



Executive Summary and Recommendations

	Cabinet Member Report
Date:	31 August 2011
Subject:	Results of formal consultation on 'Westminster Way' and 'Trees and the Public Realm' supplementary planning documents and agreement to adopt.

Summary

This report informs the Cabinet Member of the responses to the formal consultation drafts of two draft Supplementary Planning Documents (SPDs), namely Westminster Way and the Trees and the Public Realm (Tree Strategy). These were available for consultation between 17th January and 28th February 2011 and schedules in appendices to the report set out the detailed comments made by the consultees and suggested officers' responses thereto. The drafts have been revised to reflect comments received and new information that has arisen.

Westminster Way started as draft Supplementary Planning Guidance in 2002-2004 under the former planning system and now converted to an SPD under the Local Development Framework. The document is a strategic document looking at high level principles for the design and management of the public realm. It was particularly relevant to carry out the formal consultation over the winter given the ministerial visit to the city last August and the subsequent call for clutter reduction – a principle at the heart of Westminster Way. The Tree strategy develops the principles of tree planting set out in Westminster Way and sets out guidance to assist in selecting the right type of tree for appropriate locations to considerably increase planting in the city, but notes places where this needs to be undertaken with a degree of caution because of local circumstances.

Recommendations

1. That officers' detailed comments and suggested responses to the formal public consultation, as set out in Appendices 1 and 2, be endorsed.
2. That the attached revised drafts be adopted in accordance with the Regulations, as they incorporate responses to the formal consultation process.
3. That the Strategic Director Built Environment be authorised to make minor editorial changes to the documents before publication in consultation with the Cabinet Member.

Glossary

A glossary of terms is to be found at the end of this report.



Cabinet Member:	Cabinet Member for the Built Environment
Date:	31 August 2011
Classification:	For General Release
Title of Report:	Results of formal consultation on 'Westminster Way' and 'Trees and the Public Realm' supplementary planning documents and agreement to adopt.
Report of:	Strategic Director Built Environment
Wards involved:	All
Policy context:	Develops Part V of the adopted Core Strategy (Creating Places) particularly CS27, 24 and the public realm improvements sought in policies CS 3,4, 5 & 7.
Financial summary:	No financial implications. This report follows formal advertisement and conclusion of adoption procedures under Town and Country Planning (Local Development) (England) Regulations 2004
Report Author:	Christopher Mason
Contact details	020 7641 2286 cmason@westminster.gov.uk

Background Information

- 1.1 The preparation of the Council's public realm strategy started under the UDP and Supplementary Planning Guidance processes and is now required to meet the regulatory requirements of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). It also needs to fit with the council's Statement of Community Involvement (SCI).
- 1.2 'Westminster Way' has always advocated a minimalist approach to street furniture and Secretaries of State for Communities and Local Government and Transportation, Eric Pickles and Phillip Hammond, visited the city on 25th August 2010 and shortly thereafter a letter was sent to all local authorities advocating the approach set out in the document as schemes resulting from these principles were admired by the Ministers concerned. It is therefore timely to finish off the adoption process following the last (formal) stage of consultation. The council needs to demonstrate that it has responded to issues raised in the consultation.
- 1.3 Informal consultation on the draft documents took place from January to March 2010 and informed the development of both papers.

2 Detail

- 2.1 Westminster Way drew fifteen responses, making 69 separate points of which 36 were objections. The Trees and the Public Realm attracted seven responses making 23 points of which 2 were objections. These are set out on a point-by-point basis as appendices 1 & 2 to this report.
- 2.2 The three main issues raised were:
 - a) WW – The provision of tactile paving is led by national guidance and Westminster has already been criticised for introducing features that do not always follow the guidance and lead to inconsistencies in well understood clues for people with no or little sight, by leaving out this feature or reducing it substantially. Further innovations as proposed in the Formal Consultation Draft of Westminster Way have been further criticised and not supported through consultation and the response is not to innovate.
 - b) WW – additional diagram in the December 2010 draft at appendix 3 on "Clear zone areas of concern for all obstructions (including tables and chairs)" was not considered helpful and is likely to result in confusion and extra work.
 - c) Trees and WW – still concern about proposed "Area of Caution" which was taken by some to mean 'prohibition' of further street tree planting in Marylebone and other early parts of the city with particularly narrow streets and the Grade I listed landscapes of the Royal Parks.

a) Tactile paving issues

- 2.3 The main item of concern was the approach taken for tactile crossings and warnings which varies from current national guidelines. As noted in the summary at 2.2 above, the strong and clear message is not to invent new variations as this leads to inconsistency and could lead a person with poor or no sight into danger with possibly fatal consequences.

- 2.4 National guidance was not developed with the needs of Central London (or historic cities) in mind. It failed to recognise competing demands, congestion and the sheer impossibility of maintaining a wholly coherent approach to the provision of tactile paving. Given the physical problems, townscape concerns, maintenance issues and reaction to tactile paving from some users, Westminster has adopted guidance to react to our local situation.
- 2.5 The more recent approach by TfL and how they have provided tactile paving has, over the years, increased these concerns. However, since 2009, TfL have indicated a willingness to modify their stance and approach, which takes on board some of Westminster's concerns.
- 2.6 In the current context there is, in Westminster Way, a clear recognition of these issues and the possible innovations shown on page 50 of the consultation draft allows these issues to be explored with the range of stakeholders.
- 2.7 There is no immediate prospect of the Department for Transport changing national guidance on this matter, but emerging, revised guidance from Transport for London supports some of the concerns Westminster has had for some time. The national guidance does have some opportunities to relax some aspects and Westminster has fully used these opportunities to date.
- 2.8 In the light of all these experiences and to avoid further delay in adopting Westminster Way, there are a number of options which are set out in the table below. The document is, after all, guidance and the application can be reviewed on a case by case basis when schemes are considered for clearance. Officers can also keep the general approach under review and to vary the details under review as national, London wide guidance (or even legislation) develops.

Options	Comment	Change WW	Recommendation
Adopt National guidance	Contrary to our other policies and experience – not appropriate.	No	
Adopt TfL Guidance	This is changing therefore we will continue to track but some elements not preferred.	Not at this stage	
Retain WW current approach	The number and range of issues raised during consultation requires a response.	No	
As above but with Westminster Crossing innovation	These options will only be relevant at certain specific sites and can be considered on their merits and can be considered in officer's report to Cabinet Member for a decision.	Only to be used to address specific sites and problems.	
Retain CoW approach and keep under Review	This would make the best compromise and is the most practical.	Yes, amend Figure 1 but remove corduroy idea from crossings as RCA idea was heavily criticised.	Retain words as drafted but insert words about continuing debate and trialling alternatives.

b) Clearances and clear zones

2.9 During the consultation process it became apparent that there were problems with this part of the draft document as a way of giving clear advice to all and to ensure speedy decision making. There is concern, however, that with existing resources it would cause extra work in respect of assessments or checking assessments by others. The consultation draft had some streets with a blue or orange notation which indicated a particularly restrictive regime. These were generally well received as they were designed to keep final approaches to stations etc. (also egress from them) clear of all obstructions unless absolutely necessary to the function of the street, and in the case of formal compositions such as squares and places like Regent Street, clear of clutter as well. The streets coloured red in the consultation draft's appendix 3 were felt to cause difficulties and inconsistencies. The Access Association queried its worth and the Greater London Authority positively stated the map was not supported and each case must be assessed on its merits. It must be noted that two responses requested a stricter approach to footway obstructions. This document is after all guidance and develops existing policy, it is not a Regulation. It is not crucial to the guidance, thus it is recommended that Appendix 3 is deleted and Appendix 4 renumbered to take its place. There is currently ongoing work on the City Management Plan which will replace UDP policies and is the opportunity to revisit the issue as a matter of policy rather than guidance and this critical matter is best revisited that way.

c) Trees and 'Area of Caution'

2.10 On the tree issue, it appears that those wanting more trees in the older areas of the City may not understand the engineering issues involved and the complex networks of cables and pipes that exist under footways in these early and intensely busy areas. Whilst other words could be substituted 'Caution' remains a good word as it means proceed with care, concern, vigilance and watchfulness, but none of the alternatives on their own work well.

2.11 The need to proceed as above is based on:

- utilities conflicts
- access and disability concerns
- potential townscape issues
- nuisance that some species may cause if the canopies spread to reach nearby windows.

