

By email only

Cllr Geoff Barraclough
c/o Planning Policy Team
Westminster City Council
City Hall
64 Victoria Street
London
SW1E 6QP

18 November 2024

Dear Cllr Geoff Barraclough,

RE: WPA response to draft Public Realm Guidance SPD for Westminster

On behalf of our members, we welcome the opportunity to comment on Westminster City Council's draft Public Realm Guidance Supplementary Planning Document ('SPD') as part of its formal consultation.

Westminster can only continue to fulfil its role as a driver of economic growth if it is supporting London's global city status. Critical to this is the ongoing need to sustain a world-class built and urban environment that attracts visitors, workers and investment.

Public realm is therefore crucial to the City's success and it is vital that planning policies, guidance and development all work together to create public spaces of excellence.

WPA supports the objectives of the guidance, which aims to ensure the quality and design of the public realm is creating successful places and is sustaining Westminster's distinctiveness and world-class offer, through exemplary quality, functional and environmentally sustainable public realm.

However, we would urge the City Council to ensure that visual appearance remains a primary consideration and that it remains cognisant of the opportunities for greater variation, innovation and local distinctiveness where public realm is delivered and maintained by other parties outside of the adopted highway.

We would also encourage the City Council to ensure that a proportionate approach is taken to procedural and information requirement for interventions in the public realm, recognising the considerable variation in the scale and complexity of proposals.

I have set out below our principal points for further consideration in the main body of our response overleaf. We have also prepared a detailed schedule of comments for officers' consideration, enclosed at Appendix 1, underpinning the comments set out below.

We look forward to engaging with the City Council on the draft SPD. If you have any questions regarding our response, please do not hesitate to contact me.

Yours sincerely



Charles Begley
Chief Executive,
Westminster Property Association

Overarching comments

1. Westminster's public realm and its role in contributing to London's global city status

London as a global city

As the UK's world city and an important gateway to the rest of the country, London seeks to attract talent, private sector investment and visitors globally. It is also the country's most successful economic engine, contributing over £560bn¹ in economic output in 2022 alone, higher than any other UK region.

However, London, and Westminster's, success cannot be taken for granted. The London Property Alliance's ('LPA') Global Cities Survey (February 2024)² shows that in comparison to the other global cities included (Hong Kong, Berlin, New York City, Paris) London competes successfully in its ability to attract foreign investment, but has underperformed on output growth and job vacancies.

London can only continue to fulfil its role as a driver of economic growth if it is competing effectively on the international stage. It is therefore vitally important that its global city status is maintained and strengthened through sustaining a world-class built and urban environment that attracts visitors, workers and investment.

The importance of this status is acknowledged by the London Plan at Policy GG5 'Growing a Good Economy' which refers to planning and development seeking to "conserve and enhance London's global economic competitiveness". Key to this is the function and performance of the Central Activities Zone ('CAZ'), which London Plan Policy SD4 addresses, noting that the "unique international, national and London-wide roles of the CAZ... should be promoted and enhanced" and that "the distinct environment and heritage of the CAZ should be sustained and enhanced".

Westminster's City Plan's spatial strategy (Policy 1) sets the goal for Westminster to continue to "grow, thrive and inspire at the heart of London as a World City". Part (4) of the Policy states that this will be achieved through balancing the competing functions of the CAZ "as a retail and leisure destination, visitor attraction, global office centre, and home to residential neighbourhoods" and part (7) states that the city's "unrivalled heritage assets" (and their settings) and townscape value will be protected and enhanced.

The public realm as part of the global city offering

The public realm is a critical element of London's global city offering and as noted above, both the London Plan and Westminster's City Plan identify within their strategic policies the importance of the environment and townscape. Paragraph 1.15 (supporting text to Policy 1) in Westminster's City Plan provides further explanation:

"1.15 / Westminster's heritage and townscape value reflects its rich history and importance as a leading world city. It includes the Palace of Westminster and Westminster Abbey World Heritage Site, over 11,000 listed buildings and structures, and conservation areas covering approximately 78% of the city. These assets positively contribute to the city's wide appeal to visitors, businesses, and residents. New development will therefore need to respond positively to this context through high quality design and architecture as the city continues to evolve. Heritage assets should be seen as an asset that positively shapes new developments and contributes to a sense of place, rather than a constraint."

