

24 July 2023

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Via email to: [neighbourhoodplanning@westminster.gov.uk](mailto:neighbourhoodplanning@westminster.gov.uk)

## **Formal Response to the Regulation 16 Consultation on the Belgravia Neighbourhood Plan 2023-2040 Submission Version**

Dear Sir / Madam,

We write to provide our formal response to the Regulation 16 consultation on the Belgravia Neighbourhood Plan 2023-2040 Submission Version ('the Reg 16 draft Plan').

### **Previous and Current Representations**

We have previously provided comments on the draft Plan, both to the informal consultation on the February 2022 version of the draft Plan, and to the Regulation 14 consultation on the June 2023 version of the draft Plan ('the Reg 14 draft Plan').

Some of our comments raised in our previous representations have been addressed, and some have not. We have not sought to repeat all comments previously made and instead have included at Appendix 2 for your reference our previous comments on the Reg 14 draft Plan.

We have sought to focus on the key elements which we consider require amendment in order for the Reg 16 draft Plan to meet the Basic Conditions, particularly whether it is appropriate to make the plan having regard to development plan policy and whether, or not, the plan is in general conformity with such policy. Where relevant, we have suggested amendments to policy/Plan wording in track changes, which we have included at Appendix 1.

### **Strategic Policies and Growth**

Our main area of concern is that the Reg 16 draft Plan appears to still restrict, rather than enable, sustainable and appropriate growth and development. This is particularly the case in respect of the draft policies around townscape, heights and architectural character. Should the policies proceed as drafted, they may limit strategic growth within and outside of Belgravia.

This would be contrary to the basic conditions, in particular the condition that the Neighbourhood Plan must be in general conformity with the strategic policies of the development plan for the area. Specifically, this would be contrary to London Plan (2021) Policies GG1, GG2, SD1, SD4 and SD5 and Westminster City Plan (2021) policies 1 and 4 which set strategic growth targets for the Central Activities Zone ('CAZ') and the Victoria Opportunity Area ('Victoria OA'). A significant portion of the Neighbourhood Area is within the CAZ and a small element is within the Victoria OA. Belgravia also

has exceptionally high public transport accessibility, with most of it being within PTAL category 6b. The Reg 16 draft Plan policies have the potential to restrict development within these areas which fall within the Neighbourhood Area, and also those areas which fall outside the Neighbourhood Area but within the CAZ and/or Victoria OA.

We disagree with the Plan's general approach to expand the area which is 'recognisably Belgravia' (i.e. the core) and to ensure that development on the fringes of the Neighbourhood Area does not encroach adversely on this area (Pillar D of the draft Reg 16 Plan). This approach ignores the existing context of these peripheral areas which are different to the core of Belgravia, and this is not necessarily a bad thing. In addition, this approach could be used to seek to restrict height and growth within these areas, some of which fall within the CAZ and/or Victoria OA and where significant strategic growth is planned. Figure 5.5 in the draft Plan showing the various building heights in Belgravia demonstrates that the area is a rich mix of variation and this should not be ignored.

Notwithstanding the policy text, we also have general concerns about some of the tone of the Plan which appears to discourage development, particularly in the periphery of the Neighbourhood Plan area where the majority of strategic growth is planned. In particular, section 2.3.4 notes the following:

*"However, development generally in the Victoria Opportunity Area is required to be of substantial scale in order to meet these growth targets, meaning that it is very likely to include a number of very high-rise apartment blocks. The concern for Belgravia is that, although outside the Neighbourhood Area, this could dominate the historic Belgravia skyline thus affecting current views and open vistas which are such a character of the area. Furthermore, any plans to actively encourage improved connectivity from Victoria into the Belgravia Area will need to focus on sustainable movement rather than increased motor traffic into the area, which would have a negative effect on residential amenity."*

*"It would be a work site for up to 8 years and on completion could be occupied by a new exit to the Crossrail Station, emerging directly into Belgravia, rather than being directed towards Victoria Station which is where the flow of passenger traffic would more likely wish to go (although final locations of exits have yet to be confirmed). It is also immediately adjacent to St Peter's primary school, giving rise to significant concern about the disruption and negative effect on children's health and education, as well as more generally on the amenity of Belgravia residents. A further and much larger work site is reserved in the Semley Place area. The proximity of this site to two of the retail hubs (Local Centres) of Belgravia and a large number of listed buildings is likely to cause severe disruption and loss of residential amenity for a decade."<sup>1</sup>*

We do not consider it appropriate for a Neighbourhood Plan to make such statements and suggest that the Plan is reviewed to remove these elements. At a strategic level, the London Plan and Westminster's City Plan actively support and encourage growth within the Opportunity Area to meet identified need and the Neighbourhood Plan should not undermine this. In respect of Crossrail 2 for example, Westminster's City Plan at para 4.9 identifies that the project would "deliver a modern transport interchange that can support future operation, improve access to transport, movement in the area and enhance the public realm". These benefits would have strategic importance and should be supported.

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<sup>1</sup> Reg 16 draft Plan, section 2.3.4, p14

## Building Heights, Design and Conservation

We agree that Belgravia has a unique historic environment which should be protected and enhanced and that development which comes forward within and close to Belgravia should be of the highest architectural and sustainable quality. This view is evident in how we approach development within Belgravia, and how we require our tenants to approach development. We are therefore in agreement with many of the draft Plan's aims in respect of heritage and townscape.

However, there remain elements of the Plan which are overly prescriptive in respect of building height. The London Plan is clear that 'Good Growth' is needed for the capital, and this is supported in particular by Policy D3 which requires development to "*make the best use of land by following a design-led approach that optimises the capacity of sites*". Increasing building height/mass is not the only way to optimise a site, but it is a very important factor. Specifically on 'tall buildings', Policy D11 requires tall building proposals to thoroughly assess their impacts, including visually across a range of immediate to long-range views. Westminster City Plan Policy 41 accepts the principle of tall buildings (subject to detailed assessment) within the Victoria OA, of which a section falls within the Neighbourhood Area. We have suggested in Appendix 1 amendments to the draft Policy wording which we consider to better reflect the area's strategic role and which would not necessarily preclude appropriately designed buildings coming forward in appropriate locations.

In addition to this, we suggest that references within the body of the Plan (albeit not in policy) which directly advocate maintaining the status quo are removed – this is particularly the case for section 5.5.1 which is titled '*Why buildings substantially higher than their surroundings are not suitable in Belgravia*'. The NPPG and NPPF are clear that Neighbourhood Plans should plan positively<sup>2</sup>, help to deliver sustainable development and not undermine strategic policies<sup>3</sup>. Whilst the majority of text within the draft Plan which advocates an approach against taller buildings is not within policy, inclusion of such a stance is not in accordance with the requirements of a Neighbourhood Plan. We also note that Westminster City Plan Policy 41 which is quoted includes a clear definition of a tall building, i.e. one which is twice the prevailing context height. Despite this, areas of the draft Plan (e.g. section 5.7.2 and p33) suggest anything which is above the prevailing height, but below the 'tall building' definition as something which should be strictly controlled. This is inconsistent with strategic policy and would lead to a more restrictive approach than set out within the City Plan. Adopting this approach would be inappropriate as it would restrict, rather than support growth, in clear nonconformity with the direction of adopted development plan policy, including the Good Growth policies of the London Plan, the design-based approach to site optimisation in Policy D3, and Policy 41 of the City Plan as described above.

We note the draft Plan's strong reliance on the draft Belgravia Conservation Area Audit ('CAA') which appears to have been used to establish draft planning policies particularly in respect of architectural character and local views<sup>4</sup>. The CAA has not been formally adopted and even if it were to be adopted today it would still only hold status as supplementary planning guidance. Transposing the CAA into Neighbourhood Plan policy elevates its importance within decision-making as it would then effectively form part of the development plan. The CAA is now 10 years out of date. If the CAA is going to be used to form the basis of planning policy, then it should be properly updated and consulted on as part of the evidence base for the draft Plan. Any identified views should be properly tested and justified, taking into account effects on the area to meet its strategic growth targets. Whilst the NPPG is not prescriptive around exactly what evidence should support a Neighbourhood

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<sup>2</sup> NPPG, Paragraph: 044 Reference ID: 41-044-20190509 (Revision date: 09 05 2019)

<sup>3</sup> NPPF, para 29

<sup>4</sup> Reg 16 draft Plan, Policies BEL5, BEL6, BEL7

Plan, it is clear that this should be proportionate and robust<sup>5</sup>. We do not consider that the CAA as drafted fulfils this requirement.

The Design Codes as drafted are helpful and well-written. However, we do not consider that the Design Codes are applicable to all areas of the Neighbourhood Area, in particular the periphery areas which in many instances do not fit the Plan's definition of 'recognisably Belgravia'. The Plan states that it is a key objective that development contributes to 'more Belgravia rather than less Belgravia'<sup>6</sup> and uses terminology throughout such as 'gracious'<sup>7</sup>, 'classic'<sup>8</sup> and 'elegant'<sup>9</sup>. We disagree with this key objective, as not all areas of Belgravia are the same. In addition, these terms are quite subjective and do not provide clear guidelines or objectives for developers, landowners and decision makers. We have suggested amendments to the policy text in Appendix 1 which would acknowledge that the Design Codes will not be applicable to all areas/development proposals and should not be used as a blanket rule book for development.

### **Commercial Viability**

Whilst we agree that Belgravia has a large residential population, which clearly is very important to the character of the area, it must be better acknowledged that there is also a large commercial element. There are some sweeping statements within the draft Plan which do not appear to have been based on evidential fact (e.g. that the pressure for London to grow and provide more workplaces, accommodation and infrastructure have been reduced by the effects of the Covid-19 pandemic<sup>10</sup>, retail/catering which contributes to a 'village' feel can survive on lower footfall than in major centres and does not require the attraction of substantial footfall from outside the Neighbourhood Area to sustain its economic viability<sup>11</sup> and that the loss of two banks has contributed to a detrimental knock-on effect on the retail centres which they used to anchor<sup>12</sup>). These statements are not based on commercial reality – for example there is no evidence that retail/catering uses rely on less footfall and the point regarding the loss of banks simply reflects changes in societal and consumer behaviour. Such statements should be removed and there should be greater acknowledgement of Belgravia's commercial role, both for residents within Belgravia and within the wider CAZ/Victoria OA.

As noted within our previous representations, the Neighbourhood Area incorporates areas of high footfall and significant commercial uses. Promoting an approach which discourages footfall into and through Belgravia is not inclusive and we consider that the Plan should promote a sensible degree of movement. This point extends to some statements in the Plan regarding the night-time economy – for example at para 6.1.3 the increase in the night-time economy beyond existing hours is considered to be a 'detractor' to the area which would be "*seriously detrimental to the peacefulness of the area*". We agree that Belgravia has a significant residential population and that any proposals coming forward, including night-time uses, must carefully consider and respect residential amenity so as to not harm amenity. However, the London Plan (Policy HC6) acknowledges the importance of the

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<sup>5</sup> NPPG, Paragraph: 040 Reference ID: 41-040-20160211 (Revision date: 11 02 2016)

<sup>6</sup> Reg 16 draft Plan, Section 5.1, p19

<sup>7</sup> Reg 16 draft Plan, Section 5.1, p19

<sup>8</sup> Reg 16 draft Plan, Section 5.4.1, p27

<sup>9</sup> Reg 16 draft Plan, Section 5.4.1, p27

<sup>10</sup> Reg 16 draft Plan, Section 2.3.4, p13

<sup>11</sup> Reg 16 draft Plan, Section 6.1.2, p62

<sup>12</sup> Reg 16 draft Plan, Section 6.1.2, p62

night-time economy, particularly in the CAZ. We suggest that any statements in respect of the night-time economy are reviewed to be cognisant of this wider policy aspiration.

We also suggest that reference to aspirations to restrict servicing hours outside of 11pm-8am be removed. Whilst we agree that consolidated servicing would bring huge benefits to the area (which we try to promote where feasible), 8am for some commercial uses in a central London location is very late. Therefore, whilst we agree in principle that servicing needs need to be balanced against residential amenity, there needs to be a balance struck to allow all uses to function in a mixed-use environment.

We have suggested amendments to the policy wording of policies BEL3, BEL9 and BEL10 which we consider better reflect this role, whilst still ensuring that protection of residential amenity would be a significant consideration in the determination of any planning application.

