

**Fitzrovia West Neighbourhood Development Plan**  
**Basic Conditions Statement**

The Neighbourhood Planning (General) Regulations  
2012  
Part 5, Regulation 15

**March 2020**



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# 1. Introduction

## Overview

- 1.1. The Fitzrovia West Neighbourhood Forum has produced this Basic Conditions Statement to accompany the submission version of the Fitzrovia West Neighbourhood Plan. It demonstrates how the proposed Neighbourhood Plan has been prepared in accordance and conformity with the Neighbourhood Planning General Regulations (2015) (as amended) and how other considerations as prescribed by Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act (1990) have been considered to have been met.
- 1.2. The Basic Conditions for Neighbourhood Plans are:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan.
  - The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
  - The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
  - The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.
  - Prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with the proposal for the Neighbourhood Plan.
- 1.3. In addition to the primary legislation listed above, one further Basic Condition is set out within the Neighbourhood Planning (General Regulations) 2012 (as amended). This is that<sup>1</sup>:
- The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitat sites.
- 1.4. This Basic Conditions Statement, along with the Consultation Statement, support and provide evidence to the Fitzrovia West Neighbourhood Plan.

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<sup>1</sup><https://www.gov.uk/guidance/neighbourhood-planning--2#EU-obligations-neighbourhood-planning> (accessed March 2020)

## 2. Key statements, including Area statement

- 2.1. The Fitzrovia West Neighbourhood Plan has been prepared and submitted to Westminster City Council by the Fitzrovia West Neighbourhood Forum. The Neighbourhood Forum is the qualifying body and is entitled to submit a Neighbourhood Plan for the Fitzrovia West Neighbourhood Area.
- 2.2. The Fitzrovia West Neighbourhood Area sets out policies that relate to development and the use of land within the neighbourhood area, as shown in Figure 1.
- 2.3. The Neighbourhood Plan does not relate to more than one neighbourhood area. There are no other adopted Neighbourhood Development Plans which cover the designated neighbourhood area.
- 2.4. The Neighbourhood Plan covers the period 2020-2035.

### **Area Statement**

- 2.5. The Fitzrovia West Neighbourhood Area was designated by Westminster City Council (WCC) on 28th March 2014 (see Appendix 1 for the WCC designation document).
- 2.6. The Fitzrovia West Neighbourhood Forum was designated as a Business Neighbourhood Forum and was confirmed as the Qualifying Body for the designated area with a written constitution for a business neighbourhood. This enabled the Neighbourhood Forum to begin the process of developing a neighbourhood plan for Fitzrovia West.
- 2.7. The Fitzrovia West Neighbourhood Forum was re-designated for an additional five-year term on 20 February 2020.
- 2.8. The original Fitzrovia West Neighbourhood Area application notes that the Cleveland Street Conservation Audit correctly observes that this area has a special “social and cultural history, which in turn has contributed to a great sense of community pride” The Fitzrovia West Neighbourhood Area is shown on the map below – its boundary is highlighted in red.

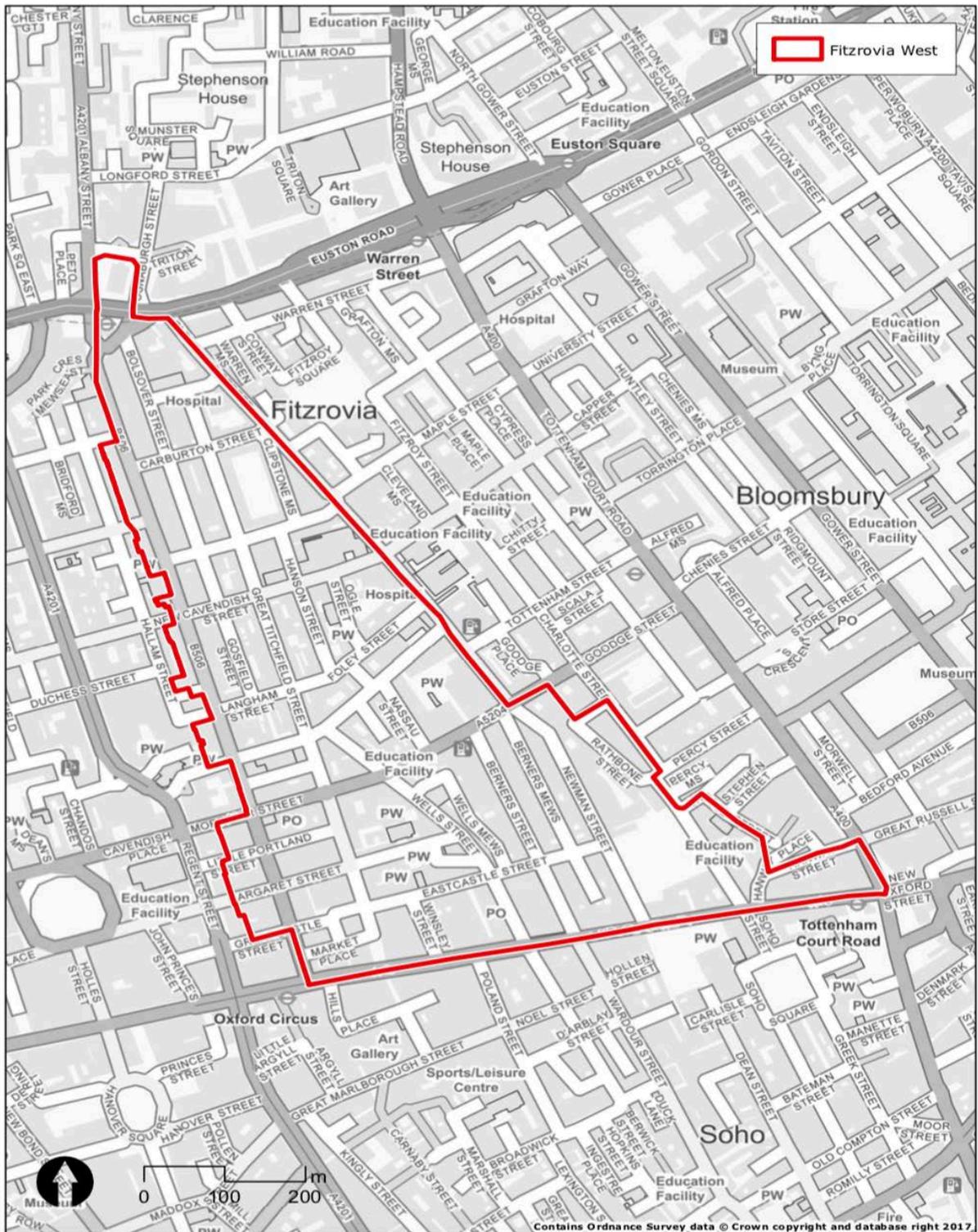


Figure 1: The designated Fitzrovia West Neighbourhood Plan area

### 3. National Policies and Guidance

- 3.1. The Fitzrovia West Neighbourhood Plan is required to be prepared in accordance with national planning policy and guidance. National planning policy is established within the National Planning Policy Framework (NPPF) (2019), with supporting guidance set out in Planning Practice Guidance published by the Department for Communities and Local Government (DCLG).
- 3.2. The NPPF (para.29) iterates that neighbourhood planning “gives communities the power to develop a shared vision for their area”.
- 3.3. The NPPF establishes the framework for developing local and neighbourhood plans. As the principles of the NPPF are based on “a presumption in favour of sustainable development” (Para. 13) it is stated that “the application of the presumption will have implications for how communities engage in neighbourhood planning”. Critically, the NPPF (para. 13) stipulates that “neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”.
- 3.4. In line with the objectives of the NPPF, the Fitzrovia West Neighbourhood Plan provides positive planning guidance for the area. The policies have been informed by the guidance set out in the NPPF, with the following topics and paragraphs of the NPPF being the most relevant:

#### **Delivering a sufficient supply of homes**

- 3.5. The Fitzrovia West NDP sets out the following policies that aim to deliver a sufficient supply of homes:

Policy PR2(a,d,e,h,i): Housing Provision	<b>NPPF ref. (paras.) 59-66</b>
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- 3.6. In accordance with the new Westminster City Plan (2019-2040), the Fitzrovia West NDP recognises that affordable housing should play an integral role in all new housing developments (including intermediate and/or social housing) of the required size and scale. Policy PR2 (a and d) encourage and strongly support new housing provision which falls within the definition of ‘affordable’, is owned/provided by a registered provider, housing association or community-based charitable organisation. In accordance with para.64 of the NPPF, Policy PR2(i) states that affordable housing arising from s106 agreements should be transferred to a registered housing provider and rented or sold at below market levels.
- 3.7. To effectively respond to and address local identified need, Policy PR2(e) states that adequate housing provision which meets the needs of all age groups and those with special needs should be available.
- 3.8. In alignment with para.59 of the NPPF (and the Government’s objective of boosting housing supply), the Fitzrovia West NDP requires an additional condition and/or legal agreement should be added to the planning permission to ensure that all newly constructed housing is to be occupied as a ‘principal residence’.
- 3.9. These policies meet the aims of the NPPF by sufficiently accommodating those who require affordable housing, whilst also meeting the needs of different groups in the community, through addressing the needs of all age groups and those with special needs.

## Building a strong, competitive economy

- 3.10. The Fitzrovia West Neighbourhood Plan sets out the following policies to build a strong and competitive economy:

Policy PR3: Tourism, Arts, Culture, and Entertainment Uses	<b>NPPF ref. (paras.) 80-82</b>
Policy B1 (1,3 and 4): Small Business Units	
Policy B2 (1-5): Retail and Related Uses	

- 3.11. Policy PR3 promotes the development of tourism and cultural-related mixed-use development through supporting the provision of new tourism and entertainment uses such as hotels, bars and night clubs of 500sqm gross floorspace or more within the West End Retail and Leisure Special Policy Area (WERLSPA) situated in the Oxford Street frontage and area north of Mortimer Street. This conforms with para. 80 of the NPPF as Policy PR3 actively seeks to support economic growth and productivity within the Fitzrovia West Plan area.
- 3.12. Policies B1 and B2 state that the redevelopment of existing buildings must result in an equivalent or increased number of business and retail units, whilst also protecting existing A1 retail use premises and ensuring that applications of developments for B1 uses in excess of 1,000sqm and retail spaces in excess of 2,500sqm should include a range of unit sizes and types to accommodate small and independent businesses. In the case of retail developments in excess of 2,500sqm, 10% of this space should be designated for small retail units (except in the Tottenham Court Road Opportunity Area and the West End International Shopping Centre).
- 3.13. Policy B2(1) also states that where there is evidence that a retail unit has been advertised to let for more than eighteen months, alternative uses such as A2, A3 and leisure uses can be considered. Parades of shop units containing A1, A2 and A3 ground floor uses should be protected where possible and developments with small business spaces at below market rents for social enterprises, charities and start-ups will be supported.
- 3.14. The above conforms with para.80 of the NPPF through helping to create conditions in which businesses can invest, expand and adapt. Specifically, the policies focus on ensuring that the Plan area can accommodate small businesses.

### Ensuring the vitality of town centres

- 3.15. The Fitzrovia West Neighbourhood Plan sets out the following policies to ensure the vitality of town centres:

Policy PR3: Tourism, Arts, Culture, and Entertainment Uses	<b>NPPF ref. (paras.) 85-90</b>
Policy B1 (1,3 and 4): Small Business Units	
Policy B2 (1-5): Retail and Related Uses	

- 3.16. As above, policies PR3, B1 and B2 all contribute to this NPPF objective.
- 3.17. Of particular reference, Policy PR3(2) supports the provision of cultural activities, such as museums, libraries, art galleries and related uses so long as there is no loss of residential or A1 retail uses.
- 3.18. Policies B1 and B2 state that the redevelopment of existing buildings must result in an equivalent or increased number of business and retail units, whilst also protecting existing A1 retail use premises and ensuring that applications of developments for B1 uses in excess of 1,000sqm and retail spaces in excess of 2,500sqm should include a range of unit sizes and types to accommodate small and independent businesses.
- 3.19. Policy B2(1) also states that where there is evidence that a retail unit has been advertised to let for more than 18 months, alternative uses such as A2, A3 and leisure uses can be considered.
- 3.20. The Fitzrovia West NDP states that parades of shop units containing A1, A2 and A3 ground floor uses should also be protected where possible.
- 3.21. The above policies accord with para. 85 of the NPPF which states that planning policies should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation – this includes allowing a suitable mix of uses (including housing) which reflects distinctive characters. Given that the Fitzrovia West NDP area sits within London’s CAZ, it is considered entirely appropriate for the NDP to support the provision of cultural activities, whilst also accommodating small businesses.

### Promoting healthy and safe communities

- 3.22. The Fitzrovia West Neighbourhood Plan sets out the following policies to promote healthy and safe communities:

Policy PR2 (b,f): Housing Provision	<b>NPPF ref. (paras.) 91-95</b>
Policy PR4 (1,2,3): Retaining and Expanding Community Facilities	
Policy GS1: Protecting and Enhancing Existing Green and Open Spaces	
Policy GS2: Creating New Green and Open Spaces	

Policy EN1: Promoting Improved Environmental Sustainability and Air Quality	
Policy EN2: Renewable Energy	
Policy T1: Pedestrian Movement and Sustainable Transport	
Policy T2: Improving the Distribution and Delivery of Goods to Local Businesses	

- 3.23. Policy PR2(b) supports NPPF’s aims (para. 91c) through stipulating that all new housing should provide access to outdoor space, such as gardens, balconies, green roofs or other similar provision.
- 3.24. Policy PR2(f) encourages all development of more than five units to consider providing additional community meeting spaces. Similarly, Policy PR4 supports development proposals for new community, health and sports facilities with access arrangements to meet the needs of all user groups. Policy PR4 also seeks to protect existing community and leisure uses (Class D) and encourages development proposals for redundant social infrastructure to provide for full or partial use as other social infrastructure uses.
- 3.25. Policy GS1 and GS2 support development proposals which protect and enhance existing open and green spaces, whilst also stating that all new major development proposals should incorporate an appropriate and well-designed new open or green space.
- 3.26. Policy EN1 states that all application should demonstrate and make a positive contribution towards improving ambient air quality and reducing greenhouse gas emissions (and thus reducing the urban heat island effect within the Neighbourhood Plan area.
- 3.27. Likewise, Policy EN2 supports development proposals which minimise energy use and maximise energy efficiency and the production and use of renewable energy.
- 3.28. The Fitzrovia West NDP also supports improvement for those walking, cycling or accessing public transport, in accordance with the Mayor’s ‘Healthy Streets’ Approach (Policy T1). Policy T2 states that developments will be encouraged to reduce traffic flow and congestion through the area and support the increased use of electric vehicles.
- 3.29. It is considered that the above policies are in accordance with NPPF objectives, through ensuring that policies aim to achieve healthy places. In particular, the Fitzrovia NDP aligns with para.90(a and c) of the NPPF, which states that policies should promote social interaction, (including opportunities for meetings between people) and enabling healthy lifestyles through the provision of safe and accessible green infrastructure and sports facilities and layouts which encourage walking and cycling.

## Promoting sustainable transport

- 3.30. The Fitzrovia West Neighbourhood Plan sets out the following policies to promote sustainable transport:

Policy PR2(g): Housing Provision	<b>NPPF ref. (paras.) 102-107</b>
Policy T1: Pedestrian Movement and Sustainable Transport	
Policy T2: Improving the Distribution and Delivery of Goods to Local Businesses	

- 3.31. Policy PR2(g) states that off-street car parking in new developments should only be provided in accordance with the London Plan and WCC policy.
- 3.32. In accordance with para. 102(e) of the NPPF, Policy T1 states that development proposals will support improvements for those walking, cycling or accessing public transport in order to create “healthy streets”, whilst also supporting on-street provision for cycle parking and off-street space for bicycle storage. Policy T1(d) also states that development proposals will support the concept of a ‘super gird’, whereby traffic uses the main distributor roads thus restricting vehicular access on smaller streets (except for essential servicing).
- 3.33. Policy T2 stipulates that development proposals will be supported which include measures designed to rationalise the delivery of goods in the area.
- 3.34. These policies meet the NPPF’s aims, as the Fitzrovia West NDP supports the provision of cycling and walking networks and associated infrastructure such as cycle parking facilities. The NDP is further aligned with the NPPF in respect of the wider movement network as it intends to rationalise the movement of delivery vehicles, thus ensuring that the impacts of development on the transport network have been adequately addressed.

**Making effective use of land**

- 3.35. The Fitzrovia West Neighbourhood Plan sets out the following policies to make effective use of land.

Policy PR1(1,2,3,4): Promoting Regeneration	<b>NPPF ref. (paras.) 117-123</b>
Policy PR2(d): Housing Provision	
Policy PR3 (2): Tourism, Arts, Culture and Entertainment Uses	
Policy B2(1,5,6): Retail and Related Uses	
Policy GS2(3): Creating New Green and Open Spaces	

- 3.36. Policy PR1(1) states that the redevelopment or extension of existing buildings will be supported where applications meet the highest quality design standards, achieve the highest levels of environmental sustainability and make a positive contribution to the public realm. Policies PR1(2) and (3) stipulate that applications for refurbishment of unlisted buildings of merit and redevelopment of other building will be supported where they meet specified criteria. Policy PR1(4) provides that applications will be supported where the scale and massing of adjoining buildings is respected.
- 3.37. The Fitzrovia West NDP also supports the provision of new affordable housing created from a conversion or new construction (which is provided by a registered provider, housing association or community-based charitable organisation).
- 3.38. Policy PR3(2) supports the provision of cultural activities, such as museums, libraries, art galleries and related uses, on the condition that there is no loss of residential or A1 retail uses.
- 3.39. In accordance with para.117 and 118(d) of the NPPF, the NDP seeks to promote the effective use of land through the development of under-utilised land and buildings. As stated in the Policy B2(1), where there is evidence that a retail unit has been vacant and advertised to let for more than 18 months, alternative uses, such as A2 and A3 and leisure uses can be considered. Similarly, Policy B2(5) states that where long-term vacancies of a year or more occur, a wide range of alternative uses should be considered (such as leisure, entertainment e.g. cinemas, sports, office and residential if above ground and first floor levels). Policy B2(6) adds that where ground floor units are vacant, temporary, pop-up uses will be supported so long as they don't create any adverse environmental impacts.
- 3.40. Policy GS2(3) supports temporary or meanwhile uses which provide additional landscaping or play space.
- 3.41. These policies meet the aims of the NPPF (para.118), as all policies encourage multiple benefits from urban land, including through mixed-use schemes.

