

UK Holocaust Memorial and Learning Centre

Planning Statement Addendum

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1. Introduction

- 1.1 This Planning Statement Addendum has been prepared by DP9 on behalf of the Secretary of State for Housing, Communities and Local Government ('MHCLG') ('the Applicant'), in support of planning application 19/00114/FULL (APP/XF990/V/19/3240661) ('the Application') for the United Kingdom Holocaust Memorial and Learning Centre ('UKHMLC') on land at Victoria Tower Gardens ('VTG') comprising the following ('the Proposed Development'):

'Installation of the United Kingdom Holocaust Memorial and Learning Centre including excavation to provide a basement and basement mezzanine for the learning centre (Class D1); erection of a single storey entrance pavilion; re-provision of the Horseferry Playground and refreshments kiosk (Class A1); repositioning of the Spicer Memorial; new hard and soft landscaping and lighting around the site; and all ancillary and associated works.'

- 1.2 The Application was submitted to Westminster City Council (WCC) on 19 December 2018. Following the Minister of State's decision to call in the Application pursuant to Section 77 of the Town and Country Planning Act 1990, (the '1990 Act') by way of a Direction dated 5 November 2019, the Application was the subject of a public inquiry which took place between 6-23 October 2020 and 3-13 November 2020.
- 1.3 The Application was supported by a comprehensive set of documents, including, inter alia, a DAS and DAS Addendum (2018 and 2019) prepared by Adjaye Associates, an ES and ES Addendum (2018 and 2019) prepared by WSP, and a Planning Statement and Planning Statement Addendum prepared by DP9 (2018 and 2019). The Application was also supported by, inter alia; a Transport Statement prepared by WSP and Security Statement prepared by Matthew Brittle CEng Principal Member of RSES. In addition, the Applicant team prepared extensive detailed evidence set out in proofs of evidence from its expert witnesses.
- 1.4 The Public Inquiry ran for 20 sitting days and heard evidence from 30 expert witnesses. A further 68 interested parties spoke for or against the proposed development, including holocaust survivors, religious leaders, politicians, academics, local residents and other interested persons. As one of the first major 'virtual inquiries', the Inquiry proceedings attracted very large numbers of viewers. As such, the Proposed Development and accompanying technical documents have already been the subject of very extensive pre and post application public consultation and public scrutiny.
- 1.5 Following the close of the Inquiry, in his report dated 29 April 2021 the Inspector, David Morgan BA, MA, MRTPI, IHBC ('the IR') recommended that planning permission



be granted. The Minister of State issued a decision dated 29 July 2021 granting planning permission ('the DL') which was subsequently challenged, and in a Judgement dated 8 April 2022 (Ref [2022] EWHC 829 (admin)) the Minister's decision was quashed. The Application is now before the Minister for redetermination.

- 1.6 In this Planning Statement Second Addendum, we set out the context and background to the challenge, describe the events which have taken place since then, including the passage of the Holocaust Memorial Act [2026] ('the 2026 Act') which received Royal Assent on 22nd January 2026, and its implications for the Minister's redetermination.
- 1.7 In short, and for the reasons set out later, the 2026 Act provides a comprehensive response to the reasons why the DL was quashed and means that the reasons which led to the decision to quash are no longer relevant for the redetermination of the Application.
- 1.8 The previously identified need for the UKHMC remains unmet and the Proposed Development is unchanged (save for minor non-material amendments and possible minor alterations described later) and as such there are no further obstacles to the approval of the Application.
- 1.9 However, given the period of time which has passed since the IR, it is clearly relevant to update certain of the technical documents which supported the Application and underpinned the IR. As part of this process, the Applicant has also considered, inter alia, any subsequent changes in planning policy/guidance or building regulations/legislation and any new material considerations which could necessitate changes to the Proposed Development or have a bearing on the planning balance in this case.
- 1.10 For the reasons explained in more detail later, there are no changed circumstances which have any implications for the design of the Proposed Development or planning application, although a number of purely internal changes have been made to respond to new building and other regulations. These are detailed in a DAS Addendum prepared by Adjaye and annotated on substitute plans.
- 1.11 The DAS Addendum also refers to a series of possible design changes which the Applicant has prepared in response to the comments raised by the House of Lords Select Committee ('HoL'). For the avoidance of doubt, the Applicant does not consider these changes are necessary to make the Application acceptable. However, if the decision maker considers all (or any) of these changes are necessary, the DAS Addendum includes a set of updated supplementary plans identifying the potential changes, which could be secured by way of condition to the new decision letter.



- 1.12 Individually and cumulatively these changes are relatively minor, and are for the most part matters of detail which could equally be secured through the discharge of conditions. However, in this Second Addendum we have assessed all the potential changes against the relevant planning considerations and policies and conclude that individually and collectively (and to the extent that they are material changes), they are fully acceptable in planning terms.
- 1.13 The Applicant has also commissioned an update of the ES, which is set out in an ES Addendum. This updates the relevant chapters of the ES, taking into account any changed circumstances since the IR and updated baseline data where relevant. The ES update also examines the effects of the potential changes to the Proposed Development, individually and cumulatively. The Heritage, Townscape and Visual Impact Assessment (HTVIA) has also been updated, taking into account changed baseline conditions and potential changes.
- 1.14 The ES and HTVIA updates conclude that there have been no material changes to the environmental and heritage effects of the Proposed Development since the IR, and no material effects arising from the potential changes. The Applicant has also commissioned an update to the Transport Assessment, which concludes that there have been no material changes in circumstances since the IR, and that individually and cumulatively the potential changes raise no new transport issues.
- 1.15 In response to a commitment given to the HoL, the Applicant has submitted an updated Security Statement which responds to reconsultation with the Corporate Officers of the House of Lords and the House of Commons, the Community Security Trust, the Metropolitan Police, the National Protective Security Authority and Westminster City Council.
- 1.16 In these circumstances, and for the reasons set out in this Addendum and the documents which accompany it, the Applicant considers that the 2026 Act provides a comprehensive response to the matters raised in the challenge to the DL, and there are no materially changed circumstances since the IR was published. Accordingly, the Applicant considers that there are no practical or procedural obstacles to the decision maker issuing a new decision letter approving the Application.
- 1.17 This Planning Statement Second Addendum is structured as follows:-
1. In the next section, we describe the background to the challenge, the grounds of challenge, and the Government's response;