### **Sustainability**

We were pleased to see that the draft Plan had incorporated a much stronger approach to sustainability and carbon reduction, which we promote strongly within our developments. We have suggested some minor amendments to policy and supporting wording at Appendix 1, which we consider will aid this ambition whilst at the same time acknowledging site specific circumstances which will need to be taken into account. The Sustainability Charter, for instance, will not be able to be adhered to fully in all instances and there must be flexibility for these circumstances so as to not frustrate development which can deliver benefits. We also highlight section 5.3.1 which sets out a 'retrofit first' approach with which we agree, however we suggest that this should be amended to 'retrofit first, not retrofit only'. This would identify that in some instances, where fully evidenced, it will be more appropriate to redevelop rather than retrofit.

### **Guidance Documents and Other Matters**

Reference is made within the draft Plan to the Forum's Best Practice Guidance on Construction Standards and Procedures for Level 3 Projects, "*which development proposals are encouraged to follow*"<sup>13</sup>, as well as guidance on community engagement. Grosvenor are committed to ensuring effective community engagement throughout the planning and development process as well as ensuring that construction activities are carried out in a respectful manner. Notwithstanding this, we note that these documents do not form part of the formal Neighbourhood Plan documents for consultation. The guidance states that despite them not having development plan status, they will be treated as a material consideration for planning applications. We question the authority of the Belgravia NF to prepare such a document outside of the Neighbourhood Plan process and direct any decision maker to certain material considerations. We note that the Forum's [website](#) states that this guidance "*may be updated, or other guidance added, from time to time*". Any guidance which will be relied upon by a decision maker as a material consideration should be properly prepared and consulted upon. Accordingly, whilst the documents may be capable of forming material considerations, the weight that could be placed on them – on the basis that they have not been consulted upon or examined independently – would need to be low.

At section 10 there is reference to the establishment of a Neighbourhood Representation Panel, based on 'Zones' made up of local residents. Given that Belgravia does have a commercial element,

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<sup>13</sup> Reg 16 draft Plan, Section 5.6.3, p40

we consider that these Zones should include businesses (not just residents) where relevant, to ensure that the views of the Zones are balanced and take into account all uses of the local area.

### Housekeeping Matters

Please note that Grosvenor would like to:

1. Be kept informed should there be hearing sessions on the Plan and offered the opportunity to participate if these go ahead; and
2. Be notified of the Council's final decision in relation to the Neighbourhood Plan.

### Summary

In general, the Plan emphasises the importance of the appearance of the area, and Grosvenor are aligned in seeking to enhance this, particularly in highlighting the importance of developments 'standing the test of time' which is how we undertake our schemes.

However, there needs to be a balance between the ability to redevelop and improve, which on an individual basis does not detract from the overall look and the feel, whilst respecting the historic nature of the area. This balance needs to be found within the context of accommodating the planned-for growth required by strategic policies. For the area to retain its viability, development and the ability to improve the building stock to adapt to both our changing society and climate will be key. There needs to be greater consideration given to the evolution of Belgravia, so it is fit for the next 200 years.

We would welcome any opportunity to discuss any of these points further and we look forward to continuing to work with you on the Plan.

Yours faithfully



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Appendix 1: Suggested Policy / Text Amendments and Reasoning

Appendix 2: Earlier Comments on June 2022 Draft Plan

**Appendix 1: Suggested Policy / Text Amendments and Reasoning**

Comment No	Suggested amendments to draft policy / text wording (as shown in tracked changes)	Reasoning for suggested amendments
<b>Planning Policies and Non-Policy Actions</b>		
1	<p>POLICY BEL1: DESIGN PRINCIPLES</p> <p>A. Proposals for new development or the redevelopment of existing buildings should contribute towards the local distinctiveness of Belgravia, <del>as characterised by its blend of 19th century buildings within a planned street network.</del> They should demonstrate high quality, sustainable design and architecture that responds to and enhances the character of the surrounding area, particularly in terms of the height, scale, density and mass of the built form.</p> <p>B. Proposals for new development and redevelopment of existing buildings in Belgravia must demonstrate how they have <del>responded to</del> <b>considered</b> the requirements of the Belgravia Design Codes (as summarised in Appendix A), <del>as relevant to the site and local context.</del></p> <p>C. To ensure sustainability is embedded into the design of any development, proposals are encouraged to respond to the principles in the Belgravia Sustainability Charter. (See Section 5.3.2.)</p>	<p>The reference to Belgravia being characterised by a blend of 19<sup>th</sup> century buildings within a planned street network links to the Reg 16 draft Plan’s objective to protect and enhance the area which is ‘recognisably Belgravia’. We disagree with this wider ‘recognisably Belgravia’ objective as (a) it oversimplifies the architectural make up of Belgravia; and (b) it is an inappropriate limiting factor which imposes an unnecessary constraint on growth which is not in general conformity with strategic policies. It would be more appropriate for the policy to simply refer to the local distinctiveness of Belgravia.</p> <p>Aspects of the Design Codes cannot be fully applicable to all areas of Belgravia in the same way. As acknowledged in the Forum’s consultation statement (p26) the intention for the Design Codes is that it is <i>“not a blanket rulebook and it is not expected to be applied in that way”</i>. We therefore suggest to avoid ambiguity over how the Design Codes are to be applied to development proposals, that “responded” be amended to “considered”. Reference to the site and local context further emphasises the point above that Belgravia is a mix and varied area to which the Design Codes do not apply fully in all instances.</p>



2	<p>POLICY BEL2: RETROFITTING HISTORIC BUILDINGS FOR ENERGY EFFICIENCY</p> <p>A. The sensitive retrofitting of energy efficiency measures in historic buildings will be encouraged, including the retrofitting of listed buildings and buildings in Conservation Areas, <del>provided that it safeguards</del> taking into account the historic characteristics of these heritage assets.</p> <p>B. The requirements of Part A of the policy could be achieved through:</p> <p>a. measures to reduce heat loss. This could include secondary, double or triple glazing in conservation areas and listed buildings with timber or metal framed windows where it is demonstrated that such interventions would not result in harm to the significance of listed buildings or character and appearance of conservation areas; and/or</p> <p>b. the replacement of fossil fuel burning energy sources with electric power from renewable sources with zero air emissions locally.</p>	<p>We previously suggested that the text regarding safeguarding be removed, as this does not give enough flexibility for developments to balance the environmental performance of buildings with their historic characteristics. The Belgravia NF responded saying that the removal of the text would mean that the application of the policy entirely rests with a judgement of what is 'sensitive', which provides insufficient assistance to the decision maker. We disagree. The reference to "<i>provided that</i>" is problematic as it leaves no room for the decision maker to take a balanced decision and instead weighs historic preservation higher than environmental improvements. Environmental performance improvements, even material and significant ones, would be contrary to policy where even a small amount of less-than-substantial harm was created. The NPPF is clear that sustainable development has a role to protect both the natural and historic environment and one is not prioritised. Our suggested changes are considered to make the policy better contribute to the achievement of sustainable development.</p>
3	<p>NON-POLICY ACTION 1: CLIMATE CHANGE MITIGATION</p> <p>Belgravia Neighbourhood Forum will work with Westminster City Council, applicants, architects and landowners to:</p> <p>a. identify the most appropriate types of building techniques and materials to reduce the carbon footprint of historic buildings whilst protecting their heritage value. In particular this relates to</p>	<p>Grosvenor support the overarching ambitions of the Sustainability Charter to encourage and promote sustainable growth which minimises future energy consumption and maximises effective land drainage.</p> <p>Notwithstanding this, all elements of the Charter may not</p>



	<p>the important principle of retaining a building where possible, rather than demolition and rebuild.</p> <p>b. Achieve recognition of <del>and adherence to</del> the Belgravia Sustainability Charter or any successor document.</p>	<p>be applicable to all development. Draft Policy BEL1 “encourages” a response to the Charter principles, which we agree is the correct approach.</p> <p>We suggest that “adherence to” is removed from NPA1 to avoid any ambiguity that the Charter should be applied as a strict rulebook for development.</p>
<p>4</p>	<p>POLICY BEL3: BELGRAVIA’S CHARACTER AREAS</p> <p>A. The following are residential character areas in Belgravia:</p> <p>a. The Mews (Figure 5.2 – applies to all buildings fronting on to the identified mews streets)</p> <p>b. Kinnerton Street (Figure 5.3)</p> <p>c. Barnabas Triangle (Figure 5.4)</p> <p>B. <del>These character areas are predominantly residential and</del> Development proposals for non-residential uses must not have a significant detrimental effect on residential amenity, e.g. noise, odours, servicing. In the parts of the Kinnerton Street and Barnabas Triangle Character Areas that are designated as Local Centres, a range of commercial and community uses are considered acceptable, as directed by Westminster City Plan Policy 14 (Town centres, high streets and the CAZ).</p> <p>C. Proposals must demonstrate that they will retain and, where possible, enhance the character of the area, <b>including</b> through the retention or reinstatement of historical and/or architectural features.</p> <p>D. Development must be of a scale and massing that responds to and <del>preserves</del> <b>enhances</b> the setting of the character areas. This also applies to development outside the character areas which could affect their setting.</p>	<p>It is important that the character areas are not incorrectly classed as ‘predominately residential’ due to the requirements of part (C) requiring retention and enhancement of the character of the areas. In the supporting policy text it is acknowledged that the Mews and Kinnerton Street have commercial elements, and no reference to use is included in respect of the Barnabas Triangle.</p> <p>It is considered that the scope of enhancement suggested in the draft Policy at present is too narrow. Enhancement of the character of the area may not only be achieved through retention or reinstatement of historical and/or architectural features. Improvement of the setting through removal of an unsightly building and replacement with a new attractive building (one which is modern) may also enhance the character area. This will need to be determined on a case by case basis.</p> <p>We are concerned that the use of “preserves” in part D may be used to limit development within/outside of the character areas, by requiring development to maintain the status quo. This</p>



		<p>would be contrary to the strategic objectives for the area. We have therefore suggested “enhances” as this would still require any development to give due consideration to the character of the area and develop an appropriate design response.</p>
<p>5</p>	<p>POLICY BEL5: LOCAL VIEWS OF SIGNIFICANCE</p> <p>A. As required by Policy 40 (Townscape and Architecture) of the Westminster City Plan, development proposals affecting local views of significance must demonstrate that they <del>retain and enhance</del> contribute positively to the quality of the views and remedy past damages to these views where possible.</p> <p><del>B. In the Belgravia Neighbourhood Area, this policy applies to all views set out in the Belgravia Conservation Area Audit (shown in Fig 5.7).</del></p> <p><del>C. This policy also applies to the additional views shown in Fig. 5.8 and listed below:</del></p> <p><del>a. View of Pimlico Road looking east from Holbein Place (view A)</del></p> <p><del>b. Vista through Chelsea Barracks from Chelsea Bridge Road looking east (view B)</del></p> <p><del>c. View of St Barnabas spire from Chelsea Bridge Road through Chelsea Barracks (view C)</del></p> <p><del>d. View into Chelsea Barracks from Holbein Place (view D)</del></p> <p><del>e. View of Royal Hospital and Chelsea Bridge Road from Garrison Square (view E)</del></p> <p><del>f. Ebury Street from Elizabeth Street looking east (view F)</del></p> <p><del>g. Ebury Street from Elizabeth Street looking west (view G)</del></p> <p><del>h. Eccleston Street from Ebury Street looking north (view H)</del></p>	<p>The Belgravia NF in their consultation statement disagreed with our previous assertion that “retain and enhance” was more onerous than “contribute positively”. We maintain this point. The use of the word “retain” in particular suggests that development maintain the status quo and could limit building height and strategic growth, even where this came forward in a manner which contributed positively to the views. The Forum consider that “<i>the minimum requirement [of “contribute positively”] is to retain the view</i>”. We disagree with this policy interpretation of City Plan Policy 40 and suggest to avoid any ambiguity/uncertainty that Policy BEL5 reflect the requirements of City Plan Policy 40 as it has been adopted.</p> <p>If the views within the Belgravia Conservation Area Audit (which is draft and has never been adopted) are to be afforded a policy level of protection, then the evidence base should demonstrate that townscape testing has been undertaken and that the approach to views will not compromise the capacity and scope of the area to change and develop, particularly the CAZ and the Victoria OA. This is</p>



