

Examination of the Westminster City Plan 2019-2040

Inspectors' note

Outline of main modifications required

- 1) Starting point is submitted City Plan i.e. Regulation 19 Publication Draft June 2019 (CORE 001) but incorporating minor modifications set out in CORE 025 V4. Main modifications are to this starting point.
- 2) Reference numbers for modifications put forward by the Council (and cross referenced below) are those in CORE 024 V4.
- 3) Unless specifically referred to below, no modifications are required for soundness. No other modifications should be added. Additional minor modifications prior to adoption are entirely a matter for the Council and should be kept completely separate from this process.
- 4) Single modification with single ref i.e. MM1 for all bullet points under each policy which may incorporate a number of specific amendments to a policy and/or associated explanatory text.
- 5) Main modifications should be shown clearly using the conventions of **bold and underlined** for new text and ~~strike through~~ for deleted text, using the text from the submitted plan as the basis. Where large sections of text are to be deleted this can be referred to as "delete para XX" or "delete para XX and replace with..". It must be absolutely clear which text is to be deleted.
- 6) The schedule of proposed main modifications should contain three columns
 - Main modification ref. e.g. MM1, MM2 etc.
 - Policy/para ref.
 - Proposed main modification
- 7) Reasons for the proposed main modifications should not be included. Reasons will be set out fully in the Inspectors' report.

Policy 1

- Amend Policy 1 as set out in
PS/S/14
M/S/02
PS/S/15
PS/S/01
M/S/03
PS/S/05
PS/S/06 – subject to inclusion of references to “at least” in relation to target figures for jobs and homes
- Amend para 1.5 as set out in
M/S/05
- Amend Fig 7 Key Diagram as set out in
M/S/07
PS/S/07
- Amend Introduction section as set out in
PS/I/01
PS/I/02

Policy 2

- Amend Policy 2 as set out in
PS/S/08 – subject to inclusion of references to “at least” in relation to target figures for jobs and homes
- Delete reference to key development sites in para 2.5
- Amend Fig 8 to remove reference to Key Development Site

Policy 3

- Amend Policy 3 as set out in
PS/S/10 – subject to inclusion of references to “at least” in relation to target figures for jobs and homes and corrected figure for jobs
- Amend Policy 3 as in M/S/10 replace the words “and community” with “, healthcare and other community”
- Amend Fig 9 to remove reference to Key Development Sites
- Amend para 3.8 as set out in
M/S/11

Policy 4

- Amend Policy as set out in
PS/S/12 – subject to inclusion of references to “at least” in relation to target figures for jobs and homes
- Amend Para 4.3 as set out in
PS/S/03
- Amend para 4.10 as set out in

M/S/16

- Amend Fig 10 as set out in M/S/13 and to remove reference to Key Development Sites

Policy 5

- Amend Fig 11 to remove reference to Key Development Sites
- Amend para 5.5 as set out in M/S/18

Policy 6

- Amend para 6.4 as set out in PS/S/04
- Amend Fig 12 to remove reference to Key Development Sites
- Amend Fig 13 to remove reference to Key Development Site

Policy 7

- No modifications

Policy 8

- Amend Policy 8 as set out in PS/H/18
- Amend para 8.2 as set out in PS/H/01
- Amend para 8.3 as set out in PS/H/02
- Amend para 8.4 as set out in PS/H/03
- Amend para 8.5 as set out in PS/H/04
- Delete para 8.6 as set out in PS/H/06
- Amend para 8.7 as set out in PS/H/07
- Amend para 8.8 as set out in PS/H/08
- Add new para as set out in M/H/02
- Add new para as set out in M/H/03
- Replace Fig 14 with updated housing trajectory graph with annotation showing annual estimated completions (data taken from post hearing notes EV H 016 V2 and EV H 025)
- Delete Appendix 1 and replace with updated housing trajectory table (data from post hearing notes EV H 016 V2 and EV H 025)

