



City of Westminster

LOCAL DEVELOPMENT SCHEME March 2015

Background

The City Council completed its 'NPPF Revision to the Core Strategy' and adopted the resulting Westminster's City Plan: Strategic Policies' in November 2013. Since this time the City Council has been progressing its detailed city management policies through a series of 19 topic-based booklets which collectively make up the informal consultation on proposed policy. This stage has taken longer than was originally anticipated, and some new issues, opportunities and challenges have come to the fore.

Significant changes to current Local Development Scheme

The previous Local Development Scheme was published in February 2012, and needs replacement for a number of reasons:

- it refers to the 'Core Strategy Revision – City Management Plan': this is now a revision to 'Westminster's City Plan' which superseded the Core Strategy when it was adopted in November 2013;
- the description of the Westminster City Plan Revision needs to be expanded as this revision now also reviews the adopted strategic policies as well as inserting the detailed city management policies;
- the City Council now intends to progress the City Plan as a series of five topic-based revisions. This will be followed by a further revision to deliver all of the remaining changes with the exception of waste which will be progressed as a seventh revision after this;
- timescales need to be updated;
- it includes the NPPF Revision and revision of the Statement of Community Involvement which are now complete.

Background

The City Council is in the process of developing its Local Plan, setting out the policies for managing development of the City. Westminster's City Plan, containing the strategic policies, was adopted on 13th November 2013 updating and fully replacing the Core Strategy, which was revised in light of the publication of the NPPF.

In parallel to this, the city council has been developing its detailed development management policies. Originally, these were developed as a separate Development

Plan Document (DPD) called the 'City Management Plan' (CMP), which has been through the following stages:

Notification of the intent to prepare the plan	Oct/Nov 2008
Consultation to identify policy options	Jun 2009 to Dec 2010
Consultation on policy options document	Jan/Feb 2011
Consultation on draft document	Nov 2011 to Mar 2012
Informal consultation on topic-based booklets	Oct 2013 to Mar 2015

Following the enactment of the Localism Act (2011), and the publication of the NPPF in March 2012 it was 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'. Therefore after this time the detailed development management policies have been progressed as a revision, referred to as the 'CMP Revision to the Core Strategy' and more latterly the 'City Plan Revision'. However all of the consultation responses to earlier stages including development of the separate City Management Plan DPD have helped inform policy development.

The publication of the NPPF, the adoption of the Mayor's London Plan (and subsequent modifications), along with key local policy issues and Government changes to the planning system have resulted in a fast changing policy environment. The opportunity is also being taken to revisit the strategic direction and policies for Westminster as set out in the adopted Westminster's City Plan.

The City Council intends to break plan development up into a number of discrete revisions as set out below:

1. Basements

The Basement consultation booklet was published between October and December 2013. This is a very important policy area for many of Westminster's residents. The City Council has recently published a Supplementary Planning Document to operate in the interim, however this can not create policy, and can only advise how adopted policies are applied in determining applications for basements.

The basement booklet proposed a single new detailed policy which would form the basis of the revision. This is supported by a report commissioned by the Council from Alan Baxter Associates that was published at the same time.

2. Vacant Building Credit

Government guidance has recently stated that where a building is vacant, for the purposes of Section 106 (including affordable housing) a credit should be given the equivalent of the vacant floorspace. This will have a significant impact on affordable housing, amounting for approximately 40% of the housing floorspace we currently negotiate affordable housing from overall, and significantly more when applied on a

case-by-case basis. A rapid revision to clarify the definition of 'vacant' would ensure that Westminster can continue to deliver appropriate levels of affordable housing.

3. Special Policy Areas (SPAs) and Policies Map

Westminster's City Plan: Strategic Policies designates five SPAs. Three of these already have detailed policies in the saved Unitary Development Plan (Harley Street, Portland Place and East Marylebone). A detailed policy for Harley Street was published in March/April 2014 in the Social and Community booklet, however a recent appeal suggests care needs to be taken in relation to the balance of medical and residential uses to ensure the appropriate level of protection for medical uses i.e. the purpose of the SPA, particularly given the current strong drivers for residential use. The Portland Place and East Marylebone SPAs were consulted on in the Westminster's Economy booklet (March/April 2014), including detailed policies for both. This will form the basis of the revision.

Two new SPAs were designated in the Core Strategy in 2011: Savile Row with specialist tailoring use and St James's for private members' clubs, art galleries and niche retail. Detailed policies were proposed in the Mayfair & St James's booklet, consulted on in December 2013 to February 2014. This booklet also included a new proposed SPA for Mayfair, focusing on the art galleries around Cork Street, and set out a detailed policy for this area. Again this would form the basis of the revision.