¹ [Regional economic activity by gross domestic product, UK: 1998 to 2022, ONS](#)

² Produced in partnership with the Centre of London featuring data from Oxford Economics

The WPA strongly agrees and endorses this strategic approach to ensure that heritage and townscape within Westminster is properly protected and celebrated, as it is a vital and special characteristic of central London, including local distinctiveness within the city and the use of the highest quality materials.

The draft Public Realm SPD in the context of London's global city status

We welcome the recognition that is given to the importance of sustaining and improving the quality of the public realm, as part of this world city offer, in parts of the draft SPD. In that context, we particularly welcome (2) and (5) of the Westminster Code, on pages 9 and 10, relating to the need for high quality design and to maintaining and celebrating *"Westminster's exceptional townscape, historic character and local distinctiveness"*.

We have some concerns that this welcome strategic support, both within the Westminster Code and adopted policy, for a high-quality public realm is not reflected in some other areas of detailed guidance.

There are some parts of the SPD that suggest design quality and aesthetics are a secondary concern, particularly in respect of carbon. The WPA supports the City Council's focus on addressing the climate emergency and has been actively involved in discussions as to how development in Westminster can support and deliver on our shared aspirations to reduce carbon emissions from the built environment and deliver on the City Council's 2030 and 2040 objectives.

The definition of sustainable development set out in the National Planning Policy Framework ('NPPF') at paragraph 8 refers to an **economic** role, a **social** role, and an **environmental** role. We are keen to ensure the SPD promotes **all three of these objectives of sustainable development** as set out in the NPPF i.e. decision makers would be encouraged to consider all aspects of sustainable development in coming to decisions, including the importance of visual appearance and aesthetics, alongside functional performance and environmental sustainability.

In some instances, it will be appropriate to place greater weight on the quality and appearance of materials, furniture, and other design components, especially where necessary to ensure public realm is making a particular contribution to London's world city offer.

2. Public realm definitions

We support the draft SPD addressing a range of spaces which make up the wider public realm, as listed on Page 7.

However, the guidance should give greater recognition of the different types of public realm by allowing for appropriate variations in approach, depending on the nature and ownership of the space.

The guidance should also distinguish between different scales of project.

We consider additional clarity is needed in the following two areas, in particular:

- a) Local distinctiveness and public/private land: Greater emphasis should be placed on local distinctiveness and variation in some circumstances. In particular, there needs to be a distinction made between areas which are adopted highway and/or under the City Council's control and those areas which are publicly accessible but privately owned and managed by private occupiers, recognising the range of types of space listed on Page 7.

Whilst we agree that the public realm within Westminster should 'flow' and be complementary, part of the excitement of the City comes from a rich variety and mix of

different spaces, materials and characters. We understand why the City Council would encourage a more standardised approach in some areas, especially those areas managed or maintained directly by it, but in spaces that will remain owned, or managed by others there should be an allowance for more innovative approaches rather than requiring a standardised approach across the city that could lead to over-homogeneity and limit visual interest and distinctiveness. The same should apply to areas of the city that have distinct and well-established local character and material palettes.

Indeed, in certain areas, this should be actively encouraged in order to achieve the rich tapestry of spaces which Westminster is known for.

In particular, the tone/role of the materials palette (Appendix 2) should be reviewed to be clarified which spaces this applies to, and so as to not hinder innovative schemes coming forward in the right locations, including spaces not managed by the City Council.

- b) **Submission requirements:** The draft SPD sets out a considerable number of submission requirements for applicants seeking permission for works in the public realm. It is right that larger, comprehensive projects consider a range of factors throughout the design process to ensure that quality, sustainable spaces which provide for all are delivered. However, no differentiation is made within the document for different scales of projects. Often, works within the public realm are very minor – e.g. installing a Sheffield stand for cycle parking, removing a dropped kerb, installing ramped access to a building, or replacing smoke vents and pavement lights.

