



City of Westminster

Planning & City Development Committee

Date: 30 June 2020

Classification: General Release

Title: City Plan 2019 – 2040 Update

Report of: Director of Policy and Projects

Financial Summary: The implications will be managed within existing resources.

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1. Executive Summary

1.1 This report provides an update on the draft City Plan following its submission to the Secretary of State in November 2019.

2. Recommendation

2.1 Members are asked to note the content of this report.

3. Background

3.1 The City Plan was submitted to the Secretary of State in November 2019. This followed an informal consultation, a statutory 'Regulation 19' consultation, and approval by Full Council. Two independent Inspectors have been appointed by the Secretary of State to examine the plan. Their role is to interrogate the policies and their evidence base to determine if the Plan is 'sound'.

3.2 A sound plan must be positively prepared to meet the area's needs, evidence based and justified, effective, and consistent with national policy.

4. Expected Timeline

4.1 The timetable for the examination is now controlled by the inspectors whom originally indicated that the public hearings would take place in June/July. However, following the covid-19 pandemic escalating and advice from Government to limit social contact, the Planning Inspectorate have issued [guidance](#) relating to public hearings scheduled to take place over the coming months. It states that all public hearings will be postponed with no firm date for the resumption of scheduling hearings at this point in time. Inspectors will continue to progress the pre-hearing stages of the examination and are looking into and trialling virtual hearing solutions – they hope that the hearings may be able to take place in the autumn. Westminster's website will be updated with this

information. As the plan cannot be adopted until public hearings have taken place, at this stage it is unknown when the Council will be able to adopt the new plan. However, it is hoped this will be by the end of the year/early next year.

4.2 Before the hearings start, the inspectors go through an information gathering phase and it is normal practice to ask the local authority for further evidence on specific policies in the plan. This is done through the formal exchange of letters between the inspectors and the council which are made available on our website. This is also done through the issuing of formal 'Matters, Issues and Questions (MIQs). The Inspectors have posed 9 matters which they are interested in exploring through the hearings – within which there are 227 questions. Officers are in the process of responding to these questions with formal statements. In general the questions seek clarification from the council on how the policies will operate or for the Inspectors to be directed to evidence which underpins the policies. A brief summary of the questions is given below:

- How the Council has met its legal and procedural duties in the preparation of the Plan.
- How the Council has co-operated with its neighbouring authorities and the Mayor.
- If the Plan is in general conformity with the London Plan.
- How payments in lieu of affordable housing and for carbon offset will be calculated.
- Whether the policy on building height is sufficiently clear in how the council will manage such applications;
- How the policies will be monitored
- Evidence to support how policy boundaries have been arrived at.
- Evidence to support the policies in the plan including:
 - housing and commercial growth targets;
 - affordable housing requirements;
 - flexibility for high street land uses;
 - the prevention of outdoor shisha smoking premises;
 - the protection of pubs;
 - restrictions on hot food takeaways within proximity to schools;

4.3 Other stakeholders are also invited to respond to the MIQs with their own statements – all of which are made publicly available on the council's website. The deadline for submitting statements is 26th June. The next steps in the process are for the date and agenda for the hearings to be set. The public hearings will probably take around 2-3 weeks and will be the final opportunity for the council to defend its policies and for stakeholders to comment. It will then be up to the Inspectors to assess everything they have read and heard and issue a report on their findings as to whether the Plan is sound and can be adopted. It is usual practice for Inspectors to recommend modifications which have been discussed through the examination phase are necessary to make the Plan sound.

5. Weight of policies

5.1 The policies in the City Plan 2019 – 2040 currently hold very limited weight in the determination of planning applications.

5.2 Once the Inspector's report has been received following the public hearings the policies will start to attribute some weight and the plan can start to be used.

- 5.3 Full weight will be attached to the policies upon adoption of the Plan – at which point all extant policies in the Unitary Development Plan and current City Plan (2016) will be superseded and cease to apply.

5. Financial Implications

- 5.1 The implications will be managed within existing resources.

6. Legal Implications

- 6.1 The Director of Law has considered the matter and does not have any additional comments.

7. Conclusion

- 7.1 Members are asked to note the content of this report and the implications that the emerging policies in the draft City Plan may have for future planning decision making in Westminster.

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| <p>If you have any questions about this report, or wish to inspect one of the background papers, please contact: Kimberley Hopkins (khopkin@westminster.gov.uk / 07811 674107).</p> |
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Background Papers:

1. [Draft City Plan 2019 - 2040](#)