

Matter 9: Infrastructure, implementation and monitoring

Introduction

This statement sets out Westminster City Council's written response in relation to the Inspector's Matter 9 issues and questions regarding **Infrastructure, Implementation and Monitoring**. Examination document reference numbers are used throughout for convenience e.g. EV_GEN_001. References to modifications in the Schedule of Modifications are in the following format M/IM/01 or PS/IM/01.

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.

Question 1. How has the need for new or improved infrastructure been taken into account in the City Plan and as part of its preparation?

1.1 As set out in chapter 2 of the draft Infrastructure Delivery Plan (IDP) (EV_GEN_007), the additional pressure from the considerable number of workers and visitors associated with some of Westminster's functions, including its commercial and entertainment activities, mean that planning for infrastructure in the city necessarily requires looking beyond the needs associated with residential growth alone. In addition to harder types of infrastructure (such as those supporting transportation and utilities supply), growing numbers of residents and users will create an increased demand for open space, green infrastructure, health facilities, leisure, social and community uses that are essential to support good growth and wellbeing. With this in mind and in line with national planning policy requirements (National Planning Policy Framework (NPPF) paragraph 20), the City Plan aims to set out an overall strategy for development in Westminster that ensures sufficient infrastructure provision.

1.2 Westminster's largely built out nature and complex land ownership means that there is a limited number of vacant or inefficiently used sites offering obvious redevelopment potential, which makes it difficult to accurately predict how all future growth will be distributed across the city and, consequently, where specific infrastructure needs will appear. This is evidenced by the continuing reliance on windfall sites as shown in Westminster's Housing Trajectory (Table 14 of the Housing Supply Topic Paper, EV_H_013). At the same time, the overall excellent level of public transport provision in Westminster enables easy access to many types of infrastructure including green spaces, libraries, GPs and sports facilities that are located beyond the immediate vicinity of any one site. As such and due to the broad spatial distribution of growth, a significant proportion of infrastructure improvements

are considered at a city-wide scale and will be required largely through the upgrade of existing facilities to increase capacity. These improvements are generally supported by Policy 1 and enabled by other policies in the Plan (as set out in more detail in response to Question 2 below). Prepared alongside the City Plan, the council's draft IDP (EV_GEN_007) sets out the key infrastructure needed to support growth across the city.

1.3 A proportion of Westminster's infrastructure needs are also of strategic nature (such as transport, utilities and digital connectivity, as set out in paragraph 20b of the NPPF) and are therefore identified at a wider scale by the London Plan. The Mayor has raised no issues of general conformity regarding Westminster's strategic approach to infrastructure delivery as part of the Statement of Common Ground with the Mayor (SCG_007_V2).

1.4 The NPPF and London Plan both promote intensification through higher density development, particularly in locations that have good access to existing infrastructure provision. Under this framework, the City Plan directs growth to such locations in Westminster through Policy 1 and further infrastructure needs are expected from these areas of intensification, redevelopment, renewal and regeneration. For this reason, the following spatial strategy policies in Chapter 1 of the Plan set out key priorities linked with infrastructure delivery that are specific to each policy area:

- In the WERLSPA and the Tottenham Court Road Opportunity Area, Policy 2 requires enhanced public realm (including through the Oxford Street project) and public transport infrastructure.
- In the Paddington Opportunity Area, Policy 3 requires enhanced public realm (including improved use of the canal side) and pedestrian and cycling accessibility, reduced severance, improved integration between public transport modes and the continued upgrade of Paddington Station for the arrival of the Elizabeth Line, enhanced community facilities. In addition, the potential redevelopment of the St. Mary's hospital site has been identified as an opportunity to provide improved health facilities, among other uses.
- In the Victoria Opportunity Area, Policy 4 requires additional and enhanced social and community facilities, improved integration between public transport modes, enhanced public realm and pedestrian and cycling accessibility. The policy also protects an identified Crossrail 2 site as critical in developing infrastructure that can widen transport choice and unlock further development opportunities in the station's environs.
- In the NWEDA, Policy 5 requires enhanced public realm (including improved use of the canal side) and green infrastructure, enhancements to the Harrow Road District Centre to provide a greater range of activities, new and improved social and community infrastructure. The identified sites at Royal Oak and Westbourne Garage also represent opportunities to further improve pedestrian connectivity and reduce severance.
- In the Housing Renewal Areas, Policy 6 requires community facilities, new green infrastructure and public realm improvements, infrastructure improvements, enhancements to the Church Street/Edgware Road District Centre and the Ebury Bridge Local Centre. These have been informed by more detailed assessments carried out on infrastructure requirements in the Housing Renewal Areas.

