

By email only



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

3 March 2025

Dear Sir / Madam,

**Westminster City Council – Update to Environment SPD – Consultation Draft
Response on behalf of Westminster Property Association**

I am writing on behalf of the WPA regarding the draft Environment Supplementary Planning Document ('ESPD') which Westminster City Council ('the City Council') is carrying out formal consultation upon. We welcome the opportunity to comment on this document.

We are fully aligned with the principle that the property industry has a clear responsibility to be part of the solution to the challenge of climate change in Westminster, and to continue to innovate in our practices and improve our building stock and the wider built environment. Indeed, the commercial property sector is leading the way in this regard.

However, we have identified a number of tensions and inconsistencies between the ESPD and the emerging policy of the Partial Review of the City Plan, namely the Retrofit First Policy (Policy 43). We are therefore in agreement with the City Council that the ESPD will require further updates to ensure that it is consistent with the emerging policies on retrofit, demolition and circularity, preferably by inserting guidance relating to these topics after Policy 43 is adopted.

More generally, we are concerned at the ever-increasing regulatory barriers with which industry is faced. This risks holding back the investment required to successfully help deliver economic growth and decarbonise the built environment by adding significantly greater costs, risks and uncertainty to an already challenging planning process in Westminster.

Nevertheless, WPA welcomes and strongly supports that a reduction in energy and carbon emissions will be given significant weight in planning decision making of heritage buildings, giving investors greater confidence and certainty to take measures to decarbonise their buildings.

In Appendix 1 on p2, I have set out our principal points for further consideration, while a detailed schedule of comments for officers' consideration is enclosed in Appendix 2 on p5 and Appendix 3 on p12. This supports the overarching points set out below.

I trust that these comments are helpful but if it would be useful to discuss the content of this letter in more detail, please do contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Charles Begley', is written over a light blue horizontal line.

Charles Begley
Chief Executive, Westminster Property Association
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APPENDIX 1 – OVERARCHING & KEY POINTS

Overarching Comments

1. RETROFIT AND HERITAGE.

We strongly support and endorse the recognition that reducing carbon emissions from existing buildings, and improving their energy and carbon performance, will be given significant weight in planning decision making (Section 9.2.1).

This is an important element of the guidance that will give additional certainty to investors considering seeking to improve the performance of heritage buildings.

We note the suggestion of a Retrofit Plan; whilst this is a helpful suggestion and may be appropriate in some circumstances, it should not become a set validation requirement as, in many cases, the explanation of the retrofit strategy will, from necessity, span other documentation including the heritage assessment, architectural design, and energy, sustainability, and circularity reports.

2. INCONSISTENCIES BETWEEN THE ESPD AND THE EMERGING RETROFIT FIRST POLICY 43.

As part of the evidence base for the City Plan Partial Review, WCC submitted the ‘Retrofit First Policy Guidance for Environment SPD (November 2024)’. WPA considers there are inconsistencies in the approach to retrofit between the two documents including the proposals which trigger deliverables. These are set out in detail within the table enclosed at Appendix 1. As set out above, it is understood that the consultation version of the ESPD relates to the adopted policy position. However, on the basis that the updates to the ESPD are being consulted on (and are anticipated to be adopted) concurrently to the City Plan Partial Review, these representations highlight tensions and inconsistencies between the updated guidance and emerging policy. It is agreed by both WCC and WPA that the consultation version of the ESPD requires further updates in due course to ensure it is consistent with the emerging policy position.

In light of this, as noted above, WPA considers it would be preferable for the guidance on this topic to be removed from the ESPD until the Partial Review is complete.

3. ADDITIONAL REQUIREMENTS BEYOND THE ADOPTED OR EMERGING CITY PLAN.

WPA is concerned that the ESPD introduces requirements which go beyond the requirements of the adopted and emerging Statutory Development Plan. This relates to Biodiversity Net Gain (BNG) and Whole Life Carbon performance.

Biodiversity Net Gain, Urban Greening and Fire Risk

We do not support the current approach. We do not consider it appropriate to set out a policy requirement for 30% BNG improvements within an SPD; this is new policy and it should be tested within a review of the City Plan, alongside other policy objectives including UGF, restrictions on flammable materials in some development sites, and absolute, rather than relative, BNG requirements. In addition, the proposed requirement to deliver BNG on site, with alternative approaches considered “in exceptional circumstances” is a deviation from national legislation which establishes a clear hierarchy for BNG: onsite, off-site and securing credits. Should WCC wish to set separate policy objectives for non-legislative policy BNG requirements, the guidance should explicitly state where policy deviates from legislation with respect to the hierarchy, i.e. BNG targets above 10% mandatory requirements cannot be offset through BNG credits.

