



# City of Westminster

## **LOCAL DEVELOPMENT SCHEME June 2017**

This document is the City Council's formal programme of work for preparation of its local plan – to be known as the Westminster City Plan. It is prepared as a “local development scheme” (LDS) under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) and regulations 7 and 8 of the Town and Country Planning (Local Development) (England) Regulations 2004. It takes effect from 16th June 2017, and replaces the LDS published in March 2015 from that date.

### **Introduction**

The City Council adopted Westminster's City Plan: Strategic Policies' in November 2013 following a review of the previous Core Strategy to ensure consistency with the National Planning Policy Framework (NPPF) published by the Government in March 2012. The council then started work to add detailed City Management policies explaining how the strategic policies will be applied in taking planning decisions to move towards its objective of publishing a single local plan, providing a comprehensive statement of planning policy in a single document.

To start this it carried out a round of informal consultation through a number of topic-based booklets setting out suggested policies and seeking comments. New issues, opportunities and challenges have emerged since this consultation which will be addressed in the proposed revision to the Westminster City Plan.

The last Local Development Scheme (LDS) was published in March 2015. It set out the City Council's intention to make a number of discrete topic-based revisions to the adopted Strategic Policies (November 2013). These dealt with a number of urgent policy priorities. The council has now completed revisions in relation to Basements, Mixed Use, Special Policy Areas and the Policies Map, and at Full Council on 9<sup>th</sup> November the council adopted Westminster's City Plan (November 2016) which consolidates all the changes made since November 2013.

This LDS replaces that issued in 2015. It is now intended to move directly to a Full Revision of the Westminster City Plan, reflecting the policy direction set out in the renewed City for All strategy including aspirations to increase delivery of market and affordable housing, and building on the informal topic-based booklet consultation - taking in those subjects that would have been dealt with separately. This will ensure a sound, up-to-date comprehensive statement of planning policies to underpin decision-taking in ways that deliver the council's strategic objectives.

## Significant changes to current LDS

The City Plan revision programme set out in the previous LDS published in March 2015 is being replaced for a number of reasons:

- The basic framework for the strategic policies was put in place when we adopted our Core Strategy in January 2011. This now needs to be updated in line with the council's current and emerging policy priorities and those at local, regional and national levels.
- Key aspects of the 2015 LDS have been completed including the Basements Revision and the Mixed Use Revision which were adopted in July 2016, and the Special Policy Areas and Policies Map Revision which was adopted in November 2016.
- The Council now considers that it is expedient to move directly towards adoption of a single local plan which replaces all 'saved' UDP policies through a comprehensive revision.
- Relevant timescales need to be updated.

## Background

The City Council is in the process of developing a single local plan, setting out the policies for managing development of the City. Westminster's City Plan, consolidated with all alterations since November 2013, containing amendments to strategic policies and the incorporation of some detailed policies was adopted on 9th November 2016. This updated and fully replaced Westminster's City Plan: Strategic Policies (November 2013).

The City Council has been developing its detailed development management ("City Management") policies. These were originally developed as a separate Development Plan Document (DPD), to be called the 'City Management Plan' (CMP), following the legislation and guidance then in place. This work went through the following stages:

Notification of the intent to prepare the plan	October/November 2008
Consultation to identify policy options	June 2009 to December 2010
Consultation on policy options document	January/February 2011
Consultation on draft document	November 2011 to March 2012
Informal consultation on topic-based booklets	October 2013 to March 2015

The Localism Act 2011 and the NPPF (March 2012) both encouraged a single local plan; this was also the preference of the council. It was therefore decided to merge the adopted Core Strategy with the emerging CMP to create a single local plan for Westminster – to be called ‘Westminster’s City Plan’. The detailed development management policies were then progressed as a revision, referred to as the ‘CMP Revision to the Core Strategy’ and more latterly the ‘City Plan Revision’. All of the consultation responses to earlier stages, including development of the separate City Management Plan DPD, have helped inform policy development and will be drawn on in preparing the new City Plan policies.

Publication of the NPPF, the adoption of the Mayor’s London Plan (and subsequent modifications, the Mayor’s recent “A City for All Londoners” document outlining the policy directions he will take in updating the London Plan and other strategies), along with Government changes to the planning system and proposals in the Housing White Paper, and updated key local policy issues arising from a change in political leadership at Westminster have resulted in a fast changing policy environment. All of these factors mean it is the right time to ensure that the council’s strategic direction and policies for Westminster are reflected in, and supported by, the adopted Westminster’s City Plan.

In addition, the Basements, Mixed Use, Special Policy Areas and Policies Map revisions outlined in the last LDS have now been adopted. These were the most immediately pressing of the subject-specific revisions proposed.

