



## City of Westminster

# Planning & City Development Committee

**Date:** 22<sup>nd</sup> July 2021

**Classification:** General Release

**Title:** City Plan and Planning Policy Update

**Report of:** Director of Policy and Projects

**Financial Summary:** The implications will be managed within existing resources.

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### 1. Executive Summary

1.1 This report provides an update on the adoption of the City Plan and other work being undertaken by the planning policy team.

### 2. Recommendation

2.1 Members are asked to note the content of this report.

### 3. City Plan 2019-2040

3.1 The City Plan was adopted on 21 April 2021 following the conclusion of its Examination in Public and the publication of the Planning Inspectors' Final Report in March confirming the City Plan as legally compliant and 'sound'.

3.2 The City Plan 2019-2040 replaces the previous 2016 iteration of the City Plan and the 'saved' policies from the council's 2007 Unitary Development Plan (UDP). It will now be used alongside the 2021 London Plan and any 'made' neighbourhood plans<sup>1</sup> when determining planning applications in Westminster.

3.3 The City Plan represents a significant step forward from the previous policy framework in several policy areas:

#### 3.4 Spatial strategy

3.4.1 The spatial strategy chapter outlines the key parts of the city where the council expects growth will take place, including the Paddington, Victoria and Tottenham

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<sup>1</sup> Currently 'made' neighbourhood plans are those of Knightsbridge and Mayfair. These plans apply to applications made within the respective designated neighbourhood areas.

Court Road Opportunity Areas, the West End, and our own developments in Church Street and Ebury Bridge. The chapter also sets out principles of ‘neighbourly’ development to ensure that development positively impacts and enhances its locality.

### 3.5 Housing

- 3.5.1 The housing policies set the council’s overall target of 20,685 new homes by the end of the plan period in 2040. The policies also raise the percentage of affordable homes to be provided to 35% (from a previous requirement of 30%), with a clear preference for the on-site delivery of affordable housing rather than a financial contribution.
- 3.5.2 The housing policies protect existing housing and will ensure that no new homes are over 200sqm in size (other than in exceptional circumstances), in order to make the best use of Westminster’s scarce land resources.
- 3.5.3 Furthermore, policies support the provision of family-sized homes and specialist forms of accommodation for older people and students. They also support new and innovative types of housing such as Build to Rent and Shared Living, whilst ensuring that sufficient internal and external space is provided for new residents.

### 3.6 Economy and Employment

- 3.6.1 The policies on the economy and employment ensure stronger protection for our existing office stock than previously, to protect the commercial core of the Central Activities Zone (CAZ). This is supported by commercial floorspace growth to provide 63,000 new jobs by 2040, particularly in the CAZ but also the North West Economic Development Area (NWEDA).
- 3.6.2 Our policies on retail mark a significant departure from previous policy, incorporating the government’s new flexible commercial use class and enabling greater flexibility of commercial uses, whilst protecting the commercial function of the CAZ and our designated retail centres.
- 3.6.3 Our economy and employment policies also control the provision of: arts and cultural uses (including protecting designated Strategic Cultural Areas); food, drink and entertainment uses; community infrastructure; education and skills, and digital infrastructure. There are also specific policies covering the unique areas of Soho, Harley Street, Savile Row, and Mayfair and St. James’s. These areas have been designated to protect the unique clusters of uses found there.

### 3.7 Connections

- 3.7.1 Our policies on connections go beyond traditional transport policies and encourage walking and cycling as part of active travel options for residents, workers and visitors. They also encourage connectivity and easy interchange between different public transport modes.
- 3.7.2 Our policy on parking provision now aligns with the new London Plan, with on-site parking only to be provided in parts of the city with low levels of access to public transport modes (other than for disabled people). This means most developments will not provide on-site car parking provision.
- 3.7.3 The chapter also contains policies supporting freight and servicing consolidation, electric charging point provision and waterside development along the Thames or our canals and other waterbodies.

### 3.8 Environment

- 3.8.1 Our environment policies mark a step-change from the previous policy framework by introducing more stringent requirements on air quality, energy and flooding to combat the effects of climate change. Policies also encourage the greening of the city through new and enhanced open spaces, green infrastructure on buildings such as green roofs and walls, and new tree planting.
- 3.8.2 Policies on managing waste and the local environmental impacts caused by development such as light pollution, noise, odour and construction impacts will also raise standards, ensuring sufficient space is dedicated to waste storage and enabling more recycling.

### 3.9 Design and Heritage

- 3.9.1 Our design policies will ensure that sustainability is embedded in the principles of good design, meeting high environmental performance standards whilst ensuring that new development responds to its local context.
- 3.9.2 Our heritage and townscape policies will protect and enhance Westminster's historic environment including our World Heritage Site, Listed Buildings and Conservation Areas, whilst ensuring new buildings and extensions are sensitively designed.
- 3.9.3 Our policy on building height uses a contextual approach to assess the impact of proposals for taller buildings, setting out some locational principles for those areas of the city where such proposals may come forward in future.
- 3.9.4 Further policies in this chapter encourage an accessible and inclusive yet secure public realm, including controls over public art, statues and advertisements. Our policy controlling the development of basements also ensures they will be sensitively designed and minimises their impacts.