There needs to be proportionality applied to the submission requirements to ensure that applicants are only being asked to provide what is actually necessary for consideration. Providing additional superfluous information adds burden and cost to the applicant and Westminster’s planning and highways teams, and discourages applicants from seeking to make improvements to the public realm. Not overburdening applications also helps to avoid delay in such works being delivered.

As a working suggestion, three broad typologies could be defined and used consistently throughout the document. These are as follows:

Typology 1: Large-scale, comprehensive place-making proposals which may include the following associated works:

- Substantial re-surfacing works
- Significant highways works and/or highways reconfigurations including significant amendments of footways, creation of new footways or cycle routes/infrastructure
- Substantial new planting and/or removal and reconfiguration of existing
- Installation of structures associated with public realm use such as pergolas, terraces, kiosks, canopies, large scale seating areas, planters, cycle parking
- Wide ranging installation of new lighting or public art associated with wider place-making proposals.

Typology 2: Public realm schemes generally confined to the curtilage or immediate vicinity of buildings (existing or proposed) which may include the following works:

- Some re-surfacing works
- Limited highways works
- New planting and/or removal and reconfiguration of existing
- Installation of structures associated with public realm use such as pergolas, terraces, kiosks, canopies, seating areas, planters, cycle parking
- Installation of new lighting or public art associated with the public realm scheme
- Installation of external tables and chairs.

Typology 3: Smaller public realm interventions which may include the following works:

- Works to make consequential amendments to the public realm (for example, minor highways works such as dropped kerbs, relocated parking bays, moving or creating loading bays, etc)
- Isolated installation of cycle infrastructure, street furniture, public art or lighting
- Installation of signage.

We suggest consistent use of these typology definitions throughout the document and the materials palette (Appendix 2), which each reference clear on whether the guidance requirement applies to scenarios where the land is publicly or privately owned (or both).

As an example of projects, we would expect projects such as Hanover Square to be classed as Typology 1. Typology 2 would generally cover the public realm schemes around building development sites – which create new public realm but do not necessarily create new public realm ‘destinations’. This could also cover external tables and chairs. Typology 3 would broadly capture the smaller public realm interventions.

Clearly there will be projects and instances where these typologies will not be applicable, for example where minor changes are proposed to existing large-scale comprehensive place-making proposals. So long as the draft SPD has sufficient flexibility bedded in, then we consider that officers and applicants could discuss and agree the scope of applications.

3. Economic considerations

There are references throughout the document to consideration of economics, in various contexts. We welcome the recognition of the economic element of sustainability. However, in some cases the guidance appears to suggest that some form of economic analysis or viability assessment will be required to justify public realm proposals. For example, point G at page 54. The City Council’s expectations in these cases is unclear, and such work can often delay the planning application process and add additional burden to developers and the City Council’s planning department, discouraging the provision of beneficial public realm.

4. Maintenance

Many of the design techniques sought by the guidance, such as the extensive use of SUDS, do require ongoing maintenance to ensure they continue to function as intended. Likewise soft

landscaping and planting can often be a lower carbon design option than hard landscaping, even when the materials are sustainably sourced, as sought by the guidance, and can support additional biodiversity. However, including planting within public realm designs is often challenging and if the same design considerations are applied to privately owned spaces as to public spaces, this is likely to further constrain the use of lower carbon soft planting measures.

Appendix 1 – Schedule of WPA detailed comments

Comment No.	SPD Page	Topic	SPD requirement/statement	Suggested WPA response
1.	P10	Public realm	<i>“Interventions should contribute to making the public realm a coherent and unified network of spaces that the Council can maintain. Proposed interventions should align with Westminster’s standard approach to street furniture and other public realm items, as well as the material and the colour palette set out within Appendix 2 of this guidance. The City Council may allow variations in limited locations where a more bespoke approach is considered appropriate (e.g. where an item of historic interest or character is one that should be preserved or where there is an agreed area difference or exceptional scheme).”</i>	The de facto reference here to the material palette contained within Appendix 2 could limit innovative and exciting approaches to public realm and we suggest that some more variation is permitted, especially outside of the adopted highway.
2.	P24	Local context	<i>“As well as designated heritage assets there are less formal pockets of particular character — defined by street lighting fittings and sometimes by other unique equipment such as bollards cast by former local government units or parishes. Land use characteristics, ownership or other factors make them different from the rest of the city and these help define some areas.”</i>	This could be supplemented with a statement that explains that it is appropriate for variation at the scale of, for instance, the neighbourhood (Mayfair, Soho) the pre-1965 metropolitan boroughs, or historic parishes, to give direction to variations in the design of public realm. Whilst this is particularly relevant to historic contexts, it could be applied to those of any age given the variety of character between areas of the City.
3.	p30-31	Inclusive design	Requirements for schemes to incorporate inclusivity into public realm schemes, submit Equality	A definition of ‘major public realm intervention’ is required, alongside some proportionality in this

