

## Introduction

This Statement of Common Ground (SCG) has been prepared between Westminster City Council and the Mayor of London in response to Q8 of Note 1 from the Appointed Inspectors (document reference INSP1). It seeks to provide clarification of the extent to which matters raised in the Mayor's letter of general conformity have been addressed through ongoing collaboration and proposed modifications to the Westminster City Plan. It also clarifies the extent to which matters raised by the Mayor are matters of general conformity or general comment. An additional statement that provides a further update on the issue of car parking, and supersedes document SCG\_003 (SCG between Westminster City Council, the Mayor of London, and TfL) has also been prepared.

This statement focusses primarily on conformity with the New London Plan Intend to Publish version, given its advanced stage of production. However, as this is yet to be formally adopted, where the Mayor also considers the submitted City Plan also raises conformity issues with the published London Plan 2016, they are also specified.

Issue raised	General conformity or comment	WCC response (including relevant modification reference number where necessary)	Status of issue
<b>Spatial strategy</b>			
1. As stated above the Mayor welcomes the ambition set out in this section of the document and the spatial distribution of development. He welcomes the clear commitment to meeting the indicative growth targets set out in the London Plan for each Opportunity Area. Given the opening of Crossrail, the Mayor encourages Westminster to optimise development on the identified development sites and encourage smaller scale development in order to maximise the opportunity provided by the increased transport capacity. Opportunity Areas are designated as such due to the significant opportunities to accommodate	Comment	Support welcomed. Policy 1 (A) (1) of the City Plan explicitly refers to optimising densities in high quality new developments.	Resolved

new housing, commercial development and infrastructure, linked to improvements in public transport.			
2. The Mayor welcomes the greater acknowledgement of the roles of the West End and Knightsbridge as centres of international significance and the inclusion, in part of some of the Good Growth principles set out in the West End Good Growth (WEGG) study (pp 34-35). It is noted that Westminster's principles could reflect more ambition as set out in the WEGG study.	Comment	Support welcomed. Paragraph 2.7 of the City Plan articulates the council's ambitions for good growth in the WERLSPA, consistent with the principles set out in the West End Good Growth study.	Resolved
3. The Mayor welcomes growth in the North West Economic Development Area and Church Street/Edgware Road and Ebury Bridge Estate at a scale that reflects its location on the edge of the Central Activities Zone (CAZ). Annex 1 of the draft new London Plan notes that Church Street has a low potential for economic growth, high potential for residential growth and is a strategic area for regeneration. In this regard, the Mayor welcomes proposals that would deliver new homes and increase economic opportunities in the area. Proposals for estate regeneration should follow the principles set out in Policy H10 of the draft new London Plan and the Mayor's Good Practice Guide to Estate Regeneration (2018).	Comment	Support welcomed	No action required
<b>Housing</b>			
4. The Mayor welcomes Westminster's commitment to delivering at least 22,222 homes over the Plan period (2019-2040). This equates to 1,058 homes a year which is	Comment	Support for ambitions to exceed London Plan target welcomed. NB since the Westminster City Plan was published, the Panel's Report	No action required

in excess of Westminster's draft new London Plan target of 1,010 homes a year. Westminster proposes to front load this delivery to deliver 1,495 homes a year for the first 10 years in order to meet its housing target as set out by the Government's standard methodology. Whilst this is welcome, as Westminster will exceed its new London Plan target, the Planning Practice Guidance is clear that the Mayor as the strategic policy making authority is to distribute the total housing requirement for London.		on the London Plan and the Mayor's response to their recommendations have been published – and these reduce Westminster's London Plan 10-year housing target from 10,010 to 9,850 homes. The small sites 10-year housing target has also been reduced from 5,290 to 5,040 homes.	
5. The Mayor strongly welcomed the introduction of an upper threshold of 150sqm for new dwellings (including from conversions) set out in the previous draft document (Policy 13). He noted that in line with Table 3.1 of the draft new London Plan, which sets out the minimum internal space standards for new dwellings, this threshold goes beyond the minimum space standards for a 6-bed dwelling for occupation by up to eight people. The increase to the proposed 200sqm could limit the borough's ambition to exceed its London Plan housing target and would not optimise the capacity of a site and the delivery of housing.	Comment	The upper threshold of 150sqm was revised following feedback from the development industry and further research of average new build property sizes in Westminster as set out in section 3.1 of document EV_H_001 (Housing Topic Paper). The revised threshold acknowledges that the average size of new build housing in Westminster over the period 2013-2019 was 159sq m, and that the largest properties built over this time are substantially over the 200sq m threshold.	Resolved
6. As stated previously, Westminster should especially consider a lower threshold when the loss of a dwelling is involved (de-conversion) (draft Policy 8) to ensure a suitable range of housing sizes and prices. Where a loss of a residential unit is proposed, occupiers should firstly look to extend properties, in line with draft London Plan policy H2 to create larger units, instead of the proposed approach that would result in the loss of residential units.	Comment	<p>Since Regulation 19 consultation, the following modifications have been proposed to the City Plan to clarify that some loss of residential units may be acceptable where this can create family sized units.</p> <p>M/H/02 – new para 8.10 to read “Existing Housing</p>	Resolved