## Achieving well-designed places

- 3.42. The Fitzrovia West Neighbourhood Plan sets out the following policies to achieve well-designed places:

Policy PR1(1,3): Promoting Regeneration	NPPF ref. (paras.) 124-132
Policy PR2: Housing Provision	
Policy GS1: Protecting and Enhancing Existing Green and Open Spaces	
Policy GS2: Creating New Green and Open Spaces	
Policy EN1: Promoting Improved Environmental Sustainability and Air Quality	
Policy EN2: Renewable Energy	

- 3.43. Policy PR1 supports the redevelopment or extension of existing buildings in the Plan area where applications meet the highest quality design standards. Specifically, development proposals which preserve or enhance listed buildings will be supported. Additional conditions, such as not causing harm to heritage assets through the development of mansard roofs or additional storeys and ensuring that ventilation shafts are fully integrated into the fabric of new development are also set out within Policy PR1. Policy PR1 also makes reference to tall buildings, stating that proposals will be carefully assessed in relation to the likely impact of the distinctive character of the area, particularly where they may have an adverse impact on the setting of a listed building, views to or from Conservation areas or impact on a strategic viewing corridor.
- 3.44. Policy PR1(3) states that applications for the redevelopment of all other buildings (non-listed buildings) will only be supported if a) the building being replaced has little or no architectural or historic significance, b) the massing, scale and height fully respect that of adjoining properties and the street as a whole, c) special attention is paid to the use of materials and the design of street frontages and points of access to ensure that these provide visual interest [...] d) mixed-use development should provide landscaped open space including children’s play space and f) all developments should achieve or exceed prevailing national and local sustainability standards.
- 3.45. Policy PR2(c) also affirms that all new housing regardless of tenure should be well-designed.
- 3.46. As per para. 127(b) of the NPPF, Policies GS1 and GS2 support development proposals which protect and enhance existing open and green spaces, tree and landscaping within the Plan area, in addition to ensuring that all new developments should incorporate an appropriate and well-designed new open or green space.
- 3.47. In accordance with para.27(f) of the NPPF, the Policy EN1 promotes health and well-being through stipulating that all applications should demonstrate and make a positive contribution towards improving ambient air quality and reducing emissions of greenhouse gases, as well as supporting development proposals which minimise energy use and maximise energy efficiency and the production and use of renewable energy.

- 3.48. As evidenced above, the Fitzrovia West NDP conforms with para. 124 of the NPPF, as the NDP sets clear design expectations for the Plan area, whilst also ensuring that developments will function well and are visually attractive (para. 127a and b of the NPPF).

### Meeting the challenge of climate change, flooding and coastal change

- 3.49. The Fitzrovia West Neighbourhood Plan sets out the following policies to meet the challenge of climate change, flooding and coastal change:

Policy GS1: Protecting and Enhancing Existing Green and Open Spaces	<b>NPPF ref. (paras.) 148 – 169</b>
Policy GS2: Creating New Green and Open Spaces	
Policy EN1: Promoting Improved Environmental Sustainability and Air Quality	
Policy EN2: Renewable Energy	
Policy T1: Pedestrian Movement and Sustainable Transport	
Policy T2: Improving the Distribution and Delivery of Goods to Local Businesses	

- 3.50. Policies GS1 and GS2 support development proposals which protect and enhance existing open and green spaces, trees and landscaping within the Plan area, in addition to incorporating appropriate and well-designed open or green space within all new major development proposals (such as living roofs, living walls and ecologically sensitive landscaping).
- 3.51. With regard to promoting environmental quality, Policies EN1 and EN2 state that all applications should demonstrate and make a positive contribution towards improving ambient air quality and reducing emissions of greenhouse gases and the urban heat island effect. Furthermore, the Fitzrovia West NDP supports developments which minimise energy use and maximise energy efficiency and the production and use of renewable energy.
- 3.52. Policies T1 and T2 support improvements for those walking, cycling or accessing public transport in order to create ‘healthy streets’, in addition to supporting the increased use of electric vehicles.
- 3.53. The above policies and associated measures accord with para. 148 of the NPPF, which states that the planning system should support the transition to a low carbon future – including ways which contribute to reductions in greenhouse gas emissions and supporting renewable and low carbon energy and associated infrastructure. Specifically, Policy EN2 aligns with para. 154 of the NPPF, which states that local authorities should not require applicants to demonstrate the overall need for renewable or low-energy.

### Conserving and enhancing the natural environment

- 3.54. The Fitzrovia West Neighbourhood Plan sets out the following policies to conserve and enhance the natural environment:

Policy GS1: Protecting and Enhancing Existing Green and Open Spaces	<b>NPPF ref. (paras.) 170-183</b>
Policy GS2: Creating New Green and Open Spaces	
Policy EN1: Promoting Improved Environmental Sustainability and Air Quality	
Policy EN2: Renewable Energy	

- 3.55. Policies GS1 and GS2 support development proposals which protect and enhance existing open and green spaces, trees and landscaping within the Plan area, in addition to incorporating appropriate and well-designed open or green space within all new major development proposals (such as living roofs, living walls and ecologically sensitive landscaping). It is considered that Policies GS1 and GS2 align to para. 175(d) of the NPPF, which encourages opportunities which incorporate biodiversity improvements in and around developments.
- 3.56. As per para.170 of the NPPF – which states that development should, wherever possible, help to improve local environmental conditions such as air and water quality, Policy EN1 of the NDP states that all applications should demonstrate and makes a positive contribution towards improving ambient air quality and reducing emissions of greenhouse gases. Policy EN2 supports developments which minimise energy use and maximise energy efficiency and the production and use of renewable energy.

### Conserving and enhancing the historic environment

- 3.57. The Fitzrovia West Neighbourhood Plan sets out the following policies to conserve and enhance the natural environment:

Policy PR1: Promoting Regeneration	<b>NPPF ref. (paras.) 184-202</b>
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- 3.58. In accordance with paras. 184 and 185 of the NPPF, Policy PR1 supports development proposals which preserve or enhance listed buildings. Additional conditions for all unlisted buildings of merit, such as not causing harm to heritage assets through the development of mansard roofs or additional storeys and ensuring that ventilation shafts are fully integrated into the fabric of new development are also set out within Policy PR1. Furthermore, applications for redevelopment of all other buildings will be subject to the following criteria: a) the building being replaced has little or no architectural or historical significance, b) the

massing, scale and height fully respect that of adjoining properties and the street as a whole

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- 3.59. Policy PR1 also makes reference to tall buildings, stating that proposals will be carefully assessed in relation to the likely impact of the distinctive character of the area, particularly where they may have an adverse impact on the setting of a listed building, views to or from Conservation areas or impact on a strategic viewing corridor.

## 4. Sustainable Development

### Achieving sustainable development

- 4.1. The NPPF promotes sustainable development, stating that the ‘purpose of the planning system is to contribute to the achievement of sustainable development’. Sustainable development is defined as ‘meeting the needs of the present without compromising the ability of future generations to meet their own needs’.
- 4.2. The NPPF views sustainability as made up of three objectives: economic, social and environmental. These objectives are interdependent and should be pursued in mutually supportive ways. The objectives are:
- **Economic:** to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
  - **Social:** to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.
  - **Environmental:** to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.3. The following tables (Tables 1 – 3) summarise how the objectives and policies in the Neighbourhood Plan contribute toward sustainable development, as defined in the NPPF. This demonstrates that the objectives of the Neighbourhood Plan are considered to comprise a balance of social, economic and environmental goals.

Table 1: Neighbourhood Plan contribution to economic sustainability

Economic	
NPPF definition: 'Building a strong, responsive and competitive economy'	
Neighbourhood Plan Objectives	<ul style="list-style-type: none"> <li>• To achieve a vibrant residential and business community which promotes excellent design in terms of height, scale, density, use of materials, and a mix of uses which complements the architectural, cultural and heritage qualities of the area;</li> <li>• To protect and support provision for all business uses but in particular new and small business spaces and retail shops;</li> <li>• To enable all businesses to thrive through the efficient and sustainable management of servicing and deliveries.</li> </ul>
Neighbourhood Plan Policies	<ul style="list-style-type: none"> <li>• <b>Policy PR2:</b> Housing Provision</li> <li>• <b>Policy PR3:</b> Tourism, Arts, Cultural and Entertainment Uses</li> <li>• <b>Policy B1:</b> Small Business Units</li> <li>• <b>Policy B2:</b> Retail and Related Uses</li> </ul>
Commentary	<p>The Fitzrovia West NDP recognises the need to further develop a socially mixed and economically resilient place to live and work. Regarded as a former magnet for artists and writers, non-conformists, political activists and the avant-garde, Fitzrovia's diverse community was founded upon its availability of workshops, low-cost housing and commercial units. In keeping with the area's historic bohemian character, the Fitzrovia West NDP stipulates that new housing developments should demonstrate how they have addressed the guidance in Building for Life 12 criteria, which includes recommendations for locating new facilities (such as shops, workplaces and pubs and cafes) where new residents can easily access them and designing new local centres as vibrant places – with smaller shops combined with residential, as opposed to promoting single storey supermarkets.</p> <p>In addition, the Fitzrovia West NDP supports the provision of cultural activities, such as museums, libraries, art galleries and related uses, so long as there is no loss of residential or A1 retail uses.</p> <p>With regard to business spaces, the NDP supports proposals for the redevelopment of existing buildings which include business units of less than 250 sqm and retail units of about 150 sqm. A1 retail uses will also be protected and parades of shop units containing A1, A2 and A3 ground floor uses should also be protected. Therefore, it is considered that the Plan seeks to retain and create a vibrant business community which accommodates small business and retail spaces.</p>

Table 2: Neighbourhood Plan contribution to social sustainability

<b>Social</b>	
<b>NPPF definition: 'Support strong, vibrant and healthy communities'</b>	
Neighbourhood Plan Objectives	<ul style="list-style-type: none"> <li>• To promote and support the provision of new housing to meet the needs of all through a mix of housing types, sizes, tenures as well as provision for those with special needs;</li> <li>• To ensure that tourism, entertainment and night-time uses are carefully integrated in the area and do not cause additional noise, nuisance or adverse environmental conditions for other users;</li> <li>• To protect existing community facilities and where possible to increase the provision for all sections of the community;</li> <li>• To protect and increase existing publicly accessible open space, green space and play space provision;</li> <li>• To encourage and support an increase in the provision of private amenity space in housing, green walls, green roofs, street landscaping and street closures;</li> <li>• To ensure that the amenity of the area is protected and enhanced for the benefit of all those living, working and visiting the area;</li> <li>• To support the improvement of provision for public transport, walking and cycling;</li> <li>• To ensure that the adverse impact of any major transport developments or projects are minimised and that amenity standards are increased for residents and businesses.</li> </ul>
Neighbourhood Plan Policies	<ul style="list-style-type: none"> <li>• <b>Policy PR1:</b> Promoting Regeneration</li> <li>• <b>Policy PR2:</b> Housing Provision</li> <li>• <b>Policy PR3:</b> Tourism, Arts, Culture and Entertainment Uses</li> <li>• <b>Policy PR4:</b> Retaining and Expanding Community Facilities</li> <li>• <b>Policy GS1:</b> Protecting and Enhancing Existing Green and Open Spaces</li> <li>• <b>Policy GS2:</b> Creating New Green and Open Spaces</li> <li>• <b>Policy EN1:</b> Promoting Improved Environmental Sustainability and Air Quality</li> <li>• <b>Policy EN2:</b> Renewable Energy</li> <li>• <b>Policy T1:</b> Pedestrian Movement and Sustainable Transport</li> <li>• <b>Policy T2:</b> Improving the Distribution and Delivery of Goods to Local Businesses</li> </ul>

<p>Commentary</p>	<p>The Fitzrovia West NDP states that adequate provision should be made for accommodation to meet the needs of all age groups and those with special needs. The cultural well-being of new and existing residents is addressed in Policies PR3 and PR4, which support the provision of cultural activities, such as museums, libraries, art galleries and related uses, as well as protecting existing community and leisure classes (Class D).</p> <p>The Fitzrovia West NDP also includes a number of policies which promote health and well-being. Green space policies (GS1 and GS2) seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. Furthermore, Policies EN1 and EN2 stipulate that applications should demonstrate and make a positive contribution towards improving ambient air quality and minimise the use of non-renewable energy in comparison with the development it replaces.</p> <p>Policies T1 and T2 promote active lifestyles through supporting improvements for those using pavements, cycling or accessing public transport in order to create ‘healthy streets’, whilst also supporting the increased use of electric vehicles and provision of electric charge points.</p> <p>The above policies therefore support the wider social objective of the NPPF through promoting open spaces, sustainable transport modes and cultural spaces in addition to providing homes which are capable of meeting the needs of present and future generations.</p>
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Table 3: Neighbourhood Plan contribution to environmental sustainability

<p><b>Environmental</b></p>	
<p><b>NPPF definition: ‘Contribute to protecting and enhancing our natural, built and historic environment’</b></p>	
<p>Neighbourhood Plan Objectives</p>	<ul style="list-style-type: none"> <li>• To achieve a vibrant residential and business community which promotes excellent design in terms of height, scale, density, use of materials, and a mix of uses which complements the architectural, cultural and heritage qualities of the area;</li> <li>• To ensure that development is sympathetic to the local character and history and aims to maintain and enhance a strong sense of place. New development should be fully integrated with existing heritage assets without causing undue harm and without loss of local distinctiveness;</li> <li>• To ensure that tourism, entertainment and night-time uses are carefully integrated in the area and do not cause additional noise, nuisance or adverse environmental conditions for other users;</li> <li>• To protect and increase existing publicly accessible open space, green space and play space provision;</li> <li>• To encourage and support an increase in the provision of private amenity space in housing, green walls, green roofs, street landscaping and street closures;</li> <li>• To ensure that the amenity of the area is protected and enhanced for the benefit of all those living, working and visiting the area;</li> </ul>

	<ul style="list-style-type: none"> <li>• To be an exemplar in sustainable city living by applying the highest environmental standards, particularly on energy conservation and reducing the emission of greenhouse gases and particulates;</li> <li>• To reduce and minimise the adverse impact of through traffic in the area;</li> <li>• To support the improvement of provision for public transport, walking and cycling;</li> <li>• To support the rationalisation of deliveries to businesses and residents in the area in order to minimise the number of vehicular journeys particularly of diesel vehicles;</li> <li>• To ensure that the adverse impact of any major transport developments or projects are minimised and that amenity standards are increased for residents and businesses.</li> </ul>
<p>Neighbourhood Plan Policies</p>	<ul style="list-style-type: none"> <li>• <b>Policy PR1:</b> Promoting Regeneration</li> <li>• <b>Policy PR2:</b> Housing Provision</li> <li>• <b>Policy PR3:</b> Tourism, Arts, Culture and Entertainment Uses</li> <li>• <b>Policy GS1:</b> Protecting and Enhancing Existing Green and Open Spaces</li> <li>• <b>Policy GS2:</b> Creating New Green and Open Spaces</li> <li>• <b>Policy EN1:</b> Promoting Improved Environmental Sustainability and Air Quality</li> <li>• <b>Policy EN2:</b> Renewable Energy</li> <li>• <b>Policy T1:</b> Pedestrian Movement and Sustainable Transport</li> <li>• <b>Policy T2:</b> Improving the Distribution and Delivery of Goods to Local Businesses</li> </ul>
<p>Commentary</p>	<p>The Fitzrovia West NDP makes reference to heritage assets within the Plan area, stating that development proposals which preserve or enhance listed buildings within the Plan area will be supported. In addition, applications for the refurbishment of all unlisted buildings of merit will be supported if they do not result in significant harm to the local area or the heritage assets themselves (through the provision of additional floorspace). Ventilation shafts and/or heating and cooling plants must also be fully integrated into the building fabric for the proposal to be supported. Similarly, tall buildings will be carefully assessed to ensure that proposals are respectful of the distinctive character of the area.</p> <p>Policies PR2 and PR3 stipulate that new housing developments should demonstrate how they have addressed Building for Life 12 criteria to achieve the highest standards of place-making, whilst also requiring applications for tourism or entertainment uses to provide a full impact assessment in terms of noise, additional traffic generation and servicing arrangements.</p> <p>Fitzrovia West’s NDP policies seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. The NDP has established policies which focus on air quality and the use of environmentally friendly renewable energy options, including the increased provision of electric vehicles and associated infrastructure and measures to promote sustainable transport modes – as stipulated in policies EN1 and EN2, T1 and T2.</p>

	<p>Overall, it is considered that the above policies help to achieve the NDP's objectives through ensuring that local distinctiveness/character is maintained, and local amenity and publicly accessible open spaces are protected. In addition, policies have been set to ensure that Fitzrovia West becomes an exemplar for 'sustainable city living'.</p>
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## 5. The Development Plan

### Introduction

- 5.1. For Neighbourhood Plans to meet the Basic Conditions set out in the Neighbourhood Planning regulations they need to demonstrate general conformity with the strategic policies of the development plan.
- 5.2. The NPPF (para. 17) states that a development plan should include strategic policies to “address each local planning authority’s priorities for the development and use of land in its area.” Paragraph 28 of the NPPF later iterates that non-strategic policies should be “used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development”. The NPPF (para.20) states that strategic policies should make sufficient provision for:
  - Housing (including affordable housing), employment, retail, leisure, and other commercial development;
  - Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
  - Community facilities (such as health, education and cultural infrastructure); and
  - Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
- 5.3. For Fitzrovia West, the development plan comprises both the Westminster City Plan and the London Plan. The London Plan was adopted in March 2016 (providing a framework for development for the next 20-25 years), and the Westminster City Plan was adopted in November 2016, covering the period 2016-2031.
- 5.4. It should be noted that the London Plan and Westminster City Plan are both in the process of being updated. The draft new London Plan (Intend to Publish version) was published in December 2019. The Regulation 19 draft Westminster City Plan was published in June 2019, covering the period 2019-2040.
- 5.5. The Fitzrovia West Neighbourhood Plan has been developed in consideration of London-wide and Westminster City planning policies set out in:
  - The London Plan – Prepared by the Mayor of London in March 2015 (the latest published version consolidating alterations made to the Plan since 2011)
  - ‘Intend to Publish’ Draft London Plan (2019)
  - Westminster City Plan (2016)
  - Emerging Westminster City Plan (2019)
- 5.6. The Fitzrovia West Neighbourhood Plan aims to build on the policies contained within both the London Plan and the Westminster City Plan by providing neighbourhood level planning policy where it has been found appropriate. There are a number of instances where adequate protection is considered to be afforded by the London Plan and City Plan already and these have not been repeated within the Plan.
- 5.7. This section of the Basic Conditions Statement demonstrates that the Neighbourhood Plan is in conformity with the strategic policies of the development plan.