2.12 Royal Parks requested their areas be changed to Areas of Caution. Whilst this could be applied to the Royal Parks (which were noted in the consultation draft of the Tree Strategy as areas for encouragement) Westminster Way recorded them as a separate category. As they are all listed as Grade I sites in the Register of Historic Parks and Gardens it is appropriate to align the map at the start of Appendix B to the Tree Strategy with that in the controlling chapter in Westminster Way. This will require a new appendix B40 to be added to record the care that needs to be afforded to change within such important historic landscapes.

2.13 Caution can also be expressed in the expected life of a tree, and the selection of suitable species in all planting schemes in the difficult areas. In the narrow older streets it may be necessary to understand from the outset that trees need to be

managed and rather than the practice of pollarding, which is regarded as unsightly by many, the replacement of a tree before it reaches forest-sized proportions may be the best solution, therefore caution in life expectancy is another justification for retaining the word and the designation. It is therefore recommended that the designation remains with its original name, but the text be enhanced so that people wanting trees be made aware of the practical difficulties so hopes are not unreasonably raised.

- 2.14 It should be noted that amenity bodies from St James and Covent Garden have both clearly stated that they do not want trees in their areas. Regional advice from the Council's Statutory consultee and advisor, English Heritage, concurs with this view. In other places the general thrust is to assess the areas carefully and:
- provide suitable groups of trees where possible
 - provide suitable replacement planting where desirable
 - rotate or replace the tree stock when it becomes too large to subtly manage.
- 2.15 Two schedules of responses are appended to this report which set out the comments received and the officer responses which indicate whether changes to the relevant paragraph or topic are made, or not.

3 Financial Implications

- 3.1 None raised by this report. The aim of the guidance, currently being used in draft form, is to minimise the costs of managing and improving the public realm, assisting in expediting the development of schemes and to attract and utilise third party as well as limited council funding to the remaining projects in the capital programme and maintenance schemes.

4 Legal Implications

- 4.1 It is a requirement of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) that this formal stage of consultation is undertaken and responses heeded otherwise the SPD is open to challenge.
- 4.2 The Council's Statement of Community Involvement sets out the steps that will be undertaken by the council in preparing Supplementary Planning Documents. The exercise that took place from January to March last year was the first consultation that requested community input in an informal way under the cover of a letter from the Cabinet Member. Revisions resulting from the responses received were incorporated in both documents and were then published as Draft SPDs with formal notification as required for public consultation by Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) with appropriate 2 press notification and a formal 6 week consultation period from noon on 17th January to noon on 28th February. Due to an error by the newspaper publishing the notice, the advertisements were late in being published, but two notices appeared in the first two weeks of the consultation period of 6 weeks (it must be between 4 and 6 weeks) and the whole of the minimum 4 week period was available after the second advertisement appeared. The Documents must be reviewed again in the light of further responses received, as required by Regulation 18, and adopted by the procedures required by Regulation 19.

5 Staffing Implications

5.1 None raised by this report.

6 Business Plan Implications

6.1 None raised by this report.

7 Outstanding Issues

7.1 The street trading work in the Oxford Street, Regent Street and Bond Street area (following research that showed that street traders are only serving 22% of potential customers) indicates that the existing numbers of traders can be accommodated in new locations and in different structures and selling commodities needed to make the area a keen competitor to other centres recently opened and being fitted out. Feedback on the work will influence the future evolution of the Commerce on the Street chapter in Westminster Way and policy development for the forthcoming City Management Plan. In the run up to the Olympic Games and other celebrations next year, other areas need attention as well and a separate report will be prepared setting out options for the parts of the city with a high visitor demand developing the spatial issues in this guidance that has been supported, and indeed, generated a suggestion that the council is tougher on enforcing clutter and obstructions.

8 Consultation

8.1 Consultation issues are noted in the Legal section above. Three Ward Members commented formally on the two drafts. All formal responses are listed in the appendices to this report.

8.2 After consultations closed, one Ward Councillor noted what he considered were contradictory words on the matter of caution in appendices to the tree document. As two appendices included the areas where the area trusts did not want to see additional planting, minor editorial changes were made to clarify the places where particular caution is needed.

9 Crime and Disorder Act

9.1 The proposals in the draft SPDs will assist in managing the city in this respect

10 Health and Safety Issues

10.1 The Westminster Way document has accessibility at its core and assists in delivering the council's duties under the Equalities legislation.

11 Human Rights Act 1998

11.1 No issues raised by this report.

12 Conclusions and Reasons for the Proposed Decision

12.1 Following consultation responses, amendments agreed in the appendices have been made. Not all consultees will be satisfied but most made helpful suggestions that have been incorporated whilst achieving a balance in reconciling the specific and unique circumstances Westminster faces.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT CHRIS MASON ON 020 7641 2286; EMAIL ADDRESS cmason@westminster.gov.uk; FAX NUMBER 020 7641 3050

BACKGROUND PAPERS

The documents used or referred to in compiling the report were: -

- 1 Statement of Community Involvement January 2007
- 2 Town and Country Planning (Local Development) (England) Regulations 2004 (as amended)
- 3 Westminster Way - draft for public consultation – December 2009
- 4 Westminster Way - draft for public consultation – April 2004
- 5 Trees and the Public Realm (Draft) December 2009.
- 6 Report to Cabinet Member for the Built Environment dated 16 December 2009 and decision dated 24 December 2009.
- 7 Studies of street trading in the ORB area by The Retail Group.
- 8 Sight Line research by Ross Atkin (CABE – Helen Hamlyn Centre/ RCA)
- 9 London Assembly Report – ‘Branching Out’
- 10 Pedestrian comfort Guidance for London Mayor of London / TfL 2010.

Glossary

LDF – Local Development Framework

ORB – Oxford Street, Regent Street and Bond Street (Action Plan) area.

SCI – Statement of Community Involvement

SPD – Supplementary Planning Document

SPG – Supplementary Planning Guidance

UDP – Unitary Development Plan

CABE – Commission for Architecture and the Built Environment

RCA – Royal College of Art

For completion by Cabinet Member for the Built Environment

Declaration of Interest

- I have no interest to declare in respect of this report

Signed Date
NAME: Councillor Robert Davis DL, Cabinet Member for the Built Environment

- I have to declare an interest

State nature of interest
.....

Signed Date
NAME: Councillor Robert Davis DL, Cabinet Member for the Built Environment

(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter.)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Results of formal consultation on 'Westminster Way' and 'Trees and the Public Realm' supplementary planning documents and agreement to adopt.**

Signed

Cabinet Member for the Built Environment.

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:
.....
.....

NOTE: If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Head of Legal & Democratic Services, the Director of Finance & Performance and, if there are staffing implications, the Director Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed for any call-in request to be received.

Appendices 1 & 2

Appendix 1 - Schedule of comments, observations and responses on Westminster Way – formal consultation, 17 January to 28 February 2011.

No.	Paragraph or section	Type	From / Comment / Response
1	General	Comment	<p>From: The Coal Authority No comment on the document Response: Noted</p>
2	General	Support	<p>From: Covent Garden Area Trust The Trust is in agreement with much of the content of the documents, particularly with reference to the quality, durability and character of any necessary street furniture and the stated intention to reduce street clutter where at all possible Response: Noted.</p>
3	General	Support	<p>From: English Heritage – Sarah Green Thank you for consulting English Heritage on the City of Westminster’s draft SPD Westminster Way -Public Realm Strategy. As the Government’s advisor on the historic environment English Heritage is keen to ensure that the protection and enhancement of the historic environment is fully taken into account at all stages and levels of the local planning process and we welcome the opportunity to comment on these drafts.</p> <p>English Heritage welcomes the approach and content of this draft document, which is comprehensive in its approach and relates well to its companion Draft SPD ‘Trees and the Public Realm – a tree strategy for Westminster’. We feel that this document has evolved since the previous draft and now has greater clarity in its layout and content. As in the previous consultation document we particularly welcome the emphasis placed on historic character, the contribution that heritage assets make to Westminster’s public realm and spaces and the importance of local distinctiveness.</p> <p>It is also worth noting that although there is an emphasis throughout the Public Realm SPD on creating a high-quality public realm it is also recognised that there is scope for considering how existing features with value for the community can be transformed by relatively minor and sensitive interventions. This goes hand-in-hand with a positive long-term policy towards the removal of redundant and unsuitable items and materials, which is to be applauded.</p> <p>English Heritage welcomes the involvement of the City of Westminster’s own conservation and landscape staff at all stages of the preparation of this draft SPD, as they are best placed to advise on local historic environment issues and priorities, and identify sources of information and options to be considered relating to the historic environment.</p> <p>These comments are based on the information provided by you and for the avoidance of doubt do not negate our obligation to advise you on, and possibly object to, any specific development proposal, which may subsequently arise from the adopted guidance and which may, despite the SPD, have adverse effects on the historic environment. Response: Noted.</p>
4	General	Support	<p>From: Crown Estate – Peter Bourne We welcome this document and the general approach it adopts. Our comments are ones of detail and they should be read in the context of that overall support. Response: Noted.</p>
5	General	Support	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. It is excellent that this report aims to rationalise the streetscape design in Westminster and provide clear guidance to developers and planners. Response: Noted.</p>

