

**CITY
PLAN
2019 – 2040**

**BUILDING HEIGHT
TOPIC PAPER**

NOVEMBER 2019

Topic Paper: **BUILDING HEIGHT**

1. Introduction

1.1. Westminster City Council is preparing a new City Plan 2019-2040 which sets out the council's vision to make Westminster a city of excellence in all areas. The purpose of this topic paper is to demonstrate how the policies relating to Building Height in the City Plan have been developed and evidenced. This topic paper relates to the following City Plan policies:

Policy 42	Building height
Policy 43	Building height in the housing renewal areas

1.2. This paper will set out the following:

- The purpose and intention behind the policies
- The evidence in support of the policies
- The relationship between the policy and national and regional policy
- Key issues relevant specifically to tall buildings and how the policies address them.

2. Purpose and Intention of the Policy

2.1.1. The policy aims to manage higher buildings so that growth can happen in the right place at the right scale. The City Plan defines height by using a context height tool, which ensures new buildings are designed so that they fit into the skyline and respect the area they sit within.

2.1.2. The policy guides developers so that they understand what is appropriate and what general principles tall building designs will be required to adhere to. Locational principles are also defined for areas that may be more suitable for tall buildings in principle. These areas are the Paddington and Victoria opportunity areas, the Marylebone flyover/Edgware road junction and the housing renewal areas.

3. Evidence Base Overview

3.1. Policies

3.1.1. The skylines of cities across the world evolve and change over time and buildings that are significantly taller than others around them have a major impact on the appearance, character and identity of places. In addition to their visual impact, tall buildings can affect the local environment and the functionality of the area around them. The purpose of the draft City Plan's building height policies therefore is to ensure building height in Westminster are appropriate, proportionate, of high quality and permitted in the right locations only, to deliver the benefits of this type of development while managing potentially negative impacts.

4. Our Policy in Context

4.1. Evidence Base Review

- 4.1.1. Building height and the impact of tall buildings is an issue that affects some areas of the country far more than others. It is an important consideration for London, in central areas especially. The council has used a range of information sources to support and shape the development of its policies relating to building height. This evidence base and the City Plan's relationship with it is outlined below.
- 4.1.2. Aside from the planning policy framework at a national and regional level, explained in detail below, an additional key source of information on this topic is Historic England. Their guidance document, [Tall Buildings – Advice Note 4](#) (2015) gives detailed consideration to the issues pertaining to tall buildings and makes recommendations about how these types of structure might be incorporated into the local landscape in a way that maximise benefits and manages potential negative impacts. The Advice Note replaces previous guidance by Historic England and CABI, produced in 2007.
- 4.1.3. Historic England's guidance provides detailed evidence on a number of specific policy points, which are explored alongside the connected City Plan policies below. However, one key general principle to note is that Historic England views building height as a relative issue, in the sense that what constitutes a 'tall building' may be defined differently depending on the area and existing structures within it. It argues that *“a ten storey building in a mainly two storey neighbourhood will be thought of as a tall building by those affected, whereas in the centre of a large city it may not”*¹. This underlines the importance of taking a customised, locally appropriate approach to building height when policy making. Westminster City Council has therefore strived to take such a tailor-made approach, backed up by location specific information and analysis.

5. Relationship to London Plan and National Policy

5.1. National Policy

- 5.1.1. The [National Planning Policy Framework \(NPPF\)](#), with which Westminster's local plan must comply, states that the purpose of the planning system is to contribute to the achievement of sustainable development. Local planning authorities should facilitate appropriate development which delivers tangible environmental, economic and functional benefits for the community and local area. However, this development must respect local heritage and work in the local context to contribute to a sense of place. The design requirements of paragraph 127 include reference to this important balance, requiring that developments *“are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change”*. The NPPF also speaks of opportunities to build or extend upwards in order to make efficient use of land, especially where use of *“airspace above existing residential and commercial premises”* could deliver new homes (paragraph 118).
- 5.1.2. All of these elements of the national policy framework are relevant to the issue of tall buildings, which can have particular implications for local areas by virtue of their scale, visibility and functional effects. Through its dedicated City Plan policies 42 and 43

¹ [Tall Buildings – Historic England Advice Note 4](#) (2015)

Westminster seeks to ensure that proposals for tall buildings are appropriately assessed and managed. By taking into account the various aspects of design quality, local character, heritage considerations and other implications for the surrounding area, the council aims to satisfy the overarching requirements of the NPPF in its specific handling of tall building proposals.