**The London Plan (Adopted Version)**

- 5.8. Generally, London Plan policies are broadly framed, and are already reflected in the Local Plan (the City Plan) prepared by Westminster City Council. Therefore, the issues of ‘non-conformity’ with the London Plan are unlikely to arise in relation to neighbourhood plans within London. This Basic Conditions Statement does, in any event, outline how the Fitzrovia West Neighbourhood Plan conforms with the London Plan.
- 5.9. The Fitzrovia West Neighbourhood Forum is confident that the policies proposed in the Fitzrovia West Neighbourhood Plan both support, and generally conform with, those of the London Plan. Table 4 sets this out below.

*Table 4: Neighbourhood Plan response to strategic London Plan objectives*

London Plan Objectives		Fitzrovia West Neighbourhood Plan- policy response
01	A city that meets the challenges of economic and population growth in ways that ensure a sustainable, good and improving quality of life and sufficient high-quality homes and neighbourhoods for all Londoners and help tackle the huge issue of deprivation and inequality among Londoners, including inequality in health outcomes.	<p>Policies PR2, PR3, PR4, B1 and B2 of the Fitzrovia West NDP outlines that a range of different class uses will be supported within the Neighbourhood Plan Area, including tourism and entertainment uses (such as hotels, bars and night clubs), cultural activities (such as museums, libraries, art galleries), housing, community and leisure uses and small business and retail units. The NDP acknowledges that the Neighbourhood Plan Area has a buoyant economy with a broad mix of international companies as well as small specialist services, whilst also recognising that a mixture of uses is key to promoting health and well-being within the community in the future.</p> <p>The Fitzrovia West NDP sets a clear vision of tackling inequality amongst Londoners through encouraging new housing development which falls within the definition of ‘affordable’ and is owned by a registered provider. In addition, the NDP tackles inequality through stating that adequate provision should be made for accommodation to meet the needs of all age groups and those with special needs.</p>
02	An internationally competitive and successful city with a strong and diverse economy and an entrepreneurial spirit that benefit all Londoners and all parts of London; a city which is at the leading edge of innovation and research and which is comfortable with –and makes the most of –its rich	As noted above, the Fitzrovia West NDP recognises that Fitzrovia West has an extremely buoyant economy. The NDP seeks to capitalise on this existing legacy through supporting development proposals which include business units of less than 250sqm and retail units of 150sqm. The NDP also emphasises the importance of smaller business units by stating that developments containing retail space in excess of 2,500sqm shall include where possible at east 10% of this space as small retail units. The provision of these smaller units will muster a local entrepreneurial spirit and will encourage a diverse range of businesses into the area, whilst also ensuring that growth of the areas builds on Fitzrovia West’s existing ‘bohemian’ character and heritage.

London Plan Objectives		Fitzrovia West Neighbourhood Plan- policy response
	heritage and cultural resources.	A key aim of the NDP is for Fitzrovia West to support and encourage the provision of space for cultural sector growth. The Fitzrovia West NDP seeks to achieve this aim through the support of provision of cultural activities, such as museums, libraries, art galleries and related uses, on the condition that there is not net loss of residential or A1 retail uses. This clearly corresponds with the London Plan's objective to create a strong and diverse economy that benefits all Londoners.
03	A city of diverse, strong, secure and accessible neighbourhoods to which Londoners feel attached, which provide all of its residents, workers, visitors and students – whatever their origin, background, age or status –with opportunities to realise and express their potential and a high-quality environment for individuals to enjoy, live together and thrive.	<p>Fitzrovia West has a rich heritage, having been historically inhabited by a diverse array of artists and writers, non-conformists, political activists and the avant-garde. Since this time, land ownership became increasingly fragmented, thus giving rise to a rich architectural heritage and a diversity of uses. The Fitzrovia West NDP acknowledges the rich history of the area, and, as such, requires redevelopments of existing buildings to meet high quality design standards, as well as making a positive contribution to the public realm.</p> <p>Furthermore, the NDP encourages housing developments which fall within the definition of 'affordable' and states that adequate provision should be made for accommodation to meet the needs of all age groups and those with special needs.</p> <p>The Plan includes a broad array of policies, covering culture and heritage, business activity, entertainment, housing and sustainable development and the environment. Together, these policies will maintain and enhance Fitzrovia West's sense of place, as well as creating a secure and accessible neighbourhood.</p>
04	A city that delights the senses and takes care over its buildings and streets, having the best of modern architecture while also making the most of London's built heritage, and which makes the most of and extends its wealth of open and green spaces, natural environments and waterways, realising their potential for improving Londoners'	<p>Objective two of the Fitzrovia West NDP emphasises the importance of the area's local distinctiveness. The objective ensures that development is sympathetic to the local character and history and aims to maintain and enhance a strong sense of place. This objective is translated into Policy PR1, which supports development proposals which preserve or enhance listed buildings. Applications for the refurbishment of unlisted buildings of merit must also not result in significant harm to the local area, and architectural features should be preserved or reinstated.</p> <p>A main objective of the Fitzrovia West NDP is to protect and increase existing publicly accessible open space, green space and play space provision. Policies GS1 and GS2 support development proposals which protect and enhance existing open and green spaces, trees, and landscaping and state that all major development</p>

London Plan Objectives		Fitzrovia West Neighbourhood Plan- policy response
	health, welfare and development.	proposals should incorporate an appropriate and well-designed new open or green space within the Plan area. These policies will positively contribute to improving the health and well-being of Londoners.
05	A city that becomes a world leader in improving the environment locally and globally, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy, consuming fewer resources and using them more effectively.	<p>A main objective of the Fitzrovia West NDP is to be an exemplar in sustainable city living by applying the highest environmental standards, particularly on energy conservation and reducing the emission of greenhouse gases and particulates. Policy EN2 of the NDP supports developments which minimise energy use and maximise energy efficiency and the production and use of renewables, thus seeking to mitigate the emissions which threaten our global climate.</p> <p>Central to this objective, a suite of policies within the NDP contribute to improving air quality and transitioning to a lower carbon economy. Specifically, policies which state that all applications should demonstrate and make a positive contribution to towards ambient air quality and reducing emissions of greenhouse gases, as well as those which require all new major development to incorporate an appropriate and well-designed open or green space and those which support the increased use of electric vehicles, together contribute to tackling the impacts of climate change through the uptake of greener initiatives and implementing measures to ensure resource consumption is reduced.</p> <p>Put simply, the cumulative effect of the above policies will support the London Plan’s objectives through tackling localised air pollution via preventative and mitigation measures.</p>
06	A city where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities with an efficient and effective transport system which actively encourages more walking and cycling, makes better use of the Thames and supports delivery of all the objectives of this Plan.	<p>The Fitzrovia West NDP proactively seeks to support a modal shift towards walking and cycling, in addition to restricting vehicular access on smaller streets. Overall, these policies support proposals which provide for the sustainable movement of people and goods.</p> <p>The shift towards less polluting modes of transport (such as walking and cycling) will also help to improve local connections to nearby amenities, thus offering local residents’ greater opportunities within Fitzrovia West.</p> <p>Furthermore, the NDP states that new housing developments will be encouraged where they fall within the definition of ‘affordable’ and have high accessibility to public transport. These policies will therefore help to ensure that people are provided with equal access to jobs and other opportunities within the Neighbourhood Plan Area.</p>

## The London Plan (Emerging version)

- 5.10. The London Plan is in the process of being reviewed and updated. Although the test of the Basic Conditions is against adopted Development Plan policies, it is good practice to consider the framework presented by emerging policy, such that the Neighbourhood Plan has longevity.
- 5.11. Following Examination, the Panel’s Report and recommended changes (October 2019) has been published and, subsequently, an ‘Intend to Publish’ version of the draft London Plan was published in December 2019. Whilst it is important to note that the Plan has not yet been formally adopted, and that Robert Jenrick MP (Secretary of State for Housing, Communities and Local Government) published his formal response to the ‘Intend to Publish’ London Plan on 13th March 2020 which will further delay adoption, it is considered that the ‘Intend to Publish’ version provides a comprehensive spatial framework for London which presents the direction of travel. This Basic Conditions Statement thus also considers the relationship between the Neighbourhood Plan and the ‘Good Growth’ objectives in the emerging London Plan. This is set out in Table 5.

Table 5: Neighbourhood Plan response to ‘Intend to Publish’ version of the new draft London Plan ‘good growth’ objectives

‘Intend to Publish’ Draft New London Plan Objectives		Fitzrovia West NDP – policy response
GG1	<p><b>Building strong and inclusive communities</b></p> <p>Good growth is inclusive growth. To build on the city’s tradition of openness, diversity and equality, and help deliver strong and inclusive communities, those involved in planning and development must:</p> <ul style="list-style-type: none"> <li>• encourage early and inclusive engagement with stakeholders, including local communities, in the development of proposals, policies and area-based strategies</li> <li>• seek to ensure changes to the physical environment to achieve an overall positive contribution to London</li> <li>• provide access to good quality community spaces, services, amenities and infrastructure that accommodate, encourage and strengthen communities, increasing active participation and social integration, and addressing social isolation</li> <li>• seek to ensure that London continues to generate a wide range of economic and other opportunities, and that everyone is able to benefit from these to ensure that London is a fairer, more inclusive and more equal city</li> <li>• ensure that streets and public spaces are consistently planned for people to move</li> </ul>	<p>In order to protect Fitzrovia West’s ‘bohemian’ character and rich assemblage of buildings, the NDP supports proposals for the redevelopment of existing buildings which include business units of less than 250sqm where equivalent or increased provision of small business units is included. This measure will boost the inclusiveness of this area, providing greater opportunities for smaller businesses.</p> <p>The NDP also seeks to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. This will ensure that public spaces are adequately planned for within the Neighbourhood Area, whilst also contributing to improved health and well-being.</p> <p>Policy PR2 (Housing Provision) clearly states that applications should demonstrate how they have addressed the guidance in Building for Life 12 criteria in order to achieve high</p>

'Intend to Publish' Draft New London Plan Objectives	Fitzrovia West NDP – policy response
<p>around and spend time in comfort and safety, creating places where everyone is welcome, which foster a sense of belonging, which encourage community buy-in, and where communities can develop and thrive</p> <ul style="list-style-type: none"> <li>• promote the crucial role town centres have in the social, civic, cultural and economic lives of Londoners, and plan for places that provide important opportunities for building relationships during the daytime, evening and night time</li> <li>• ensure that new buildings and the spaces they create are designed to reinforce or enhance the identity, legibility, permeability, and inclusivity of neighbourhoods, and are resilient and adaptable to changing community requirements</li> <li>• support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides, creating a welcoming environment that everyone can use confidently, independently, and with choice and dignity, avoiding separation or segregation</li> <li>• support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.</li> </ul>	<p>standards of place-making. In turn, this measure will help to reinforce good design principles including identity and permeability.</p> <p>Measures to improve connectivity and legibility within Fitzrovia West and the wider area are also included within the NDP. Namely, Policy T1, which supports improvements for those using pavements, cycling or accessing public transport, as well as supporting the provision of on-street cycle parking and off-street space or bicycle storage all contribute towards the emerging London Plan's aim for all Londoners to move around with ease.</p> <p>Policy PR2 (Housing Provision) also states that adequate provision should be made for accommodation to meet the needs of all age groups and those with special needs. This aligns with the emerging London Plan's objective of minimising social barriers and inequalities, as a diverse community of Londoners will have the opportunity to live in Fitzrovia West.</p>
<p><b>GG2</b></p> <p><b>Making the best use of land</b></p> <p>To create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must:</p> <ul style="list-style-type: none"> <li>• enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites</li> </ul>	<p>Given the vast proportion of developed land within the Fitzrovia West Neighbourhood Area, there are limited opportunities to develop on brownfield land. Despite this, the Fitzrovia West NDP does conform with objective GG2 of the emerging London Plan by protecting London's existing open spaces and creating new green infrastructure and urban greening. This is achieved through Policies GS1 and GS2 of the NDP, which seek to protect</p>

'Intend to Publish' Draft New London Plan Objectives	Fitzrovia West NDP – policy response
<ul style="list-style-type: none"> <li>• prioritise sites which are well-connected by existing or planned public transport</li> <li>• proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling</li> <li>• applying a design-led approach to determine the optimum development capacity of sites</li> <li>• understand what is valued about existing places and use this as a catalyst for growth, renewal, and place-making, strengthening London’s distinct and varied character</li> <li>• protect and enhance London’s open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening, including aiming to secure net biodiversity gains where possible</li> <li>• plan for good local walking, cycling and public transport connections to support a strategic target of 80 per cent of all journeys using sustainable travel, enabling car-free lifestyles that allow an efficient use of land, as well as using new and enhanced public transport links to unlock growth</li> <li>• maximise opportunities to use infrastructure assets for more than one purpose, to make the best use of land and support efficient maintenance.</li> </ul>	<p>and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces.</p> <p>The NDP also includes design-led policies which help to ensure that developments within Fitzrovia West can be optimised. In particular, Policy B1 supports the redevelopment of existing buildings which include an equivalent number of increased numbers of business units of less than 250sqm. Furthermore, Policy B2 states that applications for development of buildings containing retail space in excess of 2,500sqm shall include where possible at least 10% of this space as small retail units. Policy PR1 notes that proposals for tall buildings will be carefully assessed in relation to the likely impact on the distinctive character of the area, particularly with regard to nearby listed buildings, views to/from Conservation Areas (within Westminster or the adjoining borough) or impacts to a strategic viewing corridor. The above policies therefore provide clarity on what is valued within the Neighbourhood Plan Area, thus ensuring that London’s distinct character is maintained.</p> <p>In accordance with GG2, Policy T1 of the NDP also supports sustainable transport modes which supports improvements for those using pavements, cycling or accessing public transport, as well as supporting the provision of on-street cycle parking and off-street space or bicycle storage.</p>
<p>GG3</p> <p><b>Creating a healthy city</b></p> <p>To improve Londoners’ health and reduce health inequalities, those involved in planning and development must:</p> <ul style="list-style-type: none"> <li>• ensure that the wider determinants of health are addressed in an integrated and co-ordinated way, taking a systematic</li> </ul>	<p>The Fitzrovia West NDP conforms with London’s Healthy Street Approach. Policy T1 of the NDP explicitly makes reference to the Approach, stating that the NDP supports improvements for those using pavements, cycling or accessing public transport in order to create ‘healthy streets’.</p>

	'Intend to Publish' Draft New London Plan Objectives	Fitzrovia West NDP – policy response
	<p>approach to improving the mental and physical health of all Londoners and reducing health inequalities</p> <ul style="list-style-type: none"> <li>• promote more active and healthy lives for all Londoners and enable them to make healthy choices</li> <li>• use the Healthy Streets Approach to prioritise health in all planning decisions</li> <li>• assess the potential impacts of development proposals and Development Plans on the mental and physical health and wellbeing of communities, in order to mitigate any potential negative impacts, maximise potential positive impacts, and help reduce health inequalities, for example through the use of Health Impact Assessments</li> <li>• plan for appropriate health and care infrastructure to address the needs of London’s changing and growing population</li> <li>• seek to improve London’s air quality, reduce public exposure to poor air quality and minimise inequalities in levels of exposure to air pollution</li> <li>• plan for improved access to and quality of green spaces, the provision of new green infrastructure, and spaces for play, recreation and sports</li> <li>• ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold</li> <li>• seek to create a healthy food environment, increasing the availability of healthy food and restricting unhealthy options</li> </ul>	<p>In addition, a suite of policies (GS1, GS2, EN1 and EN2) of the NDP seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces.</p> <p>To address health and well-being issues in Fitzrovia West, the NDP requires all applications to demonstrate and make a positive contribution towards ambient air quality and reducing greenhouse gas emissions, as well as supporting proposals which produce and use renewable energy to meet their needs. These policies therefore seek to reduce air pollution and inequalities in levels of exposure to air pollution within Fitzrovia West and therefore conform with objective GG3.</p> <p>In line with the emerging London Plan, the NDP supports proposals which include improvements for those using pavements, cycling or accessing public transport, thus aligning to the emerging London Plan’s objective of planning for improved access to green spaces.</p> <p>Further consideration has been given to the sustainability of buildings, as Policy EN1 states that passive ventilation should be prioritised in cases where the application demonstrates that the proposed development makes a positive contribution towards improving ambient air quality.</p>
GG4	<p><b>Delivering the homes Londoners need</b></p> <p>To create a housing market that works better for all Londoners, those involved in planning and development must:</p> <ul style="list-style-type: none"> <li>• ensure that more homes are delivered</li> </ul>	<p>The Fitzrovia West Neighbourhood Plan Area includes five Conservation Areas and is therefore limited in terms of the scale and number of homes it can supply. Nevertheless, the NDP does encourage new housing development, particularly where it falls within the definition of ‘affordable’. To ensure housing is occupied, the NDP</p>

