



Queen's Park Community Council
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Dear Gill,

Westminster City Council response to the submission draft Queen's Park Neighbourhood Plan (Regulation 16)

Thank you for your formal submission of the draft Queen's Park Neighbourhood Plan and associated documents. Clearly an immense amount of time, effort and hard work has gone into the preparation of a neighbourhood plan that supports the community's ambitions for the Queen's Park Neighbourhood Area, and as such the council supports the submission of the Queen's Park Neighbourhood Plan and commends the work of the Community Council.

The Plan must meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. This principle is also set out in Paragraph 37 of the National Planning Policy Framework (NPPF).

Whilst most of the Neighbourhood Plan's policies would meet the basic conditions in terms of principle, we believe further amendments are needed to many of them to ensure they are robust, effective and enforceable, thereby complying with national planning policy. This requirement is set out in Paragraph 16 of the NPPF, which states that plans should "contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

Our detailed comments are provided in Appendix 1, which is attached to this letter.

We hope you consider our suggestions to be constructive, as the council wishes to continue working positively with the Queen's Park Community Council to ensure the Neighbourhood Plan is robust and enforceable whilst continuing to meet the aspirations of the local community.

Yours sincerely,

Michela Leoni

Policy Officer (Planning)

Appendix 1: Westminster City Council's comments on Reg 16 version of the Queen's Park Neighbourhood Plan

Policy Number/Section	Westminster City Council's comments
<p><u>General drafting</u></p>	<ul style="list-style-type: none"> • The plan is clearly laid out and easy to navigate. • We have found a number of factual errors throughout the document (e.g. maps on page 10 and 60 show some errors with regards to listings and Conservation Area boundary). We expect that all baseline data is checked against the council's data when preparing neighbourhood plans. We can point you to the key documents on our website and provide you with the key GIS layers so you can correct any mistake. • Please consider numbering maps for ease of use. • In Chapter 2, update the yellow box titled "Links to Strategic Policies" with the correct reference to the relevant draft policies in the draft London Plan and draft Westminster City Plan. This exercise has already been carried out in producing the Basic Condition Statement document accompanying the submission of the draft QPNP so you can use that document to review the information on the main Plan document. Please note that as a result of the deletion of Policy 10 following the City Plan examination, the numbering of policies in the draft Westminster City Plan has changed.
<p><u>Why Queen's Park needs a neighbourhood plan</u></p>	<ul style="list-style-type: none"> • The character areas set out at 1.3 don't match the areas set out in Policy 6 (Design). Does the list in this section need updating following more detailed work that has been done on Policy 6? • 1.4 refers to a 'Consultation Document' but there is no submitted document with this title. Cross-referencing needs to be correct. • 1.5 states that a neighbourhood plan is extremely important however it lacks clarity on what a neighbourhood plan can actually do and on its interaction with other tiers of planning as it is not an isolated piece of work that operates independently from its wider planning context. • 1.7 Reference to the loss of the Jubilee centre is misleading as the plan mentions its replacement with only a small community space. This should be changed to say the site will include a Community Leisure Centre (3 court sports hall and flexible community hall which can be used for exercise classes as well as community meetings and events). The project is targeted for completion in late 2022. This will also deliver 19 new affordable housing units alongside private residential ones. • 1.9 touches on the interaction between the neighbourhood plan and the Harrow Road Masterplan. While the whole neighbourhood plan process has helped build dialogue and pressure to act on Harrow Road specifically, the Harrow Road Place Plan and the Neighbourhood Plan are two separate matters. Together with the London Plan and the City Plan, the Neighbourhood Plan will form part of the area's Local Development Plan and will provide policies

