

PD10957/PJB/JH/JL

Neighbourhood Planning  
Westminster City Council  
64 Victoria Street  
London  
SW1E 6QP

70 St Mary Axe  
London  
EC3A 8BE  
[www.montagu-evans.co.uk](http://www.montagu-evans.co.uk)

By email only:  
[neighbourhoodplanning@westminster.gov.uk](mailto:neighbourhoodplanning@westminster.gov.uk)

23 August 2021

Dear Sir or Madam

**PIMLICO NEIGHBOURHOOD PLAN  
REGULATION 16 OF THE NEIGHBOURHOOD PLANNING (GENERAL) REGS 2012 (AS AMENDED)  
REPRESENTATIONS ON BEHALF OF VITCORP LIMITED**

**INTRODUCTION AND SITE BACKGROUND**

We write on behalf of Vitcorp Ltd (our "Client"), who is seeking to bring forward development in Westminster ("WCC" / the "Council") at 52-73 Wilton Road, London SW1V 1DE (the "Site"), which falls in the boundary of the Pimlico Neighbourhood Plan (the "PNP").

The Site is currently the subject of a Planning Appeal (ref. APP/X5990/W/21/3275399) (the "Appeal") following the refusal of Planning Permission (ref. 19/06682/FULL) (the "Planning Application", and now the "Appeal Scheme") in December 2020. The Planning Application sought the demolition of existing buildings and redevelopment of the Site to provide part 4, part 5 and part 6 storeys building and 2 basement levels for a mixed-use development comprising office floorspace, 5 residential flats with balconies and retail floorspace at ground and basement levels, the installation of plant at roof level and alterations to public realm with hard and soft landscaping and the creation of loading bays.

The Planning Application was recommended for approval by planning officers and considered at the WCC Planning Applications (Major) Sub-Committee on 10 November 2020 on the basis that it was considered to comply with the Development Plan as a whole. Notwithstanding that recommendation for approval, the Planning Application was refused by committee. At the time of writing, the appeal process has yet to be concluded.

**SCOPE OF REPRESENTATIONS**

The PNP has been submitted by the Pimlico Neighbourhood Forum ("the PNF") to the Council for consultation from 28 June 2021 to 23 August 2021 and includes policies on matters including commercial and mixed-use development, design and heritage, housing and hotels, public realm and the environment.

If adopted, the plan will become part of WCC's Statutory Development Plan and will be used alongside the Council's own planning documents and the Mayor's London Plan in determining planning applications in the Pimlico Neighbourhood Area. In this context, consistency between the existing development plan documents and the emerging PNP is therefore a critical issue to consider within these representations.

We have therefore reviewed the PNP in the context of Vitcorp Ltd's interests and provide our recommendations to the policies to ensure that the PNP as a whole meets the tests of soundness established by Paragraph 35 of the National Planning Policy Framework (the "NPPF"). For the avoidance of doubt, Plans are 'sound' if they are:

- a) **Positively prepared** – *providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) **Justified** – *an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) **Effective** – *deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- d) **Consistent with national policy** – *enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*

As will be evident from these representations, whilst we wish to commend the PNF for its hard work in preparing the PNP to date in such challenging circumstances, we currently have very strong reservations about the soundness of the PNP in its current form. Our recommendations are made in the context of making the PNP sound which we trust will be well-received.

## COMMENTS ON PNP POLICIES AND SUPPORTING TEXT

### PIM1 (Commercial and Mixed Uses)

Policy PIM1 (Commercial and Mixed Uses) states that amongst other locations, commercial activity should be directed to CAZ Retail Clusters. We support this statement and welcome the directing of commercial / mixed-use development to such locations, and note this desire is wholly consistent with other policies of the Statutory Development Plan, namely Policy SD4 (The Central Activities Zone) and Policy SD5 (Offices, other strategic functions and residential development in the CAZ) of the London Plan, and Policy 14 (Town centres, high streets and the CAZ) of the WCC City Plan.