In addition, the ESPD should recognise that achieving London Plan Urban Greening Factor (UGF) UGF targets will not be appropriate in all circumstances, including where there are townscape / heritage constraints on the extent of greening that can be incorporated, or fire safety constraints that prevent the use of green features such as green walls, as described elsewhere within the document.

Whole Life Carbon Performance

The ESPD provides explicit support for proposals which align with the UK Net Zero Carbon Buildings Standard despite these standards not forming the basis of the adopted or the emerging upfront embodied carbon limits within the City Plan. In addition, guidance at Pages 98, 109 and 112 of the consultation ESPD states that Whole Life Carbon Assessments should meet either the requirement of the London Plan, the emerging UK Net Zero Carbon Building Standard and / or any Westminster specific requirements set in the future with regard to whole life carbon emissions of buildings. Advice on which requirements development will need to adhere to will be confirmed on a case-by-case basis.

Firstly, WPA considers it is not within the scope of an SPD to identify additional requirements over and above the adopted policy set out within the Statutory Development Plan. The ESPD states on Page 81 that “should a new standard such as the UK Net Zero Carbon Building Standard become more prevalent, applicants would be encouraged to design to meet or exceed these updated requirements in line with evolving best practices” [our emphasis] and again at Page 114 that “whilst the UKNZCBS is currently in Pilot, once it is adopted, the Council will support development proposals which align with the requirements set out in the Standard.” The UK Net Zero Carbon Building Standard does not form the basis of either the adopted or emerging policy position. Indeed, the supporting documentation submitted in support of the City Plan Partial Review is clear that the UKNZCBS limits do not form the basis of the emerging upfront embodied carbon limits within the City Plan because it “is currently a Standard for completed buildings. Therefore, its appropriateness at this time to be used within planning policy to determine planning applications is not suitable.”¹ Paragraph 5.5.6 of the same paper notes that “unlike the UKNZCBS, the submission version upfront embodied carbon requirements are the same for all development types, regardless of whether they are a retrofit, deep retrofit or new build development.” Paragraph 4.1.26 of the Retrofit First Guidance for Environment SPD (November 2024) is clear that “Applicants are encouraged to align with the processes, recommendations and requirements of the UK Net Zero Carbon Building Standard, where these requirements do not conflict with requirements in this document.” [our emphasis]

We note that considerable work is ongoing on the Standard, which contains significant challenges if used in connection with planning, including timing and certification arrangements that are not currently compatible with planning conditions / s106 obligations. Whilst we anticipate UKNZCBS will come to be used in connection with planning decision making, and welcome the City Council’s support for proposals that achieve it, this should not be applied as a requirement at this stage and a flexible approach in this area is required and as such, we strongly believe it should be not be referenced within guidance at present.

Secondly, WPA considers that the ESPD must be updated to clarify which guidance applications will be assessed against. For referable applications, WPA considers that schemes should be assessed against the guidance of the London Plan. Applicants should not be expected to achieve UKNZCBS on the basis of the justification above and it is unsound to set differing thresholds for schemes by i) assessing them on a case-by-case basis and ii) referencing future Westminster-specific guidance which has neither been developed nor been publicly consulted on.

¹ Paragraph 5.4.39 of the Retrofit First Topic Paper (November 2024)

WPA supports the progress being made to reduce the carbon emissions associated with the construction industry, but does not consider it appropriate to encourage applicants to assess the buildings according to standards which do not form part of the Statutory Development Plan.

4. SUSTAINABLE URBAN DRAINAGE

We support the use of sustainable urban drainage systems in appropriate locations. There can, however, be tensions between the reduction of run off rates, especially when green field runoff rates are required, and other policy objectives, including minimising the extent of demolition and basement excavation and carbon efficient structural design.

We suggest the SPD provides further clarification on the relative priority of avoiding further basement excavation to provide larger attenuation tanks and achieving greenfield runoff rates. We suggest that it would be appropriate to indicate that green field run off rates are an aspiration but should not be required if it involves greater excavation than would otherwise be required to achieve a material reduction over existing rates.