1.5 A proportion of the sites identified as part of the council's Housing Trajectory (Housing Supply Topic Paper, EV_H_013) also have potential to provide infrastructure improvements. These include the above-mentioned sites in Paddington and the NWEDA. More detailed requirements related to identified sites will depend on the scale and type of development and its specific impacts. The requirement for site-specific infrastructure will be more appropriately addressed through further work with landowners and other stakeholders on the forthcoming Site Allocations Development Plan Document (DPD), which may identify further sites for infrastructure improvements.

Question 2. What specific elements of infrastructure will be required as a result of policies within the City Plan?

2.1 As detailed in the response to Question 1, the City Plan constitutes a framework that supports appropriate infrastructure provision across Westminster, to ensure development positively contributes to achieving good growth. The draft IDP (EV_GEN_007) has been prepared in conjunction with the City Plan and identifies infrastructure requirements over the Plan period. The IDP identifies gaps in infrastructure across the city and sets out a strategy to address them. Each chapter of the City Plan contains policies that enable or require infrastructure provision.

2.2 In addition to policies in the City Plan's Spatial Strategy chapter setting out key infrastructure requirements for specific policy areas, the following policies will require or support the provision of:

- New community infrastructure and facilities (includes health, education, sports and leisure, cultural and social facilities) (Policies 16, 18, 19, 21, 22, 23);
- New public toilets (Policy 16);
- Public realm and public transport infrastructure improvements to support sustainable modes of travel (includes improvements to the pedestrian environment; cycle infrastructure and routes; car clubs and vehicle charging infrastructure) (Policies 21, 25, 26, 27, 28, 31, 32, 44);
- New or enhanced green infrastructure (policies 21, 35);
- New or improved public open space and space for children's active play (Policies 13, 32);
- Sustainable Drainage Systems and other flood management infrastructure (Policy 36);
- Digital and telecommunications infrastructure (Policy 20);
- Waste management facilities (Policy 38).

Question 3. How will this infrastructure be delivered and funded and what role will the City Plan play in this?

3.1 A range of infrastructure providers operate in Westminster. While some infrastructure is provided directly by the council, others are provided by partners including public sector organisations and private businesses. Developed in consultation with the relevant infrastructure providers, the draft IDP (EV_GEN_007) seeks to bring infrastructure requirements across a range of infrastructure types together to provide a comprehensive plan for infrastructure over the City Plan period. It will be used in conjunction with the City Plan, the forthcoming Site Allocations DPD and other strategic infrastructure delivery documents such as the council's existing

'Regulation 123 list' and the CIL Spending Policy Statement to inform infrastructure delivery decisions such as the allocation of Community Infrastructure Levy (CIL) funds. The council will continue to work in partnership with developers and infrastructure providers to ensure the appropriate infrastructure required to support new development is delivered.

3.2 With regards to individual development schemes, the infrastructure requirements set out by the City Plan will be delivered by ensuring proposals align with the relevant policies, delivering on-site infrastructure where required and by establishing planning conditions and Section 106 contributions as appropriate.

3.3 To help maximise the delivery of the objectives of the City Plan, developer contributions may be combined with council resources and other public funding streams. The upcoming CIL Charging Schedule¹ review (as set out in the Local Development Scheme (LDS) CORE_023) will ensure levy rates continue to effectively contribute towards the City Plan implementation without compromising development viability. The council's emerging Infrastructure Funding Statement (IFS) will set out annual spending priorities on infrastructure in line with the relevant strategic City Plan policies and detail the different sources of funding from developer contributions. The information in the IFS will inform future local plan reviews to ensure that policy requirements for development contributions do not undermine deliverability.

