

CITY PLAN 2019 - 2040

Statement of Common Ground between City of Westminster and Places for London

November 2024

Contents

1 Introduction	3
1.1 Executive Summary	4
2 Background.....	5
2.1 Background	6
3 Policies in the Partial Review.....	7
3.1 Land adjacent to Royal Oak Station.....	8
3.2 Westbourne Park Bus Garage.....	15
3.3 Affordable Housing Policy	16
3.4 Retrofit First Policy	18
4 Conclusion	19
4.1 Conclusion.....	20
4.2 Signatories	21

1 Introduction

1.1 Executive Summary

1.1.1 This Statement of Common Ground has been prepared between Westminster City Council and Places for London (Transport for London's property company). It focusses on the issues raised by Places for London in their response to Regulation 19 consultation, with the intention of minimising the areas of contention, and summarising each party's position where areas of disagreement remain. It has been prepared in recognition of Places for London's role as a landowner with an interest in some of the sites proposed for allocation in the City Plan Partial Review. It demonstrates collaborative working between both parties and sets out where common ground has been reached since the closure of Regulation 19 consultation, including through some minor modifications that both parties agree to.

2 Background

2.1 Background

- 2.1.1 The current City Plan was adopted in April 2021, however, there has since been a change in political administration (local elections 2022). Subsequently, the council now have new priorities for the local plan with regard to affordable housing and retrofitting. A partial review of the adopted City Plan that focusses on these issues, and introduces a small number of site allocations, therefore commenced in late 2022.
- 2.1.2 Given their landowner role, the council have engaged with Places for London through the development of the City Plan Partial Review, with a particular focus on the site allocations. Of the proposed site allocations, Places for London are landowner for the entire site Land adjacent to Royal Oak Station and partial landowner at Westbourne Park Bus Garage. They also have an interest in the Grosvenor Sidings site given the presence of existing transport infrastructure on site, and have therefore liaised with and endorsed comments on that site allocation made by Network Rail.
- 2.1.3 As set out in their Regulation 19 response, Places for London support the inclusion of all three sites as site allocations, and the general approach to set out suitable land uses and general development parameters and principles within the draft allocations, whilst stressing that these should not be overly prescriptive or impede creative design solutions to address each site's constraints. They do, however, raise a number of detailed matters for these sites, as well as other policies included in the City Plan Partial Review, which are addressed through this statement.

3 Policies in the Partial Review

3.1 Land adjacent to Royal Oak Station

Issue raised at Regulation 19 and/or through proposed modifications	Council position (including proposed modification where relevant)	Places for London position
<p>Vision should make clear the site is suitable for mixed-use development, with the balance of uses between housing and commercial informed by a design led process.</p>	<p>The site’s context, including its designation as forming part of the North West Economic Development Area (NWEDA) mean that any development should be genuinely mixed use, with provision for both commercial and residential land uses. A modification to the policy wording is proposed to better reflect that mixed use development can include a greater quantum of residential than was implied by the original policy wording and correspondingly that that mixed use does not necessarily have to be ‘commercial-led’.</p> <p>Proposed revised wording of the ‘Vision’ statement is as follows:</p> <p><i>“Development on the site should deliver enhanced station approach and access, and improved permeability for pedestrians through the site, enabled through a high quality and sustainable mixed and commercial use development, <u>comprising both commercial and which may include and</u> well-designed residential. Non-residential land uses at the site should reflect the needs and aspirations for the local area, providing for a range and mix of flexible work-spaces, light industrial, logistics, and offices.”</i></p>	<p>Places for London agrees the Council’s proposed modifications.</p>

	<p>A subsequent modification is proposed to Paragraph 10.2 to reflect the above, as follows:</p> <p>“The site sits within the NWEDA and the CAZ, and any proposals for the site should respond to the spatial strategy of the NWEDA and the CAZ, in particular by providing <u>a high quality and sustainable mixed use development comprising both</u> new <u>commercial and well-designed residential floorspace,</u> with the potential for residential as part of mixed use development. Commercial land uses should cater for a range of different businesses, including affordable and smaller scale commercial space, which will support the diversity of commercial and job opportunities in the NWEDA. The pedestrian environment around Royal Oak station requires significant improvement, and is a key objective for the site. In particular, development should secure improved pedestrian permeability from Royal Oak station towards Paddington Basin.”</p>	
<p>Core principle A should be rephrased to read:</p> <p><i>“The viable delivery of improvements to the access of Royal Oak station and its surrounds, and permeability through the site for pedestrians, alongside the delivery of a mix of uses including commercial land (potentially including office workspace, and/ or light industrial and/or logistics) uses and/ or new homes to positively</i></p>	<p>WCC are now seeking removal of the word ‘viable’ as it is considered that improvements to the access of Royal Oak station and the surrounding area will be required to mitigate the impacts of the development of the site, while the notion of viability would come into consideration at planning application stage in any event. This reflects a consistent approach across all of the site allocations policies.</p>	<p>Places for London agrees the Council’s proposed modification.</p>