'Intend to Publish' Draft New London Plan Objectives	Fitzrovia West NDP – policy response
<ul style="list-style-type: none"> <li>• support the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable</li> <li>• create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing</li> <li>• identify and allocate a range of sites to deliver housing locally, supporting skilled precision-manufacturing that can increase the rate of building, and planning for all necessary supporting infrastructure from the outset</li> <li>• establish ambitious and achievable build-out rates at the planning stage, incentivising build-out milestones to help ensure that homes are built quickly and to reduce the likelihood of permissions being sought to sell land on at a higher value.</li> </ul>	<p>states that a condition/legal agreement should be set to ensure all new housing is occupied as a 'principal residence'. This aligns with objective GG4, as the NDP helps to ensure that homes are delivered locally.</p> <p>In order to achieve mixed and inclusive communities (as set out in objective GG4), the NDP states that adequate provision should be made for accommodation to meet the needs of all age groups and those with special needs.</p> <p>Overall, it is considered that the above policies will ensure that homes in Fitzrovia West are of a good quality and are capable of supporting mixed communities.</p>
<p><b>GG5 Growing a good economy</b></p> <p>To conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must:</p> <ul style="list-style-type: none"> <li>• promote the strength and potential of the wider city region</li> <li>• seek to ensure that London's economy diversifies and that the benefits of economic success are shared more equitably across London</li> <li>• plan for sufficient employment and industrial space in the right locations to support economic development and regeneration</li> <li>• ensure that sufficient high-quality and affordable housing, as well as physical and social infrastructure is provided to support London's growth</li> <li>• ensure that London continues to provide leadership in innovation, research, policy and ideas, supporting its role as an international incubator and centre for learning</li> </ul>	<p>In line with the emerging London Plan's aim of diversifying London's economy, the NDP supports applications for redevelopment of existing buildings which include business units of less than 250sqm where equivalent or increased provision of such units is included. In addition, the NDP supports the development of small business spaces which have been secured by planning obligations at below market rents for social enterprises, charities and start-up businesses. This policy therefore ensures that Fitzrovia West remains economically competitive.</p> <p>The 'Intend to Publish' London Plan sets a clear vision for a thriving night-time economy, particularly within the CAZ. In accordance with this, the Fitzrovia NDP supports the provision of new tourism and entertainment uses, such as hotels, bars and nightclubs of 500sqm or more gross floor space, on the condition that it is located in the West End Retail and Leisure Special Policy Area (WERLSPA) including only the northern Oxford Street frontage</p>

'Intend to Publish' Draft New London Plan Objectives	Fitzrovia West NDP – policy response
<ul style="list-style-type: none"> <li>• promote and support London’s rich heritage and cultural assets, and its role as a 24-hour city</li> <li>• make the fullest use of London’s existing and future public transport, walking and cycling network, as well as its network of town centres, to support agglomeration and economic activity</li> <li>• recognise and promote the benefits of a transition to a low carbon circular economy to strengthen London’s economic success.</li> </ul>	<p>and the area north to Mortimer Street within the Plan area.</p> <p>The NDP also supports proposals which include improvements for those using pavements, cycling or accessing public transport.</p> <p>The above policies therefore help to diversify the local economy, whilst also ensuring that Londoners make the most of the sustainable modes of transport available to them.</p>

## The Westminster City Plan (Adopted Version): Strategic Objectives

- 5.12. The Westminster City Plan was adopted in 2015. It sets out the overall spatial strategy and includes planning policies for Westminster and its neighbourhoods, including Fitzrovia West.
- 5.13. The Westminster City Plan (2015) establishes seven strategic objectives. The Table below demonstrates how the Fitzrovia West Neighbourhood Plan responds to these:

Table 6: Neighbourhood Plan policy response to Westminster City Plan strategic objectives

Westminster Plan Objectives		Fitzrovia West Neighbourhood Plan- policy response
01.	To accommodate sustainable growth and change that will contribute to Westminster’s role as the heart of a pre-eminent world class city, building on its internationally renowned business, retail, cultural, tourism and entertainment functions within the Central Activities Zone; to support the unique economic breadth and diversity of the West End and its fringe areas including the Opportunity Areas; whilst maintaining its unique and historic character, mix, functions, and townscapes.	<p>The Fitzrovia West NDP fully supports proposals for a diverse range of class uses such as A1 retail, local services (A2), cafes and restaurants (A3), small businesses, tourism, community facilities and cultural venues, as evidenced by Policies PR2, PR3, PR4, B1 and B2. The NDP notes that one of the primary characteristics of the area is the mix of small businesses operating from historic premises and in many cases providing services to larger companies in the area. With the above in mind, the NDP iterates that applications for development of B1 use buildings in excess of 1,000sqm gross floor area should include a range of unit sizes and types suitable for small and independent businesses. The above list demonstrates the diversity and overall economic breadth of the area.</p> <p>Furthermore, the Fitzrovia West NDP recognises that the Neighbourhood Plan Area includes five Conservation Areas and over 60 listed buildings which, together, reflect the area’s diverse architectural and historic qualities. The need to maintain Fitzrovia West’s unique heritage has been reflected within the Policy PR1, which states that development proposals will be supported if they preserve or enhance listed buildings. In cases where buildings are not listed, the NDP supports proposals where the building being replaced has little or no architectural or historic significance and refurbishment is not a viable option. This accords with WCC objectives, as historic character and townscapes have been effectively considered.</p>
02.	To sensitively upgrade Westminster’s building stock to secure sustainable and inclusive exemplary design which	The Fitzrovia West NDP conforms with this policy, as Policy PR1 focuses on refurbishing the existing building stock in Fitzrovia West.

Westminster Plan Objectives	Fitzrovia West Neighbourhood Plan- policy response
<p>minimises energy and resource consumption and the production of waste, reduces the impacts of local environmental pollution and meets both today’s needs and those of the future, including the effects of a changing climate; creating attractive places that function well whilst ensuring that the historic character and integrity of Westminster’s built fabric and places is protected and enhanced.</p>	<p>Specifically, the policy states that all development should achieve or exceed national and local sustainability standards as well as not increasing the heat island effect and keeping energy use and greenhouse gases to an absolute minimum. All of the above measures help to mitigate climate change effects through reduced energy consumption.</p> <p>Furthermore, the Fitzrovia West NDP considers the historic character and integrity of Westminster’s built fabric through Policy PR1, which states that development proposals which preserve or enhance listed buildings will be supported.</p>
<p>03. To maintain and enhance the quality of life, health and well-being of Westminster’s residential communities; ensuring that Westminster’s residents can benefit from growth and change, providing more employment and housing opportunities, safety and security, and better public transport and local services; to work with our partners to foster economic vitality and diversity, improved learning and skills, and improved life chances in areas of deprivation.</p>	<p>The Fitzrovia West NDP explicitly states that proposals for tourism or entertainment uses must be subject to a full impact assessment in terms of noise, additional traffic, servicing arrangements and the location of flues, air extracts and heating/cooling provision. This objective therefore accords with WCC’s objective of maintaining the health and well-being of Westminster’s residential communities through benefitting from safer public spaces.</p> <p>In addition, the Fitzrovia West NDP seeks to foster economic vitality and diversity, as evidenced by Policies PR2, PR3, PR4, B1 and B2 - which supports proposals for a diverse range of class uses such as A1 retail, local services (A2), cafes and restaurants (A3), small businesses, tourism, community facilities and cultural venues. Furthermore, the NDP supports the provision of affordable housing and proposals which include improvements for those walking, cycling or accessing public transport. Together, these policies ensure that local residents are well-connected to a more diverse offering of services within the Neighbourhood Plan Area.</p>
<p>04. To increase the supply of good quality housing to meet Westminster’s housing target, and to meet housing needs, including the provision of affordable housing and homes for those with special needs; whilst ensuring that new housing in commercial areas coexists alongside the</p>	<p>The NDP encourages new housing development, particularly where it falls within the definition of ‘affordable’. To ensure housing is occupied, the NDP states that a condition/legal agreement should be set to ensure all new housing is occupies as a ‘principal residence’. In addition, the NDP states that adequate provision should be</p>

Westminster Plan Objectives	Fitzrovia West Neighbourhood Plan- policy response
<p>business activity and an appropriate balance of uses is maintained.</p>	<p>made for accommodation to meet the needs of all age groups and those with special needs. It is therefore considered that the above policy complies with the WCC's objective 04.</p> <p>In addition, the NDP supports developments which include a wide range of class uses such as A1 retail, local services (A2), cafes and restaurants (A3), small businesses, tourism, community facilities and cultural venues. This accords with Westminster's aim to ensure that new housing in commercial areas coexists alongside businesses, which, in turn, ensures an appropriate balance of uses is maintained.</p>
<p>05. To manage the pressures on the city from its national and international roles and functions, supporting business communities and tourism, and ensuring a safe and enjoyable visitor experience.</p>	<p>As highlighted in the NDP, Fitzrovia West is largely inhabited by companies associated with business services, the media, advertising, television and radio, architecture and engineering, design, IT related services and catering. The Neighbourhood Plan Area also includes a number of office headquarters, such as Estée Lauder and Facebook. In recognition of the area's functioning as a global business hub, Policies PR3, B1 and B2 seek to maintain and enhance Fitzrovia West's business/commercial offerings. Particular efforts have also been made to create a positive visitor experience, as Policy PR3 supports the provision of new tourism and entertainment uses, such as hotels, bars and nightclubs of 500sqm or more if located in the northern Oxford Street frontage or the area north of Mortimer Street of the WERLSPA.</p>
<p>06. To accommodate the safe and efficient movement of growing numbers of people entering and moving around Westminster by facilitating major improvements to the public transport system, improving the public realm and pedestrian environment, managing vehicular traffic, and making walking and cycling safer and more enjoyable.</p>	<p>A key objective of the Fitzrovia West NDP is to support the improvement of provision for public transport, waling and cycling. This will be achieved through Policy T1. This complies with the WCC's objectives of improving the pedestrian environment within the local area.</p> <p>Policy T2 – which supports proposals which seek to reduce traffic flows and congestion through the area and which limit pressures on on-street parking accords with WCC's objective of managing vehicular traffic in Westminster.</p>

Westminster Plan Objectives		Fitzrovia West Neighbourhood Plan- policy response
		It is considered that the cumulative effects of implementing the above policies will achieve the WCC's objective through the creation of a safe pedestrian-friendly environment in and around Fitzrovia West.
07.	To protect and enhance Westminster's open spaces, civic spaces and Blue Ribbon Network, and Westminster's biodiversity; including protecting the unique character and openness of the Royal Parks and other open spaces; and to manage these spaces to ensure areas of relative tranquillity in a city with a daytime population increased every day by over one million workers and visitors	<p>Policy GS1 supports development proposals which protect and enhance existing open and green spaces, trees, and landscaping within the Plan area. The NDP also states that all new major development should incorporate an appropriate and well-design new open or green space.</p> <p>The plan also gives consideration to urban greening measures. As iterated in Policy GS2, the Fitzrovia West NDP requires development proposals to incorporate landscaping plans for living and green roofs, gardens, additional trees, SUDs and rain gardens, green walls and soft landscaping wherever structurally viable. This accords with WCC's objective of protecting and enhancing Westminster's open spaces and will ensure that a wider choice of tranquil open spaces will be available for public use.</p> <p>It is therefore considered that policies GS1 and GS2 comply with WCC objectives, as existing open spaces and new public parks have be effectively considered. It should be noted that there are no Royal Parks within the limits of the Fitzrovia West Neighbourhood Area.</p>

**The Westminster City Plan (Adopted version): ‘S’ policies**

- 5.14. Westminster City Council advises that, for the purposes of the Basic Conditions, “General conformity is limited to the ‘S’ policies in Westminster’s City Plan”. There are 47 ‘S’ policies in the City Plan. General Conformity with these is outlined in Table 8 below. In addition, there are some other relevant policies in the Westminster City Plan pertaining to Fitzrovia West. These are also addressed in Table 8.
- 5.15. It is considered that Table 8 makes clear that the Fitzrovia West Neighbourhood Plan is consistent with the Development Plan and will make a positive contribution to wider strategic policy aims and objectives.

Table 8: Conformity of neighbourhood plan policies with ‘S’ and other relevant policies in the Westminster City Plan

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in ‘General Conformity’? YES/NO	Comment
Policy S1	Mixed Use in the Central Activities Zone	<p style="text-align: center;"><u>Yes</u></p> <p>Policies B1, B2</p>	<p>The Fitzrovia West NDP is in general conformity with the aspirations of Policy S1 of the City Plan by supporting proposals for mixed use development which include a mix of occupiers.</p> <p>In keeping with the character of the Central Activities Zone, the NDP requires developers to pay attention to the use of materials and the design of street frontages and points of access to ensure that visual interest is provided.</p> <p>The NDP promotes the retention of retail space and diversity of business units, where appropriate, to support the Core Central Activities Zone and economy of the area and London. Specifically, Policies B1 and B2 state that the redevelopment of existing buildings must result in an equivalent or increased number of business and retail units, whilst also protecting existing A1 retail use premises and ensuring that applications of developments for B1 uses in excess of 1,000sqm and retail spaces in excess of 2,500sqm should include a range of unit sizes and types to accommodate small and independent businesses. In the case of retail developments in excess of 2,500sqm, 10% of this space should be designated for small retail units (except in the Tottenham Court Road Opportunity Area and the West End International Shopping Centre).</p> <p>Policy B2(1) also states that where there is evidence that a retail unit has been advertised to let for more than 18 months, alternative uses such as A2, A3 and leisure uses can be considered. Parades of shop units containing A1, A2 and A3 ground floor uses should be protected where</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>possible and developments with small business spaces at below market rents for social enterprises, charities and start-ups will be supported.</p> <p>The above policies are considered to be in general conformity with the City Plan by accommodating economic functions which contribute to Fitzrovia West's reputation as a thriving commercial community.</p>
Policy S2	Special Policy Areas	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy CM2.1	Harley Street Special Policy Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy CM2.2	Portland Place Special Policy Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy CM2.3	Savile Row Special Policy Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy CM2.4	St James's Special Policy Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy CM2.5	Mayfair Special Policy Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S3	Paddington Opportunity Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S4	Victoria Opportunity Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S5	Tottenham Court Road Opportunity Area	<p><u>Yes</u></p> <p>Policies B1, B2, GS1, GS2, T1</p>	<p>A section of the Tottenham Court Road Opportunity Area falls within the Fitzrovia West Neighbourhood Area.</p> <p>The City Plan requires A1 retail uses at basement and first floor on all frontages onto Oxford Street and at ground floor level for all frontages onto Tottenham Court Road and Charing Cross Road, whilst later stating that the requirements for residential floorspace as part of new commercial developments may be applied more flexibly. The NDP complements City Plan requirements through supporting proposals for a mixture of uses. This includes Policy B1, which supports the redevelopment of existing buildings which include business units of less</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>than 250 sqm where the development involves provision of an equivalent or increased number of such units, and Policy B2, which states that A1 retail uses should be protected and parades of shop units containing A1, A2 and A3 ground floor uses should also be protected in areas such as retail clusters.</p> <p>With specific reference to the Tottenham Court Road Opportunity Area, Policy B2 of the NDP states that applications for development of buildings containing retail space in excess of 2,500sqm shall include where possible at least 10% as small retail units, except in the Tottenham Court Road Opportunity Area. This policy therefore recognises that this area is earmarked for regeneration and growth in the City Plan and is therefore more suited to a mix of larger retail units.</p> <p>The City Plan also stipulates that public realm improvements to improve pedestrian circulation and movement (including improving connectivity and wayfinding to the surrounding areas). In accordance with the City Plan, policies GS1, GS2 and T1 of the NDP support proposals which protect and enhance existing open and green spaces, incorporate well-designed open or green spaces, and support improvements for those using pavements, cycling or accessing public transport.</p>
Policy S6	Core Central Activities Zone	<p><u>Yes</u></p> <p>Policy B2, PR3</p>	<p>The Fitzrovia West Neighbourhood Area falls within the Core Central Activities Zone. In recognition of this, the NDP supports a mixture of uses within the CAZ. Policy B2 of the NDP states that A1 retail uses should be protected and applications for premises in the CAZ retail clusters will be considered. Policy B2 also states that applications for development of buildings containing retail space in excess of 2,500sqm shall include where possible at least 10% as small retail units, except in the Tottenham Court Road Opportunity Area. This aligns to the City Plan's prioritisation of retail units within the West End Special Retail Policy Area.</p> <p>Policy PR3 of the NDP supports the provision of new tourism and entertainment uses, including hotels, bars and night clubs of 500 sqm or more if located in the northern Oxford Street area of the West End Retail and Leisure Special Policy Area (WERLSPA) and the area to the north of Mortimer Street. In acknowledgement of</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>the City Plan's designated West End Stress Area, of which the Neighbourhood Plan Area forms part of, Policy PR3 stipulates that proposals for tourism and entertainment uses should provide a full impact assessment in terms of noise, additional traffic generation, servicing arrangements and the location of flues, air extracts and heating/cooling provision.</p> <p>The NDP also supports proposals which protect parades of shop units containing A1, A2 and A3 ground floor uses in areas such as CAZ retail clusters, for example, Great Titchfield Street, Great Portland Street, Cleveland Street and Charlotte Street.</p> <p>In accordance with the City Plan, the NDP considers a range of appropriate uses within the CAZ, whilst also ensuring that proposed entertainment uses are low impact within the West End Stress area.</p>
Policy S7	West End Special Retail Policy Area	<p><u>Yes</u></p> <p>Policies B2, GS1, GS2, T1</p>	<p>Policy B2 of the NDP states that applications for development of buildings containing retail space in excess of 2,500sqm shall include where possible at least 10% as small retail units, except in the Tottenham Court Road Opportunity Area. This policy therefore recognises that this area is earmarked for regeneration and growth in the City Plan and is therefore more suited to a mix of larger retail units.</p> <p>The City Plan also stipulates that public realm improvements to improve pedestrian circulation and movement (including improving connectivity and wayfinding to the surrounding areas). In accordance with the City Plan, policies GS1, GS2 and T1 of the NDP support proposals which protect and enhance existing open and green spaces, incorporate well-designed open or green spaces, and support improvements for those using pavements, cycling or accessing public transport.</p> <p>In accordance with Policy S7 of the City Plan, the above policies support retail growth throughout the WERSPA, including the provision of retail along the Primary Shopping Frontages. In addition, the NDP promotes sustainable modes of transport, thus creating an improved pedestrian environment for residents and visitors alike.</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
Policy S8	Marylebone and Fitzrovia	<p><u>Yes</u></p> <p>Policies PR2, PR3, B1 and B2</p>	<p>A section of the Marylebone and Fitzrovia CAZ Area Opportunity Area falls within the Fitzrovia West Neighbourhood Area.</p> <p>Policy 8 of the City Plan states that Edgware Road, Baker Street, Marylebone Road, Portland Place, Park Crescent and Great Portland Street (Named Streets) are appropriate locations for residential use and a range of commercial uses. Policies PR2 PR3 and B2 - which support the provision of housing, cultural and entertainment uses, A1, A2 A3 uses, hotels, bars, restaurants amongst others within this specified area, are considered to conform with the City Plan given that a broad range of uses is supported in principle.</p> <p>As per the City Plan, proposals for large restaurants, bars and nightclubs will be subject to a full impact assessment to ensure that residential amenity is maintained within the vicinity of the proposed development.</p>
Policy S9	Knightsbridge	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S10	Pimlico	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S11	Royal Parks	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S12	North Westminster Economic Development Area	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S13	Outside the CAZ and NWEDA	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S14	Optimising Housing Delivery	<p><u>Yes</u></p> <p>Policy PR2</p>	<p>In line with the City Plan, the Fitzrovia West NDP welcomes proposals for a range of class uses within the Plan area, which includes residential developments. In particular, the NDP encourages new housing developments and seeks to protect existing housing stock.</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>Policy PR2 supports the provision of new homes, particularly where they fall within the definition of 'affordable' and are owned by a registered provider.</p> <p>Overall, policy PR2 contributes to optimising residential units on new developments. Given that Fitzrovia West sits within the Central Activities Zone, it is considered that commercial activities are prioritised. Despite this, the NDP does give careful consideration to housing provision to ensure all needs are met.</p>
Policy S15	Meeting Housing Needs	<p><u>Yes</u></p> <p>Policy PR2</p>	<p>To contribute to Westminster's housing needs, housing developments in Fitzrovia West will need to provide an appropriate mix of units in terms of size, type and affordable housing provision.</p> <p>The Fitzrovia West NDP encourages new housing developments to come forward – particularly where they fall within the definition of 'affordable' and are owned by a registered provider, and states that adequate provision should be made to meet the needs of all age groups and those with special needs. Despite this, the NDP does not establish a housing quantum/need within the Fitzrovia West Neighbourhood Area. As such, Policy S15 of the City Plan should be regarded as the primary policy consideration when making planning decisions within the area. Due to this, it is considered that the NDP is in general conformity with the City Plan.</p>
Policy S16	Affordable Housing	<p><u>Yes</u></p> <p>Policy PR2</p>	<p>As iterated above, Policy PR2 supports the provision of new homes, particularly where they fall within the definition of 'affordable' and are owned by a registered provider.</p> <p>This aligns to policies set out in the City Plan, which states that affordable housing should be provided on-site within developments, or, alternatively, off-site within the vicinity.</p>
Policy S17	Gypsies and Travellers	N/A	This policy is not relevant to the Fitzrovia West Neighbourhood Plan Area
Policy S18	Commercial Development	<p><u>Yes</u></p> <p>Policies B2, PR2</p>	The Fitzrovia West NDP promotes the creation of new commercial development, where appropriate, to support the Core Central Activities Zone, Tottenham