	<p><del>i. Lower Belgrave Street from Ebury Street looking north (view I)</del></p> <p><del>j. View of Hyde Park and Albert Gate from Lowndes Street (view J).</del></p> <p>D. The visibility of the principal garden squares (Belgrave Square, Eaton Square and Chester Square) from their approach roads is an essential characteristic of the Belgravia built environment and new development should <del>preserve positively enhance</del> these views.</p>	<p>required in order for the Plan to meet the basic conditions.</p> <p>No townscape justification or consideration of wider impact has been provided and therefore we suggest that Parts (B) and (C) of Policy BEL5 are removed. These could be moved to explanatory text rather than set out within policy.</p>
<p>6</p>	<p>POLICY BEL7: SHOPFRONTS</p> <p>Proposals for the refurbishment of shopfronts or the design of new shopfronts, including awnings and projecting signs, which require planning permission must demonstrate how they <del>reflect have considered</del> the relevant Belgravia Design Codes, <del>as relevant to the site and local context</del>. In particular this relates to:</p> <p>a. materials;</p> <p>b. architectural details; and</p> <p>c. the sensitive incorporation of security measures.</p>	<p>The draft Policy does not allow for any instances where modern shopfronts may be appropriate. The Forum’s response is that shopfronts should be in keeping with the building they are in, and therefore modern shopfronts will be appropriate on modern buildings. This ignores instances where a modern shopfront may be entirely appropriate, which may include on more modern buildings. We have suggested more flexible policy wording accordingly.</p>
<p>7</p>	<p>POLICY BEL9: <del>LATE NIGHT RETAIL, ENTERTAINMENT AND LEISURE</del> USES IN THE NEIGHBOURHOOD AREA</p> <p><del>A. New retail, entertainment and leisure uses will be directed to Outside of the Local Centres, the Opportunity Area, the two Secondary Centres and the Central Activities Zone (CAZ) (shown on Figure 6.1), the Belgravia Neighbourhood Area is predominantly residential. Late night uses, including restaurants, cafes, public houses, bars, hot food takeaways and entertainment uses, outside these locations will generally be resisted. Proposals for new uses must demonstrate how they will protect local residential amenity, including through the submission of robust Operational Management Plans (where relevant), which if approved must be conditioned to any planning permission.</del></p>	<p>We consider that the draft Plan should acknowledge its role in relation to the CAZ and the Victoria OA and the mix of uses present and required to be provided by the development plan.</p> <p>There is no reason why, in principle, commercial uses should be restricted in areas outside of the CAZ, Opportunity Area, Local Centres or Secondary Centres. It is wholly acknowledged that the areas outside of these areas generally are more residential in nature and therefore introduction of commercial uses may not be appropriate if it were to harm</p>



	<p>B. Outside <del>of these areas the CAZ</del>, new retail, entertainment and leisure uses requiring planning permission must demonstrate how they comply with the Agent of Change principle and ensure the safeguarding of local residential amenity and local character. <del>development or change of use proposals for food and drink or entertainment activities needing planning permission will be directed to the Local Centres and Secondary Centres and will only be supported if applicants can demonstrate that impacts on residential amenity can be satisfactorily mitigated.</del> Such residential amenity considerations <del>impacts</del> include, but are not limited to noise, litter, odours and tables and chairs and equipment on the street to support alfresco service.</p>	<p>local amenity and local character.</p> <p>Notwithstanding this, it is considered that the policy as drafted currently acts as a blanket ban on any commercial uses, which is considered unjustified. Instead, it is considered appropriate to adopt an Agent of Change principle for each case to be able to be assessed on its own merits. This would align more closely with the approach set out within the adopted London Plan and Westminster’s City Plan.</p>
8	<p>POLICY BEL10: <del>SMALL-SCALE WORKSPACES OFFICES</del></p> <p>A. Proposals to <del>deliver additional office floorspace and/or provide</del> commercial space suitable for incubator/start-up businesses in the CAZ, <del>Victoria Opportunity Area</del>, Local Centres or Secondary Centres (shown on Figure 6.1), particularly on flexible terms, will be supported <del>in principle</del>. <del>Proposals for the refurbishment and improvement of existing office spaces within these areas will be supported in principle.</del></p> <p>B. Proposals for new such workspaces should demonstrate the way in which they can be incorporated within their immediate locality without generating any unacceptable impact on the amenity of residential properties and on the capacity and safety of the local highway network.</p> <p>C. <del>The creation of roof terraces in connection with office uses within the CAZ, Victoria Opportunity Area, Local Centres and Secondary Centres will be acceptable in principle subject to robust evidence that the terrace would preserve local residential amenity, including considering impacts upon overlooking and noise. Where appropriate, planning conditions will be used to restrict the use of the terraces to office use only and restrict hours of use.</del></p> <p>D. Where planning permission is required for changes of use at the ground floor level of office</p>	<p>Belgravia is home to many major corporate headquarters, particularly on its fringes. We consider that there should be policy support for the growth and/or refurbishment of existing large office spaces within suitable areas. This would align with the strategic development objectives for employment growth within the area.</p> <p>We have suggested additional policy flexibility and support for offices in the way of roof terraces/flexibility at ground floor level, subject to both elements ensuring they protect residential amenity.</p> <p>Whilst environmental matters are covered elsewhere in the Plan, it is considered that some of the matters relating to office buildings are quite specific and so we have suggested text relating to this.</p>



	<p>buildings, flexibility for a range of commercial uses (including retail, entertainment, medical and leisure) will be supported in principle, subject to the policy requirements set out in Policy BEL9.</p> <p>E. Development proposals should consider how they can maximise opportunities for carbon savings and biodiversity, particularly by way of improvement to plant and machinery, building materials and introduction of appropriate greening. Any proposals will need carefully to consider impact upon residential amenity (including noise and vibration), design and heritage. Proposals for any urban greening/planting should be accompanied by the submission of a management strategy which sets out how the greening/planting will be maintained in perpetuity.”</p>	
<p>9</p>	<p>POLICY BEL14: MAJOR DEVELOPMENT SITES</p> <p>A. Proposals for major development must be justified against the following criteria:</p> <p>a. They must demonstrably and positively respond to both the principles of the Belgravia Design Codes, <b>as relevant to the site and local context</b>, and the character of the area in which it is located or which it is adjacent to.</p> <p>b. Development should apply a design-led approach to optimise the use of land and meet identified needs for new housing, <b>and workspaces and other commercial and community uses</b>. The scale and character of the local built environment (including the prevailing context height and skyline) should be taken into account when considering the height, bulk and massing of any proposals. Development proposals should not harm Strategic Views or other views identified in this Neighbourhood Plan (<del>Policy BEL5</del>) and where possible should enhance them.</p> <p>c. Outside the Opportunity Area and within the conservation areas, development should respond to the prevailing density in the surrounding area in order to respect the historic context of the location. Where proposed densities are clearly different from the prevailing density, applications must clearly demonstrate how the proposals will</p>	<p>As noted previously, aspects of the Design Codes cannot be fully applicable to all areas of Belgravia in the same way and the Forum does not intend for these Codes to be used as a “blanket rulebook”. Therefore we consider that the Design Codes should only be used to assess development where relevant to the site and local context.</p> <p>As noted in our comments on Policy BEL5, we do not consider that the views suggested have been justified or tested to be included within policy wording and so have removed reference to Policy BEL5.</p> <p>‘Zero air emissions’ is a term which is undefined in the Plan and could create uncertainty for applicants and decision makers. We have therefore suggested that it be removed.</p> <p>There will be some instances where it will not be possible for all elements of the Sustainability Charter to be achieved, e.g.</p>



	<p>respond appropriately to local character and context including the prevailing townscape.</p> <p>d. Where possible, the site should take all opportunities to provide permeability through the site, particularly in the form of permanent public pedestrian routes.</p> <p>e. Development should include the provision of publicly accessible open and green space as part of comprehensive landscaping proposals to enhance the local environment, including tree planting and appropriate softening of the edges of the site.</p> <p>B. Proposals are expected to maximise the benefits for the local community in terms of facilities and access to public spaces by demonstrably reflecting the community’s needs based on meaningful local consultation.</p> <p>C. Proposals are encouraged to meet the highest environmental standards, <del>including zero air emissions</del>, as soon as possible and to respond to the principles in the Belgravia Sustainability Charter, <del>where relevant and feasible</del>.</p>	<p>there may be a demonstrable need for offices/workspaces to have mechanical ventilation or there may be basement spaces/uses which need artificial lighting. There therefore has to be flexibility in applying the principles of the Charter.</p>
<b>Non-Policy Wording</b>		
10	<p>Pillars of the Neighbourhood Plan</p> <p>A. To conserve and enhance the historical, cultural and architectural heritage of Belgravia</p> <p>Justification: The area is recognised worldwide for its unique style of architecture, conformity of building design and decorative details, planned streets and garden squares. It houses important embassies and cultural institutions. Uniquely within the very centre of London it remains a pleasant and desirable <del>residential-led, mixed-use area, as originally envisaged by the masterplanners</del>.</p>	<p>We disagree that the area is solely residential – there are a mix of uses which reflect its role within the CAZ and the Victoria OA. This should be amended.</p>
11	<p>Pillars of the Neighbourhood Plan</p> <p>B. To maintain and enhance the village feel of Belgravia</p>	<p>Please see related comments below on Figure 6.1.</p>



	<p>Justification: The area’s village feel depends to a large degree on its three council-recognised Local Centres which form retail nodes in the north, centre and south of the Area: Motcomb Street, Elizabeth Street, and Orange Square/Pimlico Road, as well as its secondary centres of Eccleston Street, Lower Belgrave Street and Eccleston Yards. These are characterised by small, mostly independent, specialty boutiques and convenience retail stores, plus a weekly farmers’ market, together with cafes, eat-in bakeries and restaurants. Pimlico Road is a focus for high-end interior design and artwork retailers. This retail provision is supported by community services such as doctors, dentists, a vet, hair and beauty salons and dry cleaners, all of which depend on and encourage local community usage. It is the usage of such local facilities which creates and strengthens the resident and working community, and thus fosters a village spirit.</p>	
<p>12</p>	<p>Pillars of the Neighbourhood Plan</p> <p>D. To influence the design and character of any key major development projects within the Belgravia Neighbourhood Area</p> <p>Justification: The core of the Belgravia Neighbourhood Area is largely protected by virtue of its Conservation Area and the large number of listed buildings it contains. However, the fringes of the Area, especially those bordering Grosvenor Place and Buckingham Palace Road are outside the Conservation Area. It is the objective of the Neighbourhood Forum going forward to monitor development proposals and campaign to influence the design and character of any key major development proposals in line with the policies in this Neighbourhood Plan. ensure that the area which is “recognisably Belgravia” is extended rather than reduced, and that major development on the fringes of the Area does not encroach adversely, either physically or visually, on to the Belgravia Area nor can be used to justify undesirable precedents in terms of height or density within the Neighbourhood Area.</p> <p><del>Whilst what constitutes being ‘recognisably Belgravia’ cannot be identified with a simple</del></p>	<p>We do not support the approach that the area which is ‘recognisably Belgravia’ should be expanded.</p> <p>If ‘recognisably Belgravia’ is to be included as a pillar of the Neighbourhood Plan then it must be properly defined, which at present it is not. The PPG states that neighbourhood plan policies should be “clear and unambiguous”<sup>14</sup>. Whilst ‘recognisably Belgravia’ is only used in the pillar text/supporting text, it nonetheless could be used by a decision maker and therefore the same principle applies.</p> <p>Notwithstanding this, some clues are given to what ‘recognisably Belgravia’ means and it is clear that this term does not adequately cover all aspects of character, building age and typology seen across the area,</p>

<sup>14</sup> NPPG, Paragraph: 041 Reference ID: 41-041-20140306 Revision date: 06 03 2014



	<p><del>definition, there are words which give the essence of what it means. In particular such words include ‘proportioned’, ‘graceful’, ‘restrained’, ‘harmonious’ and ‘elegant’. Buildings to which it is difficult to apply these descriptors are unlikely to be suitable for Belgravia.</del></p>	<p>particularly those areas on the periphery where most of the strategic growth is planned. More worryingly, the term may be used as a segway to resist densification, even where this could be brought forward in a sensitive manner – see p35 where the Plan states: <i>“We wish to increase the size of the area that is recognisably Belgravia (see explanation in section 3.2) and not have the characterful part of the area, with its blend of 19th century buildings, reduced and negatively affected by over-height modern buildings on its periphery.”</i> This would directly affect the fringe areas of the Neighbourhood Area, where there is the most capacity for growth.</p> <p>Given the need for the Plan to appropriately plan for strategic growth, we suggest it appropriate that references to ‘recognisably Belgravia’ be removed, or, a clear and unambiguous definition be included – one which fully reflects the area and which would not preclude future growth.</p>
13	<p><del>NON-POLICY ACTION 4: LOCAL CONSTRUCTION ACTIVITY</del></p> <p><del>In order to ensure that the requirements of a planning permission are respected during the execution of the project, where a proposed refurbishment only meets the criteria defined by the WCC Code of Construction Practice for a Level 3 project, the Belgravia Neighbourhood Forum shall seek to work with developers and WCC to meet the following objectives:</del></p> <p><del>A. Belgravia Neighbourhood Forum will encourage applicants to voluntarily demonstrate a commitment to meeting the requirements of a</del></p>	<p>The purpose of Non-Policy Action 4 appears to be to support Policy BEL4 in its aim to ensure that building works will preserve residential amenity. We consider that Policy BEL4 (as well as the City Council’s adopted policies and guidance on construction) goes far enough in this regard and therefore suggest that Non-Policy Action 4 be removed.</p> <p>Notwithstanding this, if Non-Policy Action 4 is to remain we</p>