Having reviewed progress, the council now considers that it is best to move more quickly towards adoption of a single up to date local plan, rather than continuing with a number of subject specific revisions. This will help ensure delivery of key national, regional and local objectives and provide certainty for all those involved in the development process. A single local plan has also been a long term aim of the council and it is considered that moving directly to realise this now represents the most effective use of the resources available. An updated notification reflecting this approach to meet the requirements of regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations 2012 has also been prepared alongside this revised Local Development Scheme.

### **Full City Plan Revision**

The revision will bring forward changes consulted on informally through the topic based booklets published by the council for consultation between October 2013 and March 2015, modified as necessary to take account of comments received and subsequent changes in the policy environment. It will replace all ‘saved’ UDP policies, include aspects that were previously planned as part of separate revisions, and introduce new changes to other policy areas that have become more important since the publication of

the last Local Development Scheme in 2015. Changes will include (but not be limited to):

- A renewed vision and strategic objectives.
- Increasing overall housing targets and the delivery of affordable housing taking account of changing national and regional policies and the council's own draft housing strategy and direction of travel document. In particular the priority for delivery of affordable housing should be on site, and where appropriate, off site; in preference to a payment in lieu, changes to the affordable housing policy cascade; changes to the calculation of payment in lieu; changes to policy relating to 'super-size' residential units; reviewing the use of affordable housing credits, introducing policies on affordable rent, tenure mix, amending the split between intermediate and social housing to 60:40, introducing post-permission reviews of viability where larger schemes are not providing policy-consistent levels of affordable housing, and to enable families to remain in Westminster, with the use of s106 prioritised for meeting housing need.
- a focus on joint working across the public sector to make the most efficient use of land assets, (One Public Estate)
- reconsideration of existing policy designations, including 'Core and Wider Central Activities Zone (CAZ)' and the 'West End Special Retail Policy Area', and the way these relate to Westminster's and the Mayor's CAZ; the introduction of a new 'West End' designation; potential changes to the North Westminster Economic Development Area; separate policy treatment of the Church Street/Edgware Road and other housing renewal areas; changes to reflect the wider role of St. John's Wood as a centre for leisure and recreation, and consequent changes to other designations.
- Changes and simplification of policies adopted as part of the Mixed Use revision. In particular this will involve:
  - the removal of policy S1 3A which introduces a 30% commercial uplift 'allowance' without providing residential floorspace, in the Core CAZ.
  - Changes to policy S1 3B which allows a 30% commercial uplift 'discount' for proposals involving an increase in floor space of 30-50%
  - A change of approach to Mixed Use credits, and a greater emphasis on delivery of housing on site (see above).
  - Amendment of the cascade at Policy S1 3C
  - Changes and simplifications to the supporting text.

- Changes to business and employment policies with increased support or employment through policies which focus on the provision of a range of workspace, support for the digital economy and job opportunities for Westminster residents.
- Changes to policy S20 Offices and other B1 floorspace policy to encourage a range of types of floorspace, without detriment to the delivery of affordable housing.
- A review of retail policies to include the addition of an exception to policy S21 Retail in respect of development which provides for a better mix of uses, or more unique uses and to clarify policy related to A2 uses following the council's Article 4 direction in respect of A1 to A2 uses,.
- Review of policies on the night-time economy and, in particular, the concept and policy wording of the existing 'Stress Areas' to reflect a more positive approach to the evening and night time economy, a possible relaxation of the policy restrictions on entertainment uses, combined with a stricter requirement to contribute to a reduction in cumulative impact in the currently named stress areas.
- Clarification on the policy position on tall and higher buildings, guided by the outcomes of the 'Building Height – Getting the Right Kind of Growth for Westminster' consultation and to include a review of local views in policy S26.
- A review of the uses protected by the St. James's Special Policy Area, in particular private members' clubs.
- A review of all 'design' policies, including potential for minor amendments and simplification to the basements policy.
- An update of policy S29 Health, Safety and Well-being,
- A review of policy S34 Social and Community infrastructure, in particular the necessity for continued protection of these uses on large development sites.
- A review of all transport policies including removal of references in policy S41 'Pedestrian Movement and Sustainable Transport' to reducing the reliance on private motor vehicles and single person motor vehicle trips, and introduction of wording to ensure development does not impede traffic flow and vehicle movement.
- Providing clarity about which principles and parts of the plan should be taken into account in the preparation of neighbourhood plans.

As well as bringing policies together, it is intended to streamline them and put them in a format so that they can be more easily used. Policies will be arranged more clearly, as well as updating the facts and figures within the plan.