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No.	Paragraph or section	Type	From / Comment / Response
6	General	Support	<p>From: Greater London Authority As you are aware all local development documents including supplementary planning documents have to be in general conformity with the London Plan under section 24 (1) (b) of the Planning and Compulsory Purchase Act 2004. The SPD stresses the importance of well-designed, well-maintained and inclusive public realm. This is consistent with draft replacement London Plan Policy 7.5 which states that “London’s public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, and street furniture and services.” And that boroughs should develop “local objectives and programs for enhancing the public realm, ensuring it is accessible for all and reflects the principles in the draft replacement London Plan Policies 7.1 Building Neighbourhoods and Communities, 7.2 Inclusive Environments and 7.4 Local Character”.</p> <p>It is also consistent with draft replacement London Plan Policy 6.10 which emphasises the quality of the pedestrian and street environment, including the use of shared space principles – promoting simplified streetscape, decluttering and access for all. The SPD supports the aim to ensure that walking is promoted and street conditions, especially safety / security and accesibility for disabled people are enhanced.</p> <p>However, GLA and TfL officers are concerned over some aspects of the document. These concerns are detailed below. Response: Noted.</p>
7	General	Support	<p>From: Brian Woodham Administrator to the St James’s Conservation Trust The Trust is in agreement with much of the content of the documents, particularly with reference to the quality, durability and character of any necessary street furniture and the stated intention to reduce street clutter where at all possible. Response: Noted.</p>
8	014 & 015	Comment	<p>From: English Heritage – Sarah Green We would suggest providing a clear link on the City of Westminster website to the Catalogue referred to as accompanying this edition as it contains vital detail that is difficult to access. The status of this material in planning terms needs clarification as it is not immediately clear to a potential user of the document when encountering the guidance for the first time exactly what is current guidance or where the other material is to be found. The catalogue is referred to in other areas of the draft SPD (eg p49 –Miscellaneous street features); in the final version, if this is to be published as a web based document it would be useful to have hotlinks embedded to provides easy access to the background information. Response: Noted.</p>
9	031	Comment	<p>From: Peter Currie, Major General APN Currie CB, Lieutenant Governor, Royal Hospital Chelsea I read with interest your formal consultation document on the Westminster Way. I note that on page 15 you show what is described as ‘the Chelsea Barracks cross border initiative’. This appears to provide a seamless route from Chelsea Barracks into the grounds of the Royal Hospital. This came a something of a surprise to me, as we are not aware of having been consulted. I should be grateful to what status, if any, this initiative has. Response: Noted this was a link suggested by designers of an earlier scheme and should have been removed.</p>
10	049	Comment	<p>From: English Heritage – Sarah Green We welcome the inclusion of our previous comments in this section and look forward to working with you in the implementation of the document and its advice. Response: Noted.</p>
11	074	Object	<p>From: English Heritage – Sarah Green The basis on which character areas have been defined should be clarified. We would urge Westminster to consider commissioning a characterisation study that would order and draw together many of the disparate elements referred to in this draft document. There is a lack of clarity at the moment whether the townscape areas have been distinguished by their street furniture or by their history and morphology. Response: Paragraph 74 has been developed to expand on this matter.</p>

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No.	Paragraph or section	Type	From / Comment / Response
12	082	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. Movable bollards (normally put in place for security measures) have not been very efficient - I could not find any reference to limiting these in future developments. Response: Covered by paragraphs 77 - 82.</p>
13	105 and Map 5:	Object	<p>From: Crown Estate – Peter Bourne The use of EPS (York stone) on footways: We believe that the use of EPS should be extended to the following streets: Conduit Street: this street already has EPS at either end and most of Savile Row indicates EPS as the preferred surface. Conduit St is an important link between Regent Street, Savile Row & Bond Street. It contains several Listed Buildings. Currently it is paved in a mixture of EPS, Perfecta, asphalt and concrete paving slabs, most of which is in poor condition. Warwick St: this is already laid in EPS. Glasshouse, Denman & Sherwood St: it is already proposed that these streets should be relaid in EPS. Response: Agreed the map has been amended to include these additional streets.</p>
14	114 Tactile paving	Object	<p>From: Greater London Authority TfL interpret the national DfT standards with regard to colour and dimensions of tactile paving through Streetscape guidance for the TLRN and we understand that Westminster are familiar with our guidance. We are confident that our approach supports the Mayor's Transport Strategy objective to increase accessibility for all Londoners. TfL are however, currently considering some possible changes to the Streetscape Guidance in respect of some elements of tactile paving and intend to consult key stakeholders including London local authorities, on options before implementing those changes. TfL proposed to consult on options for crossings in all locations which include using contrasting grey (as opposed to red) at controlled crossings and the omission of stems / tails at controlled crossings. Response: The inclusion of stakeholders in a refresh of the TfL Streetscape guidance will be a useful additional input into this debate. It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>
15	116	Object	<p>From: English Heritage – Sarah Green Dropped kerbs and tactile warnings - We welcome the clarification that has been introduced to this section by the use of illustration in the text. We recognise that this is potentially a controversial issue and would wish to refer you to the English Heritage Streets for All Practical Case Study no 6 'Tactile Paving'. One reason why this is complicated is the lack of consistency in using paving in different boroughs which leads to complaints by blind and partially sighted people. English Heritage supports the use of contrasting materials – which can replace the necessity to use red pavers in historically sensitive areas. English Heritage also welcomes the suggestion that using tails to the back of cluttered pavements is unnecessary. Although current Westminster approach may be open to criticism for not giving enough visual clues we believe that this is a simple and straightforward approach which is suitable in historically sensitive locations. It is however important that proper stakeholder consultation is allowed for when schemes are developed and that there should be scope for some flexibility of approach depending on the difficulties likely to be encountered in particular locations – as for instance in the use of corduroy at uncontrolled crossings. It would be useful if this approach could be ratified by national advisory bodies and access groups. In all cases it is vital that the quality of materials and installation is of the highest standards. Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>

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No.	Paragraph or section	Type	From / Comment / Response
16	116	Object	<p>From: Covent Garden Area Trust</p> <p>As far as the tactile paving is concerned, the diagrams on page 50 are a useful visual expansion of the text in paragraph 116 in that they make clear the wide variations. However, the Trust would oppose either of the “innovative details illustrated” as well as all tails and even limited corduroy (even in dark gray tone) for several reasons:</p> <ul style="list-style-type: none"> i) adding any more non (national and international) standard variations is likely to worsen a bad situation for all parties and the visual and textural environment. The tail solutions are usually illogical and WCC’s recommended recent “detectable zone between 800mm and 1350mm deep” remains the best solution (without colour and tone extremes); ii) if corduroy strips (“in a scheme that has no kerbs to indicate the place to walk safely”) were to be adopted in the Covent Garden area, this could be interpreted that they would need to be introduced into the restored arcade sections of The Piazza on the north and east sides as well as to all tabled sections of the streets, such as New Row, Long Acre, Neal Street etc. This would be a visual paving mess of confusing materials, with confusing meanings, irrespective of the disadvantages of this extent of unevenness to mobility impaired people, whether signed or visually impaired. <p>Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>
17	116	Comment	<p>From: Cllr Robert Rigby</p> <p>The proposed tactile paving suggested sounds a good idea</p> <p>Response: Noted.</p>
18	116	Object	<p>From: Brian Woodham Administrator to the St James’s Conservation Trust</p> <p>Tactile Paving – In the Trust’s advisor’s opinion the statement previously below prepared in the last response remains valid even with the December 2010 version’s more explicit : National, Current Westminster, less colourful compromise and “The innovative” details diagrams :</p> <p>“...Para 116 description and the illustrated : “For comment – an innovative approach to Tactile paving proposed in the city” is well intentioned as a means of balancing the complex issues of tactile warnings and extent. However it cannot be supported [by the Trust] as it would only add another form of confusion to those with disabilities as well as the visually impaired, blind and guide dog users. “Tails” of any kind, to Tactile paved sections are not generally relied on by visually impaired, but are mainly used as a training aid by Guide Dog trainers, who in any case train for site specific situations. Another non-standard variation is likely to worsen a bad situation for all parties...”</p> <p>It is recommended that the following additional paragraph is added :-</p> <p>The diagrams on page 50 are a useful visual expansion of the text in paragraph 116, in that they make clear the wide variations. The Trust would oppose either of the “Innovative details illustrated”, as well as all tails, and even limited corduroy (even in dark grey tone) for several reasons :-</p> <p>Adding any more non (national and international) standard variations is likely to worsen a bad situation for all parties and the visual and textural environment. The tail solutions are usually illogical and WCC’s recommended recent “...detectable zone between 800mm and 1350 mm deep...” remains the best solution (without colour and tone extremes).</p> <p>If corduroy strips (“...in a scheme that has no kerbs to indicate the place to walk safely...”) were to be adopted in the St. James’s area, this could be interpreted that they would need to be introduced into historic mews and courts such as Blue Ball Yard and Mason’s Yard, as well as to all tabled sections of streets. This would be a visual paving mess of confusing materials, with confusing meanings, irrespective of the disadvantages of this extent of unevenness to mobility impaired people, whether sighted or visually impaired.</p> <p>Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>

