



City of Westminster Cabinet Member Report

Decision Maker:	Cabinet Member for Business, Licensing and Planning
Date:	25 th March 2021
Classification:	General Release
Title:	Adoption of the Westminster City Plan 2019 - 2040 and Policies Map
Wards Affected:	All
City for All:	The City Plan contributes to the council's overarching strategy City for All 2020/21 particularly through policies which will enable the delivery of more homes, including affordable homes (Vibrant Communities), a more sustainable and greener city (Greener and Cleaner) and supporting new technologies and emerging solutions to built environment problems (Smart City).
Key Decision:	Yes
Financial Summary:	The resourcing of this consultation will be met from existing budgets.
Report of:	Executive Director, Innovation and Change.

1. Executive Summary

- 1.1 The City Plan 2019-2040 is Westminster's strategy for growth in the city. It provides a vision for how Westminster's needs can be met, focussing on the need for new homes, creating space for thriving businesses, as well as protecting and enhancing parks and green spaces. All the objectives detailed in the City Plan contribute to the council's commitment to improve the health and wellbeing of the city's residents and workers and to the delivery of the three key themes in the council's vision to make Westminster a City for All.

1.2 Following examination of the City Plan 2019 – 2040 by independent Inspectors appointed by the Secretary of State, the Inspectors have now issued their report. The Inspectors find the City Plan 'sound' with modifications. Once adopted, together with the London Plan as the Spatial Strategy for London and any 'made' Neighbourhood Plans, the City Plan will become the statutory development plan for Westminster. It will supersede and replace all saved Unitary Development Plan (UDP) (2007) policies and the adopted City Plan (2016).

2. Recommendations

1. The Cabinet Member for Business, Licensing and Planning notes the contents of the Inspector's report (Appendix 1)
2. That Westminster's City Plan 2019 - 2040 (attached as Appendix 2) and the associated Policies Map (Appendix 3) incorporating the schedule of main modifications attached (Appendix 4) are recommended by the Cabinet Member for Business, Licensing and Planning to the next Full Council for adoption.
3. That authority is given by the Cabinet Member for Business, Licensing and Planning to the Director of Policy and Projects to undertake all necessary procedural steps required by Town and Country Planning (Local Planning) (England) Regulations 2012(as amended) in relation to the adoption of the City Plan and Policies Map, including:
 - issuing an adoption statement (Regulation 26) (see Appendix 5) publicly and to the Secretary of State
 - giving notice of the adoption to anyone who asked to be notified (Regulation 26)
 - making the new Plan, adoption statement and sustainability appraisal report publicly available (Regulation 26 and 35)

3. Reasons for Decision

To enable the council to manage the sustainable development of Westminster by adopting the policies in the City Plan 2019 – 2040 and the Policies Map to the City Plan pursuant to Regulation 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

4. Background, including Policy Context

4.1 The council has undertaken a full revision to the City Plan pursuant to Regulation 8, 9 and 10 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Initial work on the City Plan started in 2017. The process for the revision of the City Plan has been as follows:

Regulation 18 notification of the intent to prepare the plan	June – July 2017
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Consultation on a draft Integrated Impact Assessment (IIA) scoping report	Aug to September 2017
Consultation on Habitats Regulatory Assessment (HRA)	June- July 2018
Informal consultation on a draft Plan	November- December 2018
Regulation 19 consultation on draft City Plan	June- July 2019
Submission of City Plan	November 2019
Public hearings	September - October 2020
Inspectors' Report	March 2021
Adoption of City Plan and policies map	April 2021 (TBC)

- 4.2 As part of this revision, the City Plan and Policies Map were updated to reflect the council's City for All Strategy, include a new future vision for Westminster and address the latest government guidance and changes to the use classes order that came into effect in September 2020. The revised Plan has been through a formal public examination led by two independent Planning Inspectors appointed by the Secretary of State. This included two weeks of public hearings held in the autumn 2020 and a public consultation on the main modifications the Inspectors considered were necessary for the Plan to be found sound.
- 4.3 The City Plan is the spatial interpretation of the Council's City for All strategy, providing a framework for all future development in the city, to provide a robust and up to date policy framework for the taking of planning decisions across the city. It updates all the policies in the adopted UDP (2007) and City Plan (2016) to better reflect changing local circumstances, a new London Plan and with emphasis on key policy areas such as climate change, housing, building height and car parking standards.
- 4.4 The full revision of the City Plan is accompanied by an Integrated Impact Assessment (which incorporates a Sustainability Appraisal and updated Habitats Regulation Assessment). The detailed IIA assessment shows that the policies in the new City Plan 2019 - 2040 have an acceptable impact on the sustainability, equalities and health objectives.
- 4.5 A description of each of the policies within the City Plan can be found at Appendix 6.
- 4.6 The Inspectors' final report (Appendix 1), which closed the public examination, concluded that the City Plan provides an appropriate basis for the planning of the city, provided that a number of main modifications are made to it. The main modifications can be summarised as follows:

- Amending the housing requirement/target to reflect the London Plan and setting out an updated and realistic housing trajectory and overall approach to housing delivery;
- Deleting references to key development sites;
- Deleting Policy 10 which sought the provision of, or contributions towards, affordable housing from commercial developments;
- Amending a number of policies to reflect the changes to the Use Classes Order that came into effect during the examination;
- Amending the detailed approach to affordable housing, car parking standards and waste to ensure general conformity with the London Plan; and
- A number of other main modifications to ensure that the City Plan is positively prepared, justified, effective and consistent with national policy.

4.7 In line with the Inspectors recommendations, the City Plan has been amended and this report recommends formal adoption of the City Plan and Policies Map at the next Full Council in accordance with [Regulation 4\(1\) and \(3\) of the Local Authorities \(Functions and Responsibilities\) \(England\) Regulations 2000](#), which states that adoption of a development plan document can only be undertaken by the Full Council. A copy of the City Plan 2019 – 2040 is attached at Appendix 2 and accompanying Policies Map at Appendix 3. A schedule of main modifications to that document, that arose during the course of the examination, is attached in Appendix 4, other minor modifications which do not change the meaning of policies e.g. correct factual errors, typos have also been made to the final version of the Plan.

5. Financial Implications

5.1 The forecast costs of producing the plan are £0.110m and these have been met from the Housing and Planning Delivery Grant reserve.

6. Legal Implications

6.1 The procedures set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 have been carried out and the Inspector is satisfied that all legal requirements have been met. Westminster's City Plan must be in general conformity with the London Plan, as required by the National Planning Policy Framework. The City Plan 2019 - 2040 has been prepared in accordance with the new London Plan, which itself has been subject to a full revision and examination. The final iteration of the new London Plan was published on 2nd March 2021, having been subject to modifications directed by the Secretary of State.

6.2 The issues which were outstanding following the London Plan's examination and which have been subject to intervention by the Secretary of State are inconsequential for the City Plan's adoption as they relate to green belt and providing more clarity on where tall buildings may be appropriate, which is sufficiently dealt with by the new City Plan policy.

6.3 From the date of adoption of the City Plan, a six-week period begins for any objections to procedural matters and for any challenge to be raised as part of the judicial review process.

7. Staffing Implications

7.1 There are no staffing implications, and the costs associated with the examination have been met from existing resources.

8. Business Plan Implications

8.1 Delivery of the City Plan and Policies Map is a key milestone in delivery of the council's City for All strategy.

9. Consultation

9.1 All required and appropriate consultation has been carried out to the Inspectors' satisfaction.

10. Crime and Disorder Act 1998

10.1 This is considered in the Integrated Impact Assessment for each policy, which forms part of the supporting documentation. No issues arising.

11. Health and Safety Issues

11.1 This is considered in the Integrated Impact Assessment for each policy, which forms part of the supporting documentation. No issues arising.

12. Human Rights Act 1998

12.1 No issues arising.

13. Conclusions and Reasons for the Proposed Decision

13.1 This report asks the Cabinet Member to recommend the City Plan 2019 – 2040 and Policies Map Revision to Full Council for adoption. This will give full statutory weight to the development plan for Westminster and enable the Council to take planning decisions using the new development plan.

14.0 EQUALITIES IMPLICATIONS

14.1 Under the Equalities Act 2010 the council has a "public sector equality duty". This means that in taking decisions and carrying out its functions it must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act;

- to advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, marriage

and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it; and to

- foster good relations between persons who share a relevant protected characteristic and those who do not share it.

14.2 The City Council is also required to have due regard to the need to take steps to take account of disabled persons' disabilities even where that involves more favourable treatment; to promote more positive attitudes toward disabled persons; and to encourage participation by disabled persons in public life. The 2010 Act states that "having due regard" to the need to promote equality of opportunity involves in particular having regard to:

- the need to remove or minimise disadvantages suffered by persons sharing a protected characteristic;
- take steps to meet the needs of persons sharing a protected characteristic that are connected with it;
- take steps to meet the needs of persons who share a protected characteristic that are different from those who do not; and
- encourage persons with a protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.