	<p><del>Level 2 project. In particular this should include matters relating to lorry management and routes, noise and vibration monitoring and air quality monitoring.</del></p> <p><del>B. Belgravia Neighbourhood Forum will work with the property owner and their Contractor to ensure that the contractor is a “Competent Contractor”, which means that the contractor:</del></p> <ul style="list-style-type: none"><li><del>• has the experience and expertise to undertake such works;</del></li><li><del>• is a UK registered entity and will be subject to English Law and the jurisdiction of the English Courts;</del></li><li><del>• can provide suitable guarantees that are available to compensate parties adversely affected by the construction works.</del></li></ul> <p><del>C. Belgravia Neighbourhood Forum will work with the property owner and their Contractor to assist them to meet the Belgravia best practice guidance on construction standards and practices.</del></p> <p><del>D. Belgravia Neighbourhood Forum will assemble evidence of contractors operating in breach of planning conditions attached to permissions for development work. It will seek to work with Westminster City Council to ensure that such information enables enforcement action to be taken where necessary. This applies to projects of all levels.</del></p>	<p>have particular concerns with Part B relating to the appointment of a “Competent Contractor”. It is unclear how this objective will be given effect; it is not the responsibility of the planning system to govern commercial arrangements around the selection of a contractor.</p> <p>We also have concerns with Part C and reference to the Belgravia Best Practice Guidance on Construction Standards and Practices. This does not appear to form part of the formal Neighbourhood Plan documents. The guidance itself states that despite it not having development plan status, it will be treated as a material consideration for planning applications (para 1.2). As the Guidance has not, itself, been subject to consultation, and the reference to it does not sit within policy, we consider that only very limited weight could be given to it. Whilst it may be helpful guidance in approaching construction projects, we do not consider that it would be appropriate for a guidance document prepared without consultation to have any material bearing on the determination of planning applications. We note that the Forum’s <a href="#">website</a> states that this guidance “<i>may be updated, or other guidance added, from time to time</i>”. Any guidance which will be relied upon by a decision maker as a material consideration should be properly prepared and consulted upon or if not, should be afforded relatively low weight.</p>
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14	<p>Figure 6.1 (suggest identifying Lower Belgrave Street as a Secondary Centre, incorporating the commercial areas starting from Buckingham Palace Road to nos. 18 and 47 Lower Belgrave Street and the adjacent commercial and hotel buildings from 8 to 32 Ebury Street)</p>	<p>We consider that Lower Belgrave Street should also be identified as a Secondary Centre. There is a commercial element to the street which provides a local amenity via the presence of shops, restaurants and an hotel. The Belgravia NF considered that the street was not “<i>sufficiently commercial</i>” to represent a centre in its own right. We disagree. The Forum also said that as the area is next to a school therefore “<i>increased commercialisation would have potentially detrimental impacts on school activities</i>”. This is an unjustified statement based on no fact or evidence and should not constitute a reason why an area with a commercial element should not be classed as a Secondary Centre.</p>
15	<p>NON-POLICY ACTION 8: BELGRAVIA CONSERVATION AREA AUDIT</p> <p>Belgravia Neighbourhood Forum will seek to work with Westminster City Council to ensure that the Belgravia Conservation Area Audit is <b>evidenced and updated</b> <del>adopted</del> as soon as reasonably possible and that proposed extension areas A, C and D are incorporated within it.</p>	<p>See earlier comments in letter regarding the role of the CAA. If the CAA is to be used to inform planning policies within the Neighbourhood Plan then this must be formally updated, justified and consulted upon as part of the Neighbourhood Plan process.</p>

**Appendix 2: Earlier Comments on June 2022 Draft Plan**

1 September 2022

Belgravia Neighbourhood Forum  
25 South Eaton Place  
London  
SW1W 9EL  
Belgravia Neighbourhood Forum

**Formal Response to the Regulation 14 Consultation on the draft Belgravia Neighbourhood Plan 2022-2040**

Dear Sir / Madam,

We write to provide our formal response to the Regulation 14 consultation version of the Belgravia Neighbourhood Plan 2022-2040 ('the draft Plan'). This follows our earlier response in April 2022 to the informal consultation on the February 2022 version of the draft Plan.

We have reviewed the current draft Plan and whilst there are many areas on which we are in agreement, there are also significant matters which should be reviewed in order for the draft Plan to progress. These are set out in our letter below.

Some of our earlier comments on the February 2022 draft Plan have been addressed, which is positive. However, a number remain outstanding. We therefore have enclosed a further schedule in Appendix 1, which sets out our previous points on the draft Plan (note that we have updated this to reflect changes made in the current version of the Plan).

We look forward to discussing these matters with you and continuing the positive work on the draft Plan which has been achieved to date.

**The Basic Conditions**

In preparing these representations, we have considered the legal tests required to be passed at examination for Neighbourhood Plans to be adopted – specifically the 'basic conditions' which Plans must meet. We do not seek to repeat these here but note three tests in particular as follows:

- a) That the Plan should have regard to national policies and guidance.
- d) That the Plan should contribute to the achievement of sustainable development.
- e) That the Plan should be in general conformity with the strategic policies contained in the development plan for the local area.

In respect of (a), the NPPF states at para 13 that Neighbourhood Plans should support the delivery of strategic policies i.e. should be prepared positively. This links to the requirement at (e) that Plans should be in general conformity with the strategic policies. Once adopted, the Neighbourhood Plan would have the same legal status as other Development Plan documents. It is therefore vitally important for it to be in 'general conformity' so as to avoid confusion for local stakeholders, developers and decision makers, as well as to meet the basic conditions.

The draft Plan identifies at Section 4 this requirement and what are considered to be the ‘strategic policies’ (i.e. all policies in the London Plan 2021 and the majority of Westminster’s City Plan policies). Notwithstanding this acknowledgement, one of our key concerns is that the draft Plan does not meet the general conformity test because there are a number of areas where the draft Plan conflicts with, undermines, or ignores the wider strategic objectives for Belgravia. We set this out further below.

### **Strategic Policies and Growth**

Our main area of concern is that the draft Plan appears to restrict, rather than enable, sustainable and appropriate growth and development within Belgravia. Despite some acknowledgment within the supporting text that the area has growth targets, the draft policies (particularly around townscape, heights and architectural character) are written in a manner which would limit development across the whole Neighbourhood Area. This is coupled with the prevailing theme within the draft Plan that Belgravia is, and should be treated as, a ‘village’ and that all development within the Area should be ‘recognisably Belgravia’. A number of the policies and the non-policy actions<sup>1</sup> relate to measures which look to preserve Belgravia exactly as it is, rather than addressing how new growth can be accommodated and how Belgravia may evolve and adapt to future social, economic and environmental needs and requirements.

A significant portion of the Neighbourhood Area is within the Central Activities Zone (‘CAZ’) and a small element is within the Victoria Opportunity Area (‘Victoria OA’). Both of these areas have been allocated, at a strategic level, as being essential to the delivery of growth targets for London to provide new jobs, homes and places. Belgravia has exceptionally high public transport accessibility, with most of it being within PTAL category 6b. The draft Plan would impose far-reaching onerous restrictions which could limit the ability of the Neighbourhood Area (and even the areas on the edges of the Area) from accommodating the growth required.

In respect of the CAZ, aside from encouraging small-scale workspaces (Policy BEL10), there are no policies relating to, or guiding, development within the CAZ.

Westminster’s City Plan Policy 1 (Part B) is clear that growth will be delivered in the Borough primarily through the intensification of the CAZ (as well as other designated areas) with **“commercial-led and mixed-use development to provide significant growth in office, retail, and leisure floorspace, alongside new homes”**. The draft Neighbourhood Plan does not acknowledge the role of Belgravia within the CAZ, and how Belgravia can contribute to achieving Westminster’s growth targets. In this respect, the draft Plan is not prepared positively and, in some instances, undermines strategic policies.

There is only one reference to the Victoria OA within the draft Plan and this raises concern about the impact of building heights of the Future Victoria scheme on the skyline of Belgravia. The draft Plan should acknowledge that the Neighbourhood Area incorporates part of the Victoria OA and the specific growth targets set by the Mayor and Westminster City Council for this area<sup>2</sup>. The draft Plan should not, even via supporting text, raise ‘concern’ over redevelopment within the Victoria OA for which there is strategic support, nor set out a non-policy action (no. 5) which seeks to ensure that development proposals outside the Neighbourhood Area do not have a detrimental impact on the townscape and its views in the Area. This is contrary to the requirement for Neighbourhood Plans to be prepared positively and could result in development within the Victoria OA being inappropriately constrained, limiting the ability of the OA to meet the strategically set targets. The draft Plan should

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<sup>1</sup> For example Non-Policy Action 5

<sup>2</sup> See London Plan Policy SD1 and Westminster City Plan Policy 1 (Part B, 2) and Policy 4

acknowledge and set out the Forum’s plan for the growth targets set for the CAZ and the Victoria OA – this should be addressed within the Vision, Objectives and the Pillars of the Plan.

Aside from including a reference to “**sustainable growth**” within the draft Plan vision, there are no policies which relate to how growth will be delivered in the Neighbourhood Plan area, and no reference to this within the Pillars of the Neighbourhood Plan (section 3.2). We address this below in more detailed comments relating to building heights, density, townscape and architectural character.

### **Building Heights and Conservation**

Our shared view is that the heritage and architectural character of Belgravia is special and unique. It should be celebrated and enhanced. This is evident in how we approach development within Belgravia, and how we require our tenants to approach development. We are therefore in agreement with many sections of the draft Plan in respect of heritage and townscape.

However, as noted above, we are conscious of the role of Belgravia in contributing to the delivery of growth which has been set out as required for London. Our concern is that the building heights and architectural policies could inappropriately and unnecessarily limit that growth. There appears to be a general presumption the “old” is automatically good and “new”, automatically bad. A more nuanced approach is required. An appropriate balance should be struck between achieving growth and development and conserving historic character, through the implementation of well-designed, considered architecture. The draft Plan does not provide the scope for this balance to be struck.

#### ‘Recognisably Belgravia’

The Forum’s view is that those areas which are ‘recognisably Belgravia’ should be protected, and the ‘over-height’ development on the periphery ‘negatively’ affects the Neighbourhood Area<sup>3</sup>. Furthermore, it is listed in the justification for the draft Plan’s Pillars that the Forum will campaign for the area which is ‘recognisably Belgravia’ to be expanded<sup>4</sup>. We do not support this approach and do not consider its inclusion within the Plan is appropriate.

Belgravia does not have clearly defined boundaries and is contiguous with a number of other areas of similar, but distinctive, characters. The draft Plan does not address the widely different characteristics of architecture, age, building typology and use seen across Belgravia, nor does it recognise the diversity of use within parts of the area. For example, Grosvenor Place, Grosvenor Gardens and Buckingham Palace Road are all quite different to one another and to the Belgravia ‘core’. This is both in terms of architectural building types/features, as well as land use and relevant land use designations within Westminster’s City Plan and the London Plan.

Making ‘recognisably Belgravia’ the Plan’s touchstone is an inappropriately limiting factor that simplifies the complex history and character of the area, imposing an unnecessary constraint on growth that is not in general conformity with strategic policies.

References to expanding the area that is ‘recognisably Belgravia’ should be qualified to explain that this does not necessarily require the facsimile reproduction or extension of stuccoed terraces. The justification to Pillar D at Section 3.2, paragraph 5.2.2(c), the antepenultimate paragraph of Section 5.4.1 and the first paragraph of section 8.1.1 should be amended accordingly.

This approach filters down to the relevant policies. Draft Policy BEL1 states that development should:

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<sup>3</sup> Section 5.4.1, p 31

<sup>4</sup> Section 3.2, p16

**“contribute towards the local distinctiveness of Belgravia, as characterised by its blend of 19th century buildings within a planned street network”**

As set out above, we disagree with this blanket characterisation of the area. Policy BEL1 also would require new development to demonstrate how they reflect the requirements of the Belgravia Design Codes and BEL 14 requires major development to **“positively respond”** to the requirements of the Codes. We felt that the Design Codes were clear, comprehensive and based on a good and thorough study of Belgravia. However, aspects of the Design Codes cannot be fully applicable to all areas of Belgravia in the same way. The concept of extending what the Plan defines as ‘Belgravia’ into more mixed areas, particularly at the periphery, lacks nuance and is arguably not deliverable. This is of relevance when reviewing development/renovation proposals based on their building heights, density and architectural style.

