

By email

Cllr Geoff Barraclough
Westminster City Council
City Hall
64 Victoria Street
London
SW1E 6QP

25 April 2024

Dear Cllr Barraclough,

Re: Westminster City Council's Partial Review of the City Plan

Please find attached the WPA's response to the City Council's proposed Partial Review of the City Plan, alongside our viability representations and associated appendices. Your Partial Review is tasked with enabling development alongside a host of environmental, social and economic policy objectives, and it is imperative these policies get the balance right.

We are encouraged by our recent discussions with you, the Leader and senior officers, where the City Council's commitment to good growth was strongly reinforced. We are keen to continue to work with you and your officers to ensure that emerging policy is consistent with these shared objectives, and that areas of potential misinterpretation are addressed.

In the preparation of our response, we have engaged closely with our extensive membership's expertise, securing the input of leading specialists across planning, engineering, sustainability and development to ensure the veracity of our analysis. Our detailed response is underpinned by rigorous research and data, which clearly sets out the areas where, in our view, your proposed policies require revision in order to unambiguously secure your stated objectives for Westminster.

Whilst described as a Partial Review, it is clear your plans could have far-reaching implications for development and economic growth in Westminster, which comprises almost half of London's strategically important Central Activities Zone (CAZ) and contributes to 14% of London's economy (GVA), despite occupying just 0.87% of London's total land area.

We look forward to engaging with the City Council on proposed modifications to the City Plan that would enable it to be found sound by the Secretary of State at the Examination in Public, and which would enable Westminster to fulfil its obligations under the London Plan to support jobs and economic growth within the CAZ.

If you have any questions in the meantime, please do not hesitate to contact me.

Yours sincerely,



Charles Begley
Chief Executive, Westminster Property Association

cc. Debbie Jackson; Deirdra Armsby; PlanningPolicy@Westminster.gov.uk

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Westminster City Plan Partial Review: Regulation 19 Consultation

Representations by Westminster Property Association

25 April 2024

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1 Executive Summary

- 1.1 This report sets out Westminster Property Association's response to the City Council's proposed Partial Review of the City Plan. It is focused principally on the proposed retrofit policy, Policy 43, but also addresses proposed changes to affordable housing policy.
- 1.2 WPA welcomes the detailed work undertaken by the City Council in preparing the proposed Partial Review and, in particular, welcomes the early informal engagement that has partially informed this document.
- 1.3 WPA looks forward to continuing to work with the City Council on the evolution of policy on these important topics for a sustainable, fairer Westminster. Whilst this report has been prepared for submission to the Secretary of State for independent examination, WPA would welcome further engagement in the meantime with the City Council and is keen to discuss potential pre-submission modifications that could address its identified areas of concern.
- 1.4 WPA recognises the challenges presented by climate change. It supports the aim of enhancing sustainability within the built environment. This includes the provision of planning policies which support the reduction of carbon emissions from the built environment, to promote development that is environmentally, socially, and economically sustainable.
- 1.5 WPA supports the introduction of policy that would provide clarity and objectivity in guiding investment and development management decisions, whilst addressing the impacts of the climate crisis.
- 1.6 WPA supports a consistent approach to carbon emissions within planning policy at a national and regional level, where this issue would be best addressed. WPA recognises that, in the absence of a standardised and consistent national approach to the issue of upfront embodied carbon emissions, individual local and regional authorities are seeking to develop policy to respond to this issue.
- 1.7 In preparing these representations, an extensive review of the proposed policy, supporting text and evidence base have been carried out. A detailed range of related and technical material has also been consulted.

- 1.8 The adopted, strategic policy basis for central London, of which the City of Westminster forms a large part, is for “Good Growth” to optimise development opportunities and make the best use of land. WPA therefore recognises the challenge of developing planning policy which successfully balances the objectives and policy targets in respect of all three pillars of sustainability and is consistent at a local, regional, and national level.
- 1.9 WPA supports a “retrofit first, not retrofit only” approach, as set out in our research paper of the same name¹ and as expressed through previous representations to the proposed policy content. It agrees with WCC that opportunities to retrofit buildings should be explored and maximised in the first instance where structurally and economically feasible to do so.
- 1.10 Following a review of the proposed retrofit policy (Policy 43), the associated evidence base and the evidence base identified by WPA discussed within the report, we consider that the retrofit policy, as currently drafted, is unsound with regard to the national tests for plan-making, is inconsistent with national policy and not in general conformity with the adopted London Plan. If adopted in its current form, it would also lead to the Westminster City Plan being internally inconsistent.
- 1.11 The evidence base for the policy is inadequate as a foundation for its intended policy aims. The operation of parts of the policy, as drafted, is complex and would make them difficult to implement in a proportionate, balanced, and positive manner. The upfront embodied carbon targets proposed require adjustment to ensure they are reasonably attainable in the unique environment of the City of Westminster and on the basis of what is currently deliverable by the construction industry.
- 1.12 The draft policy requires reconsideration so that it meets it can meet its stated aim, shared by WPA, of enhancing sustainability, reducing carbon emissions, promoting investment, whilst also accommodating the good growth of central London in line with adopted strategic policy.

¹ Retrofit First, Not Retrofit Only, 2024. Available online at: <https://www.londonpropertyalliance.com/retrofit-first-not-retrofit-only-a-focus-on-the-retrofit-and-redevelopment-of-20th-century-buildings/>

1.13 The proposed affordable housing policy also requires some further amendment in order to ensure it is sound. In particular, in relation to the definition of new homes and the interaction of the 0sqm threshold with the Planning Obligations and Affordable Housing SPD, and in relation to the viability evidence base, to ensure the Plan as a whole will encourage development.

Acknowledgements

1.14 WPA gratefully acknowledges the active assistance of its member organisations in preparing this response and in sharing information, and in particular AECOM, Arup and Buro Happold for their advice and technical guidance.

2 Legal requirements and tests of soundness

- 2.1 This report assesses the proposed changes within the Partial Review against the four tests for soundness of policy set out within the National Planning Policy Framework (NPPF). It is focused on Policy 43 (the proposed retrofit policy). The proposed alterations to affordable housing policy are considered separately in Section 9 of this report.

NPPF Soundness Tests

- 2.2 The NPPF was most recently revised on 19 December 2023 and is a material consideration in planning decisions.
- 2.3 The City Plan Partial Review has been drafted in accordance with the September 2023 version of the National Planning Policy Framework (NPPF) for the reasons set out in Footnote 9 on Page 13 of the Retrofit First Topic Paper prepared by Westminster City Council.
- 2.4 There is no difference in the wording of Paragraph 35 when the September 2023 and December 2023 versions of the NPPF are compared.
- 2.5 Paragraph 35 of the NPPF states that “Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:
- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 2.6 Paragraph 36 is clear that the above mentioned tests of soundness will be applied to non-strategic policies i.e., where these are contained within a Local Plan in a proportionate way, **taking into account the extent to which they are consistent with relevant strategic policies for the area** [our emphasis].

Conformity with the London Plan

- 2.7 At a regional level, the Greater London Authority Act 1999 established the obligation for the Mayor to produce a spatial development strategy at a strategic level i.e., the London Plan.
- 2.8 Section 24 of the Planning and Compulsory Purchase Act 2004 requires that local development documents are in general conformity with the spatial development strategy for London (the London Plan). Section 19 of the 2004 Act sets out further requirements of local development documents.
- 2.9 The London Plan also forms part of the Statutory Development Plan for developments within London.

The Duty to Cooperate

- 2.10 As many planning issues cross administrative boundaries, the Localism Act 2011 introduced a ‘Duty to Cooperate’ to ensure that Local Planning Authorities and other public bodies “work together in relation to the planning of sustainable development that extends beyond their own administrative boundaries.”²
- 2.11 Local Planning Authorities must demonstrate their compliance with the Duty to Cooperate as part of their Local Plan examination.

² Available online at: [Plain English guide to the planning system - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

2.12 This report does not assess the emerging Retrofit Policy to the extent that Westminster City Council achieves its Duty to Cooperate. However, the analysis set out within this report does highlight that the reduction of carbon emissions is a local, regional, and national responsibility with a lack of clear guidance at national and regional level leading Local Planning Authorities to establish their own carbon emissions targets which do not necessarily align from borough to borough. This is dealt with in further detail below.

3 Current development management context

3.1 This section summarises current best practice within Westminster in respect of application deliverables and the methodology for calculating upfront embodied carbon figures.

Adopted Planning Policy Framework

3.2 The Statutory Development Plan for proposals in Westminster is the following:

- London Plan (adopted March 2021);
- Westminster City Plan (adopted April 2021); and
- Any Neighbourhood Plans as relevant.

3.3 The NPPF (December 2023) and any adopted Supplementary Planning Guidance (SPG) are material considerations in the determination of planning applications.

3.4 The SPGs relevant to the proposed retrofit policy are as follows:

- GLA Sustainable Design and Construction SPG (April 2014)
- GLA Be Seen Energy Monitoring LPG (September 2021)
- GLA Circular Economy Statement LPG (March 2022)
- GLA Whole Life Carbon Guidance LPG (March 2022)
- GLA Energy Assessment Guidance (June 2022)
- WCC Environmental SPD (February 2022)
- WCC Planning Obligations and Affordable Housing SPD (February 2024)

3.5 London Plan Policy SI2 requires all major development to be net zero carbon in operation and for any shortfall to be offset through a financial contribution to achieve this. In addition, Applicants are required calculate whole life carbon emissions and “demonstrate actions taken to reduce life-cycle carbon emissions.”³

3.6 London Plan Policy SI7 promotes circular economy practices and sets targets for the percentage of waste and materials to be reused, recycled, or recovered. Schemes referable

³ Policy SI2 (Part F) of the London Plan (March 2021)

to the Mayor of London “should promote circular economy outcomes and aim to be net zero-waste.”⁴

- 3.7 As adopted, City Plan Policy 36 relates to operational energy and states that the Council will “promote zero carbon development and expects all development to reduce on-site energy demand and maximise the use of low carbon energy sources.” Furthermore, major development is required to achieve net zero carbon and where it is not financially or technically viable to achieve net zero on site, any shortfall must be offset through a financial contribution or identified offsite measures.⁵
- 3.8 As adopted, City Plan Policy 37 relates to circular economy principles and states that “the Council will promote the Circular Economy” with developers required to demonstrate the recycling, re-use and responsible disposal of construction, demolition, and excavation waste through a Circular Economy Statement.⁶
- 3.9 Adopted City Plan Policy 37 is proposed to be removed from the Local Plan as part of the Regulation 19 Partial Review and replaced with proposed Policy 43, which this report assesses.
- 3.10 The planning policy context is discussed in further depth within the Topic Paper at Section 3.1. However, in summary, there is currently no policy at local or regional level which precludes the demolition of buildings on carbon grounds, with adopted net zero obligations relating to the operational, rather than embodied, performance of buildings.

Application Deliverables

Circular Economy Statements

⁴ Policy SI7 of the London Plan (Adopted March 2021)

⁵ Westminster City Council City Plan 2019 – 2040 (Adopted April 2021). Page 137.

⁶ Westminster City Council City Plan 2019 – 2040 (Adopted April 2021). Page 141.

- 3.11 At a regional level, Circular Economy Statements are required to be submitted **on schemes which are referable to the Mayor** to promote circular economy outcomes and aim to be net zero-waste in line with London Plan Policy SI7.
- 3.12 Currently within Westminster, only applications referable to the Mayor are required to submit Circular Economy Statements in support of applications.⁷

Whole Life Carbon Assessments

- 3.13 At a regional level, Whole Life Carbon Assessments are required to be submitted within London in support of major developments referable to the Mayor as per London Plan Policy SI2.
- 3.14 For the avoidance of doubt, whilst there is some overlap in definitions, an application may constitute major development without being referable to the Mayor. In this case, the application would be determined independently by the Local Planning Authority and usually at Planning Committee.
- 3.15 Within Westminster, Whole Life Carbon Assessments are currently required to be submitted for **all applications referable to the Mayor of London and for major applications involving substantial demolition** which is defined on the Westminster City Council validation checklist as “total demolition of a building, façade retention redevelopment schemes and other redevelopment schemes where only the superstructure is being retained [our emphasis].”⁸
- 3.16 Whole Life Carbon Assessments are usually calculated in accordance with the methodology set out within the RICS Whole Life Carbon Assessment for the Built Environment 1st Edition (November 2017) (‘the RICS Professional Statement (2017)’)⁹ as detailed below and using British Standard EN 15978: 2011 (Sustainability of Construction Works — Assessment of Environmental Performance of Buildings — Calculation Method), which sets out the

⁷ Available online at: [Validation requirements | Westminster City Council](#)

⁸ This definition of substantial demolition does not align with the proposed retrofit policy. We assume that the Validation Checklist will be updated following the adoption or any new or revised policies which affect application deliverables.

⁹ RICS Whole Life Carbon Assessment for the Built Environment 1st Edition (November 2017)

principles and calculation method for the whole-life assessment of the environmental impacts from built projects. As confirmed by the GLA Whole Life Carbon Guidance, BS EN 15978 is the standard UK framework for appraising the environmental impacts of the built environment.

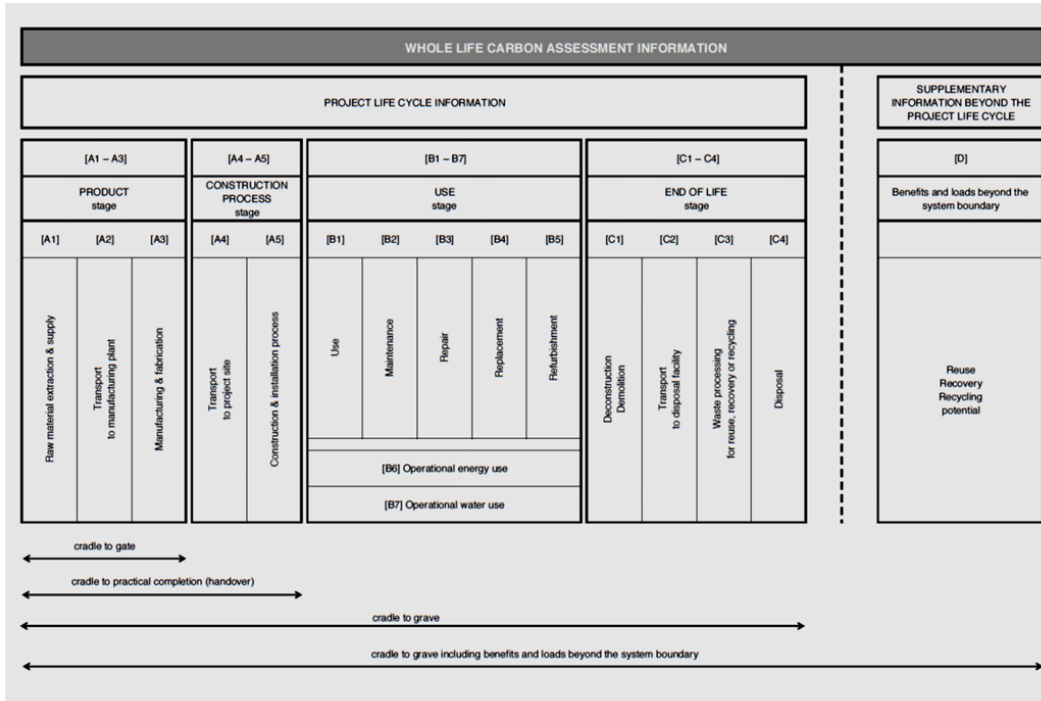


Figure 1.1: GLA Whole Life Carbon Guidance (March 2022) (Figure 2.1 of GLA Guidance)¹⁰

- 3.17 A Whole Life Carbon Assessment covers all the emissions associated with a building over its lifetime from construction through to disposal. Each element of the building’s lifecycle is divided into modules and the modules are grouped into stages.
- 3.18 Modules A1 – A5 cover the upfront embodied carbon emissions i.e., emissions associated with the sourcing, transportation, fabrication and construction of materials and products.
- 3.19 Modules B1 – B5 (excluding B6 and B7) relate to in-use emissions i.e., emissions associated with the maintenance, replacement and repair of the building.

¹⁰ Mayor of London Plan Guidance Whole Life-Cycle Carbon Assessments. Figure 2.1. Page 14. Available online at: [Whole Life-Cycle Carbon Assessments guidance | London City Hall](#)

- 3.20 Modules B6 and B7 relate to operational energy and operational water, respectively. These emissions are largely driven by the building occupier and are therefore unregulated. For this reason, these emissions are reported separately in Whole Life Carbon Assessments.
- 3.21 Modules C1 – C4 deal with the carbon emitted at the end of a building’s life i.e., deconstruction, transport, waste processing and disposal.
- 3.22 As the deconstruction and disposal of the building is included within Module C1 of the proposed building, the carbon emissions associated with the demolition of the existing building are reported separately. This is because these emissions are captured by Module C1 of the existing building and in this way attributed to the existing building and not the proposed building.
- 3.23 The RICS Professional Statement (2017) clarifies that this approach is due to the fact that demolition works may be decoupled from new construction projects, with the responsibility for any emissions arising from demolition not necessarily solely attributable to the new build project.¹¹
- 3.24 As such, both the current GLA guidance and the RICS Professional Statement (2017) require that the carbon emissions associated with the demolition of the existing building are calculated but on the basis of the above, that these emissions are reported separately i.e., not included within upfront embodied carbon figures or whole life carbon figures.
- 3.25 Paragraph 3.1.4 of the adopted GLA Whole Life Carbon Guidance states, where actual figures for the carbon emissions of demolition are not known, Applicants can apply a standard assumption of 50 kg CO₂e / sqm to the GIA of the existing areas being demolished.
- 3.26 RICS published an updated version of its Whole Life Carbon Assessment for the Built Environment 2nd Edition in September 2023, which is due to come into effect in July 2024 (‘the RICS Professional Statement 2023’). The 2023 version of the RICS Professional

¹¹ RICS Whole Life Carbon Assessment for the Built Environment 1st Edition (November 2017). Section 3.2.2. Page 9

Statement introduces a number of changes to the 2017 version including a new categorisation for infrastructure projects.

- 3.27 Most relevant to this report and the objectives of the proposed retrofit policy, the RICS Professional Statement (2023) sets the requirement for the carbon emissions associated with demolition to be included within Module A5.1 of the Whole Life Carbon Assessment. Consequently, where demolition figures are currently reported separately, these will now be included within upfront embodied carbon figure and whole life carbon figures.
- 3.28 Specifically, Section 3.2 of the RICS Professional Statement (2023) states that “where a project is initiated on a brownfield site, **emissions from any demolition that has already occurred via a previous site owner or event must still be considered** within the scope of the WLCA and be reported in [Module] A5.1, **if demolition occurs within three years of the sale or new proposal.**” [our emphasis]¹²
- 3.29 Consequently, a developer who has purchased a site which has been demolished within the past three years, would be required to account for the carbon emitted at the point of demolition, despite not owning the site at the time.
- 3.30 The adopted GLA Whole Life Carbon Guidance sets minimum and aspirational benchmarks for applications referable to the Mayor in respect of upfront embodied carbon and whole life carbon. Applicants are required to report on how the total whole life carbon emissions of development proposals compare with these benchmarks.¹³
- 3.31 There are currently, however, no adopted upfront embodied carbon targets in planning policy at a local or national level, although several Local Planning Authorities, in addition to Westminster City Council, are developing planning policies to this effect, which is discussed in Section 7.

Operational Carbon

¹² RICS Whole Life Carbon Assessment for the Built Environment 2nd Edition (September 2023). Section 3.2. Page 29.

¹³ Mayor of London Plan Guidance Whole Life-Cycle Carbon Assessments. Page 26. Available online at: [Whole Life-Cycle Carbon Assessments guidance | London City Hall](#)

- 3.32 In England, it is a legal requirement to limit the operational carbon emissions of almost all planned new buildings under Part L of the Building Regulations.
- 3.33 In London, this performance is assessed within the planning system in accordance with Policy SI2 of the London Plan which requires a minimum on-site reduction of at least 35 per cent beyond Part L of the Building Regulations for major development.
- 3.34 A financial contribution is payable on schemes to bring the total operational performance to net zero. Usually this constitutes the remaining 65 per cent performance against Part L of the Building Regulations unless the 35 per cent reduction has been exceeded.
- 3.35 This offset payment seeks to bridge the 'carbon gap' between the on-site savings of regulated carbon emissions and those required by planning policy. The offsetting thereby achieves a 100 per cent improvement on Part L of the Building Regulations.
- 3.36 Local Planning Authorities are able to set their own carbon off-set price. The GLA has set a price of £95 / tonne of carbon for a period of 30 years.
- 3.37 Westminster City Council adopted their new Planning Obligations and Affordable Housing SPD (POAH SPD) in March 2024. The POAH sets an overarching carbon offset price of £880 / tonne of carbon for a period of 30 years. A lower rate of £330 / per tonne of carbon has been set for all-electric schemes.
- 3.38 The increased carbon offset prices were based on evidence set out within Westminster City Council's Delivery Net Zero Report (July 2023) which itself updated the Towards Net Zero Carbon: Achieving Greater Carbon Reductions On Site (2019) report.
- 3.39 The performance of a scheme against Part L of the Building Regulations is usually captured within an Energy Statement.
- 3.40 At both a regional and local level, an Energy Statement is required to be submitted in support of major development proposals.

4 Strategic Priorities

- 4.1 The proposed retrofit policy, as drafted, is not sound, because it is not consistent with national policy, is not in general conformity with the published London Plan, and, if adopted in its current form, would lead to the City Plan being internally inconsistent. It potentially prioritises embodied carbon above other important considerations for the evolution and growth of Westminster, in a manner inconsistent with strategic policy.
- 4.2 It requires extensive revision to address these issues.
- 4.3 The proposed retrofit policy rests, in part, on the premise that Westminster has some of the highest carbon emissions in the UK, at 1671.9kt in 2021. This is incorrect; in a ranking of total local authority emissions, Westminster is 50 out of 374 local authorities as discussed in Section 4. There is a gap between its current emissions reduction trajectory and that needed to achieve the City Council’s corporate mandate of a Net Zero City by 2040.¹⁴ The Net Zero City by 2040 mandate is not a planning policy objective and is not proposed for incorporation into the City Plan, nor has it been subject to independent examination. For the purposes of the examination of the Plan, it is not of the same status as national or regional policy.
- 4.4 Conversely, Westminster does have the second **lowest** carbon emissions in the United Kingdom, when considered based on both economic output and jobs supported, by tonne of CO2 equivalent. Table 4.1, below, provides a snapshot of Westminster’s carbon emissions by unit of economic output (Gross Value Added – ‘GVA’) / employment. The full data series is provided at **Appendix 1**.