14.3 The courts have held that "due regard" in this context requires an analysis of the issue under consideration with the specific requirements set out above in mind. It does not require that considerations raised in the analysis should be decisive; it is for the decision-maker to decide what weight should be given.

15.4 The equalities impact of adoption of the City Plan has been considered and it has been found that the majority of policies can be seen to have a neutral effect, with expected significant positive effects arising from the cumulative contribution of policies on the environmental, social and economic objectives of the Plan to positively support the Councils City for all ambitions, as assessed in the Integrated Impact Assessment Framework together with the Sustainability Appraisal addendum, which accompanied the main modifications to the City Plan

If you have any queries about this report please contact:

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Michael Clarkson, City Planning Policy Team Leader
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Appendices

1. Planning Inspectors' report (attached separately to this report)
2. Westminster's City Plan 2019 - 2040 (April 2021) (attached separately to this report)
3. Westminster's City Plan Policies Map (April 2021) (attached separately to this report)

4. Schedule of main modifications arising following examination (attached separately to this report)
5. Adoption Statement (see below)
6. Description of City Plan policies (see below)

Cabinet Member for Business, Licensing and Planning: Councillor Matthew Green

DECLARATION OF INTEREST

I have <no interest to declare / to declare an interest> in respect of this report

Signed:

Date:

NAME:

Councillor Matthew Green

Cabinet Member for Business, Licensing and Planning State nature
of interest if any

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(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 **Adoption of the Westminster City Plan 2019 - 2040 and Policies Map** and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for Business, Licensing and Planning

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

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, Director of Legal Services, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of 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 from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

Appendix 5: Draft Adoption Statement

ADOPTION STATEMENT – WESTMINSTER’S CITY PLAN 2019 - 2040

In accordance with Regulation 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 notice is hereby given that Westminster City Council adopted Westminster’s City Plan 2019-2040 on 21st April 2021.

Westminster City Plan’s 2019 – 2040 was the subject of an independent examination conducted by Inspectors Kevin Ward BA (Hons) MRTPI and Luke Fleming BSc (Hons) BPhil MRTPI, appointed by the Secretary of State. In their report published on 19th March 2021, the Inspectors confirmed that the Plan was sound, subject to a number of main modifications. The main modifications recommended by the Inspectors, together with additional minor modifications (which do not change the meaning of the policies) are included in the adopted Westminster City Plan. These can be viewed on the Council’s website at www.westminster.gov.uk/planning-building-and-environmental-regulations/city-plan-neighbourhood-planning-and-planning-policy/city-plan-2019-2040

Any person aggrieved by the Westminster City Plan may, with the leave of the High Court, make an application under Section 113(3) of the Planning and Compulsory Purchase Act 2004 to quash the Plan on the grounds that:

- Westminster’s City Plan is not within the powers conferred by Part 2 of the Planning and Compulsory Purchase Act 2004; or
- a procedural requirement of the Act or its associated Regulations has not been complied with.

Any such application for leave must be made to the Court under Section 113 of the Planning and Compulsory Purchase Act 2004 no later than the end of the period of six weeks beginning with the day after the date on which Westminster’s City Plan was adopted (i.e. beginning on 21st April 2021).

In accordance with Regulations 26 and 35 of the 2012 Regulations, the following documents have been made available:

- i. Westminster’s City Plan 2019 – 2040 and Policies Map;
- ii. This Adoption Statement; and
- iii. The Integrated Impact Assessment and the Sustainability Appraisal of the Main Modifications Report.

A copy of the documents listed can be viewed on the Council’s website at www.westminster.gov.uk/planning-building-and-environmental-regulations/city-plan-neighbourhood-planning-and-planning-policy/city-plan-2019-2040

If you require further information, please email planningpolicy@westminster.gov.uk

A copy of this Adoption Statement will be sent to the Secretary of State for Housing, Communities and Local Government.

Appendix 6: Description of City Plan policies

Policy 1 – Westminster’s Spatial Strategy

The spatial strategy sets out the growth strategy for Westminster over the plan period up to 2040. The overall housing delivery target is in line with the London Plan and the 35% affordable housing target is now expressed as a minimum, following modifications. Homes and jobs growth targets have been identified across the opportunity areas expressed as minimums and the Housing Renewal Areas. The policy supports the growth, modernisation and adaptation of a variety of business space to provide at least 63,000 new office-based jobs alongside other forms of commercial growth; balancing the competing functions of the Central Activity Zone (CAZ) as a retail and leisure destination, visitor attraction, global office centre, and home to residential neighbourhoods; adapting to and mitigating the effects of climate change, securing enhancements to the natural environment and public realm, including supporting the delivery of a new North Bank river front destination; prioritising sustainable travel and ensuring sufficient supporting infrastructure is delivered to facilitate growth.