Context matters, and Belgravia is more than stuccoed residential streets, although these form a crucial part of its historic character and charm. Modern, innovative architecture can often blend well with historic streets – for example, this is done well in pockets of St James’s. The Design Codes (in particular the Design Principles) should not be used as a blanket rulebook for all development within Belgravia. There has to be an acknowledgement within the Plan that in some instances flexibility will need to be applied, and the Design Codes may well not be relevant everywhere.

Whilst there is a brief reference in the Design Codes to modern designs, we consider that BEL1 should be amended to acknowledge the potential role of high quality, modern architecture in certain instances, particularly in those parts of the area that are not characterised by homogenous, stuccoed terraces.

BEL1(B) could be amended to read:

**“Proposals for new development and redevelopment of existing buildings must demonstrate how they reflect the requirements of the Belgravia Design Codes, as relevant to the site and local context.”**

BEL14(A(a)) could also be amended to read:

**“They must demonstrably and positively respond to the requirements of the Belgravia Design Codes, as relevant to the site and local context, considering the nature of any character area in which it is located or which it is adjacent to.”**

Heights, Context and Density

There are several instances within the draft Plan which suggest that buildings which are taller than their surroundings detract from the Neighbourhood Plan area and should not be permitted – for example:

3.2 (D) (p 16): **“It is the objective of the Neighbourhood Forum...that major development on the fringes of the Area does not encroach adversely, either physically or visually, on to the Belgravia Area nor can be used to justify undesirable precedents in terms of height or density within the Neighbourhood Area.”**

5.4.1 (p28): **“...we consider it highly undesirable to have any new buildings of greater height than those in their immediate vicinity. Whilst there are relatively large late-Victorian buildings on the fringes of the Area... these represent specific character buildings representative of their period and should not be used to determine context heights.”**

5.4.1 (p28): **“we would go further to say that tall buildings are especially not suitable for the Belgravia Neighbourhood Area.”**

5.4.1 (p31): **“a core principle should be that any 20th or 21st century buildings, whether inside or outside the Neighbourhood Area, which are significantly taller than those in the immediate vicinity should not be taken to establish a new, taller context height”**

Policy BEL14: **“Across the site, development should reflect the prevailing density in the surrounding area in order to respect the historic context of the location. Where proposed densities are clearly different from the prevailing density, applications must clearly demonstrate how the proposals will not harm the prevailing townscape.”**

Design Code 1.3: **“If the height of a proposed development or refurbishment is materially greater than the heights of surrounding historic buildings, such a design will be considered detrimental to the area’s character”**

In addition, the impact of Policy BEL5 in respect of local views of significance has the potential significantly to further restrict building heights across the Neighbourhood Area.

We support the overarching principle that any development coming forward in the Belgravia Neighbourhood Area must carefully consider its effect on the local context and how this can be enhanced. We do not agree that buildings which are taller than their surroundings are not suitable in principle in the Area, nor do we agree that the Forum should be able to determine what does and does not constitute local context when it comes to assessing heights. This approach is not in general conformity with a range of strategic policies:

1. **London Plan Policy D3.** Increasing building height can result in higher densities, which can help in achieving growth targets. London Plan Policy D3 requires all development to **“make the best use of land by following a design-led approach that optimises the capacity of sites”** and states that higher density developments should generally be promoted in well-connected locations (which would include Belgravia, given its PTAL 6b rating). The Policy goes on to promote a design-led approach which, amongst other criteria, requires proposals to enhance local context by delivering schemes which respond to local distinctiveness.
2. **Westminster City Plan Policy 41(A) and London Plan Policy D9.** The explanatory memoranda to Policy D9 are clear that **“the Boroughs should define what is a tall building”** (paragraph 3.9.3). In **“large areas of extensive change, such as Opportunity Areas, the threshold for what constitutes a tall building should relate to the evolving (not just the existing) context.”** The City Plan has set out a clear definition of a tall building in Policy 41(A), namely a building that is twice the prevailing context height. The elements of the Neighbourhood Plan that seek to exclude existing buildings from this assessment of context is not in conformity with either of these two policies, both in seeking to supplant the role of the borough in defining tall buildings, and because those taller existing buildings are frequently within the opportunity area, within which regard should be had to emerging context as well.
3. **Westminster City Plan Policy 41(B).** As noted above, a portion of the Neighbourhood Plan Area is within the Victoria OA, where Westminster City Plan Policy 41(B) states that ‘tall’ buildings<sup>5</sup> may be acceptable, subject to meeting relevant policy principles. This should be acknowledged in the draft Plan. We also note again that a significant portion of the

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<sup>5</sup> Defined in the City Plan as “buildings of twice the prevailing context height or higher or those which will result in a significant change to the skyline”

Neighbourhood Plan is within the CAZ, and whilst City Plan Policy 41 states that proposals for ‘tall’ buildings<sup>6</sup> in this area will **“not generally be acceptable”**, there still should be an acknowledgement of the growth targets for the CAZ, and that Belgravia will need to accommodate some additional built growth.

The prescriptive references to the treatment of proposals for changes in height, and the description of the way in which context height should be assessed, as listed out above, should be removed or redrafted to ensure general conformity on this matter.

#### Role of the Conservation Area Audit

The draft Plan strongly relies on the draft Belgravia Conservation Area Audit (2013) (‘CAA’) and we have concerns that the CAA has been used to establish draft planning policies relating particularly to architectural character and local views. The CAA was drafted nine years ago in a different context and policy framework, prior to the introduction of the NPPF and neighbourhood planning and was not formally adopted. Transposing the CAA into planning policy would effectively elevate the status of the CAA from an outdated draft piece of planning guidance to a document with the same weight as other development plan documents. This is not the purpose for which the CAA was prepared.

If the CAA is going to be used to form the basis of planning policies which will be the basis of planning decisions, then it should be properly updated and consulted upon as part of the evidence base for the draft Plan.

We have particular concerns about Policy BEL5, as proposed to be applied to the views set out in the Belgravia draft CAA and the additional views listed in Part C. The views within the CAA were not identified in the context of this policy basis. Policy DES15 of the 2007 UDP, that was applicable during the preparation of the audit, recognised (para 10.186) the greater status of metropolitan, as opposed to local, views, and sought to ensure development was **“compatible with [those] views in terms of setting, scale and massing.”** Policy BEL5 goes substantially further by imposing a more onerous standard within Policy BEL5(A) than set out either in the 2007 UDP or indeed Policy 40(F) of the adopted City Plan. BEL5 also identifies additional views as set out within part (C)<sup>7</sup>. There is no justification or evidence base to support the additional views.

If the views within the CAA, and part C of the policy, are to be provided this protection, the evidence base should demonstrate that townscape testing has been undertaken and that the approach to views will not compromise the capacity and scope of the area to change and develop, particularly the CAZ and Opportunity Areas. This is required in order for the draft Plan to meet the basic conditions.

In the absence of townscape justification and consideration of wider impact, we suggest Policy BEL5 is either removed, or amended so that it aligns with Policy 40(F) of the City Plan and the list of views, both from the CAA and Part C, are moved to the explanatory text rather than set out within policy.

#### **Housing**

The Plan is largely silent on housing. It does not present the Forum’s approach towards the provision of housing, aside from to state that increasing housing densities on sites needs to be done with great care as the **“predominant existing density is an integral aspect of the area’s architectural heritage”**<sup>8</sup>. The City Council has ambitious housing targets that require intensified use of land where there is the opportunity for development; and this contrasts with the Plan’s aims to establish a blanket definition for appropriate scales and heights of development/enlargements.

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<sup>6</sup> As defined above

<sup>7</sup> And shown on Figure 5.8 of the draft Plan

<sup>8</sup> Section 6.2.1, p66

## Commercial Viability

A key concern is that the Plan does not fully acknowledge the local and regional context of Belgravia.

The overriding theme within the Plan is the protection of Belgravia as a “village”. Whilst we agree with the sentiment and the importance to all stakeholders that Belgravia retains the aspects as defined as ‘village feel’, if Belgravia were an actual ‘village’ (of c. 6,000 people) it would not be able to support a fraction of the services that the draft Plan values and wants to sustain. The services and amenity offer of a central London neighbourhood are not compatible with a traditional village. In addition, this sector is ever-evolving to changing social needs and behaviours, which may or may not fit the traditional image, and certainly by 2040, ways of living will have evolved considerably, affecting demand for services and amenities relevant at that time. Therefore, the village analogy is helpful in defining some valued characteristics but limiting uses to those compatible with a traditional village would, clearly, be incompatible with strategic policy, especially relating to the CAZ and the Victoria OA<sup>9</sup>.

Supporting the wider population and Belgravia’s large commercial population is also key to the commercial viability of the Area’s amenity. Amenities require the attraction of additional footfall to ensure economic sustainability – the location of a facility in an ‘out of the way’ location does not demonstrate that these facilities do not require significant footfall to remain viable<sup>10</sup>. This is inter-related with active placemaking, new re/developments and the attraction of new retail businesses and commercial opportunities. The Plan aligns with Grosvenor’s desire for useful, independent retail; however, greater emphasis on commercial viability as well as the desirability of sensitive redevelopment is needed. It is through a sensitive approach to growth that the ‘village feel’ can be sustained in an increasingly competitive and challenging retail market.

### Retail, entertainment uses and other commercial amenities

Policy BEL2 identifies the Mews, Kinnerton Street and Barnabas Triangle as “**residential character areas**” where proposals must “**demonstrate that they will retain and, where possible, enhance the character of the area**” i.e. a residential character. The Mews and Kinnerton Street are both within the CAZ, and incorporate a range of uses, not just residential. These uses are welcomed by the local community, for example at Eccleston Yards<sup>11</sup>. The supporting text to the Policy at 5.3.1 acknowledges that the area has a commercial element. The purpose of Policy BEL2 to enhance only one element of the Mews/Kinnerton Street is therefore inappropriate and should be removed. Instead, the focus within these areas should be on encouraging appropriate commercial uses which are compatible with the residential uses they sit alongside.

The draft Plan only includes a policy on late-night uses; no policy exists in respect of retail or other commercial amenities (such as gyms etc.). The Plan should address all commercial uses, given Belgravia’s economic role within London.

We suggest that Policy BEL9 is expanded to address all visitor-facing commercial uses. This should direct commercial uses to the CAZ, Victoria OA and Local and Secondary Centres (subject to ensuring maintaining residential amenity). Outside of these areas, the ‘Agent of Change’ principle could be applied. We suggest the following wording:

### **“Policy BEL9: Retail, entertainment and leisure uses in the Neighbourhood Area**

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<sup>9</sup> For example, reference to retail and catering not requiring the attraction of substantial footfall from outside the Belgravia Area to sustain economic viability as per section 6.1.2

<sup>10</sup> As referred to in in section 5.3.1

<sup>11</sup> Eccleston Yards is referred to as a popular public place within the draft Plan at section 7.2.1

- A. New retail, entertainment and leisure uses will be directed to the Local Centres, the Secondary Centres, the Central Activities Zone (CAZ) and the Victoria Opportunity Area (shown on Figure 6.1<sup>12</sup>). Proposals for new uses must demonstrate how they will protect local residential amenity, including through the submission of robust Operational Management Plans (where relevant), which if approved must be conditioned to any planning permission.**
- B. Outside of these areas, new retail, entertainment and leisure uses must demonstrate how they comply with the Agent of Change principle and ensure the safeguarding of local residential amenity and local character, including but not limited to considering impacts on noise, litter and odours (e.g. from extraction vents). Where planning permission is granted for any new late night entertainment uses (including external tables and chairs) within these areas, they will be subject to a condition prohibiting their operation between 11pm and 7am on Monday to Saturday inclusive and between 10.30pm and 7am on Sunday/Monday, unless exceptional circumstances apply.**
- C. Where relevant, planning conditions will be used to control future changes of use under permitted development to ensure a continued and appropriate balance of commercial uses within the Neighbourhood Area.”**

We note that Eccleston Yards and Eccleston Street have been identified as Secondary Centres, which is welcomed. We also consider that Lower Belgrave Street should be identified as a Secondary Centre within Figure 6.1. There is a commercial element to the street which provides a local amenity via the presence of shops, restaurants and an hotel. This should be acknowledged.

### Offices

We question the references in the draft Plan to a future greater demand for smaller scale offices, rather than larger ones<sup>13</sup>. This does not appear to have been based on any justified or published evidence. Recently published research by both Gerald Eve and BNP Paribas indicate that office demand in London remains strong and has returned to pre-Covid levels<sup>14</sup>. Indeed, Belgravia is home to many major corporate headquarters, such as Google and American Express, particularly on its fringes.