5.2. Regional Policy - Emerging London Plan

5.2.1. The [new London Plan](#) (2019 - currently draft), is the Statutory Development Strategy for Greater London and, in its handling of issues relating to building height as in all areas, Westminster's City Plan should be in general conformity with it. There has been some significant development in the approach to tall buildings since [the existing London plan](#) was produced in 2011, so it is useful to look at the changes between that iteration and the latest draft.

5.2.2. One of the most fundamental changes is in the definition of tall buildings. The current London Plan defines tall buildings as *“those that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor.”*² However, the new London Plan introduces a more flexible interpretation, saying: *“Based on local context, Development Plans should define what is considered a tall building, the height of which may vary in different parts of London”*.³

5.2.3. The new London Plan goes on to say that tall buildings should be part of a plan-led approach and that boroughs should identify on maps in their development plans where tall buildings will be an appropriate form of development in principle. Westminster's response to this is captured in a dedicated set of general and location-specific principles, which it outlines in Policies 42 and 43 of the draft City Plan.

5.2.4. The new London Plan goes into greater depth and detail on the impacts of tall buildings than the 2011 iteration. While the existing London plan outlines some basic principles stipulating where tall buildings may be appropriate (in the CAZ, opportunity areas, etc), the need to preserve character and relate well to the surrounding area, the importance of architectural standards, accessibility and regeneration, the new London Plan goes further, elaborating on both its requirements and the thinking behind them. The 2019 draft requires that boroughs should identify specific locations where tall buildings may be appropriate in principle, taking account of:

- The visual, functional, environmental and cumulative impacts of tall buildings. This is broken down in detail – visual impacts include views, architectural quality and the preservation of heritage assets; functional impacts include servicing and maintenance, managing access (entrances and exits), and infrastructure improvements required as a result of the development; environmental impacts include daylight and sunlight penetration, air movement affecting the building(s), and noise.
- Their potential contribution to new homes, economic growth and regeneration.
- The public transport connectivity of different locations.

5.2.5. Westminster's draft City Plan bears these considerations in mind, through its general and location specific principles for tall buildings proposals (Policy 42 D, 42 E and 43 B). These

² [London Plan](#) (2011) Policy 7.7 - Location and design of tall and large buildings

³ [New London Plan](#) (draft, 2019) Policy D8 A

principles are explored in detail below, with further commentary on the key issues and the evidence the council has used in addressing them.

5.2.6. It is worth also noting that, with a view to future handling of tall buildings, the new London Plan proposes that the Mayor undertakes “*work with boroughs to provide a strategic overview of tall building locations across London*”⁴, seeking to use 3D virtual reality modelling where applicable to achieve this. This is reflected in the approach Westminster wants to take to the preservation of views across borough boundaries. Within its policy on townscape and architecture (Policy 41) the draft City Plan confirms that the council “*will work with adjoining boroughs*” on visibility analysis and that it will use technology to assist (“*wherever possible by the use of accurate 3D digital modelling*”⁵). Although not specific to tall buildings, this demonstrates the council’s general conformity with the London Plan in working with other boroughs to manage effects of development where visibility and impact will extend beyond Westminster.

5.3. Local Policy

5.3.1. Westminster’s emerging City Plan directly aligns with existing policy and strategy frameworks at a local (borough) level.