<p><i>contribute to the needs of the local area;”</i></p>	<p>As above, the site’s location and designation mean that a genuinely mixed use scheme is preferred, and that the wording can reflect a more balanced approach to housing provision. Notwithstanding, WCC is opposed to removing references to offices as this would contradict the strategic functions of the Central Activities Zone in which the site is located.</p> <p>Proposed revised wording of Clause A is as follows:</p> <p><i>“The viable delivery of improvements to the access of Royal Oak station and its surrounds, and permeability through the site for pedestrians, alongside the delivery of a mix of uses including commercial <u>uses</u> land (potentially including office, light industrial <u>or logistics</u>) uses and <u>new housing provision</u> to positively contribute to the needs of the local area. <u>This will include contributions towards the delivery step-free access to the station and enhancements to station capacity;”</u></i></p>	
<p>Heights should be informed by a design-led approach to optimisation of development densities. Policy should make clear tall buildings may be appropriate and should not require development to grade down significantly from the buildings at Kingdom Street. Core principle B should be rephrased to read:</p> <p><i>“The optimisation of development densities across the site, potentially including tall buildings, and in a manner that</i></p>	<p>References in the policy wording in relation to optimising densities is an acknowledgement that some height can be accommodated on the site, however, we maintain our position that it is necessary for building height to grade down from east to west across the site in order to maintain the integrity of the tall building cluster and limit any impacts on the adjacent residential development to the south and the associated Bayswater Conservation Area. Notwithstanding, we</p>	<p>Places for London maintains its concerns, as expressed in our Reg 19 representations and maintains our position that height should be informed by a design-led, contextual approach to optimisation of development densities, which promotes excellent place-making, and the Westminster Design Review Panel’s advice that the policy should not be “<i>overly specific on height</i>”.</p> <p>Places for London considers that the Council’s concerns (to</p>

<p><i>responds to local its heritage and townscape context value and the integrity of the adjacent tall building cluster, ensuring that building heights, form and design relate appropriately to existing tall grade down significantly from the buildings at Kingdom Street and within the wider Paddington Opportunity Area;”</i></p>	<p>acknowledge that the current wording that includes reference to height grading down ‘significantly’ may act to inhibit the optimisation of densities through appropriate forms of building height, and we therefore propose a modification to remove this. WCC also proposes to include text referencing ‘townscape context’ and the ‘wider Paddington Opportunity Area’ in order to improve the context of the policy.</p> <p>Proposed revised wording of Clause B:</p> <p><i>“The optimisation of development densities across the site in a manner that responds to its heritage value, <u>townscape context</u> and the integrity of the adjacent tall building cluster, ensuring that building heights grade down significantly from the buildings at Kingdom Street <u>and within the wider Paddington Opportunity Area;</u>”</i></p>	<p>maintain the integrity of the tall building cluster and limit any impacts on the adjacent residential development to the south and the associated Bayswater Conservation Area) can all be addressed at the pre-application and planning application / consideration stages. We do not consider that the appropriate solution to either of these concerns is necessarily “for the building height to grade down from east to west across the site”; there may be a more dynamic solution that is appropriate.</p> <p>Places would agree to the addition of references to townscape context and the Paddington Opportunity Area to a suitably worded policy.</p>
<p>Policy 46C should be amended to include reference to the site allocation at Royal Oak as an appropriate location for tall buildings.</p>	<p>Policy 46 is not being reviewed as part of the current partial review of the City Plan.</p>	<p>Places for London accepts this and considers that appropriate references to tall buildings could be included within site allocations.</p>
<p>Suggest deletion of last sentence of core principle C with new core principle to read:</p> <p><i>“The existing vehicular route to the Elizabeth Line portal must be maintained unless TfL agrees that it is no longer required. Access to rail infrastructure and its security (Network Rail, London Underground, and Elizabeth Line) must be taken into account in development proposals.”</i></p>	<p>WCC agree with the majority of the suggested wording provided through the consultation response, with the exception of the final aspect where the stronger wording of ‘compromised’ was used in lieu of ‘taken into account’. The adjusted policy wording for Clause C reads as follows:</p> <p><i>“Enhanced permeability through the site and activation of public spaces at ground floor level,</i></p>	<p>Places for London agrees the Council’s proposed modification.</p>