Policy 2- Spatial Development Priorities: West End Retail and Leisure Special Policy Area and Tottenham Court Road Opportunity Area.

The policy sets out that the intensification of the West End Retail and Leisure Special Policy Area (WERLSPA) over the Plan period will deliver a significant jobs growth through a range of commercial-led development including retail, leisure, offices, and hotel use; increased scale and massing of Tottenham Court Road Opportunity Area to at least achieve London Plan targets of 3,000 new jobs and 150 new homes and the sensitive refurbishment and extension, or replacement, of existing buildings across the WERLSPA.

Policy 3 – Spatial Development Priorities: Paddington Opportunity Area

The policy sets out that the Paddington Opportunity area will deliver at least 1,000 new homes and 13,000 additional jobs identified in the London Plan. The policy also supports upgraded healthcare facilities, enhanced job opportunities and community facilities for the residents of Paddington and the neighbouring areas of Church Street and the NWEDA.

Policy 4- Spatial Development Priorities: Victoria Opportunity Area

The policy sets out that the Victoria Opportunity area will deliver at least 1,000 new homes and 4,000 additional jobs as identified in the London Plan. It will include improved transport provision, modal integration, public realm and local environmental quality to act as a catalyst for further development. The presence of other identified development sites within the station’s environs will support the creation of a network of high quality and welcoming places, which will contribute to a stronger identity for the area.

Policy 5 – Spatial Development Priorities: North West Economic Development Area (NWEDA)

The policy sets priorities in the north west of the borough focussing on economic development through increase job opportunities for local residents, improving the pedestrian environment including addressing issues of severance. The policy also requires that developments in the NWEDA will deliver a mix of uses including

housing, which will help to improve pedestrian permeability and provide better connections both within and beyond the NWEDA.

Policy 6- Spatial Development Priorities: Church Street/ Edgware Road and Ebury Bridge Estate Housing Renewal Areas

The policy sets out support for the redevelopment of the Church Street / Edgware Road Housing Renewal Area over the Plan period sets expectations that the area will deliver at least 2,000 high quality new homes, and at least 350 new jobs in accordance with the Church Street Masterplan and linking further employment opportunities in the CAZ to the local community.

The policy also sets out support for the renewal of the Ebury Bridge Estate, which it expects will deliver approximately 750 new high-quality homes, enhanced connections to the wider area through improved public realm and green infrastructure and provide improvements to the Ebury Bridge Local Centre in the form of new retail accommodation and community facilities.

Policy 7- Managing Development for Westminster's People

Policy 7 establishes principles for 'neighbourly' development which will apply to all developments.

Policy 8- Housing Delivery

The policy sets a housing target for Westminster to deliver as a minimum 20,685 over the Plan period, in line with the London Plan. To do this, the policy protects existing housing and fully optimises the delivery of new provision across the city, ensuring land is used most efficiently. This means delivering as many new homes each site can accommodate, without compromising quality of life for both new and existing neighbouring residents and setting a size limit for new homes of 200 sqm.

The policy also restricts the permanent change of use to short-term letting which will safeguard our existing housing supply and protect residents from the negative aspects of this activity.

Policy 9- Affordable Housing

This policy requires all major developments to provide at least 35% (rising from the current adopted position of 30%) of new homes as affordable housing, rising to 50% for developments on public sector land. The reference to 50% on public land, as well as references to Westminster's target contributing to the London Plan strategic target were added to the policy during the examination process. Any Developments which falls short in provision of this requirement will be subject to viability assessment and review in line with the Mayor's Viability Tested Route as part of the threshold approach to planning applications.

A separate policy in the submitted Plan (previously known as Policy 10 Affordable Housing Contributions in the CAZ) sought to collect affordable housing from office and hotel developments. However, as a result of the introduction of the E Use Class, the policy was proposed to be significantly changed prior to the public hearings. The Inspectors did not consider the policy approach was sound and Policy 10 was struck out by them. The contributions to affordable housing from previous Policy 10 were

windfall and will not affect the ability of the council to meet either its housing target or affordable housing ambitions.

Policy 10- Housing for Specific Groups

The delivery of housing types and sizes required by this policy will help meet Westminster's broad range of housing needs, including for family sized homes, specialist and supported housing, older persons housing and student accommodation.

Through the examination process and at the requirement of the Inspectors, the requirement to replace surplus specialist housing with affordable housing has been removed and the policy now allows the replacement of such housing by any type of housing.