	<p>which will help shape future development in Queen’s Park. The Harrow Road Place Plan identifies key issues and priorities for Harrow Road, establishes overarching objectives and gives details on a range of realistic projects that will help deliver immediate and longer-term improvements. Over the next year, WCC will be further developing the Place Plan and key projects emerging from it via funding received from the Greater London Authority's Good Growth Fund. The work developed to date in the Queens Park Neighbourhood Plan will be built-upon through this process with an ambition to deliver improvements around the Canalside Terrace area in particular. Queen’s Park Community Council, alongside wider stakeholders, will all form an integral part of this project. A consultant is due to be appointed in early March 2021, at which point a robust methodology for engaging with stakeholders will be confirmed.</p>
<p><u>How the neighbourhood plan fits into the planning system</u></p>	<ul style="list-style-type: none"> • Please update paragraph on the new London Plan, as a new London Plan is expected to be adopted in spring 2021. The narrative on this level of planning is also missing on page 9. • The box describing the planning system at borough level should use the same rationale of the London Plan box, so it should refer to the current Westminster City Plan (2016) but note that a new Westminster City Plan is also expected to be adopted in 2021. • 1.13 would benefit from redrafting as it’s currently confusing. It should clearly say that neighbourhood plans should contribute to sustainable development, in line with the NPPF, but also be in general conformity with higher tier plans as the London Plan, the Westminster City Plan, and the Neighbourhood Plan (when made) will form part of the Local Development Plan for the Queen’s Park Neighbourhood Area therefore they will be used in conjunction to assess planning applications. • 1.14-1.18 will need to be updated to refer to the new Westminster City Plan. 1.18 also incorrectly states that the new City Plan was approved in November 2019. A draft was formally submitted to the Inspectors, which technically started the City Plan examination, but the Plan itself will not be adopted until following the final Inspectors’ report and a formal council decision to adopt the plan (expected in March 2021). Therefore, this paragraph is misleading and should be amended. • 1.20 should refer to designated Neighbourhood Areas. • 1.21 would benefit from explaining that the reason why the 15% Neighbourhood CIL is retained in Queen’s Park is that this Neighbourhood Area is the only one in Westminster where a Community Council exists. This paragraph should also mention that they you are required by the legislation to report back on this spending to the council.
<p><u>Local planning context</u></p>	<ul style="list-style-type: none"> • The second map on page 11 should be replaced by the most up-to-date version.
<p><u>Policy objectives</u></p>	<ul style="list-style-type: none"> • We support the policy objectives underpinning the Queen’s Park Neighbourhood Plan and believe they align with the emerging Westminster City Plan and articulate its strategic ambitions at the local level. • It may be helpful to show which policies sit within which objectives (E.g. Amenities: Policies 1 and 2, Environment and Open space: Policies 3, 4 and 5), as the document is structured on this narrative.

<p><u>Policy 1: Amenities</u></p>	<ul style="list-style-type: none"> • ‘Community uses’ will need to be defined in terms of what this is intended to comprise. Does this refer to the list of uses indicated by the City Plan at 18.1 or to a different list of uses defined against the Use Classes? In the former case, it must be recognised that in some instances the policy would not be able to be applied as changes of uses within the new class E are not considered development. • We consider this policy is still more flexible than draft WCP as it permits development where it can be demonstrated that the community use is no longer required by the local community, while WCP policy 18 also includes the requirement to demonstrate that there is no demand for an alternative social and community use, evidenced by vacancy and appropriate marketing. This is a potential conformity issue and should be resolved to align with the emerging City Plan. • The supporting text at paragraph 2.4 refers to temporary permitted changes in the GPDO, however please note that more recent significant changes in the Use Classes Order have superseded these as several of the old use classes have been grouped under new use classes (therefore changes between uses within the same new use class will no longer be subject to planning permission). This paragraph should be updated to reflect this.
<p><u>Policy 2: Queen’s Park Hall</u></p>	<ul style="list-style-type: none"> • The aims of this policy are the same of those of Policy 1: protecting a valued community use within the community. We support these aims. However, please note that the designation of the building as an Asset of Community Value (ACV) falls under separate legislation and are therefore not controlled through planning policy. The policy wording could require that the building continues to be used for the benefit of the local community instead of referencing ACV. The ACV listing (as explained in paragraph 2.7) would support such an aim as it provides further confirmation that the council recognises the use of the building as being of community value. It is noted that the ACV listing expired on 08.01.2021 and that a new nomination is currently being considered by the council. • It would be worth referencing any upcoming project on the Queen’s Park Hall in the Projects section, if applicable.
<p><u>Policy 3: Residential gardens</u></p>	<ul style="list-style-type: none"> • This policy seeks to prevent the loss of private residential gardens. As per our previous comments, it is still not clear the extent of the loss that the policy intends to address (e.g. if this means that any extensions on garden land, structures in gardens such as bike sheds, or any other use is not acceptable in any circumstances or whether this policy is aimed at development that would result in complete loss). As currently worded the policy appears to protect all garden space from any form of development and we consider it to be a potential conformity issue. We recommend that the policy is amended to prevent <i>significant</i> loss of private residential gardens. The policy would benefit from greater clarity, bearing in mind that there are permitted development rights that allow some development without the need for planning permission. • We understand that the second part of the policy is trying to preserve the biodiversity and amenity value of residential gardens when taken collectively. However, this needs to be balanced with the resident’s rights to extend their properties including where this would form permitted development. The policy should be reviewed to reflect this.