5. USE OF CARBON OFFSETTING

The guidance refers to the use of carbon offsetting as a last resort when carbon emissions cannot be sufficiently reduced on site.

The role of other offset funds, in addition to those managed by local authorities, should be explored so that offsets secured through planning can be tracked to deliver carbon reductions. At present carbon offsetting through corporate commitments to independently managed and validated funds that deliver carbon savings cannot be taken into account. This is leading to duplication, as well as challenges of transparency and governance in the use of the funds collected through s106.

In addition, clarity should be provided on retrofitted floorspace and WCC should not seek offset contributions from existing / retrofitted floorspace.

APPENDIX 2 – Schedule of WPA Detailed Comments on inconsistencies between the consultation ESPD and the emerging Retrofit First Policy

Chapter	ESPD Ref	ESPD Content	Commentary
Energy and Retrofit	Page 81 and 131	Explicit support for proposals which align with the UK Net Zero Carbon Building Standard and once they become “more prevalent”, Applicants “would be encouraged” to meet or exceed these requirements.	UKNZCBS is currently being piloted and the targets are not proposed to form part of the emerging Retrofit Policy within the City Plan Partial Review.
Waste Management	Page 98	Major development planning applications referable to the Mayor must include a Circular Economy Statement which demonstrates how circular economy principles have been embedded into the design. The Council encourages all major applications and any non-major applications involving demolition to prepare Circular Economy Statements.	This is inconsistent with the emerging Retrofit First Policy (Policy 43) which would establish different requirements as to when to submit a Circular Economy Statement.
Waste Management and Sustainable Design	Page 98, 109, 112 and 114	Whole Life Carbon Assessments are required to be in accordance with the RICS Professional Standard 2.0. Using this methodology, the outcomes of the WLCA should meet either the requirement of the London Plan, the emerging UK Net Zero Carbon Building Standard and / or any Westminster specific requirements set in the future with regard to whole life carbon emissions of buildings. Advice on which requirements development will need to adhere to will	We agree that WLCAs should be calculated on the basis of RICS 2.0 at the most recently published guidance. However, the UKNZCBS do not form part of the adopted or emerging Statutory Development Plan. In addition, clarity is required within the SPD as to which guidance developments will be assessed against. It is considered that applications referable to the Mayor should be

		be confirmed on a case-by-case basis.	assessed against the London Plan guidance.
Waste Management	Page 99	A Circular Economy Statement is required for referable applications.	This is inconsistent with the emerging Retrofit First Policy (Policy 43) which would establish different requirements as to when to submit a Circular Economy Statement.
Sustainable Design	Page 106	All proposals should consider how existing buildings can have their lifetimes extended, how any retrofit or refurbishment measures could enhance an existing building and how development can embed circular economy principles.	We suggest this is amended to “relevant proposals.”
Sustainable Design	Page 106	All schemes are encouraged to prepare a Pre-Demolition Audit setting out the existing condition of the building, building dimensions, material quantities, environmental impact of existing buildings and disassembly recommendations.	<p>The Policy Guidance prepared in support of the Retrofit First Policy (Policy 43) confirms that Pre-Demolition Audits are proposed to be renamed “Deconstruction Audits”.</p> <p>Paragraph 3.2.3 states that a Pre-Deconstruction Audit is required to be submitted in support of a planning application with an updated version submitted via condition prior to any deconstruction works and a Post-Deconstruction Audit is required to be submitted following completion of deconstruction works.</p> <p>We suggest this is updated to “relevant proposals” as not all proposals will result in demolition.</p> <p>The ESPD will require adjustment to ensure full alignment with Policy 43,</p>