Policy 9

- Amend Policy 9 as set out in
PS/H/09
M/H/05
- Amend para 9.1 as set out in
M/H/06
- Amend para 9.2 as set out in
M/H/07
- Amend para 9.3 as set out in
M/H/08
- Amend para 9.14 as set out in
PS/H/19
- Amend Implementation section of plan to clarify approach to land use swaps and affordable housing credits

Policy 10

- Delete Policy 10 and do not replace
- Delete paras 10.1 to 10-10 and do not replace

Policy 11

- Amend Policy 11 as set out in
M/H/13
M/H/15
M/H/16
M/H/17
- Delete “with a main hub in Westminster” from first sentence of part G and delete second sentence of Part G.
- Amend Part I to remove reference to published strategies and refer to under-utilisation/lack of demand etc.
- Amend para 11.1 as set out in
M/H/18
- Amend para 11.19 as set out in
M/H/19

Policy 12

- Amend Policy 12 as set out in
PS/H/15
PS/H/16
- Amend para 12.2 as set out in
M/H/20

Policy 13

- Amend Policy 13 to revise the order and detailed wording of Parts D 1-3 in order to clarify the approach and prioritise the provision of outdoor space
- Amend para 13.4 as set out in M/H/22
- Amend para 13.6 as set out in M/H/23

Policy 14

- Amend Policy 14 as set out in PS/EE/24 subject to deletion of proposed new Part B relating to use of conditions PS/EE/25
- Amend para 14.6 as set out in PS/EE/27
- Amend para 14.8 as set out in PS/EE/28 subject to modified wording to reflect fact that changes within Class E are not changes of use
- Amend paras 14.11 and 14.12 as set out in M/EE/02
- Delete para 14.13 as set out in PS/EE/29
- Amend para 14.14 as set out in PS/EE/30
- Amend paras 14.15 and 14.16 to reflect revised approach to key development sites and Appendix 1

Policy 15

- Amend Policy 15 as set out in PS/EE/06
PS/EE/31
PS/EE/32 subject to deletion of proposed Part D relating to use of conditions M/EE/03
PS/EE/33
PS/EE/34
PS/EE/35
- Amend para 15.2 as set out in PS/EE/07
- Amend paras 15.3-15.5 as set out in M/EE/04
- Amend paras 15.7-15.8 as set out in M/EE/05

- Amend paras 15.12-15.13 as set out in M/EE/06
- Amend paras 15.14-15.16 as set out in PS/EE/36
- Amend paras 15.19-15.20 as set out in PS/EE/38
- Amend para 15.22 as set out in PS/EE/39
- Amend para 15.27 as set out in PS/EE/41
- Amend paras 15.28-15.30 as set out in PS/EE/42
- Amend Fig 15 as set out in M/EE/07

Policy 16

- Amend Policy 16 as set out in PS/EE/02
PS/EE/08
PS/EE/09
- Amend para 16.13 as set out in PS/EE/10
- Amend para 16.13 as set out in PS/EE/11

Policy 17

- Amend Policy 17 as set out in PS/EE/48
PS/EE/49
- Amend Part F of Policy 17 as set out in the version of PS/EE/12 submitted following the hearing session on Matter 1 subject to the deletion of “..will generally not be supported due to their adverse impacts on public health. In exceptional circumstances, they..”
- Amend para 17.1 as set out in PS/EE/50
- Amend para 17.6 as set out in PS/EE/51
- Amend para 17.10 as set out in PS/EE/13
- Amend para 17.12 as set out in PS/EE/15
- Amend para 17.13 as set out in the version of PS/EE/16 submitted following the hearing session on Matter 1

Policy 18

- No modifications

Policy 19

- Amend Policy 19 as set out in M/EE/15
- Policy 19 Part B by deleting “..that meets the needs of students studying at a higher education institution in Westminster.”

Policy 20

- No modifications

Policy 21

- Amend Policy 21 as set out in PS/EE/45
- Amend para 21.5 as set out in PS/EE/46
- Amend para 21.7 as set out in M/EE/18
- Add new para 21.11 as set out in PS/EE/19

Policy 22

- Amend Part A of Policy 22 as set out in M/EE/19
- Delete Parts B and C of Policy 22 and do not replace
- Amend para 22.5 as set out in PS/EE/53 subject to the deletion of final sentence i.e. “Given the importance...”