5.3.2. In recent years our approach to tall buildings has been informed by specific local studies which assess if and where tall buildings may be appropriate within the city. This complies with the Historic England guidance, which states that “*building height studies provide evidence to support a local height definition for tall buildings and the identification of appropriate locations in local plans*”⁶ and with similar requirements in the new London Plan. The council’s existing City Plan (2016) relied upon the Westminster High Buildings Study of 2000⁷, which concluded that the most appropriate location for tall buildings was Paddington Opportunity Area but identified very limited scope for new tall buildings in the rest of Westminster due to the settled character of the townscape and significant concentration of heritage assets.

5.3.3. A consultation booklet on heritage, views and tall buildings⁸ was published by the council in 2015 which explored the issue of tall buildings and have helped to inform the development of the policy in the City Plan. A wider consultation exploring stakeholder’s thoughts on the ‘right kind of growth’⁹ was undertaken by the council in 2017 and also fed into our understanding of how tall buildings are perceived and what benefits they can bring to Westminster.

5.3.4. A fresh study, the Westminster Building Height Study, was undertaken in 2019. It is on this basis that the building height policies within the new draft City Plan rest. That evidence has given rise to an overall position that “Westminster is not generally suitable for tall buildings”¹⁰. The historic landscape which is already densely developed, the tight clustering of existing tall buildings, and the comparatively much greater height of buildings in neighbouring boroughs, are all highlighted. However, the council

⁴ [New London Plan](#) (draft 2019) paragraph 3.8.3

⁵ Draft City Plan, paragraph 41.19

⁶ [Historic England Tall Buildings Advice Note](#) (2015) Section 3.1

⁷ [EDAW City of Westminster High Buildings Study](#) (2000)

⁸ [Heritage, Views and Tall Buildings](#) consultation booklet (2015)

⁹ [The Right Kind of Growth](#) (2017)

¹⁰ Draft City Plan policy 42A

recognises that *“in some locations – and when well-designed – tall buildings can make a positive contribution to our townscape and can help deliver the growth and regeneration objectives of this plan. We therefore set a positive strategy for building height in the city”*¹¹.

5.3.5. This “positive strategy” takes the form of a defined set of core principles for assessing and managing proposals for tall buildings, and the identification of specific geographic areas of the city where there may be potential to add tall buildings in a manner that is consistent with those principles.

6. **Key Issues**

6.1. As indicated above, the council’s position is that Westminster is not generally suitable for tall buildings so any developments which are *“significantly higher than their surroundings will need to demonstrate that building higher is the only way to make the most efficient use of the site”*¹². This is in line with the NPPF position that planning policies and decisions should promote an effective use of land¹³. When proposals for tall buildings are made, and they meet with this basic standard of efficient land use, the council seeks to ensure they are subjected to a rigorous, circumspect assessment. To facilitate this the council has developed a set of general principles and an associated set of locational principles for tall buildings, which it outlines in Policy 42 clause E (and supporting paragraphs 42.5 to 42.9) and Policy 43 clause B of the draft City Plan. The collective purpose of these principles is to ensure that tall buildings are in suitable locations only, are of exceptional design and make a positive contribution to the townscape, including by being an appropriate height. Some of the key points captured by these principles are explored in greater detail below.

6.2. **Defining Tall Buildings**

6.2.1. As outlined above, in response to Regulation 19 consultation feedback Westminster proposed through a minor modification an amendment to its definition of tall buildings in Policy 42 A, to *“twice the prevailing context height or higher”*. Paragraph 3.8.2 of the new London Plan provides the height definitions which will be used to assess any applications that are referable to the Mayor (25m within the Thames Policy Area, 150m in the City of London, 30m elsewhere in London). However, it is clear that for the purposes of local plans and local decision making, the Mayor’s view is that the definition should retain more flexibility and be more responsive to context. It states that *“tall buildings are generally those that are substantially taller than the surroundings and cause a significant change to the skyline”* and *“definitions of tall buildings should relate to the evolving context”*.