This revision will also 'tidy up' the adopted policies map boundaries where anomalies have arisen, including through site redevelopment and an updated OS basemap.

4. Mixed Use

The current strategic policy framework is based on the presumption that developers would prefer to bring forward offices than other types of floorspace in Westminster. This has now not been the case for four consecutive years, with conversions and redevelopment predominantly to residential use resulting in the loss to date of 167,000sqm of offices, with a further loss of 158,000sqm of offices under construction and 254,000sqm not started. In this context the presumptions underlying the adopted policy no longer apply and a new policy approach is needed as soon as possible to provide an adopted policy framework to support the decision-making process and investment decisions. The booklet for this topic, Mixed Use and Office to Residential Conversion published in December 2014 proposes significant changes to the existing policy approach which will form the basis of this revision.

5. Energy

The Energy consultation booklet, published in January 2015, sets out the proposed development standards for energy reduction, and the price for off-setting carbon emissions where the standards cannot be met. The general approach and carbon prices are supported by an evidence base report produced by Arup in 2013 (and a short 'addendum' in August 2014), both of which have been published. Two 'prices' for

carbon are proposed: one to apply immediately against the London Plan policy and the second to apply with our future policy approach. These will operate until such time as the government allows.

6. Full City Plan

The remaining revisions signalled in the consultation booklets will be progressed as a separate revision.

7. Waste

This was originally included as a separate DPD. However, in order to deliver a single plan this will now be progressed as a revision to Westminster's City Plan. It will follow the revisions set out above as there is an adopted strategic waste policy and the City Plan Revision referred to in 6 above will include some detailed policy relating to waste facilities in accordance with the Planning and Pollution booklet (construction waste) published in September 2014 and the Design booklet (on-site facilities) published in July 2014.

Other workstreams

In addition to those matters set out above, the City Council intend to publish a draft Community Infrastructure Levy (CIL) Charging Schedule in Spring 2015, with an independent examination of the CIL and progression to implementing Westminster's CIL later in the year.

It is intended to continue to prepare the Authority's Monitoring Report on an annual basis. This document provides a useful format for sharing monitoring information with the public, and ensuring local communities can access information which may assist them in their local governance and planning activities. It also assists in the determination of planning applications and appeals.

After the adoption of those revisions set out above, excluding waste, the City Council will need to undertake a full review of all topic-based Supplementary Planning Guidance to ensure they are up-to-date, and dove-tail appropriately with the Local Plan and London Plan. There is no requirement to include SPDs in the LDS, and therefore they have not been detailed here.

1. Basements

Title	Basement Revision to Westminster's City Plan
Purpose	To provide the detailed policy for managing basement developments
Status	Revision to Development Plan Document
Content	Insertion of new detailed basement policy into Westminster's City Plan: Strategic Policies for managing basement developments and for use in determining these planning applications
Geographical coverage	City of Westminster
Time period	At least fifteen years from adoption.
Review Timescale	Annual monitoring of the effectiveness of the policies through the Authority's Monitoring Report.
Timetable	<p>The development of the policy for this plan has been in development and subject to consultation through the following stages:</p> <ul style="list-style-type: none"> • Notification of the intent to prepare the revision (Regulation 18) Oct/Nov 2008 • Consultation to identify policy options including a series of topic-based workshops, with basements forming part of the Extensions and Alterations workshop on the 13th July 2009 • Consultation on policy options document (Section 7 Basements) Jan to Feb 2011 • Consultation on draft City Management Plan document including draft policy CMP 2.7 Subterranean Development Nov 2011 to Mar 2012 • Informal consultation on Basement booklet Oct to Dec 2013 <p>It is intended to now issue this policy as a single-topic revision to Westminster's 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"> • Notification of the intent to prepare the revision (Regulation 18) March/April 2015 • Formal Regulation 19 consultation on the submission draft Revision April – June 2015 • Submission to the Secretary of State July 2015 • Examination by Independent Inspector September/October 2015 • Inspector's Report November 2015 • Adoption December 2015
Notes	Progression of this revision is contingent on progress on the City Council's Code of Construction Practice to a sufficiently advanced stage to support the new policy

2. Vacant Building Credit

Title	Vacant Building Credit Revision to Westminster's City Plan
Purpose	To define vacancy for the purposes of applying the vacant building credit set out in government guidance
Status	Revision to Development Plan Document
Content	New definition of vacancy and policy for the application of the vacant building credit within Westminster
Geographical coverage	City of Westminster
Time period	At least fifteen years from adoption.
Review Timescale	Annual monitoring of the effectiveness of the policies through the Authority's Monitoring Report.
Timetable	<ul style="list-style-type: none"> • Notification of the intent to prepare the revision (Regulation 18) March/April 2015 • Formal Regulation 19 consultation on the Vacant Building Credit Revision April – June 2015 • Submission to the Secretary of State July 2015 • Examination by Independent Inspector November 2015 • Inspector's Report February 2016 • Adoption April/May 2016
Notes	