<p><u>Policy 4: Allotments</u></p>	<ul style="list-style-type: none"> • While we support the aims of the policy and recognise the benefits allotments can bring, further evidence in support of the proposed policy would be required including information on the exact location and extent of these allotments. Also please note that the proposed policy can only protect lawful allotments. • It is unclear what circumstances would constitute ‘harm’ to the allotments.
<p><u>Policy 5: Queen’s Park Hut</u></p>	<ul style="list-style-type: none"> • Paragraph 2.16 in the supporting text states that “The proposal is in conformity with City Plan policy S38 which opposes the loss of Open Space. QPCC has worked closely with WCC to agree this footprint”. While we do not consider that the support stated in this policy for “the development of the existing storage building to provide additional facilities for the local community”, is fully in conformity with the requirement set by the draft City Plan policy 35 to protect all existing open space, the City Plan policy’s supporting text at 35.5 states that “Development on open space must be essential and clearly ancillary to maintaining or enhancing the values of the open space”. This noted, a special case for departing from CP policy 35 will need to be made to state how on balance the likely benefits of the proposed policy (such as community benefit and enhanced use of the green space connected) justify the non-compliance. • We advise you to consider whether this policy is necessary or whether it would sit more comfortably in the Projects section, with accompanying information on the ongoing work with the relevant WCC teams.
<p><u>Policy 6: Design</u></p>	<ul style="list-style-type: none"> • The policy approach on respecting the character of the distinct areas within the neighbourhood plan is broadly supported, however the policy currently lacks the sufficient justification in support of it. What the boundaries are, what makes them distinct from one another in terms of their character, and whether they all offer scope for development that needs to be shaped through more detailed design guidance will need to be set out. This is particularly the case with the Mozart Estate. • It is noted that to date only the Canal Terrace Guidance exists, which has been recently produced in conversation with WCC’s Town Planning officers. • The first bullet point within the policy should say “Queen’s Park Estate Conservation Area” • It is also noted that the Queens Park Estate Design Guide (1995) is referenced in the draft Plan’s evidence base and in the new Canal Terrace Design Guide. It would be helpful to understand if you intend that the new design guidance documents you are preparing to support the implementation of Policy 6 would seek to supersede or sit alongside this guidance. The design guide applies to most of the properties across the estate which have consistent detail so design guides for smaller parts of this estate may not cover this. If you do consider that it should be retained, it would be helpful if you could include it as a background document to the plan. • The reference to ‘Westminster Planning North and Conservation and Heritage’ at paragraph 2.22 should be changed to ‘Westminster Planning Department’.
<p><u>Policy 7: Improving cycling infrastructure</u></p>	<ul style="list-style-type: none"> • The aims of the policy align with the council’s commitment to promoting active travel in Westminster.