			Impact Assessments and engage in public engagement.	section of the SPD so that smaller public realm works are not unduly overburdened. Not all public realm interventions should be required to undertake EqIA.
4.	P50, paras M & N	New cycle parking	<p><i>“M. Development likely to generate increased visitors or is nearby or adjacent to public transport (in particular, National Rail stations) should include increased provision of on-street cycle parking (Policy 25).</i></p> <p><i>N. Adjacent to National Rail stations, development should provide larger scale parking facilities that meet the cycle standards in the London Plan”</i></p>	<p>No clarity over what ‘increased provision’ or ‘larger scale parking facilities’ means. WCC City Plan Policy 25 does not account for providing cycle parking above London Plan standards. Policy 25 requests short-stay parking to be provided off the public highway in the first instance which is not consistent with the draft SPD.</p> <p>It also is unclear if this is referring to simply development (i.e. built development) or development within the public realm.</p> <p>Our members’ experience is that the City Council is very reluctant to allow additional cycle parking on the highway which appears to be contrary to the draft SPD in this area.</p> <p>We question the purpose of including this statement within the draft SPD and suggest it be removed to avoid conflicting confusion with the adopted development plan.</p>
5.	P54	Green & Blue Infrastructure Guidance	<i>“C. Green and blue infrastructure is an integral design component and should be considered and engaged on at early stages of a design proposal.”</i>	This should be amended to include <i>“where required by the development proposals”</i> .
6.	P54	Green & Blue Infrastructure Guidance	<i>“G. Effective and timely evaluation of the total cost of including greenery in the project, against the long-term economic benefits which greenery can generate and</i>	<p>We do not understand this requirement.</p> <p>Reference to ‘economic benefits’ suggests an</p>

			<i>balancing this with long-term sustainability and management should be undertaken, thus enabling optimisation of space and other resources for landscaping.”</i>	element of quantified economic analysis, and it is unclear how such economic benefits would be (a) calculated; and (b) assessed against “long-term sustainability management”. This section should be removed or clarified. We would caution against introducing economic analysis into assessment of public realm schemes. Whilst of course there may be some isolated instances where this is required, introducing this for other schemes has the potential to over-burden applications (and the local authority) and slow down delivery of public realm projects and associated development.
7.	P54	Green & Blue Infrastructure Guidance	“J. Public realm proposals should seek, where possible, a partnership approach to enhancing and maintaining Westminster’s green and blue infrastructure to ensure integration, connection, diversity, and usability of the whole network”	We assume that the partnership approach being referred to here is between the City Council and landowners/developers but this should be clarified. Generally, we would be very supportive of encouraging a partnership approach between the City Council and developers around solutions to maintenance arrangements which will allow for the best standard of upkeep.
8.	P54	Publicly accessible green spaces	<i>“Major developments are required to consider incorporating elements of publicly accessible green spaces. These can also be at different levels within the development, including rooftops. Connectivity between existing and new publicly accessible green spaces, great squares, piazza spaces etc. should be made when preparing early</i>	Policy 34 of the City Plan requires major development to provide “new or improved public open space” (part D) and part B says that developments “will, wherever possible, contribute to the greening of Westminster”.