			and the thresholds for Circular Economy statements, within which Deconstruction Audits will be contained.
Sustainable Design	Page 106	All proposals encouraged to provide responses against the GLA decision tree.	We note that this suggests a different approach to that emerging in draft Policy 43.
Sustainable Design	Page 107	Major schemes are encouraged to submit a Structural Report confirming that it is technically not feasible for the existing structure to be retained (as a part or as a whole).	As drafted, the emerging Retrofit First Policy (Policy 43) would require all applications for substantial demolition or new build to produce this report. As above, we consider that Step 1 (Structural Condition) of the Sequential Test which requires Applicants to consider whether existing buildings are structurally sound should be optional if structural defects or condition are not being advanced as the reason for demolition. The ESPD requires adjustment.
Sustainable Design	Page 107	Where the Pre-Demolition Audit, or Structural Report, identify that it is possible for an existing building to be retained and retrofitted, an assessment shall be undertaken to compare the Whole Life Carbon (WLC) impacts of the following development options: <ol style="list-style-type: none"> 1. Where existing basement and foundations are retained only 2. Where existing building is partially retained 3. Where existing 	This requirement is more onerous than both the existing position and the proposed approach set out within the proposed Retrofit First Policy (Policy 43), whereby Step 3 of the Sequential Test requires Applicants to demonstrate whether the whole life carbon of the development will be greater than if the existing building(s) were retained. It does not specify how many options are required to be assessed.

		<p>building frame is retained, and a deep refurbishment is undertaken</p> <p>4. Where existing building is retained in full, with a light touch refurbishment, focussing on fit-out is undertaken.</p>	<p>The ESPD requires adjustment.</p>
Sustainable Design	Page 108	<p>Relevant reasons for proposing substantial demolition shall be detailed within a Sustainable Design Statement, including reference to the Pre-Demolition Audit [Deconstruction Audit], Structural Report and WLC comparison study. Sustainable Design Statements are a validation requirement for all applications which create new floorspace and / or where extensive works to retrofit / improve the environmental performance of a building are proposed. This includes householder applications.</p>	<p>References to Sustainable Design Statements were removed from supporting text in respect of the proposed Retrofit First Policy (Policy 43) as part of the Proposed Modifications in November 2024, although Sustainable Design Statements are an adopted validation requirement.</p> <p>We request clarification on the deliverables required to be submitted for at pre-application and submission stages for schemes proposing substantial demolition.</p> <p>It is understood that instead of a Sustainable Design Statement, a Pre-Redevelopment Audit would be required to demonstrate how the scheme has considered each of the points in the Sequential Test.</p>
Sustainable Design	Page 108	<p>The consultation ESPD defines ‘substantial demolition’ as “where 50% or more of floor slabs and substructure of any existing building(s) is being demolished.”</p>	<p>This is contrary to the Retrofit First Policy which defines substantial demolition as “the demolition and replacement of more than 50% of the floor slabs and substructure of</p>

			any pre-existing building over a single storey.”
Sustainable Design	Page 110	The Council also encourage all major applications, and any non-major applications involving demolition to prepare Circular Economy Statements.	This is contrary to the current wording of the proposed Retrofit First policy which requires a CES for all applications involving any level of demolition. Notwithstanding this, WCC and WPA have subsequently agreed that this should be restricted to the circumstances set out elsewhere within this document.
Sustainable Design and Retrofit	Page 110 and 119	The prioritisation of exemplar circular economy performance is encouraged where possible and will be considered as a public benefit within the decision-making process. In addition, significant weight will be given to the public benefits of appropriate, demonstrable improvements in energy & environmental performance of heritage buildings.	Noted. This is helpful confirmation of this point, particularly in relation to heritage proposals.
Retrofit	Page 112	Whole Life Carbon Assessments are required for referable applications and major applications which include substantial demolition.	This approach is inconsistent with the emerging Retrofit First Policy (Policy 43) which requires a Whole Life Carbon Assessment for all development involving substantial demolition of a building which has more than a single storey.
Retrofit	Page 112	Sustainable Design Statements should include any rationale for the substantial demolition of an existing building, including a comparison of the WLC impacts of different development options, findings from the Pre-	This is inconsistent with the emerging Retrofit First Policy (Policy 43) which requires this information within the Pre-Redevelopment Audit rather than Sustainable Design Statement.

		<p>Demolition Audit and Structural Report.</p> <p>Reference is made to additional guidance for the preparation of Sustainable Design Statements online although the footnote confirms that these are being updated and will be available online following the publication of the updated ESPD.</p>	<p>We request that these are published for consideration alongside the consultation version of the ESPD.</p>
Retrofit	Page 113	<p>If BREEAM certification has not been provided prior to occupation, the Council will consider an extension to this timeframe to avoid buildings lying empty.</p>	<p>This is welcome.</p>
Retrofit	Page 114	<p>New residential developments must show that they are capable of achieving maximum internal mains water consumption of 105 litres per person/day excluding an allowance of five litres per person/day for external water use. Commercial development should achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent.</p>	<p>This requirement is set out within London Plan policy but is not currently within the adopted Environment SPD or the City Plan.</p>
Retrofit	Page 119	<p>The Council will support and able both the conservation of energy and the conservation of buildings, seeking innovative and sensitive solutions for responsible retrofit which deliver the highest possible standards of environmental and energy performance, giving significant weight to the public benefits of appropriate, demonstrable improvements in energy and environmental performance.</p>	<p>This is welcome and is strongly supported.</p>