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No.	Paragraph or section	Type	From / Comment / Response
19	116a	Object	<p>From: Christopher Dudley - Architect – Covent Garden I was surprised again to see the proposal for a reduced width tactile paving to pedestrian crossings on page 50. It seems very strange that Westminster are straying away from National Guidance on this matter. Safety is the key issue here and although it is appreciated that visual appearance is a consideration, one that is well addressed regarding the colour on the same page, it should be tested first and backed by appropriate professional bodies before being included in a document such as this. I realise also that my comment is perhaps one of many but I responded on the draft consultation once before and my comments don't seem to have been addressed at all - is this how Westminster operate these days when going out for public consultation?</p> <p>Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>
20	116a	Object	<p>From: John Osborne – Chairman, Access Association - London & SE Region At the recent London and South East Regional Access Association meeting there was a discussion about the changes made to this draft document, following the presentation to the London Group when the 2004 edition was being prepared. Views were expressed by Access professionals present that the existing Westminster practice is a considerable departure from accepted best practice – there was concern that it appears Westminster gives no tactile assistance to people with visual impairments at uncontrolled crossings. The innovative details at the bottom of figure 1 on page 50 caused concern. The corduroy texture being installed at Exhibition Road is still subject to evaluation and should not yet be included in formal guidance. The Westminster Crossing is insufficient to be detectable and should not be pursued. Further consultation should take place with affected users on the other compromise design ideas involving corduroy textures at uncontrolled crossings. Until they are verified by experiment and testing as an improvement on present practice, they should not be published in a formal guidance document. The Group could not see any justification in the introduction of smaller tiles in the paving arrangement and then leaving some of them without texture. The three tiles in the national guidance is a proven arrangement that is not missed by blind people in one stride.</p> <p>Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>
21	116a	Object	<p>From: John Osborne – Chairman, Access Association - London & SE Region We noted the alternative to a neutral colour is the suggestion for a dark grey colour and the group considered that this may have some merit, but as stated above, the use of a dark grey needs to be verified as a justifiable alternative to national practice.</p> <p>Response: : The inclusion of stakeholders in a refresh of the TfL Streetscape guidance will be a useful additional input into this debate. It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>
22	116a Exhibition Road	Object	<p>From: Greater London Authority ... in regard to corduroy paving, the shared space scheme at Exhibition Road which is still under construction (with no monitoring evidence to support it), should not be used as best practice example of how corduroy paving should be applied.</p> <p>Response: It is proposed to remove the references and monitor feedback from the scheme and revised guidance and keep the matter under review after adoption.</p>
23	116a Innovative solutions	Object	<p>From: Greater London Authority Innovative solutions may be appropriate but only if they maintain and enhance inclusive access for disabled people and enable visually impaired pedestrians to find and negotiate the crossing safely and confidently. Any solutions that vary from the national guidance should be the subject of extensive consultation with national and local organisations of disabled people, particularly with people with visual impairments, and may need to be tested by user trials (either lab or on-site) before being implemented.</p> <p>Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.</p>

Appendix 1 - Schedule of comments, observations and responses on Westminster Way – formal consultation, 17 January to 28 February 2011.

No.	Paragraph or section	Type	From / Comment / Response
24	116a Figure 1	Object	From: Greater London Authority The options in Westminster Way that promote the use of corduroy paving at crossings instead of blister / domed savings are not supported Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.
25	118	Object	From: John Osborne – Chairman, Access Association - London & SE Region It has been further suggested that a consultative workshop should be convened to coordinate London practice, and this could include other interested parties. The aim should be to produce an evidence-based outcome based on issues discussed at the meeting, together with new approaches such as the 2010 Royal College of Art / CABI research into pavement design. The options shown in the formal consultation draft of the Westminster City Council streetscape guidance, specifically regarding tactile paving, and on difficulties experienced in places where footway is given over to vertical drinking or café use has London wide, if not national, impact on the safety and way finding of Blind, partially sighted and disabled pedestrians, particularly as pedestrians traverse from borough to borough. Confusion could arise from local variance with national guidelines. This proposed workshop could be co-ordinated with London Access Officers who have expressed interest and City of Westminster in the near future. Response: It is proposed to simplify this section and monitor revised guidance and keep the matter under review after adoption.
26	121	Comment	From: Natural England We echo our previous comments made in January 2010 with regards to emphasising the need for connectivity of urban greening measures to ensure that the functionality of urban greening components is improved (green spaces function better when connected) and that measures are sustainable. This should be a key principle of urban design should be to enhance ecological connectivity. The issue of greenspace connectivity should also be considered within the Sustainability section [of the tree strategy] Response: words ‘and if possible, connected’ added (Cross reference to Section 8, para 112 of Tree Strategy where connecting spaces is now mentioned).
27	121 & Map 7	Object	From: DP9 representing Project Blue (former Chelsea Barracks site) Neither document makes reference to open spaces falling out side the borough despite the previous draft of the open space strategy making such references. Open spaces outside the borough, and particularly those on the borough boundary, should be added to both documents to give a realistic understanding of access to open spaces. Response: We have plotted them in the Open Space Strategy and can include them as a different notation for information.
28	125.	Object	From: English Heritage – Sarah Green Westminster’s gardens and parks - We would suggest referencing the London Parks and Green Spaces Inventory of Historic Green Spaces which has been prepared for every London borough by the London Parks and Gardens Trust and describe the history and attributes of all spaces that are deemed historically important in a local context ie fall outside the national Register of Parks and Gardens held by English Heritage. Response: Reference has been added.
29	130	Comment	From: Cllr Robert Rigby: We should be doing all we can to preserve trees, they really add a sense of presence to a street Response: Para 121 notes management to retain desired character .

