

CITY PLAN 2019 - 2040

Statement of Common Ground between City of Westminster and the Mayor of London

November 2024

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1 Introduction

1.1 Executive Summary

- 1.1.1 This Statement of Common Ground has been prepared to demonstrate that Westminster’s Partial City Plan Review is ‘based on effective joint working on cross boundary strategic matters’, in accordance with the requirements of Paragraph 35 of the National Planning Policy Framework (NPPF).
- 1.1.2 As the council have liaised with the Greater London Authority (on behalf of the Mayor of London) throughout the development of the Partial Review- as documented in the separate Consultation Statement and Duty to Cooperate Statement), this statement focuses on issues raised by the Mayor of London in response to Regulation 19 consultation. It demonstrates collaborative working between both parties and sets out where common ground has subsequently been reached, including through proposed modifications that both parties agree to.

2 Background

2.1 Background

- 2.1.1 The current City Plan was adopted in April 2021 however there has since been a change in political administration (local elections 2022). Subsequently, the council now have new priorities for the local plan with regard to affordable housing and retrofitting. A partial review of the adopted City Plan that focusses on these issues, and introduces a small number of site allocations, therefore commenced in late 2022.
- 2.1.2 The council engages on a regular basis with the Greater London Authority and its neighbouring boroughs to discuss strategic and cross-boundary issues as set out in its Duty to Cooperate Statement. This Statement of Common Ground sets out how the council has cooperated with the Greater London Authority (on behalf of the Mayor of London) to reach agreement on strategic cross-boundary matters relevant to the policies and proposals within Westminster's Partial City Plan Review on affordable housing, retrofit, and site allocations.
- 2.1.3 The council and the Greater London Authority have held discussions on the scope, approach and content of the City Plan Partial Review throughout its production. In broad terms, the Mayor of London is supportive of the focus in the partial review on the climate emergency and affordable housing, both of which are strategic goals for Good Growth in London as set out in the London Plan. They also support the introduction of some site allocations to help guide and shape the development of key underutilised sites in the city.

3 Policies in the Partial Review

3.1 Affordable housing

3.1.1 A strengthened affordable housing policy forms a core strand of the Partial Review of the City Plan. In summary, based on updated evidence of huge levels of affordable housing need in Westminster (as documented in the Strategic Housing Market Assessment, January 2024), the key revisions to the affordable housing policy propose to:

- bring it into closer alignment with the London Plan in terms of references to the 50 per cent strategic affordable housing target and reflecting the threshold approach to viability testing;
- change the tenure split- prioritising social housing over intermediate housing whilst remaining within the parameters set in the London Plan on tenure mix;
- incorporate new requirements for affordable housing contributions from small-scale residential development (defined as those that deliver fewer than 10 homes);
- seek that all affordable housing delivered as part of a portfolio approach to public sector land be provided in Westminster;
- introduce a series of tests to ensure vacant building credit is only applied where there is a genuine need for it.

3.1.2 In terms of the portfolio approach to affordable housing, the Mayor of London has suggested in response to Regulation 19 consultation that policy should be amended to clarify that the threshold should be set at 50 per cent on publicly owned land where there is no portfolio agreement with the Mayor, and that 50 per cent affordable housing on all public sector owned land in Westminster may not be necessary where at least 35 per cent is secured on each site and 50 per cent overall.

3.1.3 Whilst not included in the Mayor of London’s Regulation 19 response, discussions on this issue have also highlighted some concerns that the wording included in Policy 13B is also misleading in giving the impression that developments that do not meet minimum affordable housing requirements will be refused as a default, rather than subject to viability assessments under the Mayor’s Fast Track route to affordable housing. Whilst clause 13F (which should be read alongside clause 13B) already refers to this, it is agreed that some further modification to clause 13B would provide clarity. As such, the council now proposes the following modifications to Policy 13B:

“B. ~~All~~ Major residential developments will maximise the provision of affordable housing. To be assessed under the Fast Track Route:

1. on private land, a minimum of 35% affordable housing is required;

2. on public sector land:

o where a portfolio approach is not proposed, the requirement increases to 50% affordable housing;

o where a portfolio approach ~~to delivery on public sector land~~ is proposed in agreement with the Mayor of London, all the portfolio sites will be located in Westminster and 50% affordable housing will be delivered across the portfolio, with a minimum of 35% at each individual site.”

3.1.4 **The Mayor agrees to these additional references to the Fast Track Route.** However, whilst references to the portfolio approach makes clear that every site in Westminster subject to a portfolio agreement with the Mayor must secure at least 35 per cent affordable housing on site, in line with the London Plan, it does also maintain that all portfolio sites should be located in Westminster, rather than across the Greater London area, to ensure they fully contribute to exceptionally high levels of housing need in the city. **The Mayor disagrees with this approach,** and is clear this aspect of the modification does not go far enough. It should reflect that the portfolio extends across London as a whole and not just within the City of Westminster. It is the Mayor's opinion that the policy should be further amended to enable the portfolio approach to function as intended, across the whole of London and not just within the City of Westminster.