### PIM10 (Shopfronts and Signage (including Hotels))

Policy PIM10 (Shopfronts and Signage (including Hotels)) of the PNP currently states:

*"Development proposals for new or replacement shopfronts, signage or lighting to non-residential premises (including hotels) should demonstrate high quality design and retain or enhance the*

*character of the shopping frontage and, where relevant, the Conservation Area within which they are located. Support will be given in particular to the following design features which are considered to demonstrably retain or enhance character:*

- a) The use of high-quality signage from sustainable materials, with the use of plastic signage being strongly resisted*
- b) The protection of original architectural detail and, where necessary, its restoration*
- c) If external lighting of a shopfront or commercial premises is proposed, this should involve lights complying with the highest standards in the latest relevant British Standard for energy efficiency. Lighting should seek to highlight the character of the property and enhance the local setting. Outward facing bright lights, neon signage and flashing lights are generally not considered to be acceptable*
- d) The sensitive incorporation of security measures other than external shutters*
- e) There should be no signage or other decorative or promotional features placed on the public pavement.*

We support the desire for high quality design for new or replacement shopfronts. This is something that our Client is seeking to provide as part of the redevelopment of the Site. Specifically in relation to items a) to e) we highlight that the Appeal Scheme would be in accordance with this draft policy:

- a) high quality signage is proposed which is fully integrated into the new retail units, and which complement the design of the shopfronts;
- b) the existing buildings on the appeal Site have no original architectural details that require retention or indeed restoration;
- c) external lighting is likely to be minimal and any proposed would be sensitive to the high quality design of the shopfronts and provide a comprehensive building-wide approach to lighting;
- d) secured by design will be fully considered as part of the detailed design, with full accreditation sought prior to the occupation of the development. The measures will be sensitively incorporated into the design of the scheme; and
- e) no signage is being proposed within the pavement, which overall, is to de-cluttered.

#### Policy PIM 11 (Tall buildings)

Policy PIM 11 (Tall buildings) states the following:

- A. Pimlico is generally not an area suitable for tall buildings. Any proposal over the reference height of the local area must preserve protected townscape and views, the setting of any listed building or unlisted building of merit or and the setting and key features of any conservation areas.*
- B. Any part of the structure higher than the reference height should aim to be subordinate to the main lower part of the building.*
- C. The following reference heights above street level shall apply:*
  - Peabody Avenue and Pimlico Conservation Areas (except for Eccleston Square,*
  - Warwick Square, St George's Square, Belgrave Road and St George's Drive): 11m*

- *Eccleston Square, Warwick Square, St George's Square, Belgrave Road and St George's Drive: 17m*
- *Lillington and Longmoore Gardens Conservation area: 14m*
- *Abbots Manor Estate: 17m*
- *East corner between Lillington and PCA: 17m*
- *All other locations: 20m.*

Paragraph 52 on Page 38 of the PNP considers that the prevailing height outside of the main squares and avenues is three storeys plus a mansard. The policy itself refers to 'reference heights', noting that any proposals above the reference height must preserve protected townscape and views.

The London Plan Policy D9 (Tall buildings) sets out that tall buildings should be defined for specific localities and the height of which would vary in London, but should not be less than 6 storeys or 18 metres measured to from ground floor to the floor level of the uppermost storey.

The London Plan does not refer to 'reference heights' and nor does the City Plan Policy 41 (Building heights) which refers to the 'prevailing height'.

Paragraph 52 also notes that "the City Plan defines a tall building as one more than 50% higher than the surrounding buildings". This is not correct. The WCC City Plan defines tall buildings as "buildings twice the prevailing context height or higher than those which make a significant change to the skyline". Accordingly the current draft of the PNP contradicts the very recently adopted WCC City Plan. The PNP must therefore be updated to be consistent with the adopted policy and the assessment of tall buildings within both the London Plan and the WCC City Plan.

Pimlico sits within a Central London context, within the Central Activities Zone and with an excellent public transport accessibility. It sits adjacent the Victoria Opportunity Area which contains numerous tall buildings. We consider that some of the peripheral locations within Pimlico would be suitable for increased height due to the prevailing context height of the surroundings. This includes our Client's Site, which sits outside of any conservation area and benefits from a high level of public transport accessibility.

We note that all development, not just 'tall buildings', must take into consideration the impact upon the setting of heritage assets and wider townscape and that this would be considered on a site by site basis.

We consider that Policy PIM11 (Tall buildings) is contrary to the Statutory Development Plan on the basis that the inclusion of 'reference heights' is inconsistent with London Plan Policy D9 and City Plan Policy 41 and neither defines tall buildings nor assesses the acceptability of taller proposals in the same way as the adopted policy. On this basis, the wording of Policy PIM 11 (Tall buildings) should be revised accordingly.