6.2.2. The definition Westminster uses in its draft City Plan, therefore, in preference to one which relies on a specific numerical height, is considered to offer greater clarity and better representation of the need for tall buildings to be proportionate to their specific surroundings. Some specific figures are cited in the City Plan’s locational principles, but these are given in reference to the local prevailing context height in the areas specified, to illustrate how the principles will be used to guide decision making in particular cases, rather than setting height limits for those areas.

¹¹ Draft City Plan paragraph 42.1

¹² Draft City Plan Policy 42 A

¹³ [National Planning Policy Framework](#), paragraph 117

6.3. Building Function and Architectural Quality

6.3.1. The draft City Plan's general principles for tall buildings state that developments must have a clear function, and that they must be "*proportionate to that function and the importance of the location in terms of height, scale, massing and form*".¹⁴ This question of proportionality is tackled in the Historic England guidance, which highlights scale, form and massing among a number of design considerations which would affect the appropriateness of a tall building in any given location. The guidance goes on to state that "*tall buildings need to set exemplary design standards because of their scale, mass, wide impact and likely longevity*"¹⁵. This is directly echoed by the draft City Plan – the second of our general principles calls for "*exceptional architectural quality and innovative and sustainable building design from all viewpoints and directions*".

6.4. Delivering Benefits

6.4.1. Tall buildings have the potential to "*help people navigate through the city by providing reference points and emphasising the hierarchy of a place such as the main centres of activity*".¹⁶ Westminster's draft City Plan directly addresses this, requiring that such buildings "*create an attractive and legible streetscape*" and "*enhance the character and distinctiveness of an area*"¹⁷. The council also recognises a point made in both the new London Plan and the Historic England Advice Note, that tall buildings can and should deliver additional benefits by offering facilities for the community. Policy 42 D highlights the need to include active uses of the building at ground level, and (directly echoing the new London Plan) a requirement to provide publicly accessible viewing platforms within any exceptionally tall buildings. A minor modification to the supporting text of Policy 42 makes it clear, however, that exceptional public benefits used to justify more height in a development must go beyond simply policy compliance.

6.5. Microclimate, Aviation and Telecommunications

6.5.1. Buildings that are substantially taller than those around them can have a recognised effect on the local microclimate. The new London Plan makes reference to wind, daylight and sunlight, temperature, dispersion of pollutants and noise as factors that can be impacted upon¹⁸. The Historic England advice agrees that these matters should be looked at as part of an Environmental Impact Assessment for tall building proposals. Further evidence is available from the world of academia. [A 2014 study undertaken by London Metropolitan University](#) focused on the City of London but made a number of useful points about the environmental impact of tall buildings in general. The report noted: "*solar radiation can be significantly reduced in urban areas as a result of overshadowing [with] air pollutants and wind flow patterns adding to the greenhouse effect. The Urban Heat Island phenomenon can be aggravated by high-density materials [which] impacts the surface and air temperatures near the ground.*" Meanwhile "*at street level wind may be much reduced overall (though it may increase*

¹⁴ Draft City Plan Policy 42

¹⁵ [Historic England Tall Buildings Advice Note](#) (2015)

¹⁶ [New London Plan](#) (draft 2019)

¹⁷ Draft City Plan Policy 42 D)

¹⁸ [New London Plan](#) (draft 2019) Policy D8

locally due to a 'wind tunnel' effect) and buildings casting shadows may create dark and cold spots for pedestrians.”¹⁹ Mindful of these issues, Westminster requires through Policy 42 D that tall building proposals must “mitigate negative impacts on the microclimate and amenity of the site and the local area”.

6.5.2. The new London Plan also raises concerns about the height of tall buildings potentially presenting issues for aviation or telecommunications equipment. Once again Westminster directly responds, including within its general principles for tall buildings in Policy 42 that they must “avoid unacceptable impacts on aviation and telecommunications”.

