

Neighbourhood Planning
Policy and Projects
Westminster City Council
Westminster City Hall, 17th Floor
64 Victoria Street
London SW1E 6QP

30th July 2020

Via e mail to neighbourhoodplanning@westminster.gov.uk

Dear Sir/ Madam,

BRITISH LAND - RESPONSE TO CONSULTATION ON DRAFT 'REGULATION 16' FITZROVIA WEST NEIGHBOURHOOD PLAN

We are writing to you on behalf of our client British Land following the publication of the 'Regulation 16' version of the draft Fitzrovia West Neighbourhood Plan for consultation.

Introduction to British Land

British Land is a leading UK property company which creates and manages places that reflect the changing needs of the people who work, visit or live in and around them – Places People Prefer.

British Land is a significant landowner and developer within the City of Westminster. Its most substantial interest in Westminster is at Paddington Central, which it acquired in 2013, where its investments in recent years have demonstrated its commitments to improving the quality and experience of the public realm; building links with the community through local projects and volunteering; modifying campus buildings to improve their sustainability performance; and diversifying land uses at ground floor level to create vitality and vibrancy in the public realm.

British Land also has interests elsewhere within Westminster, including 16-18 Berners Street and the Grade II listed, 19 Wells Street, buildings in office and retail use which fall within the Fitzrovia West Neighbourhood Plan Area. British Land therefore welcomes the opportunity to engage with and respond to this Neighbourhood Plan consultation.

Response to Draft Objectives and Policies

British Land recognises that Fitzrovia West is an area which has continually evolved, particularly so in recent years. We believe that investment and high-quality refurbishment and development have a key role in ensuring and safeguarding the area's vitality and vibrancy, providing accommodation and facilities which attract and retain employees and businesses.

British Land is supportive of the overarching vision and objectives for Fitzrovia West as set out in Section 4 of the draft Neighbourhood Plan. It is however crucial that a balanced approach is taken to enable the delivery of new high-quality refurbishment and extension/development schemes which will bring wider benefits to the Fitzrovia West area in accordance with these objectives. This is particularly pertinent given, as this draft neighbourhood plan acknowledges, much of Fitzrovia West (including 16-18 Berners Street and 19 Wells Street) already falls within the 'Central Activities Zone' (CAZ) whilst both the emerging Westminster City Plan and London Plan propose the extension of the CAZ to include all of this area.

To this end, we do consider there are some areas where we consider it is appropriate for amendments to be made to the Neighbourhood Plan, in order to facilitate the delivery of commercial, business and service space that can achieve these objectives and in particular reflect the adopted and emerging CAZ designation. We set out our response in relation to those areas of the plan below.

Policy PR1 (Promoting Regeneration)

We are concerned parts of this policy sets out an overly strict and inflexible approach to the consideration of future development proposals which run contrary to the objective of promoting delivery of high quality, modern workspace.

We note part 3(a) of this policy states that applications for redevelopment (whether inside or outside a Conservation Area) will only be supported where 'The building being replaced has little or no architectural or historic significance and refurbishment is not a viable option'.

We consider this approach, focusing solely on the existing building and not the merits or otherwise of development proposals that are being brought forward, is an overly restrictive and unbalanced one, particularly in the context of the various policy objectives for and functions of the Central Activities Zone, as set out in the Spatial Strategy (policy 1) of Westminster's draft City Plan.

This approach does not positively seek opportunities to meet economic development needs in this area, in line with the presumption in favour of sustainable development as set out in paragraph 11 of the National Planning Policy Framework (NPPF).

In addition, paragraph 192 of the NPPF is clear that the desirability of sustaining and enhancing the significance of heritage assets and the positive contribution their conservation can make to sustainable communities should be taken into consideration alongside the desirability of new development making a positive contribution to local character and distinctiveness. Furthermore, the spatial strategy of the draft City Plan encourages high quality, creative and contemporary design solutions to deliver additional growth.

British Land strongly believes that new development should be well considered and that any adverse impacts should be avoided or minimised as far as is practical. We do not however consider the proposed approach as set out in part 3(g) of policy PR1, which states applications for redevelopment will only be supported where there is no loss of daylight or sunlight to adjoining occupants, increases in ambient noise levels or other adverse environmental impacts, is a balanced or practical one.

Part 3(g) of this policy makes no distinction with regards to acknowledging different land uses may be affected to varying extents by new development. Furthermore, the presumption against any loss of daylight or sunlight and/ or increase in ambient noise levels, without any consideration of the scale and impact on local amenity,

is also in our view an inappropriate and overly restrictive approach. We consider the focus of part 3(g) should be on mitigating and avoiding adverse impacts.

It is relevant to note there are already robust and well established arrangements in place in Westminster for addressing and managing noise and daylight/ sunlight impacts based on local, London wide and national policies and guidance. We generally consider these to be successful and effective.

Policy B1 (Small Business Units)

We consider that provision for all business uses can be realised through delivering flexibly sized workspaces and accommodating a wide variety of businesses occupiers, with larger floorplates. It is important to deliver floorplates that can be configured to accommodate large single occupiers or a range of businesses. This can enable companies to grow and adapt over time without needing to relocate and create supportive business ecosystems, enabling small businesses to co-locate and share facilities, such as meeting rooms, reducing overheads.

We are concerned that policy B1 sets out an overly prescriptive approach. It is also somewhat unclear as to the circumstances in which this policy would apply and how this would operate in practice. We consider the policy will likely act as a disincentive to bringing forward investment in the refurbishment and renewal of business floorspace and that this is not an appropriate approach to take in this Central Activities Zone location.

The supporting text to this policy suggests there is local demand for business units of all sizes. There does not appear to be any particular evidence to demonstrate that a significantly different policy approach should be followed in relation to the provision of business floorspace in Fitzrovia West compared to that which is in place for the rest of Westminster's Central Activities Zone.

Policy EN1: (Promoting Improved Environmental Sustainability and Air Quality) –

British Land has its own sustainability strategy which sets challenging targets including the transformation of its portfolio to net zero carbon by 2030. In this context, we are very supportive of the objectives of improving air quality and minimising emissions. We do however consider further clarification is needed as to the nature and scale of applications to which this policy is applied.

Policy EN2: (Renewable Energy) –

Our comments on policy EN1 above are similarly applicable to this policy.

We trust that our comments will be considered in detail. We look forward to being kept updated on the ongoing progress of the Fitzrovia West Neighbourhood Plan. In the meantime, if you require any additional information or wish to discuss further, please do not hesitate to contact me.



GRAHAM TIMMS

Associate Director - Planning