled trades people has been added.</p>
RE	Swifts Local Network	<p>Retrofitting and Sustainable Design We welcome the reference to "<i>Before undertaking works, check the roof space for bird / bat roosts</i>", but there is currently a missed opportunity to explain the wider implications, positive and negative, around retrofit and its impact on biodiversity.</p> <p>For example the Fuel Poverty Network are funding research about the impact of retrofit on access to nature, as populations of wildlife dependent on buildings decline.</p> <p>Here are some relevant references that we would like to see included:</p> <ul style="list-style-type: none"> • https://www.bats.org.uk/advice/im-working-on-a-building-with-bats 	<p>The links and information provided have been added to the ESPD.</p> <p>The council's Standard Planning Conditions and Informatives are used to enhance the quality of or mitigate the adverse effects of the development. They can be used to restrict certain building work to a specific</p>

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		<ul style="list-style-type: none"> • https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/roofs-for-wildlife/ • https://swift-conservation.org/ <p>Please include text regarding the wider implications regarding biodiversity, e.g. the Camden Planning Guidance to Home Improvements (January 2021) provides a very good example:</p> <ul style="list-style-type: none"> • https://www.camden.gov.uk/documents/20142/4823269/Home+Improvements+CPG+Jan+2021.pdf • (Greenery and Biodiversity, pages 27-29), • in particular on page 28: • <i>"Wildlife in the UK is protected under the Wildlife and Countryside Act (1981) (as amended). Before you start any works to your property you need to make sure wildlife and protected species would not be affected...</i> • <i>Any works that would affect breeding birds and their nests, such as works of demolition, vegetation removal or site clearance, should be done outside the nesting season from 1st of March to 31st July inclusive. To help wild birds you can install bird boxes within your garden or 'swift bricks' within external walls, in a shaded location.</i> • <i>The Royal Society for the Protection of Birds can provide advice on how to retain or create nesting spaces within the eaves. Also note that any scaffolding even for minor external works can prevent birds accessing their nest sites in buildings.</i> • <i>Bats are in rapid decline in the UK. In urban environments, bats use existing holes and gaps in trees and buildings for</i> 	<p>season to protect breeding birds, prevent work from proceeding until the council has approved details of the action to protect bats in the area around the development, and maintain and retain bio-diversity features on the site.</p>

ES PD	Respondent	Representations	Response
		<p><i>nesting. They can fit in gaps as small as a human thumb, so be mindful of missing tiles or gaps within the roof soffits before you start any works.</i></p> <ul style="list-style-type: none"> <i>To help them you can make and install bat boxes within your garden or external walls of your home facing south. See more information about this at Bat Conservation Trust. To find out if you are located in an area populated by bats see The London Bat Group "</i> 	
RE	Verina Glaessner	<p>The cross-references to Historic England's papers on specific topics are valuable and speedily accessible. The SPAB has carried out equally valuable original research in this area for decades and it is inexplicable that their important, practical, easily accessible evidence - based advice is not made equally available in a similar fashion. We trust this absence will be addressed as their work helps to facilitate the achievement of climate emergency goals.</p> <p>The Standard Assessment Procedure for carbon emissions has been found to be inappropriate in the case of historic buildings. There could usefully be a caveat added here. as there has been regarding the passivhaus model. These caveats should of course amount to a not required for buildings of traditional construction statement. In connection with the treatment of damp particularly in the case of basements in historic buildings City Council takes a hands off approach. It is probably worth mentioning that the environmental costs of various damp mitigation measures as well as their running and maintenance costs, should be factored in to all energy use calculations. '</p>	<p>SPAB research has been added to the list of national resources.</p> <p>A note relating to Standard Assessment Procedure and historic buildings has been added.</p> <p>The order of the ESPD reflects the order of policies in the ESPD and not their importance. More cross-referencing with the chapter on retrofitting has been included.</p>

ES PD	Respondent	Representations	Response
		<p>The decision to relegate retrofitting and design, flagged up as central, to the final section of the ESPD and deal with issues that affect the whole of the built fabric and its use such as flood risk, and air quality. waste management and energy use, seems contrary to stated aims, to prioritise new build and major schemes while in fact the cumulative effect of minor changes, such as the requirement which could be placed for historic build residential buildings to install water butts to collect roof run off, are not fully taken into account.</p>	<p>Many smaller measures do not require planning permission, however signposting to how residents can help address the climate emergency has been added. Installing water butts has been added to the table of potential retrofit measures.</p>
RE	Westminster Property Association	<p>Retrofitting 58. The additional guidance provided on the potential suitability of various retrofitting measures is helpful and is welcomed. 59. This is noted particularly in relation to contexts including heritage assets (such as listed buildings and Conservation Areas), where the introduction of a more flexible approach to retrofitting will be necessary to achieve the City Council’s broader environmental aims. The recognition that retrofitting and other measures which improve sustainability performance provide a public benefit which should be included when considering the balance of public benefit and harm to heritage significance is important to achieve these environmental aims. 60. Taking a sensitive, whole building approach is welcome and the flow chart on page 100 is helpful. 61. Suggested amendment: The first paragraph in the red box at page 115 should confirm that more sustainable design approaches provide a public benefit which should be considered when balancing public</p>	<p>58. Support welcomed. 59-61. The NPPF states that where a proposed development will lead to harm or loss of a heritage asset, local authorities should consider if the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Addressing, mitigating and adapting to climate change is considered a public benefit as well as other environmental aims such</p>