We would also like to highlight inaccuracies in *Appendix 1 – Building Heights and Upward Extensions*, which provides a visualisation of "average building heights" at Map 9. Firstly this map shows the Pimlico Neighbourhood Plan area and not the Pimlico Conservation Area. It is unclear how exactly this 'average' is calculated, and we consider that it would be better represented by identifying absolute building heights of individual buildings.

For example, the average building height of the Hindon Court block is identified as '<11m', the lowest height category. This is wrong, as the block rises to 10 storeys and its average height is clearly greater than 11m (approximately 32m) – much of it is comparable in height with the buildings on the other side of Guildhouse Street which are correctly shown in the two highest height categories. Map 9 should be corrected accordingly.

Further Map 10, which purports to show the “effect of the 17m and 20m thresholds” does not tie up with the heights quoted in draft Policy PIM11. As above, we recommend a full review of this policy to ensure consistency with the adopted development plan.

#### PIM 22 (Wilton Road / Warwick Way Public Realm)

PIM 22 (Wilton Road / Warwick Way Public Realm) outlines that “*proposals to increase capacity for pedestrian movement in the Wilton Way/Warwick Road shopping area will be supported*”, and that in particular, proposals are encouraged to address the following:

- A. *“Highway works that create additional footway space, provided this does not increase traffic congestion.*
- B. *Design pavement space to allow pavement seating for cafés, provided this does not impede pedestrian movement”*

Paragraph 27 on Page 55 of the PNP then states that in relation to Wilton Road specifically, the following would represent an improvement on the existing situation:

- *“Replace paving over time with a uniform paving that can be maintained without harming the appearance.*
- *Pay/encourage landlords to improve their part of the pavement with more consistent materials as a condition of any planning they need.*
- *Widen the pavement at the expense of parking spaces. Parking for deliveries would need addressing, perhaps along the lines of Elizabeth Street.*
- *Enforce existing signage policy or even fund improved signs.*
- *Remove unnecessary clutter (and prioritise new necessary infrastructure to the side streets).*
- *Permit street-side cafés; residents are very appreciative of tables on the pavement where pavements are wide enough. Pavements however are not at present sufficiently broad, especially near the junction with Warwick Way to serve what has become an important area for restaurants.*
- *Restrict the clustering of fast food takeaways”*

The majority of Wilton Road, on the north eastern side, is within the single ownership of our Client and we support the desire for high quality public realm along Wilton Road. This is something which the Appeal Scheme is seeking to provide as part of the redevelopment of the Site.

The Appeal Scheme would provide for new slab paving along this stretch of Wilton Road, providing consistency in the street. The pavement would be reconfigured to provide uniformity in width along the stretch and utilising the space for a shared surface to enable delivering and loading from the street, without impeding either

vehicular or pedestrian movements. The Appeal Scheme contains ground floor retail and restaurant/café units with space provided for tables and chairs. Permission has not been sought for any fast food takeaway use.

#### PIM 24 (Major Development)

Policy PIM24 (Major Development) sets the PNF's aspirations for major development, stating:

- A. *“Proposals for all types of major development (including refurbishment, demolition and either partial or full redevelopment) must be justified against the following criteria:*
- a) *The height, bulk and massing of any proposals should respect the scale and character of the local built environment, in consideration of identified local views. It should maintain and enhance neighbouring residential amenity and all other relevant material considerations.*
  - b) *The design should preserve and enhance the setting of heritage assets and maintain the open skies that are characteristic of Pimlico.*
  - c) *Development must integrate well with the existing streetscape and not create disruptive physical barriers to pedestrian movement.*
  - d) *Development should maintain and enhance permeability, principally in the form of permanent public pedestrian routes that ideally are routed through the site.*
  - e) *Development should provide (including by retention) publicly accessible open and green space as part of comprehensive landscaping proposals to enhance the local environment. It shall be ensured that all such provision shall be capable of being easily maintained.”*

At a high level, we agree with these design principles being applied to major developments, although note that they are generic and not all major developments would be able to achieve all of these. For example, the permeability of a site may be maintained, but not necessarily enhanced, dependent on site conditions. We consider that part A(d) should be amended to “*maintain or enhance*”.