<p>In addition, in line with the results of the London Strategic Housing Market Assessment (SHMA), Westminster should be satisfied that resulting large market units will be occupied by a family, and not sharers as is potentially identified in paragraph 4.12.2 of the draft new London Plan. The proposed approach could encourage the development of over-sized homes in the borough, that are not affordable to local residents that are in need of family housing. The policy should be amended to consider these matters and put in place measures to monitor the effects of this policy in line with draft London Plan paragraph 4.2A. (Consolidated Suggested Changes).</p>		<p>The high cost of land in Westminster and its limited availability mean that all existing housing uses must be protected. The acute shortage of affordable housing and the continued need to provide for family-sized homes mean that the only exceptions where the loss of residential uses or floorspace may be acceptable is where they are being reconfigured to better meet these needs. Where existing supported or affordable housing is being reconfigured or redeveloped it will be assessed against the latest evidence of need, either through the council's Annual Affordable Housing Statement or up-to-date evidence specific to Westminster."</p> <p>M/H/03 – new para 8.11 to read: "To help meet the continued need for family sized housing in Westminster, the council will allow the loss of one existing non-family sized home where this is being reconfigured or merged with another to provide larger units (de-conversion), provided other options to extend the building to create larger units have first been explored. Properties that are de-converted to create family-sized homes should not exceed the 200sq m maximum unless it is demonstrably impracticable to do so."</p>	
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		Restricting the occupation and affordability of new build family sized market homes to families is not however considered enforceable. Paragraph 4.2.9 of the 'Intent to Publish' version of the London Plan (paragraph 4.2.A in the Consolidated Suggested Changes version) relates specifically to the subdivision on existing family homes rather than new build homes.	
7. The Mayor welcomes Westminster's support for the conversions of residential properties and upwards extensions to create additional homes.	Comment	Support welcomed	No action required
8. With regards to housing size mix, Westminster should ensure flexibility in its approach in line with draft London Plan policy H12. Whilst the Mayor encourages families to stay in London, as stated above Westminster should ensure this approach and its maximum floorspace threshold are accessible to the intended occupiers in need of family housing.	Comment	<p>Since regulation 19 consultation, flexibility to policy added through modification M/H/13 – i.e. amend policy 11b to read:</p> <p>"New build homes will be designed with growing families in mind and 25% of all new homes <b>across Westminster</b> will be family sized."</p>	Resolved
<b>Affordable housing</b>			
9. As stated previously the Mayor welcomes the introduction of a 35% affordable housing target from major residential schemes. However, the Local Plan should also include a 50% strategic affordable housing target and a specific 50%	General conformity	Since Regulation 19 consultation, the following modifications have been proposed to more clearly embed the Mayors 50%	Resolved

<p>affordable housing target for public sector land and where industrial capacity is lost, in line with draft new London Plan policy H5. Whilst the draft Local Plan supporting text notes the need for post-permission viability reviews, it does clearly set out the need for assessments at planning application stage where schemes do not achieve the 35% threshold and the advantage of following the fast track approach where 35% is achieved.</p> <p>10. The City should clearly adopt the threshold approach as set out in the Mayor's Affordable Housing and Viability SPG and draft London Plan policy H6 to be in conformity with the London Plan. Furthermore, it should be noted that the Mayor's Affordable Housing and Viability SPG supports the effective implementation of policies 3.10, 3.11 and 3.12 of the published London Plan 2016. As such, the absence in the draft City Plan of any reference to the Mayor's strategic target of 50% affordable homes across London, or the Mayor's threshold approach to viability, is considered a matter of general conformity with the published London Plan 2016 as well as the New London Plan.</p>		<p>strategic housing target and 35% threshold approach into the City Plan:</p> <p>M/H/06 – amend part of para 9.1 to read “...The shortage of land, its high price and current funding mechanisms mean that to exceed the <del>strategic</del> 35% affordable housing <del>target-threshold</del> and contribute to the Mayor's strategic target of 50% affordable homes across London, it is essential to require affordable housing contributions from private housing developments. All major developments are therefore expected to provide at least 35% of new homes as affordable housing. Developments which fall short of provision of <del>35%</del> this requirement will be subject to <del>post-permission</del> viability assessment and reviews in line with the Mayor's threshold approach to viability.”</p> <p>M/H/08 – amend para 9.3 to read “All affordable housing requirements from residential development will be calculated based on the total gross residential <del>floor space</del> development proposed (Gross Internal Area). All developments that include the re-development of affordable housing will be assessed in line with the Mayor's threshold approach to viability. On estate regeneration schemes we will maximise the amount of</p>	
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		<p>affordable housing, seeking to deliver 50% affordable housing on public land where viable. On these schemes, <del>To</del> to facilitate large-scale estate renewal and deliver mixed communities, better quality homes and a more appropriate mix of unit sizes, <del>on-estate renewal schemes</del> the 35% affordable housing requirement will apply across the regenerated estate, taking account of any affordable homes that have been re-provided.”</p> <p>In addition, the following additional post submission modifications are also now proposed:</p> <p>Amend clause A of Policy 9 to read “At least 35% of all new homes will be affordable across Westminster”.</p> <p>Add to end of para 9.3 “Maximising affordable housing on estate regeneration schemes, and securing affordable housing through certain commercial developments in the CAZ (see policy 10), will both help contribute to the Mayor’s strategic 50% affordable housing target.”</p>	
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<p>11. Having reviewed the viability evidence submitted alongside the plan it is considered that the approach adopted is in line with national and the Mayor's guidance on viability testing. The application of London Plan and local policies relating to the design and standard of new residential and commercial development, together with relevant environmental measures and infrastructure will in many cases positively impact scheme value and viability which should be considered alongside any costs associated with those policies.</p>	Comment	Support welcomed	No action required
<p>12. The Mayor welcomes the contributions sought for affordable housing from office and hotel developments in the CAZ, and specifically that this is to be provided on-site for schemes that exceed the specified threshold. Westminster should be satisfied that this threshold is appropriate to ensure that office schemes remain viable but that it also results in the provision of affordable housing in the CAZ and does not simply contribute to Westminster's Housing Fund. Westminster should set out where these contributions will result in additional affordable housing.</p> <p>13. Given the requirement for contributions from office and hotel developments and the 50% target for public sector land, it is considered that Westminster can achieve a 50% strategic affordable housing target.</p>	Comment	Support welcomed. The City Plan is supported by a viability assessment (document EV_GEN_001) that indicates affordable housing requirements will not render office development unviable.	No action required
<p>14. Whilst Westminster's tenure split of 60% intermediate and 40% social rent or London Affordable Rent is in line with</p>	Comment	No change required. Further justification for the council's proposed tenure split is set out	No action required