Policy 23

- Amend Policy 23 as set out in PS/EE/20 subject to the deletion of final sentence of Part B i.e. “Where provided...”

Policy 24

- Amend Policy 24 as set out in PS/EE/21
- Amend para 24.1 as set out in PS/EE/47
- Amend para 24.3 as set out in PS/EE/22

- Amend para 24.4 as set out in PS/EE/23

Policy 25

- Amend Policy as in M/C/01 and add the words “where necessary to mitigate its impacts”

Policy 26

- Amend Policy as in PS/C/20 to insert the words “London Plan” before Appendix 2 in D. 3.
- Amend justification to include reference to Cycle Facilities as set out on page 193 (Appendix 2), specifically including reference to at least one shower for every 20 cycle spaces and one locker per cycle space.

Policy 27

- Amend Policy as in M/C/06
- Amend para 27.5 as set out in PS/C/02

Policy 28

- Amend Policy to bring into line with London Plan Parking Standards as in PS/C/03
PS/C/04
PS/C/05
- Amend title “On-Site Parking” delete remaining text of 28.4 as in PS/C/06
- Amend para 28.5 and re-number 28.4 as in PS/C/07
- Amend para 28.6 and re-number 28.5 as in PS/C/08 but amend by deleting the words “provision of off-street car parking in the vicinity of the site by utilising existing non-residential car parking spaces”
- Insert new para 28.6 as set out in PS/C/13
- Delete para 28.7 as set out in PS/C/09
- Delete para 28.8 as set out in PS/C/10
- Delete para 28.9 as set out in PS/C/11
- Delete para 28.10 as set out in PS/C/12
- Insert new para 28.7 as set out in PS/C/15

- Insert new para 28.8 as set out in PS/C/16
- Insert new para 28.9 as set out in PS/C/17
- Amend para 28.14 as in PS/C/15
- Amend justification as in PS/C/18

Policy 29

- Amend Policy as in M/C/10
- Amend para 29.3 as set out in PS/C/21
- Amend justification to recognise that there may be circumstances where a minor loss of highway land could be appropriate

Policy 30

- No modifications

Policy 31

- Amend Policy clause C by deleting the words "in line with the emerging Westminster Electric Vehicle Strategy (2019)"
- Amend para 31.6 as set out in PS/C/22

Policy 32

- Amend Policy as set out in M/C/14

Policy 33

- Amend para 33.5 as set out in PS/E/04
Amend Policy and justification by replacing references to "air quality positive status" with "air quality positive approach"
- Amend Policy and justification remove or justify references to solid biomass boilers.
- Amend justification to make reference to the London Environment Strategy
- Amend justification and glossary to make clearer what is meant by air quality neutral and carbon neutral
- Replace reference to "Air Quality Action Plan (2013)" with "Air Quality Action Plan (2019)"

Policy 34

- Amend Policy as in M/E/02

Policy 35

- Amend Policy as in M/E/05
- Amend Figure 28 as set out in PS/E/02
- Amend para 35.8 to clarify that national planning policy and the London Plan Green Belt policies will be applied to proposals affecting Metropolitan Open Land

Policy 36

- Amend Policy as in M/E/07
- Amend Policy as in M/E/08
- Amend para 36.4 as set out in M/E/06
- Amend para 36.5 as set out in PS/E/03
- Amend Policy by adding a new clause which deals with Wastewater Infrastructure

Policy 37

- Amend Policy as in PS/E/05
- Amend para 37.1 and glossary to clarify what is meant by zero carbon
- Amend para 37.2 to clarify further how sensitive refurbishment should undertaken to avoid harm to historic buildings
- Amend para 37.5 as per PS/E/06 also delete the words "in accordance" after the words "period of 30 years".
- Amend para 37.6 as set out in PS/E/07

Policy 38

- Amend Policy as in PS/E/08
- Amend Policy as in M/E/10
- Amend Policy as in PS/E/09