3. Special Policy Areas and Policies Map

Title	Special Policy Area and Policies Map Revision to Westminster's City Plan
Purpose	To provide the policy for five Special Policy Areas and make minor amendments to the 'Westminster City Plan: Strategic Policies' Policies Map
Status	Revision to Development Plan Document and 'Westminster City Plan: Strategic Policies' Policies Map
Content	<p>A) Strategic designation of the Mayfair Special Policy Area and inclusion of this area in City Plan Policy S2, for art galleries and antiques traders</p> <p>B) Insertion of detailed policies into Westminster's City Plan: Strategic Policies for managing the following Special Policy Areas:</p> <ul style="list-style-type: none"> Harley Street (to replace UDP Policy SOC5) Portland Place (to replace UDP Policies COM6 and COM7) East Marylebone (to replace UDP Policy COM12) Savile Row St James's Mayfair <p>C) Make minor boundary alterations to the adopted 'Westminster City Plan: Strategic Policies' Policies Map to address some minor errors in the current boundaries. The OS base map is updated periodically and this has created minor anomalies in the boundaries, for example where a City Plan designation boundary does not follow the actual site boundary on the base map.</p>
Geographical coverage	City of Westminster
Time period	At least fifteen years from adoption.
Review Timescale	Annual monitoring of the effectiveness of the policies through the Authority's Monitoring Report.
Timetable	<p>The development of the policy for this plan has been in development and subject to consultation through the following stages:</p> <ul style="list-style-type: none"> • Notification of the intent to prepare the revision (Regulation 18) Oct/Nov 2008 • Consultation to identify policy options including a series of topic-based workshops, with Special Policy Areas included in a workshop on the 28th July 2009 (all SPAs except Mayfair) • Consultation on policy options document (Section 19 East Marylebone, Section 24 Harley Street, Section 37 Portland Place, Section 46 Savile Row, Section 50 St James's) Jan to Feb 2011 • Consultation on draft City Management Plan document including draft policies CMP 1.17 East Marylebone, CMP 1.19 Portland Place, CMP 1.21 Harley Street, CMP 1.22 Savile Row, CMP 1.23 St James's, Nov 2011 to Mar 2012 • Informal consultation on Mayfair and St James's booklet (St James's, Savile Row and Mayfair SPAs) Dec 2013 to Feb 2014, Westminster's Economy booklet (Portland Place and East Marylebone SPAs) Mar to Apr 2014 and Social and Community Uses booklet (Harley Street SPA) Mar to Apr 2014 <p>It is intended to now issue this policy as a single-topic revision to Westminster's 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">• Notification of the intent to prepare the revision (Regulation 18) March/April 2015• Formal Regulation 19 consultation on the draft Revision April – June 2015• Submission to the Secretary of State July 2015• Examination by Independent Inspector November 2015• Inspector’s Report February 2016• Adoption April/May 2016
Notes	Where there are minor boundary changes relating to Conservation Areas and are materially different from the designated Conservation Area boundaries, a separate process will need to be undertaken under the Planning (Listed Buildings and Conservation Areas) Act 1990

4. Mixed Use

Title	Mixed Use Revision to Westminster's City Plan
Purpose	To provide the detailed policy for managing office floorspace and delivering mixed use in the Central Activities Zone
Status	Revision to Development Plan Document
Content	New policy including revision to the adopted Strategic Policy in Westminster's City Plan: Strategic Policies for managing office development including proposals involving the loss of office floorspace and office to residential conversion/redevelopment, and delivering mixed use
Geographical coverage	City of Westminster
Time period	At least fifteen years from adoption.
Review Timescale	Annual monitoring of the effectiveness of the policies through the Authority's Monitoring Report.
Timetable	<p>The development of the policy for this plan has been in development and subject to consultation through the following stages:</p> <ul style="list-style-type: none"> • Notification of the intent to prepare the revision (Regulation 18) Oct/Nov 2008 • Informal consultation on Mixed Use and Office to Residential Conversion booklet Dec 2014 to Feb 2015 <p>It is intended to now issue this policy as a single-topic revision to Westminster's 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"> • Notification of the intent to prepare the revision (Regulation 18) March/April 2015 • Formal Regulation 19 consultation on the submission draft Revision May - July 2015 • Submission to the Secretary of State September 2015 • Examination by Independent Inspector October/November 2015 • Inspector's Report January 2016 • Adoption March 2016
Notes	As the adopted policy is out of date, the emerging policy will be afforded some weight from the date of formal publication for the purposes of determining planning applications that result in the loss of office floorspace.