2. In Section 3 we set out an update of planning matters, including the planning implications of any new relevance guidance, legislation and regulations for the IR;
 3. In section 4 we address security matters, in response to matters raised by the House of Lords Select Committee;
 4. In section 5 we identify and assess the possible changes arising from further work carried out in connection with commitments given to the HoL Select Committee, and how these could be incorporated into the decision if the decision maker concludes they are necessary to make the Application acceptable;
 5. In Section 6 we summarise the conclusions of the ES update, which identifies any changed circumstances affecting the baseline or assessed impacts, including the effects of the HoL suggested changes individually or as a whole.
 6. Our overall conclusions are set out in Section 7.
- 1.18 This Second Addendum should be read in conjunction with the following documents which are submitted to assist the decision maker:
- Updated Drawings (prepared by Adjaye)
 - Design and Access Statement Addendum (prepared by Adjaye)
 - Environmental Statement Addendum (prepared by Atkins Realis)
 - Townscape, Visual, and Built Heritage Impact Assessment Addendum (prepared by Montagu Evans, and forming part of Environmental Statement)
 - Whole Life Carbon Assessment (prepared by WSP)
 - Circular Economy Statement (prepared by WSP)
 - Transport Statement (prepared by WSP)
 - Arboricultural Impact Assessment (prepared by GPB)
 - Security Statement (prepared by Matthew Brittle CEng Principal Member of RSES)
 - Fire Statement (prepared by WSP)



2. The Judicial Review and the Applicant's response

- 2.1 In this Section we summarise the IR and the successful grounds of challenge, and set out the Applicant's response to the matters raised therein in the light of the 2026 Act.

The Inspectors Report (IR)

- 2.2 In his comprehensive and detailed IR dated 29 April 2021 the highly experienced Inspector, David Morgan BA MA MRTPI IHBC, recommended that the Application should be approved, and planning permission granted, subject to conditions and the obligations in the section 106 agreement.
- 2.3 On a procedural point, the IR notes at paragraph 1.1 that all the evidence presented to the Inquiry was on the basis of the London Plan 2016 and the draft London Plan (Intend to Publish) Version 2019, and noted the new London Plan 2021 was adopted on 2 March 2021, after the close of the Inquiry.
- 2.4 The IR concludes that in land use policy terms, and promoting Westminster's world city functions, the Proposed Development would accord with a number of high level development plan aspirations (Paragraph 15.267), would cause no harm to the OUV of the WHS or setting of the Palace of Westminster, the Smith Square Concert Hall, the setting of listed buildings on Millbank or the setting of the Smiths Square Conservation Area (Paragraph 15.274).
- 2.5 The IR also concluded that the Proposed Development would be of the highest standard of sustainable and urban design and architectural quality (Paragraph 15.275). Accordingly, the IR identifies a significant measure of compliance with the adopted development plan policies and emerging London Plan ('LP') and Westminster City Plan ('WCP') policies.
- 2.6 However, the IR also identifies a number of heritage harms, including, inter alia, less than substantial harm to the character and appearance of the WAPSCA and setting of the Buxton Memorial, (Paragraph 15.276) and conflict with other policies relating to open space (Paragraph 15.277) and harm to trees (Paragraph 15.278) which would conflict with a number of the adopted and emerging development plan policies.
- 2.7 At Paragraph 15.279 the IR states, inter alia, that:-

'on balance, and it is a fine one, I conclude that overall the proposals cannot be judged to be in accordance with the development plan when read as a whole'.



- 2.8 The IR goes on to consider material considerations at Paragraphs 15.280-15.282, and at Paragraph 15.283 concludes:-

‘When the measures of harms and benefits are respectively accounted, it is clear to me, as set out in the comprehensive reasoning above, that the significant range of truly civic, educative, social and even moral public benefits the proposals would offer would demonstrably outweigh the identified harms the proposals have been found to cause. The outcome of this balance therefore amounts to a material consideration of manifestly sufficient weight to indicate in this case that determination other than in accordance with the development plan is justified’.

- 2.9 It is clear from the detailed and comprehensive IR that careful and thorough assessment was undertaken of the Proposed Development in the context of both the adopted development plan and the emerging LP and WCP policies, as well as other material considerations. There were no material changes between the relevant adopted and emerging policies considered in the IR and the final adopted WCP and LP 2021 policies.

The Judicial Review

- 2.10 On 29 July 2021 the Minister of State for Housing (‘the Minister’) issued a decision letter (‘the DL’) granting planning permission, which the London Historic Parks and Gardens Trust (‘the Trust’) sought leave to challenge on 5 grounds. Permission for statutory review was initially granted on two grounds: Ground 1, which related to harm to heritage assets; and Ground 4, which related to alternative sites. Permission for statutory review was refused on a third ground (Ground 3) as follows:

‘The Inspector (and Minister) failed to address the provisions of the London County Council (Improvements) Act 1900 which creates a straightforward prohibition on using the Gardens for the provision of the Memorial in the manner proposed.’

- 2.11 The Trust subsequently applied to renew its application for permission for statutory review on Ground 3, and the parties agreed that the application should be considered on a rolled-up basis at the substantive hearing into Grounds 1 and 4.
- 2.12 In her Judgement, handed down on 4 April 2022, the Hon Mrs Justice Thornton dismissed the claim on Ground 1 but granted the claim on Ground 3: The London County Council (Improvements) Act 1900 (hereinafter ‘the 1900 Act’).



