

**REF: WT/JD/NJ/R00424**

**BY EMAIL ONLY:**

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Dear Sir / Madam,

**ROK PLANNING ON BEHALF OF 4C HOTEL GROUP  
REPRESENTATION IN RESPONSE TO THE PROPOSED PIMLICO NEIGHBOURHOOD PLAN**

I write on behalf of our client, 4C Hotel Group, to submit representations in respect of the publication of the Pimlico Neighbourhood Plan ('PNP') submitted to Westminster City Council, in line with Regulation 16 of Neighbourhood Planning (General) Regulations 2012 (as amended).

**The National Planning Policy Framework and the Basic Conditions**

Paragraph 37 of the Framework highlights how Neighbourhood Plans must achieve certain basic conditions and other legal requirements before they can come into force (see below in legal requirements section for list of basic conditions). Whilst the Framework is clear that Neighbourhood Plans can help deliver sustainable development (paragraph 29), it also emphasises that they should not undermine the strategic policies contained in any development plan that covers their area.

**Legal Requirements**

A draft Neighbourhood Plan must therefore meet a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004. These basic conditions include:

- a) Having regard to national policies and advice contained within guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan.
- b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.

- c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
- d) The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
- e) The making of the Neighbourhood Plan is in general conformity with the strategic policies contained within the development plan for the area of the authority.

These representations respond to a number of the draft policies set out in the regulation 16 publication version of the Neighbourhood Plan with particular reference to Para. 30 (- 2040 Vision for Pimlico) and Policies PIM 2, PIM 3, PIM 3, PIM 10, PIM 11, and PIM 16.

**Draft Para. 30 – 2040 Vision for Pimlico**

*– continue to maintain the quiet village atmosphere and its largely residential nature.*

The relevant paragraph (30) states:

*Over the period to 2040, the Pimlico Neighbourhood Plan will: – continue to maintain the quiet village atmosphere and its largely residential nature; – improve the quality of life of current and future residents by a more vibrant retail and commercial sector and enhancing leisure and cultural facilities; – ensure development respects and enhances the form and setting of the conservation areas; – protect the squares and green spaces and, where possible, add more of them; – improve the local environmental quality by continuing to limit and, if possible, reduce the harmful effects of traffic.*

In context of the basic conditions set out in legislation, it is contended that using the following sentence, *‘continue to maintain the quiet village atmosphere and its largely residential nature’* as a part of its vision is contrary to the achievement of sustainable development and therefore results in inconsistency with the National Planning Policy Framework (July 2021) and other strategic and local development plan documents including the Westminster City Plan (April 2021) and London Plan (March 2021).

At its basis, the statement seeks to “maintain” a quiet village atmosphere, in what is a densely urban and highly populated area. It cannot and should not be considered a ‘village’ environment which is a small settlement in a rural area. A “rural” village, and the Pimlico area, are not comparable in terms of urban grain or typology, public realm, streetscape or demographics and accessibility to services. Additionally, through the use of the word ‘maintain’, this does not seek to foster or mould new development in a positive manner. It is unduly prohibitive and will not allow for enhancement, redevelopment or improvement which should be facilitated on, and particularly directed towards, existing brownfield sites and previously developed land.

For this reason, we refer to the basic premises established in the Framework, firstly paragraph 7 which states:

*“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”.*

Preventing development in an area in terms of size, nature and use of development compromises the ability of future generations to meet their own needs. It is directly contrary to this statement.

In addition, paragraph 9 also states:

*“These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area”.*

Emphasis is placed on the role planning policies should have in guiding development towards sustainable solutions which reflect the character, needs and opportunities of an area. A vision for an area should be based on the area’s development potential, not keeping it in a certain state for the benefit of its current population.

For this reason, my client objects to this paragraph and suggests the sentence as identified and as referenced above **should be deleted** from the Plan’s vision.

#### **Draft Policy PIM 2: Protected historic townscape and views**

*- In particular they must have regard to the openness of the skies, the consistent scale of building heights and the regularity of the roofline when seen from street level looking along the street.*

Westminster City Plan Policy 39 (Westminster’s heritage) Part K states:

Development will preserve or enhance the character and appearance of Westminster’s conservation areas. Features that contribute positively to the significance of conservation areas and their settings will be conserved and opportunities taken to enhance conservation areas and their settings, wherever possible.

The inclusion of the sentence stated above within Draft Policy PIM 2 where schemes should have ‘*regard to the openness of the skies, the consistent scale of building heights and the regularity of the roofline when seen from street level looking along the street*’, is too prescriptive and **should be removed**. This is a blanket approach which is too prescriptive and does not comparatively affect all areas of the Pimlico Neighbourhood Area (PNA) which possess different site and visual contexts with the area made up of different character areas.