In relation to Part A(a), we would note that it is difficult for major development to enhance neighbouring residential amenity, and suggest this needs re-wording accordingly. Whilst we applaud that every effort should be made to seek to enhance residential amenity the nature of development means that this is not always achievable. In accordance with the City Plan Policy 7 (Managing development for Westminster's people) we would therefore suggest that Item A part a) be updated to read as follows:

- A. *“Proposals for all types of major development (including refurbishment, demolition and either partial or full redevelopment) must be justified against the following criteria:*
- a) *The height, bulk and massing of any proposals should respect the scale and character of the local built environment, in consideration of identified local views. It should protect and where appropriate, enhance neighbouring residential amenity and all other relevant material considerations.*

Part A(b) refers to the maintaining of open skies within Pimlico. We consider that this is a matter which cannot be assessed qualitatively, and therefore recommend that this reference is omitted in its entirety, as such a requirement does not exist elsewhere in national or regional planning policy.

Part A(e) should not be used to preclude the development of private land in front of existing buildings that serve a primarily commercial purpose, such as the setting out of tables and chairs. However, we agree with the sentiment of the policy in providing and retaining larger public open spaces and green spaces, although again, this may not be possible on all major developments.

The Draft Policy goes on to state in relation to the Queen Mother Sports Centre (“QMSC”):

Queen Mother Sports Centre

*B. Any major redevelopment proposals for the Queen Mother Sports Centre block (bounded by Gillingham Street, Upper Tachbrook Street and Longmoore Street) are expected to address the following matters:*

- a) As a fundamental part of the central area of Pimlico, proposals must ensure that they will enable the area to thrive as a destination that meets the leisure, shopping and dining needs of Pimlico and other local residents. Ground floor uses will be expected to consist of main town centre uses. Proposals should not make significant additional provision of retail floorspace, particularly where this competes with existing retail provision in the Warwick Way/Tachbrook Street/ CAZ Retail Cluster. Any loss of existing retail units should be re-provided at appropriate rents in order to address the needs of current occupiers.*
- b) The existing role of the centre as a sports facility with a swimming pool should be retained. Any redevelopment proposals must ensure that re-provision of the sports facility is of at least a comparable scale to the existing provision and its function continues to be as a facility serving local and Westminster needs.*
- c) Proposals should complement and, as appropriate, contribute towards the improvements to the public realm in Wilton Road/Warwick Way identified in Policy.*
- d) Development should create permeability within the site by providing a permanent public pedestrian route through from Wilton Road to Vauxhall Bridge Road or open up public spaces accessible from Wilton Road.*
- e) Development should preserve (and enhance the setting of) the listed terrace in Gillingham Street and the historic terrace of shops on the west side of Upper Tachbrook Street and adjacent public realm.*
- f) In addition, provision to meet the needs of small and micro-businesses is strongly encouraged. The design would be expected to ensure that the subsequent amalgamation of units into a single larger unit is not possible.*
- g) Significant residential uses are not considered to be acceptable.”*

The draft policy does not include Wilton Road in the list of streets that the ‘block’ is bounded by, although we understand from Map 8 that the intention is to include our Client’s land on Wilton Road, as part of the QMSC block.

We note that WCC has historically indicated that it has plans to redevelop the QMSC and produced a draft Development Opportunity Framework for the block in 2016, although this was never adopted. Our Client has

consistently attempted to engage with WCC on the combined development of the sites since 2015, but WCC have not been willing to work co-operatively to develop the sites in parallel. The PNP is the first indication that our Client has had that the comprehensive redevelopment of their Site and the QMSC may be favoured in the development plan.

Despite numerous years of attempted discussions, the QMSC did not appear to be a priority for the Council and our Client decided to submit an application for the redevelopment of the Wilton Road Site (i.e. this Appeal Scheme) in August 2019. The Scheme has been designed in consideration of the potential for redevelopment of the QMSC site in future.

Most recently in August 2020, our Client met with the WCC Estates department and at that stage we understood that limited feasibility work had been undertaken on the QMSC and there were no timescales or programme for development.

With that in mind, and in light of our Clients application for the redevelopment of the Wilton Road Site, we would question the relevance of this allocation within the Pimlico Neighbourhood Plan. As currently drafted, the policy largely refers to the retail and leisure needs for the site, including the re-provision of sporting facilities.

