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CITY OF WESTMINSTER

**AD-HOC URGENCY COMMITTEE OF THE CABINET
(UNITARY DEVELOPMENT PLAN)**

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MINUTES OF PROCEEDINGS

At a meeting of the ~~Ad-Hoc~~ **Urgency** Committee of the Cabinet (~~Unitary Development Plan~~) held on ~~Monday 29 October 2001~~ **Wednesday 9 January 2002** at ~~67~~pm at City Hall, Victoria Street, SW1 ~~at 6.00pm~~.

Present: Simon Milton (Chairman), ~~Robert Davis~~ Alan Bradley and ~~Angela Hooper~~ Tim Joiner.

Also present: ~~_____~~ Councillor Ian Wilder

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Apologies for Absence: ~~_____~~ Councillor Kit Malthouse

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1. APPOINTMENT OF CHAIRMAN

Councillor Simon Milton was nominated and seconded.

RESOLVED: That Councillor Simon Milton be appointed as Chairman.

2. DECLARATIONS OF INTEREST

2.1 ~~None declared~~ **The following Councillors declared an interest in item 3:-**

~~_____~~ Councillor Simon Milton on the grounds that he lives in Sutherland Avenue and works in New Cavendish Street;

~~_____~~ Councillor Robert Davis on the grounds that he lives in Randolph Avenue and works in Bentinck Street; and

~~_____~~ Councillor Angela Hooper on the grounds that she lives in Whitehall Court Cleveland Road;

St James's

~~2.2~~ **All Members remained in the meeting throughout the discussion on the following item.**

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~~8-3.~~ **REPLACEMENT UNITARY DEVELOPMENT PLAN (UDP) — REVISED (SECOND) DEPOSIT VERSION EDUCATION DEVELOPMENT PLAN (EDP) 2001-2007 (Report of Director of Planning and Transportation and Director of Legal and Administrative Services Education — agenda item 3).**

~~3.1~~ **Letters dated 11 October and 12 October 2001 from Cluttons and Joint London Holdings Ltd respectively were tabled at the meeting.**

3.12 The Head of City Planning Committee considered the report of the Director of Education on the EDP which requires formal approval by the Department for Education and Skills (DfES) by 31 January. Under the new constitution of the Council the EDP is one of the local authority statutory plans that must be approved by the whole Council. The Cabinet meeting on 17 December had agreed the proposed priorities on performance targets as the basis for the preparation of the EDP and to these then being submitted to the Urgency Committee in order for it to be recommended to the Council on 16 January introduced the report. Members then discussed the contents of Appendix 4 in detail and the issues raised in the officers report.

The following matters were raised:-

PART 4

- The definition of a "World City" was discussed (paragraphs 1.11a – 1.15 of Appendix 1). Councillor Ian Wilder addressed the meeting. Councillor Wilder was keen to acknowledge that Westminster was a World City in terms of the provision of quality facilities which the description "World City" denoted, but did not support any further move towards increased night time activity because of the detrimental effect this had on residents. It was agreed that the reference to "World City" should be amended to "World Class City" as this better described how Westminster was perceived.
- The reasons why the West End and Knightsbridge were referred to as "London's two International Centres" (Paragraph 1.45 of Appendix 1) were clarified.
- It was agreed that Regent Street be included in the 'category of schemes where environmental improvements had taken place' (paragraph 1.46 of Appendix 1).
- Hotel bed spaces (Paragraph 1.48a of Appendix 1) The Cabinet Committee sought confirmation as to the percentage number of the capital's hotel bed spaces currently in Westminster and whether this figure had dropped. Officers advised that the percentage figure had reduced overall due to planning permission being given by other London boroughs for more hotels. However, Westminster still retained the highest percentage figure overall.

Chapter 1: Westminster's Central Area

- Extension of Central Activities Zone (CAZ) to include Bentinck Street (Map 1.6 of Appendix 1) There was concern about the extension of the CAZ to include the southern part of Bentinck Street. The Policy Manager (UDP) advised that the CAZ boundary had been drawn in this way to avoid going either round or through individual properties. It was agreed that officers should review this area during the Second Deposit process.