Instead by stating only, ‘*Development proposals are expected to respect or enhance the townscape and*

*views listed below and shown on the policies map', this is sufficient and allows a robust assessment of any views and townscape as stated on a site-by-site basis.*

**Draft Policy PIM 3: Upward extensions in the Pimlico Conservation Area**

*- A. In the Pimlico Conservation Area, upward extensions of properties should generally be in mansard form.*

The above policy sets out a range of design principles which development proposals should seek to meet. While the government has shown support for development to incorporate good design principles, 4C would note that the Framework also states:

*“To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place and should allow a suitable degree of variety” (The Framework – Paragraph 128).*

Whilst 4C recognise the importance of high-quality design, in accordance with the requirements of the Framework above, design policies should not aim to be overly prescriptive, but should require some flexibility for schemes to respond to site specifics and the character of the local area. In essence there will not be a 'one size fits all' solution in relation to design, and sites should be considered on a site-by-site basis with consideration given to various design principles.

The policy seems to necessitate only the acceptability of mansard extensions which does not allow for a degree of variety as required in the Framework, Paragraph 128. Whether any alternative designs are acceptable is not relevant in this case, and these should be scrutinised as required, however the policy as drafted prevents any chance for alternative designs from the outset and should be reworded to allow greater flexibility as per Westminster City Plan 40 (Townscape and architecture).

**Draft Policy PIM 11: Tall buildings**

*- 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.*

4C object to the statement at draft Policy PIM 11(A) and would question the inclusion of prescriptive storey heights in this draft policy at PIM 11(C) given it is a non-strategic document. Its effect is that any potential for tall buildings is effectively prohibited, without having any chance of assessment or consideration, though we acknowledge there is strategic policy in place which allows a more robust assessment process as per the below.

London Plan Policy D1 (London's Form, character, and capacity for growth) states that 'area assessments should be used to identify the areas that are appropriate for extensive, moderate, or limited growth to accommodate borough-wide growth requirements' and does not require identification of specific sites to accommodate growth.

Westminster City Plan Policy 41(D) (Building height) states that 'Proposals for tall buildings outside of the areas identified in clause C will not generally be acceptable, and will need to demonstrate how they (in addition to the general principles under clause B): 1. significantly strengthen the legibility of a town centre or mark the location of a transport interchange or other location of civic or visual significance within the area; and 2. will not undermine the prominence and / or integrity of existing landmark buildings and tall building clusters', the approach advocated is in relation to identification of potential locations and is not a wholly prescriptive process that can rule out the potential for tall buildings outside of locations identified as potentially suitable for tall buildings.

Para 41.9 of the City Plan attests to this by stating, '*However, there may be instances where a tall building of a local scale elsewhere in the city may be appropriate as it strengthens the role of the place in the townscape and does not affect the function of other tall buildings or tall building clusters. We therefore set additional criteria to assess any proposals for tall buildings outside of the areas identified in the policy*'.

The inclusion of prescriptive heights as stated in PIM 11(C) can be limiting and difficult to meet, particularly when considering storey heights can vary substantially for a variety of uses such as a hotel depending on floor to ceiling heights whilst blanket heights will result in all development being the same height or very similar which prevents any possibility of real growth in the area. Accordingly, the policy provides no opportunity for sites in the Neighbourhood Plan area to be scrutinised on a site-by-site basis through the planning application process and/ or through more detailed site-specific policy.

In addition to the above, the assessment of a tall building should be based on contextual analysis, for which we have not seen any in supporting evidence, including how these heights were determined. As such it is considered the heights stated at PIM 11(C) are not sufficiently robust, are overly restrictive and could unnecessarily hinder potential development in the area. Ultimately, no attempts have been made to identify localities in the local area which may be suitable for tall buildings which is contrary to both national and strategic planning policy which seeks to make effective use of land and achieve appropriate densities.

It is noted that the Westminster City Plan 2019-2040 was recently adopted on the back of evidence provided within the Westminster Building Height Study (2019) which did not identify the Pimlico area as one of the 5 areas suitable for tall buildings. However, our point stands that this does not entirely prevent the potential for tall buildings within other areas outside of the 5 areas identified. These are however subject of a robust assessment and scrutiny process as per Westminster City Plan Policy 41 Clause B

and Clause D.

In light of the above, we would suggest **deletion of PIM 11 (C)** and recommend its replacement with a more positively prepared framework approach based on design and site context analysis which at least allows for the opportunity for the delivery of tall buildings in this area. This would align with City Plan Policy 41 Clause B which sets additional criteria to assess any proposals for tall buildings outside of the areas identified in the policy and is reflective of the Government's advice in the Framework (para. 8) to make the most effective use of under-utilised brownfield land, with examples of this present in the Pimlico Neighbourhood area.