- 2.13 In respect of Ground 4 (alternative sites) at Paragraph 149 of her Judgement the Hon Mrs Justice Thornton concluded:

'As advanced by Mr Drabble, Ground 4 therefore fails. However, I have concluded in relation to Ground 3 that, section 8 of the 1900 Act imposes an enduring statutory obligation to maintain Victoria Tower Gardens as a public garden. This is a material consideration in the context of the Inspector's emphasis on the importance of the need to deliver the scheme within the lifetime of the Holocaust survivors. The Inspector considered the question of alternative sites and the implications of their deliverability without assessment of the deliverability of the location in Victoria Tower Gardens in the context of the issue now presented by the Court's construction of the 1900 Act. In these circumstances, to this extent, Ground 4 succeeds.'

- 2.14 At Paragraph 159 of her judgment the Hon Mrs Justice Thornton concluded that:-

'For the reasons explained above, the claim fails on Ground 1 (heritage impacts) but succeeds on Ground 3 (London County Council (Improvements) Act 1900) and on Ground 4 to the extent that the Inspector's assessment of alternative sites was conducted without an appreciation of the implications of the London County Council (Improvements) Act 1900'.

- 2.15 It now falls to the Minister to redetermine the Application, having a full appreciation of the current position as regards the 1900 Act and the extent to which it has any bearing on alternative sites, and any other changed circumstances since the IR.

The Government's Response

- 2.16 In response to the challenge, the Government promoted the Holocaust Memorial Bill in order to remove the restrictions in the 1900 Act on building a Holocaust Memorial and Learning Centre in Victoria Tower Gardens ('VTG') next to Parliament. The Bill also included provision to give the Government powers to use public funds to build and operate the Holocaust Memorial and Learning Centre (the 'HMLC') meeting the requirements of Chapter 2 'Use of Public Funds' within HM Treasury's 'Managing Public Money' document published June 2025.
- 2.17 The Explanatory Notes accompanying the Bill explain the policy background to the Bill, which applies equally to the Application, as follows:

2. In January 2014, the then Prime Minister David Cameron launched the cross-party Holocaust Commission to examine what more should be done in Britain to ensure that



the memory of the Holocaust is preserved and that the lessons it teaches are never forgotten. The Commission recommended a “striking” new Memorial should be constructed in a “prominent central London location” to show the UK’s commitment to remembering the Holocaust, with a world class Learning Centre using “cutting edge technology”. In January 2015, the Prime Minister accepted the Commission’s recommendations and committed the Government to establish a new national Holocaust Memorial and Learning Centre.

3. The Holocaust Memorial will be a focal point for national remembrance of the Holocaust, dedicated to the six million Jewish men, women and children who were murdered and all other victims of the Nazis and their collaborators. The Learning Centre’s exhibition will explore the part played by Britain’s Parliament and democratic institutions in response to the persecution of the Jewish people and other groups both at the time and subsequently. It will help people understand the way the lessons of the Holocaust apply more widely, including to other genocides.

4. Following an extensive search for suitable sites, Victoria Tower Gardens was recommended to the Government as the most fitting site as its historical, emotional and political significance substantially outweighed all other locations. The Holocaust Memorial and Learning Centre was also seen to be in keeping with other memorials sited in the Gardens representing democratic struggles for equality and justice. Victoria Tower Gardens is Crown Land for which the Department for Culture, Media and Sport hold the title. The Government accepted the recommendation and announced Victoria Tower Gardens as the chosen location for the Memorial on 27 January 2016 to mark Holocaust Memorial Day.

5. Following an international competition, the winning design for the Memorial and co-located Learning Centre was announced in October 2017. The design was chosen because it met an essential challenge of the brief by being visually arresting yet showing sensitivity to its location and context. The winning design was further developed to meet the requirements of the chosen site, and to ensure that the new features and landscaping improvements will benefit all users of the gardens.

- 2.18 Further relevant context to the Bill and redetermination of the Application is that, in introducing the Second Reading of the Bill into the House of Commons on 28 June 2023, the Secretary of State for Levelling Up, Housing and Communities¹ explained that:

¹ Michael Gove MP at that point in time



This short Bill serves a vital purpose. It ensures that the undertaking that this Government have given, supported by the official Opposition and all parties in this House, is honoured, and that a fitting, Government-led national memorial and learning centre to honour the 6 million who died in the holocaust is established in a suitable, prominent centre at the heart of our capital city.

- 2.19 Following Royal Assent for the Bill on 22 January 2026, the Holocaust Memorial Act 2026 ('the 2026 Act') provides a comprehensive response to the two successful grounds of challenge, and the points which led to the challenge to the DL are no longer relevant. This is fundamental to the Minister's redetermination of the Application, particularly as, for the reasons set out in this letter and referred attachments, there are no other material changes in the circumstances in this case.
- 2.20 The basis for Ground 3 falls away entirely. At Paragraph 158 of her judgement the Hon Mrs Justice Thornton states, inter alia; *'the appropriate remedy is to quash the decision, so as to enable further consideration of the implications of the London County Council (Improvements) Act 1900 for the proposed scheme'*. In the light of the 2026 Act, the London County Council (Improvements) Act 1900 no longer prevents the delivery of the proposed development in VTG and therefore the 1900 Act no longer has any implications for the Application. Consequentially, in as far as the judgement in respect of Ground 4 is essentially reliant on Ground 3, this ground also falls away.
- 2.21 For the reasons clearly articulated in the IR, the VTG location is a uniquely suitable location for the UKHMLC. The IR states:-
- 'the location next to the Palace of Westminster not only has a resonance with a key positive attribute of the Millbank and IWM sites, it would offer a powerful associative message in itself, which is consistent with that of the memoria of its immediate and wider context. As a measure of the importance attached to the commemorative task it has, and for all the reasons set out above, I conclude that the location of the UKHMLC adjacent to the Palace of Westminster can rightly be considered a public benefit of great importance, meriting considerable weight in the heritage and planning balance'.*
- 2.22 However, to the extent that it is relevant to consider the availability of VTG relative to other potential locations, the 2026 Act has removed any impediment to delivery of the Proposed Development at the earliest opportunity and demonstrates the Governments resolve to bring forward the UKHMLC in VTG.
- 2.23 In contrast, there are no alternative proposals identified for the UKHMLC on any alternative site, and no evidence of any progress of the alternatives considered in



some detail the IR. Even if an alternative site existed, any alternative proposal for a UKHMLC would require a sponsor, funding, detailed design, pre-application discussions, and submission and determination of a planning application. This process would take many years at a minimum with no certainty of approval, leaving aside the prospect of local objection/call in/legal challenges.