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>Court Road Opportunity Area, West End Special Policy Area and economy of the area and London.</p> <p>The NDP supports a mixture of uses within the CAZ. Policy B2 of the NDP states that A1 retail uses should be protected and applications for premises in the CAZ retail clusters will be considered. Policy B2 also states that applications for development of buildings containing retail space in excess of 2,500sqm shall include where possible at least 10% as small retail units, except in the Tottenham Court Road Opportunity Area. This aligns to the City Plan's prioritisation of retail units within the West End Special Retail Policy Area.</p> <p>Policy PR3 of the NDP supports the provision of new tourism and entertainment uses, including hotels, bars and night clubs of 500 sqm or more if located in the northern Oxford Street area of the West End Retail and Leisure Special Policy Area (WERLSPA) and the area to the north of Mortimer Street.</p> <p>The NDP also supports proposals which protect parades of shop units containing A1, A2 and A3 ground floor uses in areas such as CAZ retail clusters, for example, Great Titchfield Street, Great Portland Street, Cleveland Street and Charlotte Street.</p> <p>The above policies therefore conform with the City Plan's policy on encouraging commercial development, particularly within the Core Central Activities Zone.</p>
Policy S19	Inclusive Local Economy and Employment	<p><u>Yes</u></p> <p>Policy B1</p>	<p>Where appropriate, new development will be required by the WCC City Plan to contribute towards initiatives that provide employment and development for local residents to ensure that local people and communities benefit from opportunities which are generated from development.</p> <p>Policy B1 supports development of small business spaces at below market rents for social enterprises, charities and start-ups secured by planning obligations. Despite this, the Fitzrovia West NDP does not have a direct policy relating to Policy S19 so for the purposes of development management the WCC plan policy should be enacted alongside the NDP.</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
Policy S20	Offices and Other B1 Floorspace	<p><u>Yes</u></p> <p>Policy B1</p>	<p>The NDP promotes the creation of new B1 development, where appropriate, to support the Core Central Activities Zone and economy of the area and London.</p> <p>The NDP recognises that proposals for B1 floorspace which are in excess of 1,000sqm gross floor area shall include, where possible, a range of unit sizes and types suitable for small and independent businesses (including at least one business unit of less than 250sqm per 1,000sqm.</p> <p>The policy therefore promotes small floorplates to complement new agile businesses models. It is therefore considered that the NDP is in conformity with the City Plan.</p>
Policy S21	Retail	<p><u>Yes</u></p> <p>Policy B2</p>	<p>With regard to retail spaces, the NDP supports proposals for the redevelopment of existing buildings which include retail units of about 150 sqm. A1 retail uses will also be protected and parades of shop units containing A1, A2 and A3 ground floor uses should also be protected.</p> <p>With the above policies in mind, it is therefore considered that the Fitzrovia West NDP aligns with Westminster's aim of protecting existing A1 retail uses within Westminster.</p>
Policy S22	Tourism, Arts and Culture	<p><u>Yes</u></p> <p>Policies PR3</p>	<p>Known globally as a cultural and entertainment hub, Fitzrovia West is an appealing destination for tourists. A diverse mixture of history and cultural venues helps create this global appeal.</p> <p>With the above in mind, the Fitzrovia West NDP aligns to the City Plan's policy on protecting existing tourist attractions.</p> <p>The Fitzrovia West NDP supports the provision of new tourism and entertainment uses, including hotels, bars and night clubs of 500 sqm or more if located in the northern Oxford Street area of the West End Retail and Leisure Special Policy Area (WERLSPA) and the area to the north of Mortimer Street.</p> <p>In addition, the Fitzrovia West NDP supports the provision of cultural activities, such as museums,</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>libraries, art galleries and related uses, so long as there is no loss of residential or A1 retail uses.</p> <p>Proposals for entertainment and tourism uses will be subject to a full impact assessment in terms of noise, traffic generation, servicing arrangements and the locations of flues, extracts and heating/cooling provision.</p> <p>Overall, it can be considered that the City Plan's policy on promoting new art, cultural uses, and tourist attractions within the Core Central Activities Zone fully conforms with the NDP.</p>
Policy S23	Hotels and Conference Facilities	N/A	<p>The Fitzrovia West NDP supports the provision of new tourism and entertainment uses, including hotels, bars and night clubs of 500 sqm or more if located in the northern Oxford Street area of the West End Retail and Leisure Special Policy Area (WERLSPA) and the area to the north of Mortimer Street.</p> <p>This conforms with Policy S23 of the City Plan, as any new hotels within the Neighbourhood Plan Area will be directed towards areas which do not have a predominant residential character.</p>
Policy S24	Entertainment Uses	<p><u>Yes</u></p> <p>Policy PR3</p>	<p>Recognising its place as a contributor to London's 24-hour economy, the Fitzrovia West NDP supports the provision of new tourism and entertainment uses, including hotels, bars and night clubs of 500 sqm or more if located in the northern Oxford Street area of the West End Retail and Leisure Special Policy Area (WERLSPA) and the area to the north of Mortimer Street.</p> <p>The City Plan makes it clear that new entertainment uses will need to demonstrate they are appropriate in terms of size of use and scale of activity, relationship to existing clusters of entertainment uses. They must also not adversely impact residential amenity, health and safety, local environmental quality and the character and function of the area. Policy PR3 of the NDP fully conforms to the City Plan by stating that new proposals for tourism and entertainment uses are required to provide a full impact assessment in terms of noise, additional traffic generation, servicing arrangements and the location of flues, air extracts and heating/cooling provision.</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
Policy S25	Heritage	<p><u>Yes</u></p> <p>Policy PR1</p>	<p>Policy PR1 makes reference to heritage assets within the Plan area, stating that development proposals which preserve or enhance listed buildings within the Plan area will be supported. In addition, applications for the refurbishment of all unlisted buildings of merit will be supported if they do not result in significant harm to the local area or the heritage assets themselves (through the provision of additional floorspace). Ventilation shafts and/or heating and cooling plants must also be fully integrated into the building fabric for the proposal to be supported. Similarly, tall buildings will be carefully assessed to ensure that proposals are respectful of the distinctive character of the area.</p> <p>It is considered that these policies are in direct conformity with the aspirations of the City Plan.</p>
Policy S26	Views	<p><u>Yes</u></p> <p>Policy PR1</p>	<p>In line with the City Plan, views in Fitzrovia West will be protected from inappropriate development. Specifically, Policy PR1 stipulates that tall buildings will be carefully assessed to ensure that proposals are respectful of the distinctive character of the area, views to or from the Conservation Areas (within Westminster or the adjoining borough), or impact on a strategic viewing corridor.</p> <p>Policy PR1 also asserts that massing, scale and height of proposals for non-heritage assets must respect that of adjoining properties and the street as a whole.</p>
Policy S27	Buildings and Uses of International and National Importance	<p><u>Yes</u></p> <p>Policy PR1</p>	<p>As mentioned above, Policy PR1 states that development proposals which preserve or enhance listed buildings within the Plan area will be supported. In addition, applications for the refurbishment of all unlisted buildings of merit will be supported if they do not result in significant harm to the local area or the heritage assets themselves (through the provision of additional floorspace). Ventilation shafts and/or heating and cooling plants must also be fully integrated into the building fabric for the proposal to be supported.</p> <p>The above policies conform with the City Plan, through protecting buildings of international and/or national importance (including important uses encouraged within the Core Central Activities Zone).</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
Policy S28	Design	<p><u>Yes</u></p> <p>Policies EN1 and EN2</p>	<p>The City Plan requires development to reduce energy use and emissions and ensure the reduction, reuse or recycling of resources and materials. In accordance with the above, the NDP clearly upholds the principle of sustainable development through policies which seek to maximise measures which contribute to improving air quality and ensuring development proposals incorporate measures designed to conserve heat and energy.</p> <p>Specifically, Policy EN1 states that all applications should demonstrate and make a positive contribution towards improving ambient air quality and reducing greenhouse gas emissions. In addition, Policy EN2 supports development proposals which minimise energy use and maximise energy efficiency and the production and use of renewable energy.</p>
Policy CM28.1	Basement Development	N/A	<p>The Fitzrovia West NDP does not have a direct policy relating to Policy CM28.1 so for the purposes of development management the WCC plan policy should be enacted alongside the NDP.</p>
Policy S29	Health, Safety and Well-being	<p><u>Yes</u></p> <p>Policies PR2, GS1, GS2, EN1, EN2, T1, T2</p>	<p>A suite of policies from the Fitzrovia West NDP align to the City Plan's Policy S29 (which seeks to ensure development secures a healthy and safe environment).</p> <p>New housing development proposals are required to demonstrate how they have addressed the guidance in Building for Life 12, in order to ensure that high standards of place-making are maintained.</p> <p>Green space policies (GS1 and GS2) seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. This includes eight sites which have been earmarked for public realm improvements. Furthermore, Policies EN1 and EN2 stipulate that applications should demonstrate and make a positive contribution towards improving ambient air quality and minimise the use of non-renewable energy in comparison with the development it replaces.</p> <p>Policies T1 and T2 promote active lifestyles through supporting improvements for those using pavements, cycling or accessing public transport in order to create</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>'healthy streets', whilst also supporting the increased use of electric vehicles and provision of electric charge points.</p> <p>Overall, it is considered that the above policies help to establish healthier lifestyle choices, whilst also providing opportunities to optimise health and well-being, such as enhancing residential amenity and promoting the use of greener transport modes.</p>
Policy S30	Flood Risk	N/A	<p>The NDP does not have a direct policy relating to Policy S30 so for the purposes of development management the WCC plan policy should be enacted alongside the NDP.</p> <p>However, it is worth noting that the NDP stipulates that development proposals must include a landscape plan which details how living and green roofs, gardens, tree planting, sustainable urban drainage systems and rain gardens, green walls and soft landscaping wherever they are structurally viable.</p> <p>This aligns with all relevant legislation and, specifically, mirrors City Plan Policy S30, which stipulates that all new development should reduce the risk of flooding.</p>
Policy S31	Air Quality	<p><u>Yes</u></p> <p>Policies EN1, EN2, T1 and T2</p>	<p>The NDP supports the WCC objective of reducing air pollution. Policies EN1 and EN2 stipulate that applications should demonstrate and make a positive contribution towards improving ambient air quality and minimise the use of non-renewable energy in comparison with the development it replaces.</p> <p>Furthermore, Policy T1 seeks to promote the sustainable movement of people and goods through measures such as supporting proposals which include improvements for those using pavements, cycling and accessing public transport. Policy T2 seeks to reduce traffic flows and congestion through the area, whilst also supporting the increased use of electric vehicles.</p> <p>It is considered that the policies above either directly or indirectly encourage measures aimed at improving air quality and are therefore in conformity with Policy S31 of the City Plan.</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
Policy S32	Noise	<p><u>Yes</u></p> <p>Policies PR3 and GS2</p>	<p>Aspects of noise control have been incorporated into Policies GS2 and PR3 of the NDP.</p> <p>Specifically, Policy PR3 requires applications for tourism or entertainment uses to provide a full impact assessment in terms of noise, additional traffic generation and servicing arrangements. Policy GS2 supports development proposals which protect and enhance existing open and green spaces, trees and landscaping.</p> <p>The above policies directly conform with WCC Policy S32 through the minimisation and containment of noise within developments and the protection of valued open spaces for their relative tranquillity.</p>
Policy S33	Delivering Infrastructure and Planning Obligations	<p><u>Yes</u></p> <p>Policies PR1 and B1</p>	<p>In line with the City Plan, policies PR1 and B1 support redevelopment proposals for landscaped open space including children's play spaces and small business spaces at below market rents (for social enterprises, charities and start-ups) secured through planning obligations. Appendix 4 of the NDP provides a full list of prioritised infrastructure types/projects designated for CIL/S106 funding. This accords with the City Plan, which states that WCC will identify infrastructure and will ensure that it is funded through CIL or planning obligations - where this complies with relevant legislation.</p>
Policy S34	Social and Community Infrastructure	<p><u>Yes</u></p> <p>Policies PR4, GS1, GS2</p>	<p>The Fitzrovia West NDP indicates that green infrastructure can promote better health and well-being. The City Plan regards the provision of social and community facilities as integral to supporting sustainable communities.</p> <p>In accordance with WCC, Policy PR4 protects existing community and leisure uses (Class D), and states that proposals which would result in their loss through redevelopment or change of use should provide a similar facility on or off-site. The NDP also supports proposals for new community, health and sports facilities with access arrangement capable of meeting all user groups.</p> <p>Policies GS1 and GS2 seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>incorporate appropriate and well-designed new open spaces or green spaces.</p> <p>As the above policies promote new social and community facilities, as well as protecting and enhancing existing key facilities, it is considered that the NDP accords with the City Plan.</p>
Policy S35	Open Space	<p><u>Yes</u></p> <p>Policies GS1 and GS2</p>	<p>In line with the City Plan, the NDP includes policies which seek to increase green infrastructure and improve public realm, in line with NDP objectives.</p> <p>Green space policies (GS1 and GS2) seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. This includes eight sites which have been earmarked for public realm improvements.</p> <p>Together, the above policies conform with Policy S35, as all seek to further protect and enhance Westminster's open space network.</p>
Policy S36	Sites of Importance for Nature Conservation	N/A	No policy within the NDP seek to add or amend to Policy S36 of the City Plan, nor are they in conflict with the aspirations of this policy.
Policy S37	Westminster's Blue-Ribbon Network	N/A	No policy within the NDP seek to add or amend to Policy S37 of the City Plan, nor are they in conflict with the aspirations of this policy.
Policy S38	Biodiversity and Green Infrastructure	<p><u>Yes</u></p> <p>Policies GS1 and GS2</p>	<p>Policies GS1 and GS2 seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces.</p> <p>As such, the NDP conforms with the City Plan, which stipulates that biodiversity and green infrastructure will be protected and enhanced throughout Westminster.</p>
Policy S39	Decentralised Energy Networks	<p><u>Yes</u></p> <p>Policy EN2</p>	Although decentralised energy networks are not explicitly mentioned within the policy wording, Policy EN2 of the NDP does assert that design proposals should demonstrate that measures have been included to