The Inspectors also required that the policy requirements for student accommodation were clarified by removing the stipulation that student accommodation would only be permitted for use by institutions with a main hub in Westminster (so that such housing contributes to London's strategic student housing needs); allowing loss of student accommodation where it is demonstrably surplus to requirements, rather than only as part of an institution's published strategy and removal of criteria which would only allow student accommodation if it did not result in loss of other housing types.

Policy 11- Innovative Housing Delivery

This policy supports modern methods of construction and housing innovation that can contribute to providing a range of housing options for Westminster's residents. New housing models are emerging in response to the demand for more (and relatively affordable) homes and reflect changing lifestyles and ways of working. These new housing models include:

- self-build and custom-build homes
- build to rent homes
- rent to buy, help to buy and shared ownership homes
- large-scale purpose-built shared living and live/work schemes.

The policy acknowledges that different types of housing contribute to affordable housing in different ways and explains how different types of schemes will contribute to affordable housing in line with the London Plan, resulting in the quick and more sustainable delivery of homes.

Policy 12- Housing Quality

The policy sets out the standards that all new homes and residential extensions must comply with such as the national space standards, proportions of homes meet Building Regulations for accessible and adaptable homes and wheelchair user dwellings, and the provision for external amenity space.

Policy 13- Supporting Economic Growth

The policy supports new and improved office floorspace and directs new workspace (within Use Class E) to the commercial and mixed-use parts of the CAZ, including the West End Retail and Leisure Special Policy Area (WERLSPA) and Opportunity

Areas; North West Economic Development Area (NWEDA) and Church Street / Edgware Road Housing Renewal Area; and the Town centre hierarchy.

The policy resists the loss of office floorspace to residential within the CAZ except in circumstances where the permitted use is within a predominantly residential area of the CAZ and reinstates a residential use; and office to hotel conversions will only be permitted where there is no interest in its continued use for office or any other Class E (commercial, business and services), education or community uses.

In the NWEDA loss of floorspace suitable for small and medium enterprises (SMEs) will be resisted and redevelopment proposals will be required to re-provide existing employment floorspace.

Policy 14 - Town Centres, High Streets and Central Activities Zone (CAZ)

The policy highlights the role and function of different centres in the town centre hierarchy and the intensification of town centres, high streets and the CAZ to provide additional floorspace for main town centre uses is supported in principle by the policy, subject to impact on townscape and heritage. The introduction of the new Class E (commercial, business and services) during the examination necessitated changes to this policy to remove protection of retail uses, including for convenience retail. Within largely residential areas not well served by the town centre hierarchy, conversion of existing shops to residential use will be resisted.

Outside of the CAZ some small undesignated parades of shops and services exist and their loss will be resisted by the policy, unless new uses can provide community benefits (subject to impact on amenity), to help improve the vitality and viability of these parades.

Policy 15- Visitor Economy

Arts and cultural facilities are protected and through the examination process, this has been extended to include the protection of uses of cultural significance as well. The policy directs new conference facilities to the Strategic Cultural Areas, the town centre hierarchy and the commercial parts of the CAZ. Commercial developments associated with an arts or cultural use should be clearly ancillary, maintain its core arts or cultural function which could not otherwise be achieved, and be of clear and lasting benefit to that use.

Outside of the CAZ new arts and cultural facilities will be supported subject to scale and nature where they are beneficial to the local community. The policy considers the wider impacts of upgrades and extensions to hotels in the local area, specifically having regards to accessibility, sustainable design and consideration to historic significance of hotels located within heritage assets.

Policy 16- Food, Drink and Entertainment

Given Westminster's densely built up character the policy has a number of strands - managing the over concentration of food, drink and entertainment uses, resisting proposals for hot food takeaways within a 200m walking distance from a primary and secondary school to help reduce health inequalities and obesity; giving greater protection to public houses and providing flexibility in allowing the replacement of

ancillary spaces at upper floors within public houses, to help avoid the wholesale loss of these community facilities; and managing proposals for shisha premises.

Policy 17- Community infrastructure and facilities

New community infrastructure and facilities will continue to be supported where there is an identified present or future need. Westminster's community infrastructure needs will be kept under review to ensure they continue to be met. The policy makes clear the council will work with providers of local services to review existing provision, identify future needs and ensure the most efficient use of land and other assets across the public estate in delivering services. This is supported through the Infrastructure Delivery Plan and other council strategies to plan for and deliver new infrastructure.

The policy sets out criteria for new community facilities and in the case of existing community facilities and floorspace identifies those circumstances where loss of existing facilities and floorspace will be allowed.

