

## BRIEFING NOTE

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## WESTMINSTER'S ENVIRONMENT SUPPLEMENTARY PLANNING DOCUMENT



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Westminster City Council has released its draft Environment Supplementary Planning Document for consultation. This follows the adoption of its City Plan in April 2021. The draft SPD is a wide-ranging document, providing much of the necessary detail to support the formal policies within the new plan. It will form an important additional layer of guidance for developers and occupiers considering development or changes of use in Westminster, effectively restating and replacing much of the detailed policy that was previously contained within Part 2 of the old Unitary Development Plan, which finally ceased to apply on adoption of the new Plan. The draft guidance also specifically seeks to give "more prominence and weight to environment issues" than the current planning framework does and is described as a "game changer" on some issues.

## THE SPD ADDRESSES SEVEN TOPICS:

### 1. Energy

- The City Council wishes to be carbon neutral in its own activities by 2030 and in the city by 2040, with a focussed approach to carbon reductions in the built environment.
- The City Council's climate emergency declaration features prominently and has clearly informed the approach. The City Council's approach will now align much more closely to that of the GLA and the use of other metrics, such as energy use intensity and the London Energy Transformation Initiative targets will be encouraged, although it is not clear what level of weight will be applied to these. The City Council has adopted the UK Green Building Council definitions Net Zero Carbon, both in respect of construction and operational emissions.
- Major developments, that is, over 10 units or 1,000sqm, will be expected to submit an energy assessment that follows the GLA guidance, showing a 35% improvement on Part L on-site as a minimum. Smaller developments will be expected to explain how development has been designed in accordance with the energy hierarchy. This will focus on operational energy, but the City Council will also now additionally consider whole life carbon (WLC) too, indicating that WLC assessments will be required on **all major developments**, not just those referable to the GLA. We anticipate that this will mean they are then considered against the benchmarks and aspirational benchmarks within the GLA's guidance, although this is not spelt out.
- Further guidance on Westminster's local carbon price is promised within the separate forthcoming Planning Obligations SPD, but we anticipate that this will at least match the new London Plan cost of £90 / t over 30 yrs, which will be sought from all remaining operational emissions. City Plan Policy 36 requires carbon offsetting against operational emissions. The "be seen" step of the GLA's energy hierarchy is referenced, to encourage monitoring and measuring of actual performance, but the City Council's expectations on monitoring conditions and obligations on non-referable schemes are not set out.

### 2. Air Quality

- The City Council wants to find new ways of reducing pollution and clear steps to improving air quality.
- The SPD will continue Westminster's focus on improving air quality. Major developments, and proposals incorporating sensitive uses, as well as all residential developments within Westminster's Air Quality Focus Areas (along most of Westminster's major roads) will be expected to provide Air Quality Assessments. Within Opportunity Areas and Housing Renewal Areas, air quality positive development will be expected. In practice, Air Quality Neutral Assessments are, frequently, sought alongside Air Quality Assessments, and the GLA will be consulting on Air Quality Neutral guidance shortly. Some clarification on this may be helpful in the final version.

### 3. Green Infrastructure

- The City Council "wants every resident to be within a five-minute walk of an open space, so they have the benefits of a healthier life on their doorstep" and wishes to enhance the benefits of existing spaces at ground level and roof level.
- The Wild West End Value Matrix is set out and presented as a potential alternative for considering the green infrastructure benefits of proposals for new green space, considering it against biodiversity, climate, microclimate, wellbeing and social topics. It is suggested that this may, potentially, be an alternative to the London Plan's Urban Greening Factor, especially for smaller schemes, although this is an area where further explanation could be helpful.