Local Authority	Total Emissions (CO ₂ e, kt/yr)	GVA £m (2021, 2019 prices)	£ GVA / CO ₂ e, kt/yr	Jobs / CO ₂ e, kt/yr
City of London	636.1	86,718	136	0.97
Westminster	1,671.9	71,260	43	0.48
Islington	647.6	20,076	31	0.41
Camden	1,024.3	31,384	31	0.41

¹⁴ Topic Paper. Section 2.3. Paragraph 1. Page 10

Hackney	603.0	9,710	16	0.28
Tower Hamlets	1,101.7	35,720	32	0.28
Hammersmith and Fulham	629.4	10,358	16	0.23
Manchester	2,095.6	24,908	12	0.21
Reading	582.5	8,574	15	0.20
Cambridge	556.8	6,341	11	0.20
Cheltenham	415.1	3,353	8	0.16
Argyll and Bute	256.7	2,017	8	0.15
Belfast	1,766.3	13,463	8	0.14
Milton Keynes	1,346.3	13,669	10	0.14
Bracknell Forest	435.5	4,604	11	0.13
Croydon	1,133.5	10,124	9	0.11
Tunbridge Wells	479.8	3,356	7	0.11
Buckinghamshire	2,967.9	15,407	5	0.09
Barking and Dagenham	713.3	3,163	4	0.09
Midlothian	513.4	1,680	3	0.07
Sevenoaks	811.3	4,070	5	0.06
East Devon	953.4	2,766	3	0.06
North Norfolk	782.9	1,588	2	0.04
King's Lynn and West Norfolk	1,800.2	3,043	2	0.03
Falkirk	2,297.5	3,782	2	0.03
Fermanagh and Omagh	2,465.7	2,355	1	0.02
North Lincolnshire	7,683.7	4,556	1	0.01

Table 4.1 – Selected local authorities, total territorial carbon emissions (2021), GVA, GVA/KT CO₂e, total employment / KT CO₂e.¹⁵

4.5 Table 4.1 above, illustrates that Westminster, along with the City of London, represents the most carbon efficient employment location in the UK, producing a high level of economic output with low carbon emissions. Westminster's GVA by kt of CO₂, at £43m/kt is almost 10 times the UK local authority average of £5m/kt.

¹⁵ Compiled from 2005 to 2021 UK local and regional greenhouse gas emissions: statistical release (updated 6 July 2023), at <https://assets.publishing.service.gov.uk/media/64a67cc37a4c230013bba230/2005-21-local-authority-ghg-emissions-statistical-release-update-060723.pdf>, Regional gross value added (balanced) by industry: local authorities by ITL1 region:, chained volume measures in 2019 money value, pounds million at [Regional gross value added \(balanced\) by industry: local authorities by ITL1 region - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/economy/grossvalueadded/grossvalueaddedbyindustry) and Business Register and Employment Survey, Table 6, [Local authority district – Business Register and Employment Survey \(BRES\): Table 6 - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/economy/businessregisterandemploymentsurvey)

4.6 Westminster has reduced its CO2 emissions by 54% since 2005, the 12th largest percentage decrease in the UK.

Rank	Local Authority	Carbon Emissions 2005 (kt CO2e) ¹	Carbon Emissions 2021 (kt CO2e) ¹	%age reduction
1	Redcar and Cleveland	11,783	1,215	89.7%
2	Gravesham	1,766	446	74.7%
3	New Forest	3,007	944	68.6%
4	Northumberland	6,042	2,070	65.7%
5	City of London	1,730	636	63.2%
6	Halton	1,918	738	61.5%
7	Stockton-on-Tees	5,684	2,211	61.1%
8	Isles of Scilly	13	6	57.8%
9	Tonbridge and Malling	1,866	817	56.2%
10	Newport	2,548	1,134	55.5%
11	South Gloucestershire	3,854	1,746	54.7%
12	Westminster	3,666	1,672	54.4%
13	Thurrock	2,143	1,011	52.8%
14	Southampton	1,576	755	52.1%
15	Exeter	1,022	491	52.0%
...				
370	Neath Port Talbot	8,397	7,115	15.3%
371	Rugby	2,330	2,026	13.0%
372	Shetland Islands	885	801	9.5%
373	High Peak	3,533	3,292	6.8%
374	Na h-Eileanan Siar	1236.65	1184.42	0.04

Table 4.2 - Selected local authorities, change in total territorial carbon emissions 2005 to 2021e.¹⁶

¹⁶ Compiled from 2005 to 2021 UK local and regional greenhouse gas emissions: statistical release (updated 6 July 2023), at <https://assets.publishing.service.gov.uk/media/64a67cc37a4c230013bba230/2005-21-local-authority-ghg-emissions-statistical-release-update-060723.pdf>, Regional gross value added (balanced) by industry: local authorities by ITL1 region:, chained volume measures in 2019 money value, pounds million at [Regional gross value added \(balanced\) by industry: local authorities by ITL1 region - Office for National Statistics \(ons.gov.uk\)](#) and Business Register and Employment Survey, Table 6, [Local authority district – Business Register and Employment Survey \(BRES\): Table 6 - Office for National Statistics \(ons.gov.uk\)](#)

- 4.7 Evaluating carbon emissions on the basis of emissions by geographical area, or by (resident) population, looking as it would only at Westminster’s function as a residential location, would not take into account Westminster’s very significant role as an employment hub and centre of economic activity of international importance. Westminster, for example, contributes 14% of London’s GVA despite being only 0.87% of its land area.¹⁷
- 4.8 Westminster is a leading example of a high value, relatively low carbon, sustainable economic location. As the evidence base shows, its emissions are declining and will continue to do so, through a combination of factors, including both grid decarbonisation and capital investment in its infrastructure and building stock. Policy should support, and accelerate, this continued decarbonisation whilst sustaining its economic function.
- 4.9 The NPPF recognises that the social, economic, and environmental aspects of sustainable development are interdependent and must be “pursued in mutually supportive ways.”¹⁸ A fuller understanding of the uniquely efficient way in which these factors combine in Westminster to deliver exceptional economic output with low carbon emissions is essential. Our concern is the retrofit policy would compromise, rather than support, this unique combination of factors by preventing continued innovation and investment in Westminster’s building stock.
- 4.10 Westminster’s very low carbon profile is not a surprise. It is a consequence of factors including its highly sustainable location, unsurpassed public transport accessibility (itself the result of at least two centuries investment in infrastructure), knowledge-based economy and high productivity. As a whole, though, London’s productivity growth has lagged behind that of the UK as a whole, and of London’s major global competitors, including New York and Paris, as well as Stockholm and Brussels as European comparators.¹⁹

¹⁷ Good Growth in Westminster (Arup, Westminster Property Association, 2024), page 8. Available online at [Delivering Good Growth in Westminster - Westminster Property Association](#)

¹⁸ National Planning Policy Framework (December 2023). Paragraph 8

¹⁹ Capital Losses: The role of London in the UK’s productivity puzzle (Centre for Cities, March 2023). Page 14. Available online at [London-productivity-March-2023.pdf \(centreforcities.org\)](#)

4.11 That is why the London Plan is emphatic in its support for the role of central London and the Central Activities Zone (CAZ), a large part of which is located within Westminster. The London Plan provides clear policy direction which supports not only the protection of the various strategic functions which make up the agglomeration of the CAZ environment, but also their growth, improvement, and intensification.

4.12 The special nature of central London is recognised by the London Plan. At the supporting text to Paragraph 2.4.2 states:

“The density, scale and mix of business functions and activities in the CAZ are **unique** and are underpinned by the connectivity provided by public transport, walking and cycling networks. This agglomeration results in exceptional levels of productivity, which is not replicated elsewhere in the UK, and provides national benefits. It **requires different or tailored approaches to the application of national policy to address its distinct circumstances**”. [our emphasis]

4.13 It goes on to say at Paragraph 2.4.8 that:

“As a whole, the CAZ supports a nationally and internationally significant scale and agglomeration of offices, enabled by the hyper-connectivity of its public transport infrastructure”.

4.14 Policy SD4 of the London Plan states that:

“The **unique international, national and London-wide roles of the CAZ**, based on an agglomeration and rich mix of strategic functions and local uses, should be promoted and enhanced” [our emphasis].

4.15 It goes on to say that: “The nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the **intensification and provision of sufficient space to meet demand** for a range of types and sizes of occupier and rental values” [our emphasis].

4.16 The London Plan is based on the concept of Good Growth, represented in Objectives GG1 to GG6. In that context, Objective GG2 and Policy D3 seeks to make the best use of land to

optimise site capacity, through a design led approach. Policy GG5 seeks to grow a good economy, which includes promoting the strength of the city region, planning for sufficient employment and industrial space, and promoting the benefits of a transition to a low carbon circular economy.

4.17 The City Plan is consistent with this approach. The City Council does not seek to modify Policy 1 of the City Plan, which states:

“Westminster will continue to grow, thrive and inspire at the heart of London as a World City by [steps including] ... Supporting the growth, modernisation and adaptation of a variety of business space to provide **at least 63,000 new office-based jobs alongside other forms of commercial growth**” [our emphasis].

4.18 The supporting text (Paragraph 1.3) states that “To deliver additional growth in the city, it will be necessary to intensify existing urbanised areas. This includes optimising opportunities for infill development and extensions to existing buildings, up as well as out”.

4.19 Westminster’s role in the CAZ is significant. It provides 31% of total CAZ employment, with 690,000 jobs.²⁰

4.20 Westminster’s part of the CAZ has close to 200,000 jobs in business service activities alone.²¹ A significant proportion are in business service activities, information and communication, financial and insurance activities, most of which are likely to be office based, at least in part.

4.21 Policy 13 of the City Plan sets out a target for jobs growth of at least 63,000 additional office jobs to 2040, consistent with this policy framework. This is clearly expressed as a minimum, not a maximum or a target. A figure of at least 445,000sqm additional office floorspace is then set out as a “reasonable figure” for floorspace growth to plan for²².

²⁰ Good Growth in Westminster (Arup, Westminster Property Association). March 2024. Page 18. Available online at [Delivering Good Growth in Westminster - Westminster Property Association](#)

²¹ Good Growth in Westminster (Arup, Westminster Property Association). March 2024. Page 19. Available online at [Delivering Good Growth in Westminster - Westminster Property Association](#).

²² Westminster City Council City Plan (2019-2040). Adopted April 2021. Paragraph 13.2

4.22 This is a policy framework for sustainable growth, not constraint. We have set out, in Sections 6 and 7 below, the complexity and uncertainty that the proposed retrofit policy would create and shown that the proposed carbon targets are not generally achievable. Introducing a policy of such complexity and uncertainty, with targets that cannot be achieved, would not be in general conformity with the London Plan and consistent with the objectives of Good Growth set out within it.

4.23 The Topic Paper is, conversely, based on the assumption of reduced employment targets for the remainder of the plan period, suggesting only 22,000 additional jobs should be catered for on the basis of purported job creation since 2020.²³ At a floorspace density of 11.3sqm/employee, this is considered to require 249,000sqm to 2040. This is then converted to an annual floorspace requirement of 15,500sqm. In turn, the Topic Paper anticipates only 35% of that requirement being met from new build (i.e., net additional office stock), and the remainder from refurbishment. WPA does not agree with this assessment of need / demand. It should only be given very limited weight, in light of the clearly expressed priority for employment growth within the CAZ, for the following reasons:

- i strategic and local policy clearly expresses the 63,000 jobs as a minimum, not a maximum, and seeks to promote appropriate growth. A policy of constraint on office supply would be inconsistent with this approach;
- ii it will not be sustainable for Westminster to continue to add office-based employment whilst continuing to reduce its office stock. This cannot continue indefinitely;
- iii The Topic Paper assumes that 65% of the requirement will be met from retrofit, but this assumption is not explained, as retrofit will not add additional employment capacity / additional stock, although it may assist in making better use of existing stock;
- iv The BRES data referred to as the source for the additional jobs²⁴ does not support the conclusion reached. This is payroll jobs and the methodology used does not distinguish

²³ Topic Paper. Section 3.2. Paragraphs 11-19

²⁴ Topic Paper. Section 3.2. Paragraph 13 and Footnote 16

between employment, jobs and employee jobs. It does not take proper account of full time and part time.

- v The BRES data, and in fact the London Office Policy Review 2017, does not consider post-pandemic work from home trends. For example, information and communication and public defence and administration (both which we anticipate are included in Westminster's categorisation of office jobs) have added over 23,000 jobs over this period, but are, anecdotally, more likely to work from home. If The City Council considers work from home trends are likely to remain in place, a higher jobs target should be set to support continued expenditure in Westminster's face to face economy and the services and ecosystem that this supports.

4.24 Overall, we do not consider the implied alteration to jobs targets to be justified or in accordance with strategic policy. To imply a reduction in employment floorspace targets would be premature in advance of a review of the London Plan and a comprehensive review of office demand and occupational profiles.

4.25 The economic surplus generated by Westminster, and its contribution to London, and wider regional and national, employment, are both strategic issues and public benefits of regional and national scale. They should not only be considered at a local level, hence their consideration within the London Plan. Sustaining and supporting this carbon efficient economy should not require justification on each occasion at a development management level and should instead be recognised within policy.

4.26 The Topic Paper repeatedly indicates that greater carbon reductions should be achieved from commercial development because of the priority placed on housing across the city, and the fact that residential development will, in fact, have the biggest embodied carbon impact.²⁵ ²⁶
²⁷ However, the Topic Paper acknowledges that this conclusion differs from the work carried out by LETI, on whose targets the policy is based.²⁸

²⁵ Topic Paper. Section 4.2. Paragraph 9. Page 35

²⁶ Topic Paper. Section 4.2. Paragraph 16. Page 37

²⁷ Topic Paper. Section 4.2. Figure 8. Page 34

²⁸ Topic Paper. Section 4.2. Paragraph 16. Page 37

- 4.27 The Council considers that the firm commitments set out within the existing City Plan and NPPF to deliver housing should not be undermined by other policies. Consequently, it considers that “in order to balance the overall embodied carbon emissions and align them to the 2030 and 2040 goals, non-residential developments will have to perform better in embodied carbon reductions.”²⁹
- 4.28 More challenging targets for embodied carbon are therefore imposed on commercial than residential development for this reason, even as those standards are recognised by the evidence base, as described below, as being unachievable. This is dealt with in greater detail in Section 7.
- 4.29 This assumption, specifically, is not in general conformity with the London Plan. Policy SD5(A) of the London Plan states that “New residential development should not compromise the strategic functions of the CAZ.” It goes on to say, in part (C), that “Offices and other CAZ strategic functions are to be given greater weight relative to new residential development in all other areas of the CAZ except [certain identified Opportunity Areas, and wholly residential streets / predominantly residential neighbourhoods].”
- 4.30 Imposing additional restraint on commercial / non-residential development, or prioritising residential over commercial development within the CAZ, is not consistent with this adopted policy and does not achieve the policy’s objective to “maintain a pro-growth development plan.”³⁰
- 4.31 The proposed policy is also discordant with the objective set by Westminster City Council to “build further upon existing policies within the City Plan 2019-2040 which currently only emphasise operational carbon emissions, **along with supporting other ambitions of the Council.**” [our emphasis]
- 4.32 The proposed retrofit policy is therefore inconsistent with local or regional policy and is unjustified on this basis.

²⁹ Topic Paper. Section 4.2. Paragraph 16. Page 37

³⁰ Topic Paper. Section 4.1. Paragraph 2. Page 30

5 Retrofit First policy - Rationale and Evidence Base

- 5.1 The proposed policy is not sound because it is not justified, in that it is not based on appropriate, proportionate evidence.
- 5.2 This section discusses the rationale behind the proposed retrofit policy and the evidence base published by Westminster City Council in support of the proposed policy.

Policy Objective

- 5.3 The proposed retrofit policy as drafted seeks to:

Part A

1. Restrict total demolition to schemes which would deliver public benefits beyond that which could be delivered from a “suitably comparable” retrofit scheme and can demonstrate that retrofit is not possible or preferable on whole life carbon grounds, or due to bespoke energy requirements or structural constraints.

Part B

2. Increase the scope of applications which trigger the requirement to submit a Whole Life Carbon Assessment to all development involving total or substantial demolition, and all major development regardless of quantum of demolition;
3. Set upfront embodied carbon targets for the above applications to encourage retrofit;
4. Limit the offsetting of embodied carbon performance through (undefined) financial contributions to exceptional circumstances only; and
5. Secure Circular Economy Statements for all schemes proposing substantial or total demolition where these are currently only required for applications referable to the Mayor of London.

Part C

6. Provide in principal support for proposals for responsible retrofitting which result in energy, performance, or climate adaptation upgrades.

Part D

7. Provide for greater flexibility for extensions in design, heritage and townscape terms where these unlock a wider retrofit of the existing building.

Justification for restricting upfront embodied carbon

- 5.4 The emerging retrofit policy seeks to set maximum thresholds for upfront embodied carbon emissions i.e., Modules A1 – A5 as identified within the RICS Professional Statement (2017).
- 5.5 The City Council identifies several, in principle, reasons for seeking to set maximum thresholds for upfront embodied carbon emissions rather than whole life carbon emissions, as summarised below:
 - Upfront embodied carbon emissions are largely unregulated in comparison to operational carbon emissions (Page 8 of the Topic Paper);
 - Upfront embodied carbon emissions will be less impacted by the decarbonisation of the National Grid meaning there will be a limited reduction in the embodied carbon figures as the Grid decarbonises (Page 8 of the Topic Paper); and
 - In line with the GLA Whole Life Carbon Guidance, the decarbonisation of the National Grid is not currently accounted for in Whole Life Carbon Assessments and if the decarbonisation were to be accounted for, upfront embodied carbon figures would increase as a total proportion of whole life carbon emissions (Page 14 of the Topic Paper).
- 5.6 WPA recognises the rationale behind the introduction of upfront embodied carbon targets in principle and acknowledge that several Local Planning Authorities are seeking to introduce similar policies which set restrictions on upfront embodied carbon emissions e.g., the London Borough of Camden, Bristol City Council, and the London Borough of Ealing.
- 5.7 WPA continues to support the introduction of appropriate targets within planning policy, which can both provide clarity and guidance to applicants and facilitate innovation within the construction industry.

- 5.8 Paragraph 10 on Page 35 of the Topic Paper states, however, that “the policy has been drafted to ensure that new buildings are designed to be future proofed and limit carbon emissions from repair, maintenance and fit-out.”
- 5.9 We do not agree that this is the case. Whilst the initial drafting of the proposed retrofit policy sought to account for whole life carbon emissions, the current wording as drafted relates solely to upfront embodied carbon emissions. Furthermore, WCC justify the focus on upfront embodied carbon emissions through the lack of visibility on the in-use elements of whole life carbon assessments.
- 5.10 Additionally, many of the carbon emissions from materials occur during the extraction and processing phase which in many instances can be years prior to the materials or systems being brought to and installed on site. However, we acknowledge Westminster’s assertion that schemes which seek to retrofit fully or in part, reduce the quantum of materials required in the construction process, thereby lowering overall embodied carbon emissions.
- 5.11 Furthermore, and as discussed throughout this report, we acknowledge Westminster’s assertion that “a key area of influence from local authorities is the development of planning policies and the management of development through planning decision making. This is reinforced through national planning legislation and policy which provides for regional and local policies to decrease carbon emissions in response to climate change.”³¹ We support the City Council’s initiative to seek to reduce carbon emissions within the city but consider that this approach should be adopted at a regional or national level taking into account the role and contribution of each borough to London’s, or the wider country’s, social, economic and environmental objectives.

Scale of Westminster’s carbon emissions

- 5.12 The assertion that Westminster has “some of the highest carbon emissions of any local authority” is not correct; this is addressed at Section 4 above.³²

³¹ Topic Paper. Section 3.1. Paragraph 24. Page 17

³² Topic Paper. Section 2.3. Paragraph 1. Page 10

Scale of carbon emissions from demolition and redevelopment

- 5.13 WPA recognises that construction activity, including comprehensive redevelopment, contributes to carbon emissions, alongside other areas of economic activity. The extent to which demolition and redevelopment contribute to the overall scale of Westminster’s annual carbon emissions is not sufficiently demonstrated within the evidence base provided (and therefore the impact the proposed retrofit policy would have on reducing Westminster’s annual carbon emissions). As a result, it is not possible to assess the effect a reduction in redevelopment activity would have on Westminster’s reported emissions, or indeed wider emissions. The lack of evidence on the scale of the issue makes weighing and balancing against other policy objectives is not possible.
- 5.14 The City Council indicates demolition and redevelopment adds a further 24% to 31% to Westminster’s reported carbon emissions.³³ This is based on “the council’s data on planning permissions”. This is neither proven by evidence, as no further detail is provided within the evidence, nor credible. It is not clear how this figure has been calculated as the adopted methodology for Whole Life Carbon Assessments does not account for demolition.
- 5.15 On the assumption that the average embodied carbon for new builds in Westminster is currently at approximately 700kgCO₂e/sqm, as set out in the topic paper³⁴, this would equate to c. 570,000sqm of floorspace delivered through demolition and redevelopment per year, or demolition and redevelopment equivalent to the renewal of c. 10% of Westminster’s total office stock each year. This scale of development does not, in fact, occur.³⁵
- 5.16 Nevertheless, the Topic Paper states that “reducing [the rate of demolition] appears to be key to achieving the [carbon] reductions needed.”³⁶ Whilst a reduction in demolition would lead to a reduction in carbon emissions in principle, the degree of impact this would have within Westminster is not established within the evidence base.

³³ Topic Paper. Section 2.3. Paragraph 3. Page 10

³⁴ Topic Paper. Section 3.1 Paragraph 9. Page 14

³⁵ 24% of 1,672kt is 401kt, which, at 700kgCO₂e/sqm would equate to c. 573,000sqm of floorspace through demolition and redevelopment per annum, very substantially exceeding what is, in fact, built.

³⁶ Topic Paper. Section 4.3. Paragraph 1. Page 42

- 5.17 No reliable, quantitative evidence is therefore put forward on the scale of embodied carbon emissions arising from the demolition and construction of new buildings, in the context of the overall carbon emissions from Westminster. The evidence base to the policy does not demonstrate how a complex and distortive policy, that is inconsistent with regional and national policy, responds to the evidence set out on the scale of overall context of local emissions.
- 5.18 The assertion that demolition within Westminster contributes approximately 24 – 31% additional carbon emissions at Paragraph 3 of the Topic Paper is followed by an identified requirement to reduce carbon emissions within Westminster by 31% up to 2030, and a further 42% by 2040, in order to reach the Council’s stated aim of net zero by 2040.
- 5.19 On this basis, the current proposed reduction in emissions identified by the Tyndall Centre do not appear to account for the demolition emissions identified by Westminster, which effectively cancel out the carbon emissions reduction up to 2030. Where the Tyndall Centre have identified Westminster’s average annual carbon emissions to be approximately 1,587KT. If Westminster have identified that demolition accounts for up to an additional 31% of carbon emissions (a maximum of approximately 491KT), this equates to approximately 2,078KT of carbon per year.
- 5.20 The Tyndall Centre research, however, has identified the percentage of carbon reductions from 1,587KT to allow Westminster to achieve net zero by 2040. The route map to net zero identified by the Tyndall Centre, and on which the policy is predicated, therefore does not appear to account for the impact of demolition and redevelopment on Westminster’s carbon emissions (on the basis that these have been calculated separately by the Council). This element of the evidence base is therefore unjustified and unsound.