Retrofit	Page 120	A holistic approach is appropriate when assessing and interpreting harm to designed heritage assets and the Council will recognise and give significant weight to the public benefits of proposals in terms of climate change mitigation and adaptation.	This is welcome and is strongly supported.
Retrofit	Page 120	Applicants are encouraged to develop Retrofit Plans for works affecting heritage assets.	<p>Whilst Retrofit Plans are a helpful suggestion and may be appropriate in some circumstances, it should not become a set validation requirement as, in many cases, the explanation of the retrofit strategy will, from necessity, span other documentation including the heritage assessment, architectural design, and energy, sustainability, and circularity reports.</p> <p>Furthermore, Retrofit Plans are not referenced in the Retrofit First Guidance for the Environment SPD (November 2024).</p>
Retrofit	Page 126	Where historic windows to a listed building contribute positively to special interest and these cannot be upgraded without harm to significance, they should be retained, repaired and consideration given to draught-proofing and secondary glazing or other benign and reversible methods of upgrading to improve thermal efficiency.	We suggest that this requires further detail.
Retrofit	Throughout	The document sets out evidence / documentation requirements for developments proposing demolition and larger scale developments.	In many places, the requirements are not consistent with those set out / suggested in the Guidance document published alongside the

			submission version of Policy 43.
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Appendix 3 – Schedule of WPA Detailed Comments on other matters

Chapter	ESPD Ref	ESPD Content	Commentary
Air Quality	Page 14	In following this approach, Westminster requires applicants to consider the retrofit or reuse of any existing built structures before embarking on the design of a new structure or building. See the ESPD section on Sustainable Design for more details.	Text relating to WLC Assessments is not necessary here / duplicates subsequent content, and we suggest should be removed.
Air Quality	Page 15, 17	Air Quality Positive should be applied to masterplans and development briefs for large-scale development proposals subject to an Environmental Impact Assessment. In this context, 'large scale development' refers to planning applications that are referable to the Mayor under the following categories of The Town and Country Planning (Mayor of London) Order 2008.	Helpful clarification as to when AQP is required, although inconsistencies between major development referable to the Mayor of London, and development subject to EIA.
Air Quality	Page 15	Key Considerations section - Commercial Cooking	Clarification required as to whether this guidance constitutes best practice or is expected to be implemented. Further clarification required on the alignment with the Council's Kitchen Ventilation Extraction Guidance
Air Quality	Page 20	Developments that are unable to meet the Air Quality Neutral benchmarks should seek to agree appropriate mitigation measures, which may be secured by legal agreement. If appropriate mitigation measures cannot be identified, Westminster will secure off-	Request justification regarding what the offset fund is being spent on to improve air quality in the borough. Policy 36 on AQ should be updated to clarify the approach to AQ mitigation and make explicit

		setting payments through legal agreements, in line with the GLA guidance.	reference to AQ offsetting contributions.
Air Quality	Page 20	An Air Quality Positive Statement should be submitted as part of the Environment Impact Assessment (EIA) and updated as appropriate for reserved matters applications, outlining the Air Quality Positive approach taken. Where the proposal meets the above criteria for a large-scale development subject to an EIA, but does not have a masterplan or development brief, an Air Quality Positive Statement is still required	The requirement for an Air Quality Positive Statement should be based on EIA criteria/scoping response rather than the criteria set out in the ESPD.
Greening and Biodiversity	Page 49	The City Plan Policy 34 Green Infrastructure provides protection to all open spaces and their quality, heritage and ecological value, tranquillity and amenity. Given the creation of new green spaces is paramount for the wellbeing of residents and climate change mitigation, the City Plan also requires all new major developments to provide new or improved public open space and play space (Policy 34D).	The Policy reference should be 38 rather than 34.
Greening and Biodiversity	Page 49	Improvements to existing spaces should bring more greening to the city.	Improvements to open spaces should not be limited to an increased quantum of greening but could include improved access to open space, upgraded facilities/play space etc
Greening and Biodiversity	Page 49 and 59	All major developments in Westminster are required to include urban greening as a fundamental element of site and building design (London Plan Policy G5). The UGF is applied to evaluate the quantity and quality of urban greening provided by a proposal. The GLA provides a	Greater emphasis for achieving London Plan determined UGFs. We suggest that Guidance should continue to recognise that achieving London Plan UGFs will not be appropriate or practical in all