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			<p>minimise the use of non-renewable energy and should also demonstrate that all reasonable steps have been taken to minimise energy use and maximise energy efficiency.</p> <p>In doing so, the NDP conforms to Policy S39 through the prioritisation and requirement of major development proposals to provide site-wide decentralised energy generation that minimises greenhouse gas emissions – this applies to cases where major developments cannot link to and extend existing heat and energy network.</p>
Policy S40	Renewable Energy	<u>Yes</u> Policy EN2	<p>Policy EN2 supports developments where buildings in the designated area minimise energy use and maximise energy efficiency and the production and use of renewable energy.</p> <p>This accords with City Plan Policy S40, which requires all major development to maximise on-site renewable energy generation to achieve at least 20% reduction of carbon dioxide emissions where appropriate. A key underlying theme of the NDP is to implement measures which contribute to the reduction of the urban heat island effect in Fitzrovia West and the wider Westminster area.</p>
Policy S41	Pedestrian Movement and Sustainable Transport	<u>Yes</u> Policies T1 and T2	<p>A key objective of the NDP is to support the improvement of provision for public transport, walking and cycling.</p> <p>The above objective is reiterated in Policy T1, which also supports proposals which include on-site and off-site cycle parking and bicycle storage provision. The NDP also supports the 'super grid' concept, which ensures that traffic is confined to the main distributor roads. Similarly, Policy T2 encourages developments to reduce traffic flow and congestion, supports the provision for distributor hubs and supports the increased use of electric vehicles.</p> <p>The above policies directly align to Policy S41 of the City Plan which prioritises pedestrian movement and supports sustainable transport options within Westminster.</p>
Policy S42	Servicing and Deliveries	<u>Yes</u> Policy T2	<p>Issues relating to deliveries and servicing is a key challenge for Fitzrovia West.</p>

City Plan Policy No.	City Plan Policy Title	Is NDP Policy in 'General Conformity'? YES/NO	Comment
			In line with the City Plan, Policy T2 of the NDP confirms that development proposals will be supported which include measures designed to rationalise the delivery of goods in the area. Policy T2 encourages developments to reduce traffic flow and congestion, supports the provision for distributor hubs and supports the increased use of electric vehicles.
Policy S43	Major Transport Infrastructure	<u>Yes</u> Policy T1	Policy T1 supports improvements for those using pavements, cycling or accessing public transport, including proposals. This includes on-site and off-site cycle parking and bicycle storage.  No other policies within the NDP seek to add or amend to Policy S43 of the City Plan, nor are they in conflict with the aspirations of this policy.
Policy S44	Sustainable Waste Management	N/A	No policy within the NDP seeks to add or amend to Policy S46 of the City Plan, nor are they in conflict with the aspirations of this policy.
Policy S45	Flood-related Infrastructure	N/A	No policy within the NDP seeks to add or amend to Policy S45 of the City Plan, nor are they in conflict with the aspirations of this policy.
Policy S46	Thames Tunnel	N/A	No policy within the NDP seeks to add or amend to Policy S46 of the City Plan, nor are they in conflict with the aspirations of this policy.
Policy S47	The Presumption in Favour of Sustainable Development	<u>Yes</u>  All policies	All policies within the Fitzrovia West NDP are considered in line with delivering sustainable development for the reasons outlined throughout this statement.

## The Westminster City Plan (Emerging Version): Strategic Objectives

- 5.16. The draft Westminster City Plan (2019) was submitted for Examination in November 2019. Hearings were due to take place in June and July 2020 but, as a result of the COVID-19 pandemic, are likely to be delayed. As with the new London Plan, although the test of the Basic Conditions is against adopted policy, it is helpful to set the Neighbourhood Plan in the context of the emerging Westminster City Plan. The emerging City Plan establishes ten strategic objectives. The Table below demonstrates how the Fitzrovia West Neighbourhood Plan responds to them:

Table 7: Neighbourhood Plan policy response to the draft Westminster City Plan (2019-2040) strategic objectives

Emerging Westminster Plan Objectives	Fitzrovia West Neighbourhood Plan- policy response
<p>01. Increase the stock of high- quality housing and provide variety in terms of size, type and tenure to meet need and promote mixed and inclusive communities, with a clear focus on affordability and family homes.</p>	<p>The Fitzrovia West NDP iterates that existing housing provision will be protected from changes of use and new housing development will be encouraged, particularly where it falls within the definition of ‘affordable’ and is owned by a registered provider. This clearly aligns with the draft Westminster City Plan, as the NDP clearly focuses on the affordability of homes within the Neighbourhood Plan Area.</p> <p>Policy PR2 also states that all new housing should be ‘tenure blind’, thus offering a variety of accommodation of options to meet the needs of local residents.</p> <p>The above policies show consideration for local need, whilst also ensuring that housing is of a good-quality and is inclusively available.</p>
<p>02. Enable job growth across a range of sectors vital to the UK economy, and ensure those from disadvantaged backgrounds benefit from the opportunities this presents.</p>	<p>It is clear that the Fitzrovia West NDP recognises that the area is inhabited by a broad range of companies, which offer a variety of services, including business services, the media, advertising, television and radio, architecture and engineering, design, IT related services and catering. To encourage the continued growth of the economy in Fitzrovia West, the NDP supports redevelopment proposals which include equivalent or increased numbers of business units of less than 250sqm.</p> <p>In line with policies in the draft City Plan, A1 retail uses will be protected and applications for the premises in the CAZ retail clusters will be considered. These measures will assist in retaining commercial activities in Fitzrovia West. Overall, the above policies will ensure</p>

Emerging Westminster Plan Objectives	Fitzrovia West Neighbourhood Plan- policy response
	<p>that Fitzrovia West’s built environment will support a diverse array of businesses.</p>
<p>03. Enhance the West End as London’s primary retail, leisure, and visitor destination, and ensure our town centres and high streets can adapt to the challenges they face.</p>	<p>Fitzrovia West includes dense clusters of retail and commercial outlets. As suite of NDP policies help to ensure that the West End remains an important destination for retail, leisure and tourism.</p> <p>The NDP supports proposals providing new tourism and entertainment uses, such as hotels, bars and night clubs of 500sqm if located in the part of the WERLSPA that is the northern Oxford Street frontage and the area north to Mortimer Street in the Plan Area. This policy is essential to help bolster aspects of Fitzrovia West’s heritage and entertainment offering.</p> <p>Particular effort has been made to accommodate small businesses. The NDP states that developments at small business spaces at below market rents for social enterprises, charities and start-up businesses secured by planning applications will be supported. In order to improve the legibility of the existing streetscape, the NDP has pinpointed a number of streets where the use of visually attractive paving, landscaping and street furniture will be encouraged. This will help to create a more aesthetically pleasing public realm within the Neighbourhood Plan Area.</p>
<p>04. Broaden the city’s cultural offer, while managing the impacts of clusters of uses, and of the evening and night-time economies on existing residential communities.</p>	<p>Fitzrovia West is a well-established cultural hotspot located within the CAZ. To assist in broadening London’s cultural offer, the NDP supports the provision of cultural activities, such as museums, libraries, art galleries, and related uses so long as there is no loss of residential or A1 retail uses. In addition, the NDP supports proposals providing new tourism and entertainment uses, such as hotels, bars and night clubs of 500sqm if located in the part of the WERLSPA that is the northern Oxford Street frontage and the area north to Mortimer Street in the Plan Area.</p> <p>To offset any potential adverse impacts relating to tourism or entertainment uses, the NDP requires new entertainment proposals to</p>

Emerging Westminster Plan Objectives	Fitzrovia West Neighbourhood Plan- policy response
	provide a full impact assessment in terms of noise, additional traffic generation, servicing arrangements, and the location of flues, air extracts and heating/cooling provision.
05. Enhance connections by improving options for cycling and walking, prioritising pedestrians, improve interchange between transport modes and incorporate innovative solutions to manage the highway network.	<p>A key objective of the Fitzrovia West NDP is to support the improvement of provision for public transport, walking and cycling. This will be achieved through Policy T1, which states that proposals will support those using pavements, cycling or accessing public transport, and Policy T2, which states that developments will be encouraged to reduce traffic flows and congestion through the area and which limit pressures on on-street parking.</p> <p>Together, the above policies conform with Objective 5 of the emerging City Plan.</p>
06. Improve quality of life, climate resilience and tackle environmental challenges by protecting, enhancing, expanding our valuable network of parks and open spaces.	<p>The Fitzrovia West NDP proactively seeks to address the main issues relating to climate change. The NDP seeks to enhance Fitzrovia West’s parks and incorporate ecologically sensitive landscaping through the creation of new open spaces. The NDP also supports those schemes which propose to convert the existing streetscape in order to improve the public amenity spaces within the Neighbourhood Plan Area. The NDP envisions that these existing streets will benefit from improved sustainable transport modes, will incorporate ‘healthy streets’ initiatives, will encourage visually attractive landscaping and will rationalise residents’ parking provision.</p> <p>Alternative policies which seek to minimise energy use, improving energy efficiency the production and use of renewable energy also contribute to this broad emerging City Plan objective through improving the sustainability of existing assets within Fitzrovia West.</p>
07. Improve air quality, minimise noise and other polluting impacts, and reduce carbon and water demands by minimising detrimental impacts from development.	<p>The NDP requires development proposals to demonstrate and make a positive contribution to air quality and also reduce greenhouse gas emissions and the urban heat island effect.</p> <p>The NDP has set additional environmental restrictions on tourism-related developments to ensure that any detrimental impacts have been mitigated. As stated in Policy PR3, planning applications for tourism and entertainment uses should provide a full</p>

Emerging Westminster Plan Objectives	Fitzrovia West Neighbourhood Plan- policy response
	<p>impact assessment in terms of noise, additional traffic generation, servicing arrangements, and the location of flues/air extracts and heating/cooling provision.</p>
<p>08. Promote quality in the design of buildings and public spaces, ensuring that Westminster is attractive and welcoming.</p>	<p>Fitzrovia West is well-known for its rich architectural heritage streets and diversity of land uses. A key objective of the NDP is to ensure that development is sympathetic to the local character and history and aims to maintain and enhance a strong sense of place. To achieve this, The NDP supports development proposals which preserve and enhance listed buildings, and states that proposals for tall buildings will be carefully assessed in relation to their likely impact on the distinctive character of the area – with particular attention paid to the impacts on listed buildings, views to or from Conservation Areas (within Westminster or the adjoining borough) or strategic viewing corridors.</p> <p>Fitzrovia West is embracing an innovative approach to planning for public spaces. The NDP has earmarked 8 locations for public realm projects, where, as stipulated in Policy GS2, these areas will benefit from improved sustainable transport modes, will incorporate ‘healthy streets’ initiatives, will encourage visually attractive landscaping and will rationalise residents’ parking provision. In addition, the NDP support proposals which seek to protect and enhance existing open spaces.</p> <p>The cumulative impact of the above policies will therefore promote well-planned good-quality designs of buildings and the public realm is Fitzrovia West.</p>
<p>09. Making sure our neighbourhoods continue to thrive.</p>	<p>A wide range of policies within the NDP seek to ensure the neighbourhood continues to thrive.</p> <p>At the forefront of the NDP is the aim to achieve a vibrant residential and business community. Central to this aim, the NDP supports applications for redevelopment of existing buildings which include business units of less than 250sqm where the</p>

Emerging Westminster Plan Objectives	Fitzrovia West Neighbourhood Plan- policy response
	<p>redevelopment involves provision of an equivalent or increased number of such units. This will ensure that a wide variety of occupiers and small businesses are located within the area.</p> <p>The NDP also effectively considers the open spaces and sustainable transport modes within Fitzrovia West. Through requiring all new major development proposals to incorporate an appropriate and well-design new open or green space, the NDP prioritises the health and well-being of the local community, which, in turn, will help foster a thriving community.</p>
<p>10. Make the most of our unique heritage and historic environment, while encouraging innovations in building technology and improving sense of place.</p>	<p>The Fitzrovia West NDP sets a clear vision for the area to continue to be a unique and important part of London with a rich and vibrant heritage. To help accomplish this, the NDP supports proposals which preserve and enhance listed buildings, and states that proposals for tall buildings will be carefully assessed in relation to their likely impact on the distinctive character of the area – with particular attention paid to the impacts on listed buildings, views to or from Conservation Areas (within Westminster or the adjoining borough) or strategic viewing corridors.</p> <p>The NDP also seeks to maintain local amenity through requesting that ventilations shafts and heating and cooling planta should be fully integrated in the fabric of the new development and should not directly or indirectly diminish the amenity of adjoining occupants.</p>

## 6. Strategic Environment Assessment / Habitats Regulation Assessment

### EU Obligations

- 6.1. The Fitzrovia West Neighbourhood Development Plan does not include any policies or proposals that will result in any significant environmental impacts, and does not allocate land or development, and therefore a Strategic Environmental Assessment (SEA) of the plan is not necessary/
- 6.2. The Fitzrovia West Neighbourhood Plan area does not include any designated important habitats or species, as identified in the Habitats and Wild Birds Directives, and so an assessment under these regulations is not necessary.
- 6.3. Other European directives, such as the Water Framework Directive, the Air Quality Directive or the Water Directive, have also been considered in developing the Fitzrovia West Neighbourhood Plan. As no major development sites have been allocated in the Fitzrovia West Neighbourhood Plan it has been considered necessary to provide any separate assessments under any other European Directive.
- 6.4. Westminster City Council (on behalf of the Fitzrovia West Neighbourhood Forum) has undertaken a screening opinion and determined that neither Strategic Environmental Assessment nor Habitats Regulation Assessment is required as the Plan will not have any significant environmental impacts. A copy of the screening is included in Appendix 2 of this Basic Conditions Statement.
- 6.5. In summary, the Fitzrovia West Neighbourhood Plan is compliant with EU Obligations.

### Integrated Impact Assessment (IIA)

- 6.6. Although SEA of the Neighbourhood Plan is not required, it is considered best practice to undertake a Sustainability Appraisal of the Plan. This is not a requirement and, as such, an Appraisal that is proportionate to the Neighbourhood Plan has been prepared. This includes commentary against the seventeen objectives established within the Integrated Impact Assessment (IIA) (August 2013) prepared by WCC in relation to the testing of the Westminster City Plan. This is presented in Table 9 below.
- 6.7. The Fitzrovia West NDP has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will deliver a blend of environmental, economic and social benefits for Fitzrovia West. This assessment clearly demonstrates that the Fitzrovia West NDP is in conformity with each of these objectives and therefore the Westminster City Plan and London Plan.

Table 9: Conformity of neighbourhood plan policies with Westminster IIA Objectives

Westminster IIA Objectives		Fitzrovia West Neighbourhood Plan- policy response
01.	To create cohesive, inclusive and safe communities.	<p>A range of policies within the NDP seek to promote healthy and inclusive communities in Fitzrovia West.</p> <p>Policy PR3 stipulates that new housing developments should demonstrate how they have addressed the guidance in Building for Life 12 criteria, which includes recommendations for locating new facilities (such as shops, workplaces and pubs and cafes) where new residents can easily access them and designing new local centres as vibrant places – with smaller shops combined with residential, as opposed to promoting single storey supermarkets. This policy helps to instill good design principles into all new development proposals, ensuring that streets are legible and safe.</p> <p>Policy PR4 also seeks to protect existing community and leisure uses (Class D) and encourages development proposals for redundant social infrastructure should provide for full or partial use as other social infrastructure.</p> <p>Policies GS1 and GS2 seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. The protection and enhancement of green infrastructure is key in creating a healthy environment for the local community.</p> <p>Furthermore, Policy T1 seeks to promote the sustainable movement of people and goods through measures such as supporting proposals which include improvements for those using pavements, cycling and accessing public transport. Policy T2 seeks to reduce traffic flows and congestion through the area, whilst also supporting the increased use of electric vehicles. The NDP’s focus on safer and carbon-neutral transport modes will enhance accessibility in Fitzrovia West and the wider area, which, in turn, will help create a more cohesive community.</p>
02.	To reduce crime and fear of crime.	<p>Crime is a complex issue which is often influenced by a vast variety of interconnected urban influences.</p> <p>To help create safer places, Policy B2 of the NDP states that particular attention should be paid to providing a vibrant attractive street frontage at ground level. This will help to promote higher footfall in streets, ensuring eyes on the street at all times. With a particular focus on the adverse impacts associated with Fitzrovia West’s night-time economy, Policy PR3 requires development applications for tourism or entertainment uses to provide a full impact assessment in terms of noise, additional traffic generation</p>

Westminster IIA Objectives		Fitzrovia West Neighbourhood Plan- policy response
		<p>and servicing arrangements. This will help to reduce any anti-social behaviour within the vicinity.</p> <p>It is therefore considered that the above policies will help to drive down local crime rates through the application of good place-making principles within the Neighbourhood Plan Area.</p>
03.	To ensure provision of appropriate housing types to reduce homelessness; reduce overcrowded households and meet the demand for affordable housing and family sized units.	<p>The Fitzrovia West NDP clearly states that adequate provision should be made for accommodation to meet the needs of all age groups and those with special needs.</p> <p>The NDP recognises that affordable housing should play an integral role in all new housing developments (including intermediate and/or social housing) of the required size and scale. Policy PR2 encourages and strongly supports new housing provision which falls within the definition of ‘affordable’ which is owned/provided by a registered provider, housing association or community-based charitable organisation. Furthermore, Policy PR2 states that affordable housing arising from s106 agreements to be transferred to a registered housing provider and rented or sold at below market levels. In addition,</p> <p>Given that the NDP’s policies address the issue of housing affordability and meeting the needs of local people, it is considered that appropriate housing types will be provided in Fitzrovia West.</p>
04.	To promote and improve health and well-being.	<p>Policies EN1 and EN2 stipulate that applications should demonstrate and make a positive contribution towards improving ambient air quality, minimise the use of non-renewable energy in comparison with the development it replaces and support the use of electric vehicles. These policies will help to enhance the health and well-being of the local community.</p> <p>Policies GS1 and GS2 seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. The requirements and improvements of policies GS1 and GS2 to protect and enhance green infrastructure, public spaces and the public realm will create areas of relaxation and tranquillity and will promote better well-being.</p> <p>Policy T1 seeks to promote the sustainable movement of people and goods through measures such as supporting proposals which include improvements for those using pavements, cycling and accessing public transport. This will encourage the use of healthier transport modes within Fitzrovia West and the wider area.</p>