Policy 18 - Education and skills

This policy supports the provision of new or expanded primary and secondary schools and the provision of further education including the needs of students across London to more closely align with the London Plan approach. The Inspectors have required the deletion of references to only meeting the needs of students studying at higher education institution in Westminster.

Policy 19- Digital infrastructure, information and communications technology

Investment in digital and telecommunications infrastructure will be supported and major new developments and infrastructure projects will be designed to enable the installation of the most up-to-date standards of digital connectivity and ensure easy maintenance and future upgrading as technologies and standards improve.

Policies 20 – 23 - Soho, Mayfair and St. James, Harley Street and Savile Row Special Policy Areas

Development in the Soho Special Policy Area (Policy 20) will reflect its unique character and function and demonstrate how it respects, protects and enhances the existing scale and grain of the built environment and the unique mixture of uses present there. Proposals for new drinking establishments will be considered with regard to their cumulative impact on the character of Soho's streets and mix of uses. The scale and setting of Soho and Golden squares will be protected and enhanced.

Development in the Mayfair and St. James's Special Policy Area (Policy 21) will enhance the character and function of both areas as centres for the art trade and luxury retail, through the provision of additional floorspace for use as art galleries and encourages antique trading and luxury retail. The policy no longer seeks to protect existing uses due to flexibilities of use class E. The Inspectors also required the removal of references to seeking re-provision in major redevelopment schemes.

Development in the Harley Street Special Policy Area (Policy 22) will support and enhance its continued role as an international centre of medical excellence, complemented primarily by residential use. Proposals for additional floorspace to

upgrade or provide new medical facilities, patient care and patient accommodation, will be supported subject to impact on townscape and heritage. The policy only protects medical uses that do not fall within class E by virtue of being attached to the residence of a practitioner and where residential development has demonstrated no demand for medical use, it is no longer required to demonstrate anything further in terms of impact on medical function of the area.

Development in the Savile Row Special Policy Area (Policy 23) will complement and enhance its continued role as an international centre of excellence for bespoke tailoring, supported by complementary Class E (commercial, business and service uses) floorspace that respects townscape and heritage value. Reference is now made to the use of temporary consents to achieve tailoring floorspace growth, and that such provision will not be protected indefinitely. The policy encourages that any new retail is small scale and complementary and resists large scale redevelopment of smaller stores with large format retail better directed to principal shopping streets.

Policy 24 Sustainable Transport

The council will support a sustainable pattern of development which maximises trips made by sustainable modes, creates safer streets for all, reducing traffic, improving air quality and reflecting the objectives in Westminster's Transport and Public Realm Programme and Local Implementation Plan 2019/20 to 2021/2022.

Through the policy, new development and connected transport modes must contribute to the London Plan's *Healthy Streets* approach to improve air quality, reduce congestion and make Westminster's diverse communities become greener, healthier and more attractive places in which to live, work or visit. The policy sets out a requirement for major development schemes to provide financial contributions towards creating well-connected, high-quality, convenient, safe infrastructure and routes to mitigate its impacts. Modifications required by the Inspectors to the policy removes reference to cycle infrastructure and broadens the scope of infrastructure to include routes, where necessary to mitigate the impacts of new development.

Policy 25- Walking and Cycling

Development must promote sustainable transport by prioritising walking and cycling in the city. The policy will continue to improve conditions for pedestrians and cyclists through a variety of interventions including the development of our cycle network, upgrading the public realm, managing parking demand, reducing severance, pro-actively place shaping, junction improvements and introducing traffic calming measures. The policy has been aligned with the cycle parking and cycle facilities standards as set out in the London Plan.

Policy 26- Public transport and Infrastructure

A high-quality public transport system is essential to our strategy to promote sustainable travel patterns in the city, with less reliance on private cars and increasing use of other modes. As a result, the policy encourages developments to improve accessibility and legibility of existing and proposed public transport by creating and improving walking and cycling links to stops or stations facilities.

Policy 27- Parking

The maximum car parking standards in the London Plan will apply to all new developments and all new parking spaces should provide active provision for electric charging vehicles. The policy promotes the letting of parking spaces to residents of new developments on a short-term basis, with spaces allocated to individual addresses or property numbers, rather than selling of spaces to ensure the best use of space. In addition, redevelopment schemes existing parking provision must be reduced to meet the London Plan parking standards unless they can provide justification to re-provide an element of the existing parking.