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No.	Paragraph or section	Type	From / Comment / Response
30	130 and Map 8	Object	<p>From: DP9 representing Project Blue (former Chelsea Barracks site) We are concerned about the inconsistent approach taken to the former Chelsea barracks site. Paragraph 130 and map 8 of the Westminster Way SPD identify opportunities for more extensive planting. The entire former Chelsea barracks site has been identified as an “area for enhanced planting”. However, appendix B of the trees and the public realm S PD identifies the site as an “area of opportunity”. We consider the “area of opportunity” designation to be most appropriate to the site since the level of planting possible will be determined in tandem with the wider development proposals for this site. Response: Disagree – the category is the one where more planting can be anticipated which means the same as an area for enhanced planting. There appears no merit in changing the title.</p>
31	135	Comment	<p>From: Natural England We recommend that the proposal to green Victoria Street – led by the SW1 (formally Victoria) Business Improvement District (BID) should be referenced in both documents. This partnership project - of which the council is involved in - could feed into the strategic principles section of the Public Realm document (Section 10, page 63). Response: It is considered this is covered by the first bullet point of para 159 and in Map 8 .</p>
32	137 and 138	Comment	<p>From: English Heritage – Sarah Green Urban Design Principles -We welcome the principles that are promoted in terms of suitable location for trees in the historic urban environment of Westminster. It is essential that decisions are made on the basis of knowledge and there might be a case to be made for commissioning comprehensive research into the historic pattern of on-street and off-street planting within the city. Response: Noted.</p>
33	164	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. I welcome the Strategic Principles for One Green Westminster (par 159), Lighting (para 200) and quality paving and removal of barriers (para 209). I would have liked to have seen more reference to light pollution, other than para 164 and uplighters in the Appendix 1. Response: Noted.</p>
34	170	Support	<p>From: Cllr Robert Rigby: Encourage more use of energy saving methods for street lighting which would fit into the agenda of becoming more green Response: Noted.</p>
35	178	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. I was pleased to see Edgware Road included as an area for special attention for a cohesive lighting scheme and hope that consultation has taken place with TfL, who seem to be replacing lighting currently on Edgware Road. Response: The lighting scheme is being replaced to match that already installed in Park Lane and to a type of unit with a performance acceptable to the Council.</p>
36	204	Comment	<p>From: Cllr Robert Rigby: Need to build on the success of the shibuya style crossing at Oxford Circus. Great addition and consideration to be given to expanding it out to other parts of the city e.g. outside the main M & S and Selfridges on Oxford Street Response: This is a matter for individual scheme designs, which are expected in these locations and is supported in the clutter free approach to public realm.</p>
37	204	Object	<p>From: Crown Estate – Peter Bourne We would suggest that Piccadilly should be included in the streets adopting this approach. Response: Agree Piccadilly and Piccadilly Circus have been added to the list in paragraph 204.</p>
38	219	Comment	<p>From: Cllr Robert Rigby Painting marks on the pavements are to be avoided where possible owing to the potential for wear and tear and therefore becoming unsightly Response: Clutter from excessive markings is noted in the document and discouraged.</p>

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No.	Paragraph or section	Type	From / Comment / Response
39	221	Comment	<p>From: Crown Estate – Peter Bourne: We are unsure about the implications of treating loading pads as part of the carriageway. Does this mean that the yellow markings will run along the footway edge? Visually it is intended that the pads should appear to be part of the footway unless being used for loading and this would tend to mean that they would look more like carriageway.</p> <p>Response: This is due to national Regulations and decisions by the Parking Adjudicator . Markings can be reduced by zonal schemes and the document advocates minimalism in markings.</p>
40	222	Object	<p>From: Crown Estate – Peter Bourne The first sentence could be interpreted as taking a rather narrow view of the purpose of the footway. Could we suggest as an alternative (based on Gehl): “The main purpose of the footway is to get around the city, but important as that is there is much more to it than that. They are places of recreation (sightseeing for example), places of social interaction (stopping for a conversation for example) and places to relax (sitting on a bench in the sun).”</p> <p>Response: Alternative is a sensible suggestion and has been substituted.</p>
41	222 Wayfinding	Object	<p>From: Greater London Authority The draft doesn’t reference the Jubilee Walkway metal wayfinding discs set into the footways throughout the city where the Jubilee Walkway route runs. Given this is a historical route (commemorating the Silver Jubilee), these discs and the route they represent deserve some protection (as noted within the draft text for coal holes), preferably with a commitment from the council to maintain this unique route and its way marking discs. (NB the Jubilee Walkway is one of the seven routes funded by TfL for leisure and tourist orientated walking). The same would apply to the newest route, the Jubilee Greenway (to commemorate the forthcoming Diamond Jubilee) that also runs through Westminster and uses recycled glass way markers.</p> <p>Given Westminster’s commitment to legible London (section 225 & 246) and it’s already comprehensive coverage of the city, TfL notes the very limited content within the draft on this pedestrian wayfinding system. TfL recommend that the draft should better reflect the acceptance of Legible London as Westminster’s way finding system of choice.</p> <p>Response: Disagree and agree – the wayfinding discs are additional clutter and are generally unwelcome as the sets of markers increases. The Legible London system has been given increased presence in the document.</p>
42	225 Pedestrian Modelling	Object	<p>From: Greater London Authority The draft makes numerous references (section 225 and 246) to the Fruin level of service as a measure of pavement crowding. Whilst this is an adequate measure, TfL has moved away from using Fruin and now recommends the use of pedestrian comfort level guidance to assess footway crowding and densities instead. Pedestrian comfort level has been developed by TfL precisely to provide a better measure of foot by crowding levels for a given width. It is recommended that the council use this tool instead of Fruin in the future.</p> <p>Response: Agree – this section has been updated to recognise the transition from Fruin to the PCL system.</p>
43	236	Support	<p>From: Cllr Robert Rigby There is a need to get away from the feeling of street clutter whether that be too many street signs or objects on the pavement</p> <p>Response: Noted.</p>
44	238	Object	<p>From: Crown Estate – Peter Bourne line 5: add the word “can” between “all” & “add”. In our view in most cases they do not add “vitality & colour”.</p> <p>Response: Agreed.</p>
45	240	Support	<p>From: Cllr Robert Rigby: Strict use of table and chairs on the pavements. Some pavements can cope with these but others cannot and it makes passing for pedestrian difficult.</p> <p>Response: Noted.</p>

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No.	Paragraph or section	Type	From / Comment / Response
46	245	Object	<p>From: Brian Woodham Administrator to the St James’s Conservation Trust</p> <p>With regards to tables and chairs on the pavement, particularly in the dignified and in parts, highly congested areas of St. James’s, the Trust notes that there is no specific reference to these in the consultation document, only reference in Section 14 – Commerce on the street. In view of the fact the Trust is not aware that the Tables & Chairs SPG issued in March 2005 was ever formally adopted, it is a pity that this matter has not been addressed in more detail in the Public Realm Strategy. The street map shown at Appendix 3 is far too small and not at all helpful, especially for the St. James’s area, with many small courts and alleyways.</p> <p>Response: Appendix 3 criticised by others and will be deleted.</p>
47	246	Object	<p>From: Cllr Tim Mitchell</p> <p>"Maintaining standards for pedestrian mobility" and appendices 2 & 3 - Especially in the busier parts of St James's ward the encroachment of commercial premises onto the pavement has been a matter of increasing public concern. An almost universal application of the Council's existing recommended 1.8 metre clearance between the kerb and the back of the footway has meant that in areas with a high footfall pedestrians are being forced onto the road. It has been particularly frustrating that pavement widening schemes, which were designed to accommodate a high pedestrian footfall, have been colonised by tables and chairs etc. rather than the increased space being left for pedestrians.</p> <p>Response: Agree – the colonisation of extended footways is addressed in the paragraph with the expectation that it will not be colonised.</p>
48	246 & Appendices 2 & 3	Object	<p>From: Cllr Tim Mitchell</p> <p>I welcome the "pedestrian clear zone" proposed in paragraph 246 and the "decision network" as outlined in Appendix 2. Also, I endorse the proposal in paragraph 246 to increase the minimum recommended width to the national standard 2 metres as this would bring Westminster into line with TfL standards used elsewhere in our City. However I have some concerns relating to the:</p> <ol style="list-style-type: none"> 1. Key for the "red" streets and for "uncoloured" streets in Appendix 3 creates an ambiguity as it appears to imply that a width less than 2 metres could be acceptable and this contrasts to the strict standards outlined in paragraph 246; 2. Designation of Long Acre as a "red" street even though it has been identified by the Council and TfL as a street of high footfall and therefore has recently benefited from extensive foot-way widening. I think that it should be designated a "yellow" street and this designation should be more generally applied to pavements in the historic and congested parts of the city <p>Response: Appendix 3 criticised by others and will be deleted.</p>
49	248 lines 9 & 10	Object	<p>From: Crown Estate – Peter Bourne</p> <p>There seems to us to be a conflict between the words “As a general principle” and “never”. There may be a few examples where more than half the width could be taken for commercial use. Heddon Street is one such an example. Could we suggest substituting “not for “never”.</p> <p>Response: Agreed.</p>
50	253	Object	<p>From: Covent Garden Area Trust</p> <p>With regards to tables and chairs on the pavement, particularly in the highly congested Covent Garden area, the Trust notes that there is no specific reference to these in the consultation document, only reference in Section 14 – Commerce on the street. In view of the fact the Trust is not aware that the Tables & Chairs SPG issued in March 2005 was never formally adopted, it is a pity that this matter has not been addressed in more detail in the Public Realm Strategy. The street map shown at Appendix 3 is far too small and not at all helpful, especially for the Covent Garden area. A larger map would, for example, explain that James Street (and junction zone with Floral Street) as a: “Public Transport hub – no obstructions in pedestrian clear zone (including tables and chairs)” may be a good detail example to show the meaning of the combination of crowding and dimensions of an example of “a pedestrian clear zone” on the plan within the catchment of a busy transport hub, bearing in mind also level changes on the south-east side of the street.</p> <p>Response: Appendix 3 criticised by others and will be deleted.</p>

