

# Matter 6: Connections

## Introduction

This statement sets out Westminster City Council's written response in relation to the Inspector's Matter 6 issues and questions regarding **Connections**. Examination document reference numbers are used throughout for convenience e.g. EV\_C\_001. References to modifications in the Schedule of Modifications are in the following format M/C/01 or PS/C/01.

## Issue

Whether the City Plan is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to connections.

## Question 1: Taking each individually, are Policies 25-32 justified, effective, consistent with national policy and in general conformity with the London Plan?

1.1 For all policies within this chapter, section 4.1 of the Sustainable Transport Topic Paper (EV\_C\_002) further explains their relationship with national policy.

1.2 The Mayor has raised no general conformity issues with the adopted or New London Plan with Policies 25-32 bar those discussed and resolved within SCG\_003\_v2 (see answer to question 5). Paragraph 4.2 of the Sustainable Transport Topic Paper (EV\_C\_002) explains how these policies are aligned with the New London Plan and Mayor's Transport Strategy (EV\_C\_006).

## Policy 25

1.3 Section 9 of the National Planning Policy Framework (NPPF) sets out ways in which sustainable transport should be promoted through local plans. Sustainable transport is the core theme running throughout the Connections chapter and Policy 25 strategically responds to the national policy requirements, with the subsequent connections policies also cumulatively contributing. In line with paragraph 104 (b) of the NPPF, the council has engaged with the highways authority Transport for London and the Highways Agency throughout the development of policies 25-32 as detailed in the Duty to Co-operate Statement (CORE\_012 – see particularly paragraph 2.1 (h)). Both bodies were also effectively consulted at all stages of plan development (see CORE\_010).

1.4 Consistent with paragraph 111 of the NPPF, paragraph 25.10 of Policy 25 sets out that Transport Assessments for major developments may be required.

1.5 As set out in the reasoned justification of the policy and section 5.1 of the Sustainable Transport Topic Paper (EV\_C\_002, see particularly paragraph 5.2.2), Policy 25 is justified based on a need to encourage modal shift – the transfer towards more sustainable transport choices - both for improving air quality in the city and people's health. The Sustainable Transport Topic Paper also reflects the changing

transport habits of Westminster's residents away from private cars (see paragraph 5.1.2) as supporting evidence for this policy.

1.6 The policy provides strategic direction for development in the city to contribute to the overarching aims of the Plan of a healthier and greener city. It links into the draft Infrastructure Delivery Plan (EV\_GEN\_007, in particular paragraphs 3.1.1 – 3.1.5 and associated projects in Appendix 1), Westminster's Transport and Public Realm Programme and Local Implementation Plan (EV\_C\_005) as well as the London Plan's *Healthy Streets* approach (see EV\_ENV\_019) to bring about incremental effective change across the city through interventions in the built environment.

### Policy 26

1.7 Policy 26 is aligned with Paragraph 110 (a) of the NPPF which is concerned with prioritising walking and cycling – the policy provides detail on how developments should prioritise these modes of travel through designs of new developments and contribute towards this aim.

1.8 Justification for the policy is detailed in the policy's reasoned justification and within the Sustainable Transport Topic Paper (EV\_C\_002, particularly paragraphs 5.2.4 – 5.2.11) which evidences the health benefits of providing adequate facilities for walking and cycling. The policy also aligns with the council's adopted Walking Strategy (EV\_C\_003) and Cycling Strategy (EV\_C\_004).

1.9 Considering the needs of pedestrians and cyclists at the outset of scheme design is essential to ensuring the scheme is well integrated into its surroundings, creating linkages to existing routes and incrementally improving the appeal of active travel. This is particularly important in Westminster where the built environment is very dense and opportunities to create large scale change are limited. Therefore, the policy will be effective in ensuring all developments have the promotion of walking and cycling at the heart of their design and in addressing specific issues which are known barriers to walking and cycling in Westminster e.g. wayfinding (clause B2 and D5), safety (clause B3 and D1), accessibility (clause D2) and cycle parking (D3).

### Policy 27

1.10 Paragraph 110 of the NPPF states development should facilitate access to public transport with layouts that maximise the catchment area for bus or other public transport and appropriate facilities that encourage public transport use. Read alongside Policy 25 (Sustainable Transport) and Policy 26 (Walking and Cycling), Policy 27 is consistent with this national policy. It seeks better connectivity to public transport (clause A) and seeks improvements to known impediments to public transport use including accessibility (clause B) and legibility of place (clause A). It also strategically supports large scale transport infrastructure projects such as Crossrail and HS2 (clause A1) and improvements to services such as re-location of bus standing facilities (clauses A2 and 3).