6.6. Protecting Views and Heritage

6.6.1. Both the new London Plan and the Historic England guidance emphasise the importance that, in assessing planning applications for tall buildings, authorities give specific consideration to impact on views. As the London Plan puts it, “*the views of buildings from different distances need to be considered*”. This includes long range views (the top of the building should make a positive contribution to the existing and emerging skyline); mid- range views (where form and proportion become especially important), and immediate views (so the base of the building should have a direct relationship with the street, preserving the feel and functionality of surrounding streets for pedestrians).

6.6.2. Policy 41 of the draft City Plan, while not specific to tall buildings, provides a useful articulation of the council’s overall position that “*new development should make a positive contribution to the characteristics and composition of significant views, both strategic and local, and improvement to significant views will be encouraged*”.²⁰ Further to this, the council has identified certain ‘metropolitan views’ of major landmarks within the city, for which it will be preparing specific guidance. This is reinforced by the treatment of tall buildings specifically in Policy 42, which explicitly protects against negative effects on “*valued townscapes and landscapes, or detracting from important landmarks, heritage assets, key views and other historic skylines and their settings*”.

6.7. Housing Renewal and Provision

6.7.1. The new London Plan makes specific note of tall buildings’ potential contribution to “*new homes, economic growth and regeneration*”. Alongside this Westminster is mindful of the pressure to deliver new homes in areas across London. The council is ambitious in its plans to deliver affordable housing in the city, in context with the Mayor’s targets²¹, and sees a significant opportunity for existing estates which have been identified for renewal to contribute to this. On that basis the council has developed a specific policy to handle building height within Westminster’s housing renewal areas, Policy 43. It notes that “*while the design principles for these estates remains paramount and any scheme must adhere to the general building height principles in Policy 42 D, what is considered an appropriate height must be balanced against the wider public benefits the scheme is able to viably deliver.*”

¹⁹ [Tall Buildings and the Urban Microclimate in the City of London](#) - S. Pandya and L Brotas, London Metropolitan University (2014)

²⁰ Draft City Plan paragraph 41.18

²¹ [London Plan](#) (2011)

6.7.2. The [Westminster Building Height Study](#) (2019) identified scope for taller buildings on the Church Street / Edgware Road estate and the Ebury Bridge estate, so the council will consider such proposals “*where they contribute to the creation of a place with a strong and enhanced character*”²². Additional rigour is provided by location-specific requirements, on Ebury Bridge Estate to respect the surroundings and views of Victorian and Georgian terraces and adjacent conservations areas (Part B (a) of the Policy); and on the Church Street Estate to retain the existing commercial focus on the area as part of a comprehensive approach to the neighbourhood as a whole (Part B (b) of the Policy). While Church Street/Edgware Road and Ebury Bridge are the only estates identified for regeneration currently, further sites may be identified as suitable for renewal in the future, so the City Plan makes provision for this.

7. Conclusion

- 7.1. Westminster City Council has made strong and direct reference to a range of evidence to develop sound and well-reasoned local policies relating to building height. The draft City Plan makes use of a definition of ‘tall buildings’ which recognises the need for proportionality and reference to local context, with a focus on the prevailing context height of surrounding buildings. In conformity with NPPF and London Plan requirements, the council identifies and maps specific areas which may be appropriate for tall buildings, on the basis of an up to date local study (the [Westminster Building Height Study](#), 2019).
- 7.2. In line with the London Plan, Historic England’s comprehensive guidance and academic study data, the council goes on to outline through the general principles in Policy 42 how a need for design excellence, protection of views and historic sites, local amenity and environmental impacts will all be brought into consideration in assessing any proposals. It then demonstrates through its locational principles how these concepts will be applied in the identified opportunity areas.
- 7.3. Recognising the Mayor’s commitments for affordable housing provision and our own ambitious targets, the issue of tall buildings in Westminster’s housing renewal areas is given specific attention and a dedicated policy. This ensures that in these regions, both of which our local building height survey has shown to be potentially suitable for tall buildings, such developments will and contribute positively to the local community and the area as a whole.

²² Draft City Plan Policy 43 B

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