	<p>including around Royal Oak station, and in particular pedestrian through routes, including dwell spaces, through strategic separation distances between buildings. Access routes at lower ground floor level should be maintained. <u>The existing vehicular route to the Elizabeth Line portal must be maintained unless TfL agrees that it is no longer required. Access to rail infrastructure and its security (Network Rail, London Underground, and Elizabeth Line) must not be compromised by development proposals;</u>"</p>	
<p>Suggest core principle E is rephrased to read:</p> <p>"Where provided, aAny new residential development should secure high quality living conditions – including through the provision of high levels of sound insulation and ventilation necessary to mitigate given the noise associated with the hard transport infrastructure, and measures to prevent overheating."</p>	<p>The site represents a heavily constrained land parcel owing to its location adjacent to surrounding road and rail infrastructure and is therefore subject to impacts from noise, vibration and air pollution that future development will be required to mitigate. In order to ensure that any residential development does not have compromised amenity, modifications to the policy wording are proposed to ensure a wide array of mitigation measures are captured.</p> <p>Revised policy wording as follows:</p> <p>"Where provided, any new residential development should secure high quality living conditions – including through the provision of high levels of sound insulation given the noise associated the hard transport infrastructure, and measures to prevent overheating.</p> <p><u>Development will secure high quality living and working</u></p>	<p>Places for London agrees the Council’s proposed modifications to both principle E and the supporting text at para 10.3. However, please note, as per our Reg 19 representations, that we are unlikely to seek to deliver live-work accommodation as part of the development on this site.</p>

environments. Development will explore a full range of options to mitigate the impacts arising from nearby transport infrastructure, with these measures informed by appropriate technical assessments focusing on daylight and sunlight, overheating, noise, vibration, air quality and ventilation.”

A related modification is also proposed to the supporting text at section 10.3 to better align with the abovementioned modifications to Clause E relating to mitigation measures, whilst also incorporating other modifications to acknowledge that where residential development is proposed, a range of different typologies may be appropriate provided they overcome some of the key site constraints and adequately protect amenity. Proposed wording is as follows:

“The site densities should be optimised, while respecting the surrounding townscape and heritage. The site is bordered by the Bayswater Conservation Area, and a Grade II listed bridge. Furthermore, adjacent to the site is a tall building cluster within the Paddington Opportunity Area, and so the integrity of this cluster should be preserved. Opportunities for viable residential development should be explored, within the parameters of an optimised design of the site. Given the significant constraints, especially in relation to access and adjacent heavy transport infrastructure, and subsequent impact on

	<p>viability, non-conventional housing (including live/work spaces or student housing) may be more appropriate than homes suitable for family life which could be more challenging to viably deliver. <u>proposals will be developed in line with the ‘agent of change’ principle as established in the London Plan and it is imperative that any development secures high quality living and working environments through careful siting and design. Development should also consider measures to prevent overheating and maintain good indoor air quality. A range of housing typologies may be appropriate at the site, including both conventional and non-conventional housing typologies (student housing or live/work-spaces).”</u></p>	
<p>Supporting text should acknowledge that non-conventional housing typologies such as student housing or live/work-spaces are likely to only be a small component of any housing offer, if provided.</p>	<p>WCC agree that housing provision on the site is likely to be predominantly comprised of traditional typologies (i.e. apartments) and any non-conventional housing will form a smaller component of this residential provision. We have therefore reflected this stance in a modification to the supporting text at RJ 10.3 as detailed in the row above.</p>	<p>Noted.</p>
<p>Site maps in the plan and on policies map need amending to reflect correct land ownership boundaries.</p>	<p>WCC agree with this comment and have amended Figures 19 and 20 within Policy 10, as well as the policies map to align with red line boundary shown in Places for London’s submission response / Land Registry information.</p>	<p>Noted.</p>

3.2 Westbourne Park Bus Garage

Issue raised at Regulation 19	Council position (including proposed modification where relevant)	Places for London position
<p>Paragraph 9.4 should reflect that Tower Transit Operations are also a landowner of part of the site.</p>	<p>Agreed – WCC have amended Paragraph 9.4 to read:</p> <p><i>“However, the existing bus garage configuration provides an inefficient layout and is spread across different parcels of land. Landowners and operators Transport for London, Tower Transit Operations, and Network Rail indicate that there is a potential to reconfigure the garage to release land for a residential-led mixed-use development.”</i></p>	<p>Places for London agrees the Council’s proposed modification.</p>