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Chapter 2: Commerce

- The Letter dated 11 October 2001 from Joint London Holdings Ltd was used for discussion on this issue. With regard to the first bullet point in the letter regarding Policy COM 12(A) that use of the premises on the first floors should be excluded from the policy, officers advised that approximately 30 or so premises would be affected if this proposal were to be adopted. The Cabinet Committee approved the deletion of "first floor" from Policy COM 12(A) (1) and (2) and that reference should also be made to residential use of upper floors outside the CAZ in the policy application. In respect of paragraph 2.70b (3rd bullet point of the letter) the Cabinet Committee agreed that the vacancy test should be a period of 18 months. The accuracy of the Map in 2.4 was discussed (4th bullet point of the letter). It was agreed that the Map as submitted should remain unchanged but that officers should survey the area between now and the Second Deposit period to ensure that the information was accurate. The survey should also include Great Portland Street, north of Langham Street.

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Chapter 3: Housing (references to affordable housing relate to paragraphs 4.5 – 4.35 of the covering officers report)

- Cabinet Committee agreed with the concerns expressed in the officers' report (paragraphs 4.7 – 4.12) on the 'Three Dragons' report and that 50% affordable housing was not appropriate in Westminster.
- Cabinet Committee agreed the new financial contribution figure of £117,000 (paragraph 4.18 – 4.21) and that this should come into effect for development control purposes when the UDP was placed on Second Deposit.
- Cabinet Committee discussed the option set out in the officers' report (paragraphs 4.22 – 4.30) requiring a higher financial contribution in higher value areas. The Committee Cabinet discussed the practical issues of implementing such a system and the impact the introduction of a variable financial contribution might have on housing developments. It was possible that a variable rate could result in fewer housing developments if developers in one area considered themselves to be at a disadvantage to developers in another. It was also possible that housing developers might find themselves at an even greater disadvantage to commercial developers. The Cabinet Committee agreed that the amount of financial contribution sought be increased by 33% (£156,000) in some areas, that the relevant areas be defined in the Second Deposit UDP and based on the Map in Appendix 6 of the officers' report (Knightsbridge, Mayfair, St James's and Belgravia). As the proposal was likely to be subject to intense scrutiny and objection, it was agreed that officers should commission a further consultants study to support the Council's case at the UDP Inquiry and to explore the potential to include other areas.

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Chapter 4: Transport

- Motorcycling Policy (TRANS 11a of Appendix 1) – the Cabinet Committee endorsed the new policy which seeks to strike a balance between essential and non-essential motorcycle use and other road users.

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- Widening of Edgware Road (TRANS 18 of Appendix 1) — There was concern as to why the widening of Edgware Road had stopped at Church Street when the pavements at Church Street and Maida Avenue were sufficiently wide to allow for the widening to be extended. Officers agreed to look into the matter and report back to the Chief Whip, Councillor Davis.
- Residential Parking (TRANS 23 of Appendix 1) — The Planning and Licensing Committee on 26 June 2001 had agreed to adopt minimum car parking standards for new build residential development only of 0.5 spaces per studio/1 bedroom unit; 0.75 spaces per 2 bed unit and 1.00 space per 3+ bed unit. Government advice in PPG 3: Housing, PPG13: Transport, and guidance within the Mayor's Transport Strategy all suggested that local authorities should adopt maximum parking standards for residential development. The Cabinet Committee sought clarification from officers on the consequences of proceeding with the minimum as opposed to the maximum standards. The Policy Manager (UDP) advised that given that the Council's current policy is contrary to national and regional guidance and given the considerable number of objections from First Deposit it would be difficult to defend at the Inquiry if the City Council were to proceed with minimum standards. Councillor Davis felt that the reality was that people would continue to purchase cars whether they had sufficient parking places or not. The result would be that they would park their vehicles on the street causing more parking problems. Councillor Hooper sought confirmation as to whether officers had undertaken any research into the additional effect of the proposed congestion charging policy on parking. Cabinet The Committee agreed to maximum parking standards, requesting a higher standard for larger properties and Cabinet agreed to maximum standards of 1.5 spaces per 3 bedroom unit and a maximum standard of 1.00 space for all units below that figure and that these standards and any consequential changes be included in the Plan for the Second Deposit period.