Question 4. How will the City Plan be implemented?

4.1 The City Plan sets out the vision and objectives to guide development in Westminster in the period 2019-2040 and it will replace the currently adopted City Plan and the saved policies of the Unitary Development Plan (UDP). The Plan will be used in conjunction with the London Plan and emerging Neighbourhood Plans (once lawfully 'made'), which together form Westminster's Development Plan.

4.2 Implementation of the City Plan policies will be achieved through our development management function when the council makes decisions on planning applications. A suite of Supplementary Planning Documents is also being prepared as detailed in the LDS (CORE_023), which will complement the Plan by providing further detail on non-strategic matters. The council's planning enforcement function will ensure development happens in a controlled manner in line with City Plan and any the specific directions and conditions determined through the council's planning decision-making process.

4.3 The Plan will be monitored annually through the Authority Monitoring Report (AMR) and reviewed as appropriate to ensure policies are effective. The AMR helps assess whether the objectives set out in the Plan are being met and whether any policy amendments or more substantial strategic change are required. In line with the Town and Country Planning (Local Planning) (Amendment) Regulations and as set out in the LDS (CORE_023), a review will take place at least every five years to determine if a partial or full review of the Plan is necessary. The Key Performance Indicators (KPIs) set out in the implementation chapter of the draft City Plan will form the basis of the AMR and will provide evidence towards this assessment.

¹ Westminster's adopted CIL Charging Schedule is set out in EV_GEN_008.

4.4 To ensure Westminster develops in a sustainable manner, future growth must be supported by the necessary infrastructure as required by the City Plan. Developer contributions will be used to mitigate negative impacts associated with development and to ensure the infrastructure necessary to support growth and benefit the local community is provided. Details on infrastructure delivery (including through developer contributions) are provided in the response to Question 3 above.

4.5 The City Plan also provides a framework for other programmes, area-based strategies and projects which contribute to achieving the Plan's objectives, including setting clear strategic policies (as detailed in Appendix 3) to guide the development of neighbourhood plans.

Question 5. What will be the relationship with the Site Allocations DPD?

5.1 As set out in response to Question 1 above, while significant infrastructure improvements will be addressed at a city-wide scale, growth in areas of intensification, redevelopment, renewal and regeneration will be accompanied by further infrastructure needs.

5.2 As set out in the LDS (CORE_023) and detailed in response to Question 16 in Matter 3 (WCC_MIQ_Matter3), the Site Allocations DPD will provide detailed policies on large known development opportunities that are expected to significantly contribute to the targets in the City Plan, including establishing development quanta for housing and commercial floorspace as well as site specific infrastructure requirements. While policies in the City Plan's Spatial Strategy chapter set out key infrastructure priorities specific to each policy area, work on the Site Allocations DPD will therefore help identify specific local infrastructure requirements and opportunities for infrastructure provision within each site in greater detail, which will inform infrastructure delivery decisions as set out in the response to Question 3 above. While this will help ensure a coherent approach to future development opportunities, the City Plan has been prepared in a manner that ensures it can be implemented as a standalone document, and that development proposals can be determined using the policies within it in advance of the production of the Site Allocations DPD.

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

6.1 The City Plan sets policies and parameters that will be used alongside the New London Plan and any made Neighbourhood Plans when assessing planning applications in Westminster as they will all be part of Westminster's Development Plan. This is explained in the Implementation and Monitoring section of the City Plan.

6.2 The council has committed to the production of a series of Supplementary Planning Documents (SPDs) in the LDS (CORE_023) and the Implementation chapter of the Plan. When adopted, the SPDs will be a material consideration in decision-making.

6.3 In line with the Plan Making Guidance² (see paragraph 008), the planned SPDs will not materially affect the policies in the City Plan, but provide guidance and add further detail to explain the application of policies in the City Plan to help guide applicants as proposals are developed.

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

7.1 Yes, the distinction between matters to be dealt with by the City Plan and Supplementary Planning Documents (SPDs) is appropriate.

7.2 As explained in the response to question 6, the City Plan contains policies and provides strategic guidance on a wide range of identified issues whilst the SPDs will only add detail and provide further guidance on how the policies should be applied.

