



Westminster City Plan 2019-2024 Partial Review Examination

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Initial Comments and Questions to the Council

Based on my reading of the evidence and representations made on the Plan Review, I set out below a number of initial comments and questions for the Council. The responses will help me in identify those matters and issues that need to be examined further.

Recommending modifications

Section 20 of the Planning and Compulsory Purchase Act 2004 allows the Council to request me to recommend modifications to the City Plan 2019-2040 Partial Review (CORE 001) (the Plan) to make it legally compliant and sound in the event that I find it is not so. If that request is made, then Section 23 of the Act requires that any modifications I recommend must be incorporated into the Plan. If the Council does not request me to recommend modifications, then my conclusion will be either that the Plan should be adopted or that it should not.

Q1 In the event that I find them to be necessary, does the Council wish me to recommend modifications to make the Plan legally compliant and sound?

Scope

As the submission is a partial review of the adopted City Plan it is important to be clear what is in-scope and what is out-of-scope for the purposes of the examination. New policies 8, 9, 10, 11, 13 and 45 are clearly in-scope as are revisions consequential to those new policies, such as renumbering other policies and the contents table, additions to the glossary and key performance indicators. Other changes would appear to be out-of-scope. Although these other changes were included in the Regulation 19 version of the Plan, views were not explicitly sought on them in the same way that they were on the new policies (for example the guide to the City Plan Partial Review (O-001)).

Q2 Do you agree with what is in-scope and out-of-scope for the purposes of the examination?

Most of the out-of-scope changes, including those to the contextual material in the foreword, context and objectives chapters, may be considered as minor as they do not materially affect the Plan's policies. However, there are other changes proposed to out-of-scope policies and their supporting text which require more careful consideration. Examples are Policies 39 (flood risk), 41 (waste management), and the supporting text to Policy 40 (energy). There is also an

additional paragraph to viability in the implementation and monitoring chapter, and a change to the trigger on key performance indicator 1 (KPI1).

- Q3 Are the out-of-scope changes minor such that they would not materially affect the Plan's policies?**
- Q4 Does that apply to those changes to out-of-scope policies, priorities if viability is not met, and the trigger for KPI1? If so, please give an explanation why that is the case.**
- Q5 Similarly, for the out-of-scope changes proposed in the schedule of proposed modifications (CORE 002), are they material or minor?**

Modifications

A schedule of proposed modifications (CORE 002) has been put forward by the Council in response to representations received during the Regulation 19 consultation. The starting point for the examination is that the Council has submitted what it considers to be a legally compliant and sound plan. If requested, any changes I recommend would have to be to remedy matters of legal compliance or soundness. It is possible therefore that subsequent modifications, even if suggested by the Council, would not be recommended if they are not necessary to make the Plan legally compliant or sound.

Nevertheless, the schedule is helpful in identifying possible modifications that may be needed. Modifications can either be main modifications, which are required to make the Plan legally compliant or sound, or additional modifications that do not materially affect the Plan's policies but are useful in correcting errors or adding clarity. The former are material to the examination, the latter are not. It would be helpful if the Council could replace the schedule with two separate schedules, divided into the two categories of modifications.

- Q6 Can the Council clarify what it considers to be main modifications and additional modifications in the schedule of proposed modifications (CORE 002)?**

Revised National Planning Policy Framework

A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. While there will be the opportunity to comment on it more fully later in the examination, it would be helpful to know if any of the revisions are likely to materially alter the Council's view of any parts of the Plan Review, notwithstanding the transitional arrangements in paragraph 234 of the revised Framework.

- Q7 Do any of the revisions to the Framework affect the Plan Review?**

Clarification

Clarification is requested for the following matters:

- Q8 Is the Submission Plan (CORE 001) the same as that used in the Regulation 19 consultation?**

- Q9 Has the schedule of proposed modifications (CORE002) been subject to any consultation?**
- Q10 Are there any proposed changes, other than the foreword, the new policies and their supporting text, that are not shown in red underline/strikethrough in the Submission Plan (CORE 001)?**
- Q11 Should the box on page 4 of CORE 001 refer to four rather than five new site allocation policies?**
- Q12 Should CORE 005 Submission Policies Map be more accurately titled as CORE 005 Proposed Modification to Regulation 19 Policies Map?**
- Q13 Was the Regulation 19 consultation carried out in accordance with the Statement of Community Involvement?**
- Q14 The Integrated Impact Assessment (CORE 007) includes an equalities impact assessment, but there is also a separate Equalities Impact Assessment (CORE 010). Is there any difference between them?**

Next Steps

I am not at this stage seeking views from anyone other than the Council. Following receipt of answers to my initial questions I expect to circulate a Matters, Issues and Questions paper, identifying the points on which I wish to hear further evidence. These will include substantive matters relating to the new policies. Those who made representations at the Regulation 19 stage will be informed of that paper and the date and time of any hearing sessions. A guidance note will accompany the paper providing advice on how the Council and representors may participate either in writing, or in person at a hearing.

Will the Council please add this letter to the examination website.

Guy Davies

INSPECTOR