Whilst we do not disagree that the Plan should support the growth of small-scale workspaces (Policy BEL10), we also consider that there should be a policy support for the growth and/or refurbishment of existing large office spaces within suitable areas (which could include the CAZ and the Victoria OA). This could, for example, include policy support for measures which would improve the carbon performance of buildings, as well as measures which may improve the quality and attractiveness of office space including the creation of terraces (which could be restricted in terms of hours/use), the introduction of more modern plant and machinery equipment (to be discreetly located) and potentially enabling more flexible ground floor uses where planning permission is required.

We suggest that Policy BEL10 be amended to read as follows:

#### **“Policy BEL10: Offices**

- A. Proposals to deliver additional office floorspace and/or incubator/start-up business space (particularly on flexible terms) will be supported in principle within the CAZ, Victoria**

<sup>12</sup> We suggest that Figure 6.1 is amended to reflect the Victoria Opportunity Area boundary also

<sup>13</sup> Section 6.5.2, p76

<sup>14</sup> BNP Paribas, Central London Office Market Update, Q2 2022, 1 August 2022,

<https://www.realestate.bnpparibas.co.uk/2022/aug/central-london-office-market-update-q2-2022>

Gerald Eve LLP, London Markets Q2 2022, <https://www.geraldeve.com/insights/london-markets-q2-2022/>

**Opportunity Area, Local Centres and Secondary Centres. Proposals for the refurbishment and improvement of existing office spaces within these areas will be supported in principle.**

- B. The creation of roof terraces in connection with office uses within the CAZ, Victoria Opportunity Area, Local Centres and Secondary Centres will be acceptable in principle subject to robust evidence being provided that the terrace would preserve local residential amenity, including considering impacts upon overlooking and noise. Where appropriate, planning conditions will be used to restrict the use of the terraces to office use only and restrict hours of use.**
- C. Where planning permission is required for changes of use at the ground floor level of office buildings, flexibility for a range of commercial uses (including retail, entertainment, medical and leisure) will be supported in principle, subject to the policy requirements set out in Policy BEL9.**
- D. Development proposals should consider how they can maximise opportunities for carbon savings and biodiversity, particularly by way of improvement to plant and machinery, building materials and introduction of appropriate greening. Any proposals will need to carefully consider impact upon residential amenity (including noise and vibration), design and heritage. Proposals for any urban greening/planting should be accompanied by the submission of a management strategy which sets out how the greening/planting will be maintained in perpetuity.”**

### **Sustainability and Biodiversity**

We appreciate that the draft Plan recognises the importance of sustainability in its proposals to improve biodiversity and to reduce traffic, thus improving air quality. There is also reference within the Vision to **“sustainable growth”**, which is welcome. Grosvenor is committed to ensuring that our development champions environmental leadership, and we have long term ambitions that by 2050 we will be a climate positive, regenerative business, actively creating environmental benefits from our activities.

We consider that the draft Plan should challenge itself in respect of sustainability and biodiversity. There is a commitment, both within the London Plan, and Westminster’s City Plan, for development coming forward to be sustainable. London Plan Policy SI2 requires major development to be net zero carbon. One of Westminster City Plan’s objectives within the spatial strategy (Policy 1) includes adapting to and mitigating the effects of climate change. The Environment Act calls for improvements made in support of the 10% net biodiversity gain to be supported for 30 years. There should be a consideration of this amongst the focus on maintaining green features.

The Plan should consider, if not actually mandate, environmental elements in the context of design principles for new development or redevelopment of existing buildings (including materials), and in its vision for character areas, refurbishment of buildings and shopfronts, as well as within the Pillars of the Plan.

The introduction of Policy BEL4 is welcome although we consider adjustments should be made to the wording of the policy to recognise that it is likely to be necessary to balance the environmental performance of buildings with their historic characteristics. We believe that this issue will present a particularly acute challenge for Belgravia over the coming years given the nature of its building stock, and therefore we suggest this policy is amended as follows:

- A. **“The sensitive retrofitting of energy efficiency measures in historic buildings will be encouraged, including the retrofitting of listed buildings and buildings in Conservation Areas.**
- B. **The reductions in air pollution, noise pollution, water and electricity use, and carbon emissions realised will be treated as public benefits and weighed against any heritage harm caused to heritage assets.**
- C. **Where harm is identified, applicants shall demonstrate that that harm is the minimum amount necessary to achieve the public benefits arising.”**

We also consider that there should be policy encouragement (perhaps within Policy BEL1) for the use of innovative materials and approaches to sustainable and biodiverse design – we appreciate that this is referenced within the Design Codes, but given the importance of sustainability, we would suggest that this should specifically be included within the policy wording.

In terms of active travel and promoting zero-carbon alternatives to transport, there should be the promotion of cycling as an alternative to vehicular travel, with the encouragement of additional cycle parking. Whilst some changes have been made to the draft Plan since previous versions in this respect, we remain of the view that the Plan could go further than it currently does. Policy BEL1 could be amended to include policy encouragement for the optimisation of sustainable modes of travel within development proposals and public realm proposals, where relevant and feasible.

#### **Implementation of Planning Policy in the role of Determining Planning Applications**

Throughout the draft Plan reference is made to relevant policies contained within Westminster’s City Plan and the Mayor’s London Plan. This can be helpful to frame the draft policies, however, in some instances the Plan paraphrases some of the adopted policies and changes the nuance of the policy wording. For example, draft Policy BEL5 part A states:

**“As required by Policy 40 (Townscape and Architecture) of the Westminster City Plan, development proposals affecting local views of significance must demonstrate that they retain and enhance the quality of the views and remedy past damages to these views where possible.”** (Our emphasis added).

However, City Plan Policy 40 (Part F) reads:

**“New development affecting strategic and local views (including local views of metropolitan importance) will contribute positively to their characteristics, composition and significance and will remedy past damage to these views wherever possible.”** (Our emphasis added).

‘Retain and enhance’ is a different requirement to ‘contribute positively’. We feel that this is an important distinction to make as our view is that ‘retain’ suggests that the views should remain in-situ, which would not be in the spirit of positive plan-making for growth.

Another example is at draft Policy BEL6, which refers to proposals affecting Local Buildings of Merit to meet the requirements of City Plan Policy 39 (presumably Part R relating to Non-Designated Heritage Assets). The justification to the Policy quotes and endorses the CAA in saying that the demolition or unsympathetic alteration of these buildings will normally be resisted. This does not tie in with City Plan Policy 39 which actually states:

**“When assessing proposals affecting non-designated heritage assets, a balanced judgement will be made regarding the scale of any harm or loss of the asset and the benefit of the proposed development.”**

We appreciate that City Plan Policy 39 also refers to these assets being ‘conserved’, but clearly there is a need for a balanced judgement to be reached and there is no recognition of that element of flexibility within the policy or justification.

Referring to the City Plan policies in this manner is confusing and is against the principle set out in para 16 of the NPPF which requires that plans contain policies that are **“clearly written and unambiguous”**. Our view is that these elements of the draft Plan do not meet the Basic Condition that the Plan should have regard to national policies and guidance. We therefore suggest that where the draft Plan refers to adopted policies (particularly where these are being quoted in draft policy wording), that they simply refer to the Policy number.

We also note that there are some examples in the Plan (e.g. Non-Policy Action 2), where the draft Plan suggests that the Forum will work with the City Council to establish ‘principles’. We suggest that these references are removed as their role is confusing and ultimately the determination of any planning applications, and assessment of principles and planning balance judgements, would lie with the City Council.

#### **Other Matters**

We set out below other matters which we would like to address.

##### Contractors

Non-Policy Action 3(A) states that the Forum will seek to work with the City Council to adopt a ‘model contract framework’ to guide owners and contractors. 3(C) states that applicants for schemes below the Code of Construction Practice threshold will be encouraged to voluntarily demonstrate commitment to the Code, including ensuring that the contractor meets specific requirements including being a UK registered entity. 3(D) states that any works to highways (e.g. erection of scaffolding) should be carried out by the City Council, as opposed to a developer. Whilst we are committed to ensuring our appointed contractors are considerate and carry out any works respectfully, it should not be the role of the planning system to dictate how commercial contractual matters should be negotiated and agreed. Nor should the draft Plan dictate who carries out certain works. We also question how this would work in practice.

The purpose of Non-Policy Action 3 appears to be to support Policy BEL3 in its aim to ensure that building works will preserve residential amenity. We consider that Policy BEL3 (as well as the City Council’s policies/guidance on construction) goes far enough in this regard and therefore suggest that Non-Policy Action 3 be removed.

##### Shopfronts

Policy BEL7 relates to shopfronts, and sets out that new/refurbished shopfronts must demonstrate how they reflect the relevant Design Codes. Whilst we agree in general with the intention behind this policy, this does not allow for any instances where more modern shopfronts may be appropriate. This should be amended.

## Appendix F

The extent of the Grosvenor boundary shown on the plan in Appendix F is incorrect. We enclose at Appendix 2 of this letter an Estate boundary plan and we ask that Appendix F is updated to reflect these boundaries.

### **Suggested Amendments – Summary**

We summarise below the key areas which we think the Plan should focus on moving forward:

1. Amend the Vision, Objectives and Pillars to acknowledge and set out the Forum's plan for the growth targets set for the CAZ and the Victoria OA;
2. Linked to the above, introduce specific policies or amend existing policies to plan positively and encourage appropriate growth within the CAZ and Victoria OA;
3. Re-consider the approach to making 'recognisably Belgravia' the draft Plan's touchstone and acknowledge (and plan for) other differing types of Belgravia, particularly around the fringes, and amend Policy BEL1 and other relevant sections of the Plan to reflect this;
4. Amend Policies BEL1 and BEL14 to acknowledge the differing areas within Belgravia in the context of development needing to respond to the Design Codes or amend the Design Codes to be more flexible for areas which are not (and should not in our view be made to be) 'recognisably Belgravia';
5. Review section 5.4.1 in particular as well as Design Code 1.3 so that it focuses upon enabling the right type of growth, in line with adopted policy requirements;
6. Provide evidence and justification for Policy BEL5, or remove the policy in its entirety or amend so that it aligns with Policy 40(F) of the City Plan;
7. Either remove reference to the CAA (and policies which have been based on this), or formerly update and re-consult on the CAA as part of the evidence base of the draft Neighbourhood Plan;
8. Acknowledge the role of the Neighbourhood Area in accommodating housing growth and set out a considered approach to how this growth will be managed, and where;
9. Acknowledge the commercial role of Belgravia and the role of outside influence in sustaining commercial viability;
10. Consider amendments to Policy BEL2 to acknowledge that The Mews and Kinnerton Street are not solely residential and focus instead on encouraging appropriate commercial uses which are compatible with residential uses.
11. Consider amendments to Policy BEL9 to address all visitor-facing commercial uses.
12. Amend Figure 6.1 to include Lower Belgrave Street as a Secondary Centre.
13. Remove reference to larger offices not being required and consider introducing a policy/amending Policy BEL10 to support the growth and/or refurbishment of existing large office spaces within suitable areas (including the CAZ and the Victoria OA);
14. Review the Plan in respect of sustainability and prioritise this theme including updating the Pillars of the Plan and the vision for character areas, refurbishment of buildings and shopfronts. Consider amendments to Policy BEL4 to acknowledge the balance between

environmental performance of buildings with their historic characteristics. Consider an amendment to Policy BEL1 for the use of innovative materials and approach to sustainable and biodiverse design, as well as encouragement of sustainable modes of travel within development proposals/public realm proposals.

15. Consider removal of Non-Policy Action 3; and
16. Amend Policy BEL1 and other relevant policies (e.g. shopfront Policy BEL7) to acknowledge the potential role of modern and innovative architecture in some instances.

### **A Need to Look Forward**

In general, the Plan emphasises the importance of the appearance of the area, and Grosvenor are aligned in seeking to enhance this, particularly in highlighting the importance of developments 'standing the test of time' which is how we undertake our schemes.

However, there needs to be a balance between the ability to redevelop and improve, which on an individual basis does not detract from the overall look and the feel, whilst respecting the historic nature of the area. This balance needs to be found within the context of accommodating the planned-for growth required by strategic policies. For the area to retain its viability, development and the ability to improve the building stock to adapt to both our changing society and climate will be key. There needs to be greater consideration given to the evolution of Belgravia, so it is fit for the next 200 years.

We would welcome any opportunity to discuss any of these points further and we look forward to continuing to work with you on the Plan.

Yours faithfully



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Enc.