	<ul style="list-style-type: none"> • It is not clear what the policy would add to the emerging City Plan policies dealing with these issues. Should the London Plan cycle standards be followed to satisfy the requirements of this policy, or are any additional measures needed? • While the policy title is “Improving cycling infrastructure”, the policy itself requires development proposals, “where appropriate, [...] to be supported by measures to improve road safety, air quality, and facilities for cyclists”. Perhaps consider renaming the policy as ‘Improving the cycling environment’. • The second part of the policy instead specifically focuses on the provision of cycle storage and parking. We welcome that the policy has been simplified to take account of previous comments, however there is a need for clarification of what ‘appropriate’ means to enable the policy to be effectively and consistently applied. • The supporting text at paragraph 2.31 needs to be amended as Appendix 2 of the emerging Westminster City Plan has now been updated. It would be best to signpost directly to the London Plan standards – please refer to the latest version of the plan which was published on the London Plan Website in December 2020. • There’s scope of linking with the Projects section of the document if QPCC has any projects that would contribute to improving the cycling environment.
<p><u>Policy 8: Safeguarding pedestrian access in Harrow Road</u></p>	<ul style="list-style-type: none"> • This policy is focussed on ensuring that new proposals on the Harrow Road will provide for improved pedestrian access. The policy wording could be improved to require for proposals to ensure as much as practicable that the area is accessible and inclusive. • It would be helpful to clarify if the expectation is that this policy is applied to all proposals on the Harrow Road or only to proposals falling within the designated District Centre. • Links to strategic policies should be updated, particularly to show how emerging Policies 39 and 44 are relevant and will be considered in conjunction with this policy. As per previous comments, there should be a signpost to the Westminster Way SPD and any successor SPD, which provides more detailed guidance on public realm, including on the issues of clutter and accessibility.
<p><u>Policy 9: Commercial development</u></p>	<ul style="list-style-type: none"> • We support the principles of this policy. The wording of the second part of the policy should be tweaked. It could be reworded as follows: “Development proposals for Canal Terrace providing active frontages including through community, retail, commercial and social uses...”. • According to our record the Local Centre to the North of Queen’s Park Ward is called “Kilburn Lane”, please can you amend to correct this in the policy text. • We support QPCC’s aspirations for the Canal Terrace, with recognition that the terrace has potential for uses that could serve the local community and also improve the environment around the canal, which ties in with the Design Guide that has been produced with regards to these units.

Policy 10: Residential development

- Policy 10 does not seem to relate to the sub-objective under 2.42. Perhaps a sub-objective relating to providing a range of homes that can meet different needs and can complement the existing housing offer would be more appropriate.
- To re-iterate our previous comments, the opening statement in paragraph 2.40 is perhaps misleading. It should recognise that although opportunities for new development may be limited, opportunities for redevelopment, infill and intensification of residential uses may be appropriate in some instances. This is evidenced by a number of such schemes which recently received planning permission in the area.
- As the policy is generally titled 'residential development', we consider it should be restructured with more emphasis put back onto the general approach to residential developments (second part of the policy), with canal development (currently first part of the policy) secondary.
- To re-iterate previous comments, it is noted that the support for moorings is now subject to the provision of necessary infrastructure. It is unlikely that a single 'moorer' will be able to provide all necessary facilities. Delivery of infrastructure as part of a group coming forward might be more realistic. Perhaps there is scope to express the need for co-ordinated delivery of infrastructure in the policy or justification text, which could potentially be linked with any related project in the relevant section of this document.
- The third bullet point should not be a bullet point but it's rather a separate part of the policy (as the first part specifically related to narrowboats). This part of the policy should come first and could also cover proposals for redevelopment and intensification.
- The justification text (paragraph 2.43) should mention that the views of the Canal and River trust should be sought for any proposals for moorings, as they own the canal.
- Proposed mooring and infill sites are also identified in a map attached to the policy but it is unclear how the map will work in conjunction with the policy. If this map is to be retained in the plan, it must be supported by text and policy. Justification for selecting these areas will also need to be provided.