Relationship of embodied carbon emissions to Scope 1 and 2 carbon reporting

- 5.21 The Topic Paper also acknowledges that embodied carbon is not represented within the carbon emissions reporting for Westminster, as it is treated as a manufacturing emission,

which is accounted for at source.³⁷ From the perspective of Westminster's emissions, embodied carbon is a Scope 3 emission.³⁸ The City Council's Climate Action Plan (the implementation of which this policy ostensibly supports, as described in Section 2.3 of the Topic Paper) is clear that Scope 3 emissions from citywide activity (as opposed to the City Council's own emissions) are not included within the scope of the plan.³⁹ Notwithstanding that the Climate Emergency Action Plan does not have formal status as a planning policy document, the proposed retrofit policy is seeking to achieve changes that are unrelated to its stated objectives. The proposed retrofit policy would impose restrictions on emissions that are largely unrelated to the 2040 Net Zero plan and would relate to emissions that have not been considered in the Tyndall Centre modelling.

5.22 No evidence is put forwards that a modest change in the demand profile from an increase in retrofit, and a reduction in new-build development, will lead to any effect in overall carbon emissions from the manufacturing sectors that form the construction supply chain, whether in the UK or globally. In the absence of evidence, it is entirely plausible that the limited change in Westminster's demand profile (which we set out below may be as low as 1.6kt / yr) will simply mean that the materials that would have been used here will be reallocated by the market elsewhere. It seems implausible that a change in Westminster's demand profile will, in its own right, lead to a material change in overall demand that would have a materially significant effect on supply and, in turn, emissions.

5.23 We acknowledge that influencing wider supply chains is not the objective of the policy and therefore reiterate that influencing the demand for and materiality of low carbon construction products would be better achieved at a national or regional level, as part of a consistent and coordinated approach, that would encourage continued investment and innovation in lower carbon products.

Evidence for effect of proposed carbon targets

³⁷ Topic Paper. Section 2.3. Paragraph 3. Page 10

³⁸ Embodied and whole life carbon assessment for architects (RIBA, December 2019). Page 6. Available online at <https://www.architecture.com/knowledge-and-resources/resources-landing-page/whole-life-carbon-assessment-for-architects>

³⁹ Climate Emergency Action Plan (Westminster City Council, 2022). Page 10. Available online at <https://www.westminster.gov.uk/tackling-climate-change-westminster/our-climate-action-plan>

5.24 The **potential future** scale of embodied carbon emissions is calculated on local policy targets, based on three broad sources, namely:

- i the requirements for residential floorspace (54.7kt / yr)⁴⁰
- ii floorspace to achieve the remaining identified element of the jobs target (22,000 office jobs compared to the 63,000 jobs identified within the City Plan) (7.6kt / yr, in a 'policy off' scenario)⁴¹; and
- iii the refurbishment of office accommodation to meet EPC ratings upgrades (110 – 184 kt / yr, depending on the policy option selected⁴², with 133 kt / yr in a business-as-usual scenario).

5.25 This amounts to c. 195 ktCO₂e / yr, less than half of the c. 400 ktCO₂e/ yr purported to arise from demolition and redevelopment alone, encompassing refurbishment work as well as redevelopment.

5.26 This is helpfully summarised at Figure 9 of the Topic Paper, including the impact of a range of potential benchmarks. The Topic Paper then explains that the LETI targets are then selected on the basis of these range of options.⁴³ The Topic Paper notes the targets remain well above the reductions suggested by the Tyndall Centre to achieve the 2030 and 2040 targets, although those targets relate only to Scope 1 and 2 emissions. The Tyndall proposed reductions are not applicable directly to Scope 3 items such as embodied carbon and are not therefore directly relevant to target setting for embodied carbon.

5.27 This illustrates the importance of refurbishments / retrofit of existing floorspace to meet both EPC requirements and, as described below, occupier requirements, which very significantly exceeds the carbon arising from new development.

⁴⁰ Topic Paper. Section 3.2. Table 3. Page 19

⁴¹ Topic Paper. Section 3.2. Table 4-5. Page 23

⁴² Topic Paper. Section 3.2. Figure 6. Page 27.

⁴³ Topic Paper. Section 4.2. Paragraph 11. Page 35

- 5.28 Figure 12 illustrates the combined effect of the proposed policy on commercial floorspace i.e., reducing the proportion of new builds as contributors to office floorspace supply from 35% to 15%, and reducing the embodied carbon rate from the “business as usual” rate to the proposed LETI B rate proposed by policy. This shows a reduction in annual emissions from 7.6kt to 6.0kt, a fall of 1,600t / yr. This would equate to a reduction in total emissions of c. 0.1%, albeit that this would not be captured in Westminster’s reported emissions, and for it to have effect at all would be reliant on a commensurate reduction in production in building materials elsewhere.
- 5.29 Operational emissions from buildings are, conversely, reported in Westminster’s emissions and will likely contribute up to 80% of emissions from the built environment sector.⁴⁴ Preventing the ability to invest in retrofitting and, where necessary, replacing inefficient buildings to reduce their operational emissions, whilst also achieving buildings that better address occupier needs and promote occupier wellbeing is not justified by the scale of reduction in embodied emissions anticipated in the evidence base.

Provenance of the proposed embodied carbon targets

- 5.30 The upfront embodied carbon targets specified by Westminster City Council in their proposed retrofit policy are targets identified by the Low Energy Transformation Initiative (LETI).
- 5.31 LETI is a voluntary organisation, which was founded in 2017 and comprises over 1,000 individuals from within the built environment sector including developers, academics, and contractors, who are committed to reducing the carbon emission associated with the construction industry.⁴⁵
- 5.32 LETI formed as a Community Interest Company in 2022 to “continue to raise funds for [their] work and operations, while producing guidance with reduced individual liability.”⁴⁶ LETI’s ethos, vision, code practice and policies document confirms that the members of the

⁴⁴ Topic Paper. Section 2.1. Paragraph 5. Page 7

⁴⁵ As an aside, the policy refers to the organisation by its initial name as the London Energy Transformation Initiative, although they have since rebranded to the Low Energy Transformation Initiative.

⁴⁶ LETI Ethos, Vision, Code of Practice and Policies. Available online at: [About | LETI](#)

organisation are “non-aligned commercially, enabling [their] recommendations to be unbiased, impartial and for the benefit of the common good.”⁴⁷

5.33 The LETI website clarifies that the Embodied Carbon Target Alignment document was produced to “support project teams to design buildings that deliver **ambitious** embodied carbon reductions”⁴⁸ [our emphasis] rather than provide the basis for planning policy.

5.34 The evidence base for the proposed retrofit policy targets has therefore been undertaken by a third party and the results have not been published as part of the evidence base for the proposed retrofit policy nor subject to independent testing, validation, and independent examination. We understand that the LETI targets are based on a data set of 153 schemes covering split by the following land uses: office, residential, education and retail.

5.35 Whilst the WPA endorses LETI’s aim to seek to reduce the carbon emissions arising from development, it is not clear to what extent the LETI targets have been objectively tested and found sound, as that was not the purpose for which the targets were set. They have been prepared to be “ambitious” and “provocative”⁴⁹ rather than deliverable as sound planning policy.

5.36 We would appreciate the evidence base behind the targets being published for the opportunity to ensure that the targets are sufficiently robust and technically sound. This should form part of the evidence base to the new policy, as the separate WSP report is not sufficient in its own right to justify the targets selected.

Assumptions on Notional Buildings

5.37 The justification for the proposed target figures principally relies on the Embodied Carbon Evidence Base document prepared by WSP (‘the WSP report’). It is noted that WSP prepared a similar report for the West of England Combined Authority in 2021.⁵⁰

⁴⁷ LETI Ethos, Vision, Code of Practice and Policies. Available online at: [About | LETI](#)

⁴⁸ LETI Embodied Carbon Primer. Available online at: [Embodied Carbon Primer | LETI](#)

⁴⁹ LETI Defining and Aligning: Whole Life Carbon & Embodied Carbon Webinar. Available online at: [Carbon Alignment | LETI](#)

⁵⁰ Topic Paper. Section 4.2. Paragraph 17. Page 37

- 5.38 We do not consider that the WSP report provides a sufficiently robust evidence base, as many of the assumptions made, on which the proposed retrofit policy is predicated, are not achievable for many buildings.
- 5.39 It is also not clear whether the WSP report has been reviewed by an independent third-party, despite Part A of the proposed retrofit policy requiring that Applicants’ structural reports are independently verified.
- 5.40 The WSP report⁵¹ identifies a few notional building typologies against which to assess the achievement of the proposed upfront embodied carbon targets. The notional buildings are as follows:

Land Use	Height	Gross Internal Floor Area (sqm)
Office	7 storeys	9,072
Mixed-Use	7 storeys	9,072
Residential	8 storeys	6,912 or 7,168

Table 5.1: Notional buildings identified within the WSP Embodied Carbon Evidence Base Report

- 5.41 Westminster City Council, not WSP, have also reviewed additional building typologies following WSP’s report prepared for the West of England Combined Authority in 2021. The Council acknowledge that **“some caution should be used when relying on this evidence, as since its publication understanding of how to calculate embodied carbon has progressed – especially around facades and MEP installation.”**⁵²

⁵¹ WSP Embodied Carbon Evidence Base Report. Section 3.1. Page 6

⁵² Topic Paper. Section 4.2. Paragraph 17. Page 37

Land Use	Height	Gross Internal Floor Area (sqm)
Office	4 storeys	1,600
Apartment Block	8 storeys	3,360

Table 5.2: Additional notional buildings identified within the Westminster City Council Topic Paper

5.42 These lower-rise buildings assessed by Westminster City Council are not assessed by WSP in their report as part of the evidence base for the proposed retrofit policy and the conclusions drawn by WSP are therefore not based on these additional notional buildings.

Height and Floorspace Figures

5.43 It is not clear which GIA has been assessed by WSP for the residential building as both 6,912 GIA sqm and 7,168 GIA sqm are cited on Page 9 of the report and this is not clarified.

5.44 The proposed notional buildings heights and floor areas are not justified by evidence demonstrating that these are three “very common building typologies for the region.”⁵³ It is also clear that the policy has not been tested on notional buildings which are greater than 10,000 GIA sqm.

5.45 Whilst these height and floorspace figures may represent an average of all developments brought forward within the City of Westminster, in reality, there is significantly greater range in both height and floorspace, from buildings of only one or two storeys (such as mews), to modern larger buildings in excess of 10 storeys, which deliver multiple tens of thousands of square metres of floorspace.

5.46 The built form, in terms of structure and materiality, is also extremely varied, as is the mix of uses found. The WSP report’s methodology, and therefore the evidence base it provides for

⁵³ WSP Embodied Carbon Evidence Base Report. Section 3.1 Page 6.

the City Plan Review, is a vast over-simplification of this variety and complexity and its conclusions should be treated accordingly. It also appears that the methodology applied is only for new buildings and does not take into account the substantial proportion of developments taking place in the City which involve some element of retention.

- 5.47 The notional buildings are of a simplified box design which is not reflective of the development that will be brought forward within the City of Westminster, which already has a complex built urban environment. On this basis, it is difficult to see how the conclusions based on these notional buildings can be realistically applied to future development within the City.
- 5.48 The WSP report cannot, therefore, provide a proportionate evidence base on which to form policy.

Assumptions regarding available materials

- 5.49 In order to determine appropriate embodied carbon figures, the WSP report seeks to assess a baseline of typical construction techniques against alternative scenarios which incorporate sustainable building practices as follows:
- Baseline
 - Reduced Grid Spacing
 - Low Carbon Concrete (25% GBBS)
 - Hybrid Timber (steel frame and CLT floors)
 - Low Carbon Steel and 50% GGBS (for residential only)
 - Glulam Beams and CLT floors
 - Low Carbon Façade
 - Low Carbon MEP
- 5.50 The WSP report confirms on page 13 that these “alternative scenarios” are applied cumulatively to the baseline.
- 5.51 As discussed in further detail below, it is unlikely that all identified sustainable building practices will prove feasible within any single project and setting targets that rely on achieving all these measures is not appropriate on this basis. We have particular concerns

about the feasibility of some aspects of these assumptions, namely the use of GGBS and other low carbon substitutes, and the use of extensive timber cladding, as described below, and assume that new buildings will be built to a lower standard of design, materials and performance, contrary to Policy 38 which will continue to seek the highest standards of sustainable low carbon design. In addition, there is limited availability of many of the materials assessed on the market. Consequently, the notional buildings are not attainable and should not form the basis of a policy seeking to limit upfront embodied carbon figures. The attainability of the targets themselves is discussed in further detail in Section 7.

Ground Granulated Blast-furnace Slag

- 5.52 One of the alternatives assessed by WSP is the use of Ground Granulated Blast-furnace Slag (GGBS) within the structure of the buildings with up to a 50% quantum of concrete replacement in some instances.⁵⁴
- 5.53 GGBS (Ground Granulated Blast-furnace Slag) is a cementitious material whose main use is in concrete and is a by-product from the blast-furnaces used to make iron.
- 5.54 We would query the validity of assuming these levels of GGBS can be included. We understand City Council officers consider that there is an industry-wide shortage of the material, and at pre-application and determination stage advise that the use of any cement replacements in new concrete elements is reduced to an absolute minimum and designed out entirely, where possible.⁵⁵
- 5.55 Indeed, Page 42 of the WSP report recognises that “a key issue with GGBS is it is a finite resource which is nearly fully utilised across the globe. Specifying high quantities on one project is therefore likely to result in a reduction of use in another location thus balancing each other out and being unlikely to reduce global emissions”.

⁵⁴ WSP Embodied Carbon Evidence Base Report. Table 3-1. Page 9.

⁵⁵ See, for example, comments on a deep retrofit development at 63 New Bond Street, where officers stated “The assessment shows 40% fly ash cement replacement for all concrete elements – it is recommended that the applicant removes fly ash cement replacement and assumes 0%. It is also recommended that all concrete elements do not rely on cement replacements, partly due to the lack of availability for both fly ash and GGBS (Ground Granulated Blast-furnace Slag), as well as supporting the reduction of the demand for these resources.” Application reference 23/08027/FULL. Committee Report dated 2 April. Page 26

- 5.56 In **Appendix D**, AECOM confirm that the local supply of GGBS is anticipated to become more constrained in future due to the closure of UK-based blast furnaces.
- 5.57 The Institution of Structural Engineers therefore recommends that GGBS is limited to instances where there is a technical requirement for its use, and not as a mechanism for lowering carbon emissions.⁵⁶
- 5.58 Furthermore, one of the consequences of either utilising alternative cement replacement materials such as PFA (Pulverised Fuel Ash – a by-product of coal-burning power stations) or designing out cement replacement altogether can be an increased upfront embodied carbon figure.
- 5.59 The scenarios tested must therefore be appropriate and reflective of current availability of materials within the construction industry and the City Council’s approach to their use, which is to discourage it.

Timber

- 5.60 From a structural perspective, the WSP report looks to incorporate the use of a hybrid steel frame and timber floor/roof solution within both the office and mixed-use notional buildings.
- 5.61 The use of Cross Laminated Timber (CLT) in buildings, whilst becoming more common, is still hampered by challenges securing operational insurance on developments meaning it will not be deliverable in most circumstances. These challenges apply to both commercial or mixed-use developments and are not reflected in the notional buildings which incorporate this structural solution. The restrictions surrounding the use of timber in development therefore extend beyond residential developments, which is not acknowledged within the WSP report or Westminster’s proposed upfront embodied carbon targets.

⁵⁶ The efficient use of GGBS in reducing global emissions (IStructE). Available online at: [The efficient use of GGBS in reducing global emissions - The Institution of Structural Engineers \(istructe.org\)](https://www.istructe.org/efficient-use-of-ggbs-in-reducing-global-emissions)

- 5.62 We recognise that the WSP report has not accounted for a steel frame and timber floor/roof solution within the notional residential building and agree with this assumption on the basis of fire safety guidance.
- 5.63 We note, however, that the WSP report assumes the use of timber cladding as a facade material in both commercial, mixed use and lower rise residential schemes, “in the hypothesis that the current scenario will evolve, and the timber cladding assembly is not discarded as an option for residential buildings.”⁵⁷ The use of timber cladding is increasingly challenging because of fire risk issues, and both London Fire Brigade and Building Control discourage its use. It is often not possible to incorporate timber cladding on commercial buildings as this is not compliant with current Building Regulations.
- 5.64 Aside from important fire safety issues, timber cladding is not a commonly seen or contextual facade material in Westminster’s CAZ; we are not aware of any commercial development that has been granted permission within the CAZ that uses extensive timber cladding. Given heritage constraints, and the prevailing – and well established – typology of masonry buildings (particularly, stock brick and Portland stone), along with stucco in some locations within the City of Westminster, it seems unlikely that extensive timber cladding would be appropriate or contextual in design and conservation terms. No change to planning guidance or policy on materiality is proposed.

Viability

- 5.65 A detailed review of the elements of the evidence base which relate to viability has been carried out and included at **Appendix B**. This concludes, on the basis of the following key points, that the evidence base is unsound as a basis for plan-making.
- 5.66 The RICS Professional Standard ‘Financial viability in planning: conduct and reporting’ (1st edition, May 2019) clearly states “the assessment of viability must be carried out having proper regard to all material facts and circumstances, whether for area-wide or scheme-specific assessments.” In addition, the Planning Practice Guidance (PPG) on Viability states

⁵⁷ WSP Embodied Carbon Evidence Base Report. Section 3.5.4. Page 16.

that assumptions concerning costs and values must be both realistic and broadly accurate. Despite this, there are multiple incorrect inputs that have been used in the viability assessment, which do not reflect the current position and are painting an inaccurate picture.

5.67 Our analysis of the inputs provided by BNP Paribas Real Estate (BNPPRE), it becomes clear that the following categories do not meet these criteria:

- Construction costs
- Finance costs
- Yields
- Rent-free periods

5.68 Moreover, for many other assumptions, including Benchmark Land Value, the data is not transparent and utilises a black-box methodology. The Council state in the Topic Paper it is satisfied that the draft policy will not unduly impact development viability in the City. The explanation used to indicate viability is not of concern, which relates to cost sensitivity⁵⁸ is fundamentally flawed. The additional explanation that many of the sites that are unviable “were unviable from the outset”⁵⁹ is not a rationale for moving forward with a policy that will compromise Plan deliverability.

5.69 The Topic Paper prepared as part of the partial City Plan Review identifies that current barriers to retrofit include:

- Viability and the ability to secure investment.
- Industry perceptions on retrofitted commercial environments and future rental yields or sale of assets.

5.70 We agree that the above are key barriers to development though do not believe they have been adequately accounted for in the viability evidence presented as part of the Local Plan evidence base.

⁵⁸ Topic Paper. Section 5.1. Paragraph 2. Page 66.

⁵⁹ Topic Paper. Section 5.1. Paragraph 1. Page 66

5.71 The viability approach adopted falls short on transparency and evidential integrity. Our review of the viability evidence presented demonstrates that an office retrofit within the core area could be unviable and this is likely to depend on site-specific factors. In non-core and fringe areas our initial analysis indicates a higher proportion of sites are likely to be unviable than indicated in the BNPPRE assessment⁶⁰.

5.72 We do not consider a sufficient proportion of schemes are viable to result in a deliverable Plan. We consider it is likely to result in stranded assets across the City of Westminster. Rather than the intended aim of accelerating the upgrading of commercial buildings to meet modern standards, the proposed policy wording jeopardises both the prospective delivery of commercial floorspace and the necessary growth in jobs.

Assumptions on industry rationale for redevelopment

5.73 As discussed above, the proposed targets therefore hinge on the carbon budgets proposed by the Council to respond to the identified housing need, deliver office floorspace to contribute to an office jobs target (albeit reduced from the figure set out within the adopted City Plan) and to accommodate works required to achieve necessary EPC ratings upgrades.

5.74 Figure 6 of the Topic Paper, for example, identifies the estimated annual embodied carbon emissions between 2024 and 2040 to meet the EPC regularly timeline changes.

5.75 Paragraph 27 on Page 27 of the Topic Paper states that “the key take away from this table is not that buildings should not undergo energy performance upgrades, but that the mechanism by which this happens needs to ensure that the upfront carbon is limited. The modelling would suggest that for the EPC reductions to result in net-zero carbon, there would need to be a 50% reduction in the amount of embodied carbon used to achieve these results.”

⁶⁰ Appendix B - WPA Viability Representations Response

- 5.76 Existing legislation⁶¹ currently requires that all non-domestic private rented property must have an EPC rating of E or above (with some exceptions).
- 5.77 The Government has carried out consultation which suggests these targets will be made more stringent, potentially in a staged manner with target minimum ratings of C in 2027 and B in 2030. This would require substantial improvements in the energy performance of a wide range of non-residential buildings.
- 5.78 The proposed retrofit policy therefore seeks to identify the **minimum** carbon emissions required to upgrade a building to achieve the required energy efficiency performance.
- 5.79 We appreciate the City Council’s investigation of EPCs and understand why the carbon emissions associated with the upgrading of buildings to meet these EPCs has been identified, as it seeks to establish a baseline for future carbon emissions within the borough which can then be assessed against the level of emissions required to achieve the Paris Agreement.
- 5.80 Furthermore, measures to improve energy efficiency often relate to the upgrading of plant equipment such as boilers and heating controls, in addition to the installation of wall and loft insulation, and solar panels. These measures are unlikely to have a significant impact on the upfront embodied carbon of a building and, taken on their own, without any substantial or full demolition, would not be monitored or accounted for within the planning system. This is recognised by the Council and the floorspace figures adjusted accordingly.⁶²
- 5.81 The paper conflates, however, the legal requirement to achieve energy efficiency standards and obtain an Energy Performance Certificate (EPC) and the motivation of the development industry to respond to occupier expectations and deliver, among other land uses, Grade A commercial floorspace.

⁶¹ The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. Available online at: [The Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukdsi/2015/01/13/5150100001000001)

⁶² Topic Paper. Section 3.2. Paragraph 24. Page 26.

- 5.82 Grade A office floorspace, for example, is built to the highest specification and goes beyond energy efficiency to consider flexibility of workspace, and the health and wellbeing of occupants.
- 5.83 It is therefore likely that Grade A office floorspace will achieve the highest standards of energy efficiency, but energy efficiency is not the only feature of Grade A office floorspace.
- 5.84 It is also not specified within the Topic Paper what works are being undertaken to improve the energy efficiency of the buildings that trigger the requirement for planning permission and how these relate to the predicted carbon emissions.
- 5.85 Policy targets which are predicated on specifying and enforcing the minimum carbon emissions required to increase the energy efficiency performance of a building are therefore unlikely to be appropriately applied to redevelopment within a borough which itself recognises that “the scale and mix of mutually commercial uses in Westminster’s portion of the CAZ are unlike anywhere else in the country and include global symbols of London and the UK’s success.”⁶³ As such, development is brought forward in Westminster not just to achieve national energy efficiency targets but to promote and maximise the cultural and economic opportunities provided by the City’s location within the CAZ cluster and Greater London more generally. Indeed, the Topic Paper recognises that “it is challenging to forecast what development may come forward across the city.”⁶⁴
- 5.86 The predicted carbon emissions identified within the Topic Paper are therefore likely an underestimation of the scope of development that will be brought forward within Westminster up to 2040 with the proposed targets not accounting for instances of redevelopment for any reason other than necessary EPC upgrades.