1.11 A policy on public transport and infrastructure is justified as it is needed to complement the walking and cycling policy to contribute to modal shift towards sustainable transport for the health and environmental benefits explained in relation to Policy 25.

1.12 The policy requires major development to make contributions towards public realm improvements related to infrastructure. A modification is proposed to clause C1

(M/C/06) to clarify that the contributions expected from major development are not an additional burden to CIL but relate to on-site public realm improvements.

*C. Major development must:*

*1. ~~make a financial contribution towards improvements to the public realm which facilitates **access and** improvements to the operation of all sustainable transport modes ~~the bus network and associated infrastructure~~ **through improvements to the public realm;**~~*

1.13 Paragraph 27.2 of the reasoned justification explains the need for improvements to the public realm to encourage the overall modal shift towards sustainable transport. This policy is justified as it is necessary to ensure every reasonable intervention possible is made to contribute to this.

### Policy 28

1.14 The parking standards set in Policy 28 (with modifications PS/C/03 – P/S/18 inclusive, PS/C/20, PS/C/22 and PS/A2/01) align with the New London Plan – which have been found to be consistent with National Policy.

1.15 In line with the requirements of paragraph 106 of the NPPF, in proposing to adopt these standards for Westminster, the council has taken into account the high public transport accessibility across much of the city, low car ownership (see paragraph 5.1.2 of Sustainable Transport Topic Paper EV\_C\_002) and the typical types, mix and use of development across the city - which is consistent with paragraph 105 of the NPPF. The restrictions on the provision of car parking within new residential developments will also contribute towards improving the viability of affordable housing on-site (New London Plan Policy T6.1 Clause F and paragraph 10.6.13) further justifying their inclusion in light of the affordable housing ambitions in the Plan.

1.16 As set out in the parking occupancy survey the local road network continues to experience localised parking pressures (EV\_C\_008 page 4, bullet 3), which threatens the achievement of initiatives elsewhere in the City Plan e.g. public realm interventions and improvements to increase biodiversity (in line with Policy 35) across the city and make the city more attractive for walking in line with Policies 25, 26 and 44).

1.17 The council's policy on how parking permits are issued to residents (currently any resident can apply for a parking permit) sits outside of the City Plan but is highly relevant to the effective implementation of this policy. However, Policy 28 is part of a suite of corporate policies and interventions, which are growing in light of the declaration of a Climate Emergency in 2019, which include facilitating electric vehicles through the provision of a high number of electric vehicle charging points and minimising the polluting vehicles in the borough through the visitor parking diesel surcharge.

1.18 Policy 28 provides detail on the necessary requirements for cycle parking and facilities for cyclists as part of new developments, which is justified alongside Policy 26 to increase a shift towards more cycling in the city for health and environmental reasons.

1.19 The policy is effective in its support of the principles of sustainable development through necessary restrictions on development features which encourage

unsustainable transport modes. Where parking is provided, the policy requires developers to mitigate on-street parking stress which may be increased as a result of this policy and continue to support the shift away from private car ownership e.g. car club membership and cycle parking. Alongside this the requirements for active provision of electric car charging facilities contributes to the policy's effective contribution to more environmentally friendly transport solutions.

### Policy 29

1.20 Policy 29 (including modifications proposed) is consistent with the NPPF requirements in paragraph 110 in that it seeks protection of footway, cycling space and kerb space from being lost over to parking or vehicular access. This promotes accessibility for pedestrians and cyclists (clause B) and the policy will reduce conflict between pedestrians, cyclists and vehicles while allowing the efficient delivery of goods (clause C5).

1.21 The justification for the requirements of the policy are sufficiently explained in the reasoned justification paragraphs 29.1 – 29.7.

1.22 The policy is effective in that it balances the competing demands on Westminster's highway space from different transport modes and only allows loss of precious highway space over to vehicular use where it is unavoidable and mitigation measures are put in place (clause C). With this in mind, the policy allows opportunities to be taken when they arise to grow the amount of highway space available for pedestrians to use (clause A). The policy also effectively acknowledges Westminster's world-class city status and the impacts that is likely to have on highway management by putting in place proportionate provisions for large visitor numbers who may travel by taxi or coach to tourist attractions.