			<i>design proposals within the public realm.”</i>	The SPD reference should be amended to refer to publicly accessible <i>open</i> spaces, which could be encouraged to be greened. Often opportunities for providing open spaces in schemes are limited and may not be able to be green (e.g. terraces may need to be provided which provide other benefits). Whilst these can be encouraged to be ‘green’ where possible/feasible, the SPD should be amended to reflect the City Plan requirements and avoid confusion.
9.	P56	Trees guidance	<i>“B. Trees in the public realm should be included in the arboricultural details submitted to support new developments, in accordance with British Standard 5837:2012 “Trees in relation to design, demolition and construction – Recommendations” (or successor document).”</i>	This should be amended to read <i>“Trees in the public realm which may be affected by the development (both during construction and in operation)...”</i> to ensure proportionality.
10.	P58	Vertical rain gardens / green walls guidance	<i>“A. Public realm schemes should clearly demonstrate their contribution to the city’s green infrastructure network, particularly in terms of climate adaptation, water management and biodiversity.”</i>	‘Public realm schemes’ should be defined so it is clear when this demonstration needs to be included within submissions (as it will not be relevant for smaller public realm interventions).
11.	P59	SuDS guidance	<i>“All new developments and interventions in the public realm should aim to achieve greenfield runoff rates and ensure that surface water runoff is managed as close to its source as possible.</i>	This requires amendment. The reference to “all new developments” requires clarification – many developments for which planning permission is required will not have any effect on runoff rates or drainage, and requiring them to achieve greenfield runoff rates would be inappropriate and disproportionate. Greenfield runoff rates will be exceptionally challenging to achieve in

				<p>most cases, especially where existing buildings are being retrofitted or changed. Guidance should support reducing runoff rates, and the use of materials to contribute to this, but requiring greenfield is not appropriate.</p> <p>The text should state that public realm improvements should aim to reduce runoff rates 'toward' greenfield rates.</p>
12.	P59	SuDS guidance	<i>SuDS should be implemented unless there are clear practical reasons for not doing so."</i>	<p>This will not be appropriate for all developments and interventions in the public realm – e.g. installing a new cycle parking stand or introducing commercial removable tables and chairs on the highway. Again, it is also unclear if reference to 'development' just means development within the public realm, or if this captures all development even that without a public realm factor. If the latter, some development (for example a shopfront application) will simply not affect drainage/require SuDS and this should be clarified so as to not cause confusion and delay for those applications.</p> <p>Clarification should also be provided to ensure that schemes which have no opportunity to introduce SuDS/which will not affect run off rates are not unduly delayed through the application process.</p> <p>SuDS infrastructure requires significant maintenance (such as cleaning), to ensure it</p>

				continues to function as intended to reduce runoff. The ongoing maintenance of the infrastructure by the City Council therefore needs to be addressed.
13.	P62	Shadows	<i>“For large-scale projects, a shadow plotting plan is an appropriate action to take, this would involve producing plans showing the location of shadows at different times of the day and year and its expected user pattern.”</i>	It is unclear what a ‘large-scale project’ is and when this would be required.
14.	P66	Mico-climate guidance	<i>“Public realm proposals and any development which will impact the public realm, should clearly demonstrate they have sensibly responded to and improved the specific micro-climates of the area.”</i>	The requirement here is too broad – an application for signage for example would impact the public realm visually, but it would be unreasonable to expect such an application to consider the ‘micro-climates’. It is also unclear what ‘specific micro-climates’ is referring to – one would assume this is the list included at p61 but this should be clarified.
15.	P83	Bollards guidance	<i>“A. Bollards should only be used where there is evidenced need, for the public benefit. Bollards should not be used to protect individual business interests, where there is no demonstrable need nor public benefit”</i>	It should be clarified that this is referring to bollards within the adopted highway as there may be a need for bollards to be used within private open spaces – for example to manage vehicle and servicing delivery movements. The guidance should recognise that providing protection to areas where groups of people congregate may be a public benefit in some areas.
16.	P101	Letter box guidance	<i>“A. Some letter boxes are listed structures; these should not be removed.”</i>	As with listed telephone kiosks and other listed structures in the public realm, there should be flexibility for these to be sensitively re-located in exceptional circumstances.
17.	P103	Paving materials overview guidance	<i>“E. Materials with a longer lead time of 4-5 months should be avoided.”</i>	This is unreasonable and very difficult for developers to control. This also lends developers to