Other Matters

⁶³ Westminster City Council Cabinet Member Report. Making of Westminster’s Article 4 Direction for changes from use from Class E (commercial, business and service uses) to Class C3 (dwellinghouses). Paragraph 4.11. Available online at: [A4D CM report June 2021.pdf \(westminster.gov.uk\)](https://www.westminster.gov.uk/media/2021/06/A4D-CM-report-June-2021.pdf)

⁶⁴ Topic Paper. Section 4.2. Paragraph 2. Page 32.

- 5.87 The purported legal basis for the draft policy, set out at Paragraph 2 of Section 2.1 of the Topic Paper, is not correct. Section 19 of the Planning and Compulsory Purchase Act 2004 simply states that London borough local development documents should be “prepared in accordance with the local development scheme”, “must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change” and “identify the strategic priorities for the development and use of land in the authority’s area.”
- 5.88 There is no requirement within national legislation, the NPPF or Planning Practice Guidance for planning policies to “demonstrate how [planning] policy contributes to the Climate Change Act target regime.”⁶⁵ There is no reference to the Climate Change Act itself. The conclusion that the development plan “should ensure that only viable development that contributes towards the net-zero target is supported”⁶⁶ is erroneous and an inaccurate summary of the legal basis for policy making.
- 5.89 The Topic Paper indicates the need for building owners to generate value from their assets, the carbon impacts, and practicable and societal need to replace buildings must be balanced. We agree that the need for building owners to achieve an acceptable financial return is an important consideration. If they cannot achieve this, they will not be able to invest in buildings. But the economic effect of preventing continued investment in the quality of the built environment, especially in central London must also feature prominently in this balance, given London’s success as a relatively low carbon location for economic activity and the importance of office accommodation to central London’s economy role.

Summary

- 5.90 The evidence base does not support the policy proposed. The evidence base does not substantiate the extent to which construction, and in particular demolition / redevelopment, contributes to Westminster’s overall carbon emissions. In the absence of a clear

⁶⁵ Topic Paper. Section 2.1. Paragraph 2. Page 7

⁶⁶ Topic Paper. Section 2.1. Paragraph 2. Page 7

understanding of the contribution, reaching an appropriate, evidence based, conclusion on the balance between environmental, economic, and social objectives, is not possible.

5.91 In particular, restricting the potential for commercial development because of the perceived contribution of redevelopment within this sector, is not justified by this evidence base and would not be in strategic conformity with the London Plan, as explained in Section 4.

5.92 WPA recognises that construction and development activity will have an effect and supports the use of targets on embodied, and whole life, carbon. However, the targets proposed are not justified by an appropriate evidence base, either in terms of their technical deliverability or their effect on viability. This is explored in more detail in Section 7.

6 Retrofit First Policy – Part A (Application and Public Benefits Tests)

- 6.1 This section explains the issues identified in relation to the application of Policy 43 Part A to development proposals in the context of the planning applications process and the important role of public benefits, referring to the tests of soundness for plan-making.
- 6.2 It demonstrates that, in addition to placing undue priority on this matter over other strategic considerations as described above, Part A is overly complex and will produce uncertain development management outcomes. Consequently, it should be removed.
- 6.3 If it is not removed, it should be redrafted so that it is positively prepared and consistent with, and supportive of, the delivery of other development plan objectives and meeting needs. WPA has suggested an example alternative approach as a constructive basis for continued discussion.
- 6.4 Should Part A be retained largely in its current form, it should also specifically recognise economic benefits as a public benefit with the policy text and be clear that such benefits can arise anywhere in the CAZ, if not in the wider city.

Complexity

- 6.5 Proposed new Policy 43 is, as drafted, likely to be one of the most complex of the policies in the City Plan in terms of its operation. It is of critical importance, therefore, that it is proportionately justified and allows for sufficient clarity of application in practice.
- 6.6 The diagram at **Figure 6.1** summarises our understanding the steps which must be applied to navigate the application of the policy to any given development. It is clear from examining this diagram alongside the policy wording itself that its application in an effective or proportionate manner alongside the other policies forming the Development Plan will be extremely difficult. The policy is therefore unlikely to be sound in plan-making terms because the effect of its complexity will be to prevent proposals coming forwards, alongside our concerns, set out above, that the embodied carbon targets themselves are not achievable.

6.7 It is also clear that there are instances whereby development would be resisted in principle, thereby demonstrating that the proposed policy seeks to explicitly resist demolition rather than promote retrofit. On this basis, the policy is not positively prepared.

6.8 There are several specific ways, as set out in the following section, that the policy and accompanying supporting text fails to meet the soundness tests for plan-making.

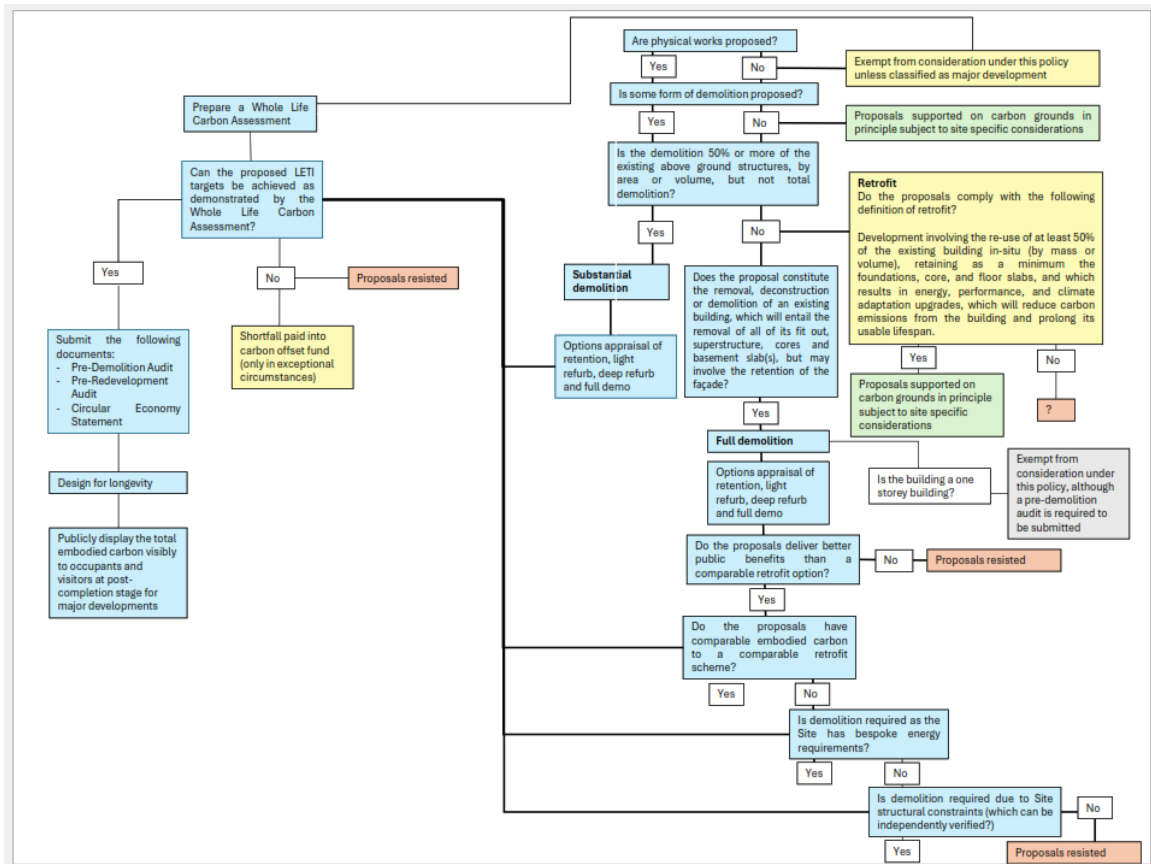


Figure 6.1: A diagram created on behalf of the WPA illustrating the complexity of the proposed retrofit policy

6.9 WPA Members’ experience is that the complexity of the optioneering currently being required by the City Council is adding significantly to application determination timeframes and is adding to the City Council’s resourcing challenge. WPA Members’ experience is that this is discouraging the preparation and submission of applications, which is not consistent with strategic policy. The volume of major applications in Westminster has declined by c. two thirds from its 10-year average

level.⁶⁷ Members' experience is that the uncertainty around this issue is a contributory factor to that decline.

Definitions

- 6.10 Part A of the proposed retrofit policy states “development involving **total demolition** of a building which has more than a single storey will generally be resisted” in principle unless it can be demonstrated that it passes the tests discussed below [our emphasis].
- 6.11 On this basis, the proposed policy does not explicitly preclude development involving substantial demolition in instances where the defined upfront embodied carbon targets identified in Part B are met. Conversely, the proposed retrofit policy looks to preclude any instances of total demolition which do not first meet the tests set out in Part A **and** do not subsequently achieve the targets identified in Part B.
- 6.12 Part C of the proposed retrofit policy states that proposals involving “responsible retrofitting [...] will be supported in principle.”
- 6.13 It is therefore clear that there are differing levels of support and resistance applied to proposals along a spectrum of retrofit, deep retrofit, substantial demolition and full demolition and as such, definitions have been identified for each of these categories.
- 6.14 It is proposed in the draft policy to define substantial demolition as “development consisting of the demolition of 50% or more of existing above ground structures **by area or volume**, but not constituting total demolition”⁶⁸ [our emphasis]. This definition is not included within the policy wording or supporting text, but it is included within the glossary of the Regulation 19 City Plan.
- 6.15 It is proposed to define total demolition as “the removal, deconstruction or demolition of an existing building, which will entail the removal of all of its fit out, superstructure, cores and

⁶⁷ District Planning Application Statistics (DHLUC). March 2024. Available online at <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics> see Table PS2. 2012-22 average Majors decided is c. 64, compared with 22 in 2023.

⁶⁸ Glossary to City Plan, Regulation 19 version. Page 242

basement slab(s), **but may involve the retention of the façade**⁶⁹ [our emphasis]. This definition is not included within the policy wording or supporting text, but it included within the glossary of the Regulation 19 City Plan.

- 6.16 A definition of retrofit is also proposed for inclusion within the Glossary as follows: “development involving the re-use of at least 50% of the existing building in-situ (**by mass or volume**), retaining as a minimum the foundations, core, and floor slabs, and which results in energy, performance, and climate adaptation upgrades, which will reduce carbon emissions from the building and prolong its usable lifespan.” [our emphasis].
- 6.17 The definitions themselves are detailed, which is helpful to determine which further policy tests must be met. However, there is some inconsistency within the identified definitions which allow for substantial demolition (principally the demolition of more than 50% of above ground structures) to be assessed by **area or volume**, and retrofit (principally the retention of at least 50% of the building) to be assessed by **mass or volume**.
- 6.18 It is also not clear whether a scheme which only retains two of the specified retrofit elements i.e., foundation, core, and floor slabs, but does otherwise retain at least 50% of the existing building would constitute a retrofit scheme or substantial demolition scheme, which would therefore be required to undertake the identified optioneering exercise discussed below.
- 6.19 Furthermore, the proposed definition of ‘total demolition’ is currently worded to include façade retention schemes within its scope.
- 6.20 We also query whether the inclusion of schemes comprising façade retention and redevelopment of the rest of a site within the “total demolition” definition sufficiently acknowledges the complexity and benefits associated with façade retention in planning terms, when compared to schemes involving comprehensive demolition and redevelopment. It may be beneficial in planning terms for a developer to retain a façade as part of a response to local character and

⁶⁹ Glossary to City Plan, Regulation 19 version. Page 242

prevailing context. Façade retention approaches are also often more complex for developers to deliver than those involving comprehensive demolition and rebuilding.

- 6.21 The classification of façade retention schemes within the “total demolition” definition applies the same level of resistance to these schemes as a comprehensive newbuild development where all of the existing building is demolished – it triggers the requirement to undertake an optioneering exercise, meet the tests identified in Part A and achieve the targets identified in Part B. The definition of total demolition, as currently drafted, therefore may undermine other objectives within the Statutory Development Plan, specifically in respect of the protection and enhancement of Conservation Areas, which cover the majority of the City.

Deliverability and Optioneering

- 6.22 Policy 43 Part A sets out a complex ‘optioneering’ exercise - “where substantial or total demolition is proposed, this should be fully justified through an appraisal of the construction options, assessing the carbon cost and public benefits of refurbishment, retrofit, deep retrofit or newbuild options”.
- 6.23 The policy wording relating to the selection of the options fails to recognise that in some instances, one or most of the four development options may not be practically deliverable for a variety of reasons.
- 6.24 For example, the existing structural constraints of a building may be such that it is simply not possible to accommodate a retrofit or deep retrofit design approach to development whilst achieving the same overall building floorspace or envelope as a newbuild development approach. The potential to accommodate greater quantities of floorspace within central London is just one clear public benefit of newbuild developments which the policy as drafted would fail to account for.
- 6.25 Another more significant example of a constraint which may make some of the ‘four scenarios’ impractical is commercial deliverability and financial viability. Delivering the development which is encouraged in the development plan is reliant, primarily, on investment from the private sector. In many instances, the commercial return associated with some of the options, particularly retrofit and deep retrofit options is likely to be simply too low to encourage developers to pursue these

approaches. This is because, for example, these approaches can involve complex and extensive physical works which are costly, but they also often result in the provision of lower value space which attracts lower rents due to compromises made in the design process.

6.26 This is especially relevant as the development plan has become more complex over time, increasing the range and complexity of requirements which developments need to address in order to reduce the risk associated with a planning application, which itself is required to ensure investment to support development. This is not currently acknowledged at all in the policy wording, despite being one of the main barriers to the delivery of the development which is supported in central London by the strategic elements of the development plan.

6.27 The policy, in summary, assumes that the four 'options' set out in the policy are always deliverable, and therefore capable of being fairly accounted for and compared in the 'optioneering' exercise for any development. This will not always be the case. This does not, therefore, constitute effective, deliverable, or positive plan-making.

6.28 In addition, the supporting text provides evidence that the policy as prepared is disproportionate. It is stated, for example at Paragraph 43.3, that "when presenting comparisons between retrofit and newbuild options, a realistic whole life cycle for a retrofit scheme should be used which accounts for the extended life of a building resulting from a high-quality retrofit". This text fails to recognise that other development approaches, such as newbuild developments, are far more likely than retrofit approaches to create a building which has an extended lifetime, given the complexity of the other development approaches, which involve retaining parts of buildings and physically adding new elements around it.

6.29 Reviewing and testing all alternative options and permutations is likely to be prohibitively complex and expensive. The design work required would be very extensive. The time, costs and complexity of this may prevent some proposals from being considered and discourage potential investment contrary to strategic objectives. As explained below, this is why we consider this part of the policy should be removed.

Application of Policy 43 to Total Demolition

6.30 Policy 43 Part A is currently worded as follows:

“Development involving total demolition of a building which has more than a single storey will generally be resisted, unless demonstrated through the appraisal that:

1. The proposed development will deliver public benefits which could not be delivered through a suitably comparable retrofit option; and
2. The whole-lifetime carbon of a new building would be less or similar to a suitably comparable retrofit option; or
3. The proposed development has bespoke operational requirements which could not be provided through the repurposing, adaptation and/or extension of the existing building(s); or
4. It is demonstrated that a retrofitting option is not possible or achievable due to structural constraints, demonstrated through an independently verified structural engineers report”.

6.31 This part of the policy appears to be explained by the supporting text in Paragraph 43.2, which states that “the council recognise that demolition of some buildings will continue to play an important part of renewing and upgrading the city’s building stock, however given the higher amounts of embodied carbon associated with demolition and rebuild schemes, development should explore all options for retrofitting first. Any proposals for demolition need to be fully justified and should demonstrate that a new building would be the most sustainable outcome”.

6.32 Part A of the policy as currently drafted requires require both public benefits (sub-part 1) **and** one of the following sub-parts (regarding the quantum of embodied carbon of a new building option, bespoke operational requirements or structural constraints), to be demonstrated together in tandem in order for developments involving total demolition to be supported. The current wording of the policy, requiring the first test **and** one of the subsequent three tests, to be met, is also inconsistent with the evidence base on which it was created ⁷⁰, which states that “Where a development scheme could demonstrate that it is not possible as a result of **one** of the tests above, it is recognised that some flexibility would need to be allowed for”.

⁷⁰ Topic Paper. Section 4.3. Paragraph 22. Page 47

- 6.33 There will be cases where the public benefits of a redevelopment proposal outweigh those of the retention options, but the whole life carbon is – perhaps only marginally – higher. As drafted, the policy would prevent such proposals being approved.
- 6.34 Within Part A, the ‘and’ following the elements of text referring to public benefits should therefore have been drafted as an ‘or’, to properly reflect the intention of the evidence on which the policy wording is based⁷¹.
- 6.35 In addition, Policy 43 Part A requires that proposals for total demolition which rely on “demonstrating a retrofitting option is not possible or achievable due to structural constraints”, require this argument to be “demonstrated through an independently verified structural engineers report”.
- 6.36 The supporting text at Paragraph 43.3 then states that “Where retrofitting is unfeasible due to structural or safety concerns, applicants should demonstrate this through a structural statement from a suitably qualified engineer. Where structural reinforcement is possible, but the extent of which would make the development unviable to retrofit, this should be supported by a viability report”.
- 6.37 The suggestion that a viability report is submitted with the application to address this element is onerous. When this requirement, with its own set of uncertainties in terms of its application, is layered on top of the requirement in the first part of Policy 43 Part A, it creates a complex set of requirements. For example, there is no guidance as to the definition of the term ‘unviable’. Viability reports are complicated, with detailed inputs required. There is also a lack of clarity in the supporting text regarding how the viability report will be verified by the Council, in determining applications. Any test relying on a viability argument would need to reflect the reality that below a certain level of viability, retrofitting projects may not come forwards.
- 6.38 Equally, although two elements of the policy required to be met to justify total demolition make reference to “suitably comparable retrofit” options, there is no definition set out within the

⁷¹ Topic Paper. Section 4.3. Paragraph 22. Page 47

proposed retrofit policy itself, the supporting text or the Topic Paper on what constitutes a “suitably comparable” retrofit scheme.

6.39 This element of the policy and supporting text is not, therefore, positively prepared.

Application of Policy 43 to Substantial Demolition

6.40 The application of Part A of Policy 43 to developments defined as “substantial demolition” is unclear. The policy states that “where substantial or total demolition is proposed, this should be fully justified through an appraisal of the carbon options, assessing the carbon cost and public benefits of refurbishment, retrofit, deep retrofit or newbuild options”. The subsequent text within Part A of the policy explains the tests which will be applied to developments seeking “total demolition” of a building.

6.41 There is no further reference at all, however, to the policy’s application to development constituting “substantial demolition”. It is not clear whether it is intended to act purely as a balancing exercise of public benefits against carbon cost. Even if this were the case, no parameters are provided for the weight which is to be accorded to carbon costs and public benefits respectively.

6.42 This does not provide sufficient definition with regard to the application of the policy and therefore makes for ineffective plan-making, meaning the policy is unsound.

Application of Policy 43 in relation to Public Benefits

6.43 The wording regarding public benefits is too limited, as drafted.

6.44 First, specific reference should be made within the policy text to economic benefits including supporting the function of the Central Activities Zone, in accordance with strategic policy. It is not appropriate for recognition of the economic effects of development as a public benefit to arise only within the reasoned justification to the policy.

6.45 Second, the limited geographic scope of the areas in which economic benefits will be considered as public benefits (paragraph 43.4) is a serious concern. The CAZ is home to 31% of jobs in the capital. The portion of the CAZ falling in Westminster alone (almost half of the CAZ by land area),

accommodates 13% of the capital's jobs and 14% of its GVA (gross valued added) respectively⁷². It also accommodates 19% of London's office floorspace⁷³.

- 6.46 In referring only to designated locations, such as the Opportunity Areas, it fails to allocate importance or weight to the benefits of the significant employment, jobs and investment arising from development in the wider Central Activities Zone within Westminster outside of those areas. This discards entirely the substantial contribution in the form of public benefits which the optimisation of individual sites in other locations could make. The potential effect of this for London's social and economic development is disproportionately negative, given Westminster's 'outsized' role as the local authority of the greatest scale and 'weight' within the CAZ and is a key area of inconsistency with national and regional policy.
- 6.47 The contribution of public benefits is also especially relevant in the context of the complexity of the City of Westminster, which displays a huge variety of urban contexts and, therefore, potential for a range of social, environmental, and economic public benefits to be delivered.
- 6.48 The strategic policies in the development plan, especially the London Plan, support growth and intensification of development in the whole of the CAZ, on the basis that it is more capable than any other part of the country of delivering concentrated growth and the public benefits it delivers, in a sustainable manner. The policy and supporting text as drafted therefore gives insufficient weight to the role of the CAZ by failing to refer specifically to this designation in any way.

Summary and proposed amendments

- 6.49 Part A of the policy is not sound. It is not positively prepared and will prevent need being met, nor is it justified. It is overly complex and will produce uncertain development management outcomes. It is not likely to prove effective, in the context of plan-making for a location where growth is strongly supported, nor is it in general conformity with strategic policy.

⁷² Good Growth in Westminster (Arup, Westminster Property Association, 2024). Page 8. Available online at [Delivering Good Growth in Westminster - Westminster Property Association](#)

⁷³ Good Growth in Westminster (Arup, Westminster Property Association, 2024). Page 17. Available online at [Delivering Good Growth in Westminster - Westminster Property Association](#)

6.50 It should be removed in its entirety for the reasons set out above.

6.51 If it is not removed, it should be redrafted so that it is positively prepared and consistent with, and supportive of, the delivery of other development plan objectives and meeting needs. WPA has suggested an example alternative approach, below. This is proposed as a constructive basis for continued discussion rather than, necessarily, finalised wording.

“A(1) To promote a circular economy approach, major development proposals should follow the following hierarchy:

1. Refurbishment or retrofit-first;
2. Deep retrofit;
3. Substantial demolition; and
4. New build.

Proposals for substantial demolition and new build will be granted permission where they would better meet development plan requirements for the site than alternative, deliverable, proposals higher up the hierarchy.

In comparing alternatives, the following matters should be considered:

1. The extent of public benefits arising, which would include anything that delivers economic, social or environmental objectives as described in the NPPF;
2. Whether the alternative options were deliverable, both practically (for example, taking into accounts condition of existing structure and design constraints) and economically (including, whether the proposals would meet occupier demand or be commercially feasible);

A(2) Substantial demolition, or demolition and new build, will also be permitted in the following circumstances:

1. The whole-lifetime carbon of a new building would be less or similar to a suitably comparable retrofit option; or

2. The proposed development has bespoke operational requirements which could not be provided through the repurposing, adaptation and/or extension of the existing building(s); or
3. It is demonstrated that a retrofitting option is not possible or achievable due to structural constraints, demonstrated through an independently verified structural engineers report.”