<p>the London Plan, the Mayor questions if this is informed by robust evidence. The assumptions in the SHMA appear to be circular arguments.</p> <p>15. While Westminster has identified a historically high population churn as part of its housing evidence the underlying reason for this has not been locally evidenced and identified. It should be analysed in order to gain a deeper understanding of the issue and the underlying reasons for its existence. Churn refers to high proportions of the population moving in to and out of the area every year. It can relate to particular issues such as younger, single people moving into and out of the borough. High levels of churn may be an indication that there are problems in the housing market that need to be addressed and appropriate and suitable strategic policy may go some way in improving the current situation.</p> <p>16. Westminster has attempted to address high levels of churn by introducing a 'propensity to stay' factor which favours and justifies the promotion of intermediate housing over and above that of social and London affordable rented housing but does not resolve the underlying issue. The Mayor questions whether it is appropriate to apply this to the affordable rented sector. Simply stating that households eligible for social and affordable rented housing don't want to stay in Westminster does not justify proposing a much lower quantum of that type of affordable housing product. In fact, it can be argued that this is evidence that</p>		<p>in section 2.2 of document EV_H_001 (Housing Topic Paper). This identifies high population churn due to people only working or studying here for short periods of time; a higher need for intermediate than social housing; an unbalanced affordable housing sector with much higher levels of social than intermediate housing stock; substantially higher property values including private rents than elsewhere in London; and a need to provide affordable housing options for those that help sustain Westminster (and therefore London and the UK's economy).</p>	
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<p>Westminster has much higher demand for this type of housing which is not currently being met by the market.</p> <p>17. In addition, the suggested impacts of the Benefit Cap would indicate there is a greater need for social rent or London Affordable Rent as these products are aimed at meeting the needs of residents on benefits.</p>			
<p>18. The Mayor has no objection to Westminster's expectation that 10% of intermediate housing will be for home ownership</p>	<p>Comment</p>	<p>Support welcomed</p>	<p>No action required</p>
<p>19. With regards to the potential to change the tenure of affordable housing secured through S106 agreement, the Plan should be clear that these homes are to be re-provided within the City of Westminster and should be of equal or greater floorspace, quality and in an equally accessible location.</p>	<p>Comment</p>	<p>Since Regulation 19 consultation, the following modifications have been proposed to the City Plan to clarify requirements for re-provision of affordable housing:</p> <p>M/H/05 – rephrase policy 9H to read: <del>“The council will maximise provision of additional affordable housing through renewal of its housing assets, particularly in designated housing renewal areas. Proposals for re-provision of existing affordable housing will be at an equivalent or better quality than existing and will maximise the amount of affordable housing floorspace</del> Proposals involving the demolition of existing affordable housing will not be permitted unless it is replaced by at least an equivalent amount of affordable housing floorspace.</p>	<p>Resolved</p>