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No.	Paragraph or section	Type	From / Comment / Response
51	254	Support	From: Cllr Robert Rigby: Use of boards and signs on the actual pavement should be cut back and this includes street vendors. Yes street vendors welcomed but the appearance of their stalls should be more regulated and controlled Response: Noted.
52	262	Object	From: Crown Estate – Peter Bourne In the list of bullet points that the kiosk should provide could we suggest that the penultimate one reads: “value for money offers available due to reduced overheads provided that such an offer should not devalue or undermine the tone of the retail area within which the pitch is located”. In the second list of bullets, setting out what the stall should not do, could we suggest the second bullet reads; “duplicate merchandise in nearby shops or already established stalls in the area” Response: Agreed – a useful expansion of the wording.
53	265	Comment	From: Cllr Robert Rigby: Chuggers (charity collectors) should be either licensed or banned. They create an unnecessary presence of intimidation on pavements Response: This is a matter for national legislation, but local management can influence where they operate.
54	267	Comment	From: Cllr Robert Rigby: Standing outside pubs should be more controlled. Appreciate this is difficult but more should be done to partition off the pavement for drinkers and smokers. Response: This is an unwanted result of smoking legislation and is addressed in para 267 .
55	269	Object	From: Brian Woodham Administrator to the St James’s Conservation Trust The revised section of Westminster Way page 94 paragraph 269 onwards . “.....Telecoms. wayfinding, information cycle hire equipment- This heading has no content on the topic, which is likely to have significant effects, possibly comparable to guardrail in constriction and severance, and pedi-cabs in terms of potential antisocial activities. Response: Revised wording to the paragraph can address this shortcoming.
56	270	Object	From: Covent Garden Area Trust An issue which has been a constant source of aggravation throughout Covent Garden, and other parts of the West End, has been the proliferation of unlicensed pedicabs in recent years. The Trust does not feel that the comment in paragraph 270 (page 95) – “Pedicabs are a new device that falls outside the remit of current legislation controlling hire vehicles and their operation has caused concern in the more crowded parts of the city. This is, however, a traffic management issue that, at present, does not appear to need a designed solution.” – is not at all helpful and would request that this be further addressed. It is agreed it is a traffic management issue and therefore the following commitment at least could and should be made explicit as a final sentence: “The City Council will use its traffic management powers to enforce against obstruction of the public highway (footways and carriageways) affected where evidence can be collected and presented which demonstrates this is a regular occurrence at congested location, by individually identified pedicabs/their drivers/operators, singly and in groups.” Response: Agreed.
57	270	Comment	From: Heather Acton – Ward Councillor Hyde Park Ward. Reference is made to tree guards being used for bicycle parking and the requirement for black cycle racks (apart from the Barclays ones!) but perhaps there should be more emphasis on the need to provide bike parking, as posts are often used for bike parking, but these should be removed in order to reduce street clutter (I note that reference is made to the problem in para 270). Response: Sometimes parking notice posts are unavoidable and in some locations cycle parking hoops have been added to them so one piece of street furniture performs two functions.

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No.	Paragraph or section	Type	From / Comment / Response
58	272	Object	<p>From: Crown Estate – Peter Bourne Line 1: Insert “can” between “street” and “adds”. Add a final bullet; • “Providing these services in a way which is compatible in quality to the trading location where they are situated; and in a way which is compatible to any Listed Building, Conservation Area or other heritage asset close to where they are located.” Chapter 15. There is no reference to temporary art installations such as the Fourth Plinth or performance art such as in Covent Garden Piazza. Response: Agreed addition and performance art can be added to the principles in para 281 and supported before it.</p>
59	279	Comment	<p>From: Cllr Robert Rigby: Statues - we have some great statues in central London but once it becomes dark they disappear. Consideration should be given to lighting up some of the more important ones Response: Lighting statues can add to light pollution and many are made of dark materials which do not respond well to lighting. It also adds to maintenance and revenue costs. Proposals to light statues will be considered on the merits of each case.</p>
60	bibliography	Object	<p>From: Brian Woodham Administrator to the St James’s Conservation Trust It is noted in the list of Bibliography and references at the end of both documents that there is no reference to the most relevant Trust documents in 1999 and 2007/8, both of which have been adopted by the City Council as “material consideration” when considering planning matters, and which set out the Trust’s views on both the public realm in the St. James’s area and the issue of planting in a Conservation Area. Other documents produced by outside bodies have been listed (for example from CABE and EH) and it is disappointing that the Trust’s specific publications have apparently not been consulted. Response: Addition to the Bibliography is acceptable.</p>
61	bibliography	Object	<p>From: Covent Garden Area Trust The Trustees were dismayed to note in the list of Bibliography and references at the end of both documents that there is no reference to the Trust’s Environmental Study of Central Covent Garden (1994) and Caring for Covent Garden: A Conservation and Management Guide (2004), both of which were part-funded by Westminster City Council, have been adopted as “material consideration” when considering planning matters, and which set out the Trust’s view on both the public realm in the Covent Garden area and the issue of planting in a conservation area. Other documents produced by outside bodies have been listed (for example from CABE and EH) and so we are disappointed that the Trust’s specific publications have apparently not been consulted. Response: : Addition to the Bibliography is acceptable.</p>
62	bibliography	Object	<p>From: John Smith / Vanessa Garner of CGMS consulting on behalf of Metropolitan Police authority Following our previous representations on behalf of the Metropolitan Police Authority/Metropolitan Police Service to the Westminster Public Realm Strategy Draft SPD (letter dated 25th February 2010), I set out below some additional comments on the revised version now out for consultation.</p> <p>It is noted that 'Secured by Design' and 'Safer Places' are now included within the bibliography which is welcomed. Since the last document was prepared the Government has published 'Crowded Places: The Planning System and Counter Terrorism' (March 2010). This provides guidance on how counter-terrorism protective measures can be incorporated into new developments and is also relevant to existing buildings and the public realm. This should be a material consideration in preparing the SPD. We request that reference to this document is also included within the bibliography. Response: Addition to the Bibliography is acceptable.</p>
63	Appendix 1	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. Placement of street trees in Appendix 1 again seems to discourage tree planting, rather than encourage, as suggested should be the case in the Tree document. Response: Noted but the placement advice needs to encourage the right planting in the right place and reduce expectation in difficult places.</p>

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No.	Paragraph or section	Type	From / Comment / Response
64	Appendix 1:	Object	From: Crown Estate – Peter Bourne Public Art: should the reference to the Public Art Advisory Panel be deleted Response: Agreed – this has happened since the draft was prepared.
65	Appendix 3	Comment	From: Cllr Robert Rigby: Squares should become less cluttered. I appreciate it is a difficult balancing act but the use of cars parking around squares in such density takes the square away from the people. Squares should be accessible more by the people rather than a select few. Response: Noted.
66	Appendix 3	Object	From: John Osborne – Chairman, Access Association - London & SE Region The Group also had reservations on the map at Appendix 3 on pavements designated to be kept clear of obstructions or where potential cafés might be allowed. There appears to be merit in the simple principles to keep clutter off the streets set out in Appendix 2 and in supporting paragraphs 246 to 255. Response: Agreed – the map will be deleted as it has created difficulties in its present state.
67	Appendix 3	Comment	From: Brian Woodham Administrator to the St James’s Conservation Trust Appendix 3 Clear Zone areas of concern - A larger map would for example be able to explain details of exceptions and complex issues in St. James’s such as small courts and alleyways and application of examples to show the meaning of : the combination of crowding and dimensions of an example “a pedestrian clear zone” on plan. Response: Noted, but the map will be deleted as it is not supported by others.
68	Appendix 3	Comment	From: English Heritage – Sarah Green We welcome the inclusion of additional consideration of street clutter in this appendix and welcome the concept that in all streets the appropriateness of clutter will be judged on a case by case basis. Response: Noted but the map is criticised by others and the case by case appraisal supported, so the map will be deleted.
69	Appendix 3	Object	From: Greater London Authority Appendix 3 is not supported as it leads to inconsistency in the streetscape. Footway width should be looked at on a case-by-case basis and should be a minimum of 2 metres but it should be specified in busy pedestrian areas extra pavement width should be added to cater for the pedestrian numbers generated in a specific location. Response: Agree – the map will be deleted.