6.52 Notwithstanding this, if Part A is retained largely as proposed, it should, as a minimum, be adjusted in the following ways to resolve key omissions:

- i the policy wording should explicitly include **economic** benefits as part of the public benefits, rather than relying on the reasoned justification;
- ii be entirely clear that such economics benefits can arise, at least, anywhere in the CAZ, if not in the wider City;
- iii the “**and**” at the end of criterion A(1) (public benefits) should be replaced with an “**or**”; and
- iv the policy wording and the supporting text should state explicitly that the public benefits associated with the whole of the CAZ, as well as other areas of the City of Westminster, should be taken into account.

6.53 The reasoned justification or accompanying guidance should require that the options to be considered for comparison must be agreed in early pre-application engagement and limited to those most relevant to the site’s development potential.

7 Retrofit First Policy – Part B (Embodied Carbon Targets)

- 7.1 This section assesses the targets set out in Part B of the proposed retrofit policy.
- 7.2 It demonstrates that the proposed targets are currently unachievable for all but retrofit and light refurbishment schemes and concludes that these targets should, therefore, be changed.

The Proposed Targets

- 7.3 The proposed retrofit policy wording refers to target carbon emissions ‘bands.’ These bands are those identified by LETI within their Embodied Carbon Target Alignment document⁷⁴.
- 7.4 This document is available to download from the LETI website but is not included within the supporting policy text in the Westminster City Plan or within the supporting evidence base documentation. The onus is therefore on the applicant to identify the appropriate targets and there is a risk of applicants identifying targets from different documents.
- 7.5 The LETI Embodied Carbon Target Alignment document identifies target bands for upfront embodied carbon split by the following land uses:
- Office;
 - Residential (over six storeys);
 - Educational uses; and
 - Retail uses.
- 7.6 The document establishes two different targets for upfront embodied carbon emissions: a LETI 2020 Design Target (Band C) and a LETI 2030 Design Target (Band A).
- 7.7 We understand that the LETI targets are calculated on the basis of a ‘clear site’ i.e., no demolition is required to bring forward the identified development scheme.

⁷⁴ LETI Embodied Carbon Target Alignment. Available online at: [Carbon Alignment | LETI](#)

7.8 This approach largely aligns with the current GLA Whole Life Carbon Guidance and the RICS Professional Statement (2017) in that the upfront embodied carbon targets do not account for the carbon emissions associated with demolition. However, unlike LETI, the GLA and RICS guidance requires that these emissions are indeed calculated but reported separately as discussed above.

7.9 However, LETI’s ‘clear site’ approach stands in contrast to the newly published RICS Professional Statement (2023) which will come into effect in July 2024 and will require the carbon emissions associated with demolition to be incorporated into the upfront embodied carbon figures within Module A5.1 of a Whole Life Carbon Assessment.

Upfront Embodied Carbon, A1-5 (exc. sequestration)

	Band	Office	Residential (6+ storeys)	Education	Retail
	A++	<100	<100	<100	<100
	A+	<225	<200	<200	<200
LETI 2030 Design Target	A	<350	<300	<300	<300
	B	<475	<400	<400	<425
LETI 2020 Design Target	C	<600	<500	<500	<550
	D	<775	<675	<625	<700
	E	<950	<850	<750	<850
	F	<1100	<1000	<875	<1000
	G	<1300	<1200	<1100	<1200

Figure 7.1: LETI targets as identified within the LETI Embodied Carbon Target Alignment Paper⁷⁵

7.10 Notwithstanding the point made in Section 5, that the evidence base for the proposed target bands is not publicly accessible, we have concerns about the validity, clarity, applicability, and, principally, the attainability of the targets.

7.11 Specifically, we consider the proposed targets to:

- Preclude almost all new build development and be unattainable for most other developments with the exception of retrofit and light refurbishment schemes;
- Be internally inconsistent with the City Plan and not in general conformity with the London Plan;
- Be misaligned with the RICS guidance coming into effect in July 2024;

⁷⁵ LETI Embodied Carbon Target Alignment. Available online at: [Carbon Alignment | LETI](#)

- Be inconsistent with the conclusions of the WSP evidence base report;
- Be inconsistent to similar emerging policies both within London and nationally; and
- Place a priority on residential development to the detriment of other land uses within a borough which supports 13% of the capital’s jobs, in a manner inconsistent with strategic policy.⁷⁶

7.12 The proposed targets do not align with emerging upfront embodied carbon targets proposed by other Local Planning Authorities, are significantly lower than the adopted minimum GLA benchmarks and, in some cases, the GLA aspirational benchmarks, and exceed what the evidence base from WSP, and other benchmarking evidence, suggests is achievable.

7.13 Whilst the Council consider that the “**benchmarks should be suitably challenging that developers consider retrofitting, but still enable high quality low carbon new buildings where appropriate,**”⁷⁷ we consider that the targets are largely unachievable based on our identified concerns around the notional assumptions made within the WSP report and our understanding of current and pipeline development proposals within London.

Evidence Base

7.14 Our evidence base forms case studies from WPA members, as well as a number of datasets provided by structural engineers as discussed below. In summary, the following datasets, research and information are included:

- i **Arup** – Database of c. 120 London-based developments either pending determination or submitted since 2016 (**Appendix C**);
- ii **AECOM** – Summary note provided including evidence extract from the Net Zero Carbon Building Standard evidence base (**Appendix D**);
- iii **NZCBS** – Data referred to by AECOM extracted from the NZCBS evidence base (**Appendix E**);

⁷⁶ Good Growth in Westminster (Arup, Westminster Property Association, 2024). Page 9. Available online at [Delivering Good Growth in Westminster - Westminster Property Association](#)

⁷⁷ Topic Paper. Section 4.2. Paragraph 4. Page 32.

- iv **Future Homes Hub** – Research referred to by AECOM by the Future Homes Hub (**Appendix F**);
 - v **Buro Happold** – Data provided in c. 28 London-based residential developments (**Appendix G**);
 - vi **Land Securities** – Data provided by Landsec on six office led central London developments (**Appendix H**); and
 - vii **Arup** – Whisker Diagram demonstrating performance ranges of London-based schemes (**Appendix I**)
- 7.15 A detailed database has been consolidated by Arup of approximately 120 London-based developments pending determination or determined between 2016 and 2023 is included at **Appendix C**. The schemes are a mix of typologies and land uses, as well as degrees of redevelopment from retrofit through to new build. The identified schemes are a mixture of those both pending and determined.
- 7.16 Amongst other assessment criteria, this database allows for the calculation of the upfront embodied carbon and whole life carbon of the identified schemes and as such, is a valuable tool to determine the current embodied carbon performance of London developments. It also demonstrates, in a general sense, the performance of the construction industry over time as technological advances are made.
- 7.17 The carbon emissions extracted from Arup’s database are presented as figures excluding sequestration in line with the approach set out within the WSP report.⁷⁸ This is because, in order to account for the benefit of sequestration i.e., the carbon removed from the atmosphere and stored within the building materials, a number of procurement requirements must be met which are not necessarily guaranteed. The results are therefore a ‘worst case scenario.’
- 7.18 We acknowledge that a number of identified developments were submitted several years ago and as such, not all figures may accurately represent current best practice for either new build or retrofit developments, as the construction industry as a whole is innovating rapidly in this respect.
- 7.19 Arup clarify that as the data has been gathered manually, it cannot be guaranteed that all relevant GLA referable schemes are included in the database. All identified Whole Life Carbon Assessments

⁷⁸ WSP Embodied Carbon Evidence Base Report. Section 3.4.2. Page 12

are for RIBA Stage 2 as they have been prepared to support the submission of planning applications. Arup cannot confirm the veracity of the completeness or coverage of the Whole Life Carbon Assessments for each project, or that the assumptions behind the Assessments conform to the latest best practice in Whole Life Carbon analysis. We assume that the Whole Life Carbon Assessments will have been undertaken in accordance with the guidance set out in the RICS Professional Statement (2017) rather than the RICS Professional Statement (2023). Finally, absolute carbon values should be treated with caution as they are likely to change as design progresses to construction and / or as calculation guidance such as the RICS Professional Statement changes. Relative values for the comparison of the interventions should still be valid.

- 7.20 We understand that Arup have undertaken their own analysis to support representations, which includes internal / confidential schemes. The data included at **Appendix C** does not include these schemes, which is why there may be some variation in the figures presented. A whisker diagram demonstrating the variance in performance of schemes according to degree of redevelopment has also been prepared by Arup and is included at **Appendix I**.
- 7.21 In addition, a summary note has been prepared by AECOM, which is included at **Appendix D**. The note refers to data extracted from the evidence base collated to inform the emerging UK Net Zero Carbon Building Standard (NZCBS).
- 7.22 The NZCBS data is also appended to this report at **Appendix E**. This data covers 836 projects from information submitted to the UK NZCBS from 99 different institutions across Britain. The NZCBS data discussed in this report relates solely to new build embodied carbon performance levels. The average GIA for each sector ranges from less than 1000sqm (healthcare and culture & entertainment), to more than 100,000sqm (offices, commercial residential, logistics & warehouses). The average GIA for the residential schemes identified was 5,900sqm, which is largely in line with the floorspaces used by Westminster (between 3,360 and 6,912sqm). The average GIA for the office schemes identified was 105,000sqm which is significantly larger than would generally be delivered within the City of Westminster. However, the carbon figures are presented on a kgCO₂e/sqm basis, and developments tend to allow for economies of scale with larger buildings able to maximise efficiency. The NZCBS included information on “commercial residential” schemes, but as these relate to student accommodation and care homes, this information has not been assessed as part our report as there is no specific carbon target proposed by Westminster for these land uses.

- 7.23 The AECOM note also references research undertaken by the Future Homes Hub, which is included at **Appendix F** on the average upfront embodied carbon emissions of new build residential development. This data is based on a “relatively small”⁷⁹ evidence base of 32 low-rise housing developments and 2 medium/high-rise housing developments. We understand that low-rise housing development are defined by the Future Homes Hub as “2-3 storey, 2-5 bed, mid-terraced, semi-detached, and detached houses of timber, masonry and steel frame construction.”⁸⁰ The Future Homes Hub also notes that its database is a more appropriate reference point for low-rise housing in comparison to the LETI/RIBA and GLA targets, which “are more representative of medium and high-rise schemes.”⁸¹
- 7.24 On the basis of the notional buildings identified by WSP and Westminster City Council on common and representative residential building typologies within the City (whereby the lowest residential development was 8 storeys), the Future Homes Hub information may be less relevant to the setting of appropriate and achievable residential targets in Westminster. Nevertheless, it provides a useful insight into the carbon emissions associated with low-rise residential development. A total of 31 of the 238 residential projects (13%) considered by the UK NZCBS were submitted by Future Homes Hub of single-family homes. UK NZCBS note that this sub-sector will be considered separately when setting emissions limits.⁸²
- 7.25 Data has also been provided by Buro Happold on average upfront carbon emissions of new build residential developments in London calculated between 2019 and 2024, which is included at **Appendix G**. This data set covers a total of 28 schemes of which 6 are defined as “low-rise”, 6 defined as “mid-rise” and 16 defined as “tall.” In this instance, low-rise buildings are defined as up to 3 storeys, mid-rise is defined as between 3 and 10 storeys and tall is defined as greater than 10 storeys.

⁷⁹ Future Homes Hub Embodied and Whole Life Carbon 2023-2025. Implementation plan for the homebuilding industry. Page 6. Available online at: [Future Homes Hub Home](#)

⁸⁰ Future Homes Hub Embodied and Whole Life Carbon 2023-2025. Implementation plan for the homebuilding industry. Page 16. Available online at: [Future Homes Hub Home](#)

⁸¹ Future Homes Hub Embodied and Whole Life Carbon 2023-2025. Implementation plan for the homebuilding industry. Page 6. Available online at: [Future Homes Hub Home](#)

⁸² UK Net Zero Carbon Buildings Standard Technical Update & Consultation. 14 June 2023. Page 62. Available online: [Archive | My Site \(nzcbuildings.co.uk\)](#)

7.26 Information has been provided by Landsec on the performance of their projects which are either under construction or pending determination by the relevant Local Planning Authority. This information is included at **Appendix H**.

Note on comparability

7.27 It is important to note that all cited research collates and measures data against different benchmarks and categorises developments in different ways. There is a lack of consistency across the industry in this respect and it is therefore difficult to identify like-for-like comparable data.

7.28 Neither the GLA, LETI or the proposed Westminster targets are directly comparable in respect of land uses as the GLA do not identify a height restriction on their benchmarks, LETI apply their identified residential targets to developments exceeding 6 storeys, and Westminster conflate residential and mixed-use buildings but then divide these between developments over 18m and under 18m. Noting that a standard storey height tends to lie between 3 and 4.5 storeys, the LETI and Westminster height thresholds are similar but not necessarily directly comparable. The Westminster targets also identify figures for mixed-use buildings which is not an approach taken by the GLA or LETI, where the target of the most predominant land use is utilised.

7.29 In addition, the land uses and definitions of height are not always clearly defined within the source material.

7.30 As the evidence base is compiled from a range of sources who have largely the same access to data on whole life carbon emissions within the built environment, there is likely some double counting of schemes, as is clear from the inclusion of the Future Homes Hub data within the UK NZCBS data.

7.31 The assumptions behind the data within our evidence base are clarified as far as possible and caveats are included where data is not directly comparable to the information presented by Westminster City Council in their proposed retrofit policy, Topic Paper or WSP Report, or any of WPA's appended evidence base.

Attainability

7.32 For the avoidance of doubt, the proposed retrofit policy seeks to set **minimum** upfront carbon emissions targets (kgCO₂e / sqm) as summarised below:

Land Use	Minimum target	Aspirational target
Office	<475 (LETI Band B)	<350 (LETI Band A)
Residential development (including mixed-use) (over 18m)	<675 (LETI Band D)	<500 (LETI Band C)
Residential development (including mixed-use) (under 18m)	<500 (LETI Band C)	<400 (LETI Band B)
Educational	<400 (LETI Band B)	<300 (LETI Band A)
Retail	<425 (LETI Band B)	<300 (LETI Band A)

Table 7.1: Upfront embodied carbon targets identified within the proposed retrofit policy and the associated LETI band split by land use

Current industry performance (retrofit vs new build)

7.33 We have summarised the average upfront carbon emissions of development scenarios within the Topic Paper and the Arup database and have compared these to the proposed targets below. The below figures are not split by land use but illustrate the average upfront carbon emissions of identified major developments along a spectrum of development works. It is important to note that the Westminster figures⁸³ are based solely on developments within the City of Westminster, whereas the Arup figures cover the Capital as a whole and therefore serve as a broader representation of performance.

⁸³ Topic Paper. Section 3.2. Figure 3. Page 19

Organisation	Retrofit	Light Refurb	Heavy Refurb	Substructure or facade retained	New Build
Westminster Topic Paper ⁸⁴	367	-	-	-	725
Arup ⁸⁵	327	478	550	649	728

Table 7.2: Average performance for buildings (regardless of land use) according to their degree of redevelopment.

7.34 Retrofit is defined by Arup as a scheme which results in no new structure, light refurbishment as <15% GIA increase with generally no strengthening of foundations and columns and a heavy refurbishment as >15% GIA increase. The remaining categories relate to a retained basement and / or façade, and finally to wholly new build development.

7.35 Firstly, whilst the evidence set out in the table above largely corroborates each other at the extreme ends of the redevelopment scale (the upfront embodied carbon figures for new build development largely align at around 725 kgCO₂e / sqm, for example), the Topic Paper has conflated degrees of retrofit which are split out within the Arup database.

7.36 The retrofit schemes identified within the Topic Paper range from 179 to 475 kgCO₂e / sqm. This upper range is comparable to Arup’s ‘light refurbishment’ figure, but it is not clear how Westminster City Council have defined ‘retrofit’ within their identified schemes. In addition, the presentation of the identified retrofit data in the Topic Paper does not appear to recognise the range in upfront embodied carbon emissions resulting from retrofit schemes of differing levels of intervention as suggested by the Arup database. It is therefore challenging to set targets at an appropriate level on this basis.

⁸⁴ Topic Paper, Section 3.2, Table 1, Page 19

⁸⁵ Appendix C, Embodied and Whole Life Carbon Database, Arup

7.37 Secondly, whilst the above figures demonstrate the **average** performance of schemes according to their degree of redevelopment, the diagram below, also prepared by Arup, demonstrates the range of performance within these degrees (the example below relates to mid-rise offices as an example). It is therefore important to remember that there can be a wide variation in performance even within redevelopment categories due to the specific characteristics and challenges of each development site.

ARUP

Average Embodied Carbon (A1-5) – example output

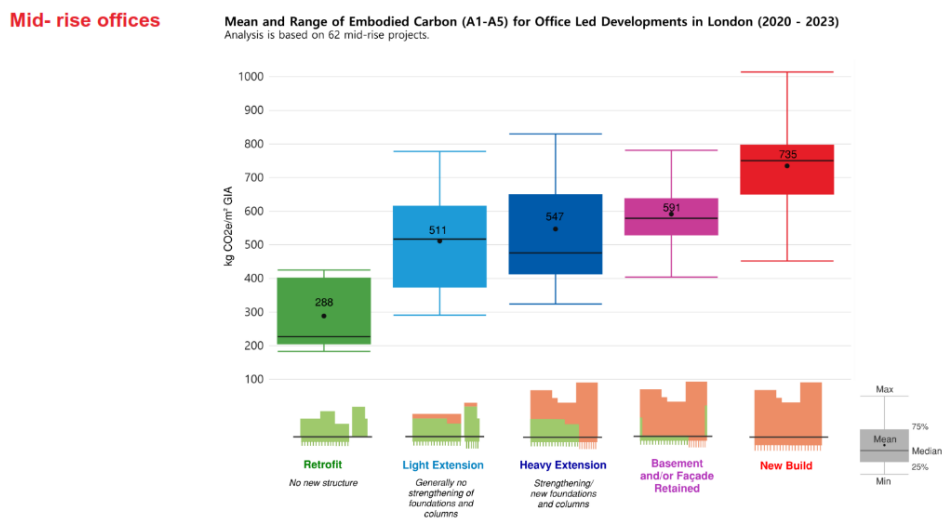


Figure 7.2: Whisker diagrams demonstrating variance in performance according to degree of redevelopment for mid-rise offices. Based on 62 mid-rise projects. Source: Arup⁸⁶

7.38 What is clear from both pieces of evidence, however, is that Westminster’s proposed targets are well in excess of current performance for deep retrofits, façade retention schemes and new build development.

7.39 Whilst the above data is not split by land use, from a numeric perspective alone, the upfront embodied carbon targets for offices of LETI Band B (475 kgCO2e/sqm), for example, may not be

⁸⁶ Appendix I. Whisker Diagram. Arup

achievable for a number of schemes with even ‘pure’ retrofit schemes struggling to achieve the aspirational target of LETI Band A (<300 kgCO₂e/sqm).

Current industry performance of new build developments by land use

- 7.40 We have extracted the data from the evidence base for the forthcoming UK Net Zero Carbon Building Standard (NZCBS). This is summarised in the table below compared to the GLA benchmarks and aspirational targets, the LETI C (2020 targets) and Westminster City Council’s proposed targets.
- 7.41 The tables below have split residential in accordance with the approach taken by Westminster City Council, although as set out above, neither the GLA nor LETI take this approach. LETI’s residential targets only explicitly apply to developments in excess of 6 storeys. Conversely, the UK NZCBS have split “schools” and “higher education” whereas targets are only provided by the GLA, LETI and Westminster for “education”. It is not clear whether the LETI targets for education account for higher education institutions which are included within the UK NZCBS figures. In addition, the UK NZCBS do not present any information on retail uses as they consider they have insufficient information to do so.
- 7.42 It is important to note that the UK NZCBS figures relate solely to new build embodied carbon performance levels (Modules A1-A5) with all numbers rounded to the nearest 10kg.⁸⁷ As set out above, the LETI targets (and consequently the Westminster City Council targets) do not distinguish between new build and retrofit schemes in order to encourage the delivery of retrofit schemes which Westminster City Council and LETI consider to be more capable of achieving the identified targets.
- 7.43 As such, the data presented below is not a like-for-like comparison, but demonstrates, in a general sense, the performance of current new build developments against the proposed targets. The Arup data has been combined as follows: the office figure is an average of office; office, retail and residential; and office and retail schemes, and the residential figure is an average of residential; and commercial and residential schemes. We have removed, as far as possible residential schemes

⁸⁷ UK Net Zero Carbon Buildings Standard Technical Update & Consultation. 14 June 2023. Page 68. Available online: [Archive | My Site \(nzcbuildings.co.uk\)](#)

which provide purely student accommodation or care homes, as these are dealt with separately by the UK NZCBS.

Borough	Office	Residential (18m+)	Residential (-18m)	Education*	Retail
GLA (Minimum)	950	850		750	850
GLA (Aspirational)	600	500		500	550
LETI C (2020 targets)	600	500		500	550
Westminster City Council	475	675	500	400	425
Borough	Office	Residential (18m+)	Residential (-18m)	Education*	Retail
25th percentile	481		493	484	N/A**
50th percentile	592		566	583	N/A**
Mean	618		574	576	N/A**
75th percentile	732		632	638	N/A**
Arup	645		596	743	N/A***
Buro Happold	N/A****		681	N/A****	N/A****

*NZCBS figures distinguished between schools and higher education, but these have been recombined here for ease

**NZCBS noted that data centres, sports & leisure, hotels and retail sectors currently have insufficient data and so are not recorded.

****Retail land use was not identified independently and was included as part of larger office and / or mixed-use schemes.

****Buro Happold data relates to new build residential development only.

Table 7.3: Performance of schemes split by land use. Both sections of the table are conditionally formatted. The first section of the table identifies the targets in accordance with how easily they may be achieved (green being least onerous and red being most onerous). The second section of the table identifies the figures that are greater than the proposed Westminster targets, for each land use, in red. The table has compared the residential performance against the most onerous Westminster target of 500 kgCO₂e/sqm.

Commercial

- 7.44 The data set out above demonstrates that the **minimum** office and education targets identified by Westminster City Council are lower than achieved by the 25th percentile best performing new build developments in Britain (on the basis of the organisations who provided data to the NZCBS).
- 7.45 They are very considerably lower than the average achieved by commercial development in the Arup database. They are lower than all but one of the developments put forward by Landsec.
- 7.46 **Based on current, evidenced, industry performance the targets would preclude the delivery of any new build commercial or educational development within Westminster.**

Residential

7.47 In respect of residential development, the target for residential development (above 18m) of 675 kgCO₂e/sqm is largely achievable, being higher than the performance of developments even in the 75th percentile of developments identified by UK NZCBS. However, the proposed target of 500 kgCO₂e/sqm is not achievable on average.

7.48 However, as set out above, a total of 31 of the 238 residential projects considered by the UK NZCBS were submitted by Future Homes Hub of single-family homes, which will be considered separately by UK NZCBS as part of their forthcoming emissions targets. The Future Homes Hub identified current upfront embodied carbon emissions across 32 low-rise buildings (typically 2-3 storeys) of 417 kgCO₂e/sqm and 635 kgCO₂e/sqm for the two identified medium / high-rise housing developments.