		UGF calculator, available on their website, to help applicants calculate the score of a scheme and present the relevant information as part of their application.	<p>circumstances, including both in sensitive heritage context and in developments where capacity for greening is limited by fire constraints, as set out on page 59 of the document.</p> <p>Para 4.3.2 should acknowledge that UGF will be met “where possible” to account for constraints noted above.</p>
Greening and Biodiversity	Page 53	Compensation or off-setting the loss or harm to local natural environment is considered as the last option when considering new development.	Further clarification requested around the requirement to offset harm to the local natural environment and whether this relates to BNG or is sought as a separate measure. It is noted that compensation is requested in relation to “new development”.
Greening and Biodiversity	Page 55	Considerations set out as to when tree planting may, or may not, be appropriate.	Should include heritage constraints.
Greening and Biodiversity	Page 55	Additional section on Green Roofs.	Acknowledgement that green roofs sometimes conflict with design requirements for development sites e.g. build up that adds additional height to a building in a sensitive location. The ESPD should prioritise between design / heritage and green roofs.
Greening and Biodiversity	Page 58	An application involving a green wall (similar to a green roof mentioned above) should include details of their design construction and management, demonstrating the design and choice of species has been taken into account. Green wall proposals should be accompanied by a fire risk evaluation at application stage. Along with site specific constraints such as height / orientation / exposure / and structural requirements and that benefits to biodiversity will be maximised. An appropriate maintenance regime and access are	The request for a fire risk evaluation at application stage should be clarified. We note that this should not constitute a separate fire assessment / report but should form part of the supporting text with proposals for green walls. It would be helpful to understand the consultation process for the assessment of this information at application stage.

		important, and a management plan should be provided at application stage. Details may be secured by a condition.	
Greening and Biodiversity	Page 58	Requirements for planning applications with respect to BNG details.	Request for guidance on information required to demonstrate where proposals are exempt from BNG.
Greening and Biodiversity	Page 60	The current national BNG requirement is at least 10%. However, given the need to actively mitigate ecological emergency and climate change in a very urban environment, developments should, wherever possible, aim to significantly enhance biodiversity and achieve the level of BNG of minimum 30% post-completion.	Proposed BNG requirement of 30% should be expressed as a preference, not a requirement. Setting a requirement of 30% would require introduction of new policy and should be tested as part of a comprehensive plan review, alongside other policy objectives including UGF, restrictions on flammable materials in some development sites, and absolute, rather than relative, BNG requirements. Should WCC introduce the 30% as a new policy, clarification is required on the assessment applied to WCC's 20% BNG preference over and above the mandatory 10% requirement.
Greening and Biodiversity	Page 60	Developers must seek to deliver BNG on-site, integrating biodiversity enhancements within the development footprint. Other approaches could be considered in exceptional circumstances in-line with the sequential approach laid down by national-level guidance, within the boundaries of the City of Westminster.	National legislation sets out a clear hierarchy for BNG: onsite BNG, off-site, and securing credits. The hierarchy relates to the 10% mandatory BNG. Should WCC seek a different approach for the 20% BNG over and above the mandatory 10%, new policy will need to be secured that sets out what the WCC objectives are.
Flood Risk	Page 66	New Surface Water Management Zones defined based on recent Strategic Flood Risk Assessment. More detailed FRAs now required for development proposed in these areas.	This is a slight change to the area in which Flood Risk Assessments are sought with planning applications.