		<p>Additional affordable housing will be maximised in such redevelopment proposals.”</p> <p>M/H/06 – amend para 9.2 to read: “To maintain our stock, where affordable homes are redeveloped at least an equivalent amount of affordable housing floorspace must be re-provided. We will seek an uplift in the amount of affordable housing provided where existing affordable housing is redeveloped as part of mixed tenure or mixed-use schemes. Such proposals will be expected to submit a viability assessment to maximise the amount of additional affordable housing provided. £There will be no overall net loss of floorspace and re-provision must be in the vicinity of the original home(s) to maintain mixed tenure communities...”</p> <p>In addition, the following additional post submission modification is now proposed:</p> <p>Amend para 9.9 to read “Registered Provider (RP) owned affordable homes delivered through section 106 agreements may change to market tenure provided the unit is vacant, the affordable homes are re-provided in Westminster and are of an-equal or higher</p>	
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		quality <del>elsewhere in the city</del> , in terms of size, location, and design quality, and the change is part of a transparent asset management process. All receipts from the sale of affordable homes to market tenure housing should be re-invested in affordable housing re-provision. The mechanisms for achieving this will be set out in a forthcoming planning obligations and affordable housing SPD.”	
<b>Student housing</b>			
20. The Mayor welcomes Westminster’s supportive approach to Purpose Built Student Accommodation (PBSA). It should be noted that the draft new London Plan takes a more proactive approach to delivering student housing, noting that whether in PBSA or shared conventional housing, housing needs of students is an element of the overall housing need for London determined in the 2017 London SHMA. There is a strategic need for 3,500 PBSA bed spaces annually across London (paragraph 4.17.2). The location of this need will vary based on higher education providers’ estate and expansion plans availability of appropriate sites, and changes in Government policy that affect their growth and funding. Given the proximity of universities just across the border in Camden, Westminster should plan to meet strategic need as well as local need.	Comment	<p>Support welcomed. As set out in section 2.3 of document EV_H_001 (Housing Topic Paper), a large proportion of students in Westminster are post-graduates, whose needs are met through the private rented sector rather than purpose-built student accommodation. This document also identifies a general loss of student accommodation in Westminster to other uses.</p> <p>Given the range of further education facilities across Central London, their accessibility by public transport, and the lack of any borough level PBSA targets, it is not considered necessary for the City Plan to seek to meet strategic student housing need. Other parts</p>	Not resolved – the Mayor maintains that the Westminster City Plan should plan to meet strategic as well as local need for purpose-built student housing. However, the Mayor does not consider this a general conformity issue.

		of London with less competing pressures for land use, and greater appetite for such forms of development from the development industry, provide further options to meet London's strategic need.	
21. The Mayor supports the requirement that 35% of the purpose-built student accommodation will be secured as affordable student housing as defined in the London Plan.	Comment	<p>Support welcomed – though some modifications to policy have been proposed since Regulation 19 consultation for greater consistency with the London Plan, which seeks to maximise provision rather than set a specific target, i.e:</p> <p>M/H/16 – amend policy 11H to read:  <del>“At least 35% A proportion of</del> the purpose-built student accommodation will be secured as affordable student <del>housing</del> <del>accommodation as defined</del> in accordance with the London Plan. All accommodation should include a proportion of units that are adaptable to meet specialist needs.”</p> <p>M/H/19 – amend para 11.19 to read:  “Student accommodation must be affordable, well-managed and a sufficient proportion must be adaptable to meet specialist needs. <del>Thirty five per cent of accommodation must be provided as affordable student accommodation in line with the London Plan</del> A proportion of</p>	Resolved

		purpose-built student accommodation must be provided as affordable student accommodation, as defined in the London Plan and associated guidance. The Mayor's threshold approach to viability will be used to assess the appropriate proportion of affordable student accommodation in accordance with London Plan Policy H17."	
<b>Gypsies and Traveller accommodation</b>			
22. Westminster should carry out a needs assessment for gypsies and travellers using the definition set out in the draft new London Plan and identify sufficient capacity to meet the need for Gypsies and Travellers accommodation over the plan period.	Comment	<p>The 'Intent to Publish' version of the London Plan has now amended policy H14 on Gypsies and Travellers in response to the Panel of Inspectors recommendations that the Mayor initiates a London-wide Gypsy and Traveller accommodation needs assessment. Policy now refers to boroughs using the figures set out in the London Plan (zero for Westminster), until a needs assessment is undertaken as part of their Development Plan review process.</p> <p>As the London Plan forms part of our Development Plan, the requirement to carry out a needs assessment as part of our Development Plan review process will be fulfilled when the Mayor's initiates a London-wide assessment – which the council will feed into. In advance of this, and based on the</p>	Resolved