Chapter 3: Projects

- While we welcome this section, which shows a list of projects that QPCC intends to implement, we stress that it does not formally constitute part of the plan which will be assessed by the Examiner, but rather provide a reference and a statement of intention by QPCC.
- The 'Environment and open spaces' projects section (page 37) could reference working with Westminster's PALS/Community Services and Parks teams on improving play spaces.
- Project 3.2 – We need to see the November 2017 Planning Information Guide for the Queen's Park Estate Conservation Area that is referenced here, which has not been shared with the teams at the time of submitting QPCC's draft plan.
- Project 5.1 – We advise that QPCC should not commit to any change to parking arrangements ahead of any discussion and agreement with the council's Parking team.

<p><u>Annex 1: Evidence base</u></p>	<ul style="list-style-type: none"> • Project 3.3 refers to working with WCC planning committee, which is not correct. It should refer to ‘WCC Planning’. • Information on page 43 needs to be corrected as although there is a loss of swimming pool at Jubilee there is actually a net gain of physical activity, sport and leisure space given the existence of the Moberly Centre (with two pools). Whilst Moberly is in Brent it is owned and operated by WCC and therefore the full range of concessions are available to Westminster residents including free swimming for under 19s and those over 60. We feel the reference to Jubilee needs to highlight the Community Leisure Centre which will include a 3-court sports hall and community hall suitable for exercise classes and community events. • The map on page 53 (‘Character Areas’) needs to be better defined if it is to be accompanied by the following text (page 54 and elsewhere) which appears to identify character areas. This map does not clearly show where those areas are, or how they relate to each other. These would also require evidence to justify why you have identified them. On page 54, the first bullet point under Canal Terrace reads ‘The shopfronts should be retained. Any original features should be retained and (if possible) replaced’ – we are not sure if that makes sense. In any case, as this section is intended to set out the evidence base to the policies it should not set out recommendations of this type, which we would expect to find in the dedicated Design Guide for this area. Please correct the reference to ‘Westminster North Planning and Conservation and Heritage Department’ to ‘Westminster’s Planning Department’. • The Building Heights evidence (page 58) is poorly explained and would benefit from review. • On page 66, please replace the ‘Sports’ heading with ‘Physical Activity, Sport and Leisure’. Also, whilst it is true Moberly and Jubilee were consolidated, this section could better explain the background to the delivery of physical activity, sport and leisure facilities in the area. It currently doesn’t explain that both were in a poor condition and that the Active Queen’s Park project actually delivered a 30% increase in physical activity, leisure and sport facilities across Queen’s Park and that the existing Jubilee site couldn’t accommodate a facility of this size or scale due to site and planning constraints. Moberly is a £28m new facility including an 8-court sports hall (the biggest in the Active Westminster portfolio), a 25m pool and additional teaching pool with moveable floor plus large health and fitness suites, dedicated gymnastics hall, multi-purpose community space, a café etc. Sport England and London Marathon Trust both contributed funding to the cost of Moberly and the vast majority of the funding was secured via a development agreement and sale of the private homes delivering excellent value for money for council tax payers. The free to use Multi Use Games Areas (MUGA) was upgraded at Queen’s Park Gardens as part of the Active Queen’s Park programme as well as free to use outdoor fitness equipment, in addition a 3G synthetic was pitch installed at St. Augustine’s School with community access for bookable activity.
<p><u>Canal Terrace Conservation Area Design Guide</u></p>	<ul style="list-style-type: none"> • This has been discussed with officers from Westminster’s Planning Department and is consistent with the amendments that were most recently discussed with the team. We consider this to be an acceptable document.