3.3 Affordable Housing Policy

Issue raised at Regulation 19	Council position (including proposed modification where relevant)	Placed for London position
<p>The approach to portfolio developments is not in conformity with the London Plan and jeopardises the deliverability of land at Royal Oak as it is the only site in Places for London Portfolio in Westminster. Clause B3 should therefore be amended to read:</p> <p><i>“Where a portfolio agreement with the Mayor is in place, public sector landowners may provide 50% affordable housing across their portfolio of sites in London provided at least 35% is affordable housing is provided on each site approach to delivery on public sector land is proposed in agreement with the Mayor of London, all the portfolio sites will be located in Westminster.”</i></p>	<p>Places for London do have other land holdings within Westminster that may come forward for development (i.e. land around other tube stations), and have also commented on the allocation for Westbourne Park Bus Garage in their capacity as a landowner of part of this site.</p> <p>High levels of housing need in Westminster as set out in the SHMA (January 2024) justify a position of seeking to maximise affordable housing delivery on all public sector land located in Westminster. To reflect this, whilst offering some flexibility over how much affordable housing is provided at each individual site in Westminster, the following modification to clause B3 of the policy is proposed:</p> <p><i>“Where a portfolio approach to delivery on public sector land is proposed in agreement with the Mayor of London, all the portfolio sites will be located in Westminster <u>and 50% affordable housing will be delivered across the portfolio, with a minimum of 35% at each individual site.</u>”</i></p>	<p>Places for London do not agree the Council’s proposed modification and maintain our position as set out in our Reg 19 reps. The portfolio approach must apply across London in conformity with the adopted London Plan. TfL’s portfolio agreement with the Mayor can be found here. Reports on the progress of individual schemes as well as the portfolio as a whole, are made on a quarterly basis to the Homes for Londoners Board.</p>
<p>Paragraph 13.6 should be amended to reflect that affordable housing should be calculated primarily on habitable rooms.</p>	<p>Paragraph 4.5.3 of the London Plan provides scope for affordable housing to be calculated on the basis of habitable floorspace as well as habitable rooms. The council’s preference is for affordable housing to be calculated on floorspace as per adopted Policy 9. However, City Plan draft paragraph 13.6 does explain that ‘all planning applications will need to provide details on affordable housing by floorspace, number of homes and number of habitable rooms’. The proposed approach is in line with adopted Policy 9, which was found sound in 2021.</p>	<p>Places for London maintains our position, set out in our Reg 19 representations, that the percentage of affordable housing on a scheme should be primarily measured in habitable rooms in accordance with paragraph 4.5.3 of the London Plan and our portfolio agreement with</p>

		<p>the Mayor. The London Plan also requires applicants to present affordable housing figures as a percentage of units and floorspace, but habitable rooms is clearly the primary measure.</p>
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3.4 Retrofit First Policy

Issue raised at Regulation 19	Council position (including proposed modification where relevant)	Places for London position
<p>Policy should not constrain major projects such as at Victoria Station and surrounding land where there is an opportunity for major national and London infrastructure improvements alongside new homes and jobs.</p>	<p>Proposed policy 43 provides scope for such major redevelopment proposals to justify demolition on the basis of operational and access requirements and/or the public benefits they would bring. This could include the provision of critical public infrastructure, investment and job growth within the Victoria Opportunity Area and the delivery of an improved public realm. Furthermore, as a transport infrastructure proposal, development involving Victoria Station would not be required to meet the upfront embodied carbon targets specified by the policy, but would rather need to demonstrate the maximum reductions in upfront embodied carbon deliverable. No modification to the plan is therefore considered necessary.</p>	<p>Noted.</p>

4 Conclusion

4.1 Conclusion

4.1.1 This statement details how some of the issues raised by Places for London in their Regulation 19 representation can be resolved through some modification to the plan, which are supported by both parties. It also summarises where there is a fundamental difference of opinion that it has not been possible to resolve through continued cooperation. The statement has been prepared as a live document that can be updated in response to any issues arising through the examination as necessary.

4.2 Signatories

Places for London agree to the matters referred to in this statement:



Signed by:

Name: Brendan Hodges

Position: Planning Manager (Residential and Commercial)

Date: 14th November 2024

City of Westminster agree to the matters referred to in this statement:



Signed by:

Name: Debbie Jackson

Position: Executive Director of Regeneration, Economy & Planning

Date: 14th November 2024

Planning Policy Team

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