		evidence presented in section 2.4 of document EV_H_001 (Housing Topic Paper) of no existing need, pitches, or applications for new pitches, a Westminster specific assessment is not considered necessary as part of this City Plan.	
<b>Employment</b>			
23. The Mayor welcomes Westminster's ambition to deliver 63,000 office-based jobs or a minimum of 445,000sqm of additional office space over the lifetime of the Plan, including supporting the continued growth and clustering of the creative, knowledge, and research-based sectors. He supports the spatial location for jobs growth and the increased support for offices in the CAZ. In this regard, the draft City Plan should be more explicit about the national, international and London significance of the office functions of the CAZ. Westminster should make clear that there should be no net loss of B1 floorspace in the CAZ and the City Plan should set out how the intensification and provision of sufficient office space will be delivered to meet a range of types and sizes of occupiers and rental values, in line with draft London Plan policies SD4 and SD5 and local evidence. Draft new London policy SD5 places a renewed emphasis on prioritising the delivery of offices in the CAZ, except in neighbourhoods that are predominantly residential.	Comment	<p>Support welcomed. Since Regulation 19 consultation the following modification has been proposed:</p> <p>MEE/02 – amend para 14.11 to read:</p> <p>“Given past levels of loss, and the national <del>importance</del>, international and London significance of the central London's office market, <del>the</del> further net loss of total office floorspace from the CAZ will be resisted.”</p>	Resolved

24. The Mayor maintains his comments that Westminster benefits from continued and future significant transport improvements and Westminster should seek to accommodate growth in line with the London Plan and its role in the CAZ.	Comment	Noted. Paragraphs 14.5 -14.6 of the City Plan set out how growth in accordance with the London Plan and its role in the CAZ will be supported.	Resolved
<b>Retail and entertainment uses</b>			
<p>25. The Mayor welcomes the continued focus on retail provision in order to retain the character of Oxford Street and the wider town centre hierarchy, but he also recognises the importance to diversify town centres uses to enhance the visitor experience, increase customer dwell time and enhance the vitality and viability of these centres. In this regard it is noted that Westminster has strengthened its proposed approach to retaining A1 floorspace.</p> <p>26. It is not considered that draft policies 15C and 15G sufficiently supports a more flexible approach at a time when department stores and other physical retail outlets are finding it difficult to compete with other retail options.</p>	Comment	<p>Policy 15G of the City Plan provides support for markets. Policy 15C and 15D allows for some loss of A1 uses in the town centre hierarchy – both from upper floors, and in some cases ground floors. This represents a significantly more flexible approach than in adopted policies. To further clarify the flexibility offered, since Regulation 19 consultation, the following modifications have been proposed:</p> <p>M/EE/03 – amend policy 15D to read:          “In addition to clause C above, proposals for the permanent change of use of a <b>ground floor</b> A1 retail unit will be supported by evidence that there is no reasonable prospect of its continued use for A1 retail purposes, as evidenced by appropriate marketing of at least 18 months. This includes proposals involving the sub-division and loss of <b>ground floor</b> A1 floorspace, but not the inclusion of</p>	Resolved



		<p>subsidiary uses within an A1 store as part of a diversified offer...”</p> <p>M/EE/05 – amend para 15.7 to read:          “In some instances, this could necessitate the loss of some existing A1 floorspace - particularly <del>such as</del> from the upper floors of multilevel stores, but possibly also from the ground floor where retail remains the dominant function.”</p> <p>Furthermore, the council draws attention to the findings of its Town Centre Health Check (document EV_E_005), which identifies largely healthy town centres in Westminster, and the Mayor’s own evidence of the need for comparison retail growth in Westminster set out in document EV_E_012 (Consumer expenditure and comparison goods floorspace need in London).</p>	
<p>27. The draft City Plan notes the need for 229,944 - 322,286 sqm of additional comparison retail floorspace over the Local Plan period. The Plan notes that the West End and Knightsbridge International Centres are especially suitable for further large-scale retail growth. However, it is not clear how this growth in floorspace will be accommodated. The Mayor welcomes the approach that restricts residential development on the upper floors in these areas. This will maintain the flexibility in the use of</p>	Comment	<p>The commercial growth evidence topic paper (document EV_E_001) sets out how the intensification of the city’s key commercial areas with additional building height can deliver retail growth alongside other commercial uses. Furthermore, Policy 1(B)(1) of the City Plan makes clear that the intensification of the CAZ, West End, and town centre hierarchy is supported. Appendix</p>	Resolved

the upper floors for commercial uses and prevent complaints from residents from commercial activities.		1 also identifies a number of sites where commercial uses including retail could form part of the development mix.  Support for approach to upper floors welcomed.	
28. As stated previously, the Mayor would welcome a Supplementary Planning Document (SPD) that promotes growth and sets out a more detailed approach to ensuring the West End remains a vibrant international town centre. This will be an important opportunity to bring together a comprehensive planning policy framework with emerging proposals for the public realm in the Oxford Street District to ensure that the conditions for growth are put in place. The geographical scope of this SPD needs to be carefully considered.	Comment	Noted. Contents of any forthcoming SPD are not a City Plan matter.	Resolved
29. The Mayor supports the continued designation of the special policy areas and the aim to enhance the special skills and retail clusters of these areas. Westminster could consider working with land owners and businesses to increase the specialist floorspace within these areas.	Comment	Support welcomed	No action required
30. The Mayor welcomes the protection of pubs as well as Westminster's aim to diversify its night time economy. This latter approach should be supported by policy. When considering the loss of a pub, Westminster must also assess the built, social and cultural heritage provided by the venue in line with paragraph 7.7.6 of the draft new London Plan, and the time period for marketing should be	Comment	It is not considered necessary to duplicate the contents of the London Plan, which will also form part of the Development Plan when determining applications.  An alternative approach to marketing requirements (i.e. 18 months in the City Plan	Resolved