### Policy 30

1.23 Alongside Policy 29, Policy 30 is also consistent with paragraph 110 of the NPPF in that it seeks to reduce conflict between pedestrians, cyclists and vehicles and allows the efficient delivery of goods.

1.24 The policy is justified by the need to manage the competing land uses in Westminster, the intensity of uses in the city and ambitions to use space as efficiently as possible through consolidation of servicing facilities and innovative design solutions. In this way, the policy will also effectively contribute to wider aspirations within the Connections chapter to improve the public realm for walking and the environment through fewer vehicle movements.

1.25 Section 5.4 of the Sustainable Transport Topic Paper (EV\_C\_002) sets out further justification for Policy 29 beyond that explained in the reasoned justification of the policy (paragraphs 30.1 – 30.9). The Topic Paper also explains how the policy has been developed in line with the West End Partnership's Freight and Servicing Strategy (EV\_C\_007) - an alignment which will ensure the effectiveness of the policy in reducing and managing freight movements in the city.

### Policy 31

1.26 Policy 31 is consistent with paragraph 170 (e) of the NPPF following minor modification M/C/12 to consider groundwater and land contamination. It is also consistent with paragraph 110 (e) of the NPPF in that it supports technological

innovation in transport including, but not limited to, provision of electric vehicle charging points in suitable locations. The draft Infrastructure Delivery Plan (EV\_GEN\_007) sets out the known electric vehicle charging projects in the pipeline in Westminster, which this policy will support. The policy is deliberately not just concerned with electric vehicle charging though, in recognition that over the twenty year life span of the Plan new innovations in transport technology may be developed. This makes the policy effective to support new technology in the present and over time, in principle, as technology evolves.

1.27 Section 5.6 of the Sustainable Transport topic paper (EV\_C\_002) provides further justification for the inclusion of this policy in the Plan.

1.28 While the shift towards electric vehicles plays out, the need for petrol/diesel refuelling stations will remain – as explained in paragraph 5.6.2 of the Sustainable Transport topic paper (EV\_C\_002) and their protection is therefore justifiable.

1.29 The provision of a high level of active provision of electric vehicle charging points is justified in paragraph 31.6 of the reasoned justification and section 6 of the Parking Topic Paper (EV\_C\_001).

### Policy 32

1.30 This policy has strong cross-over with the Environment chapter, in particular Policy 35 (clauses F and G) in its promotion of biodiversity in and alongside Westminster's waterways and waterbodies. This is consistent with paragraph 170 (d) of the NPPF.

1.31 The policy is also consistent with paragraph 102 (c and d) of the NPPF in its requirements for water-side access for pedestrians and cyclists and for developers to consider the environmental impacts of transport infrastructure. Modification M/C/14 have been proposed following engagement with the Environment Agency (see SCG\_006\_V3) to ensure the policy is fully consistent with paragraph 20 (a) of the NPPF with regards to flood risk.

1.32 Our waterways are a precious environmental and social resource and the protection the policy affords them is to ensure the strategic transport benefits of the new crossing outweigh negative impacts of development (see paragraph 32.7 – 32.8 of the reasoned justification). The council disagrees with LB Wandsworth on the issue of river crossings (see SCG\_004 paragraph 5.4.4). The council do not consider the policy is not overly restrictive as LB Wandsworth assert, as the policy does not explicitly rule out new river crossings altogether. Section 5.7 of the Sustainable Topic paper (EV\_C\_002) provides further justification for Policy 32 – particularly clauses C and D relating to new river crossings.

1.33 The policy will enable the council to effectively manage proposals affecting Westminster's waterways and waterbodies by covering all of the different types of water-based infrastructure in Westminster and setting clear strategic guidance on what is expected from developers.

1.34 Taken together policies 25-32 provide an effective strategy for managing transport-related matters across the City of Westminster and - alongside other policies in the Plan - support and promote sustainable transport – in line with the requirements of national policy.

**Question 2: Do Policies 25-32 effectively deal with the full range of issues?**

2.1 While strategic transport matters are suitably dealt with at a regional level through the London Plan, Policies 25-32 comprehensively address the full range of transport issues relevant to Westminster. The policies collectively cover the requirements of the NPPF, as well as going further than national policy requirements on the management of important issues for Westminster such as freight and new transport technologies.

