

By email only



Westminster City Council
City Hall
64 Victoria Street
London
SW1E 6QP

20 August 2025

Dear Sir / Madam,

Westminster City Council – City Plan Partial Review – Response to Consultation on Main Modifications

I am writing on behalf of the Westminster Property Association (WPA) to respond to the consultation on Westminster City Council's Main Modifications of the City Plan Partial Review.

Over the last 18 months we have engaged closely with the City Council on your Retrofit First proposals (Policy 43). During this process we have welcomed the frank discussion and dialogue and fully support your changes to the proposed embodied carbon limits, which were a key area of concern among our members. The new levels remain stretching, and clearly will not be achievable in all cases, but we support the City Council's ambitions to ensure development is contributing to both the economy and its communities, whilst being as low carbon as possible – from both an embodied and operational perspective.

Whilst we are fully aligned that environmental considerations are important, we strongly believe social and economic benefits of development must also be considered if we are to deliver sustainable development, as set out in the National Planning Policy Framework (NPPF).

Therefore, whilst we support amendments to the Sequential Test made by the City Council as part of the consultation process, we have remaining concerns on its operation, as we set out during the Examination in Public and which have not been addressed within the Main Modifications. All three objectives (environmental, economic and social) of sustainable development should be carefully considered and balanced during earlier, rather than the final step, of the proposed Sequential Test. Where sites can only be optimised through redevelopment, this should be permitted. Only considering this as part of a balancing exercise at step 4 injects uncertainty into the process and may inadvertently deter investment as a result. We are supportive of taking a Retrofit First approach, but this could result in Retrofit Only in practice.

In a market as complex, large and diverse as Westminster's there will be some buildings that cannot be effectively retrofitted or repurposed in a way that is deliverable and economically rational. The impact of this Test as it stands would make realising the full social and economic benefits from these schemes challenging. At worst, it makes developing these buildings unviable.

We are also concerned about the increase in scope of emerging Policy 43 in respect of heritage buildings sought by this consultation. The proposed additions to supporting text at Paragraph 43.3

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present a significant additional constraint at a late stage of the City Plan Partial Review and the wording requires further consideration.

As currently drafted it has the potential to inadvertently extend the scope of heritage control to a wider range of buildings, or apply guidance intended for designated heritage assets to all buildings. This could create significant confusion and place an additional resource burden on both Historic England and the City Council. This is contrary to the City Council's commendable efforts to speed up determination periods and streamline planning processes.

A more detailed response to the consultation can be found in Appendix A (below), along with proposed adjustments to Paragraph 43.3 to ensure that the supporting text is sound.

I would like to commend the City Council on its collaboration and engagement with WPA and our members on this policy and wider planning matters. We look forward to continuing to engage and discuss the key points raised in this letter.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'C Begley', is positioned above the printed name and title.

Charles Begley
Chief Executive, WPA

Appendix A

Policy 43 – Retrofit First

General

1. As set out in Chapter 2.4 of the Statement of Common Ground signed by WPA and WCC dated March 2025, we remain concerned that elements of the emerging Policy 43 are inconsistent with the NPPF, Development Plan and the SSHCLG's recent determination of M&S.
2. Whilst we acknowledge the Inspector's Post-EIP Note dated 28 May 2025, we remain concerned that Policy 43 will make achieving Development Plan objectives more challenging. The proposed adjustments to Tests 1 and 2 set out in Appendix 2 of the Statement of Common Ground, remain, in our view, the minimum required to resolve this.

CORE 026 & responsible retrofit

3. We are supportive of additional text at Paragraph 43.3 to encourage applicants to consider the impact of development on heritage assets. We support the reference to the Historic England

Guidance for signposting. However, we are concerned that the elements of the proposed text would unintentionally widen the scope of the policy beyond designated heritage assets and to all buildings of traditional construction, regardless of their legal status and protection, which we would not support and consider to be unsound.

4. Specifically, the proposed addition to Paragraph 43.3 states that: **“Responsible retrofit development affecting buildings of traditional construction should take a ‘whole building’ approach that is informed by an understanding of building fabric and performance, and of the significance of any heritage assets affected. National and local policies for the conservation and enhancement of heritage assets will also therefore apply in relevant cases. Historic England provides a range of guidance on energy efficiency and retrofit in historic buildings, including an Advice Note on Adapting Historic Buildings for Energy and Carbon Efficiency.”**
5. Listed buildings are provided statutory protection on the basis of their special historic, architectural, archaeological or artistic significance. Whilst many designated heritage assets are of traditional construction, not all buildings of traditional construction are heritage assets, designated or undesignated.
6. Our concerns are:
 - a. As drafted, the text is open to being misinterpreted to mean that national and local policies for heritage assets should be applied to all proposals for work to buildings of traditional construction.
 - b. The term ‘traditional construction’ is not sufficiently defined within policy or supporting text. As such, it is not clear to which buildings the suggestion within the supporting text applies. There may be relatively modern buildings using constructed of traditional, natural materials, such as brick and timber, which are not listed and where planning permission is not therefore required for internal works.
 - c. The proposed additions to Paragraph 43.3 could be misconstrued as lowering the threshold for consultation with Historic England (HE). Development Plan policy cannot change the criteria under which HE is consulted on applications, which are set out in Article 18 and Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. HE is generally consulted on works, inter alia, for Listed Building Consent applications, applications for Planning Permission which affect a Grade I or Grade II* listed building or its setting, and specific development which affects the character or appearance of a Conservation Area.¹ As such, HE is not consulted on applications which do not affect the significance or setting of designated heritage assets and we consider it would be unsound, even if unintentional, to suggest that HE may be engaged on applications which affect all buildings of traditional construction – including those which are not designated heritage assets. We believe that this additional wording has the potential to create significant confusion and if resulted in the widening of HE’s scope, place an additional resource burden on both Historic England and the City Council.