at least 24 months at an agreed price following an independent valuation, and in a condition that allows the property to continue functioning as a pub.		rather than 24 months in the London Plan) reflects the attractiveness of Westminster to a range of potential public house operators, and the subsequent need for a less extensive marketing period. It is therefore considered a justified locally distinctive approach.	
31. Whilst it is important to protect the amenity of existing residents, the draft Plan needs to recognise the strategic location of Westminster in the night time economy and its cultural importance. In this regard, the Mayor welcomes the inclusion that the Agent of Change principle will be applied to ensure development does not cause existing nearby uses from having to curtail their activities as well as to mitigate negative environmental impacts. Given the rich mix of the West End economy it should be made clear that this includes protecting existing business activities as it is intended in the National Planning Policy Framework (NPPF) and draft London Plan policy D12.	Comment	Noted. New minor modification proposed to insert at the end of para 16.1: “Furthermore, to ensure the continued success of Westminster’s visitor economy (including night-time economy) is not compromised by new development, the Agent of Change principle will be applied to proposals looking to introduce sensitive uses such as residential into commercial areas.”	Resolved
<b>Culture</b>			
32. The Mayor is supportive of the inclusion of protecting Soho’s LGBT+ heritage as part of the Soho SPA. Given the concentration of other cultural infrastructure (in addition to the theatres and cinemas that are mentioned) in Westminster, paragraph 16.6 should also seek to protect the capacity of grassroots music venues and LGBTQ+ venues. The Mayor also encourages the draft plan to refer to stakeholders including Music Venue Trust, Theatres	Comment	Support noted.  Policy 16B of the City Plan seeks to protect all existing arts and cultural uses. Since Regulation 19 consultation, modification M/EE/008 recognises the role of LGBTQI+ venues as part of the city’s cultural offer, i.e:	Resolved

<p>Trust and the Society of London Theatre. Paragraph 18.1 should also include LGBTQ+ venues as community/cultural infrastructure.</p>		<p>“There are many parts of the city that have a distinct cultural focus or present a more localised cultural offer. These include Soho for film and visual effects, Church Street for art and antiques, and Covent Garden for street entertainment. <b>The city also has a high concentration of theatres, music venues and LGBTQI+ venues.</b>”</p> <p>Policy 17 of the City Plan also seeks to protect public houses, which can include grassroots music venues and LGBTQI+ venues, where they remain a viable business.</p> <p>The City Plan is not required to refer to specific consultees for soundness or general conformity – such parties will be consulted on relevant applications in accordance with our Statement of Community Involvement.</p> <p>Finally, LGBTQI+ venues can fall within the category of ‘social facilities’ referred to in paragraph 18.1 of the City Plan - so an explicit mention of them is not considered necessary.</p>	
<p>33. More widely, the draft City Plan sets out a desire to broaden the City’s cultural offer. Policy HC5, ‘Supporting London’s Culture and Creative Industries’ in the draft new London Plan encourages boroughs to develop an understanding of the existing cultural offer in their areas,</p>	<p>Comment</p>	<p>Noted. The following modification has been proposed since Regulation 19 consultation:</p> <p>M/EE/08 – amend para 16.3 to read:</p>	<p>Resolved</p>

<p>evaluate what is unique or important to residents, workers and visitors and develop policies to protect those cultural assets. It suggests that boroughs should draw on the Mayor's Cultural Infrastructure Plan and accompanying Cultural Infrastructure Map to assess and develop their cultural offer. We already know for example that Westminster has the largest concentration of theatres, music venues and LGBTQ+ venues. The City Plan so far largely concentrates on theatres and clusters of significance. The Mayor encourages Westminster to refer to the broader definition of cultural infrastructure as adopted by the Mayor and outlined in policy HC5. He suggests that Westminster use the Cultural Infrastructure Map and build on this by auditing its cultural facilities. This can be used to fully acknowledge the breadth of cultural assets and plan to support this aspiration to broaden the offer.</p>		<p>"There are many parts of the city that have a distinct cultural focus or present a more localised cultural offer. These include Soho for film and visual effects, Church Street for art and antiques, and Covent Garden for street entertainment. <b>The city also has a high concentration of theatres, music venues and LGBTQI+ venues....</b></p> <p><b>New footnote: GLA Cultural Infrastructure Map - <a href="https://maps.london.gov.uk/cim/index.html">https://maps.london.gov.uk/cim/index.html</a>."</b></p>	
<b>Transport</b>			
<p>34. As stated previously, the Mayor broadly supports the draft City Plan policies, where they align with TfL's current priorities and relevant draft London Plan policies and he acknowledges that Westminster's approach has shifted to more closely align with the Mayor's Healthy Streets Approach.</p>	Comment	Support welcomed	No action required
<p>35. The draft new London Plan supports the MTS target for 80% of all personal trips in London to be by walking, cycling or public transport journeys by 2041. This target</p>	Comment	Noted. The following additional post submission modification is proposed:	Resolved