7.49 On this basis, the current performance of residential development may have been slightly skewed due to the incorporation of low-rise, single-family homes. This is not the typology of residential development assessed by WSP or Westminster City Council in the development of their proposed retrofit policy.

7.50 The performance of new build residential developments identified by Buro Happold is summarised below⁸⁸:

Residential building typology	Average upfront embodied carbon (kgCO₂e/sqm)
All typologies combined	671
Low rise	681
Mid rise	642
Tall	678

⁸⁸ Appendix G

Table 7.4: Average upfront embodied carbon figures for identified new build residential developments in London [Source: Buro Happold, Appendix G]

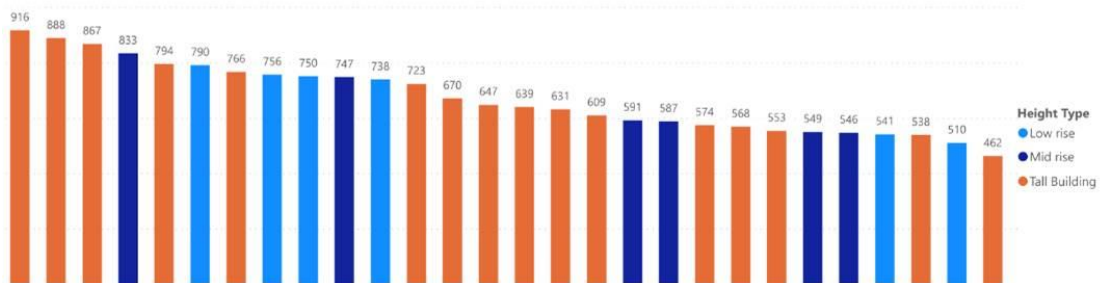


Figure 7.3: Bar graph demonstrating average upfront embodied carbon figures for identified new build residential developments in London [Source: Buro Happold, Appendix G]

- 7.51 The figures provided by Buro Happold are higher than the performances identified by UK NZCBS for residential developments. Although it is interesting to note that there is little variation in performance between the different typologies. Many of the low-rise developments do not have significantly lower emissions as, in these instances, there are major external works required for their development. The LETI targets currently discount external works, but it is not specifically clear whether these are expected to be accounted for in the proposed retrofit policy.
- 7.52 As discussed above, it is challenging to find directly comparable data. However, the UK NZCBS data identifies an average upfront embodied carbon figure for 574 kgCO₂e/sqm for new build residential development, Buro Happold identify an average figure of 671 kgCO₂e/sqm and the Future Homes Hub identify an average figure (of medium / high-rise development) of 635 kgCO₂e/sqm. It is therefore reasonable to assume that new build developments typical of those likely to be delivered within Westminster are generally achieve a performance within a range of 574 – 671 kgCO₂e/sqm.
- 7.53 Schemes performing within this range are likely to achieve the proposed retrofit policy target of 675 kgCO₂e/sqm for residential development above 18m. However, residential developments below 18m may, in some instances, struggle to achieve the minimum 500 kgCO₂e/sqm (noting that building height tended not to be explicitly assessed within the evidence base).

Current industry performance of refurbishment schemes by land use

7.54 Finally, utilising the evidence set out within the Arup database, we have analysed the extent to which the proposed targets may be achieved by office / commercial and residential schemes along a scale from retrofit to redevelopment. There is not sufficient information available within our evidence base to assess educational and retail uses to the same degree.

7.55 In the same way as above, the office figures relate to office; office, retail and residential; and office and retail schemes, and the residential figure relates to residential; and commercial and residential schemes. We have removed, as far as possible residential schemes which provide purely student accommodation or care homes, as these are dealt with separately by the UK NZCBS.

Organisation	Retrofit	Light Refurbishment	Heavy Refurbishment	Substructure and / or façade retained	New Build
Westminster Topic Paper	367	N/A	N/A	N/A	725
Arup (Average)	327	478	550	649	728
Arup (Residential)	257	N/A	479	589	655
Arup (Office / Commercial)	413	521	551	642	773

Table 7.5: average upfront embodied carbon figures for office / commercial and residential developments according to degree of redevelopment [source: Arup database, Appendix C]

7.56 The above evidence demonstrates that even light refurbishment office / commercial schemes could struggle to achieve the minimum target of <475 kgCO₂e/sqm. Currently, even retrofit projects could struggle to achieve Westminster's aspirational target of <300 kgCO₂e/sqm.

7.57 As demonstrated above, as the proposed residential targets are much less onerous, the proposed retrofit policy does not preclude the delivery of residential development to the same extent as office / commercial development with new build developments likely able to achieve the targets set out within the proposed retrofit policy.

Case Studies

7.58 Additionally, we provide some details of member development proposals as case studies.

7.59 **Timber Square.** Timber Square is a commercial development being brought forward by Landsec which currently achieves approximately 520 kgCO₂e / sqm, despite including one building with 83% of the previously buildings structure retained and extensive use of cross-laminated timber. It would, therefore, not achieve either the aspirational or minimum emerging target, despite representing a deep retrofit development, rather than comprehensive redevelopment.

7.60 Further details on this, and other Landsec examples, is included at **Appendix H**.

7.61 **105 Victoria Street.** 105 Victoria Street is the comprehensive redevelopment of the site previously known as Southside / House of Fraser Victoria Street by BentallGreenOak. At planning stage/ Stage 2, the developer set an aspirational target of less than 650kgCO₂e/sqm, with the desire to continue to reduce embodied carbon through the design process. At the time of writing, the development is at Stage 4, and through detailed design and supporting analysis, anticipate embodied carbon has been reduced to 590kgCO₂/sqm. At the same time, the energy use intensity has been reduced from over 400 kWh/sqm/yr to c 96 kWh/sqm/yr, which will lead to a very significant reduction in operational emissions over the lifespan of the building whilst providing space that is far more attractive to occupiers and will substantially improve the wellbeing and working experience of the building's occupiers. Preventing this sort of investment or preventing the delivery of good quality buildings of this nature, that occupiers wish to occupy, would not be consistent with strategic policy.

Retrofit Only, not Retrofit First

7.62 In summary, the evidence base set out above, split firstly by degree of redevelopment, and secondly by land use, demonstrate that the proposed targets are largely only currently achievable for pure retrofit or light refurbishment schemes.

7.63 The proposed targets would preclude any new build commercial or educational development but may allow for some new build residential development on the basis of the less onerous targets applied to this land use.

7.64 In respect of the unattainability of the targets, the Topic Paper states that “the evidence suggests that the reductions go beyond what is currently practical and viable for the majority of

developments”⁸⁹ and “if due to practical reasons a climate aligned benchmark is not possible for a new build, then further measures may be required to limit overall embodied carbon emissions. For example, it may be necessary to bring in complementary measures to reduce the number of demolitions taking place.”⁹⁰

- 7.65 The WSP report confirms that the LETI bandings “do not currently differentiate between new build or refurbishment. Part of the rationale for this is that refurbishment projects will find it easier to achieve good performances and this provides an incentive for retrofit.”⁹¹ However, as demonstrated above, ‘heavy’ or ‘deep’ retrofits could still struggle to achieve the identified targets. This may be due to the carbon required to be expended in order to successfully align with and / or strengthen the retained fabric.
- 7.66 On the basis that the targets are unachievable for new build development for most land uses, the proposed retrofit policy is **‘retrofit only’ rather than ‘retrofit first’ in all but name** and the policy has been drafted to severely restrict the instances in which demolition may be accepted.
- 7.67 This is because, whilst a development may comply with all criteria set out in Part A of the policy, any development which does not constitute a retrofit or light refurbishment is unlikely to be able to meet the identified targets.
- 7.68 The Topic Paper suggests that “the lower the achieved embodied carbon is for retrofits, the more capacity there is to facilitate new buildings.”⁹² However, whilst this apportionment approach may function at a strategic borough level, this is not how the policy itself is drafted against which proposals will be assessed. It is also contingent on knowing the amount of carbon that needs to be saved in order to allow some new build carbon to consented. Such an apportionment approach is simply not possible here. The policy as drafted will prevent a significant quantum of new build development on the basis of the unattainability of the targets alone, even if retrofit development proves achievable, which itself is in doubt at the levels proposed.

⁸⁹ Topic Paper. Section 4.2. Paragraph 30. Page 40.

⁹⁰ Topic Paper. Section 4.2. Page 33. Paragraph 5.

⁹¹ WSP Embodied Carbon Evidence Base Report. Section 4.1.2. Page 25.

⁹² Topic Paper. Section 4.2. Paragraph 24. Page 39

- 7.69 AECOM note in their report set out in Appendix D that, in order to achieve the proposed targets, redevelopment will need to comprise “retrofits rather than new buildings until building technology advances sufficiently to be able to meet these targets for new buildings. However, the timescales for this are uncertain and based on myriad of factors. New builds may [only] be possible [in exceptional circumstances] if carbon offsets are paid.”⁹³ The scale of these offsets is potentially significant and has not been subject to viability testing.
- 7.70 Whilst we support the City Council’s approach to encourage innovation and technological advances within the construction industry, to balance achieving the adopted City Plan targets with a reduction in carbon emissions, it is imperative that any targets included within the policy are **challenging but attainable** in the short term and **aspirationally achievable** in the long term. The proposed retrofit policy, as currently drafted, does not achieve this.
- 7.71 An alternative approach, which has been taken by the London Boroughs of Enfield and Ealing, is to identify staggered upfront embodied carbon targets pre-1 January 2030 and post-1 January 2030. This allows for the inclusion of largely achievable upfront embodied carbon targets in the short term, with more stringent targets applied after the specified date to account for innovation within the industry.
- 7.72 The knowledge and available technology within the construction industry is advancing rapidly and will continue to do so in the years to come. On the basis that the Westminster City Plan partial review aims to set targets from its adoption (anticipated 2025) up to 2040, we recommend that the policy is adjusted to identify appropriate targets for the period between 2025 and 2030, with more appropriate targets identified for 2030 to 2040 once further progress has been made, subject to testing as part of an Early Review of this policy at the time to ensure deliverability.
- 7.73 Specifically, we suggest that the plan propose targets of 600kgCO₂/sqm for commercial development in the period to 2030 as this would likely allow for heavy refurbishment schemes or industry-leading new build schemes. Any targets proposed for the period post-2030, should be

⁹³ Appendix D. AECOM. Draft Westminster City Plan 2019-2040 Review. Page 4.

subject to testing as part of a targeted Early review to account for advancements within the construction industry.

- 7.74 A staggered approach to carbon targets may also prevent a situation whereby economic investment is halted within Westminster in the short term due to unattainability of carbon targets.
- 7.75 As drafted, however, the proposed retrofit policy sets unachievable targets which will result in both new build and deep retrofit development not being permitted on carbon grounds. This approach is internally inconsistent with the City Plan, and not in general conformity with the Good Growth objective of the London Plan.

Inconsistency with the WSP evidence base report

- 7.76 The proposed targets also not do correlate with the conclusions of the WSP report on which the policy is predicated. This is discussed in detail at Section 5.38 above.
- 7.77 WSP note in their report that “ratings from B and above are considered robust **stretch targets**”⁹⁴ [our emphasis] with the same report acknowledging that there is “a greater uncertainty in reaching very low carbon emissions (LETI band A or lower), as a result of uncertainty surrounding the price and availability of recycled construction materials”⁹⁵ with the achieving of LETI band A likely requiring “higher levels of timber or recycled materials not currently available on the market at scale.”⁹⁶ [our emphasis]
- 7.78 It is not sound for a policy to set targets which have been proven as largely unachievable within the evidence base on which the policy is predicated. What is more, the WSP report is based on a number of unjustified assumptions including the structurally and economically unfeasible cumulation of low carbon construction scenarios as we have shown above.
- 7.79 The proposed policies must therefore be updated on this basis.

⁹⁴ WSP Embodied Carbon Evidence Base Report. Section 4.1.3. Page 25.

⁹⁵ WSP Embodied Carbon Evidence Base Report. Section 5. Page 50.

⁹⁶ WSP Embodied Carbon Evidence Base Report. Page 3 and 50.

Future unattainability

- 7.80 Supporting text at Paragraph 43.3 states that Whole Life Carbon Assessments must follow the most up to date RICS methodology **and** the Mayor of London’s Whole Life Carbon Plan Guidance (LPG).
- 7.81 As set out above, the RICS Whole Life Carbon Assessment for the Built Environment Professional Statement was updated in 2023 and will come into effect in July 2024. The 2023 version of the RICS Professional Statement seeks to incorporate demolition figures into Module A5.1 of the Whole Life Carbon Assessment.
- 7.82 Currently, the GLA Guidance and the RICS Professional Statement (2017) require the carbon emissions associated with demolition to be reported separately and as such, they are not included within the upfront embodied carbon emissions figures for schemes. The published LETI targets are also predicated on a “clear site” approach with the carbon emissions associated with demolition are excluded from their template.⁹⁷
- 7.83 The proposed LETI targets, which are based on an assumption of a clear site at the commencement of construction, will become more unattainable following the change in methodology. Furthermore, the Mayor of London’s Whole Life Carbon Guidance may not align with the RICS Professional Statement if the former is not updated to reflect the change in methodology.
- 7.84 In addition, the RICS Professional Statement (2023) requires Whole Life Carbon Assessors to consider contingency for all projects based on the uncertainty at the time of the assessment.⁹⁸ This contingency approach, which recommends the default contingency factors summarised in the table below, is not currently required under the RICS Professional Statement (2017). Whilst the inclusion of contingency factors is a considered approach which reflects the uncertainty of carbon emissions throughout the construction stage, its inclusion within the RICS Professional Statement (2023) will make the proposed targets even more unattainable.

⁹⁷Appendix K. LETI Whole Life Carbon Reporting Spreadsheet.

⁹⁸ RICS Whole Life Carbon Assessment for the Built Environment 2nd Edition (September 2023). Section 4.10.1 Page 56.

- 7.85 The RICS Professional Statement (2023) sets a **default contingency factor to schemes of 15% at early design stage** which reduces to 6% at technical design and construction stage, and 0% at post-completion.⁹⁹
- 7.86 In addition to this, there is a further **carbon data uncertainty factor** which is required to be applied throughout the abovementioned stages which ranges between 0% and 7%, and a **quantities uncertainty factor** between 0% and 4%.¹⁰⁰
- 7.87 As AECOM point out in their note at **Appendix D**, in accordance with the RICS Professional Statement (2023), a total of contingency of 26% may be applied to schemes at early design stage. Whole Life Carbon Assessments supporting planning applications are submitted at early design stage when the contingency factor is greatest.
- 7.88 Put simply, changes to methodology are likely to increase the reported emissions, through incorporation of a demolition allowance and contingency. However, this increase in reported emissions is not taken into account in the fixed LETI targets to which the policy, as drafted, relates.
- 7.89 As such, whilst the industry is continuing to innovate and identify opportunities to drive down carbon emissions, the targets will become de facto unattainable on the basis of a change in methodology and are therefore unsound.

Comparative Targets

- 7.90 In addition to the above, we have undertaken a comparison of the proposed retrofit policy targets against the adopted GLA minimum and aspirational benchmarks, and the targets identified as appropriate within similar emerging policies. The Local Plans for Bath and North East Somerset, Bristol and South Gloucestershire, whilst not in London and necessarily comparable in character to the City of Westminster, are included as a similar WSP report was prepared to support the development of their upfront embodied carbon targets in 2021. These findings are summarised below.

⁹⁹ RICS Whole Life Carbon Assessment for the Built Environment 2nd Education (September 2023). Section 4.10.1 Page 56.

¹⁰⁰ RICS Whole Life Carbon Assessment for the Built Environment 2nd Education (September 2023). Section 4.10.2-3. Pages 57-60

Borough	Status	Office	Residential	Education	Retail	Comment
GLA ¹⁰¹	Adopted March 2022	Target<950 Asp<600	Target<850 Asp<500	Target<750 Asp<500	Target<850 Asp<550	In line with the GLA guidance, the appropriate benchmark for mixed-use development is that which comprises the greater proportion of the development.
Westminster	Emerging	Target<475 Asp<350	Resi including mixed-use over 18m Target<675 Asp<500 Resi including mixed-use under 18m Target<500 Asp<400	Target<400 Asp<300	Target<425 Asp<300	The targets are significantly lower than the identified comparable targets for commercial development. No specific numerical figures are included within the policy. The policy applies to commercial development and conflates residential and mixed-use development.
Camden ¹⁰²	Emerging (Regulation 18 Publication)	Target<600	Target<500	Target<600	Target<600	The policy sets a numeric figure rather than a target band. The policy is divided between residential and non-residential and does not provide an option for mixed use.

¹⁰¹ Mayor of London Plan Guidance Whole Life-Cycle Carbon Assessments. Table A2.1. Pages 34-40. Available online at: [Whole Life-Cycle Carbon Assessments guidance | London City Hall](#)

¹⁰² Available online at: [Look Back at - Minimising waste and increasing the reuse of resources - Draft New Camden Local Plan \(commonplace.is\)](#)

Tower Hamlets¹⁰³	Emerging (Regulation 18 Publication)	Target<600	Target<500	Target<600	Target<600	Policy triggered for major development only. Policy uses LETI targets but includes specific numerical values.
Enfield¹⁰⁴	Emerging (Regulation 19 Publication)	Before 01/01/2030 Target<600 After 01/01/2030 Target<350	Before 01/01/2030 Target<500 After 01/01/2030 Target<300	Before 01/01/2030 Target<600 After 01/01/2030 Target<350	Before 01/01/2030 Target<600 After 01/01/2030 Target<350	Policy triggered for major development only. The policy sets a numeric figure rather than a target band.
Ealing¹⁰⁵	Emerging (Regulation 19 Publication)	Before 01/01/2030 Target<600 After 01/01/2030 Target<350	Before 01/01/2030 Target<500 After 01/01/2030 Target<300	Before 01/01/2030 Target<500 After 01/01/2030 Target<300	Before 01/01/2030 Target<550 After 01/01/2030 Target<300	Policy triggered for major development only. The policy sets a numeric figure rather than a target band.
Bristol¹⁰⁶	Emerging (Regulation 19 Publication)	Target<600 (major schemes only)	Resi 4 storeys or fewer Target<400 Resi 5 storeys or more Target<500	Target<600 (major schemes only)	Target<600 (major schemes only)	The policy sets a numeric figure rather than a target band. Commercial targets apply to major developments only rather than any development with substantial or full demolition. The policy is divided between

¹⁰³ Available online at: [New Local Plan | Let's Talk Tower Hamlets](#)

¹⁰⁴ Available online at: [New Enfield Local Plan | Enfield Council](#)

¹⁰⁵ Available online at: [New Local Plan | New Local Plan | Ealing Council](#)

¹⁰⁶ Available online at: [Local plan review \(bristol.gov.uk\)](#)

						residential and non-residential and does not provide an option for mixed use.
Bath and NE Somerset¹⁰⁷	Emerging (Options Document Consultation)	Target<900	Resi 4 storeys or fewer Target<625 Resi 5 storeys or more Target<800	Target<900	Target<900	The policy sets a numeric figure rather than a target band. The policy is divided between residential and non-residential and does not provide an option for mixed use.
South Gloucestershire¹⁰⁸	Emerging (Regulation 18 Publication)	Target<970	Resi 4 storeys or fewer Target<625 Resi 5 storeys or more Target<800	Target<970	Target<970	The policy sets a numeric figure rather than a target band. The policy is divided between residential and non-residential and does not provide an option for mixed use.

Table 7.6: Emerging upfront embodied carbon targets within London and nationally.

¹⁰⁷ Available online at: [Climate change | Bath and North East Somerset Council \(bathnes.gov.uk\)](https://www.bathnes.gov.uk/Climate-change)

¹⁰⁸ Available online at: [New Local Plan – Phase 3 towards a preferred strategy | BETA - South Gloucestershire Council \(southglos.gov.uk\)](https://www.southglos.gov.uk/New-Local-Plan-Phase-3-towards-a-preferred-strategy)

*All targets are up to 2030 where more than one target is included

Borough	Office	Residential (18m+)	Residential (-18m)	Education	Retail
GLA (Minimum)	950	850		750	850
GLA (Aspirational)	600	500		500	550
LETI C (2020 targets)	600	500		500	550
Westminster City Council	475	675	500	400	425
LB Camden	600	500		600	600
LB Tower Hamlets	600	500		600	600
LB Ealing	600	500		500	550
LB Enfield	600	500		600	600
Bristol City Council	600	500		600	600
Bath and NE Somerset	900	800		900	900
South Gloucestershire	970	800		970	970

7.92 **Table 7.7:** adopted and emerging upfront embodied carbon targets set out within Table 7.6. The targets are coloured from green (most attainable) to red (least attainable). Table prepared on behalf of the WPA summarising the information in the table above in a more accessible way. The table shows the targets up until 2030 where Local Planning Authorities are proposing a phased approach to upfront embodied carbon targets. It is important to note that Westminster City Council is the only Local Planning Authority proposing to set different targets for residential developments of different heights.

7.93 The figures of <500 for residential floorspace and <600 for commercial floorspace as proposed by the London Boroughs of Camden, Tower Hamlets, Ealing, Enfield, and Bristol City Council largely align with LETI’s best practice upfront embodied carbon targets for 2020.

7.94 The disparity in approaches to carbon emissions is especially apparent in boroughs which share a border e.g., the City of Westminster and the London Borough of Camden, meaning that office development which may be viability delivered one side of Kilburn High Road, for example, may not be delivered on the other on the basis of the adoption of more stringent targets.

7.95 As set out above, Paragraph 11 of the Retrofit First Topic Paper states that any future benchmarks which have been aligned with the LETI bandings would be acceptable for future use and that if the LETI benchmarks were to alter over the City Plan period, the 2020 benchmarks would remain acceptable. However, the proposed retrofit policy does not align with LETI Band C for non-residential development.

7.96 It is therefore clear that Westminster’s proposed targets are inconsistent with both the adopted GLA benchmarks and the emerging targets within nearby London boroughs. In addition, Westminster’s targets set clearly different expectations on different land uses with the targets which is not reflected in the comparison targets.

Support for inclusion of Whole Life Carbon emissions within Part A of the policy

7.97 The policy seeks to focus principally on upfront embodied carbon emissions for the reasons set out and discussed in Sections 1 and 5 and the WPA recognises and agrees with many of these reasons. However, one assumption made by Westminster City Council is that the current methodology of assessing whole life carbon emissions “usually present dramatically different assumed life spans for new builds versus retrofitted buildings, which further compounds the results as long assumed life spans of new builds, along with distorted (by excluding grid-decarbonisation) assumed savings in operational carbon emissions, usually favour new buildings.”¹⁰⁹

7.98 Notwithstanding that the delivery of a building of increased life is one of the benefits of redevelopment, when considering the total carbon emissions (A-C) for developments including operational energy, new build schemes performance largely in line with or better than retrofit schemes. This conclusion is demonstrated below with figures extracted from the Arup evidence base (**Appendix C**).