### **Draft Policy PIM 10: Shopfronts and Signage (including Hotels)**

*- b. The protection of original architectural detail and, where necessary, its restoration*

As currently drafted, the proposed approach set out in draft PIM 10 Part b is too holistic and needs to be specified. For instance, it should not be applied against unlisted buildings in conservation areas, particularly those not in shopping frontages, which may not have original architectural detail comparatively to a listed building. Later additions, which are often of poor quality, similarly should not be restored.

Additionally, more detail and information is required in terms of what constitutes original architectural detail and what assessments could be undertaken to demonstrate where these would not apply on a site-by-site basis.

### **Draft Policy PIM 16: Hotels and short term let properties**

We strongly object to this policy on the basis it is unduly prohibitive to new hotel development in the area. As per the statement at draft Policy PIM 16 (C) "*wholly new hotels are to be avoided in or adjacent to residential areas*" (*emboldened text is taken from the PNP*).

Firstly, and in accordance with the basic conditions set out at paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), PNP Policies must be in general conformity with the strategic policies of the development plan for the area.

Looking first to the adopted Westminster City Plan, this outlines at Policy 15 (Visitor Economy) part G that new hotels and conference facilities will be directed to: 1. Commercial areas of the CAZ; and 2. Town centres that are district centres or higher in the town centre hierarchy.

Additionally, Policy 15 (F) states that, '*existing hotels will be protected, except where the proposal is in a predominantly residential area and would re-instate an original residential use, or where the existing use has significant negative effects on residential amenity*'.

There is no dispute that the whole of the Pimlico Neighbourhood Area lies within the Central Activities Zone ('CAZ'), and this is confirmed by the Pimlico Neighbourhood Forum ('PNF') in the current PNP as drafted.

Clearly, whilst the Pimlico Neighbourhood Area is predominantly residential, certain parts of it, including land in proximity to Victoria Station, are characterised by mixed-use and commercial development. On this basis this does not make the entirety of the PNA *wholly* residential as it either contains or is adjacent to other types of land uses, and therefore there are other parts of the PNA which are mixed. Thus, the commercial areas as prescribed in the plan are not limited to around Warwick Way/Wilton Road which the PNF outlines as the main commercial and shopping centre in the PNA.

The London Plan confirms that hotels and visitor accommodation are a critical part of London's visitor infrastructure and therefore is a significant driver in supporting economic growth and creating conditions in which businesses can invest and adapt or expand as required at paragraph 81 of the Framework, whilst paragraph 82 of the Framework stresses the need for flexibility to enable a rapid response to changes in economic circumstances. The London Plan policy SD4 states that the CAZ should be promoted and enhanced; among other statistics, the London Plan states that the CAZ generates almost 10 per cent of the UK's output, with tourism identified as one of a limited number of key economic considerations. On this basis, there is no directive to artificially restrict the growth of the tourism industry, except in *wholly* residential streets or predominantly residential neighbourhoods. This is of course not the case for the entirety of the PNA as stated for reasons above.

London Plan policy E10 C, which sets the policy framework for visitor infrastructure, requires that a sufficient supply and range of serviced accommodation should be maintained, whilst part F of the policy states that strategically important serviced accommodation should be promoted in Opportunity Areas with smaller scale provision in other parts of the CAZ, except *wholly* residential streets. In essence tourism should be supported, not constrained, within what is the second most visited city in the world.

Policy PIM 16, as drafted, would be contrary to the London Plan strategic policy thrust to promote and enhance tourism infrastructure within the CAZ for which there is a strategic requirement and is misapplied. As per paragraph 29 of the Framework, it is not for the neighbourhood plan to undermine strategic policies, nor should it promote less development than set out in the strategic policies for the area.

For this reason, the draft Policy shouldn't deter optimising sites in/ in proximity to commercial areas in the CAZ and be reworded to state:

*New hotels are to be avoided in ~~or adjacent to~~ wholly residential areas.*

Notwithstanding the above, 4C Hotels does support Policy PIM 16(A) which allows for the refurbishment of existing hotels. This should however go further and also reference extensions and additions which

should be seen as appropriate on existing hotels subject to meeting other policies on design, townscape, heritage, amenity, and highways.

**Concluding Remarks**

We trust this representation will be considered as part of the consultation and is helpful. We look forward to being informed as to later stages of the plan preparation process. If you should have any questions in the meantime, please do not hesitate to contact Will Thompson on 07921 067 012 or (will.thompson@rokplanning.co.uk), or myself at this office.

Yours faithfully,



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cc:  
4C Hotel Group