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Title: Update from the Cabinet Member for Place Shaping and Planning

Wards Affected: ALL

Report of: Councillor Richard Beddoe
rbeddoe@westminster.gov.uk
0207 641 2621

1. The City Plan

- 1.1 A new draft City Plan was issued for informal consultation on 12 November until 21 December. The new draft Plan is the result of a complete review of the adopted City Plan (2016) and saved Unitary Development Plan policies (2007) and will create a single, up to date local plan to manage development in Westminster. It also revisits the strategic direction of Westminster's planning policies and ensures the City Plan is aligned with City for All objectives and is fit for purpose into the next decades.
- 1.2 Our draft City Plan contains numerous new proposed planning policies which I outlined at the previous PS Committee. Initial feedback on the draft policies indicated that a fresh approach to planning policy, and in particular the more streamlined approach to the policies, is very welcome. The scale and ambition of the plan received positive comments from a range of stakeholders. More flexible policies relating to retail are seen as reflecting a positive and pragmatic approach to the problems the high streets face. Many stakeholders welcome the setting of a higher housing target to deliver much needed homes, as well as a higher affordable housing target.
- 1.3 Officers have reviewed all of the responses submitted to the consultation and are assessing how best to respond to the feedback, either via tweaking our policies, clarifying details or reassuring stakeholders on the issues they raised.
- 1.4 However, we have been focussing on the main objections to the policies and have started the process of further engagement with our stakeholders to resolve them ahead of the next stage in the process. These include: amendments to the heritage and design policies; a different approach to private residential car parking to bring Westminster in-line with the approach

the rest of London takes; thresholds for when the mixed use policy applies; and the maximum size of new homes.

- 1.5 Following this process there will be another round of formal consultation known as 'Regulation 19', after which the policies will be further refined. We will then submit the plan to the Secretary of State and begin the formal examination in public process. At the end of the process the Inspector will determine if the plan is sound. Assuming the plan is found to be sound, we will adopt the new City Plan in early 2020.

2. Oxford Street

- 2.1 Since the last update, a report was presented to Cabinet on the 25th February which outlined the results of the public consultation, the changes made to the Place Strategy and Delivery Plan as a result of the consultation feedback and the governance arrangements for the project (including reporting process). The recommendations outlined in the Cabinet report were approved.
- 2.2 The project team are currently working on the development of a business case to support the Council's £150 investment for the Oxford Street District project. An independent firm has been appointed to develop the business case and the final report will be presented to the next Cabinet meeting on 8th April 2019, for approval.
- 2.3 In parallel, various work-streams are underway to keep momentum and guarantee a timely delivery of the projects proposed in the Place Strategy. The team are also undertaking a procurement exercise for the appointment of a Design and Build contractor to deliver the ambitious proposals set out in the Place Strategy and are developing the phasing and programming exercise for the design and delivery of the projects set out in the Place Strategy.

3. Planning Review

- 3.1 Since the last update we have introduced public speaking at planning committees. The first committee with public speaking took place on 26 February with three people applying to speak. The feedback from Members, speakers and officers has been positive. We will continue to monitor both the process to apply to speak and the committees to ensure positive engagement.
- 3.2 We are in the process of procuring a live recording system to be used at planning committees. This will allow people to watch the event live or to view previously recorded committees and encourage a wider participation in the planning process.

The project team are undertaking an end-to-end business process review to identify process efficiencies and ensure appropriate changes are made with the introduction of pre-application community engagement and delegated authority.

- 3.3 A series of visits to other planning departments has been planned to support the review of pre-application community engagement and delegated authority. Members of the Place Shaping and Town Planning department will visit

Camden, Wolverhampton and Cornwall councils over the next two months to review their processes and meet with their staff. This will support the work already underway by the Director of Place Shaping and Town Planning to review pre-application community engagement and delegated authority.

- 3.4 A new target operating model for the service will be considered following on from the business process review and the review of pre-application community engagement and delegated authority.

4. Queensway

- 4.1 Phase one (the western footway between Porchester Gardens and Moscow Road) which involves the widening of the footway in new York stone paving and the laying of new granite kerbs is now largely complete. Phase two (the western footway between Moscow Road and 71 Queensway) which involves widening of the footway and the realignment of the kerb line began on 4 March and is programmed for completion in mid-April. A Cabinet Member Report is currently being drafted in relation to phases 3, 4 & 5 which we expect to have ready for committee by the end of the month.

5. Community Infrastructure Levy

- 5.1 The Council has now collected £39.715m of CIL since the Charging Schedule came into effect in May 2016. This represents a further £3.965m collected since my last report.
- 5.2 When the CIL Cabinet Committee met in December 2018, it agreed the process for allocating the neighbourhood portion of CIL, allowing the neighbourhood forums and other community groups to apply for these funds. This neighbourhood portion represents approximately 15% of the total amount of CIL collected from development in each designated neighbourhood area. Officers have drafted the relevant documentation and the neighbourhood forums and other community groups will soon be contacted to advise them of the bidding process. A briefing will also be sent to ward members to advise them of their role in this process.

6. Telephone Boxes and Advertising

- 6.1 In a significant judgment, the Council has successfully challenged an appeal decision at the High Court relating to telephone boxes and permitted development.
- 6.2 The original appeal related to an application by New World Payphones to establish if 'prior approval' for replacement of two telephone boxes with a single new kiosk was necessary. At the same time, they had applied for advertisement consent for a digital advertisement panel on the kiosk. The Council refused both applications but an inspector subsequently allowed the appeal against the refusal of prior approval.
- 6.3 Westminster successfully challenged the Inspector's conclusion. Given that the kiosk was partly for the purpose of advertising — and not wholly for the

purpose of the operator's network — the High Court held that it fell outside the terms of permitted development. Accordingly, the Inspector had erred in allowing the appeal against the refusal of prior approval and his decision was quashed.

- 6.4 This judgment provides important clarification on the extent of permitted development rights for telephone boxes with advertising capabilities. Moving forward, such development should not benefit from permitted development rights, on the basis that it serves a dual purpose. A planning application would therefore be required.
- 6.5 The Council has long argued that phone boxes often do not serve the purpose they are supposed to and instead are used to generate income via advertising. Once installed they are frequently neglected, fall into disrepair and are open to misuse. This judgment is a significant step forward for Westminster and many other local authorities who are seeking to resist further proliferation of new telephone kiosks installed primarily for the purposes of advertising.

7. Mayfair Neighbourhood Plan

- 7.1 The Mayfair Neighbourhood Plan is the second neighbourhood plan to be formally submitted (following the Knightsbridge Neighbourhood Plan which was 'made' in December). Following extensive engagement between officers and the Forum, the Plan is currently in the early stages of independent examination. A more detailed briefing on the progress of the examination will be provided in due course.

8. Strand Aldwych project

- 8.1 Public consultation on the concept designs began on 29 January for a six-week period, closing on 13 March. The outcome of the consultation is being reviewed and an overview of the results will be set out in the next report. The consultation saw a good level of engagement with businesses and residents in the area, along with the project's main stakeholders. Early indications are that there is general support for the concept, with a few consistent issues being raised to develop further in the next design stage. All feedback from the consultation will be reviewed and taken on board to inform the development of the detailed designs.