Typology	Emissions (kgCO2e / sqm)
New Build	2,068
Substructure and / or façade retained	1,851
Heavy refurbishment	2,017
Light refurbishment	2,286

¹⁰⁹ Topic Paper. Section 3.1. Paragraph 19. Page 16.

7.99

Retrofit	2,085
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Table 7.8: average whole life carbon figures (not split by land use) but split by degree of redevelopment [source: Arup database, Appendix C]

7.100 These conclusions are supported by the WSP report which recognises that “in some cases there may be a trade-off [between low embodied carbon and] increased operational emissions.”¹¹⁰ Ultimately this would lead to poorer quality buildings being delivered. The WSP report clearly states the assumptions for the low embodied carbon facades used are not as thermally efficient nor airtight as ones currently chosen by industry. Indeed, Paragraph 3.5.3 of the WSP report confirms that “some components [of the façade systems] have been substituted for lower carbon intensive solutions.”¹¹¹ This clearly demonstrates the ‘operational-embodied’ interplay and where sound judgement and carbon balancing must be applied in a policy context that continues to require world class sustainable design.

7.101 Notwithstanding that we consider Part A, when considered as a whole, to be unsound, we therefore agree with the inclusion of whole life carbon emissions within this part of the proposed retrofit policy to allow for schemes whose redevelopment proposals deliver greater overall performance in the long term, thereby futureproofing that asset.

Clarity and validity over time

7.102 Rather than specifying numeric targets, the policy refers directly to “target upfront embodied carbon equivalent[s] of London Energy Transformation Initiative (sic) (LETI) band[s].” This approach presents several problems.

7.103 Firstly, the Embodied Carbon Evidence Base prepared by WSP as part of the supporting evidence base for the policy states on Page 47 that “it is expected that the UK Net Zero Building Standard, when released, will supersede the LETI and RIBA embodied carbon targets referenced by this

¹¹⁰ WSP Embodied Carbon Evidence Base Report. Section 3.6.2. Page 18

¹¹¹ WSP Embodied Carbon Evidence Base Report. Paragraph 3.5.3. Page 14

report. Therefore, it is strongly recommended that any policy looking to set embodied carbon targets should be updated once the standard is released.”

- 7.104 The UK Net Zero Carbon Buildings Standard considers that, following its publication, other voluntary schemes such as the RIBA 2030 Climate Challenge will be updated to align with the UK NZCBS target trajectories.¹¹²
- 7.105 The City Plan Partial Review states at Paragraph 43.6 that “where subsequent benchmarks are established by other bodies, for example the UKGBC, these may be used where they have been aligned to LETI benchmarks.”
- 7.106 On the basis that LETI are involved in the development of the NZCBS, it is anticipated that LETI may align to the NZCBS rather than the other way round.
- 7.107 It is therefore not clear whether the proposed targets will remain valid following the publication of the UK Net Zero Building Standard later in 2024 or whether the LETI targets will be updated
- 7.108 Secondly, as set out above, LETI is a third-party organisation and the evidence base for their identified targets is not included within the evidence base for the proposed retrofit policy.
- 7.109 Thirdly, the LETI Embodied Carbon Target Alignment document identifies two sets of targets i.e., 2020 targets and 2030 targets and confirms that the dates relate to the year of design.
- 7.110 The supporting text at Paragraph 43.6 of the City Plan confirms that, at the time of writing, the benchmarks recommended are based on guidance published by LETI in 2020, although this presents some confusion as the Embodied Carbon Target Alignment document is not dated.
- 7.111 However, we understand that the upfront embodied carbon emissions included within the proposed retrofit policy are the 2020 best practice targets identified by LETI (regardless of when the document was published).

¹¹² Frequently Asked Questions on UK Net Zero Carbon Buildings Standard. Available online at: [Frequently Asked Questions | My Site \(nzcbuildings.co.uk\)](https://www.nzcbuildings.co.uk)

- 7.112 Nevertheless, as set out above, as the targets themselves are not included within the proposed policy wording, the onus is on the Applicant to undertake additional research to identify the correct figures.
- 7.113 Paragraph 11 of the Retrofit First Topic Paper states that any future benchmarks which have been aligned with the LETI bandings would be acceptable for future use and that if the LETI benchmarks were to alter over the City Plan period, the 2020 benchmarks would remain acceptable.
- 7.114 Despite this, the proposed retrofit policy as currently drafted refers to LETI bands and not numerical figures. This drafting could become ambiguous in future if LETI were to update their targets, which, as an independent organisation, LETI could do without consulting Westminster City Council and on the basis of the above, may happen following the publication of the NZCBS.
- 7.115 The inclusion of specific figures would preclude a situation whereby LETI update their targets, resulting in inconsistencies and uncertainty with any adopted City Plan policy. This would also allow subsequent changes to be subject to proper consultation and independent examination in the usual way.
- 7.116 We would therefore request the following:
- i. The inclusion of specific numerical figures for clarity; and
 - ii. The publication of the evidence base supporting the proposed targets.

Applicability

- 7.117 The LETI Embodied Carbon Target Alignment document identifies target bands for upfront embodied carbon split by the following land uses:
- a. Office;
 - b. Residential (over six storeys);
 - c. Educational uses; and
 - d. Retail uses.
- 7.118 This approach follows the approach taken by the GLA in their Whole Life Carbon Guidance LPG. The GLA clarify that, in the case of mixed-use buildings, carbon emissions should be compared with

the benchmark of the typology which makes up the greatest proportion of the development in GIA and if the uses are relatively equally split, then the highest benchmark should be used for comparison.¹¹³

7.119 Conversely, the proposed retrofit policy sets upfront embodied carbon targets for the following building typologies:

- a. New non-residential buildings;
- b. New residential buildings, including mixed-use buildings, over 18m in height;
- c. New residential buildings, including mixed-use buildings, below 18m in height; and
- d. Bespoke buildings without a recognised LETI benchmark, or self-build or custom-build homes.

7.120 Proposals for building typology D set out above are required to achieve and justify the maximum upfront embodied carbon reductions deliverable rather than a specific target and as such, are not discussed further in this report.

Application to mixed-use development

7.121 The proposed retrofit policy sets target bands for residential buildings, including mixed-use development. However, it does not account for the fact that mixed-use development may be predominantly commercial in character. As such, in line with the adopted GLA guidance, carbon emissions would typically be compared to the benchmarks for commercial development.

7.122 As the proposed retrofit policy does not include specific numerical figures, it is not clear whether the mixed-use buildings would be assessed against the residential targets, regardless of the proportion of commercial floorspace. This should be clarified.

7.123 Furthermore, as set out above, LETI specify that the residential targets relate to residential buildings over six storeys in height. The proposed retrofit policy sets target bands for residential buildings, including mixed-use buildings, below and above 18m in height (approximately six

¹¹³ Mayor of London Plan Guidance Whole Life-Cycle Carbon Assessments. Paragraph 3.2.6. Page 27. Available online at: [Whole Life-Cycle Carbon Assessments guidance | London City Hall](#)

storeys). It is not clear whether the LETI residential targets are applicable to buildings lower than six storeys.

Application to all major development

- 7.124 The current policy wording also requires all development involving total or substantial demolition of a building of more than one storey, and all major developments to submit a Whole Life Carbon assessment demonstrating how the relevant upfront embodied carbon targets are achieved.
- 7.125 The definition of major development set out within the Town and Country Planning (Development Management Procedure) (England) Order 2015 includes development proposals which seek, for example, a change of use, public realm improvements or result in limited or no structural alterations to a building.
- 7.126 The requirement for developments which, whilst defined as major applications, do not result in either substantial or full demolition to achieve upfront embodied carbon targets and submit Whole Life Carbon Assessments is disproportionate and not in keeping with the spirit of the objectives of the proposed retrofit policy.
- 7.127 We would therefore request that the policy targets are clarified in the following ways:
- iii. The exclusion of major development which does not result in substantial or full demolition from the policy.

Resourcing

- 7.128 Currently, Whole Life Carbon Assessments are reviewed principally by the GLA (who outsource this review process) and by Westminster City Council Officers for all applications referable to the Mayor of London and for major applications involving substantial demolition.
- 7.129 The proposed retrofit policy as drafted requires all applications (both minor and major) which involve “substantial” or “total” demolition and all major applications regardless of the proposed quantum of demolition to submit a Whole Life Carbon Assessment. This is a significant increase in the scope of applications required to submit such applications.

- 7.130 The proposed retrofit policy also clarifies at Part B that proposals seeking substantial or full demolition are required to provide a Circular Economy Statement, including a Pre-Redevelopment Audit, a Pre-Demolition Audit and Reclamation Audit, which demonstrates how materials will be reused and repurposed. In order to ensure that Westminster City Council are provided the information they are seeking to enable them to determine an application, it would be helpful for these abovementioned reports to be defined by the Council.
- 7.131 In addition, the policy seeks to require applications proposing total demolition which are justified on the basis of structural constraints to submit viability evidence, as explained in section 6.
- 7.132 Furthermore, as many of these applications will not be referable to the Mayor of London, the responsibility of reviewing the submitted deliverables will fall principally to Westminster City Council Officers.
- 7.133 It is not clarified within the proposed retrofit policy or the accompanying supporting text, whether LETI's Embodied Carbon Reporting Template should be completed to present the carbon performance of proposals. Paragraph 43.3 of the City Plan Partial Review document also states that "where whole-life carbon assessments are relied upon to justify demolition and construction of a new building, these must follow the most up to date RICS methodology and the Mayor of London's Whole Life Carbon London Plan Guidance (LPG)." However, the RICS Professional Statement (2023) has its own reporting template which is more onerous than the LETI reporting template.¹¹⁴
- 7.134 For applications which are referable to the Mayor of London, it is also not clear whether Applicants would be required to complete two carbon emissions summaries as there are differences in scope in the information included within the LETI and GLA reporting spreadsheets. The GLA require all building elements to be included within the scope of the Whole Life Carbon Assessment¹¹⁵, whereas LETI targets do not explicitly require the reporting of renewable electricity generation (e.g., photovoltaics), external works, or non-fixed fittings, furnishings or equipment (FF&E), although there is function within the LETI results tool to incorporate these.¹¹⁶¹¹⁷ RICS also have a

¹¹⁴ Appendix D. AECOM. Draft Westminster City Plan 2019-2040 Review. Page 7

¹¹⁵ Appendix L. GLA Whole Life Carbon Reporting Spreadsheet

¹¹⁶ Appendix K. LETI Whole Life Carbon Reporting Spreadsheet

¹¹⁷ Appendix D. AECOM. Draft Westminster City Plan 2019-2040 Review. Page 8

reporting spreadsheet whose scope is more complex than the GLA and LETI spreadsheets discussed above. It should be clarified how Westminster City Council propose the carbon emissions information is presented.

7.135 We are concerned that Westminster City Council do not have the resource available to undertake such an increase in application deliverables and that the requirement to submit Whole Life Carbon Assessments and viability assessments will lead to protracted determination timescales.

7.136 The requirement to prepare two different reporting spreadsheets would also place an unnecessary burden on developers noting the number of application deliverables triggered by the proposed retrofit policy. It could also lead to a situation where applications referable to the Mayor of London are judged to different standards, and on the basis of different inputs, compared to applications which are assessed by Westminster City Council alone.

Summary

7.137 WPA continues to support the principle of clear carbon targets to provide clarity on the acceptability or otherwise of development.

7.138 However, as demonstrated above, by both WPA's evidence and that of WSP, the targets proposed are largely unachievable for all but the lightest refurbishment schemes. There is a compelling weight of evidence to this effect. The policy therefore largely precludes the delivery of any new build commercial development within Westminster which is inconsistent with the City Plan itself and the Good Growth objective of the London Plan.

7.139 The targets are also inconsistent with emerging (but not yet formally adopted) policies in many surrounding London boroughs. The target for commercial development is also set more onerously than LETI's 2020 Target Alignment, which the Council consider to be "acceptable."¹¹⁸ On this basis, the proposed policy is not positively planned, and the proposed targets are unjustified.

¹¹⁸ Topic Paper. Section 4.2. Paragraph 11. Page 35.

- 7.140 Finally, the proposed targets will become even more challenging to achieving forthcoming changes to calculation methodologies. They should be revised accordingly.
- 7.141 The potential for the targets to change over time, outside of the development plan process, and their application to mixed use buildings, is unclear.
- 7.142 We continue to share Westminster’s objective to foster innovation and technological advancement within the construction industry and support the use of objective targets. We would therefore support the inclusion of targets which represent industry best practice and suggest aligning Westminster’s approach to that of adjacent boroughs, as shown on Tables 7.6 and 7.7 above. For commercial development, this would equate to 600kgCO₂/sqm.
- 7.143 We also suggest the emerging plan indicate the City Council’s intention to reduce this to 500kgCO₂/sqm for commercial buildings in 2030, subject to an early review of this element of the plan to confirm that such a change would be technically feasible at the time.

8 Retrofit First Policy - Other Matters

- 8.1 This section explains a range of other, miscellaneous issues identified in relation to the retrofit-first policy, referring to the tests of soundness for plan-making.

Heritage and Design Context Constraints

- 8.2 The design and heritage context in the City of Westminster is unique. The clear majority of the City falls within designated Conservation Areas and much of it is also listed. This has two main impacts on development in the City when it is applied to applications alongside other development plan policies and the statutory duties on decision-makers, specifically those at:
- i Paragraphs 205 to 214 of the NPPF¹¹⁹, seeking to limit harm to designated heritage assets (including both listed buildings and Conservation Areas), resulting from developments; alongside.

¹¹⁹ National Planning Policy Framework (December 2023)

- ii Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990¹²⁰, placing a requirement on decision makers to have regard to the desirability of preserving the significance of designated heritage assets.
- 8.3 Firstly, it means that the extent of changes which can be achieved to the form of many of the existing buildings in the City, even internally and within their current envelope, (for example by altering layouts to meet changing occupier demand), is limited at most. This means in practice that the proportion of the City’s buildings which can be significantly adapted internally to accommodate the changes in occupier demand which deliver economic growth is already limited.
- 8.4 Secondly, the potential to increase building heights or otherwise extend building envelopes to accommodate growth in floorspace is, in most parts of the City, heavily constrained.
- 8.5 Together, this places more pressure on the remaining sites within the City to accommodate significant change to meet the growth priorities established in the rest of the development plan.
- 8.6 This is a critically important point which the draft policy wording fails to provide proportionate weight to in a number of ways.
- 8.7 No specific regard is had in Policy 43 Part B to the substantial restrictions which the design and heritage context of the City places on development.
- 8.8 Policy 43 Part B sets very stringent carbon intensity targets, by reference to specific LETI bands, for all major development (effectively being those exceeding 1,000sqm floorspace), as well as all those including “total demolition” or “substantial demolition” (as defined at in the City Plan glossary, page 242). As explained elsewhere in these representations (section 7), it is likely to prove unfeasible for many developments to achieve either the target or minimum LETI ratings in the policy, even where buildings are not listed.

¹²⁰ Planning (Listed Buildings and Conservation Areas) Act 1990. Available online at: <https://www.legislation.gov.uk/ukpga/1990/9/contents>

- 8.9 The requirement for development of listed buildings to retain much of their internal form and fabric means that, in relation to listed buildings, once other development plan policies, as well as the statutory duties at sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990¹²¹, are applied, it is likely to be even more unrealistic to expect developments to reach the minimum LETI ratings in the policy. This is likely to prevent developments which would extend the life of listed buildings in a manner consistent with their heritage significance, contradicting the NPPF¹²².
- 8.10 Works to listed buildings also carry a heavy financial cost, irrespective of the works required to meet onerous LETI ratings. Even assuming it is feasible to carry out the interventions to ensure existing listed buildings reach the onerous LETI targets in Part B of Policy 43, the additional cost of doing so is likely to render many more developments unviable than is currently the case. This is inconsistent with the growth ambitions of the development plan and is therefore unsound.
- 8.11 Whilst there is reference in Policy 43 Part B to instances where there are “site specific constraints which make the benchmarks undeliverable”, the nature of the wording suggests these instances are very limited in potential scope. Given the built context of the City, where the vast majority of sites are either listed or within a Conservation Area, this is unlikely to be an accurate basis for policymaking.
- 8.12 This means that in numerous ways, Policy 43 Part B is neither positively prepared nor justified, given other parts of the development plan seek to accommodate growth in central London.
- 8.13 These factors are, in a limited way, acknowledged in the WSP Embodied Carbon report forming the evidence base for the City Plan Review, if only in relation to proposed extensions of floorspace.

¹²¹ Planning (Listed Buildings and Conservation Areas) Act 1990. Available online at: <https://www.legislation.gov.uk/ukpga/1990/9/contents>

¹²² National Planning Policy Framework (December 2023)

- 8.14 The WSP report identifies that substantial carbon emissions can be associated with the creation of new basements in developments¹²³. The WSP Embodied Carbon report therefore states explicitly (and logically), the suggestion that “policy looking to discourage the use of basements on the basis of both cost and carbon, could look to provide other financial incentives to developers, by reducing height restrictions on the project to enable an additional floor to create space for amenity and building services plant above ground”¹²⁴.
- 8.15 It appears that the wording in Parts C and D of Policy 43 may be attempting to account for this - “Proposals involving responsible retrofitting, which result in energy, performance, and climate adaptation upgrades, will be supported in principle. When considering the townscape, heritage or design impacts of extensions or alterations, which are demonstrated through the appraisal of the construction options as necessary to viably achieve a wider retrofit of a building, regard will be had to the desirability of securing the retention and retrofit of the building, including improvements to its environmental performance, building longevity and climate change adaptation”.
- 8.16 However, whilst part C of the policy wording appears to be relatively positively drafted, there are numerous issues with the wording of part D, constituting the application of the policy in practice, which make it both unsound and inconsistent with the suggestion in the WSP Embodied Carbon report upon which it appears to be based.
- 8.17 Firstly, the Policy 43 Part D wording as drafted does not explicitly place **additional** weight on the noted (sustainability), or other, benefits, which would be achieved by extensions in this context when weighed against their design and heritage impacts. Instead, it simply states that “regard will be had” to these benefits when weighing them against the design and heritage impacts of a proposal (which are already given great weight in applying other policies in the Development Plan). This fails to make clear that this means the decision-maker should place any greater weight than they currently do on “the desirability of securing the retention and retrofit of the building, including improvements to its environmental

¹²³ WSP Embodied Carbon Evidence Base Report. Section 4.2.5. Page 40

¹²⁴ WSP Embodied Carbon Evidence Base Report. Section 4.3.2. Page 45

performance, building longevity and climate change adaptation”, when weighing development proposals.

8.18 The risk of this is revealed further at the supporting text at paragraph 43.13, which goes on to state that “Applicants should demonstrate how any harm identified from the development has been avoided, mitigated, or minimised, and identify the potential carbon reduction benefits that the development will deliver, considering both embodied carbon and operational carbon”. The wording does not specifically state that, in making decisions regarding development proposals, greater weight should be placed on supporting extensions in relation to design and heritage ‘harm’ and impacts. This is inconsistent with the suggestion in the WSP Embodied Carbon report, which itself recognises that if a policy approach is to discourage basement development, which it is clear that Policy 43 would do, this would reduce the floorspace associated with a development unless other, restrictive areas of planning policy are adjusted to compensate for this.

8.19 More importantly, this part of the policy fails to directly recognise, and support, any consideration of the wide ranging social and economic benefits which building extensions, by delivering additional floorspace within one of the most productive local economies in the country, could deliver, in weighing development proposals.

8.20 As a whole, therefore, Policy 43 Parts C and D is unlikely to encourage the decision-making process to support extensions. This is likely to mean that there is simply a reduction in the amount of extension floorspace which is approved as part of planning applications.

8.21 This is inconsistent with the stated aims of other parts of the City Plan to increase office floorspace to support growth in jobs, meaning the policy is neither positively prepared nor effective (as part of a Development Plan which explicitly encourages sustainable development and growth).

8.22 This element of policy therefore fails to meet the NPPF soundness tests for plan-making.

Changes to Legislation Regarding Energy Performance Certificates

embodied carbon targets will be offset through a financial contribution towards the council's carbon offset fund".

- 8.30 The use of the terminology 'target' and 'minimum' is somewhat confusing as it is suggested, but not made explicit in a positive manner, that proposals for development reaching LETI targets below the 'minimum' ratings could be supported by policy. The policy is not, therefore positively prepared to accommodate the growth which is presupposed in the remainder of the development plan, as explained in Section 4.
- 8.31 The supporting text (Paragraph 43.11) states that "where applicants fully demonstrate the embodied carbon benchmark is undeliverable due to site specific constraints or justified bespoke design parameters, payments are to be made to the carbon offset fund in lieu of meeting embodied carbon targets on site". No definition of 'site specific constraints or justified bespoke design parameters' is provided in the supporting text, making it difficult to apply the policy in an effective manner, making it unsound.
- 8.32 The supporting text (Paragraph 43.11) then states that "Applicants will also be able to credit embodied carbon reductions below the minimum benchmarks to the total carbon offset payment calculated in their energy statement. Further details are provided in Policy 40 (Energy). Further details on how this is to be calculated will be provided in the POAH Supplementary Planning Document (2024)".
- 8.33 Policy 40, an adopted policy which the City Plan Review, does not seek to change the wording of, clearly relates only to certain elements of energy reduction, which does not include embodied carbon (which is considered only within the new Policy 43). In addition, the POAH SPD (2024), does not provide any specific reference to the calculation of carbon shortfalls associated with embodied carbon assessments specifically.
- 8.34 The application of the methodology for offsetting carbon emissions in the POAH SPD (2024) would clearly be inappropriate and unjustified. This is because this offsetting methodology was prepared for the purpose of offsetting carbon emissions to reach 'net zero carbon' in relation to Energy Assessments (driven by Policy SI2 of the London Plan which relates to **operational emissions**), not embodied carbon assessments and emissions. The methodology

is based solely on a single study, Delivering Net Zero 2023¹²⁶, which presupposes the extensive use of photovoltaic panels. This is unrelated to the offsetting of embodied carbon emissions, which are associated instead with the production of building materials, their transport and the assembly of buildings and is therefore unsound as an approach.

8.35 It is also currently unclear when reading the policy alongside the POAH SPD¹²⁷ whether the intention is to apply carbon offsetting at a figure of £880 per tonne. If this is the intention, it would also be unsound as an approach because it is derived from a single study of limited scope which relates only to the cost of deploying photovoltaic panels as a form of renewable energy generation, rather than the local cost (i.e. within the City of Westminster) of offsetting local embodied carbon emissions¹²⁸. The nature of offsetting the via installation of photovoltaic panels which is assumed is clearly impossible in a dense, and historic, urban environment such as Westminster, making the approach unreasonable and therefore unsound. It would also be unsound because it involves levying a cost against developers for indirect embodied carbon emissions which are taking place outside the City of Westminster.