3.2 Retrofit first

- 3.2.1 In response to the council's climate emergency declaration and recognising the negative environmental impacts of embodied carbon associated with the demolition and redevelopment of buildings, a new policy in the City Plan Partial Review seeks to prioritise the retrofit of existing building stock in the first instance before considering re-build options. This policy seeks to build upon the ambitions set in the London Plan for considering whole-life carbon, as per Policy SI 2 – Minimising Greenhouse Gas Emissions.
- 3.2.2 Whilst the Mayor supports these broad policy intentions, as set out in his Regulation 19 response, he did note that it is important that any new policy does not disincentivise the development of new buildings with high environmental standards that are necessary to meet the need for housing growth, and commercial growth that supports the strategic functions of the CAZ as set out in the London Plan.
- 3.2.3 The council acknowledges these concerns from the Mayor and multiple other stakeholders and maintains that the policy is not intended to disincentivise sustainable growth throughout the city. Indeed, provision is made within Part D of the proposed modifications to the policy which specifies that the delivery of public benefits will be a key consideration when assessing options for delivering new buildings. This is reiterated through the Retrofit First draft guidance document developed to support the emerging policy, which the council is submitting alongside the plan. Post adoption of the Retrofit First policy, it is intended that this guidance would become a Supplementary Planning Document (SPD). This may either be a new standalone Retrofit SPD, or it may instead be incorporated within the existing Westminster Environment SPD.
- 3.2.4 The draft guidance document has been written to provide further details on how the Retrofit First policy should be implemented. It highlights how public benefits can be demonstrated to assist in understanding whether a scheme subject to the sequential test should proceed with substantial demolition or not. This includes consideration of matters such as the positive economic impacts a proposal for a new building may bring – meaning interpretation of the policy will not compromise the strategic functions of the CAZ which include the need for high value jobs and commercial growth.
- 3.2.5 Furthermore, the policy makes specific provisions to consider the delivery of affordable homes and states that where residential schemes propose policy compliant affordable housing, the upfront embodied carbon targets set by the policy do not need to be adhered to where they impact the viability of the scheme. Similarly, proposals for buildings which are not commercial or residential (for example, public infrastructure) are not required to adhere to specific upfront embodied carbon targets, but rather are required to demonstrate that they have tried to reduce embodied carbon as much as possible. This aligns with policy DF1 (Delivery of the Plan and Planning Obligations) of the London Plan, which prioritises affordable housing and public transport infrastructure delivery when viability issues arise. Text included in page 204 of the Regulation 19 version of the plan also explains how the council will ensure a balanced assessment of requirements that prioritises affordable housing and public transport improvements when viability issues arise, further aligning with the objectives of London Plan Policy DF1.
- 3.2.6 As a result of the policy acknowledging the role of public benefits in decision making, the proposed wording within the retrofit first policy acknowledges the importance of securing commercial growth in the city which is recognised to be of London-wide and national importance,

alongside much needed housing growth. This demonstrates that the council are committed to ensuring that growth in the priority areas of the city is not hampered by the introduction of this policy and that sustainable development continues.

- 3.2.7** On this basis, the Mayor of London has not raised a general conformity objection in relation to the council's approach to retrofit and supports the council's efforts to address this issue. However, he requests that the impact of the policy on economic growth within the CAZ is closely monitored to inform any future revisions to the policy as part of any planned Full City Plan Review.

3.3 Site allocations

- 3.3.1 The City Plan Partial Review incorporates 4 proposed site allocations with the intention of helping guide and shape substantial development at these key, underutilised sites. The site allocations are as follows:
- St Mary’s Hospital
 - Land adjacent to Royal Oak Station
 - Westbourne Park Bus Garage
 - Grosvenor Sidings
- 3.3.2 As set out in the Mayor’s Regulation 19 representation, his key concern with site allocations is that any land use mix does not compromise the strategic office function of the CAZ as set out in Policy SD5 of the London Plan.
- 3.3.3 As Westbourne Park Bus Garage falls outside of the CAZ, this is not a concern regarding that site, and residential-led development of any surplus land is compatible with the London Plan. For the other proposed site allocations, the council’s position is that:
- Wording for St Mary’s Hospital and Land adjacent Royal Oak Station both indicate commercial development will be a key land use (alongside a new hospital at St Mary’s) and potential residential at both sites. Development at both sites will therefore support new commercial growth in line with the strategic functions of the CAZ;
 - Grosvenor Sidings is in a predominantly residential area of the CAZ – it is bounded by residential neighbourhoods to both the east and west, and outside of any CAZ Retail Cluster or Opportunity Area designations. As such, residential led growth at this location is expected rather than substantial new office development, as set out in the draft allocation.
- 3.3.4 On this basis, the Mayor of London supports the approach to land use at each of the proposed site allocations mentioned above.**
- 3.3.5 In addition, the Mayor sought recognition in his Regulation 19 representation that policy for land adjacent to Royal Oak Station makes clear development should support step-free access to the station. In response to this, the council proposes to include a specific reference to this in a modified clause A, as set out below:
- “A. The **viable** delivery of improvements to the access of Royal Oak station and its surrounds, and permeability through the site for pedestrians, alongside the delivery of a mix of uses including commercial **uses land** (potentially including office, light industrial or logistics) **uses and new housing provision** to positively contribute to the needs of the local area. **This will include contributions towards the delivery of step-free access to the station and enhancements to station capacity;**”
- 3.3.6 The Mayor of London supports this modification.**

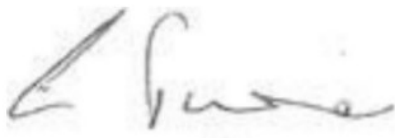
4 Conclusion

4.1 Conclusion

- 4.1.1 This statement details each party's position on the key issues raised by the Mayor in his Regulation 19 representation, including where agreement has been reached. Other issues included in the Mayor's representation relate to matters raised by Transport for London, and are addressed in the council's schedule of modifications.
- 4.1.2 This document has been prepared as a live document that can be updated in response to any issues arising through the examination as necessary.

4.2 Signatories

The Greater London Authority (on behalf of the Mayor of London) agree to the matters referred to in this statement:



Signed by:

Name: Lucinda Turner

Position: Assistant Director for Planning and Regeneration, Greater London Authority

Date: 31st October 2024

City of Westminster agree to the matters referred to in this statement:



Signed by:

Name: Debbie Jackson

Position: Executive Director of Regeneration, Economy & Planning

Date: 1st November 2024

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