- Amend Policy as in M/E/11
- Amend para 38.1 to read: *Waste management is one of the greatest challenges for a growing city, which is also transitioning to a circular economy. Westminster produces more than 180,000 tonnes of waste per year. Households, businesses, institutions and building projects all generate waste in Westminster and the council has a duty to plan for the management of seven waste streams and to drive waste up the waste hierarchy. The seven waste streams include Local Authority Collected Waste (LACW), Commercial & Industrial (C&I) waste, Construction, Demolition and Excavation (CD&E) waste, hazardous, agricultural, low level radioactive waste and waste water.*
- Replace para 38.2 with new text as per M/E/15 except replace last sentence with the following sentence "The council has the aspiration to join the Southeast London Joint Waste Planning Group to plan for waste collectively. The London Borough of Bexley is already part of that group"
- Replace para 38.3 with new text as per M/E/13
- Add new para 38.4 as set out in M/E/14
- Add new para 38.5 as set out in PS/E/12
- Add new para 38.6 as set out in M/E/16
- Add new para 38.7 as set out in PS/E/13

Policy 39

- Amend Policy as in M/DH/03
- Amend para 39.10 as per M/H/09 except replace "110 litres/person/day" with "105 litres/person/day" and directly refer to Policy SI 5 of the London Plan rather the Building Regulations

Policy 40

- Amend Policy as in M/DH/12
- Amend Policy as in M/DH/13
- Amend Policy as in M/DH/14
- Amend Policy as in PS/DH/05
- Amend Policy as in M/DH/15

- Amend Policy as in M/DH/16
- Amend para 40.16 as set out in M/DH/23
- Amend para 40.27 as set out in PS/DH/09

Policy 41

- Amend Policy replacing parts E, F & G with a new part E titled ROOF EXTENSIONS to read more positively and effectively. Suggested wording as follows:

"ROOF EXTENSIONS

E Roof extensions will be supported in principle where they add new residential floorspace, create a new self-contained residential unit or create additional commercial floorspace within the Opportunity Areas, the International Centres of the West End and Knightsbridge the Major Centre, and in other commercial locations on the Transport for London and Strategic Road networks provided they fulfil one of the following criteria:

- 1. The proposal forms part of a terrace or group where a variety of roof additions or alterations create an established mixed pattern and where further development of a similar form would not cause harm or would help to unify a group of buildings and townscape; or*
 - 2. The proposal would take a coordinated approach, adding roof extensions of consistent and appropriate design to each property within a terrace-of which has an existing roof line unimpaired by extensions; or*
 - 3. In other locations the proposed roof form is of appropriate design, sympathetic to the architectural character of the building and where necessary designed to minimise visibility from street level, incorporating set-backs where appropriate."*
- Amend Policy by renumbering part "H" to part "F" to coincide with the above
 - Amend para 41.11 as per M/DH/29 except delete the words "of unlisted buildings"

Policy 42

- Amend Policy as in M/DH/33 except delete the words "Westminster is not generally suitable for tall buildings."
- Amend Policy as in M/DH/34 except combine with part A and make reference to clauses B, C & D.
- Amend Policy as in M/DH/35 deleting clause C and renaming clauses D, E & F clause B, C & D respectively

- Amend Policy as in PS/DH/12 except adjust numbering as above
- Amend Policy by deleting the words "Building heights in Paddington should step down from the central location/highpoint at One Merchant Square"
- Amend Policy by adding "(20m)" after the words "residential storeys" in the Marylebone Flyover/Edgware Road Junction section
- Amend Policy as in PS/DH/14 except replace the words "will be resisted" with "are likely to be resisted"
- Amend Policy as in PS/DH/15
- Amend para 42.4 by deleting the last sentence starting with "We may require..." as this confuses where and how Policy 42 is applied

Policy 43

- Replace "Church St Estate" with the words "Church Street / Edgware Road Estate"

Policy 44

- No modifications

Policy 45

- No modifications

Policy 46

- No modifications

Implementation and Monitoring

- Review and update all KPI's in light of the modifications and to ensure there are clearer triggers for action and review if the objectives are not being met