8.36 The viability implications of requiring development to provide offsetting for embodied carbon emissions, on top of that already required under other areas of policy (such as operational carbon emissions), do not appear to have been tested as part of the production of the City Plan Review. This is of critical importance given the substantial additional financial costs this would impose on developments which do not meet the very challenging 'minimum' LETI targets in Policy 43 Part B. This would apply to a wide range of developments, including all developments involving total or substantial demolition of a building of more than one storey (irrespective of the scale of the building), as well as all major developments (which may not involve any physical works at all, merely the change of use a building exceeding 1,000sqm of floorspace).

8.37 If carbon offsetting is applied at the substantial figure of £880 per tonne, the additional financial burden this places on developments is likely to be substantial. This is clearly

¹²⁶ Delivering Net Zero An evidence study to support planning policies which deliver Net Zero Carbon developments. May 2023. Rev 4

¹²⁷ Planning Obligations and Affordable Housing SPD. March 2024. Available online at: [New Supplementary Planning Documents \(SPD\) | Westminster City Council](#)

¹²⁸ WPA Representations to Planning Obligations and Affordable Housing (POAH) SPD. September 2023, attached as **Appendix J**

incompatible with a development which supports substantial growth in central London as the heart of the nation's economy. Instead, it would constrain development of a variety of scales in Central London.

8.38 It is also proposed within the Topic Paper that “any embodied carbon reduction achieved below the minimal benchmark set in the draft retrofit and embodied carbon policy would be credited to the total amount of carbon to be offset in an applicant's Energy Statement.” As such, if a development were to outperform the proposed upfront embodied carbon targets, the delta between the building's performance could be deducted from the total carbon offset contribution payable in respect of operational energy performance.

8.39 Whilst the WPA recognise that this may incentivise increased retention (where this would contribute to achieving or bettering the upfront embodied carbon targets), we are unclear how this approach would work in practice for the following reasons:

- i. Carbon offset contributions in respect of operational energy performance are required to enable developments to achieve a 100% reduction against Part L of the Building Regulations and therefore achieve policy compliance;
- ii. Carbon offset contributions are typically paid prior to the commencement of development but the total upfront embodied carbon figures for a development would not be finalised until the building was practically completed; and
- iii. As set out above, the figure of £880 per tonne is predicated on assumptions the Council have made on the scope of offsetting required in operational terms and it has not been demonstrated that this figure would be appropriate to offset embodied carbon.

8.40 This element of the proposed policy is, not, therefore, sufficiently justified, would not represent positive plan-making and is therefore unsound.

Local Listed Building Consent Orders

8.41 There are a range of other measures which have not been included in the City Plan Review but would have helped to achieve the stated aims on which the policy has been created (primarily the reduction of carbon emissions in the context of climate change).

- 8.42 In the neighbouring local authority, the Royal Borough of Kensington and Chelsea, multiple Local Listed Building Consent Orders have been implemented. These allow, in relation to listed buildings, for the alteration of windows (for example to install double glazing to improve thermal efficiency and reduce energy consumption; ref) and the installation of photovoltaic panels (ref), without the need to seek listed building consent, under certain conditions. This removes a regulatory barrier to the installation of renewable energy sources and measures which reduce carbon consumption, both of which act to reduce carbon emissions.
- 8.43 Given the very similar built context within the City of Westminster, where over half of sites are listed or fall within Conservation Areas (often both), it is surprising that the City has not considered using Local Listed Building Consent Orders in a similar manner. This would help to more effectively meet the states aims of the City Plan Review.

9 Affordable Housing

- 9.1 This section of the report provides the response to the proposed new Policy 13 Affordable Housing.
- 9.2 Policy 13 has been created by substantially altering and expanding adopted policy 9 and introducing new supporting text. Significant cross-reference is also made to the POAH SPD issued in 2024, which is not part of the City Plan Review, or the adopted City Plan 2019-2040.

Thresholds

- 9.3 The two main areas of concern relate to the thresholds for applying the new proposed requirement for sites delivering fewer than 10 units to make affordable housing contributions (Policy 13 Part D).
- 9.4 First, we are concerned that, if adopted as proposed, the proposals would make the delivery of smaller scale residential proposals very significantly more challenging, and would require extensive, and potentially disproportionate, financial contributions even where very little or, in some cases, no, additional area is created. For example, the construction of a small 10sqm residential extension would require financial contributions of £80,000-£160,000, or the submission of potentially complex viability evidence base. We have noted, below, our concerns regarding the viability evidence base.
- 9.5 We suggest that this could be resolved by adopting a staircasing mechanism, rather than requiring the 'full' contribution (of either 35% or 50% depending on land ownership). This approach is applied to small sites in Camden, the central London local planning authority which is arguably most similar to Westminster. The approach could be related to the net increase in housing floorspace delivered for sites below ten units, or to the total proposed floorspace for the development. This would make the policy more proportionate and would help to avoid discouraging small residential developments, which are likely to have other benefits supported by development plan policy.

- 9.6 Recognising the role of viability testing in this context is welcome, although we would prefer a policy approach that does not seek to rely on extensive use of viability evidence, which can add to determination timeframes and perceived complexity, which may be particularly disproportionate on smaller scale proposals. WPA is keen to promote proposals that create certainty and build transparency and public confidence in the planning system.
- 9.7 Second, we are concerned about the interaction between the proposed '0sqm threshold' in Policy 13 and the adopted Planning Obligations and Affordable Housing SPD (POAH SPD). It appears that the intention is for the policy to rely on guidance within the POAH SPD, which the Topic Paper recognises may need to be updated.¹²⁹
- 9.8 The supporting text states at Paragraph 13.6 that "In line with the London Plan, all affordable housing requirements from residential development will be calculated based on the total gross residential development proposed (Gross Internal Area, GIA). Where residential floorspace is proposed as part of redevelopment and intensification proposals that include existing housing, applicants should have regard to guidance set out in the Planning Obligations and Affordable Housing SPD on how the Gross Internal Area of the scheme will be determined".
- 9.9 The POAH SPD states at Page 14 that "For applications where there are multiple existing homes on-site, affordable housing requirements will be calculated based on the gross level of housing provided by the development, meaning the total level of 'new homes' provided. While the total number of 'new homes' will be determined on a case-by-case basis taking into account site specific circumstances, the key principle in these circumstances is that 'new homes' are those that are providing a new form of housing supply that caters to a different market or level of housing need compared to the homes that previously existed on site. Any judgement on whether the refurbishment or reconfiguration of existing stock counts as new housing supply and should therefore contribute to affordable housing requirements will be based on an assessment of the extent of changes proposed to the existing building, with regard to changes to:

¹²⁹ Small Scale Residential Developments Topic Paper. Section 4.1

- The size of individual dwellings (the number of bedrooms, floorspace, or floor to ceiling heights);
- Communal areas (the provision of stairs, lifts, circulation space, and any new on-site amenities);
- The external appearance of the building (including matters such as re-sizing of windows and provision of balconies); and
- Whether any existing dwellings are single or dual aspect”. [Our emphasis]

9.10 The text in the POAH SPD goes on to state at Page 16 that “Proposals for the refurbishment of existing dwellings that encompasses works that would not in themselves need planning permission (e.g. reconfiguration of the rooms within an individual dwelling, with no change to its total floorspace) or that existing tenants have a ‘right to return’ to (i.e. to move back into upon completion of the works, on equivalent rents and tenancy terms), will not be considered ‘new homes’, and will be excluded from any affordable housing calculations”.

9.11 The text in the POAH SPD goes on to state at Page 16 that “It is recognised that in some circumstances this approach will result in requirements for affordable housing from schemes that only deliver a small uplift in the net number of homes, given the presence of existing housing on site. This is consistent with the approach to affordable housing requirements set out in the London Plan, which states that calculations should be based on gross residential development. Furthermore, scope exists for applicants to demonstrate through a site-specific viability assessment that the level of affordable housing proposed is the maximum amount that can be provided on viability grounds”.

9.12 There are two key issues associated with the proposed approach to the threshold for requiring affordable housing contributions from small sites.

9.13 The proposed threshold approach set out in Page 14 of the SPD is not clear and is highly subjective. This would be compounded by the adoption of Policy 13 as proposed. It relies on a list of judgements relating to qualitative factors which cannot be measured in an objective way. It would be difficult for both applicants and the City Council to clearly determine whether some residential developments trigger the policy requirement for an

affordable housing contribution or not. The combined effect of the policy and guidance is unclear and not positively prepared. It is, therefore, not sound.

9.14 Secondly, the wording of policy 13 Part D, when read alongside the SPD, creates the possibility that a residential development which increases the residential floorspace by a de minimis amount (for example due to the provision of a small rear extension of 10 sqm with associated internal alterations, to one unit as described above) or even where no change in floorspace is proposed, could trigger an affordable housing requirement. If the City Council determined that the new unit constituted 'new housing', for example because the number of bedrooms were significantly altered, then the policy compliant requirement would be 35% of the total proposed housing floorspace. This appears to be entirely disproportionate to the nature of the development and is not, we expect, intended.

9.15 The introduction of the policy, given the thresholds are unclear, could have the unintended effect of discouraging the improvement of housing stock in some cases. This appears to be contrary the aims of the City Plan Review and to the adopted development plan, which seeks to improve both the quality and quantity of housing to meet changing housing demands and, for example, adapt to climate change.

9.16 In addition, the threshold for the application of the policy should not be determined using an SPD. The threshold should instead be included within the City Plan itself, allowing it to be tested via the policy examination process. Notwithstanding this, the SPD should in any event be updated alongside the City Plan Review, to ensure the documents are consistent with each other in practice.

9.17 We consider that the review of the SPD suggested in the Topic Paper should be undertaken alongside the preparation of this Partial Review, rather than rely on a future update, so that the effect of the POAH definitions and the change in thresholds can be considered together, or guidance to address this issue and the relationship with the SPD provided in the reasoned justification to the policy, subject to further appropriate consultation.

Viability Evidence Base

- 9.18 WPA has reviewed the BNPP Viability Assessment (“VA”). The central purpose of the VA is to aim of the study is to assess at high level the viability of development typologies representing the types of sites that are expected to come forward to test the impact of adopted Local Plan policies and the approaches set out in WCC’s Local Plan Partial Review, alongside requirements of the Planning Obligations and Affordable Housing Supplementary Planning Document (March 2023).
- 9.19 The VA tests 155 development proposals on sites across the city to represent the types of sites that the Council expects to come forward over the Plan period. These developments are based on submitted applications and considered by the VA to be representative of schemes likely to come forward during the Plan period.
- 9.20 A residual based methodology has been applied to test the viability of development typologies, including the impact on viability of the Council’s emerging planning policies alongside adopted levels of Westminster CIL.
- 9.21 Sensitivity analysis in the VA is confined solely to a single scenario, testing the impact of growth in sales values/capital values of 10% and cost inflation of 5%. No downside viability testing has been undertaken. This is a major failing of the analysis given the current high level of uncertainty on market inputs including finance rates.
- 9.22 Given the complexity of the City of Westminster area the VA does not adequately provide a methodologically sound and comprehensive evidence base for the Plan according to the requirements of the NPPF and PPG for the following reasons:
- i. The typologies selected do not reflect the diversity of development coming forward across the City;
 - ii. Supporting evidence is limited, superficial and in some cases non-existent, thereby not representative of the geographical spread of costs and values across the complex urban area of Westminster; and
 - iii. The VA relies upon a land value benchmark of existing use value plus an arbitrary margin (premium). This is not in accordance with the Paragraphs 13 to 16 of the NPG nor RICS mandatory requirements. This approach disregards the national planning policy and planning guidance considerations which prescribe that

premiums should be determined using market evidence and be informed by cross sector collaboration.

9.23 It is impossible to critically analyse the modelling as the results are only summarised in table form without necessary detail on cost and value components. WPA are concerned by the lack of transparency, and apparent inaccuracies, in the application and testing of the cumulative impact of policies, and therefore request further detail to enable transparent analysis of BNPPRE's modelling.

Tenure Split Alterations

9.24 The proposed policy seeks to change the target affordable housing tenure split from 60:40 intermediate: social tenure, to 70:30 social: intermediate tenure.

9.25 There are concerns regarding the potential impact on the financial viability and practical deliverability of residential development arising from this approach.

9.26 Firstly, the particular economics of Westminster mean that the extremely high service charges and other associated costs in affordable housing development here are likely to make developments unattractive to Registered Providers or other purchasers and therefore unviable or impractical to deliver.

9.27 This is partly due to the fact that tenants can be charged for 'eligible' service charge items in relation to the Social Rent tenure units. As a result, the cost of those items which are considered ineligible to be claimed against are absorbed by the respective Registered Provider. This may lead to Registered Providers experiencing a negative cash flow in some circumstances.

9.28 High service charge costs will flow through to high eligible costs, the recharging of which will impact directly on the social tenants themselves, particularly those impacted by the benefit cap. The alternative, which is to require affordable rents inclusive of service charge, will further increase the risk and reduce the attractiveness of these homes to Registered Providers as described below.

- 9.29 Given the nature of the costs in highly ‘amenitised’ residential buildings, the result could also be a higher level of ineligible costs than is usual for social housing in other locations. This could produce cases where these ineligible service charges are in excess of the Social Rents received, thereby resulting in a negative cash flow. Typically, the Intermediate units within an affordable residential building assist in subsidising, and therefore ‘de-risking’, the full impact of these costs for the respective Registered Provider.
- 9.30 The proposed policy change to 70% Social Rent dwellings is likely to produce a scenario whereby the reduced level of Intermediate product is incapable of subsidising/derisking the uplift in overall Social Rent units. As such, the proposed increased proportion of Social Rented tenure will potentially have an adverse impact of deliverability of schemes within the City. This would have the effect, commercially, of discouraging developments which trigger affordable housing threshold from being pursued by developers.
- 9.31 There is currently limited demand from Registered Providers and many have limited funds for new homes. The proposal to revise the tenure split to a lower value mix comes at a time when viability and deliverability of affordable housing is very challenging. It would be counter-productive for the revisions to the tenure split to result in a lower delivery of affordable housing overall. If a revised tenure mix is to be introduced, we would propose that, to help ensure the delivery of affordable housing, there is provision in the Section 106 agreement for a variation to the tenure mix for a split between the parameters of the current Local Plan and the proposed policy. This could be done by inserting a cascade mechanism, which would only be triggered should there be marketing evidence presented that confirms the proposed tenure mix is not deliverable.

Use of Viability Assessments in Applications for Small Sites

- 9.32 Policy 13 Part D states that residential developments providing fewer than 10 homes may provide affordable housing contributions via a payment-in-lieu mechanism, rather than requiring on-site or off-site delivery. This flexibility is supported, given the various practical difficulties of accommodating such small numbers of social rented or intermediate homes within a mixed-tenure residential development of fewer than ten units.

- 9.33 There are concerns, however, regarding the proportionality and impact of requiring financial viability evidence to demonstrate that small-scale residential developments are unable to provide policy-compliant affordable housing contributions.
- 9.34 Viability assessments require substantial, detailed specialist work, which it is often not possible for applicants to publish in full, due to commercial confidentiality constraints. Their use also generates a requirement for the City Council to employ a specialist third party to review the assessments' contents, methodology and conclusion. This process is also likely to lengthen the timescales associated with determining planning applications for relatively small residential developments of fewer than ten units in total.
- 9.35 For this reason, it is suggested that the policy thresholds and operation are adjusted as suggested elsewhere in this section, in order to reduce the range of applications which would be required to provide viability evidence.

10 Summary and Conclusions

- 10.1 This section provides a summary relating to the retrofit first policy and the affordable housing policy.

Retrofit-First Policy - Overview

- 10.2 The aspiration behind the introduction of the proposed retrofit-first policy is understood and supported. WPA recognises the impacts of climate change as a global problem and supports the drive to reduce carbon emissions within the development industry, which must be balanced against the need to provide sustainable social and economic development.
- 10.3 The proposed retrofit policy as drafted is not, however, sound, because it is not consistent with national policy, is not in general conformity with the published London Plan, and, if adopted in its current form, would lead to the Westminster City Plan being internally inconsistent. This is largely a result of the evidence base upon which the policy has been prepared.

Retrofit-First Policy - Evidence base

- 10.4 A wide variety of issues has been identified with the evidence base used to prepare the policy, which make the evidence base for it unsound. These can be summarised as follows.
- 10.5 The scale of the issue that policy tries to address is not quantified or evidenced. The extent to which demolition and redevelopment contributes to the City of Westminster's annual carbon emissions is not established.
- 10.6 No evidence has been put forward that a modest change in the demand profile which could result from an increase in retrofit, and a reduction in new-build development, will lead to any effect in overall carbon emissions from the manufacturing sectors that form the construction supply chain. Whilst we acknowledge the work being undertaken by Local Planning Authorities to introduce planning policy to this effect, we have been clear throughout this report that attempting to intervene in the demand for construction products to reduce carbon would be better achieved at a national or regional level, as part

of a consistent and coordinated approach, that would encourage continued investment and innovation in lower carbon products.

- 10.7 The evidence base methodology for the City Plan Review is insufficient as its modelling approach adopts a vast over-simplification of the variety and complexity of development in Westminster. It cannot, therefore, provide a proportionate evidence base on which to form sound policy.
- 10.8 Whilst WPA endorses LETI's aim to seek to reduce the carbon emissions arising from development, it is not clear to what extent the LETI targets used have been objectively tested and found sound, given this was not the purpose for which the LETI targets were set.
- 10.9 The City Council's evidence base accepts that the proposed targets are largely unachievable. This matches WPA's experience and other benchmarking information. The evidence base makes assumptions about the availability, usability, and appropriateness of the use of specific materials and construction techniques in development in Westminster. It is most unlikely that all of these techniques and materials will be available, and appropriate, for use in all circumstances in development projects.
- 10.10 The viability approach adopted in the evidence base lacks sufficient evidential integrity. The various key barriers to development have not been adequately accounted for in the viability evidence presented as part of the Plan Review evidence base.

Retrofit First Policy - Part A

- 10.11 Part A of the policy is too complex to operate in a sound manner in plan-making terms and, if adopted in its current form, would probably be the most complex of the policies in the entire Westminster City Plan to put into practice.
- 10.12 Westminster is a leading example of a high value, relatively low carbon, sustainable economic location. The London Plan provides clear policy direction which supports not only the protection of the various strategic functions which make up the agglomeration of the CAZ environment, but also their growth, improvement, and intensification. The evidence base used to support the proposed retrofit policy is however based on imposing additional

restraint on non-residential development, or prioritising residential over commercial development within the CAZ, which is not consistent with this adopted policy position. This is the key inconsistency within the approach taken to both the evidence base and the policy itself.

- 10.13 There are a number of areas where the intended application of the policy and the definitions used, are unclear and the intricate optioneering exercise at the heart of the policy will not be proportionately applicable to all development proposals when working in the complex built environment of central London. Due to the difficulty of carrying out the optioneering exercise, the structure of this part of the policy is likely to skew decisions toward the refusal of any proposal involving substantial intervention to a building.
- 10.14 The introduction of specific reference to public benefits, particularly those associated with newbuild development, is welcomed. The emphasis on public benefits, and the weight they are given within the operation of the policy, is insufficient and should be enhanced to recognise their role within the context of a development plan which supports growth and intensification in central London.
- 10.15 It is unlikely to prove possible to apply part A of the policy in a positive, effective or proportionate manner alongside the other policies forming the Development Plan. The likely, if unintended, consequence, is that the policy is likely to act to prevent most types of development to which it is applied, meaning the growth and intensification of development in central London which is directed by the strategic elements of the development plan, is prevented. This is not consistent with the aims of the planning system.
- 10.16 WPA considers Part A should be removed. If it is to be retained in some form, substantial changes are suggested that would improve, but not entirely overcome, its existing drawbacks. In the event that this part of the policy is to be retained largely as prepared, some specific adjustments are proposed.

Retrofit First Policy - Part B

- 10.17 WPA continues to support the introduction of appropriate targets within planning policy, which can provide both clarity and guidance to Applicants and facilitate innovation within

the construction industry. The targets need, however, to be achievable, including being based on evidence of deliverability, and consistent with the rest of the development plan in order to be sound in plan-making terms.

10.18 Currently, the validity, clarity, applicability, and attainability of the targets for development, within Part B of the policy, does not provide a sound basis for plan-making as currently worded.

10.19 The proposed targets do not align with emerging upfront embodied carbon targets proposed by other Local Planning Authorities, are significantly lower than the adopted minimum GLA benchmarks and in some cases the GLA aspirational benchmarks, and exceed what the evidence base, and other benchmarking evidence, suggests is achievable. The proposed targets are largely unachievable for all but the 'lightest' of refurbishment developments.

10.20 Specifically, we have identified the proposed targets to:

- i Preclude almost all new build development and be unattainable for most other developments with the exception of retrofit and light refurbishment schemes;
- ii Be internally inconsistent with the City Plan and not in general conformity with the London Plan;
- iii Be misaligned with the RICS guidance coming into effect in July 2024 according to which carbon emissions will be calculated;
- iv Be inconsistent with the conclusions of the WSP evidence base report;
- v Be incomparable to similar emerging policies both within London and nationally; and
- vi Prioritise residential development over commercial development within the CAZ in a manner that is not in general conformity with the London Plan.

10.21 The policy also seeks to impose a costly offsetting charge for developments which do not reach these targets, to resolve the 'shortfall' in carbon emissions to reach the policy target. The likely impact of this approach will be to make much potential development so

unattractive a prospect financially that it will prevent the growth and intensification of development in central London which is directed by the strategic elements of the development plan.

10.22 Part B of the policy could, however, be adjusted to make it sound as a positive basis for encouraging the enhancement of sustainability in development, which is an aim fully supported by WPA.

10.23 Policy 43 Part B could be adjusted to make it sound as follows:

- i. The publication of the evidence base supporting the proposed targets;
- ii. The inclusion of specific numerical targets within the policy, as suggested;
- iii. The exclusion of major development which does not result in substantial or full demolition from the policy; and principally
- iv. The adjustment of the targets to an appropriate level which better supports the growth and intensification aims set by the development plan.

10.24 In addition, the policy could adopt a staggered approach to target setting, in line with the London Boroughs of Enfield and Ealing, which set interim targets up to 1 January 2030 and point to more stringent targets following this date in order to allow for technological innovation within the industry, subject to an Early Review of the local plan.

10.25 WPA is keen to continue to engage with the City Council on the continued evolution of the retrofit-first policy to develop a sound policy so that the City Council's approach can support and sustain Westminster's role at the centre of London World City offer. It looks forward to review potential pre-submission proposed modifications accordingly.

Affordable Housing Policy

10.26 WPA acknowledges and supports the need to ensure affordable housing policy is adjusted to reflect changing demand. Various areas of concern have been identified and alterations to the policy approach are proposed.

- 10.27 These relate, in particular, to the definition of new homes and the interaction of the 0sqm threshold with the Planning Obligations and Affordable Housing SPD, and to the viability evidence base and are raised to ensure the Plan as a whole will encourage development.
- 10.28 These changes would collectively help to ensure the Plan as a whole will encourage development in a positive and effective way.
- 10.29 The lack of transparency and apparent inaccuracies associated with the evidence base and the modelling flowing from it are also of concern – it would be helpful for these to be published to allow transparent analysis of the modelling.