				choosing materials based on their availability which may not be in the best interests of the scheme/end user/context/environment. This should be removed.
18.	P103	Paving materials overview guidance	<i>“F. All public realm design should seek to complement and seamlessly combine with the surrounding heritage infrastructure where applicable and complement and enhance the area where it is situated.”</i>	<i>“Seamlessly combine”</i> is unclear and should be clarified or removed.
19.	P103	Paving materials overview guidance	<i>“H. All designs should demonstrate value for money with respect to initial and operational environmental and economic costs.”</i>	It is not clear what “value for money” means in this context, why this is required and how this will be assessed. Adding economic considerations to any application will inevitably increase the complexity and time it will take for an application to be prepared, submitted and then determined. Whilst this may be necessary in some instances, any cost analysis should be applied only where absolutely relevant, so as to not cause delay to schemes coming forward and burden the City Council’s planning and other departments.
20.	P103	Material selection for functionality guidance	<i>“D. All selected materials should be technically assessed to ensure their long-term durability with regard to maintenance, structure and function.”</i>	Not clear what <i>“technically assessed”</i> means. We suggest that <i>“technically assessed”</i> is removed.
21.	P103	Material selection for functionality guidance	<i>“E. Over specification of materials is not supported where this would have negative environmental impacts.”</i>	It is not clear what ‘environmental impacts’ are referred to here, how ‘negative’ will be assessed and what ‘over specification’ means. There may be instances where higher specification of materials is justified even if these may have ‘negative’ environmental impacts – for example, it may be appropriate that the

				paving in the setting of a listed building is a high specification to ensure it meets the statutory tests. This section of guidance should be amended to refer to the decision maker balancing the environmental impacts of materials against other considerations, including historical context and impacts on listed buildings, their settings and conservation areas.
22.	P104	Materials design	<i>"It is essential that all public spaces have a consistent design and that this is maintained throughout the area. The use of a limited palette will support the conservation of the city's identity and guarantee consistent, high-quality maintenance and development of new schemes aligned with the city's overall vision and commitments."</i>	Where a piece of publicly accessible private space is entirely within private ownership or control and is not proposed to be handed over to the City Council, it should be at the applicant's discretion to choose from a wider scope of materials. Limiting choice just to the materials palette appended to the draft SPD stifles innovative and interesting approaches to public realm which help add vibrancy to Westminster.
23.	P104	Materials design	<i>"E. Use of colours and patterned surface treatment should be subject to the appropriate level of Equalities Impact Assessment."</i>	It is not clear what threshold of development this would apply to.
24.	P104	Materials design	<i>"G. If a material is proposed for primarily aesthetic purposes, it is unlikely to meet the other guiding principles of this document."</i>	This should be removed. There will be cases where materials are selected for aesthetic purposes, alongside their function, especially in areas of heritage significance and in Westminster's globally renowned spaces. The guidance should not discount aesthetic considerations; conversely there will be cases where appropriate aesthetic material selection is vital to creating and sustaining world class public spaces

				and Westminster’s built environment.
25.	P107	Material selection for carbon reduction guidance	<i>“A. A reduction in carbon must be prioritised in line with the carbon management hierarchy set out within the City Council’s Climate Emergency Action Plan.”</i>	<p>Same as the above point. The environmental, social and economic objectives of sustainable development should all be considered and there will be cases where a more carbon intensive material selection may still be appropriate.</p> <p>We also suggest that the guidance recognise the role of well-maintained soft landscaping as a frequently lower-carbon option to hard landscaping, in some locations.</p>
26.	P107	Material selection for carbon reduction guidance	<i>“Carbon considerations must include the product’s procurement, installation, replacement, and maintenance throughout the life of a given scheme.”</i>	It is understood why this is being requested and the WPA supports the City Council’s ambition to understand and minimise embodied carbon in the public realm. However, it should be accepted that for some schemes, this consideration would need to come at the post-planning stage, to be considered and agreed via materials conditions or through the s278 design and sign off process.
27.	P108	Material selection for carbon reduction guidance	<i>“J. Materials used should be low carbon concrete, granite, Yorkstone or asphalt or equivalent low carbon materials approved by the City Council.”</i>	This statement is too narrow and does not allow for sufficient flexibility for other innovative materials, or materials which may better respond to site specific context/other environmental needs. We suggest <i>“may include”</i> as opposed to <i>“should”</i> . Particularly outside of adopted highway.
28.	P108	Material selection for carbon reduction guidance	<i>“Q. In line with the City Council’s current practices, the carbon impact, and monetary terms for the whole expected life of public realm designs should be assessed using industry standard assessment tools to ensure that</i>	This statement is not clear and should be clarified, particularly the <i>“monetary terms”</i> . Again, we would caution against introducing economic analysis into scheme consideration