<p>should be explicitly mentioned in the draft City Plan. According to TfL's analysis, for London to meet the overall 80% target, 85% of Westminster's personal trips will need to be walked, cycled or on public transport by 2021 and 89% by 2041. This localised mode shift target should inform the City Plan as well as any future related Council documents such as SPDs, Site Briefs, or Planning Obligations guidance.</p>		<p>Insert to end of paragraph 25.3 "It is also consistent with the Mayor's Transport Strategy, which aims for 80% of all personal trips across London to be by walking, cycling or public transport journeys by 2041 (with higher mode shares expected in well-connected locations such as Westminster)."</p>	
<p>36. The Mayor supports Westminster's use of the draft London Plan car parking standards in the north and south of the borough and recognises and strongly welcomes the change in the policy since the initial consultation document. However, the Mayor objects in principle the proposed maximum of 0.4 spaces per unit in zones B and F. This level of provision is excessive given the area has access to some of the highest levels of public transport of any city and would lead to higher car ownership and use, producing a range of negative effects. These include increased road danger, poor air quality and congestion (all of which are particularly acute in Westminster) as well as severance, noise and greenhouse gas emissions. Only some of these problems can be partially addressed through the use of electric vehicles, and as such, a shift away from car travel is required, and the design of new development is a particular opportunity to achieve this. The level of parking also affects the amount of housing that can be delivered and, if provision is costly, can impact affordable housing levels as well. Lower parking provision can be supported by restricting eligibility for on-street</p>	<p>General conformity</p>	<p>Noted. A further Statement of Common Ground has also been prepared setting out further consideration of this issue, and to supersede document SCG_003.</p>	<p>See separate SCG on parking.</p>

parking permits, as is practised in neighbouring boroughs. This measure will become increasingly difficult to avoid as Westminster's population grows while its limited kerbspace does not.			
37. The Mayor also does not accept the statement that short-stay cycle parking may not be appropriate in some instances. Short-stay parking is necessary to enable residents of Westminster and elsewhere making trips by cycle. If there are genuine space constraints, Policy T5 B of the DLP sets out a process for boroughs to work with developers to find alternatives (e.g. converting on-street car parking, which can be supported by more kerbside management measures). More clarity around the prioritisation of people walking and footway space in Policy 29 is required, while developer contributions should be sought for public transport more widely than policies 25 and 27 currently appear to require. In addition, the role of car clubs and electric cars should be treated with greater nuance, recognising the potential for reverse mode shift without the right policies in place.	Comment	<p>It is maintained that short-stay cycle parking <u>may</u> not be appropriate in <u>some</u> instances. Very high levels of pedestrian footfall in some parts of the city means that there will undoubtedly be instances where insufficient pavement space exists to provide for cycle parking, whilst loss of highway space can also adversely impact on public transport reliability and existing businesses servicing requirements. Furthermore, there may be instances where public realm improvements prioritise an improved pedestrian environment over the provision of additional cycle parking. To clarify the council's position, the following modification, which replaces modification MC/004 originally proposed at submission, is now proposed:</p> <p>Replace MC/004 – amend para 26.11 to read:  “...However, <del>given the</del> pressure from competing uses, <del>high PTAL values across the city</del> and the limited space on offer within Westminster's <del>fine grain urban environment</del> <del>mean that provision of short stay cycle spaces will not always be appropriate</del> it is</p>	Resolved

		also important that the location and design of short-stay cycle parking does not negatively affect pedestrians, particularly in areas of high footfall, public transport reliability or essential deliveries and servicing. Wherever possible it should therefore be provided at a convenient location within a development site rather than on the public highway. <del>This approach is reflected in Westminster's travel pattern that suggests people don't generally cycle to visit areas like the Central Activity Zone (CAZ) and many of Westminster's town centres"</del>	
38. The Mayor welcomes the investment that Westminster is placing into Oxford Street, however he is disappointed that the strategy Westminster is promoting is not sufficiently ambitious to meet the challenges that exist for this key part of central London. As the MTS makes clear (p. 29), changes in the Oxford Street area and the West End more widely should free up space from freight and other vehicles to provide better environments for walking and cycling. This needs to involve restricting and reducing traffic where appropriate, not promoting car and other vehicle use. The future character of the West End will suffer a great deal if the concerns raised by TfL, below are not addressed, especially those on policy 25 and 26.	Comment	Approach to investment in Oxford Street public realm is set out in the Oxford Street Place Strategy and Delivery Plan, which is a separate document, and subject to separate consultation, to the City Plan.	Resolved
<b>Environment</b>			