Westminster IIA Objectives		Fitzrovia West Neighbourhood Plan- policy response
05.	To reduce greenhouse emissions and support climate change adaptation.	<p>Policies EN1 and EN2 stipulate that applications should demonstrate and make a positive contribution towards improving ambient air quality, minimise energy use, maximise energy efficiency and the production and use of renewable energy.</p> <p>In addition, a key objective is to protect and increase existing publicly accessible open space, green space and play space provision. This will be achieved through policies GS1 and GS2 which to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces.</p>
06.	To reduce use of limited natural resources e.g. water, fossil fuels, quarried materials, wood.	<p>In recognition of the urban heat island effect within the Central Activities Zone (CAZ), the NDP states that proposals must demonstrate that it has taken all reasonable steps to minimise energy use and maximise energy efficiency and should also demonstrate how they have been designed to operate at optimum efficiency e.g. low return water temperatures. This measure will help to reduce energy waste, which, in turn, will help to reduce Fitzrovia West’s usage of fossil fuels. Importantly, developments which are able to produce and use their own renewable energy to meet their needs will be supported.</p> <p>Policy PR1 also states that development proposals which preserve or enhance existing listed buildings will be supported. Other unlisted buildings of merit are eligible for refurbishment if they meet the set criteria. This has implications for natural resource use in Fitzrovia West, as retrofitting/refurbishing buildings implies that less natural resources will be used in comparison to those required for a full rebuild.</p>
07.	To reduce flood risk, promote SUDs, protect surface and groundwater quality.	<p>Green infrastructure helps to mitigate potential flood risk. The NDP includes a number of policies relating to green infrastructure. Specifically, Policies GS1 and GS2 seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. In addition, Policy GS2 also supports proposals which incorporate an appropriate and well-designed open/green space within all new major development proposals (such as living roofs, living walls and ecologically sensitive landscaping). These measures will provide natural drainage which will reduce surface water runoff risks and ground saturation within Fitzrovia West.</p>
08.	To protect, enhance and create environments that	<p>Green space policies (GS1 and GS2) seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. These policies</p>

Westminster IIA Objectives		Fitzrovia West Neighbourhood Plan- policy response
	encourage and support biodiversity.	will help to protect and enhance biodiversity in existing open spaces. Urban greening measures will also help to strengthen existing ecological networks.
09.	To improve Air Quality.	<p>Air quality will be directly addressed through Policies EN1 and EN2, which Policies stipulate that applications should demonstrate and make a positive contribution towards improving ambient air quality and minimise the use of non-renewable energy in comparison with the development it replaces.</p> <p>In addition, a number of alternative policies will also contribute to the NDP's improving air quality. In particular, policies which seek to create a transport modal shift to cycling and walking (Policies T1 and T2) will encourage sustainable transport modes and the use of electric vehicles, which will in turn reduce car dependency within Fitzrovia West. The implications of these policies are far-reaching and will help yield better air quality.</p> <p>A key aspiration of Policy GS2 is to implement urban greening. This is considered to contribute to improving air quality.</p>
10.	To reduce noise and impact of noise.	As stated in Policy PR3, planning applications for tourism and entertainment uses should provide a full impact assessment in terms of noise, additional traffic generation, servicing arrangements, and the location of flues/air extracts and heating/cooling provision.
11.	To reduce need to travel, the use of private motorised vehicular transport as well as encourage walking, cycling and use of public transport.	<p>The NDP promotes the use of sustainable modes of transport. Namely, Policy T1 seeks to promote the sustainable movement of people and goods through measures such as supporting proposals which include improvements for those using pavements, cycling and accessing public transport. Policy T2 seeks to reduce traffic flows and congestion through the area, whilst also supporting the increased use of electric vehicles.</p> <p>Together, the above policies help to reduce dependency on private motorised vehicular transport, thus promoting healthier means of travel.</p>
12.	To reduce waste production and increase recycling, recovery and re-use of waste.	The NDP does not have a direct policy relating to Objective 12 so for the purposes of development management the WCC plan policy and national policies should be enacted alongside the NDP.
13.	To protect and enhance the historic environment and architectural,	Fitzrovia West includes five Conservation Areas and is therefore well-known for its distinctive architecture and character. The NDP recognises the quality and importance of protecting these historic assets through Policy PR1. Policy PR1 supports the redevelopment or extension of existing buildings in the Plan area where

Westminster IIA Objectives		Fitzrovia West Neighbourhood Plan- policy response
	archaeological and cultural heritage.	applications meet the highest quality design standards. Specifically, development proposals which preserve or enhance listed buildings will be supported. Additional conditions, such as not causing harm to heritage assets through the development of mansard roofs or additional storeys and ensuring that ventilation shafts are fully integrated into the fabric of new development are also set out within Policy PR1. Policy PR1 also makes reference to tall buildings, stating that proposals will be carefully assessed in relation to the likely impact of the distinctive character of the area, particularly where they may have an adverse impact on the setting of a listed building, views to or from Conservation areas or impact on a strategic viewing corridor.
14.	To enhance public realm and street improvements.	<p>Public realm improvements can provide multi-beneficial outcomes to the local community, such as improving health and well-being.</p> <p>In recognition of this, Policy T1 seeks to promote the sustainable movement of people and goods through measures such as supporting proposals which include improvements for those using pavements, cycling and accessing public transport. Policy PRI states that the redevelopment or extension of existing buildings will be supported where applications achieve the highest levels of environmental sustainability and make a positive contribution to the public realm.</p> <p>Central to achieving this objective, Policy GS1 supports proposals which protect and enhance existing open and green spaces. The policy also iterates that development adjacent to existing open and green space should safeguard its appearance and wider setting.</p>
15.	To protect, enhance and seek opportunities to increase open space.	Policies GS1 and GS2 seek to protect and enhance existing open spaces, trees and landscaping, as well as ensuring that all new major development proposals incorporate appropriate and well-designed new open spaces or green spaces. In addition, Policy GS2 also supports proposals which incorporate an appropriate and well-designed open/green space within all new major development proposals (such as living roofs, living walls and ecologically sensitive landscaping). It is considered that the above policies help to protect and increase open spaces within Fitzrovia West.
16.	To ensure equality of opportunities, improve local opportunities and support sustainable economic growth throughout Westminster.	<p>Sustainable economic growth is underpinned by the principles of equality and diversity. This IIA Objective is captured by a suite of policies within the NDP.</p> <p>Fitzrovia West NDP supports the provision of cultural activities, such as museums, libraries, art galleries and related uses, so long as there is no loss of residential or A1 retail uses. Proposals for bars, restaurants and nightclubs are also supported if all conditions listed in the NDP are met.</p>

Westminster IIA Objectives		Fitzrovia West Neighbourhood Plan- policy response
		<p>With regard to business spaces, the NDP supports proposals for the redevelopment of existing buildings which include business units of less than 250 sqm and retail units of about 150 sqm. A1 retail uses will also be protected and parades of shop units containing A1, A2 and A3 ground floor uses should also be protected. Therefore, it is considered that the Plan seeks to retain and create a vibrant business community which accommodates small business and retail spaces.</p>
17.	To maintain economic diversity and support sustainable economic growth.	<p>As above, the NDP supports proposals for the redevelopment of existing buildings which include business units of less than 250 sqm and retail units of about 150 sqm. A1 retail uses will also be protected and parades of shop units containing A1, A2 and A3 ground floor uses should also be protected. Housing, cultural activities and tourism and entertainment uses are also conditionally supported.</p> <p>The above policies help to accommodate a variety of businesses and individuals from a wide variety of backgrounds. This will help to establish a diverse range of businesses which can drive sustainable economic growth throughout Fitzrovia West.</p>

## 7. Conclusion

- 7.1. This document demonstrates that the Basic Conditions, as set out in Schedule 4B to the TCPA 1990 are considered to be met by the Fitzrovia West Neighbourhood Plan and all the policies therein.
- 7.2. It is therefore respectfully suggested to the Examiner that the Fitzrovia West Neighbourhood Plan complies with the Basic Conditions and, subject to any modifications recommended by the Examiner, should proceed to referendum.

## **Appendix 1: Fitzrovia West Neighbourhood Area Decision Notice**



City of Westminster



## Neighbourhood Area Designation Notice

*Section 61G of the Town and Country Planning Act 1990 (as inserted by Schedule 9 Part 1 of the Localism Act (2011)) provides a local planning authority the power to designate an area as a neighbourhood area.*

*Under The Neighbourhood Planning (General) Regulations 2012 Part 2 Regulation 7 a local planning authority must publish on their website, and in such other manner as they consider is likely to bring the designation to the attention of people who live, work or carry on business in the neighbourhood area;*

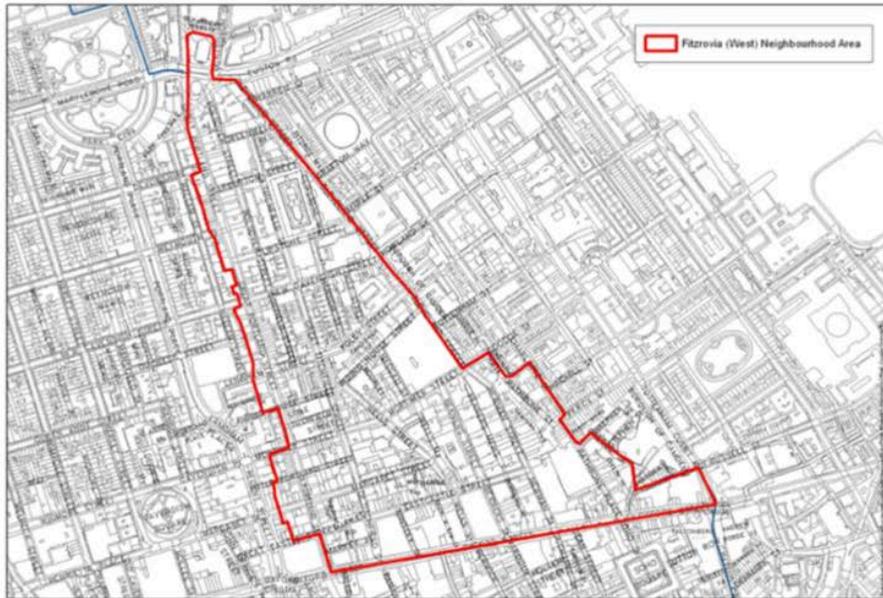
- *the name of the neighbourhood area*
- *a map which identifies the area; and*
- *the name of the relevant body who applied for the designation.*

### Neighbourhood area application

<b>Name of proposed neighbourhood area</b>	Fitzrovia (West) Neighbourhood Area
<b>Name of applicant</b>	Fitzrovia (West) Forum Steering Committee
<b>Representation period</b>	31st October - 13th December 2013

**Neighbourhood area designation**

Notice is hereby given that Westminster City Council, through a decision made on 28 March 2014 by its Cabinet Member for The Built Environment, has designated the Fitzrovia (West) Neighbourhood Area with revisions to the western and southern boundaries. The boundary of the area is shown edged red on the map below.

**Reasons for decision:**

The Cabinet Member has accepted the recommendation that the Fitzrovia (west) neighbourhood area be designated with minor revisions to the western and southern boundaries as requested by the applicants. The revised western boundary follows (and includes) the western side of Great Portland Street to ensure a consistent approach is taken to this street. These revisions, together with the largely supported proposed neighbourhood area, will ensure the designation of a distinct and separate neighbourhood area. Its part location within the City Council's designated Core Central Activities Zone (as designated by the adopted Westminster City Plan Strategic Policies) as well as current land use statistics suggested that the area should be designated as a neighbourhood business area, since the area is predominantly business in nature.

Rosemarie MacQueen  
Strategic Director Built Environment

## Appendix 2: SEA / HRA Screening Determination

**Fitzrovia West  
Neighbourhood Plan  
2019-2034**

**Strategic Environment Assessment  
Screening Report and  
Habitats Regulations Assessment Screening Report  
January 2020**

Prepared by Westminster City Council for FitzWest Neighbourhood  
Forum



City of Westminster

## Introduction

### Legislative background

One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations, including under the Habitats Directive and the Strategic Environmental Assessment (SEA) Directive.

The Habitats Directive is transposed into English law under the Conservation of Habitats and Species Regulations 2010, and seeks to avoid negative impacts on European protected sites.

The SEA Directive has been transposed into English law by the Assessment of Plans and Programmes Regulations 2004 (hereafter referred to as the SEA Regulations), and seeks to make sure that the environmental implications of a plan or programme are taken into account.

### HRA requirements for neighbourhood plans

The purpose of a Habitats Regulations Assessment (HRA) is to identify whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The first step of the appropriate assessment process is a screening assessment, which' purpose is to screen out if any significant effect is likely for any European site, based on objective information. Where there is a risk of a significant effect on a European site, either individually or in combination with other plans or projects, then there will be a requirement to progress to an Appropriate Assessment.

### SEA requirements for neighbourhood plans

Draft neighbourhood plan proposals are required to be assessed to determine whether the plan is likely to have significant environmental effects, which is commonly referred to as a "screening" exercise. If likely significant environmental effects are identified, a Strategic Environmental Assessment will be required in accordance with the SEA regulations.

The National Planning Practice Guidance provides examples of when a strategic environmental assessment may be required:

- 'a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.'

If the requirement for a Habitat Regulations Assessment is identified, then a plan will normally also require a Strategic Environmental Assessment.

## Summary of the neighbourhood plan

Name of the neighbourhood plan	Fitzrovia West Neighbourhood Plan <sup>2</sup>
Geographic coverage of the plan	<p>The Fitzrovia West Neighbourhood Area covers an area in the west of Westminster, which includes Oxford Street as its southern boundary, the properties east of Great Portland Street as its western boundary, and Westminster's boundary with Camden to the east, for a large part following Cleveland Street.</p> <p>London Underground stations Tottenham Court Road and Oxford Street are located just outside of the area, marking the south-eastern and south-western extents of the areas. Great Portland Street station marks the furthest northern point in the area.</p>
Vision of the plan	<p>The vision of the plan is as follows:</p> <p>'This Plan aims to ensure that Fitzrovia West develops as a habitable, sustainable and neighbourly community in which to live and work through all means available, including planning, collaborative working and community enterprise.'</p>

<sup>2</sup> Draft plan available at: <http://fitzwest.org/>

<p>Key issues/objectives</p>	<p>The plan identifies 16 objectives across 5 themes:</p> <p><u>Promoting Regeneration</u></p> <ol style="list-style-type: none"> <li>1. To achieve a vibrant residential and business community which promotes excellent design in terms of height, scale, density, use of materials, and a mix of uses which complements the architectural, cultural and heritage qualities of the area;</li> <li>2. To ensure that development is sympathetic to the local character and history and aims to maintain and enhance a strong sense of place. New development should be fully integrated with existing heritage assets without causing undue harm and without loss of local distinctiveness;</li> <li>3. To promote and support the provision of new housing to meet the needs of all through a mix of housing types, sizes, tenures as well as provision for those with special needs;</li> <li>4. To ensure that tourism, entertainment and night-time uses are carefully integrated in the area and do not cause additional noise, nuisance or adverse environmental conditions for other users;</li> <li>5. To protect existing community facilities and where possible to increase the provision for all sections of the community.</li> </ol> <p><u>Supporting Business Uses and Development</u></p> <ol style="list-style-type: none"> <li>1. To protect and support provision for all business uses but in particular new and small business spaces and retail shops;</li> <li>2. To enable all businesses to thrive through the efficient and sustainable management of servicing and deliveries;</li> </ol> <p><u>Protecting and increasing Green and Open Space</u></p> <ol style="list-style-type: none"> <li>1. To protect and increase existing publicly accessible open space, green space and play space provision;</li> <li>2. To encourage and support an increase in the provision of private amenity space in housing, green walls, green roofs, street landscaping and street closures;</li> <li>3. To support the provision of meanwhile uses such as housing, open space, landscaping and other uses in vacant buildings and on sites.</li> </ol> <p><u>Promoting Environmental Quality</u></p>
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	<ol style="list-style-type: none"> <li>1. To ensure that the amenity of the area is protected and enhanced for the benefit of all those living, working and visiting the area;</li> <li>2. To be an exemplar in sustainable city living by applying the highest environmental standards, particularly on energy conservation and reducing the emission of greenhouse gases and particulates.</li> </ol> <p><u>Mobility and Transport</u></p> <ol style="list-style-type: none"> <li>1. To reduce and minimise the adverse impact of through traffic in the area;</li> <li>2. To support the improvement of provision for public transport, walking and cycling;</li> <li>3. To support the rationalisation of deliveries to businesses and residents in the area in order to minimise the number of vehicular journeys particularly of diesel vehicles;</li> <li>4. To ensure that the adverse impact of any major transport developments or projects are minimised and that amenity standards are increased for residents and businesses.</li> </ol>
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<p>Summary of policies</p>	<p>The plan includes 12 policies, which are summarised below:</p> <p>Policy PR1 Promoting Regeneration seeks to manage redevelopments, refurbishments and extensions of existing buildings, having regard to architectural design, heritage, open space, frontage design housing tenure, open space provision and sustainability. The policy also sets out the context for all building proposals to be assessed.</p> <p>Policy PR2 Housing Provision protects existing housing provision, making sure housing developments are appropriately designed and meet the needs of the local population. The policy also introduces a principal residence requirement for new homes.</p> <p>Policy PR3 Tourism, Arts, Culture and Entertainment Uses seeks to manage such uses in the plan area, supporting and encouraging particular uses in parts of the area, and seeks to manage tables and chairs on the pavement.</p> <p>Policy PR4 Retaining and Expanding Community Facilities protects existing community and leisure uses, encourages the reuse of redundant social infrastructure and supports proposals for new facilities.</p> <p>Policy B1 Small Business Units seeks to protect and provide small business units, and encourages small business spaces at below market rents.</p> <p>Policy B2 Retail and Related Uses protects A1 retail uses and parades of shops, and supports the delivery of small retail units.</p> <p>Policy GS1 Protecting and Enhancing Existing Green and Open Spaces seeks to protect and enhance green space in the area.</p> <p>Policy GS2 Creating New Green and Open Spaces seeks to provide new green and open spaces through provision in major developments and the conversion of existing streets.</p> <p>Policy EN1 Promoting Improved Environmental Sustainability and Air Quality seeks to improve air quality and reduce emissions of greenhouse gases and the urban heat island effect.</p>
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	<p>Policy EN2 Renewable Energy seeks to maximise energy efficiency and resource efficiency, including when heritage assets are affected.</p> <p>Policy T1 Pedestrian Movement and Sustainable Transport seeks to achieve increased efficiency and sustainable movement of people and goods, including by supporting a ‘super-grid’ directing traffic to main distributor roads.</p> <p>Policy T2 Improving the Distribution and Delivery of Goods to Local Businesses aims to rationalise the delivery of goods in the area, supporting distributor hubs.</p>
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## HRA Screening

### Potential impacts on European sites from proposals in the Neighbourhood Plan

There are no European sites in Westminster. For this assessment four Special Areas of Conservation (SACs) and two Special Protection Areas outside of the borough have been identified for consideration in accordance with the requirements of the Habitats Directive. These are:

- Wimbledon Common SAC
- Richmond Park SAC
- Epping Forest SAC
- Essex Estuaries SAC
- Thames Estuary and Marshes Special Protection Area and Ramsar
- Lee Valley Special Protection Area and Ramsar

Epping Forest SAC is located 11km from the plan area, and the Thames Estuary Marshes SPA and Ramsar site is located 37km from the plan area. These two sites are considered to be too far from the plan area to be given further consideration.