Policy 28- Highways and Access Management

The road network plays a vital role in the life and work of Westminster, enabling trips by residents, businesses and visitors. It also enables public transport to deliver staff and customers to businesses and provides for their servicing needs. All these demands mean that highway space in Westminster is under stress and a strategic approach is needed to its management. As such, the policy resists the loss of highway land and specifically footways in new developments and will seek re-designation of resulting frontage land as highway land and protect against the loss of footway and cycle space for servicing and/or parking.

Policy 29 - Freight and Servicing

Westminster has a high level of demand for freight, servicing, delivery and collection services (including personal delivery and 'click and collect'), that must be managed to allow residents to access the goods and services they need and to enable businesses to continue to grow. The high concentration of commercial activity interspersed with residential development is a particular characteristic of Westminster's dense, historic urban fabric. This is especially the case in the CAZ and the West End which creates challenges for the movement, re-moding and re-timing of freight, servicing and deliveries. The policy provides support for the provision of consolidated facilities for freight, servicing and deliveries in new development in accordance with new London Plan policy.

Policy 30- Technological Innovation in Transport

Technological advances and innovations will change the way people travel and the operation of the transport network over the period of this plan. We embrace the opportunities such changes offer, whilst ensuring that the introduction of new technologies do not compromise the safety or security of people living in, working in, or visiting Westminster.

Policy 31- Waterways and Waterbodies

Westminster's blue infrastructure of waterways and waterbodies is of strategic importance to London and forms part of the open space network that is essential to quality of life in such a dense city. Waterways and waterbodies are also important for providing habitat and wildlife corridors, providing for recreational activity and public enjoyment, fulfilling environmental functions such as drainage, and in some cases supporting sustainable transport. The policy protects and promotes opportunities to enhance their use. A new clause has been added regarding proposals for permanent moorings on the River Thames and their flood defences, specifically in terms of impacts on the biodiversity value of the foreshore in accordance with the London Biodiversity Action Plan.

Policy 32- Air Quality

The whole of the city has been declared an Air Quality Management Area (AQMA) for nearly two decades. The policy tackles poor air quality in an integrated way, through our approach to design and construction, green infrastructure, energy efficiency and sustainable travel. Together with the wider measures set out in our Air Quality Strategy and Action Plan (2019-2024) and those set out in the Mayor's London Environment Strategy, this will support the ambitions and actions in the Government's Clean Air Strategy (2019). There are eight Air Quality Focus Areas (AQFAs) in Westminster, which are designated by the Mayor of London. These areas not only exceed air quality limits but are also locations with high human exposure, as such the policy goes further than the London Plan and requires new residential units in these areas to submit air quality assessments to demonstrate air quality has not been worsened and where possible, improved.

Policy 33- Local Environmental Impacts

The policy addresses issues such as noise, odour and light pollution arising from new development and applies the Agent of Change principle. This places the burden on the applicant to mitigate negative environmental impacts and ensures development does not cause existing nearby uses from having to curtail their activities. The policy has been expanded to include impacts on not only existing but future occupiers as well.

Policy 34- Green Infrastructure

An integrated approach is required to get the most out of our green infrastructure network to maximise benefits for all. The policy identifies measures to contribute and enhance opportunities from city greening, promoting protection and enhancement of open spaces, net gains in biodiversity and the use of trees- the type and scale of measures that will be suitable will depend on the specific type, scale and context of the development. Additional text in the policy has been added regarding development affecting the Royal Park boundaries and the need to be accompanied by evidence which demonstrates that there are exceptional circumstances for changes to the metropolitan open land boundaries consistent with the requirements in national policy and the London Plan.

Policy 35- Flood Risk

Climate change increases the risk of flooding and sources of flood risk within the city include tidal flooding (from the Thames), sewer flooding (foul water from the sewer system) and surface water flooding. As such, increased levels of development have the potential to increase risks of surface water flooding. However, redevelopment can also provide opportunities to reduce flood risk by the incorporation of flood resilience and resistance and drainage measures. The policy sets out the requirements applicants should comply with to reduce flood risk by the incorporation of flood resilience and resistance and drainage measures. The policy has identified a requirement for a 16m buffer which should be maintained around flood defences structures; improvements to flood defences will be secured through planning conditions and /or legal agreements where the size, type and / or location of development impacts on flood risk to ensure development should not limit future raisings of flood defences as outlined in the Thames Estuary 2100 Plan and a new clause has been added to include the need for off-site upgrades to the water or

sewerage network, which will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.

The policy is informed by the strong framework in place to manage flood risk – such as the Strategic Flood Risk Assessment (SFRA), Surface Water Management Plan (SWMP), Local Flood Risk Management Strategy (LFRMS) and the Mayor of London's Regional Flood Risk Appraisal (RFRA).