Appendix 1: Schedule of Earlier Comments on February 2022 Draft Plan (still relevant for current draft Plan)

Appendix 2: Grosvenor Estate Boundary Plan

## Appendix 1

### Schedule of Earlier Comments on February 2022 Draft Plan (still relevant for current draft Plan)

Please note that we have updated the schedule to refer to the current version of the draft Plan and removed comments where these have been addressed. We have added in *red text* areas where we have made significant additions to the text

Section	Grosvenor comment
1. Introduction to the Plan	<p>Of the plan - <i>“It sets out the long-term vision of Belgravia as a unique residential neighbourhood”</i></p> <p>Grosvenor’s view is that geographically yes this is a valid statement. However, whilst being residential in character, the area is not primarily residential in terms of demographics. Belgravia’s population density is notably lower than most of the surrounding wards / areas and is only slightly higher than the West End. We also cannot forget the fringes are commercial, and there are key retail centres too.</p>
2.3. Belgravia Today	<p>The Draft Belgravia Conservation Area Audit, 2013 is referenced.</p> <p>We question the reliance on the 2013 Audit in forming the basis of the neighbourhood plan. It was written for a different purpose, under different regulations, in a different context and is out-of-date in some respects; particularly in relation to the NPPF. We’d recommend not addressing the final adoption of the CAA, or the extension of the CA.</p>
3.1. The Vision	<p><i>“To conserve and enhance Belgravia’s unique character for future generations while allowing sustainable growth which promotes its historic architecture and heritage and to ensure it remains an attractive, vibrant and agreeable ‘village’ in the heart of London for those who live, work or visit there.”</i></p> <p>A concern with this vision is that many of the services and amenities required for Belgravia to be commercially viable/ to address its wider central London function, are not congruent with this statement. Whether or not the Forum agrees with it, Belgravia has a function within the CAZ and Opportunity Area that needs to be addressed.</p> <p>Key also to commercial viability within Belgravia is the attraction of visitors – to be a sustainable neighbourhood, the area must be frequented by those beyond residents and workers. On its own, Belgravia’s population is also likely not sufficient to sustain the range of services and amenities that are seen to be desirable. A village of 6,000 people would not, generally, support the wide range of amenities already enjoyed in Belgravia.</p> <p>The vision could also be more forward looking – referencing the need to confront/adapt to the 21st century in terms of sustainability and resilience.</p>



<p>3.2 Pillars of the Neighbourhood Plan</p>	<p><i>“It is the objective of the Neighbourhood Forum going forward to monitor development proposals and campaign to ensure that the area which is “recognisably Belgravia” is extended rather than reduced, and that major development on the fringes of the Area does not encroach adversely, either physically or visually, on to the Belgravia Area nor can be used to justify undesirable precedents in terms of height or density within the Neighbourhood Area.”</i></p> <p>We’d comment that Belgravia is diverse with multiple architectural types, for example Grosvenor Gardens vs Pimlico Road. The stucco fronted terraces that are suggested to be “recognisably Belgravia” wouldn’t be an appropriate style for all parts of the area.</p> <p>Diversity in architectural style is also required to meet, for example, WCC’s obligation to maximise land density and best use of scarce opportunities to create new homes.</p>
<p>5.1 Introduction</p>	<p><i>“Furthermore, it is the Plan’s objective not only to preserve Belgravia’s innate character within the conservation area, but also to extend the unique Belgravia DNA to include all its outer margins, i.e. those areas not currently covered by the Conservation Area. In doing so we wish to achieve ‘more Belgravia’ rather than ‘less Belgravia’.”</i></p> <p>As with the point above, it’s important that development/renovation is contextual to the immediate surroundings. It’s best to avoid pastiche. Does ‘more Belgravia’ in this context equate to ‘more stucco’?</p>
<p>5.2 Design Principles</p>	<p>The plan refers to the <i>Estate Management Scheme</i>.</p> <p>It appears that the management scheme and policies have been used to develop The Belgravia Design Codes, but not all the codes accord with Grosvenor current policies. The codes are overly restrictive vs our policies.</p>
<p>5.2 Design Principles</p>	<p><i>“Specifically, it is desired that any new constructions should be recognisably ‘Belgravia buildings’.”</i></p> <p>Again, we’d comment on the need for contextually sensitive architecture, and to consider that traditional architectural style may not support the densities needed for modern development to be effective.</p>
<p>5.3 Character Areas</p>	<p><i>“The Mews and Kinnerton Street and its yards are largely residential areas which represent remarkable oases of peace and calm at the heart of a major city. Loss of residential units through conversion to commercial uses in these areas is seen as undesirable and any significant increase in commercial activity, footfall or traffic is likely to damage their character and residential amenity. Indeed, whilst a certain level of passing trade is important to many of these commercial operators, their out-of-the-way location has demonstrated that a significant increase in footfall is not needed for their businesses to remain viable.”</i></p>



	<p>The Mews and Kinnerton Street are both within the CAZ, and so a wider range of uses to those in place may be deemed to be appropriate. <b>This statement also says that these areas are largely residential but then acknowledges that there are a number of commercial operators.</b> We need to ensure the area continues to provide the amenity that attracts visitors and supports existing residential services commercially.</p> <p>As with our above point, footfall is key to commercial viability within Belgravia. On its own, Belgravia’s population is also likely not sufficient to sustain the current range of services and amenities that are seen to be desirable.</p> <p>Eccleston Yards, recognised as being popular in 7.2.1. would arguably be precluded by the above policy prioritising residential above all else.</p> <p><b>We do not agree that the location of the commercial operators demonstrates that footfall is not required for businesses to remain viable and unless this can be properly justified, this statement should be removed.</b></p>
5.4 Building heights	<p>It’s suggested in “<i>non policy action 1</i>”, that the BNF will:</p> <p><i>“seek to engage professional experts to provide a detailed profile of the prevailing context heights and the nature of the skyline in different parts of the Belgravia Neighbourhood Area.”</i></p> <p><b>What would this profile be used for and how would this be applied to planning decisions in the context of adopted planning policy?</b></p>
5.4 Building heights	<p><i>“We wish to increase the size of the area that is recognisably Belgravia and not have the characterful part of the area, with its blend of 19th century buildings, reduced and negatively affected by over-height modern buildings on its periphery. In these areas where buildings are typically below the London Plan definition of ‘tall’, it is particularly important that new building height is appropriate.”</i></p> <p>As above, Belgravia as referred to here, should recognise its number of different architectural styles. <b>There is also an assumption that taller and modern buildings are ‘negative’ and this should be removed.</b></p>
5.4 Building heights	<p><i>“Belgravia Neighbourhood Forum will seek to engage professional experts to provide a detailed profile of the prevailing context heights and the nature of the skyline in different parts of the Belgravia Neighbourhood Area.” (Non-Policy Action 1)</i></p> <p>We feel there should be a recognition that appropriate heights should be defined by buildings in the vicinity, rather than prevailing for different parts of the area. <b>We also question the outcome of the profile of the prevailing context heights?</b></p> <p><i>“Belgravia is an historic area which has for almost 200 years been characterised by buildings of modest height. To introduce tall buildings which substantially</i></p>



	<p><i>exceed the prevailing average heights of existing buildings would be very intrusive”.</i></p> <p>We feel this is contradictory to previous comments on the tall Victorian buildings around Grosvenor Gardens. Elsewhere in the plan, there is recognition that Belgravia has changed over time, particularly in the peripheral areas.</p> <p>Generally, we’d flag that there is contradiction in this section with strategic policy, both in terms of London Plan policy on the optimisation of the CAZ and City Plan Policy 41 in relation to building heights, within which a tall building is defined as “twice the prevailing context height.” Policy 41 specifically addresses the potential for tall buildings in the Victoria Opportunity Area and the compatibility of this policy with that in the draft plan, along with those on views, has not been tested. We’d note that Policy 41 of the City Plan is a strategic policy that the neighbourhood plan would be expected to conform with generally.</p> <p>This desire not <i>“to not have any new buildings higher than those in their immediate vicinity”</i> is not consistent with City Plan policy, nor is the plan’s suggestion that larger buildings should be ignored when determining context heights – this is not a contextual approach. Paragraph 5.4.2 tacitly admits this. This is not in conformity with Plan Policy 41 as above.</p> <p>Non-Policy Action 1 probably, therefore, requires review as it seems to commit the Forum to preparing an evidence base for a policy which does not meet the Basic Conditions.</p>
<p>5.5. Refurbishment and Enlargement of Buildings</p>	<p>This appears to be the most significant clause with regard to alterations and Grosvenor policies.</p> <ul style="list-style-type: none"> <li>• <i>“The Belgravia Neighbourhood Forum will seek to oppose any such enlargement applications”.</i> Grosvenor does not have a policy that is presumptive against enlargement or development; each proposal is evaluated in accordance with current policies and on its own merits.</li> <li>• <i>On the use of evidence on building enlargements (Non-Policy Action 2) – i.e. using it to inform responses to planning applications for enlargement in the area. There’s a proposal the BNF will share their review with WCC to establish principles, but it is WCC that is determining what is permissible under statute.</i></li> <li>• Grosvenor does not have a listed of “approved” contractors and has a policy of not recommending contractors or consultants. Restricting the contractors &amp; consultants that may be used can lead to a “closed shop”.</li> </ul> <p>BEL3 and NPA3 seem to relate principally to the management and regulation of construction, which we’d question should be within the objectives of the plan. How will resourcing for the monitoring described in these policies work, e.g., on reviewing planning applications and monitoring contractor performance? Will CIL play a role?</p>



	<p>On amenity disruption (Non-Policy Action 3); This should follow the approach of strategic Policy 7 of the City Plan, by “preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure overshadowing privacy and overlooking” rather than avoiding any harm. There will be cases where change or “<i>disruption</i>” as described here to amenity is nevertheless acceptable.</p>
5.7 Views and Vistas	<p><i>“Within the Conservation Area, it is considered essential to protect the identified views set out in the Audit. Policy 40 of the Westminster City Plan confirms that such views in Conservation Area Audits are worthy of protection. In order to provide clarity as to which views are protected in Belgravia, they are identified specifically in the Neighbourhood Plan.”</i></p> <p>Have the effect of the views selected for protection been tested, especially where the vistas being protected are not, necessarily, part of the early nineteenth century original conception?</p>
5.8 Local Buildings of Merit	<p>Have the implications of adding additional buildings to the list of undesignated heritage assets been fully considered and explored, especially when taken alongside the additional local views?</p>
5.8 Local Buildings of Merit	<p>We’d recommend that the relevant part of Policy 39, Policy 39(R) should be set out within Policy BEL5, rather than the policy as a whole.</p>
5.11 Hyde Park Corner	<p><i>“The need to encourage traffic and include a safe cycle environment away from areas of heavy vehicular traffic is accepted, but any actions to increase in the flow of cycle or other traffic through Hyde Park Corner open space cannot be supported by the Belgravia Neighbourhood Forum”</i></p> <p>Do the Forum have an alternative proposal for supporting active travel?</p>
6.1 Introduction	<p><i>“Business owners who contributed to the survey were also full of praise for Belgravia’s village feel.”</i></p> <p>We would like to see the data behind this point given the large office population along Buckingham Palace Road, Grosvenor Gardens and Grosvenor Place.</p>
6.1 Introduction	<p><i>“Local shops which are useful and affordable (50%) “</i></p> <p>What is affordable in this context?</p>
6.1 Introduction	<p><i>“In the last 20 years Elizabeth Street has lost two greengrocers, two delicatessen stores, a butcher/farm shop, a chocolate specialist, an olive oil specialist and a much-loved bookshop cum stationers.” ; “does not require the attraction of substantial footfall from outside the Belgravia Area to sustain its economic viability”; unsustainably large influx of visitors; “Character of retail &amp; catering –</i></p>