2.2 The Duty to Cooperate statement (CORE\_012 section 2.1, specifically part h) explains how the council has worked with its strategic partners relating to transport infrastructure, which demonstrates due diligence to ensure the views of relevant stakeholders such as Highways England and Transport for London are integrated into the Plan. Statements of Common Ground with neighbouring authorities (SCG\_004\_v2 and SCG\_005\_V2) also show co-operation on strategic transport matters.

**Question 3: Does Policy 25 deal with the full range of transport infrastructure? Are the proposed modifications necessary for soundness?**

3.1 Consultees commented at Regulation 19 consultation that the policy should be more ambitious to prioritise active travel over car usage. The council considers Policy 25 sufficiently covers this, particularly in conjunction with other policies in the Connections chapter (and their proposed modifications).

3.2 Consultees also considered that river buses should be mentioned in this Policy – a minor modification was added to paragraph 25.7 (M/C/02) to address this.

3.3 Consultees at Regulation 19 also suggested referencing the need for coach drop off points in the West End to cater for theatre land and other West End entertainment activities – this is sufficiently catered for in Policy 29 D. It is not considered appropriate to mention this form of transport within the overarching sustainable transport policy in the City Plan given the amount of kerb side space they demand and the polluting nature of coaches which are rarely electric, which doesn't align with sustainable transport principles.

3.4 As set out in the schedule of modifications (CORE\_025\_V3), only one modification to this policy is deemed necessary for soundness (M/C/01). It is necessary as it ensures the application of the policy to all infrastructure/routes, not just cycling, making it more effective and therefore consistent with national policy.

**Question 4: Are the proposed modifications to Policy 27 necessary for soundness?**

4.1 As set out in the schedule of modifications (CORE\_025\_V3), two modifications are considered necessary for soundness. M/C/06 is necessary as it ensures that contributions support all public transport infrastructure types, not just buses. PS/C/02 alters the terminology used for Appendix 1, for consistency with other proposed modifications to the Plan, to clarify that these sites are not 'Site Allocations'. This modification is therefore required to ensure the Plan is clear and effective.

**Question 5: Are the parking standards set out in Policy 28 and Appendix 2 of the City Plan in general conformity with the London Plan? Are they appropriate and justified? Are the proposed modifications necessary for soundness?**

5.1 At submission, the council considered that the parking standards set out in Policy 28 and Appendix 2 of the submitted City Plan were an evidence-based departure from the London Plan parking standards (as explained in the Sustainable Transport Topic Paper EV\_C\_002 and Parking Evidence Paper EV\_C-001) and therefore were in general conformity. A Statement of Common Ground signed in October 2019 (SCG\_003) between the council, the Mayor and TfL set out that the latter two organisations did not agree with the council on this matter.

5.2 Further discussions in February 2020 between all parties took place and it was agreed in a new Statement of Common Ground (SCG\_003\_V2) that modifications may be necessary to achieve soundness – such modifications were proposed in the Schedule of Modifications in April 2020 (CORE\_025\_V2) as being minor in nature. The Mayor and TfL agreed with the council that these modifications would render the parking standards to be in general conformity with the New London Plan (see section 6 of SCG\_003\_V2).

5.3 The council has considered the direction from the Inspectors that the modifications proposed to Policy 28 in CORE\_025\_V2 (PS/C/03 - PS/C/13 & PS/C/15 - PS/C/18) are main rather than minor in nature and concludes therefore that the modifications are necessary for the policy to be in general conformity with the New London Plan and for the City Plan to be found sound.

5.4 The Panel Report<sup>1</sup> on the New London Plan found that the parking standards in the London Plan are justified and there is a need for a consistent, strategic-level approach across London. It is considered therefore that application of the standards in Westminster are appropriate and justified to contribute to the strategic approach the London Plan sets out.

5.5 Deletion of paragraph 28.8 of the reasoned justification (M/C/08) has been identified as main. In line with the overall sustainable transport theme and particularly following modifications to the parking standards, it is not appropriate to include this text in the Plan as it supports car ownership in certain circumstances, which is not necessary or aligned with the principles of sustainable transport.