7.3 The LDS (CORE_023) explains which SPDs the council intends to produce and provides further details on what they will cover. The topic areas that are intended to be covered by an SPD are those which necessitate large amounts of detail which would inflate the Plan and not be in keeping with the clear concise guidance the Plan is intended to provide for applicants. For example, the Design and Public Realm SPD will be an evolution of the adopted Westminster Way Public Realm Strategy³ which at over 100 pages long could not be accommodated within the policies in the Plan itself. Deferring detail to the forthcoming SPDs also has the benefit of being able to draw in non-planning, but related material considerations which are relevant to how an application is determined such as licensing and city management considerations. SPDs can also be updated much more quickly than the City Plan can, allowing the council to react to relevant changes in national or regional guidance, for example, without a full examination process.

7.4 Representors raised a number of points at Regulation 19 consultation that suggested that some issues should be dealt with by the City Plan (see Consultation Statement, CORE_010). The council acknowledge that some policy requirements which were intended to be deferred to the Affordable Housing and Planning Obligations SPD are in fact more appropriate to set out in the Plan itself to provide applicants with earlier clarity on the expectations of the policy and how contributions will be calculated. Modifications have therefore been proposed to address this – see question 35 in Matter 4 (WCC_MIQ_Matter4), questions 16 and 27 in Matter 5 (WCC_MIQ_Matter5) and questions 3 and 15 in Matter 7 (WCC_MIQ_Matter7).

7.5 Representors also expressed support for some of the SPDs that the council intends to publish. The SPDs will be produced in accordance with the council's Statement of Community Involvement (SCI) and the council will engage with its stakeholders and partners when producing them.

Question 8. Is the approach to land use swaps justified and effective?

² <https://www.gov.uk/guidance/plan-making>

³

http://transact.westminster.gov.uk/docstores/publications_store/Westminster_Way_Public_Realm_Strategy_Adopted_September_2011.pdf

8.1 Yes. The NPPF makes no specific provision for the use of land use swaps. Policy SD5 clauses G and H of the New London Plan does however indicate local approaches to mixed use development in the CAZ should consider their use.

8.2 The council is of the view that land use swaps are a matter of implementation that can be used to achieve policy objectives without requiring any specific reference to them within policy. Nothing in the City Plan rules out their use, and modifications M/H/12 and M/IM/01 as set out in the Revised Schedule of Modifications (CORE_025_V3) seek to clarify that their benefits are recognised and that their use is not limited to a single tightly defined geographical area of the city (Savile Row).

8.3 Page 8 of the LDS (CORE 023) also sets out that further guidance on their use will be set out alongside other detailed matters of implementation in the forthcoming Planning Obligations and Affordable Housing SPD.

Question 9. How will the City Plan be monitored and will this be effective? What will be the approach towards a review?

9.1 The City Plan will be monitored annually using the KPIs identified in the Implementation and Monitoring chapter in the AMR. This sets out how success is monitored towards meeting the objectives of the Plan.

9.2 Many KPIs set a trigger point based on the aims of the policies e.g. the delivery against the housing/affordable housing targets in Policy 9 or protection of office floorspace in Policy 15. However, not all KPIs have a trigger for review as the success of the objective is not as categorical. These KPIs are also those which taken individually are less critical to the success of the overall strategy and they will be assessed cumulatively rather than on individual criteria. For example, a low number of open spaces awarded a Green Flag (KPI 36) would not be sufficient to trigger a review of the Plan, however taken with other KPIs related to open space and quality of local amenity (e.g. KPIs 12, 34, 37) this will paint a picture of how the strategy to deliver objective 8 is working.

9.3 The approach to monitoring of the Plan is there for effective as it is concerned with focussing attention on specific targets where they are appropriate and necessary, as well as the cumulative impacts of all policies in the Plan on the delivery of the Plan's objectives.

9.4 In accordance with Town and Country Planning (Local Planning) (Amendment) Regulations and as set out in the LDS (CORE_023), the Plan will be subject to a review at least every five years. The monitoring against the KPIs in the council's AMRs will form the basis of these reviews.