



Historic England

Examination of the Westminster City Plan 2019-2040
Matter 9 – Infrastructure, implementation and monitoring
Historic England, Hearing Statement

25/06/2020

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

Historic England Hearing Statement

Introduction

- 1.1 This statement addresses the Inspector's questions with regards to Matter 9 of the City Plan.
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan.

Inspector's Questions Matter 9

Issue: Whether the City Plan is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to infrastructure, implementation and monitoring.

5) What will be the relationship with the Site Allocations DPD?

- 2.1 It is unclear what the relationship between the plan and the Site Allocations DPD will be, and this ambiguity poses a risk to heritage. The main issue is that the plan includes specific sites with assigned capacities (allocations), but without evidence or any corresponding site specific policy or development criteria. The Council suggest that a DPD will be produced at a later stage instead.
- 2.2 The draft Westminster plan does allocate sites. Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development¹ but this is absent from the plan. More detailed matters could be deferred to other DPDs, for example a development brief or area action plan. However, overarching site specific guidance and development requirements should be included in the plan. This is needed in order to create certainty in the process; to front-load outline specifics to plan-stage thus speeding up the application process; and to provide a clear direction for how decision makers should react. Most importantly, outline criteria within site specific policies is required to show that a site can be developed sustainably i.e. to ensure development can be delivered in the interest of enhancing, or at the very least not harming, the historic environment. This is part of a positive strategy for the conservation and enhancement of the historic environment. The draft plan makes in principle decisions on site capacities without evidence or guidance for applicants and decision makers. How meaningful a DPD would be then is

¹ National Planning Policy Guidance Paragraph: 002 Reference ID: 61-002-20190315
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questionable given the inevitable gap between the plan being adopted and the DPD being produced when permissions could be given.

- 2.3 It is accepted that individual site allocations are not always included within a plan. The plan could instead contain broad areas of search to demonstrate strategic growth delivery. Broad areas of search do not assign development capacities or definitively set out site suitability because these are determined by assessments that will occur at DPD stage. These broad areas of search would still need to be evidenced but in less detail than site specific allocations. However, this is not the case here; the Westminster plan has allocated specific capacities to specific sites, and little evidence has been produced to show how these sites were identified as suitable and to determine their development capacity.
- 2.4 The Westminster plan is ambiguous and the proposed approach to sites and the Site Allocations DPD builds uncertainty into the planning process. This compromises the plan-led process and will encourage speculative applications that are likely to result in lengthy, costly appeals.

6) What is the intended relationship with Supplementary Planning Documents (SPDs) and what role will these play in implementation?

- 2.5 The detail set out in SPDs would not carry the same weight as that in the plan. It is questionable then how successful they will be in implementing the aspirations of the plan given how much detail is to be deferred to these non-DPD documents. This will further prevent the borough having an effective, implementable plan.

7) Is the distinction between matters to be dealt with by the City Plan and SPDs appropriate?

- 2.6 Not all of the relevant information has been provided upfront at plan stage, and so the full implications of the plan are unknown. Too much information is to be dealt with by SPDs. There is a risk that the plan is not clear as it relies on a plethora of supplementary documents which could bring in different ideas over the next few years.
- 2.7 The plan defers to approximately 10 SPDs, including: Planning Obligations and Affordable Housing; Air Quality; Green Infrastructure; Energy; Design; Heritage (non-designated assets); Public Realm; Neighbourhood Plans; North Bank; Local Enforcement; and The West End. At least 9 of these have the potential to directly impact upon the historic environment, place-making, and good growth. As SPDs are only a material consideration and not part of

the development plan², this builds in significant risk. Given the number of additional documents that will need to be prepared it is unlikely that they will be produced within helpful timeframes.

Conclusion

- 3.1 The draft plan contains ambiguity and lacks detail in places, the intention being that this will be picked up by later SPDs and DPDs. There is concern regarding the extent to which the draft plan relies on these additional documents. The approach proposed dilutes the strength of a plan-led system for managing development within Westminster. The approach to implementation is not positively prepared, and the plan is unclear contrary to NPPF paragraph 16; nor is it justified or consistent with national policy in accordance with NPPF paragraph 35; and the implementation approach does not constitute a positive strategy for the conservation of the historic environment contrary to NPPF paragraph 185.

² National Planning Policy Guidance Paragraph: 008 Reference ID: 61-008-20190315
Revision date: 15 03 2019 <https://www.gov.uk/guidance/plan-making>