**Question 6: Does Policy 29 provide sufficient protection to footways? Are the proposed modifications necessary for soundness?**

6.1 The principle of Policy 29 is that losing footway will go against the council's aims to encourage walking and therefore it seeks to take all opportunities to improve the walkability of the city such as re-designating road space for pedestrian use, whilst balancing the needs of other users of highway land. However, at Regulation 19 consultation Transport for London (TfL) (see CORE\_011, page 395) and other stakeholders highlighted that Policy 29 needed strengthening to afford footways more protection and be clearer that the policy seeks to protect highway/footway for uses

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<sup>1</sup> [www.london.gov.uk/sites/default/files/inspectors\\_report\\_and\\_recommendations\\_2019\\_final.pdf](http://www.london.gov.uk/sites/default/files/inspectors_report_and_recommendations_2019_final.pdf)

other than parking, to achieve the policy's aim. Modifications (M/C/09 and M/C/10) to address this have been proposed.

6.2 TfL further commented that additional wording should be added to paragraph 29.2 to be clearer that it is particularly footways that the policy seeks to protect to make active travel easier. However, the council considers the amendments to the policy (M/C/10) make this sufficiently clear and the suggestion by TfL may elevate walking above cycling – both are equally supported by the Plan. The Policy should also be read alongside other policies in the Plan, particularly Policies 25 and 26, which prioritise active travel. Taken together these policies (including the proposed modifications which strengthen the policy) are afforded sufficient protection.

6.3 However, a further modification is proposed to paragraph 29.3 (PS/C/21) to make it explicitly clear that the protection of footway applies for active travel as much as to protect existing parking space and to explain that building lines may not encroach on footways as a result of redevelopment:

**Footway will not be reduced as a result of changing building lines following redevelopment to allow adequate space for pedestrians. Likewise, where new developments require vehicular access to the highway, they should minimise the loss of kerb space for parking where this will lead to increased congestion on local residential side roads and not result in loss of footway, cycling space.**

### **Question 7: Does Policy 31 provide sufficient detail with regard to ground water and land contamination risks?**

7.1 Yes, when read alongside Policy 34 E and with modification M/C/12 to Policy 31. It is not necessary to repeat requirements that are adequately covered in other parts of the Plan as all policies should be read together.

7.2 The Environment Agency objected to the lack of references to groundwater in this policy (see CORE\_011, pages 1,435 – 1,436) which has been addressed through the modifications which were drafted in consultation with the Environment Agency.

7.3 Although the Environment Agency have input into and seen the relevant Statement of Common Ground (SCG\_006\_V3) which seeks to resolve their objections through the modification in M/C/12, at time of writing, they have not been in a position to provide final feedback on it or confirm agreement with the content. However, the council have engaged pro-actively through meetings, telephone calls and email exchanges with them on the development of the Statement following submission of the Plan in November 2019.

### **Question 8: Is Policy 32 justified and effective with regard to its approach to flood risk and biodiversity?**

8.1 Yes, when read alongside Policies 36 and 35 clause F & G (it is not necessary to repeat requirements that are adequately covered in other parts of the Plan as all policies should be read together) and with modifications M/C/14, MC/15 and M/C/17 to Policy 32. These modifications have been drawn up following engagement with the Environment Agency (and Thames Water) following their objections to the Regulation

19 consultation. A Statement of Common Ground with the Environment Agency has been drafted (SCG\_006\_V3 – see answer to Question 7 above).

8.2 The Council's SFRA also sets out the approach to flood risk. A modification is proposed to Clause D of the policy (within M/C/13) to clarify the link with the SFRA and to increase its effectiveness and aid the application of the policy:

*In assessing development proposals affecting Westminster's waterways and waterbodies, the council will have regard to **the council's SFRA**, the Thames River Basin Management Plan, **the Thames Vision**, the Marine Policy Statement and the emerging South East Marine Plan.*

8.3 The phrase 'promote biodiversity' is perhaps not as clear as it could be what the intentions of the policy is. A minor modification (PS/C/23) is therefore proposed to Clause A:

*Proposals alongside or affecting water should support the creation of a network of high-quality water spaces which ~~promotes~~ **enhance** biodiversity and **promote** the use of Westminster's waterways and waterbodies for sport, leisure, recreational and educational uses as well as for water-based transportation.*

8.4 At submission Policy 32 was identified in the Integrated Impact Assessment (CORE\_006, section 3.4) as having a neutral impact on flood risk and biodiversity – that assessment should increase to a positive impact following insertion of the modifications as they make the policy more effective.

**Question 9: Are any other modifications to Policies 25-32 necessary for soundness?**

9.1 No. Several suggestions were made by stakeholders at Regulation 19 but these have been rejected by the council as explained within the Consultation Statement (CORE\_010, pages 35-41).