39. As stated previously, the Mayor welcomes the aims in the draft Plan to improve the local environment, and in particular air quality. He also supports a district heating network at Victoria. As stated above, Westminster should apply the Agent of Change principle set out the NPPF and draft new London Plan policy D12 to protect existing uses from the introduction of more sensitive uses such as residential development.	Comment	Support welcomed. See above response to issue 31 regarding agent of change.	Resolved
<b>Waste</b>			
<p>40. As stated previously, the Mayor welcomes Westminster's focus on waste reduction and recycling, however, as acknowledged by the draft Plan, activities in Westminster generate significant amounts of waste. Table 9.1 of the draft new London Plan, forecasts that Westminster will generate more than twice the amount of household and commercial &amp; industrial waste than any other authority in London. However, the borough's apportionment set out in Table 9.2 is relatively low, reflecting the local circumstance in Westminster.</p> <p>41. Westminster's Waste Evidence Base June 2019 paper sets out that 67.2% of its waste is treated in London. However no formal agreement has been made with the relevant London waste planning authorities. To ensure London is net self-sufficient for waste management by 2026, Westminster must plan for its apportionment through the measures set out in draft new London Plan Policy SI8. The draft Plan states that Westminster will work with local</p>	General conformity	<p>Noted. The council is continuing to engage with neighbouring waste partnerships regarding the management of its waste apportionment targets, as set out in its Waste Topic Paper (document EV_ENV_002) and updated Waste Evidence (document EV_ENV_003). It has also put forward the following modifications to the City Plan since Regulation 19 consultation in order to reflect the updated position:</p> <p>M/E/11 – new policy 38E to read “<b>The council will continue to collaborate with other London Local Authorities in the management of its waste apportionment target and monitor its arisings and capacity requirements.</b>”</p>	See separate SCG on waste.


<p>partners and other London boroughs to make arrangements to pool the waste apportionments set by the London Plan and to meet strategic waste planning duties. However, at the time of consultation no formal arrangements had been made for Westminster (or the boroughs it is currently exporting to) to plan for its waste needs and allocate sufficient land to meet its apportionment requirements, therefore Westminster's Plan cannot be in conformity with the current and draft London Plans. The absence of such agreement is also considered a matter of general conformity with the published London Plan 2016, due to the requirement in policy 5.17 for authorities to provide capacity to manage the tonnage of waste apportioned in the table 5.3.</p>		<p>M/E/15 – amend part of paragraph 38.2 to read “We will <del>continue to work with local partners</del> with other London boroughs <del>and the GLA to make-formalise current</del> arrangements to pool the council's waste apportionment set by the London Plan <del>to meet our strategic waste planning duties</del>. The council will shortly be carrying out a Waste Data Study to provide an understanding of the profile of the borough's waste arisings and capacity required to inform apportionment pooling. To date, the council has been managing the majority of its waste via facilities in Southwark, Lewisham and Greenwich - rolling tonnage of 160ktps, already 84% of the Draft London Plan's apportionment. The council also uses facilities within Hammersmith and Fulham/OPDC area and understands that this site will be redeveloped for residential and commercial at some point in the future. Along with other London boroughs using this facility, the council will collaborate to address the resultant capacity shortfall.”</p>	
<b>Design</b>			
<p>42. The Mayor welcomes Westminster's more refined approach to context and tall buildings in the Opportunity Areas. As stated previously, the Mayor recognises the national and international significance of heritage assets in</p>	Comment	Noted	No action required

Westminster. The draft City Plan identifies the potential for a significant amount of growth, and therefore Westminster needs a clear strategy to support this growth whilst limiting harm to heritage assets.			
43. The draft Plan should recognise that local character will evolve over time and it should set out the appropriate locations that will need to change over time to accommodate additional growth, including housing based on the capacity of an area. In this regard, the Mayor welcomes Westminster's support for appropriate upwards extension	Comment	Support welcomed	No action required
44. The Mayor welcomes Westminster's approach to protect the amenity of residents and other occupiers from basement developments. He is also particularly keen to ensure basement developments do not harm the local environment.	Comment	Support welcomed	No action required
<b>Site Allocations</b>			
45. The Mayor welcomes the additional detail on how development will be optimised on each site.	Comment	Support welcomed	No action required

### Signed confirmation

The Council and the Mayor of London agree that this SCG represents an accurate record of their respective positions on the Westminster City Plan and issues raised through the Mayor's letter of general conformity.

<b>Signed on behalf of Westminster City Council</b>		
<b>Name and position</b>	<b>Signature</b>	<b>Date</b>
Councillor Matthew Green, Cabinet Member for Business and Planning		

<b>Signed on behalf of the Mayor of London</b>		
<b>Name and position</b>	<b>Signature</b>	<b>Date</b>
Debbie Jackson Director – Built Environment		31 <sup>st</sup> March 2020