



**Westminster City Plan 2019-2040 – Examination in Public  
Response to Inspector’s Matters, Issues and Questions  
Representations on behalf of the Church Commissioners for England  
Respondent Number: 66  
Matter 8 – Design and Heritage**

**Policy 39 – Design Principles**

*1) Taking each individually, are Policies 39-46 justified, effective, consistent with national policy and in general conformity with the London Plan?*

The Church Commissioners consider that further flexibility is required in regard to this Policy and the intention for developments to achieve BREAAAM “Excellent” or equivalent for non-domestic and domestic floorspace of 500sqm or above, or for 5 or more new dwellings is onerous and unnecessary and should be increased to 1,000sqm for both domestic and non-domestic buildings. Further, it may not be possible to achieve these standards in conjunction with the conservative Heritage Policies proposed within the Plan.

**Policy 40 – Westminster’s Heritage**

*4) Is Policy 40 consistent with national policy and the statutory requirements associated with heritage assets? Is it clear? Are the proposed modifications necessary for soundness?*

The Church Commissioners support the preservation of Westminster’s heritage assets, however the Policy does not appear to engage fully with the issues of harm and benefit, and balanced judgement, as set out in the NPPF and related guidance. The Church Commissioners considers that the policy could be made more explicitly consistent with national policy, in particular the balance of harm and benefit in the assessment of development affecting heritage assets, as set out in paragraphs 195 and 196 of the National Planning Policy Framework. The Church Commissioners suggest that a direct reference to satisfying “relevant tests in national policy” should be added to the ‘Listed Buildings’ section of Policy 40 (as is currently the case for Part L of the Policy relating to non-designated heritage assets)

**Policy 41 – Townscape and Architecture**

*5) Is Policy 41 justified and consistent with national policy, particularly with regard to storey limitations, upwards extensions and density? Is it clear when each of the criteria in Policy 41 would be applicable? Particularly, is predominantly residential area clearly defined? Are the proposed modifications necessary for soundness?*

The Church Commissioners welcome the in principle acceptable of upward extensions, however, the Church Commissioners have concerns relating to the approach set out in Policy 41. The Church Commissioners support the representations made by the Westminster Property Association ref. 0023 in respect of Policy 41.

**Policy 46 – Basement Developments**

*9) Are any other modifications to Policies 39-46 necessary for soundness?*

The Church Commissioners welcome the introduction of a consolidated basements policy, however for effectiveness part B(5) should be revised to give flexibility for special circumstances where basements can be constructed under the public highway (especially if it not a roadway). The Policy should be reworded as follows:-

**“Not normally encroach more than 1.8m under any part of the adjacent highway unless it can be demonstrated that this would not have an adverse impact on space available for services, and retain a minimum vertical depth below the footway or carriageway of 900mm between the highway surface and vault structure.”**