			<i>sustainability has been genuinely addressed in the design.”</i>	unless absolutely necessary.
29.	P111	Other natural stones	<i>“Porphyry, similar to Granites & Basalts, are igneous rocks formed by cooling solid hot rock. Whilst the benefits of this material are still being assessed, there are currently no identified benefits in using porphyry over other materials and therefore its use will not generally be supported in Westminster.”</i>	This is too restrictive and should allow for further consideration whilst the benefits are being assessed.
30.	P111	Materials sustainability guidance	<i>“A. All schemes must demonstrate the highest sustainability standards during the whole-life span of projects and must consider and, where possible, include the introduction of trees and green infrastructure in combination with Sustainable Urban Drainage Systems (SuDS) for better management of water resources and rainwater run-off. B. Suitable surface water drainage methods must be designed into all public realm schemes.”</i>	This will not be appropriate for all interventions in the public realm, particularly smaller schemes. This needs to be clarified.
31.	P115	Material transporting and sourcing guidance	<i>“G. Materials should be locally sourced, from reliable suppliers.”</i>	This should be expanded to add <i>“if possible, practical and appropriate, taking into account other aspirations for material selection”</i> . The City Council is requesting a number of elements to be considered and achieved via material selection – the availability and variety of materials available locally to Westminster may be limited, and it may be necessary to source materials from further afield if they are better suited and appropriate to meet the City Council’s aspirations.
32.		Material selection for carbon reduction guidance	<i>“Paving materials should be obtained from reliable suppliers and sourced in preference order from: I. UK manufacturers J. Mainland Europe where commitments to Climate Change</i>	The principle of examining the environmental impact of materials in making sourcing decisions is supported. It is not clear however why the UK and Europe have

			<i>and reductions in carbon dioxide and greenhouse gas emissions are a shared policy within the UK and the City of Westminster“</i>	been identified as the only appropriate sources. There may be instances where selection from other parts of the world, or from greater distances, has a lower carbon emissions impact, for example, than using materials sourced at a closer distance. We would therefore suggest this wording is amended to clarify that in some circumstances, other sources may be more appropriate and would be acceptable.
33.	P122	'Al fresco dining' / outdoor tables and chairs associated with licensed premises guidance	<i>“E. The function of the highway for passing and re-passing cannot be compromised to facilitate commercial activity.”</i>	Unclear what “passing” and “re-passing” means. This should be clarified.
34.	P124	Planning permission	<i>“Planning permission is still generally required if businesses want to use the highway for any purpose other than placing tables and chairs. This includes al fresco dining areas which use the highway for vertical drinking, food preparation, or as a dedicated smoking area, with the exception of those activities allowed by the permitted development rights explained below which relate to moveable structures.”</i>	This section is unclear and does not appear to properly represent the provisions in the Business and Planning Act 2020 and associated guidance ³ which state that a range of furniture can be placed on the pavement so long as it is removable and related to the serving, sale and consumption of food and drink. This section should be reviewed and clarified to ensure that it properly reflects the legislative provisions in place and associated government guidance.
35.	P126	Tables and chairs	<i>“C. In all locations an absolute minimum clear zone of at least 2 metres of footway width must be kept free of tables and chairs and other obstructions, in line with recommended footway widths. Neither is this area to be used to</i>	The images on p127-130 are in draft so it is difficult to compare the proposed guidance for tables and chairs with the previous guidance adopted by the City Council in the