¹ [Proposals for Development Management | Historic England](#)

This is contrary to the City Council's commendable efforts to speed up determination periods and streamline planning processes.

- d. Paragraph 43.3 should be clear that this guidance should only relate to developments to which sustainability policies contained within the Local Plan apply. It should not be interpreted to widen the net of other policies within the City Plan which are outside the scope of the City Plan Partial Review.
 - e. Requiring the whole building approach in all circumstances would introduce significant additional complexity. The 'whole building' approach may be appropriate in principle, but it is often very complex and can require extensive survey work alongside detailed technical analysis and assessment. This level of analysis and modelling may be appropriate for designated heritage assets, but it would be disproportionate and counterproductive in other cases, especially where specific proposed retrofit measures are clearly acceptable and beneficial in their own right.
 - f. There are also a number of commercial complexities with taking a whole building approach e.g., where individual residential properties are let on long leases or mews houses connected to main buildings. In these circumstances, taking a whole building approach can be complex and challenging, and in some cases make it unviable. The approach suggested by the proposed text could indicate retrofit measures should be resisted in these circumstances, which we do not consider is appropriate or the intention.
7. We therefore propose two amendments:
- a. The reference to **"buildings of traditional construction"** should be replaced by **"designated heritage assets of traditional construction"**; and
 - b. We propose that the text reading **"and of the significance of any heritage assets affected. National and local policies for the conservation and enhancement of heritage assets will also therefore apply in relevant cases"** should be removed. It is not necessary to restate that heritage policy will apply where heritage assets are involved.
8. The amended paragraph would be as follows:
- "Responsible retrofit development affecting ~~buildings of traditional construction~~ designated heritage assets of traditional construction should take a 'whole building' approach that is informed by an understanding of building fabric and performance, proportionate to the works planned. ~~and of the significance of those any heritage assets affected. National and local policies for the conservation and enhancement of designated heritage assets will also therefore apply in relevant cases.~~ Historic England provides a range of guidance on energy efficiency and retrofit in heritage assets, including an Advice Note on Adapting Historic Buildings for Energy and Carbon Efficiency."**

Miscellaneous

9. We support the insertion of Paragraph 43.11 which sets out the mechanism for payments in lieu of embodied carbon contributions and the crediting of embodied carbon performance against operational carbon performance to incentivise low embodied carbon development.

10. However, we strongly do not support the removal of the confirmation that only two alternative options are required to be assessed for new build schemes from Paragraph 43.5 of the supporting text of the policy. This is a vitally important clarification that should be set out in the supporting text and not within guidance such as an updated version of the Environment SPD.
11. We support the insertion that 'significant weight' will be given to the desirability of securing the retention of the building when considering townscape, design or heritage impacts as set out in Part H of Policy 43.
12. We query the reference in Paragraph 43.9 of the supporting text to the most up-to-date RICS methodology as this creates some misalignment with the GLA's adopted approach. In this instance, the most up-to-date RICS methodology is the RICS Whole Life Carbon Assessment Professional Standard 2nd Edition ('RICS 2.0'). Draft Policy 43 requires that the embodied carbon performance for buildings is assessed in line with RICS 2.0 (with the exception of A5.1, 0.1.1, Cat B finishes for commercial buildings, loose fit-out installed by the end user for other buildings and external works as clarified by the Retrofit First Policy Guidance). However, the GLA currently requires Whole Life Carbon Assessments and Carbon Emissions Reporting to be undertaken in line with the RICS Whole Life Carbon Assessment Professional Standard 1st Edition ('RICS 1.0'). We would welcome confirmation that two Whole Life Carbon Assessments would not be required to be submitted for schemes which are referable to the GLA, as we consider this would create an unnecessary burden on applicants.
13. We request that the word 'development' is reinstated into Part G of Policy 43 for completeness as follows: **"All development involving substantial demolition of a building which has more than a single storey, and all major development, with the exception of applications solely involving a material change of use, are required to."**
14. We understand that Part G of Policy 43 (Part 1b) should read as 'residential' rather than 'commercial' in the CORE_029 Consolidated Versions of Draft Policies (with proposed Main and Additional Modifications) and that this has been corrected in a revised version (Version 3).

Policy 13 – Affordable Housing

15. Please refer to our previous comments at Regulation 19 on affordable housing.
16. We have no comments the proposed portfolio approach to affordable housing as set out in CORE_026 Schedule of Proposed Main Modifications to the Submission Plan.

-Ends-