Summary

- 2.24 In summary, the 2026 Act provides a comprehensive response to the only two successful grounds of legal challenge to the original grant of planning permission. Subject to the grant of planning permission, there is no legal impediment to the early delivery of the UKHMLC at VTG, and, notwithstanding the IR conclusion that this provides a uniquely suitable location for the UKHMLC, there remains no alternative suitable viable or available alternative location for this proposal.



3. Planning Update

- 3.1 In this section we identify any material changed circumstances relevant to the redetermination, including any relevant new developments or consented schemes not previously taken into account in the material before the Inspector, and any changed policy or regulatory changes which have a bearing on the Proposed Development's design and/or determination process.
- 3.2 A number of developments in the vicinity have received planning permission or commenced construction in the time since the IR was issued. These developments are considered within the ES as cumulative developments, with any impacts assessed alongside impacts arising from the Proposed Development itself.
- 3.3 Whilst not yet subject to a planning application, it is recognised that plans are being prepared for the Restoration and Refurbishment of the Palace of Westminster (the "R&R"). Exact timescales for these works are uncertain, however the interaction between these works and the works on the Proposed Development (such as the storage of construction material and equipment in VTG) will be addressed via planning conditions, both on the Proposed Development and any permission relating to the R&R when this eventually comes forward.
- 3.4 The London Plan (the 'LP') and Westminster City Plan (the 'WCP') comprise the Development Plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004. The LP was adopted in March 2021 and the WCP was adopted on 21 April 2021 and therefore both postdate the IR, which was issued on 29 April 2021.
- 3.5 Whilst both plans were adopted after the IR, the emerging plans had reached a very advanced stage by the time of the Inquiry and the IR had regard to all of the relevant emerging development plan policies.
- 3.6 This point is considered in 'Matters arising since the close of the inquiry' in the Minister's DL. In relation to the London Plan, the DL states that *'At the time of the Inquiry, the development plan included the 2016 version of the London Plan, saved policies of the Westminster Unitary Development Plan (WUDP) 2007 and the Westminster City Plan (WCP) 2016. The London Plan was adopted on 2nd March 2021. The policies from the previous London Plan set out in IR3.10-3.16 have therefore been superseded. However, the Minister of State does not consider that the adoption of the London Plan (LonP 2021) raises any matters that would require him to refer back to the parties for further representations prior to reaching his decision on this application, and he is satisfied that no interests have thereby been prejudiced'*.



- 3.7 Paragraphs 3.3 – 3.9 of the IR consider the policies of the London Plan 2021, which at the time of the IR was in draft form. The London Plan 2021 has since been adopted, however the policies considered in paragraphs 3.3 -3.9 remain the same, therefore no reassessment is considered necessary.
- 3.8 In relation to the Westminster Plan, the DL states that *‘Relevant policies of the then emerging Plan were considered by the Inspector at the Inquiry (IR3.38-3.41). The Minister of State notes that the parties agreed that the Westminster Emerging City Plan was a material consideration in the determination of the Application (IR3.38). The Minister of State does not consider that the adoption of the new Westminster City Plan raises any matters that would require him to refer back to the parties for further representations prior to reaching his decision on the application, and he is satisfied that no interests have thereby been prejudiced.’*
- 3.9 Paragraphs 3.38 – 3.41 of the IR consider the policies within the Emerging Westminster City Plan, which has since been adopted. The paragraphs note the key policies relevant to the Proposed Development (39 – design principles; 40 – heritage; 35C – green infrastructure). Whilst the content of these policies is unchanged in the now adopted Westminster City Plan, the policy numbering has now updated so the same policies are now adopted as policies 38 – design principles; 40 – heritage; and 34C – green infrastructure respectively.
- 3.10 Accordingly, there are no new development plan policy considerations relevant to the redetermination of the Application.
- 3.11 We have reviewed the Application against subsequent supplementary guidance and other regulatory changes to consider whether there are any new policy matters which were not fully addressed in the IR, or whether there is any emerging policy or regulation against which the Proposed Development should be assessed for compliance.
- 3.12 A number of Supplementary Planning Documents and new regulations have come into effect since the IR which we consider below.

Draft NPPF

- 3.13 Draft updates to the National Planning Policy Framework have recently undergone consultation, which ended on the 10th March 2026. Key updates are a revised presumption in favour of sustainable development, a more positive approach to



heritage-related development, and boosting local and regional economies. There are no draft updates that raise any material issues for the redetermination.

Whole Life Carbon / Circular Economy

- 3.14 While the LP policies on WLC and Circular Economy were included in the draft LP considered in the IR (Policy SI7 – reducing waste and supporting the circular economy; Policy SI2 – minimising greenhouse gas emissions), and whilst neither policy was considered in detail in the IR, the GLA subsequently published guidance on Whole Life Carbon and Circular Economy in March 2022, which encourage development to demonstrate measures of reducing or mitigating embodied carbon emissions, and exploring options to reuse, recycle or repurpose existing and proposed materials.
- 3.15 WSP have therefore undertaken a Whole Life Carbon Assessment and a Circular Economy Assessment to assess the performance of the Proposed Development against current policy guidance. These assessments show how Circular Economy Principles can be factored into the Proposed Development at subsequent stages of the design. Whilst certain elements of the Proposed Development are bespoke, a wide range of materials can be procured with future reuse in mind.
- 3.16 The Whole Life Carbon Assessment sets out the carbon emissions arising from the Proposed Development. However, as there are no directly relevant benchmarks for a memorial and integrated learning centre this non-statutory guidance would carry only limited weight in the decision-making process
- 3.17 Westminster’s Environmental SPD was adopted on 28th February 2022 and provides guidance on the City Plan’s environmental policies, promoting issues such as reducing energy consumption, improving air quality, increasing the amount of green infrastructure in the city and promoting the sensitive refitting of existing buildings. The SPD was more recently updated on 13 February 2026 to reflect updates to the local evidence base and changes in national legislation. Westminster Guidance states that the Environmental SPD should be read in conjunction with the Circular Economy and Whole Life Cycle Carbon Assessments LPG published by the GLA in 2022. Therefore, matters arising from the Environmental SPD are dealt with in the Circular Economy Statement and Whole Life Carbon Assessment.