In particular it will be made clear which are strategic statements of policy, that neighbourhood plans will be expected to follow, and which are primarily intended to be implemented through planning decisions and/or exercise of other council powers. Detailed policies will be supported by clear guidance on application.

## **Review**

As the revision is likely to precede adoption of a replacement London Plan by the Mayor, it is likely that there will be an early revision of the new Westminster City Plan during 2019/20. A programme for regular review of the Westminster Local Plan thereafter will be developed taking account of any requirements for periodic reviews introduced under the Neighbourhood Planning Act 2017.

## **Other workstreams**

On 20 January 2016, the City Council approved its Community Infrastructure Levy (CIL) Charging Schedule, which took effect on 1 May 2016. The City Council will keep the operation of its charging schedule – including the rates set and operation of the discretionary reliefs it has allowed – under review. It has made clear its intention to conduct biennial formal reviews, with the first taking place in the spring of 2018.

Under the Localism Act 2011, amendments to Section 35 of the Planning and Compulsory Purchase Act 2004 no longer require local planning authorities to prepare the Authority's Monitoring Report (AMR) in a prescribed format to Secretary of State. A review of the format these might take in future is being undertaken, particularly to ensure the best use is made of the opportunities to better use of information technology to present information accessibly. The City Council intends to publish a relatively brief overview that draws on, and signposts access to, the comprehensive monitoring data held by the council. This approach will allow the public full access to monitoring data as it is prepared, rather than waiting for an annual publication. It will also empower them to visualise the data in an interactive online map.

After the adoption of the Full City Plan revision the City Council will need to undertake a full review of all topic-based Supplementary Planning Documents to identify those which should be "saved" when the new policies come into force, and ensure they are up-to-date, and dove-tail appropriately with the Local Plan and the London Plan. There is no

requirement to include SPDs in the LDS, and therefore they have not been detailed here. In the same way there will be a review of Conservation Area Audits and related documents.

## 1. Full City Plan Revision

Title	<b>Full Revision to Westminster City Plan</b>
Purpose	To provide a comprehensive Local Plan for Westminster
Status	Revision to Development Plan Document
Content	<p>To set out criteria against which planning applications can be assessed, covering all of the remaining policy areas set out in the topic-based booklets subject to informal consultation Oct 2013 to Mar 2015 (not covered by the revisions completed in 2016), and other policy areas which have increased in priority including housing, town centres and retail, commercial and West End, transport and environment, to:</p> <p>A) provide greater detail to those policies in the City Plan and ensure the development accords with the objectives set out in the City Plan.</p> <p>B) revise the adopted Westminster City Plan: Strategic Policies as appropriate. This revision will replace all remaining Unitary Development Plan policies. Once this revision is adopted, the Unitary Development Plan, adopted Jan 2007, will no longer form part of the statutory development plan for Westminster.</p>
Geographical coverage	City of Westminster
Time period	At least 20 years from adoption
Review Timescale	Annual monitoring of the effectiveness of the policies through the Authorities Monitoring Report
Timetable	<p>The development of the policies for this plan has been in development and subject to consultation through the following stages:</p> <ul style="list-style-type: none"> <li>• Notification of the intent to prepare the revision (Regulation 18) – October/November 2008</li> <li>• Consultation to identify policy options including a series of topic-based workshops – June 2009 to December 2010</li> <li>• Consultation on policy options document – January to February 2011</li> <li>• Consultation on draft City Management Plan document – November 2011 to March 2012</li> <li>• Informal consultation on a series of topic-based booklets – October 2013 to March 2015</li> <li>• Notification of the intent to prepare the revision (Regulation 18) – March 2015</li> <li>• Adoption of Basements and Mixed Use Revision – July 2016</li> <li>• Adoption of Special Policy Areas and Policies Map Revision (November 2016)</li> <li>• Notification of the intent to prepare the revision (Regulation 18) – June 2017</li> </ul> <p>It is intended to now proceed with a single full revision to the Westminster City Plan with the following milestones (plan stages would happen on or after the provisional date set out):</p> <ul style="list-style-type: none"> <li>• Notification of the intent to prepare the revision (Regulation 18) – [June - July 2017]</li> <li>• Formal Regulation 19 consultation on the submission draft Revision – [September 2017]</li> <li>• Submission to the Secretary of State – [January-February 2018]</li> <li>• Examination by Independent Inspector – [Spring 2018]</li> </ul>

	<ul style="list-style-type: none"><li>• Inspector's Report – [Summer2018]</li><li>• Adoption – [Autumn 2018]</li></ul>