	<p><i>can survive on relatively low footfall”; “offering is appropriate for and tailored to the local community”</i></p> <p>Our general comment on this section is that commercial viability is key for the retention of retailers. Retailers require footfall to ensure viable returns, and businesses that have recently been lost from Belgravia were not economically successful, for example banks as services chose to leave the area themselves in line with their own market strategy to reduce physical presence, and newsagents are closing throughout the country as a result of the Internet.</p> <p>Grosvenor have introduced new community amenity, including a new delicatessen and corner shop. Further, we’ve continued to support amenity such as pharmacies, dry cleaners and some newsagents, owing to their benefit to the area.</p> <p>Widening Belgravia’s awareness within wider London and improving access to the area, alongside the improvement of the retail offering in line with market demand, will be key to ensuring these businesses remain. An ambition to prevent visitors, whilst retaining the character of the area, is unrealistic and would prove counterproductive.</p>
6.1 Introduction	<p>Could the hours of operation be clarified? Grosvenor are okay with standard hours, so long as they are reasonable, for example 10pm in cases. This similarly links to the point on a need for viability in all commercial uses, with hours being key to particular uses.</p> <p>To note, there will be some areas where extended hours are appropriate, especially around Victoria and on Grosvenor Place. For example, the Lanesborough, Peninsula, etc will operate longer hours.</p>
Figure 6.1	<p>Lower Belgrave Street is missing – please could this be added?</p>
6.5 Workspaces	<p><i>“Consequently, the need for increased provision of very large-scale offices in Central London may be reduced”</i></p> <p>Following on from the above, there must be a need to create large scale offices in line with the CAZ/Opportunity area economic ambitions and the market requirement for such spaces.</p>
6.6 Historic Pubs	<p><i>“In addition, if the ACV asset comes up for sale, community groups that wish to buy the asset will be given 6 months to make a bid. Within this period efforts would be made to secure alternative ownership or management to permit the pubs to continue with their traditional business”.</i></p> <p>The impetus to try and protect pubs is understood – however, the viability and marketing test is crucial here to ensure there is retention of assets that the community use in practice.</p>
6.2 Housing	<p>Whilst we recognise the sentiment and the importance to all stakeholders that Belgravia retains the aspects as defined as ‘village feel’, we’d suggest that trying to maintain the <i>“predominant existing density”</i> as suggested at 6.7.1 is –</p>



	<p>especially given the very low population density –not in line with strategic policy (especially within the CAZ and the Opportunity Area). It likely won't support and sustain the critical mass of local services and amenities that is desired.</p> <p>Most of Belgravia is PTAL 6b, where higher density developments should generally be promoted (London Plan Policy 6b).</p>
6.2 Housing	<p>We'd suggest that growth and development will be required, both to meet policy objectives but also as a way to sustain and improve existing services and amenities.</p> <p>Creating a stable population is unlikely to be sufficient from the perspective of commercial viability – a growing population/the attraction of custom from a wider area is likely required.</p>
6.2 Housing	<p>The plan is silent on housing.</p>
7.2 Open Spaces	<p>There is a recognised lack of openly accessible space, but no consideration around the use of existing private garden squares – what is the Forum's suggestion for improving the provision of openly accessible public space?</p>
7.2 Open Spaces	<p>No reference is made to any existing legislation such as Town Gardens Protection Act 1863 or The London Squares Preservation Act 1931. Better understanding of the legislation would prevent duplication of restrictions being set out in the plan.</p>
7.3.1 Trees and Greening	<p>Street trees provide significant biodiversity, air quality and climate resilience benefits, and are not just for <i>“decorative and well being effects”</i>. This section needs to be stronger in terms of commitment to biodiversity net gain in Belgravia.</p> <p>Specifically on 7.3.1. a) and b) the below sentence should be stronger:</p> <p><i>However, if a development proposal involves the removal of a mature tree (being a significant biodiversity asset), such loss of biodiversity should be a fundamental consideration when determining the planning application. The Environment Act 2021 requires development to provide at least a 10% net gain in biodiversity from development proposals. Policy 34G of the City Plan requires this “wherever feasible and appropriate”. Thus proposals which involve the removal of trees but are unable to meet the 10% biodiversity net gain on site should only be permitted to remove these trees where the proposals directly address other key objectives in Westminster.</i></p>
7.1.1 Trees and Greening	<p><i>“As a general principle the Plan resists the removal of mature trees for the purpose of enabling development. Such trees, which have typically reached at least 8 metres in height, have taken many years to reach their maturity and any new planting that replaces it is unlikely to reach the same levels of benefit in terms of biodiversity and carbon capture for decades at least.”</i></p>



	<p>Grosvenor agree with the comment that other forms of greening should not be considered replacements for mature trees. These forms of greening should be supplemental to trees.</p>
7.3.2 Other Forms of Greening	<p>The Environment Act calls for improvements made in support of the 10% net biodiversity gain to be supported for 30 years. There should be a consideration of this amongst the focus on maintaining green features.</p> <p>The biodiversity net gain hierarchy calls for the 10% net gain to be delivered on site, or near site, with off site credits considered for those developments where it's not feasible. <b>We welcome reference to the provision of green infrastructure but suggest that the plan should make a statement surrounding biodiversity net gain (and not just in respect of retention of trees).</b></p>
5.6 Net Zero Carbon and Enhancing the Sustainability of Built Heritage	<p><i>“WCC’s City Plan 2019-2040 sets out in Policy 36 that “the council will promote zero carbon development and expects all development to reduce on-site energy demand and maximise the use of low carbon energy sources to minimise the effects of climate change”</i></p> <p>We feel that much more is needed on addressing this policy within the plan.</p> <p><b>We welcome the introduction of Policy BEL4 although we consider adjustments should be made to the wording of the policy to recognise that it is likely to be necessary to balance the environmental performance of buildings with their historic characteristics.</b></p> <p><b>We also consider that there should be policy encouragement (perhaps within Policy BEL1) for the use of innovative materials and approaches to sustainable design – we appreciate that this is referenced within the Design Codes, but given the importance of sustainability, we would suggest that this should specifically be included within the policy wording. Reference could also be made to sustainable modes of travel.</b></p>
8.1 Major Development Sites	<p>The redevelopment major sites are ideally expected to <i>“improve”</i> rather than damage amenity - which may not be practical and is not consistent with strategic policy – linking to the comment on section 5.5.</p> <p>The plan highlights the coach movements of Victoria Coach Station – the only way to reduce/eliminate these being the Coach Station moving, on which we are aligned.</p>
8.2 Requirements for major development sites	<p><i>“The height, bulk and massing of any proposals should respect the scale and character of the local built environment (including the prevailing context height and skyline) and preserve and, where possible, enhance views.”</i></p> <p>We would suggest the wording 'do not harm' <b>rather than ‘preserve’</b>.</p>
8.2 Requirements for major	<p><i>“Across the site, development should reflect the prevailing density in the surrounding area in order to respect the historic context of the location. Where proposed densities are clearly different from the prevailing density, applications</i></p>

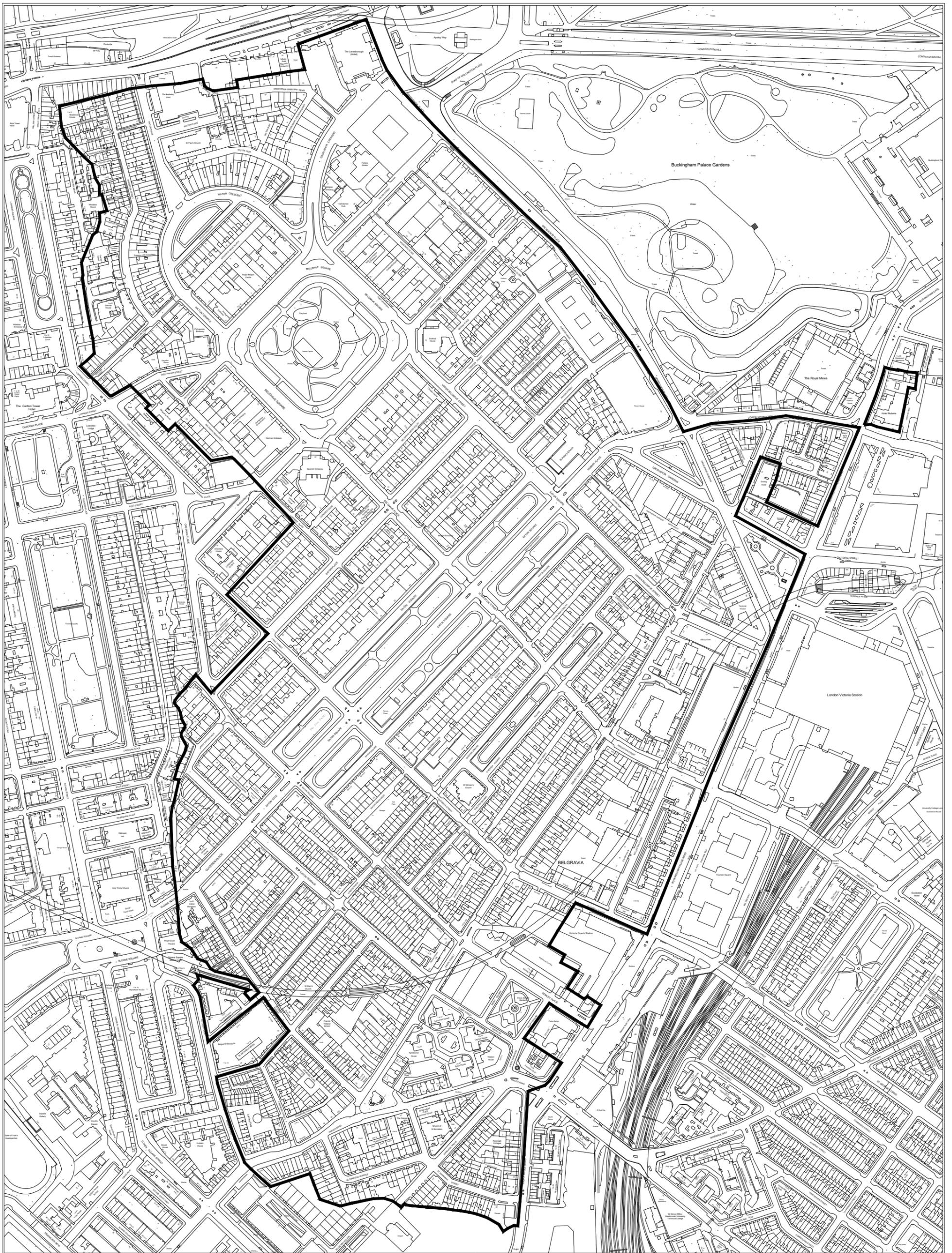


<p>development sites</p>	<p><i>must clearly demonstrate how the proposals will not harm the prevailing townscape.” (Policy BEL14)</i></p> <p>Similar to the point on heights, the variety of architectural style (and so density) across Belgravia should be considered. The requirement for the strict application for the design codes, and the approach to achieving appropriate densities and heights based on surrounding streets but, presumably, whilst discounting the larger nineteenth, 20th and 21st century buildings around the periphery of Belgravia, is also likely to lead to the under-optimisation of these sites.</p> <p>This is also likely to be inconsistent with Policy 4 (Victoria Opportunity Area) given that the major development sites are likely to be within this area, as well as London Plan Policy D3 which seeks to make the best use of land by a designed approach to optimise site capacity. Both are strategic policies with which BEL14 does not align.</p> <p>Generally, the requirement that development is “<i>recognisably Belgravia</i>” in respect of the key sites is a concern to Grosvenor, given the limited definition to what Belgravia is, as noted before.</p>
<p>9. Neighbourhood Infrastructure: Priorities for Neighbourhood CIL Funds</p>	<p>We suggest a mention of sustainability within the <i>aims of the plan that need to be furthered.</i></p>
<p>10. Neighbourhood Management</p>	<p>How the relationship between the Steering Group and Neighbourhood Representation Panels work? Would there be consultation with these groups, beyond simply monitoring?</p> <p>What is the expectation for Grosvenor’s support in the process of reviewing/commenting on applications?</p> <p>How will the plan be used in the evaluation of applications?</p>
<p>10. Neighbourhood Management</p>	<p>To clarify, the Estate Management Scheme sets out the terms of Grosvenor’s management of freehold properties; however, other properties on the estate are leasehold and the terms of the lease are applied in management.</p>
<p>Appendix A – Design Codes</p>	<p>Generally, it appears that the management scheme and policies have been used to develop The Belgravia Design Codes, but not all the codes accord with Grosvenor current policies.</p> <p><i>Paragraph 5.2.1 and Policy BEL1’s blanket application of all of the design code principles to the whole area, without distinction, we do not feel is achievable. It may not be feasible for all development to meet the requirements of the Design Code, especially in more peripheral locations, and where areas are later nineteenth/twentieth century. Ensuring development “accord[s] totally” with</i></p>

	<p>the guidelines within the Design Code will not be appropriate in all circumstances.</p> <p>BEL7 relating to shopfronts. We feel this should distinguish between traditional and modern shopfronts and shop units. Where shopfronts on modern buildings are proposed, seeking to include details such as architectural details such as pilasters and consoles, for example, may not be appropriate.</p> <p>Design Code 1.3 – This implies that a building that is greater in height than surrounding historic buildings is by default harmful to an area’s character – but Grosvenor would suggest as above that context matters in deciding what is appropriate.</p> <p>Design Code 4.4 – We feel this code may not be appropriate for buildings on the periphery where character is more mixed; perhaps it should be adapted to recognise the character of these buildings too.</p>
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**Appendix 2**

**Grosvenor Estate Boundary Plan**



Title / Date

Belgravia Estate  
2022

Legend

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LAN1001803