ES PD	Respondent	Representations	Response
		<p>benefits against the level of harm or impact to a heritage asset’s significance as a result of a development.</p> <p>62. PassiveHaus (Page 103). We are surprised by the negative approach towards the Passhaus standard. Passivhaus EnerPHit is the standard generally applied to retrofitting and it has been successfully deployed on projects; our Members’ experience is that it has worked well and can lead to substantial reductions in energy demand, and therefore carbon emissions.</p> <p>63. Triple glazed secondary glazing can block out road noise, improving internal amenity. Breathable insulation materials as well as minimum ventilation is very important, as recognised, but this will be achieved in a well designed and certified Passivhaus.</p> <p>64. Passivhaus is mostly suitable for single houses so its application in Westminster will be limited. However ‘Passivhaus principles’ should be encouraged. Principles relating to airtightness and eliminated thermal bridging are sound and are the key component to closing the performance gap. The reason Passivhaus properties perform as designed is mostly due to high airtightness which minimises air leakage and drafts. This has positive consequences for ongoing operational energy use and carbon reduction.</p> <p>65. Suggested amendments: The position on PassiveHaus should be reconsidered and, potentially, the use of EnerPHit referenced. There may be some buildings where the use of this is appropriate.</p> <p>66. Air source heat pumps (Page 104) Following on from this, the adoption of low carbon heating such as air source heat pumps can only really be successfully integrated by improving building fabric performance. Therefore improving insulation and airtightness is</p>	<p>as improving air quality and reducing flood risk.</p> <p>Due to the unique nature of heritage assets, the balance of addressing climate change, protecting heritage assets and viability will need to be considered on a case by case basis.</p> <p>62-65. The section on Passivhaus has been amended to reference EnerPHit which is the Passivhaus certificate for achieving highly energy-efficient home retrofits.</p> <p>66-67. The need for insulation and other measures to enable heat pumps to work effectively is already included in the ESPD.</p> <p>68. Insulation needs to be balanced with ventilation to avoid condensation and damp, therefore air</p>

ES PD	Respondent	Representations	Response
		<p>fundamental if low carbon heating systems are deployed over traditional heating systems. Passivhaus-type principles will therefore be more important going forward but a whole house approach is required and professional advice should be sought.</p> <p>67. Suggested amendment: We suggest that the importance of air tightness and insulation is noted in respect of air source heat pumps, as this can reduce the risk of underperformance.</p> <p>68. Draughtproofing (pages 102 and 108) - Suggested amendment: This should be augmented with more specific terminology e.g. air tightness as simple draughtproofing will not achieve significant energy performance improvements. Minimum standards could be specified to ensure that properties remain well (but not excessively) ventilated. Other low cost measures such as reinstating original window shutters and installing well fitted curtains could be added to the text on Page 102.</p> <p>69. Gas boilers (Page 104) - Suggested amendment: A reference to the banning of gas boilers in new homes from 2025 would add context as well as a possible future ban on all gas boilers.</p> <p>70. Secondary glazing (Page 103) – Suggested amendment: We suggested this is noted as a lower risk than replacing existing historic glazing with thermal single or double glazing as secondary glazing will be reversible.</p> <p>71. Environmental Assessment Methodologies (Page 112). The use of other assessment methodologies alongside BREEAM is welcome. It should be noted that there may be some circumstances in which BREEAM Excellent will not be achievable; retail units within larger residential-led or commercial-led developments are often an example of this.</p> <p>72. Requiring pre-occupation BREEAM certification to be received can needlessly delay the occupation of buildings; the certification can only be</p>	<p>tightness is not being sought.</p> <p>69. A reference to the Energy white paper and the possibility of a gas boiler ban has been added to the ESPD.</p> <p>70. Suggested text added.</p> <p>71. All developments are encouraged to aim to achieve the highest possible BREEAM standards. The City Plan sets requirements in policy 38E which is BREEAM Excellent or equivalent.</p> <p>72 and 73. The ESPD has been amended to note that if BREEAM certification has not been provided prior to occupation, the council will consider an extension to this timeframe to avoid buildings lying empty.</p>

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		<p>sought post completion of construction; the requirement to wait until certification is received and the condition discharged can add several months with new buildings lying empty unnecessarily. This poses a significant additional time cost and is unnecessarily onerous.</p> <p>73. Suggested amendment: The “pre-occupation” development requirement on page 115 should be amended to require discharge within six months of occupation.</p>	

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