We firmly agree with the overall aims of the policy to ensure that development enables Pimlico to thrive as a destination that meets the leisure, shopping and dining needs of Pimlico. However, the QMSC block also has the potential to deliver numerous other benefits to Westminster, in providing employment opportunities and office space for businesses appropriate in this central London and town centre location, whilst also improving the overall townscape of the area.

We note that Policy 13 of the City Plan requires the delivery of new and improved office floorspace to provide capacity for at least 63,000 new jobs until 2040 and promotes offices that enabled continued growth and meets the needs of modern working practices. We recognise that much of this will be directed towards the key commercial areas, but this Site is already in office use and sits in a mixed-use area outside of Pimlico's main residential streets and close to the Victoria Opportunity Area, providing an excellent opportunity for development.

Our Client's Site represents an opportunity to deliver those benefits, which is not recognised by draft Policy PIM24, and which are befitting of a scheme of this size and in this location. Whilst our Client has sought to explore the opportunities to develop a comprehensive masterplan for the Site, the timescales for delivery of the Appeal Scheme is much more advanced than the QMSC site.

We therefore suggest that draft Policy PIM24 is amended either to exclude our Client's Site or to recognise the potential to optimise the site for commercial uses, beyond small scale retail or office uses.

Under part B(d), a permanent public pedestrian route through from Wilton Road to Vauxhall Bridge Road already exists via Gillingham Row. Any further permeability would not be possible until WCC brings forward proposals for the QMSC site, which currently offers no route through its centre. Based on the above, we expect the Wilton Road Site to come forward in isolation and in advance of the QMSC and therefore a new route through is not likely to be achievable.



Paragraphs 9 to 15 on Pages 60 and 61 of the PNP provide supporting text to draft Policy PIM24, and we offer the following comments on these:

- a) we disagree with the assessment that the parade on the east side of Wilton Road is inoffensive and that the set-back makes a positive contribution. By contrast, we consider that the 1950s infill development is haphazard and unplanned, with the abrupt changes in building line having a deleterious impact on the public realm. The office buildings are unremarkable architecturally, with nothing distinctive or special in their detail. The expanded area of space in front of these properties are commandeered by ancillary restaurant space, including a poor quality timber shopfront and kitsch advertising paraphernalia at no. 64-65 (paragraph 10);
- b) as noted elsewhere in this letter, we consider that the Wilton Road Site is situated in an optimal location to provide additional commercial floorspace. We consider it to be a transition area between Victoria and Pimlico, offering an opportunity to develop the poor quality existing buildings into a high quality scheme that provides additional employment opportunities and complementary retailing and dining options for Pimlico residents, and this should be recognised in the policy (paragraph 11);
- c) we would categorise this site as a transition area between Pimlico and Victoria. It sits outside of the conservation area and, alongside Hindon Court opposite, represents larger development which is a transition in scale and uses, with a fragmented urban grain and lower quality architecture. The uses contained within this part of Westminster are influenced by both the residential nature of Pimlico, but also the commercial benefits generated by its proximity to Victoria station and the adjacencies of the Opportunity Area – such that many businesses within the QMSC block (as identified in Map 8) describe themselves as being within Victoria and Pimlico (including the QMSC itself), reflecting that transitional nature (paragraph 12);
- d) it would not be possible to provide new public realm within the Appeal Scheme due to the narrow width of the Site. Opportunities for this could be considered on the QMSC site, accessed from Wilton Road via Gillingham Row (paragraph 14); and
- e) the Appeal Scheme does not propose any residential uses, other than a replacement of the existing properties that currently exist above retail units. We consider this to be appropriate for this Site, which should enhance the retail and commercial offer of the Site (paragraph 15).

## CLOSING REMARKS

We thank you for the opportunity to comment on the PNP and we trust that our and our Client's representations on these aspects of the PNP are of assistance to the Council in making the Plan sound in the context of the NPPF, and will be taken into account to inform the next iteration of the PNP.

As already noted, we have strong reservations about the soundness of the PNP in its current form and we will be forced to make an objection if changes are not made. In the meantime, please do not hesitate to contact Peter Bovill or James Huish if you have any queries regarding the content of these representations.

Yours faithfully,



*Montagu Evans*

Montagu Evans LLP