Policy 36- Energy

The Mayor of London's energy hierarchy sets out the criteria to maximise the sustainability and efficiency of energy systems in developments and to achieve net zero carbon emissions. The policy clarifies zero carbon targets for Westminster and expects all development to reduce on-site energy demand and maximise the use of low carbon energy sources to minimise the effects of climate change.

Westminster contains one of the UK's first heat networks at the Pimlico District Heat Undertaking (PDHU) and there is opportunity for new or expanded networks in locations including Victoria, east of Oxford Street, Soho, Paddington Basin, Church Street and across the city border to South Kilburn in Brent.

Policy 37- Waste Management

Waste management is one of the greatest challenges for a growing city that is transitioning to a circular economy. The council will contribute to the London Plan target of net self-sufficiency by 2026 by planning for Westminster's apportionment targets. This has been informed by the Waste Data Study (2020) which provides an understanding of the city's waste need and the policy provides clarification on the approach to waste management against criteria set out in national policy and the London Plan, including the need for the council to continue to collaborate with other Waste Planning Authorities in the management of its waste and monitor its waste exports, in accordance with national guidance.

Policy 38- Design Principles

Given the exceptional quality of Westminster's built environment, it is essential to ensure high-quality architecture and urban design in all new developments. The policy promotes design that responds to Westminster's local context and distinctiveness through a people-centred approach, sustainable design and promoting imaginative approaches to contemporary architecture and the use of innovative modern building techniques and materials.

Policy 39- Westminster's Heritage

Westminster's historic environment is one of its greatest assets. New developments are encouraged to optimise the positive role of the historic environment in Westminster's townscape by the retention and sensitive adaptation of historic buildings and their setting to avoid harm to their significance; by protecting the skyline and iconic silhouettes of heritage assets; by protecting and enhancing identified views out of, across and towards the World Heritage site; by making more explicit the need to restoring original and significant detail and the historic fabric; by safeguarding conservation areas and their settings and the special historic interest of registered historic parks and gardens.

Policy 40- Townscape and Architecture

The densely developed townscape and concentration of heritage assets in Westminster means that most development opportunities involve the infilling of small sites or extensions to existing buildings within areas of established townscape. The policy encourages positive design of spaces and features that form important elements of Westminster's local townscapes or contribute to the significance of a heritage asset, their conservation and enhancement and sensitive integration within new development and supports roof extensions, where they do not impact adversely on heritage assets.

Policy 41 and Policy 42 - Building Height and Building heights in the housing renewal areas

Westminster has a diverse and historic townscape that is already densely developed. With tall buildings mainly concentrated in the Victoria and Paddington Opportunity Areas, the policy's supporting text retains the historic position, that Westminster is not generally suitable for tall buildings whilst recognising that in some locations – and when well-designed – tall buildings can make a positive contribution to our townscape and can help deliver the growth and regeneration objectives of this plan and therefore sets a positive strategy for building heights in the city. The policy defines what a tall building is in context and clarifies the general locational principles of where tall buildings could be appropriate; in the opportunity areas and the housing renewal areas of Church Street/ Edgware Road and Ebury Bridge Estate.

Policy 43- Public Realm

Addressing improvements to the public realm from a strategic viewpoint is essential - while placing public realm considerations at the heart of individual development schemes and establishing the critical measures an applicant needs to consider when going through the planning process. The policy identifies principles of an inclusive and accessible public realm, the replacement and relocation of structures such as kiosks and other structures for the sale of goods to minimise obstruction to pedestrian movement and street cleansing; siting of public art statues and monuments and advertising.

Policy 44- Security measures in the public realm

The policy builds on Policy 43 and encourages development to provide an integrated approach to the security of a site including buildings and any associated public or private spaces.

Policy 45- Basement Developments

Basement extensions have become an increasingly common form of development in Westminster in recent years and can have significant impacts on the amenity of neighbouring occupiers and may affect ground conditions, biodiversity, heritage assets, local character and garden settings. This policy seeks to make sure that basement developments are appropriately designed and applies to new basements as well as extensions to existing basements. The policy moves away from land use and concentrates on size and accessibility and impacts of development.

Implementation & Monitoring

This section provides additional text on land use swaps and mixed-use credits following on from the hearing sessions and at the request of the Inspectors. New Key

Performance Indicators have been added or amended to help monitor the implementation of City Plan policies and to reflect the changes to the use classes order.

Policies Map

Throughout the examination, minor revisions have been made to the boundaries of Paddington Opportunity Area, Victoria Opportunity Area, West End Retail and Leisure Special Policy Area and the Central Activities Zone.