— Chapter 5: Policies for North-West Westminster

- Policies for North-West Westminster (Chapter 5 of Appendix 1) — Members were assured that the proposals should not impinge on the City Council's proposals for Westbourne Green and the shortage of community facilities in the area had been addressed.

— Chapter 6: Social and Community Facilities

- Telecommunications Equipment (Policy SOC 9 of Appendix 1) — Confirmation was sought as to why reference to planning permission being granted for telecommunications equipment, where there was no alternative means of telecommunications available, had been deleted. Officers advised that this reference had been on the advice of Counsel who recommended adopting wording in accordance with the latest Government guidance (PPG 8).

— Chapter 7: Shopping and Services

- Definition of Queensway / Westbourne Grove as a Major Centre (Policy SS7 of Appendix 1) — Concern was expressed that Queensway/

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~~Westbourne Grove was referred to as a Major Centre. Officers explained that Queensway/Westbourne Grove was the largest shopping centre outside the CAZ and warranted 'Major Centre' status. The Cabinet Committee were concerned about the potential for further entertainment uses in the area and agreed that the upgrading should not be adopted and that the UDP for the Second Deposit Stage should be amended accordingly.~~

- ~~Shopping frontage on Clifton Road (Map 7.11.30 of Appendix 1) — the designation of core and non-core frontages in the Clifton Road Local Centre was questioned. Officers explained reasons for designation of frontages, and that policy SS 8 gave the high level of protection to shops in non-core frontage that the Committee Cabinet sought.~~

~~— Chapter 8: Tourism, Arts, Culture and Entertainment~~

- ~~Revising policies to differentiate between A3 bars and pubs, A3 restaurants etc. Officers advised that this is addressed in new policies TACE 8-10 and that differentiating between premises for food and premises for drink within the A3 Use Class is best dealt with through the imposition of conditions until the Use Classes Order is revised. Officers advised that in amending the UDP it had become apparent that there was much duplication between the A3 policies in the Shopping and Services chapter and the D2 policies in the Tourism, Arts, Culture and Entertainment chapter. Both sets of policies had been brought together to enable a more balanced view of the wider entertainment industry and to simplify the policies. Advice was sought as to how much weight the proposals would carry, in the event of them being adopted in the UDP. The Director of Legal and Administrative Services advised that if the policies restricting the use of premises were to be upheld by the Inspector at the UDP Inquiry and carried forward into the adopted UDP then he would expect Inspectors to uphold that view on future appeals.~~
- ~~Stress Areas:~~
 - a) ~~Queensway/Bayswater (Map 8.4 of Appendix 1) Clarification as to why the Stress Area boundary had been extended to include a garden located on the corner of Inverness Terrace and Porchester Gardens was sought. Officers advised that this was a drafting exercise only, to bring the boundary to the centre of the road so as to make it clear where the boundary of the Stress Area finishes. The Committee Cabinet agreed that the boundary be amended, on the corner of Inverness Terrace and Porchester Gardens to be the same as contained in the 1st Deposit UDP.~~
 - b) ~~Porchester Road — The Committee Cabinet agreed that the area covering a section of Porchester Road and its surrounds, extending from Bishops Bridge Road to Lord Hills Bridge, should be reinstated for the Second Deposit UDP.~~
 - c) ~~Area north of Oxford Street/Cavendish Square (Map 8.2 of Appendix 1) — The Committee Cabinet asked officers to look at this area again in terms of the amount of entertainment premises located in this area and the hours of operation of the premises. The Policy Manager (UDP) advised that to avoid further consultation, which could be confusing, the most appropriate way~~

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~~forward would be for the West End Stress Area as set out in the draft 2nd Deposit Plan to remain unaltered. However, officers would undertake any further investigations necessary to determine the information required by Members and to look at it in the overall context of the area during the Second Deposit stage of the UDP.~~

Chapter 9: Environment

- ~~Committee~~ **Cabinet** agreed the chapter.

