



Date: 15 January 2021

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

Transport for London  
7Y3, Palestra,  
197 Blackfriars Road  
London  
SE1 8NJ

Dear Sir / Madam,

**RE: Westminster City Plan 2019 – 2040 Main Modifications**

Thank you for providing the opportunity to comment on the Westminster City Plan 2019 – 2040 Main Modifications.

Please note that our representations below are the views of the Transport for London Commercial Development (TfL CD) planning team in its capacity as a significant landowner in the borough only and are separate from any representations that may be made by TfL in its statutory planning role and / or as the strategic transport authority for London. Our colleagues in TfL Spatial Planning have provided a separate response to this consultation in respect of TfL-wide operational and land-use planning / transport policy matters as part of their statutory duties.

TfL CD have engaged through the Local Plan preparation process and have submitted the following representations:

- Westminster City Plan 2019 – 2040 Regulation 18 (July 2017)
- Westminster City Plan 2019 – 2040 Informal Review (November 2018)
- Westminster City Plan 2019 – 2040 Regulation 19 (July 2019)
- Westminster City Plan 2019 – 2040 Examination in Practice (July 2020)

**MM04: Policy I Westminster's Spatial Strategy**

TfL CD has previously commented on how the inclusion of 'key development sites' within an Appendix rather than enshrined within policy weakens the approach to delivering the housing target. It is acknowledged from the Council's response to Matter 3 that these sites were never intended to be site allocations. The removal of the wording 'key development sites', the reference instead to housing trajectory and the emphasis that sites will be allocated in a separate site allocation document is considered an appropriate approach.

However, it is also noted that the individual developable sites are no longer mentioned, and it is suggested that they are referred to in the same way that deliverable sites are mentioned. This will help to give developers confidence in bringing forward longer term sites which had already been assessed and included in the published version of the City Plan and this would ensure that the City Plan is effective. In addition, this amendment would ensure that the City Plan is consistent with national policy; paragraph 67 of the National Planning Policy Framework 2019 requires that:

*"Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a*



supply of:

*“a) specific, deliverable sites for years one to five of the plan period; and*

*“b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.”*

Sites referred to should include the following TfL sites which are all developable and have been included in previous version of the City Plan:

- Ebury Gate/Belgrave House
- Victoria Station and Environs
- Paddington Station and Environs
- Edgware Road Station, Capital House & Griffith House
- Westbourne Park Bus Garage
- Terminus Place
- Victoria Coach Station (Arrivals and Departures)
- Royal Oaks

Moreover, as per the previous TfL CD Regulation 19 representations, we note that the Policies Map does not identify the sites that contribute towards the Housing Trajectory. We reiterate that these locations should be identified on the policies map in the plan, and that Appendix I should include a map showing the location of these sites.

## **MM13: Policy 11 Housing for Specific Groups**

TfL CD acknowledge the insertion of Paragraph 11.5 as follows:

*“The 25% requirement for family-sized homes is a strategic target. Whilst individual proposals should seek to incorporate this requirement, there may be circumstances where it is not appropriate to provide family-sized homes, due to a site’s small size, location or other practicability issues. These circumstances will be assessed on an individual basis.”*

TfL CD had expressed concern in our Regulation 19 representations on the prescriptive phrasing of Policy 11 and had recommended the requirement for ‘family-sized’ dwellings be either deleted or amended in order to accord with the London Plan. The inclusion of the above wording is welcomed but it is suggested that this wording is included in the policy itself to give it more weight, and to make the City Plan effective and positively prepared.

## **MM06: Policy 3 Spatial Development Priorities: Paddington Opportunity Area and MM41: Policy 42 Building Height**

As set out in the TfL CD responses to the Regulation 19 and Modified Regulation 19 consultations, the boundary of the Paddington Opportunity Area should be extended to include Royal Oak. This would be consistent with the extent of the Opportunity Area (OA) Boundary within figure 2.11 of the Publication London Plan. In addition, we note that the Mayor, in his *Statement of general conformity with the London Plan* letter of 21 December 2018, called for the City Plan to have “greater ambition” in respect of the OA of Paddington, especially given the opening of Crossrail. In particular this was linked to the significant opportunities to accommodate new housing, commercial development and infrastructure, linked to improvements in public transport. Clearly the Royal Oak site has the potential to accommodate significant new housing, commercial development and infrastructure. For the opportunity to be optimised, it is in line with the Mayor’s expectation of “greater ambition” that



the Royal Oak site should be included within the OA boundary.

Despite setting this out in numerous TfL CD's representations, the Council has not included Royal Oak within the OA boundary as part of the modifications to the City Plan. The Council's Matter 3 response to the request to extend the boundary was as follows:

*"We do not consider it appropriate to extend the boundary for the reasons set out in Section 3.2 of the Consultation Statement (CORE\_010). While it is recognised that other development opportunities exist beyond the Opportunity Area in the broader area, it is not considered appropriate to expand the boundary further in order to maintain the focus of the policy. It is important to note that whether a site sits within or outside of the Opportunity Area boundary does not pre-determine its ability to accommodate growth. All proposals will be determined on their merits as far as they can demonstrate they meet all the relevant policy requirements in the City Plan. Schemes falling within the Opportunity Area boundary will also need to demonstrate how they contribute to the priorities set out in Policy 3."*

The reasons the Council stipulated in the Consultation Statement are as follows:

*"The council does not consider it appropriate to extend the Paddington Opportunity Area boundary given the implications for building height of doing so and the sensitivities with adjacent conservation areas and townscape (as identified in Westminster's Building Height Study) of a building of the height likely necessary to make development viable."*

However, this does not take into account the supporting evidence prepared by Peter Stewart Consultancy submitted as part of the response to the Modified Regulation 19 consultation which provides a narrative on building heights. The document identifies that there is a strong case to be made for reconsidering the indicative limits on the potential height of development at Royal Oak.

The reasons for the inclusion of this site within the boundary of the Paddington Opportunity Area are set out in detail in the TfL CD Written representations to modified Regulation 19. These points are still applicable, and it is requested that these are fully taken into account alongside the supporting evidence on building heights and townscape given this is the key issue raised by the Council for not including the Royal Oak site within the Opportunity Area.

These amendments would ensure that the City Plan was positively prepared and justified, and in general conformity with the London Plan and the Mayor's view that the new City Plan should have "greater ambition" in respect of the Paddington OA.

In addition, Westminster City Council should acknowledge that the GLA are also supportive of including the Royal Oak site within the Paddington Opportunity Area. It is TfL CD's understanding that the GLA are proposing for the Paddington Opportunity Area boundaries to be reconsidered.

## Concluding Remarks

We hope that these representations are helpful but if you need any further information or would like to discuss any of the issues raised in our representations, please do not hesitate to contact me. We look forward to being kept up to date with your programme going forwards.

Yours faithfully,

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