Building Regulation Changes

- 3.18 The Proposed Development will meet all current Building Regulations following a series of minor design adjustments described in the DAS Second addendum. The majority comprise very minor internal reconfigurations and none have any material



bearing on the external views of the building or how it will operate. Accordingly, none of these changes raises any material planning issues for the redetermination.

Fire Regulations

- 3.19 LP Policy D12 which requires that the highest standards of Fire Safety are expected for buildings, was part of the Intend to Publish draft LP considered in the IR, whilst not specifically addressed by the IR. However, updated fire regulations and associated guidance notes have subsequently been published. In response to the new regulations a number of minor changes to the internal arrangements are proposed, as described in the DAS Second Addendum, but none has any material effect on external appearance or give rise to any planning issues.
- 3.20 An updated Fire Statement has been prepared by WSP in order to demonstrate compliance with Policy D12 and wider regulations around Fire Safety. The Statement contains a Declaration of Compliance with London Plan D12(B) – Fire Safety, and London Plan D5(B5) – Dignified Evacuation. Accordingly, the Proposed Development is fully compliant with current planning policy around Fire Safety.

Environment Act 2021

- 3.21 Under the Environment Act 2021, amendments were made to the 1990 Act such that Biodiversity Net Gain (BNG) became mandatory for major developments in February 2024, requiring delivery of at least a 10% net gain in biodiversity. However, this only applies to major developments for which a planning application was submitted from February 2024 onwards. As the Application was submitted in 2019, the BNG provisions of the Environment Act / 1990 Act do not apply.

Summary

- 3.22 In summary, the Proposed Development has been reassessed against the current planning context, including a consideration of potential cumulative development, policy and regulation in the period following the IR.
- 3.23 As this section demonstrates, aside from very minor design updates, none of which would have a material effect on planning matters or considerations, the Proposed Development remains fully acceptable under current policy and regulations. There are no emerging cumulative developments in the interim period between the IR and the present day that would affect any of the conclusions drawn previously.



4. Security Considerations

- 4.1 Security has been a key consideration of the Proposed Development from pre-application stages onwards. The Application was supported by a Security Statement by Matthew Brittle CEng Principal Member of RSES and attracted no objections or concerns from the Metropolitan Police and other relevant stakeholders. As noted in paragraph 6.109 of the IR, *'Throughout the design process the Applicant has liaised with the Metropolitan Police Service, the Centre for the Protection of National Infrastructure and the Community Security Trust, who are a charity that completes varied activities to protect British Jews. All parties have had access to the security development information and have made no objections to the level of security that would be applied at the UKHMLC.'*
- 4.2 The issue was addressed in expert evidence to the Inquiry by the Applicant, and the Inquiry heard from several objectors on security matters.
- 4.3 The IR considers Security Matters in full across paragraphs 15.234 – 15.253 of the IR , and acknowledges that wherever it was located, a UKHMLC would entail extensive security enhancements.
- 4.4 *'15.251: The fact of the matter is that whilst the location of UKHMLC within VTG could be viewed as a 'high value' target, the risks associated with this venue are not so acute as to be out of proportion when compared with many other sites in central London. The evidence provided indicates that the risk profile of the UKHMLC would remain fairly constant regardless of the location.*
- 15.253: In this case, there is evidence of the regular liaison between security experts throughout the design process and of the resulting security provisions. This determines that the requirements of paragraph 95a) have been met. As such, matters of security have a neutral value in the planning balance.'*
- 4.5 Notwithstanding this issue has already been addressed in detail, Paragraph 110 of the Holocaust Memorial Bill Select Committee – Special Report of Session 2024 – 2025 ('the HoL Select Committee') sets out the following undertaking given by the Government as promoter of the Holocaust Memorial Bill:
- (1) Following re-activation by the Secretary of State of the planning process in relation to the current planning application, the Promoter will make representations to the Secretary of State in relation to security considerations and in so doing will provide updated evidence on security considerations with the aim of ensuring that the*



Secretary of State continues to regard security considerations as a main issue in determination of the application.

(2) Before submitting to the Secretary of State any representations on security considerations, the Promoter will consult with the Corporate Officer of the House of Commons and the Corporate Officer of the House of Lords, Community Security Trust, the Metropolitan Police, the National Protective Security Authority and Westminster City Council, and will have regard to any comments they may make to the Promoter on security considerations and the Promoter will forward those comments to the Secretary of State when making any representations on security considerations.

- 4.6 The Applicant has always considered and continues to consider that the decision-makers should proceed on the clear basis that security considerations remain, and must continue to remain, a principal issue in the determination of this application. They have been treated as such throughout the evolution of the Proposed Development, were examined in detail at the Inquiry and in the IR, and nothing in the intervening period diminishes their importance. An updated Security Statement is included within this submission which has been shared in draft with the Corporate Officer of the House of Commons and the Corporate Officer of the House of Lords, Community Security Trust, the Metropolitan Police, the National Protective Security Authority and Westminster City Council, in accordance with the above Undertaking, and which sets out which elements of security design remain current, which security arrangements will be developed further, taking into account new technology as appropriate and as the programme proceeds, and how relevant authorities and stakeholders will continue to be engaged. The Security Statement provides confirmation that the security provision for the development remains appropriate and proportionate.

