

By Email

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FAO Ms Charlotte Glancy – Programme Officer
C/O Bank Solutions
80 Lavina Way
East Preston
West Sussex
BN16 1DD

Dear Ms Glancy

**Westminster City Plan 2019- 2040 Examination
Written Hearing Statement on behalf of Travis Perkins (Respondent. 147)**

I write on behalf of Travis Perkins plc to provide a Written Hearing Statement in relation to the Examination of the Westminster City Plan 2040.

This Statement responds to a number of the matters set out in the Matters, Issues and Questions identified by the Inspectors (INSP5). This follows Travis Perkins representations to the Regulation 19 Consultation, relating to its existing builders' merchant at 149-157 Harrow Road (the Site') which is identified as a Key Development Site in the Regulation 19 City Plan.

This Statement specifically addresses the following matters:

- Matter 3 - The Spatial Strategy and Spatial Development Priorities
- Matter 8 – Design and Heritage

Matter 3**Policy 1 – Westminster's Spatial Strategy**

12) What was the intended purpose of including the Key Development Sites in Appendix 1 and referring to them in Policy 1? What is their status in terms of allocations and what evidence is there to support their inclusion for example in terms of flood risk and the effect on heritage assets?

13) What is the basis for the Council's proposed modifications in relation to these sites? What status would the sites have and how would they contribute to development needs?

Travis Perkins' Site at 149-157 Harrow Road is identified as a Key Development Site in the adopted Westminster City Plan 2016. This was carried forward in the Regulation 19 City Plan as Key Development Site 3. Appendix 1 of the Regulation 19 City Plan identifies the Site for 'Residential, Commercial, Community' Uses.

In our representations to the Regulation 19 City Plan consultation, we welcomed the identification of the Site as a Key Development Site, but sought additional emphasis in the policy and supporting text to plan positively for optimisation of the potential of the Site, taking account of its location in Paddington Opportunity Area and adjacent to a main transport hub at Paddington Station. The importance of optimising the potential of such sites is underlined by the Government's Ministerial Statement 'Planning for the Future (March 2020), which encourages authorities to take a proactive approach to home building, including building upwards on already developed land and stations and making the most of under-utilised brownfield land (para. 8)

Travis Perkins is currently in the process of pre-application consultation with the City Council and the GLA regarding proposals for the comprehensive mixed use redevelopment of the Site. The proposals seek to optimise the potential of the Site, allowing for re-provision of Travis Perkins builders' merchant. The redevelopment of the Site in the short term would support delivery of the City Plan's growth objectives.

It is noted from the Updated Schedule of Modifications (CORE_025_V2) that, in response to matters raised by the Inspectors in relation to status of the Key Development Sites, the City Council is proposing to delete the schedule of Key Development Sites at Appendix 1 of the Regulation 19 City Plan and references to these sites in the relevant policies and supporting text of the City Plan.

We are concerned that in the absence of the identification of Key Development Sites there is a lack of clarity in the City Plan regarding the expectation for those sites, pending a future Site Allocation DPD.

The Site is considered to be suitable for redevelopment and a site allocation. This takes account of its location with the Paddington Opportunity Area, its high level of public transport accessibility and having regards to environmental and heritage considerations. The Site is in single ownership by Travis Perkins and is available for redevelopment. The Site has significant potential for high-density redevelopment. Any proposal would need to take account of the viability implications associated with the constraint of constructing over the London Underground line, which runs beneath the site.

It is essential that, whether or not the Key Development Sites are included within the City Plan and/or addressed through a Site Allocations DPD, the development plan should plan positively to make the most effective use of the key sites.

Importantly, as addressed in our Regulation 19 representations, this should allow flexibility for a range of potential uses, in accordance with the NPPF (para. 157). If Key Development Sites are to be included, it should be recognised that the Site is appropriate for commercial uses including the potential reinstatement of Travis Perkins builders' merchant, housing, including forms of specialist housing such as purpose-built student accommodation, and community use.

14) What would be the implications of the proposed modifications for the City Plan as a whole?

In the absence of recognition of Key Development Sites as proposed by the modifications, or Site Allocation pending preparation of a Site Allocations DPD, we would expect that proposals for the Site which contribute to the commercial and/or housing needs in the City Plan would be in accordance with the objectives for Paddington Opportunity Area.

Therefore, whilst inclusion of Key Development Sites is supported, omission of these from the City Plan should not undermine the early delivery of redevelopment at the Site, in line with the strategic commercial and housing growth objectives for the City Plan and specifically the Paddington Opportunity Area.

Policy 3 – Spatial Development Priorities: Paddington Opportunity Area

27) Does Policy 3 adequately and effectively deal with the full range of relevant issues?

Our representation to Policy 3 of the Regulation 19 City Plan sought to ensure that the Key Development Sites were referenced and that the Policy is positively worded to optimise the potential of these sites in planning to meet the growth targets.

Proposed main modification (M/S/11 Para 3.8) states that; 'a number of identified development sites within the area have the potential to contribute significantly to the delivery of the policy priorities'.

However, in the absence of the Key Development Sites at Appendix 1, there is a lack of clarity as to how those 'identified development sites' would contribute to the policy priorities. As addressed above, we therefore wish to clarify the Site has the potential to contribute to meeting commercial and housing growth targets, and it is essential that there is flexibility on the types of uses that could come forward.

We consider that Policy 3 should place further emphasis on optimising the potential of development sites to help meet the London Plan growth targets for the area.

Matter 8 – Design and Heritage

6) Is Policy 42 justified? Is it positively prepared? Are tall buildings and exceptionally tall buildings clearly defined? Are the proposed modifications necessary for soundness?

We continue to object to Policy 42, which sets out the City Council's approach to assessment of building heights in new development. This is on the basis that the policy is not positively prepared and is not justified. The policy continues to state that 'Westminster is not generally suitable for tall buildings'. This is not consistent with the NPPF and the Intend to Publish London Plan. The proposed policy approach for tall buildings would undermine the effectiveness of the City Plan in meeting the identified targets for housing and commercial growth, by limiting the potential development capacity of sites throughout the City.

This is particularly the case within Paddington Opportunity Area, where the principle of tall buildings is well established by London Plan policy and through developments already constructed and by extant planning permissions.

As noted above, we consider that Policy 3 relating to Paddington Opportunity should place further emphasis on optimising the potential of development sites to help meet the London Plan growth targets for the area. Accordingly, we consider that Policy 42 should also set a positive framework for the delivery of tall buildings in this area, reflecting the Government's advice in the NPPF and Planning for the Future (para.8) to make the most effective use of under-utilised brownfield land.

The Building Heights Study (EV DH 004) does not provide sufficient justification for the prevailing heights and is unclear when defining the 'wider Paddington Area'. In order to plan positively for the remaining development sites in Paddington Opportunity Area, including 149-157 Harrow Road, the Policy should be amended to make it clear that proposals for tall buildings within Paddington Opportunity will be acceptable where the general principles are satisfied.

We trust that this statement is helpful and would be grateful for notification of receipt. If you have any queries please do not hesitate to contact me.