## THE SPD ADDRESSES SEVEN TOPICS:

### 4. Local Environmental Impacts

- The City Council wishes to “maintain high standards of life in the city and protect health and well-being, particularly of vulnerable groups.”
- On **lighting**, different best practice standards, based on the Institute of Lighting Professionals guidance, are set for within the Central Activities Zone, outside the Central Activities Zone, and within the Royal Parks and Thames, of Zone 4, Zone 3 and Zone 2, respectively. Other detailed design criteria are provided. This takes into formal guidance previous informal guidance on lighting levels and design.
- On **noise levels**, appropriate standards for new development to achieve, and the noise standards to which proposals for new plan should adhere, are set. This includes taking into formal guidance noise and vibration standards for development within designated “Tranquil Open Spaces” which previously have had more limited status. Guidance on noise from emergency plant, and noise from construction, are also set, although it is unclear whether the latter relates only to development requiring Environmental Impact Assessment.
- On **odours**, odour assessments are required for proposals that “involve significant sources of odour.” The document does appear to envisage a change in approach to **ventilation arrangements**, with a new hierarchy proposed. This would seek full height extract systems where possible, but acknowledge the role of recirculation systems in some cases, followed by “bespoke” odour reduction systems designed to “best practicable means”, along with operational management plans. The acknowledgment of the role of best practicable means as a planning standard is a change of approach. Some control of temperature within kitchens may also be sought.
- **Land contamination and remediation** reports will continue to be sought.
- The approach to **construction management** set out in the Code of Construction Practice is summarised, with the SPD confirming that the process of requiring developers to commit to adhering to the Code and to providing a Site Environmental Management Plan or a Construction Management Plan directly to Environmental Health will be maintained.
- **BREEAM** will continued to be required on developments in excess of 500sqm, with both pre-assessment and post-construction certification required, achieving BREEAM Excellent. The document also references other environmental assessment methodologies available and provides for their uses, including LEED (Leadership in Energy and Environmental Design), WELL and PassivHaus. If consideration is being given to a non BREEAM methodology a pre-application discussion should be undertaken for the council to understand how BREEAM equivalent standards will be achieved.

### 5. Flood Risk

- Consolidated guidance is provided on the City Council’s approach to flood risk and drainage.
- The SPD recognises that, because of Westminster’s significant Tidal Flood Defence infrastructure, the risk from tidal and fluvial flooding is low and it is impractical to require a Sequential Test to be applied to sites nominally within flood zones 2 and 3, towards the south of the city. The Exception Test (demonstrating wider sustainability benefits that outweigh flood risk, and ensuring development is safe without increasing flood risk elsewhere) are still required to be met.
- The SPD restates the requirement under Policy 35(B) for flood risk assessments to address surface water flooding will be required within the surface water floor risk hotspots, which include the Baker Street/Bond Street/Tyburn corridor and parts of Whitehall and St James’s. As drafted, this will apply to all development in this area, which may require some further clarification.

## THE SPD ADDRESSES SEVEN TOPICS:

### 6. Waste Management

- The City Council wishes to move from a linear, to a more circular, economy to create a more resource efficient Westminster.
- As with energy policy, the SPD will align the City Council's approach more closely to that of the GLA. Circular economy statements will be required on referable applications (as already sought by the GLA). On non-referable applications, details of waste storage arrangements will continue to be sought, with either two days or four days capacity, depending upon the frequency of local waste collection. Waste Management Plans will be sought on major developments, which should also provide food waste facilities if restaurants are involved, along with, potentially, balers, compactors and public micro-recycling facilities.

### 7. Retrofitting and Sustainable Design

- The City Council recognises the importance of retrofitting Westminster's unique stock of heritage buildings in meeting the 2040 carbon neutrality target.
- A substantial portion of the SPD is devoted to providing detailed guidance on the use of retrofit technologies and methodologies, such as insulation, living roofs and renewables, in conservation and heritage settings. This is a welcome, and helpful, consolidation of existing guidance and provides further clarity on the types of works that are likely to be acceptable in conservation settings, including listed buildings.
- **On secondary glazing**, for example, it confirms that this will "generally be acceptable subject to detailed design" whereas "thermal single glazing or slim profile double glazing" will be acceptable "where this can be installed within harm to significance." This additional detail on the likely acceptability of different technologies is welcome, although the SPD cautions that it will still be necessary to look at proposals on a case by case basis.