Summary

- 4.7 In summary, there have been no material changes in planning circumstances relating to security matters since these matters were addressed in the IR. The Metropolitan Police and other key stakeholders remain positive and supportive of the security approach being undertaken.



5. Response to the House of Lords Select Committee

- 5.1 During the passage of the Bill, the Applicant committed to give consideration to a number of concerns identified by the HoL Select Committee. The key assurances and recommendations comprise:

(Assurance 4) a review will be carried out with the design team of the arrangements proposed for the southern end of Victoria Tower Gardens (VTG), with a view to ensuring an appropriate separation of the playground from other visitors to VTG, including visitors to the proposed Holocaust Memorial and Learning Centre (HMLC). Measures to be considered during that review will include:

- very clear delineation of the boundaries of the playground, using the Spicer Memorial, hedges and other planting to make the playground space clearly separate from the area around the HMLC;*
- ensuring that visitors to the HMLC have no need to pass through the playground; and*
- ensuring that visitors to VTG, whether visiting the HMLC or not, have no need to pass through the playground in order to access either the public toilets or the refreshment kiosk*

(Assurance 8) detailed consideration will be given to the question of how easily visitors to the proposed Holocaust Memorial and Learning Centre, and to Victoria Tower Gardens generally, will be able to pass by and view the Buxton Memorial, including by considering the location, nature, specification and design of paths, fencing and other boundary treatments.

(Response to Recommendation 1) the Promoter will look carefully at the proposed design and location of the refreshment kiosk. This work will be conducted alongside the review (relating to Assurance 4) of the arrangements around the playground.

- 5.2 As detailed in the DAS Second Addendum, Adjaye has reviewed the proposed design, having regard to new pedestrian counts, and a review of the modelled impact of visitors to Victoria Tower Gardens and UKHMLC. They conclude that there is no reason to expect significant numbers of UKHMLC visitors will enter the playground. This conclusion is further supported by WSP's Transport Assessment Addendum, which concludes that the predicted pedestrian traffic has reduced considerably from the estimates in the original Assessment. The analysis also confirms that visitors to Victoria Tower Gardens will continue to have clear and easy opportunities to view the Buxton Memorial, with no expected pinch points.



5.3 The Applicant has also looked carefully at the proposed design and location of the refreshment kiosk, having regard to the updated analysis. The Applicant maintains the position that the retention of a refreshment kiosk would provide a useful amenity for all users of VTG and contribute towards a more functional, user-friendly public space. Any concerns regarding overcrowding can be mitigated via minor adjustments, including the use of landscaping and the reorientation of the service window to ensure queues take place in the correct location and the experience for all users of VTG is optimised.

5.4 Based on the Adjaye design review, the Applicant does not consider that any changes to the Proposed Development are necessary to make the Application acceptable. However, as a result of the Assurances provided to the Select Committee, a number of potential changes have been identified in the DAS Second Addendum comprising the following options:

- **Option 1A: Hedge Boundary to Playground**

An additional section of hedging would be introduced along the pedestrian Thames walkway and around the inner line of the Spicer Memorial and the existing railings along Millbank.

- **Option 1B: Installation of new gate on Millbank, and full Hedge/Railing Boundary**

This option would build upon Option 1A by maintaining a fully enclosed playground with a well-defined, 1-metre high, hedge and metal railing. Each entry point into the playground would be gated, including the introduction of a new gate off Millbank. This new dedicated entrance would be clearly signposted, guiding visitors from the street directly to the playground access point.

- **Option 1C: Full Hedge/Railing Boundary**

This option would build upon Option 1A by maintaining a fully enclosed playground with a well-defined, 1-metre high, hedge and railing. Each entry point into the playground would be gated, with a difference to Option 1B being that there would be no new gate entrance from Millbank.

- **Option 1D: Removal of Café Kiosk**

The café and kiosk would be removed, and the space reduced so as to only accommodate essential services— namely the back-up generator and cycle parking. This change would enable the playground area to increase further southward.

- **Option 1E: Reorientation of Café Kiosk**



The counter of the café kiosk would be turned toward the Thames Walkway, to avoid potential queues conflicting with users of the playground adjacent.

- **Option 1F: Buxton Memorial Widened Path**

The path surrounding the Buxton Memorial could be widened by 0.5 metres, providing additional space for visitor circulation.

5.5 Some of the potential options relate to purely internal arrangements (e.g. changes to the internal layout of the café to allow for reorientation in Option 1E) which would not require any changes to the Application. Certain elements of these options, such as the café queuing strategy as part of Option 1E, are operational/management issues which would normally be controlled via conditions (if required). The management of queuing and ticketing have already been addressed in detail within the planning application and are included in the Visitor Management Strategy and Addendum. Other matters of detail, such as landscaping arrangements in Option 1F, could also be secured through the discharge of conditions.

5.6 However, for the sake of simplicity, the DAS Second Addendum identifies each of the potential changes and includes a description of the potential changes and amended plans which could be attached to the decision letter, should the decision maker conclude the changes are acceptable and necessary in order to make the Application acceptable in planning terms. This would enable the decision maker to specify which, if any, of the changes are required and stipulate, by way of a planning condition, that the Proposed Development should be completed in accordance with the existing submitted plans subject to the changes shown on the relevant supplemental plans:

‘Notwithstanding Condition 2, the development hereby permitted shall be carried out in accordance with Option X set out in the Design and Access Statement’

5.7 The formal description of development contains reference to the kiosk. Accordingly, if the decision maker concluded that it would be appropriate and necessary to remove the kiosk element (as per Option 1D) this would also require the description of development to be amended to remove reference to the kiosk element, in addition to incorporating substitute plans by planning condition. An amended description of development would read as follows:

‘Installation of the United Kingdom Holocaust Memorial and Learning Centre including excavation to provide a basement and basement mezzanine for the learning centre (Class D1); erection of a single storey entrance pavilion; repositioning of the Spicer



Memorial; new hard and soft landscaping and lighting around the site; and all ancillary and associated works.'