## **4. Other Planning Policy Work**

- 4.1 Following the successful adoption of the City Plan, officers are now working to produce a range of other planning policy documents alongside other workstreams.
- 4.2 Supplementary Planning Documents (SPDs)
  - 4.2.1 Supplementary Planning Documents (SPDs) provide additional detail and guidance to enable successful implementation of the City Plan's new policies. Whilst they don't form part of the council's statutory Development Plan, SPDs hold significant weight in decision-making and are produced subject to a statutory process including formal consultation.
  - 4.2.2 With the new City Plan policies, there is a need to produce a suite of SPDs that will provide guidance on the new policies, whilst consolidating and bringing up to date pre-existing guidance.
  - 4.2.3 In accordance with the council's City for All priorities, officers have been working to produce the Environmental SPD, which was published for consultation from 24<sup>th</sup> May until 28<sup>th</sup> June. The Environmental SPD brings together guidance on a range of environmental issues including air quality, green infrastructure, flooding, energy, waste and retrofitting and sustainable design, and also covers local environmental

impacts of development such as light, noise and odour, land contamination and construction impacts.

4.2.4 The consultation also involved stakeholder workshops on each of the main topic areas, alongside receiving written comments. Following the close of the consultation, officers will analyse the findings and consider changes to improve the document. It will then be considered for final adoption in the Autumn. Once adopted, the Environmental SPD will have significant weight in the planning decision-making process.

4.2.5 Other SPDs in production are: Planning Obligations and Affordable Housing; Public Realm, and Design and Heritage.

#### 4.3 Article 4 Direction

4.3.1 Following recent changes to permitted development rights made by the government, the council has issued a new Article 4 Direction for public consultation. The Article 4 Direction will restrict the change of use from commercial to residential uses in the Central Activities Zone (CAZ) without full planning permission.

4.3.2 The council currently has in place an Article 4 Direction preventing the change from offices to residential use in the CAZ without full planning permission, which stays in effect until 1<sup>st</sup> August 2022. The government has since broadened the scope of permitted development rights to allow all uses in the new “Commercial, Business and Service” use class to benefit from the right to change to residential use without the need for full planning permission.

4.3.3 To ensure the CAZ continues to be protected as central London’s economic core, there is a need for a new Article 4 Direction to balance the competing need for commercial and residential growth and ensure that such proposals are fully considered in line with the council’s development plan policies. The decision to introduce the Article 4 Direction was formally issued on 2<sup>nd</sup> July 2021 and once formally made, the Direction is subject to a formal six-week consultation that will begin in July. The Article 4 Direction is a ‘non-immediate’ direction and is therefore subject to a 12-month period prior to implementation, which absolves the council of any risk of claims for financial compensation from landowners under the terms of the Town and Country Planning Act 1990. The Direction will therefore come into effect from 1<sup>st</sup> August 2022, when the previous Direction expires.

#### 4.4 Neighbourhood Planning

4.4.1 The Planning Policy team continues to support Westminster’s designated Neighbourhood Forums in producing neighbourhood plans for their respective areas. Currently there are two ‘made’ (i.e. adopted) neighbourhood plans in Westminster, which are for Knightsbridge and Mayfair. These plans form part of the council’s statutory development plan.

4.4.2 Neighbourhood plans for Fitzrovia West, Soho and Queen’s Park have been progressing through the formal examination stage this year and are now subject to a final referendum before they can be formally ‘made’. As they have been through the formal examination process and have been subject to a final published Examiner’s Report, they do attract some formal weight in individual decision-making in their respective areas.

4.4.3 The Pimlico Neighbourhood Plan has been formally submitted to the council for consideration and is now subject to public consultation until 23<sup>rd</sup> August. Following this, the council will seek to appoint an independent examiner in consultation with the Neighbourhood Forum, who will then examine the plan later this year.

#### 4.5 Authority Monitoring Report

4.5.1 The council monitors the performance of its planning policies through the production of an annual Authority Monitoring Report (AMR). The AMR contains a series of measures to assess the performance of planning policies, and these key performance indicators (KPIs) can be found in the Implementation and Monitoring chapter of the City Plan.

4.5.2 With the adoption of the new City Plan, officers are working to produce a new format for the AMR to ensure all the new KPIs are captured and that the document is a useful tool for measuring and analysing the effectiveness of the council's planning policies. A new AMR will therefore be published later this year.

### 5. **Financial Implications**

5.1 The implications will be managed within existing resources.

### 6. **Legal Implications**

6.1 The Director of Law has considered the contents of this report and does not have any additional comments.

### 7. **Conclusion**

7.1 Members are asked to note the content of this report and the implications that the new City Plan and associated planning policy work will have for planning decision-making in Westminster.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact: Michael Clarkson ([mclarkson@westminster.gov.uk](mailto:mclarkson@westminster.gov.uk); 07811677027).**

### **Background Papers:**

City Plan 2019-2040

Environmental Supplementary Planning Document – consultation draft, May 2021