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Chapter 10: Urban Design and Conservation

- ~~Shrouds~~ **Officers** confirmed that they would be more vigilant in ensuring that their condition was not allowed to deteriorate over time.

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Chapter 11: River Thames

- ~~Committee~~ **Cabinet** agreed the chapter.

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Chapter 12: Proposals Map

- ~~Committee~~ **Cabinet** agreed the chapter.

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3.32 RESOLVED:

~~(a) That it be agreed that as the Education Development Plan must be approved by the full Council on 16 January for submission to the Department for Education and Skills by the 31 January, this matter be treated as urgent, the replacement Unitary Development Plan, attached as Appendix 1 to the report, and subject to the changes agreed by the Committee as set out in paragraph 3.2 above, be approved to be placed on Second Deposit as soon as is practicable and that the policies in the replacement Second Deposit UDP be treated as "material considerations" when considering planning applications from the start of the Formal Second Deposit period.~~

~~(b) That the Westminster Education Development Plan be recommended for approval by the Council on 16th January, the responses received from the First Deposit consultation process, and the officers' response, attached as Appendix 2 (a-c) to the report, be noted and agreed.~~

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~~(c) That the Council be recommended to authorise the Cabinet to make such amendments or modifications to the Education Development Plan as might be necessary or advisable prior to submission of the Education Development Plan to the Secretary of State.~~

~~(d) That, subject to Council approving (b) and (c) above, authority be delegated to the Director of Education, in consultation with the Cabinet Member for Schools to make any such amendments or modification~~

necessary prior to the submission of the Plan to the Secretary of State by 31 January the changes to policies/text set out in Appendix 4, arising from the Sustainable Development Appraisal (SDA) of the Second Deposit UDP, be noted and approved and that the SDA be subject to public consultation simultaneously with the revised Second Deposit UDP.

(d) That the revised methodology set out in paragraphs 4.13-4.30 of the report be agreed, that the proposed amount of financial contribution to be sought be increased by 33% in the relevant defined areas and that officers commission a further study to be undertaken by consultants to explore the potential to include other areas and to support the approach in the light of objections received at the UDP Public Inquiry.

(e) That the above be subject to the Cabinet Member for City Development reserving the right to make editorial adjustments to the Document before it is placed on Second Deposit, in consultation with the Director of Planning and Transportation.

REASON FOR DECISIONS

- (a) The Council is required to submit the EDP to the DfES by 31 January.
- (b) The recommendations to agree the Education Development Plan replacement UDP accord with the City Council's statutory duties to submit new Plans for approval by the DfES based on new guidance issued in October 2001, objectives as set out in the Planning and Licensing Performance Plan 2001/02, the Civic Renewal Programme and other corporate aims and objectives. The proposals set out in the report accord with the national priorities defined by the DfES and set out the work of the Local Education Authority in relation to raising standards and school improvement. The Plan feeds directly into the Education (Schools) Performance Plan and ensures achievement of the Education Guaranteerecommendations have been subject to extensive consultation both informally and at First Deposit Stage and the results of the consultation have been reported to and considered by the relevant Cabinetscommittees. In addition, responses received at 'First Deposit' have been taken into account and revised proposals prepared where necessary.
- (c) & (d) The authority to amend/modify the EDP allows for any necessary revisions prior to submission to the Secretary of State.

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4. END OF MEETING

- 4.1 The meeting ended at 6.228.46 p.m.

Chairman

Date

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