Appendix 2 - Schedule of comments, observations and responses on Trees and the Public Realm – consultation 17 January to 28 February 2011.

No.	Paragraph or section	Type	From / Comment / Response
1.	General	Support	<p>From: English Heritage - Sarah Green</p> <p>Thank you for consulting English Heritage on the City of Westminster's draft SPD Trees in the Public Realm. As the Government's advisor on the historic environment English Heritage is keen to ensure that the protection and enhancement of the historic environment is fully taken into account at all stages and levels of the local planning process and we welcome the opportunity to comment on these drafts.</p> <p>English Heritage welcomes the approach and content of this draft document and particularly welcome the clear and comprehensive way in which the Draft Tree Strategy has been set out and illustrated.</p> <p>English Heritage welcomes the involvement of the City of Westminster's own conservation and landscape staff at all stages of the preparation of this draft SPD, as they are best placed to advise on local historic environment issues and priorities, and identify sources of information and options to be considered relating to the historic environment.</p> <p>These comments are based on the information provided by you and for the avoidance of doubt do not negate our obligation to advise you on, and possibly object to, any specific development proposal, which may subsequently arise from the adopted guidance and which may, despite the SPD, have adverse effects on the historic environment.</p> <p>Response: Noted.</p>
2.	General	Comment	<p>From: Brian Woodham Administrator to the St James's Conservation Trust.</p> <p>With regards to trees in the public realm, the Trust considers that none of the streets in the core St. James's area was historically intended to have street trees. It is an anachronism to introduce trees into a seventeenth century street layout which was not intended to have any, and the scale and design of which is unsuited to large trees (the negative effects on a tree can be seen in the example outside Boodles Club on St. James's Street). It is recommended that no more trees be planted in the streets of St. James's, rather keeping planting or planting replacement to gardens (such as at Carlton House Gardens areas, the Churchyard and St. James's Square).</p> <p>Response: The document tries to balance views about trees in historic environments, including those of English Heritage and residents, whilst also retaining a safe and usable public realm and protecting the historic environment as far as possible. The document is very clear about restrictions on tree planting in streets and outlines physical constraints such as minimum clear pavement widths in line with national guidance and states the restrictions imposed by underground utilities which are often beneath footways. This means that there will be very limited physical opportunities for new street tree planting in the St James' area in any case. However, the document also outlines that any new street tree planting, where it is possible, will need to be undertaken as part of a coordinated approach and will be unlikely if it adversely affects historic buildings. Each new tree planting in areas marked as "caution" in the document will be reviewed on a case by case basis.</p>
3.	General	Comment	<p>From: Greater London Authority</p> <p>No formal strategic comments to make.</p> <p>Response: Noted.</p>
4.	General	Comment	<p>From: The Coal Authority</p> <p>No comment on the document</p> <p>Response: Noted</p>

Appendix 2 - Schedule of comments, observations and responses on Trees and the Public Realm – consultation 17 January to 28 February 2011.

No. Paragraph or section Type From / Comment / Response

No.	Paragraph or section	Type	From / Comment / Response
5.	General	Comment	<p>From: Timothy Jones, English Heritage (note not a formal response, but a comment made during the consultation period in respect of a tree issue) Summarised discussion by Jenifer DeRoche, Westminster City Council, with reference to Kingsway tree planting: (The broad principles can be applied to the Tree Strategy document)</p> <ul style="list-style-type: none"> • recognise the serious safety concerns overhanging trees are creating at this location, and therefore would support proposals to address this issue. • Support selective tree removal in specific agreed locations where the existing trees are planted in a sporadic manner together with replanting of semi-mature trees in a more structured approach. Although there may be reasons behind the gaps in the existing planting, this could be investigated further in progressing the scheme. • The type of tree that would replace those removed would need to be carefully considered to prevent this issue arising again in another 40/50 years. This may not be a popular change in some locations. Some preventative measures may be taken to reduce the risk of the same problem re-occurring (planting slightly further back from the kerb; more regulated/controlled gardening etc), however believe there would be merit in considering other species. <p>Response: Noted.</p>
6.	009	Support	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. I am very pleased that the report outlines the value of trees in its objective to provide a policy outline for trees within the public realm within Westminster. I think that the six aims outlined in paragraph 9 are clear and concise.</p> <p>Response: Noted.</p>
7.	017	Comment	<p>From: English Heritage - Sarah Green Page 12, Economic benefits, Para 17 Suggest referencing CABE's publication 'Does money grow on trees?' 2005</p> <p>Response: Text amended to reflect the comment</p>

Appendix 2 - Schedule of comments, observations and responses on Trees and the Public Realm – consultation 17 January to 28 February 2011.

No. Paragraph or section Type From / Comment / Response

8.	033	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. I note that the guidance contained is intended to provide the reader with the tools to make an informed decision with regard to what tree is planted where. With this in mind, and with the clear recognition of the value of trees as outlined in Chapter 3, I think that it is unfortunate that such a wide area of Westminster has been categorised as one for "caution". Despite the warning in paragraph 33 that "caution should not be seen as a presumption against new tree planting", I fear that it will be, and will serve to limit the planting of trees even in appropriate locations. For instance, in East Marylebone, a very successful tree planting initiative has taken place, which has brought together the community, softened the Georgian streetscape, and been welcomed by the Council, businesses and residents. In West Marylebone, the Portman Estate has an extensive tree planting plan, which has been put on hold, waiting for this Public Realm document. It seems to me that residents would consider it unfair that trees have been welcomed in parts of East Marylebone, but now they are not to be welcomed anywhere in Marylebone without extensive consultation! As is illustrated in the Appendix B page 31, East Marylebone is a hard, treeless streetscape, and they could provide a "welcome cloak" as described in the text - they are unlikely to "damage the character of this hard urban place" where there are appropriate placing possibilities. On page 30 of the same appendix, it seems unreasonable to pick out that "there is no in principle objection to further planting in broader streets, such as..." as this means it is much less likely that trees will be encouraged in other wide streets in West Marylebone.</p> <p>Response: The term caution is explained in the document and demonstrates the level of care required in making decisions on street tree planting in these historic areas of the City. The term itself will not be the limiting factor in making decisions on placement and opportunity but these areas are characterised by their historic street layout, many with narrow streets and pavements and important historic building facades. Minimum pavement widths and other limitations linked to National guidelines, together with myriad underground utilities will mean that there are likely to be few physical opportunities for new street trees. Where they are physically possible, decisions will need to be made on a case by case basis to ensure a balance in the wider City-scape between historic conservation issues and modern-day requirements for a greener environment. The examples of broader streets given on page 30 is not an exhaustive list, but a few examples to show the kind of scale.</p>
9.	037	Comment	<p>From: DP9 representing Project Blue (former Chelsea Barracks site) Neither document makes reference to open spaces falling outside the borough despite the previous draft of the Open Space Strategy making such references. Open spaces outside the borough, and particularly those on the borough boundary, should be added to both documents to give a realistic understanding of access to open spaces.</p> <p>Response: The open spaces immediately outside the City boundaries will be added, to be in line with the maps in the Open Space Strategy</p>
10.	042	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward Finally, I think that the report is being too prescriptive in paragraph 42, where it states that trees can introduce a discordant note in symmetrical Georgian and Victorian terraces. As the report later points out, we need trees for various reasons, and circumstances (pollution, global warming, overcrowding, stresses of modern living) are very different today from Georgian and Victorian times, so Westminster needs to adapt rather than be bound by history!</p> <p>Response: The wording has been carefully chosen using "can" rather than "do". In some situations this is the case and it would be wrong to ignore the historic aspects. However, the report tries to put forward a balanced view and later acknowledges that the historic conservation aspects of the public realm need to be balanced with modern day requirements for a greener environment.</p>