³ <https://www.gov.uk/government/publications/pavement-licences-guidance/pavement-licences-guidance>

			<p><i>service tables. In most locations more than the 2 metres minimum clear width will be required to ensure highway primary functions can continue and the highway can support Active Travel modes. The minimum width of the clear zone of unobstructed pavement increases to 4 metres in streets with heavy pedestrian traffic or poorly scoring pedestrian comfort levels."</i></p>	<p>guidelines for the placing of tables and chairs on the highway. It appears as if the draft SPD is now proposing a minimum clear zone of 2m, whereas the previous guidelines required a minimum clear zone of 1.8m. No justification has been provided for this increase in the footway widths. The City Council must consider the potential impact that this could have on commercial occupiers. It is also very unclear when the 2m zone will be 'expanded' and the text as drafted does not provide clarity.</p>
36	P126	Tables and chairs	<p><i>"M. No arrangement or layout should allow or support vertical drinking."</i></p>	<p>It is fully appreciated that vertical outdoor drinking can cause amenity issues for local residents and occupiers. However, in some instances, it may be able to be demonstrated that vertical drinking could occur without causing amenity issues.</p>
37.	P126	Tables and chairs	<p><i>"O. Space must be provided and allocated (as well as marked on drawings) within the retail/business unit for the storage of all items to be placed on the highway, to be stored outside of permitted hours. It should be clear this should not conflict with business operation (i.e. tables and chairs may need to be stored off the highway while the business itself is still open)."</i></p>	<p>It is not reasonable or appropriate for the City Council to expect occupiers to have separate spaces from trading space to store tables and chairs when businesses are in operation. Noted that in some instances there may be a need for the tables and chairs to be stored inside during business hours, and the occupiers would need to accept this, but generally it should be accepted that the storage areas can be within the unit when the business is closed (as per Management Guidance (A) on p130). The City Council should be supporting commercial occupiers and requiring them to</p>

				effectively limit their trading space would likely have a significant detrimental effect which could result in closures. This should be rephrased.
38.	P154	Lighting in trees	<i>“In the limited cases where lighting is deemed to be appropriate, the appearance of lights should not detract from the appearance of the trees or townscape, including the appearance of the lights when they are switched off, nor should they negatively affect local flora and fauna. The amount of hardware required should be minimised, and invasive fixings should be avoided. Installations should always be time limited.”</i>	We consider a more permissive approach should be taken to lighting trees. Lighting of trees occurs frequently in other areas, including on a permanent basis, and can be done without causing harm to the trees, where the installation is of sufficient quality. Lighting trees can provide attractive and visually interesting features that complement other aspects of the public realm. Further text should be included to act as guiding principles, regarding for example the brightness, locations and contexts where lighting in trees may be appropriate, and standards of installation.
39.	P159	Banners and other advertisements suspended above the street	<i>“C. In circumstances where temporary banners are acceptable, they should be suspended from unlisted buildings or multi-functional street furniture. They should not harm the setting of heritage assets, having regards to the provisions of the heritage assets policies. Listed street furniture should not be used to display advertising.”</i>	Westminster has a significant number of listed buildings (c. 12,000) and requiring banners to be suspended from un-listed buildings may effectively preclude banners being suspended from listed buildings. This is unreasonable. It would entirely prevent the display of banners on Regent Street, for example, which is all Grade II / Grade II* listed. There is no reason why banners could not be suspended from listed buildings. The criteria for the assessment of advertisements, including banners, are set by statute as amenity and highway safety; it would not be appropriate to seek to

				apply the heritage policy tests relating to planning and listed building consent applications within this guidance.
40.	Appendix 2, p 2-3	Context	Whole section	It is appreciated that this palette may be appropriate for works which are within Westminster’s ownership and/or management, but within spaces in private control alternative materials may be appropriate and acceptable. An acknowledgement should be set out within the context so that it is clear that for some spaces in Westminster more innovative approaches can be proposed for consideration.
41.	Appendix 2, p 17	Undesirable materials	<i>“2.10.1 Certain materials have been deemed unacceptable based on both appearance and functionality.”</i>	There must be some flexibility inserted here for situations where a case may be able to be made. This is too binary.