



**Westminster City Plan 2019-2040 – Examination in Public
Response to Inspector's Matters, Issues and Questions
Respondent Number: 120**

Matter 5 – Economy and employment (relevant Policies – 14-24)

Draft policy 14 Supporting economic growth

Question 4) Is the approach to the loss of floorspace set out in Parts D and E of the policy justified and effective?

We welcome the Proposed Modification M/EE/01 which adds additional flexibility to Policy 14D to allow the replacement of ground floor office space within Town Centres, with A1 uses or complementary town centre use(s). However, although the Proposed Modification has been made, it does not fully address our concerns and our objection is maintained. We do not consider the policy is justified.

Draft Policy 14D states that proposals involving the net loss of office floorspace from the CAZ will only be acceptable in the exceptional circumstances and sets out three circumstances. Proposed Modification M/EE/01 adds a fourth circumstance which we support.

However, the policy still does not envisage any flexibility for a situation where a property in the CAZ may not be best utilised as office accommodation and where proposed changes would further contribute to and support the role of the CAZ and the growth of Westminster via an alternative use.

For example, there may be circumstances in which some buildings in existing B1 use (for example embassies or consular uses) are ill-suited to continued use as offices. A further example would be certain listed buildings where due to heritage constraints there is a limited ability to update accommodation to meet modern day office requirements.

We consider that Policy 14(D) should be amended as follows:

"Proposals involving the net loss of office floorspace from the CAZ will only be acceptable in the following exceptional circumstances:....."

Criteria 3) of the policy should be amended as set out below. Once it has been reasonably proved that there is no demand for an office use, we do not consider it necessary to restrict the range of new uses to three specific categories. For example, some type of *sui generis* use may be proposed. The proposed new use should be assessed against the wider policies of the plan.

"3. there is no interest in the continued use of the site for office purposes, as demonstrated by vacancy and appropriate marketing for a period of at least 18 months. and the replacement use is for educational, community or hotel use."

Two additional, and in our view relatively common circumstances, should also be added:

"5. The proposal involves a listed building where heritage constraints limit the ability to upgrade accommodation to meet modern day requirements and an alternative use would provide the more appropriate long-term use for the building."



6. the proposal is part of a land use swap where there is no overall net loss of office floorspace in the CAZ.”

Associated with this, we consider that a policy on land use swaps should be added to the City Plan as set out in our response to Question 5 below.

Question 5) Are the proposed modifications necessary for soundness? Are any other modifications necessary?

The Draft policy, and indeed the draft City Plan, does not make any provision for the use of land use swaps which would permit the use of another property to offset the loss of any office accommodation in the CAZ. We consider that the proposed new City Plan should (as the adopted City Plan does) provide for land use swaps.

The Proposed Plan does mention land use swaps briefly in passing at page 174, commenting that a “*system of land use swaps may be appropriate in some circumstances to enable better development outcomes.*” Land use swaps are also mentioned in Proposed Modification M/H/12 which is an amendment to paragraph 10.9 of the Draft Plan. Therefore, it is odd that the Draft Plan does not include a policy on the subject. We consider that a specific policy should be included in the plan reflecting the current policy CM47.1.

We have used land use swaps regularly and effectively used across the Mayfair and Belgravia estates. They are demonstrably deliverable, as evidenced by recent examples approved in the City, for example at 42 North Audley Street, which was linked with 34 North Audley Street (reference: 18/05446/FULL) and 78-80 Duke Street, which was linked with 64-66 Duke Street (reference: 17/10860/FULL). The addition of a specific policy would make clear the circumstances in which a land use swap is likely to be acceptable to the City Council in any given case.

Draft policy 15 – Town centres, high streets and the CAZ

Question 10) Is the approach to the protection of A1 uses and the introduction of other uses justified and sufficiently flexible?

The retail industry has faced a number of challenges in recent years which will be exacerbated by Covid-19 and the severe impact that this will present during the early life of the Proposed Plan. It is essential that the policies of the new City Plan provide sufficient support and flexibility.

Proposed modification M/EE/05 is welcomed. However, we are concerned that the policy remains too inflexible to respond effectively to challenges in the retail sector and also would serve to restrict innovation and market shift in the future format of retailers and other town centre uses. Therefore, we strongly support the response to Question 10) made by the WPA.