- 5.8 In the remainder of this section, we address the planning justification and any policy issues or other planning matters arising from the potential changes, both individually and taken as a whole. This should be read in conjunction with the DAS Second Addendum, the HTVIA Addendum and Transport Assessment update, which address the implications and acceptability of the potential changes. The implications of the potential changes for the ES are addressed in the ES Second Addendum, and summarised later in the next section.
- 5.9 **Option 1A:** Hedge Boundary to Playground. The installation of new hedging would not conflict with any development plan policy, nor create any obvious adverse impact. Policy 34 of the City Plan states that WCC will protect and enhance green infrastructure where possible. London Plan Policy S4 encourages opportunities for play and informal recreation, and allow children and young people to move around their neighbourhood safely and independently. The introduction of the hedge boundary will enclose the playground area, improving safety for those using the space.
- 5.10 **Option 1B:** Installation of new gate on Millbank, and full Hedge/Railing Boundary. As with Option 1A, the installation of new green infrastructure, and improvements to the safety of the playground are both supported by policy.
- 5.11 The introduction of a new gate on Millbank is supported by City Plan policy 25, part B of which promotes improvements to the pedestrian environment, contributions towards improved legibility and wayfinding, and improved safety and permeability in the pedestrian environment.
- 5.12 The Transport Statement has assessed the introduction of the new gate and found the impacts acceptable, noting that pedestrian footfall has decreased since the IR, and the pavement around the Site is of sufficient width to avoid collision between those walking past and those exiting via the new gate.
- 5.13 **Option 1C:** Full Hedge/Railing Boundary: As with Option 1A, the installation of new green infrastructure and improvements to the safety of the playground are both supported by policy.
- 5.14 **Option 1D:** Removal of Café Kiosk: This option is neutral in policy terms. Policy 16 of the City Plan states that proposals for food and drink will be of a type and size appropriate to their location. The removal of the café kiosk would allow greater space



for those accessing the playground, and if this is considered a priority then Policy 16 would support the removal of the café kiosk.

- 5.15 **Option 1E:** Reorientation of Café Kiosk. The reorientation of the kiosk and the adjustment to the queuing strategy would be supported by London Plan S4 by reducing the risk of collision between queuers and playground users and improving general safety accordingly.
- 5.16 **Option 1F:** Buxton Memorial Widened Path. The widening of the footpath would be supported by policy, namely City Plan Policy 25, Part B which promotes improvements to the pedestrian environment.
- 5.17 In summary, we have assessed the suggested amendments against the development plan and other material considerations, and conclude that in the event that the decision maker concludes that any (or all) of the suggested changes are necessary and appropriate, they raise no new policy or other material considerations which would alter the clear balance of public benefits in favour of approval. The Applicant maintains, however, that none of these design change options are necessary to make the Proposed Development acceptable in planning terms.



6. Environmental Statement Update

- 6.1 The Applicant has commissioned Atkins Realis to undertake an update of the baseline assumptions in the Environmental Statement to establish whether any local conditions, or impacts have changed. The results are set out in the accompanying ES Addendum, and summarised below.
- 6.2 **Air Quality:** the air quality assessment undertaken as part of the original ES has been updated, to account for the updated baseline, including revisiting traffic and transport data. Ultimately the updated assessment shows that there is a minor reduction in baseline air quality concentration around the VTG site. However, there is no overall change to the environmental impacts of the Proposed Development on surrounding air quality, and the mitigation measures proposed in the original ES remain appropriate and the Proposed Development remains air quality neutral.
- 6.3 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Air Quality: *With regards to Air Quality, each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been determined that none of the proposed options, individually or combined, would alter the conclusions of Chapter 6. Therefore, air quality would remain neutral.*
- 6.4 **Built Heritage, Townscape and Visual Impact:** An updated BHTVIA has been prepared by Montagu Evans, including the update of photographic views where appropriate. The BHTVIA concludes that there is no change to the overall assessment of environmental impacts associated with built heritage, townscape and visuals, and the mitigation measures remain appropriate.
- 6.5 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Built Heritage, Townscape and Visual Impact. *‘With regards to Built Heritage, Townscape and Visual Impact Assessment, each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been concluded that none of the proposed options, individually or combined, would alter the conclusions of Chapter 7. Further details are provided in Appendix 3: Options Appraisal of the updated Volume 3 Built Heritage, Townscape and Visual Impacts Assessment.’*



- 6.6 **Archaeology:** There are no changes anticipated to the baseline conditions. Mitigation measures, comprising a detailed scheme of investigation, monitoring, and recording, will be retained, and will reduce the overall impact to Negligible as per the original ES.
- 6.7 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Archaeology. *‘Each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been concluded that none of the proposed options, individually or combined, would alter the conclusions of Chapter 8.’*
- 6.8 **Population and Human Health:** This chapter has been updated to reflect changes to best practice approach, and the standards used to estimate effects. As a result of new categories applied to effects, additional clauses have been added to the CEMP (to be submitted under planning condition), which will ensure that construction impacts are managed appropriately. Taking account of the previous mitigation measures and the addition of the above matters as control measures within the CEMP, the residual effects assessment concludes that the Proposed Development’s impacts will not lead to any significant adverse effects for the population and human health receptor, and additional contributions to positive impacts will further reinforce the beneficial effects.
- 6.9 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Population or Human Health. *‘With regards to Population and Human Health, each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been concluded that none of the proposed options, individually or combined, would alter the conclusions of Chapter 9.’*
- 6.10 **Soils, Geography and Hydrogeology:** The ES Addendum demonstrates that whilst there have been some legislation and guidance changes since the IR, these have not affected the methodology for assessing the Proposed Development’s impacts with respect to this topic. Additional site investigation information assists by reducing the conservatism in the original qualitative assessment and increases knowledge of the ground conditions and provides confidence in the findings of the ES assessment. The mitigations and controls included in the original ES and addendum for managing a construction site in an urban environment remain applicable.