5. Energy

Title	Energy Revision to Westminster's City Plan
Purpose	To provide the detailed policy for delivering improvements to the energy performance of development
Status	Revision to Development Plan Document
Content	Insertion of new detailed energy policy into Westminster's City Plan: Strategic Policies for delivering energy efficiency, on-site and local energy solutions and the cost of carbon for where required energy targets cannot be achieved.
Geographical coverage	City of Westminster
Time period	At least fifteen years from adoption.
Review Timescale	Annual monitoring of the effectiveness of the policies through the Authority's Monitoring Report.
Timetable	<p>The development of the policy for this plan has been in development and subject to consultation through the following stages:</p> <ul style="list-style-type: none"> • Notification of the intent to prepare the revision (Regulation 18) Oct/Nov 2008 • Consultation to identify policy options including a series of topic-based workshops, with Energy forming part of the workshop on the 23rd July 2009 • Consultation on policy options document (Section 12 Carbon Targets) Jan to Feb 2011 • Consultation on draft City Management Plan document including draft policy CMP 2.1 Design Principles and Standards, CMP 2.2 Zero Carbon, CMP 2.3 Heating and cooling networks and combined heat and power and CMP 2.4 Requirement for renewable energy generation Nov 2011 to Mar 2012 • Informal consultation on Energy booklet Jan to Mar 2015 <p>It is intended to now issue this policy as a single-topic revision to Westminster's 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"> • Notification of the intent to prepare the revision (Regulation 18) March/April 2015 • Formal Regulation 19 consultation on the submission draft Revision May/June 2015 • Submission to the Secretary of State September 2015 • Examination by Independent Inspector February 2016 • Inspector's Report May 2016 • Adoption July – September 2016
Notes	

6. Full City Plan Revision

Title	Full Revision to Westminster's City Plan
Purpose	To provide a comprehensive Local Plan for Westminster excluding some strategic waste matters
Status	Revision to Development Plan Document
Content	<p>To set out criteria against which planning applications covering all of the policy areas set out in the topic-based booklets subject to informal consultation Oct 2013 to Mar 2015 not covered by the Revisions set out in 1 to 5 above 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 to the adopted Westminster City Plan: Strategic Policies as appropriate.</p> <p>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 fifteen years from adoption.
Review Timescale	Annual monitoring of the effectiveness of the policies through the Annual Monitoring Report.
Timetable	<p>The development of the policy for this plan has been in development and subject to consultation through the following stages:</p> <ul style="list-style-type: none"> • Notification of the intent to prepare the revision (Regulation 18) Oct/Nov 2008 • Consultation to identify policy options including a series of topic-based workshops Jun 2009 to Dec 2010 • Consultation on policy options document Jan to Feb 2011 • Consultation on draft City Management Plan document Nov 2011 to Mar 2012 • Informal consultation on a series of topic-based booklets Oct 2013 to Mar 2015 <p>It is intended to now issue this policy as a single-topic revision to Westminster's 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"> • Notification of the intent to prepare the revision (Regulation 18) March/April 2015 • Formal Regulation 19 consultation on the submission draft Revision September/October 2015 • Submission to the Secretary of State January 2016 • Examination by Independent Inspector May 2016 • Inspector's Report August 2016 • Adoption November 2016
Notes	

7. Waste Revision

Title	Waste Revision to Westminster's City Plan
Purpose	To set out how the City Council will meet its planning for waste commitments.
Status	Revision to Development Plan Document
Content	To be developed alongside, and build upon, revisions to Westminster's Municipal Waste Management Strategy, and connect contractual obligations with waste planning and capacity provision within Westminster. The Waste Revision will secure any new waste sites that have been identified, and will also set out any joint working arrangements with other London Boroughs.
Geographical coverage	City of Westminster
Time period	Ten years from adoption.
Review Timescale	Annual monitoring of the effectiveness of the policies through the Authority's Monitoring Report.
Timetable	Initial work underway but actual plan development will follow completion of items 1 to 6 above for resource reasons
Notes	There has been a commitment to preparation of this work since adoption of the Core Strategy in 2011 in order to meet the City Council's strategic requirements as set out in the London Plan. This was formerly referred to as a separate DPD, however it is considered most appropriate that it is incorporated into the Westminster City Plan to have a single local plan for Westminster.