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Main Modification MM39      Policy 40

The London Gardens Trust finds itself in the unfortunate position of **strongly objecting** to the proposed modification of Policy 40 (previously numbered Policy 38). We refer to the main modifications

[https://www.westminster.gov.uk/sites/default/files/uploads/core\\_028\\_main\\_modifications\\_typo.pdf](https://www.westminster.gov.uk/sites/default/files/uploads/core_028_main_modifications_typo.pdf)

We have participated in the development of the Local Plan in good faith since 2017 and have been supportive in our contributions. In response to the Reg 19 consultation we:

“Welcome comprehensive approach taken in Policy 40 & in particular the rewording of Policy 40Q;”

The Main Modification proposes one major change and some minor editing.

*Insertions in italics*

Amend clause Q to read: **REGISTERED** HISTORIC PARKS AND GARDENS

Q. Proposals affecting Westminster’s *registered* historic parks, gardens and open spaces will safeguard their *special* historic *interest*, integrity, character and appearance, and protect their settings and significant views from and towards these spaces.

Grounds for our objection and conclusion that the plan is unsound

1 The proposed modification has totally undermined our contributions to the consultations and development of policy since 2017. The addition of the one word “Registered” has completely altered the meaning and application of the policy.

In effect, the policy which we have supported all along has been deleted. Heritage assets of valued parks, gardens and open spaces no longer have the protection that was intended, supported by specific criteria.

2 We were unaware there were objectors to this policy. Previous rounds of consultation involved supporters of the policy and minor improvements were made.

The wider community will be unaware of the deletion of the policy.

3 The deletion of the original Policy 40 (previously Policy 38) leaves the open landscape category of heritage asset without the protection and guidance which the previous drafts of the local plan indicated would be the policy position. Consultees have not been given the chance to consider the effect of the Local Plan without this policy.

4 The policy now duplicates National Planning policy.

5 The modified policy is a new policy which has not been through the appropriate consultation channels.

6 We cannot trace where the insertion of “Registered” has come from. It must be a misunderstanding of the intent of the policy.

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*London Historic Parks & Gardens Trust is a registered charity, n°1042337, and a company limited by guarantee registered in England & Wales, n° 2935176, trading as the London Gardens Trust (LGT). It is affiliated to the national Gardens Trust (GT).*