- 6.11 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Soil, Geography and Hydrology. *‘With regards to Soils, Geology and Hydrogeology, each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been concluded that none of the proposed options, individually or combined, would alter the conclusions of Chapter 10.’*
- 6.12 **Biodiversity:** As stated in the ES Addendum, no changes have been made that would affect biodiversity on the site, and no significant impacts are as such expected. Mitigation measures remain the same and continue to be considered appropriate.
- 6.13 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Soil, Geography and Biology. *‘With regards to Biodiversity, each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been concluded that none of the proposed options, individually or combined, would alter the conclusions of Chapter 11.’*
- 6.14 **Water Quality and Flood Risk:** The changes to the design have been reviewed and are deemed to have no material impact on the original assessment risks to water quality or flood risk. The drainage strategy will be reviewed prior to commencing detailed drainage design to ensure that it meets all requirements of the plans and strategies which have been published since the drainage strategy was produced. This includes the requirement to provide more detailed information regarding runoff rates, managing exceedance flows and drainage maintenance responsibilities.
- 6.15 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Water Quality and Flood Risk. *‘With regards to Water Quality and Flood Risk, each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been concluded that none of the proposed options, individually or combined, would alter the conclusions of Chapter 12.’*
- 6.16 **Traffic and Transport:** WSP have undertaken an updated survey of the transport baseline, which indicates very little change in traffic movements between 2017 and 2024, and a large reduction in pedestrian movements. Due to the reduction in pedestrian movements, it is concluded that the worst-case assessment as previously submitted has not changed, and the impacts on pedestrian movements in the area are



considered negligible. There has been little or no change to the surrounding network, with the exception of the TfL Lambeth Bridge scheme which is now being implemented and will provide improved crossing facilities and safer facilities for cyclists using UKHMLC.

- 6.17 The only implications for the Proposed Development resulting from the TfL scheme is the change to some bus services, against which the coach parking strategy will be reviewed. These details were previously reserved by planning condition on the planning permission (Condition 32 requiring the submission and approval of a Coach Management Plan prior to occupation) , and the same wording is expected to be imposed again, with details to be submitted at the appropriate juncture.
- 6.18 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Traffic and Transport. Whilst a number of the potential changes, including the new gate on Millbank, will affect pedestrian routes, the significant reduction in pedestrian movements within the baseline means that any changes can be accommodated. *‘WSP has reviewed and updated transport analysis to assess each of the options prepared in response to the House of Lords Select Committee (Options 1A-1F), which concludes that none of the Options have any direct impact on the transport assessment and supporting transport evidence which has been provided in the updated Transport Assessment report. As a result, the Options prepared in response to the House of Lords Committee do not change any of the conclusions on transport.’*
- 6.19 **Material Assets and Climate Change:** The changes in legislation and guidance have been reviewed and the ED Addendum concludes that these result in no change to the overall assessment of the environmental impact associated with material assets and climate change.
- 6.20 The ES also considers Options 1A-1F in response to the House of Lords Select Committee – none of which will affect conclusions on Material Assets and Climate Change. *‘With regards to Material Assets and Climate Change, each of the options (Option 1A-1F), considering the playground arrangements, visitor access to Buxton Memorial and the design and location of the refreshment kiosk, have been assessed and it has been concluded that none of the proposed options, individually or combined, would alter the conclusions of Chapter 14.’*

Summary



- 6.21 In summary, the ES Second Addendum demonstrates that there are no material changes to local conditions or relevant standards and good practice, either individually or collectively, which would alter the conclusions of the original ES and addendums.



7. Conclusions

- 7.1 In the light of the above, we conclude the following.
- 7.2 The 2026 Act means that the two successful grounds of statutory challenge to the grant of the planning permission are no longer relevant.
- 7.3 Subject to the grant of planning permission, there is no legal impediment to the early delivery of the UKHMLC at VTG, and, in addition to the IR conclusion that VTG provides a uniquely suitable location for the UKHMLC, there remains no alternative suitable viable or available alternative location for this proposal.
- 7.4 The current development plan position was considered in detail in the IR, and there has been no change in development plan policy since then. There has been no material change in local conditions, and no material issues arising from supplementary planning guidance, new building regulations and other relevant legislation since the IR (aside from the 2026 Act).
- 7.5 Since the IR, there has been no change in the status or significance of the designated heritage assets or their settings relevant to the Application, and no change to the identified impacts recorded in the IR. In the light of the 2026 Act, the planning issues, heritage balance, and overall planning balance identified in the IR remains the same.
- 7.6 Security matters were addressed in detail in the original Application material and at the Public Inquiry, and in the IR. The updated Security Assessment identifies no new issues since the IR, and the security measures proposed remain adequate as confirmed by the relevant stakeholders
- 7.7 The Applicant does not consider that any material changes to the Proposed Development are required to make the Application acceptable. However, should the decision maker conclude that any (or all) the potential changes identified in response to the HoL Select Committee are appropriate and necessary, these are acceptable in planning, heritage, transport terms and can be readily incorporated into the decision letter.
- 7.8 The Environmental Statement Addendum identifies no additional environmental or other impacts. On the contrary, in certain respects, such as pedestrian flows, the impacts are reduced. The ES Addendum has considered the effect of the potential changes in response to the HoL Select Committee and concludes that individually, and cumulatively, they raise no new issues.



- 7.9 To the extent that any other matters relevant to the planning considerations in this case have changed since the previous IR, they further reinforce the balance in favour of approval and the need for a decision to enable the UKHMLC to proceed without further delay, delivering the pledge of the then Prime Minister announced in January 2015 to build a national memorial to the Holocaust and a world class learning centre.
- 7.10 In these circumstances, we respectfully request that the minister grants planning permission for this internationally important development without further delay.