Flood Risk	Page 67	Tidal Property Flood Resilience Measures now required to be considered for basement developments in Flood Zone 2 and 3.	Additional information required for basement developments proposed in Flood Zone 2 and 3.
Flood Risk	Page 68, 74	Increased weight placed on use of SUDS and minimisation of run-off rates, with reference to green field rates in some places.	The tension between reducing run-off rates and avoiding additional basement excavation and the associated carbon emissions to accommodate enlarged attenuation tanks should be noted and guidance provided on relative priorities (see Paragraph 5.3.2).
Flood Risk	Page 68	Guidance provided on drainage measures that should be considered for new developments, rather than retrofit/refurbishment development proposals.	Guidance is requested on SUDs proposals for retrofit / refurbishment schemes. Flexibility should be applied when considering the retrofit of SUD measures within these types of retrofit/refurbishment development proposals.
Flood Risk	Page 69	Clarification on how the sequential and exception tests will be applied in the borough	Helpful additional text
Energy	Page 78	In September 2024, WCC completed a Local Area Energy Plan (LAEP) for Westminster, which sets out data-driven ideal trajectories for retrofit, heat decarbonisation and solar PV to progress towards the net zero targets.	Further detail available here: Local Area Energy Plan for Westminster Westminster City Council The Plan, prepared by Buro Happold, covers fabric efficiency, low-carbon heating and cooling, renewable energy generation and EV charging point delivery.
Energy	Page 79	Further guidance is provided on energy performance calculations and Applicants are encouraged to calculate Energy Use Intensity performance in addition to Part L calculations as required by policy.	This approach is welcome as it is considered that EUI targets are more representative of energy efficiency than Part L calculations. Notwithstanding this, there is no requirement in the adopted or emerging City Plan for EUI calculations.

Energy	Page 87	The Local Area Energy Plan sets out priority areas for solar PV deployment in Westminster, where there is a higher rooftop solar capacity and electricity substations with a summer seasonal constraint. Solar PV deployment is encouraged in all parts of Westminster, but especially within these areas.	This is noted and supported.
Energy	Page 79	Reference to section 8.2.6.2 which does not exist.	
Energy	Page 80	Reiterates the 35% minimum on-site improvement over Part L 2021 for residential development and sets a benchmark improvement of 50%+.	The 50% improvement benchmark exceeds London Plan policy. The GLA already recognises achieving 35% reductions on Part L is challenging for commercial buildings, in particular.
Energy	Page 83 and 84	<p>WCC encourage developments located in Heat Network Priority Areas to connect to an existing or proposed network. Where this is not considered viable, robust justification must be provided and the development designed to enable future connection.</p> <p>From 2025, heat networking zoning regulations will be introduced in England. Under zoning legislation, certain areas within cities will be designated as 'Heat Network Zones,' where there will be a legal requirement for all new buildings and certain large existing buildings to connect to any nearby new or existing low-carbon networks.</p> <p>Whilst not yet officially confirmed, WCC consider it very likely that most (if not all) of Westminster will be designated as a Heat Network Zone by the Government and fines may be issued for non-compliance.</p>	Newmark to review the outcome of the heat networking zoning regulations. We recommend developers continue to monitor the evolution of these regulations for their implications on both future developments and larger existing buildings.

		The Government has also supported the creation of the South Westminster Area Network (SWAN) strategic heat network which is currently undergoing commercialisation. Buildings located within the boundary for SWAN are encouraged to consider connection to this proposed network noting the forthcoming legislation.	
Energy	Page 86	Explicit support for individual property heat pump installation in properties which are less likely to connect to a district heat network in the near future, whether due to being outside of heat network priority areas or due to timing issues with heat network expansion.	This is noted.
Energy	Page 89	The guidance refers to the use of carbon offsetting as a last resort when carbon emissions cannot be sufficiently reduced on site.	<p>The role of other offset funds, in addition to those managed by local authorities, should be explored so that offsets secured through planning can be tracked to deliver carbon reductions. At present carbon offsetting through corporate commitments, to independently managed and validated funds that deliver carbon savings, cannot be taken into account. This is leading to duplication, as well as challenges of transparency and governance in the use of the funds collected through s106.</p> <p>In addition, clarity should be provided on retrofitted floorspace and WCC should not seek offset contributions from existing / retrofitted floorspace.</p>
Energy	Page 92	Any development proposing to utilise or connect to a decentralised heat network must demonstrate compliance	If a development is obliged through zoning to connect to an energy network, but a standalone solution would lead to lower emissions, we

		with the relevant technical standards.	consider that the carbon offset contribution should be based on the performance of the standalone alternative and not the local area network.
Energy	Page 92	It is expected that major developments install appropriate monitoring equipment to demonstrate ongoing effective energy monitoring and management over the lifetime of the development.	This is noted.