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11.	086	Comment	<p>From: English Heritage - Sarah Green Page 36, para 86 Please ensure that new planting suits the space i.e. cemeteries may not be the best place to create native habitat as they are often designed landscapes of merit containing collections of interesting non native planting that is potentially equally of wildlife as well as historic value</p> <p>Response: Noted.</p>
12.	104	Comment	<p>From: City Management - Chris Armstrong I like the strategy very much but it should be printed on recycled paper, or even better produced electronically. A couple of comments on page 40: Other characteristics: Some trees such as Maples, may have roots that grow close to the surface and could, in time, present a trip hazard for pedestrians. Other species, such as wild cherries, may have particularly stubborn and vigorous roots that sprout up in inappropriate places and may persist long after the tree itself has been cut down. Subsidence: It may also be worth mentioning that tree roots can also cause problems if they find their way into old or cracked pipes.</p> <p>Response: Text amended to reflect the comment.</p>
13.	105	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward I wondered if section 8 should be more forceful with regard to including planting within new development schemes.</p> <p>Response: Text amended to reflect the comment.</p>
14.	116	Comment	<p>From: Jennie Preen, Project Manager Air Quality, Built Environment, City of Westminster I think that paragraph 116 (pg 44) implies an overstated effect of trees on local air pollution levels. As stated earlier in the Draft Tree Strategy (paragraph 13, pg11), there is a degree of uncertainty over their interaction with gaseous pollution. The physical properties of trees are likely to be more significant in effecting air quality and its impacts. For example, dense canopy cover can restrict natural dispersion of pollutants and therefore choosing the right tree to provide the right amount of cover at appropriate spacing (in the right place) can help to reduce build-up of pollution. Another example would be trees providing cover (and cooling) which helps reduce temperature in the urban environment. Health impacts from poor air quality are generally aggravated during periods of higher temperature and so trees help to reduce the effects from poor air quality by keeping the City cooler. The Mayor's Air Quality Strategy for London supports Mayor's Street Tree Programme and "the right tree in the right place", but focuses only on the physical properties such as acting as trapping particulate matter on leaves and branches (where they are later washed off by rain) and canopy cover issues. Additionally, I think that species selection is very important, not for air pollution reduction /sequestration, but for the tree's ability to thrive and survive in a potentially polluted location. Perhaps paragraph 116 could be reworded to take the above points into account.</p> <p>Response: Text amended to reflect the comment</p>

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15.	117	Comment	<p>From: Brian Woodham Administrator to the St James’s Conservation Trust.</p> <p>This is a very important, if brief, section and it should surely be reflected in the (currently) all tree-orientated document title, although not by addition of “greening” which is a very ugly term. Perhaps as ; “Trees, Other Planting and the Public Realm”. The Trust would recommend that paragraph 117 is modified as :</p> <p>“...Other forms of greening can be used in locations that are not suitable for (in-ground or conventional) street tree planting, such as those with historic or physical constraints, which have been defined across most of St. James’s...”</p> <ul style="list-style-type: none"> • It is recommended that other planting options are addressed although all with design issues such as :- • Raised planters in this section, even if it is negative such as : “Permanent raised planters are generally not considered appropriate for decorative street trees or other planting in the St. James’s Area”. • Hanging baskets can be ornamental additions for seasonal effect on appropriate structures or walls, but are generally not considered appropriate on Listed Buildings or structures, unless purpose designed solutions are agreed. • Temporary, seasonally appropriate, floral or decorative tree and shrub arrangements in moveable, temporary planters or structures of agreed appropriate design for special events may be considered appropriate and desirable for use in parts of St. James’s, perhaps including Waterloo Place. <p>Response: The title of the document will remain focused on trees as the main purpose of the SPD. Some text changes have been made to reflect the comments made but no specific mention of the St James’s area is included as the policy document is for City-wide application.</p>
16.	117	Comment	<p>From: Covent Garden Area Trust</p> <p>Other planting (page 44). This is a very important, if brief, section and it should surely be reflected in the (currently) all tree-orientated document title, although not by the addition of “greening” which is a very ugly term. Perhaps it should be entitled “Trees, Other Planting and the Public Realm”. The Trust would recommend that paragraph 117 is modified as: “Other forms of greening can be used in locations that are not suitable for (in-ground or conventional) street tree planting, such as those with historic or physical constraints, which have been defined across most of central Covent Garden.”</p> <p>Paragraph 118, page 44, has an error concerning the “local tradition” of first floor flower boxes in Covent Garden. The Trust recommends the deletion of the arguable and redundant assertion “(although not an original design intention)” not least as 19th century sources refer to Seven Dials as looking like “a Hanging Garden of Babylon” from its planting (not least) and many of these buildings included 19th century reconstructed 18th century fabric, with this use in mind.</p> <p>Response: Some text has been amended to reflect the comment.</p>

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17.	117a	Comment	<p>From: Covent Garden Area Trust</p> <p>The Trust would request that the following additional planting options are considered, although all have design issues:</p> <ul style="list-style-type: none"> i) Raised planters in this section, even if it is negative, such as “Permanent raised planters are generally not considered appropriate for decorative street trees or other planting in the Covent Garden area.; ii) Hanging baskets can be ornamental additions for seasonal effect on appropriate structures or wells, but are generally not considered appropriate on Listed buildings or structures, unless purpose designed solutions are agreed; iii) Temporary, seasonally appropriate, floral or decorative tree and shrub arrangements in moveable, temporary planters or structures of agreed appropriate design for special events may be considered appropriate and desirable for use in parts of Covent Garden. <p>Response: Some text has been changed to reflect the comment.</p>
18.	Appendix B	Comment	<p>From: English Heritage - Sarah Green Appendix B Townscape Areas and Planting Principles</p> <p>Please include reference to the English Heritage Register of Parks and Gardens of Special Historic Interest where relevant, e.g. Regents Park is Grade I on the Register making the park a site of international significance. It is a designation that should be taken into account when identifying planting principles in the townscape areas which are the subject of this appendix. The recognition and significance of the historic designed nature of the spaces on the Register will help inform suitable new tree planting, succession and restoration in these areas.</p> <p>We welcome the inclusion of additional planting principles to be followed in eg East Marylebone where it is vital that any additions to the streetscape consider its historic character and that any new opportunities for planting street trees take its character into account.</p> <p>Response: Text and Maps amended to reflect change Royal Parks as a separate category, as already noted in the guiding chapter in Westminster Way.</p>
19.	Appendix B	Object	<p>From: Emily Alleway – Royal Parks</p> <p>We would be more comfortable with the Parks being categorised under ‘Caution.’ This is partly due to the historic sensitivity and Listed status of all of the Parks, but also due to the complex issues surrounding tree planting and management of tree stock and open space within TRP. We realise that it is preferable to keep documents such as these as simple as possible, but think the three proposed categories seem a little vague to cover the considerations associated with management of tree stock.</p> <p>The principle of canopy cover and age groups could also be a consideration, as for us it is a more reliable measure of the function of open space than numbers of trees. Mike notes - Existing canopy cover and age groups of trees that provide that canopy cover would be useful in determining planting opportunities, particularly in parks or restricted spaces. For instance, a site may have a large number of small trees and considerable canopy cover, but will need thinning out in the future and can’t accommodate more trees. Other areas with considerable canopy cover consisting of mature trees may be able to accommodate some replacement planting in the future as part of succession planting or replacement of features. In some cases open space without canopy is important to maintain character, as acid grassland or just as a sunny spot e.g. The Green Park.</p> <p>Response: Maps to be changed to show the Royal Parks as a separate category, as already noted in the guiding chapter in Westminster Way and a new Appendix 21 ‘Royal Parks’ to be added to deal with the special circumstances of the Royal Parks.</p>

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20.	Appendix B 1	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward On the map of Appendix B, I am pleased to see that the Edgware Road seems to be outlined as an area of opportunity, and presume that this applies to section 7 - routes, so it seems a shame that the actual road is not mentioned. Response: Noted.</p>
21.	Appendix B 1	Comment	<p>From: Covent Garden Area Trust With regards to trees in the public realm, the Trust is primarily concerned with the Covent Garden area and would refer you to page 81 of the Environmental Study of Central Covent Garden which states: “None of the streets in the Covent Garden Conservation Area was intended to have trees planted in it. “It is an anachronism to introduce trees into a seventeenth century street layout which was not intended to have any, and the scale and design of which is unsuited to large trees. It is recommended that no more trees be planted in Covent Garden”. The Trust maintains its position on the planting of trees in the area. Response: The Covent Garden area falls within an area marked as Caution which means that any additional tree planting will need to be undertaken with due care to ensure appropriate locations are considered.</p>
22.	Appendix B 37 & 38	Comment	<p>From: Heather Acton – Ward Councillor Hyde Park Ward. On page 37 and 38, it seems contradictory to describe the benefits gained on Dean Trench Street, and Tufton Street, but to then say there is little scope for additional plantings. Response: Text amended on page 38 of Appendix B to reflect the comment.</p>
23.	Appendix F	Comment	<p>From: English Heritage - Sarah Green Appendix F References and Contacts Include the London Parks and Gardens Trust Inventory of Historic Green Spaces. Response: Agreed.</p>