Westminster City Council has conducted a screening exercise for the whole of Westminster as part of the revision of its City Plan which concludes<sup>3</sup>:

*'No likely significant impacts on Wimbledon Common SAC and Lee Valley Special Protection Area and Ramsar have been identified, as Westminster is outside of the core recreational catchment of these sites. No likely significant impacts on Richmond Park SAC have been identified as development in Westminster is unlikely to impact on habitats on the site.'*

*Overall, no likely significant impacts on any European sites have been identified, either alone or in combination. Therefore, no amendments to the City Plan are required and it will not be necessary to progress to the Appropriate Assessment stage.'*

The Fitzrovia West Neighbourhood Plan does not contain any proposals that impose a potential impact pathway to any European sites. The area is outside of the recreational catchment of the sites identified above and it is unlikely that any policies, plans or projects in the plan will result in an impact on traffic movement to or from any of these sites. The conclusions of the screening for the City Plan 2019-2040 therefore also apply to the proposals in the Fitzrovia West Neighbourhood Plan.

In terms of further 'in combination' effects, consideration needs to be given to the future arrival of Crossrail at Tottenham Court Road and the transformation of the Oxford Street District. These projects will improve the accessibility of the area from across London and the wider South East, and improve the public realm and movement in the area. Due to the scale and nature of the proposals in the Fitzrovia West Neighbourhood Plan, it is unlikely that any

<sup>3</sup> [HRA Screening Report, Westminster City Council \(June 2019\)](#)

proposals in the plan result in any significant effects to European sites in combination with these projects.

#### Screening outcome

It is concluded that no full HRA needs to be undertaken as there are no likely effects on European sites. This is consistent with the outcomes of the HRA screening for the Westminster City Plan 2019-2040 and the draft new London Plan.

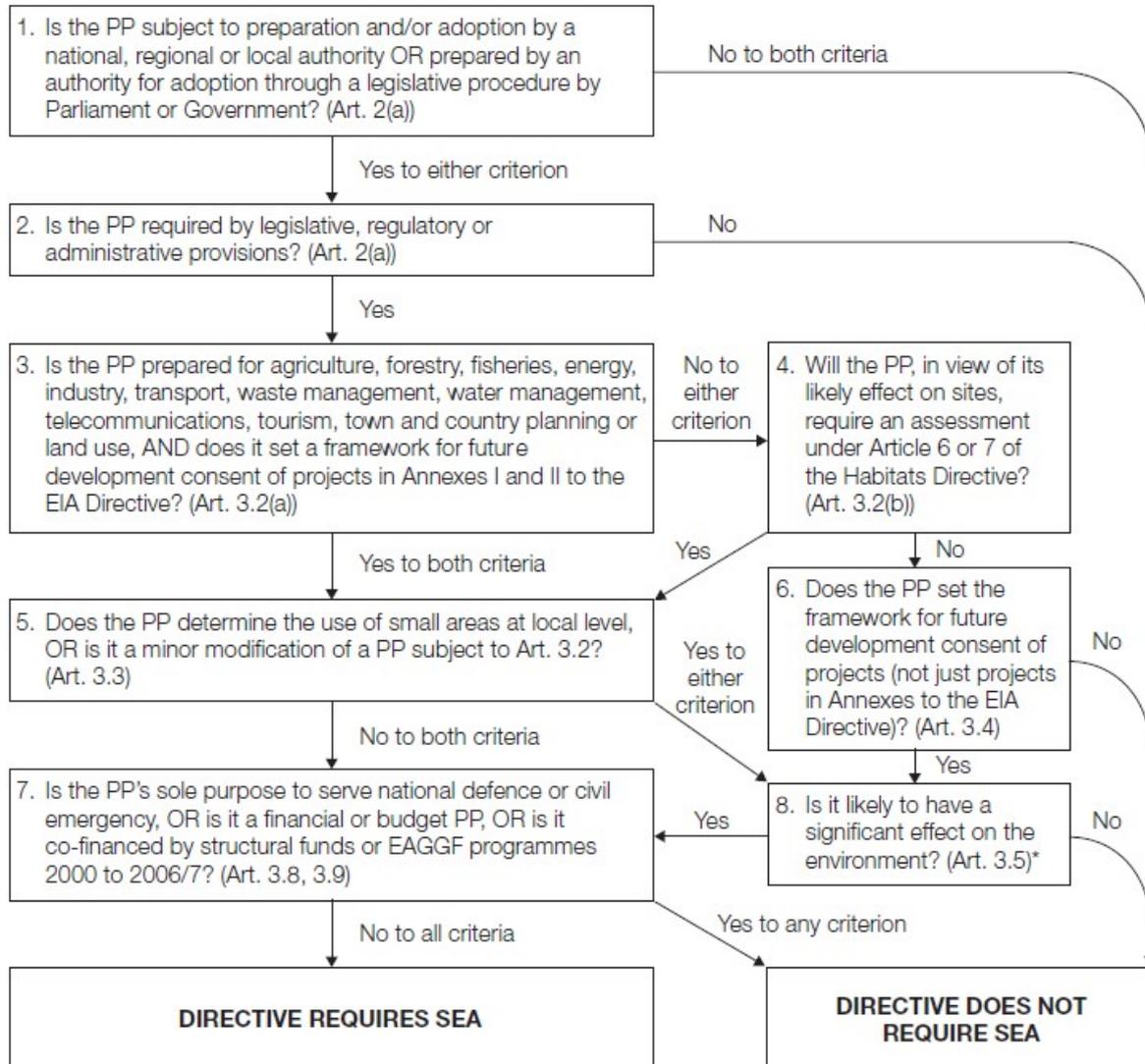
The views of Natural England will be sought in December 2019.

## SEA Screening

### Establishing the need for SEA

Practical guidance on the application of the SEA Directive published in 2005 by the predecessor of the Ministry of Housing, Communities, & Local Government sets out a flow chart to establish the need for SEA. This flow chart is duplicated below, after which the need for SEA for the Fitzrovia West Neighbourhood Plan is established.

Figure 1 SEA flowchart



\*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.

*Table 1 Establishing the need for SEA*

<b>Assessment criteria</b>	<b>Assessment</b>	
Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by parliament or government? (Art 2(a))	The Plan is being prepared by the FitzWest Neighbourhood Forum under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011 and will be "made" by Westminster City Council under the Planning and Compulsory Purchase Act 2004.	Yes
Is the Plan required by legislative, regulatory or administrative provisions? (Art 2(a))	There is no requirement to produce a neighbourhood plan, however, they are subject to formal procedures and regulations laid down by Government.	Yes
Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	The Fitzrovia West Neighbourhood Plan is prepared for town and country planning purposes, but does not explicitly set a framework for future development consent of projects in Annexes I or II of the EIA Directive.	No
Will the Plan in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	The Fitzrovia West Neighbourhood Plan could potentially have an impact on European protected sites protected by the Habitats Directive.	Yes
Does the Plan determine the use of small areas at local level OR is it a minor modification of a Plan subject to Art 3.2? (Art 3.3)	The Fitzrovia West Neighbourhood Plan seeks to direct and shape future uses, building upon the City Plan and will provide a framework for future development consent of projects in the area.	Yes
Is it likely to have a significant effect on the environment? (Art 3.5)	See the results of table 2 'Determining the likely significant effects'	No

Determining the likely significant effects

The likely significant environmental effects of a neighbourhood plan depend on the contents of the plan. The criteria for assessing any likely significant effects on the environment are specified in Schedule 1 of the SEA Regulations.

The table below sets out these criteria, along with a consideration of the likely impact

*Table 2 Determining the likely significant effects*

SEA Regulations Criteria	Comments	Likely Significant Effects?
<b>1. The characteristics of the neighbourhood plan, having regard, in particular, to:</b>		
1a) The degree to which the neighbourhood plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	<p>Once ‘made’, the FitzWest Neighbourhood Plan will set out a framework with which to manage development and change in the area including: - Introducing a principle residence requirement for new housing developments</p> <ul style="list-style-type: none"> <li>- Protecting and encouraging small business and retail units</li> <li>- Providing additional green and open spaces by transforming the public realm</li> <li>- The sustainable movement of people and goods in the area, including by supporting a ‘super-grid’ approach and distributor hubs.</li> </ul> <p>However, the Fitzrovia West Neighbourhood Plan does not allocate any development sites in the plan. All the projects outlined above are of a local scale and link in with wider initiatives.</p>	No
1b) The degree to which the neighbourhood plan influences other plans and programmes including those in a hierarchy	<p>The Fitzrovia West Neighbourhood Plan will form part of the development plan for the City of Westminster and will – together with the City Plan and London Plan – be used to determine planning applications. The Fitzrovia West Neighbourhood Plan is required to be in general conformity with the City Plan. The plan area is affected by the Oxford Street District Place Plan. The public realm aspirations of the plan broadly align with the ambitions for the wider area as set out in the Oxford Street District Place Plan, but will need further coordination for their implementation.</p>	No

<p>1c) The relevance of the neighbourhood plan for the integration of environmental considerations in particular with a view to promoting sustainable development</p>	<p>Achieving sustainable development is at the heart of the National Planning Policy Framework, and is one of the basic conditions that Neighbourhood Plans must meet. Fitzrovia West Neighbourhood Plan seeks to improve the local environment and policies give recognition to the challenges around heritage assets.</p>	<p>No</p>
<p>1d) Environmental problems relevant to the neighbourhood plan</p>	<p>There are no flood risk zones within the area. Large parts of the area are deficient in open space, play space and/or access to nature. Air quality is poor along main roads. Oxford Street in the South and Marylebone Road in the north are identified by the Mayor as Air Quality Focus Areas. The plan also recognises the need to address the heat island effect. The plan's ambitions to create new green and open spaces, high standards of sustainable design, and ambition to enhance sustainable travel seek to address these environmental problems.</p>	<p>No</p>
<p>1e) The relevance of the neighbourhood plan for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).</p>	<p>The Fitzrovia West Neighbourhood Plan has to be in general conformity with Westminster's City Plan, which already is in conformity with such legislation. The Fitzrovia West Neighbourhood Plan does not contain any proposals of relevance for the implementation of Community legislation on the environment.</p>	<p>No</p>
<p><b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b></p>		
<p>2a) The probability, duration, frequency and reversibility of the effects</p>	<p>Improvements to the quality and function of the public realm and the high quality sustainable design that the plan are seeking to achieve will be long term and permanent, but are dependent on wider initiatives including the delivery of the City Plan, the opening of Crossrail at Tottenham Court Road and investment in the Oxford Street District.</p>	<p>No</p>
<p>2b) The cumulative nature of the effects</p>	<p>The Fitzrovia West Neighbourhood Plan will together with the City Plan and London Plan form part of the development plan. The City Plan is being revised and includes many similar aspirations as the plan. The public realm aspirations of the</p>	<p>No</p>

	Fitzrovia West Neighbourhood Plan broadly align with the Oxford Street District Place Plan but further co-ordination in the implementation stages will be required. Any cumulative effects of these plans and policies and the proposals in Fitzrovia West Neighbourhood Plan are unlikely to have any further significant effects on the local environment.	
2c) The transboundary nature of the effects	The effects of the Fitzrovia West Neighbourhood Plan will be limited to the neighbourhood planning area, although alignment with further public realm aspirations in the wider Oxford Street District will be necessary.	No
2d) The risks to human health or the environment (for example, due to accidents)	The Fitzrovia West Neighbourhood Plan is likely to have a positive or neutral effect on human health by as the risk of accidents is likely to decrease due to changes to movement patterns resulting from the plan's policies.	No
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	There are approximately 3,848 people living Fitzrovia West (approximation based on Census, 2011). Although the area has strong geographical links with neighbouring areas including the eastern part of Fitzrovia in Camden and other parts of the West End, proposals in the Fitzrovia West Neighbourhood Plan are not considered to affect areas beyond the neighbourhood planning area.	No
2f) The value and vulnerability of the area likely to be affected due to (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use	There are no significant natural assets in the area. A large part of the area is a designated conservation area, with various listed buildings. The plan seeks to maximise environmental standards, whilst recognising the challenges around historic buildings. The plan also seeks to protect heritage assets and important architectural features.	No
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status	The southern part of the area is covered by the Great Estates Architectural Priority Area. A Scheduled Monument is located just outside of the area. Two protected vistas identified in the Mayor's London View Management Framework cover the area. Proposals in the	No

	<p>plan are not expected to significantly impact on these areas and designations.</p>	
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### Screening outcome

Having reviewed the Fitzrovia West Neighbourhood Plan against the requirements in the SEA Directive, it is concluded that the Plan is unlikely to have significant environmental effects and accordingly should not be subject to Strategic Environmental Assessment.

### Next steps

The screening determination is subject to consultation with the statutory consultation bodies. The consultation bodies are specified in the Environmental Assessment of Plans and Programmes Regulations 2004 and are as follows:

- Historic England;
- Environment Agency; and
- Natural England.

Consultation responses from the consultation bodies have been included in Annex 1.

## Conclusion

### Habitats Regulations Assessment Screening

The HRA screening assessment concludes that there are no likely significant effects in respect of European sites. Further stages of Appropriate Assessment are therefore not required.

### Strategic Environmental Assessment Screening

The SEA screening assessment concludes that the Fitzrovia West Neighbourhood Plan is unlikely to have significant environmental effects. The Fitzrovia West Neighbourhood Plan therefore does not need to be subject to a Strategic Environmental Assessment.

The outcomes of these screening exercises are subject to the views of Natural England, Historic England and the Environment Agency.

## Annex 1 Consultation responses



Mr L van der Steen  
Policy, Performance and Communications  
Westminster City Council  
64, Victoria Street  
London SW1E 6QP

Our ref: PL00656664

By email: [neighbourhoodplanning@westminster.gov.uk](mailto:neighbourhoodplanning@westminster.gov.uk)

10<sup>th</sup> January 2020

Dear Mr van der Steen,

Fitzrovia West Neighbourhood Strategic Environmental Assessment Screening Report  
(December 2019) consultation

Historic England is the Government's advisor on all matters relating to the historic environment and a statutory consultee on a broad range of applications including the Strategic Environmental Assessment (SEA) of plans. Accordingly, we have reviewed your document in the light of the Environmental Assessment of Plans and Programmes Regulations and the National Planning Policy Framework (NPPF), with particular regard to the NPPF's core planning principle that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Having done this Historic England is pleased to offer the following advice.

On the basis of the information provided, namely that the Neighbourhood Plan does not allocate new sites and does not contain policies that are likely to have significant environmental effects, we agree with the City Council's conclusion that SEA would not be required. Please note that this advice is based on the information that has been provided to us and does not affect our obligation to advise on, and potentially object to any specific development proposal which may subsequently arise from this Neighbourhood Plan, and which may have adverse effects on the environment.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David English".

**David English**  
Development Advice Team Leader  
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Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



Date: 20 January 2020  
Our ref: 304099  
Your ref: HRA & SEA Screening



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[neighbourhoodplanning@westminster.gov.uk](mailto:neighbourhoodplanning@westminster.gov.uk)

Dear Mr Van der Steen

**Fitzrovia West Neighbourhood Planning HRA and SEA Screening consultation**

Thank you for your consultation request on the above dated and received by Natural England on 19<sup>th</sup> December, 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Natural England considers that there is no need for further stages of Appropriate Assessment or for a Strategic Environmental Assessment.**

The lack of further comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.

If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.

Yours sincerely

Sharon Jenkins  
Operations Delivery  
Consultations Team  
Natural England

**From:** HNL Sustainable Places <HNLsustainableplaces@environment-agency.gov.uk>  
**Sent:** 09 January 2020 16:35  
**To:** Neighbourhood, Planning: WCC  
**Subject:** RE: Fitzrovia West Neighbourhood Planning HRA and SEA Screening consultation

Dear Lukas,

Thank you for consulting us on the Habitat Regulation Assessment (HRA) and Strategic Environmental Assessment (SEA) for the draft Fitzrovia West neighbourhood plan.

Based on a review of environmental constraints for which we are a statutory consultee, there are no areas of fluvial flood risk or watercourses within the neighbourhood plan area. Therefore we do not consider there to be potential significant environmental effects relating to these environmental constraints or other environmental sensitivities of interest to us.

Your Surface Water Management Plan will indicate if there are any critical drainage areas from local sources of flood risk (e.g. surface water, groundwater and sewerage) which coincide with the neighbourhood plan area.

We encourage the neighbourhood forum to use the neighbourhood plan to improve the local environment. For information, together with Natural England, English Heritage and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

<https://neighbourhoodplanning.org/toolkits-and-guidance/consider-environment-neighbourhood-plans/>

Kind regards,

**Demetry Lyons**

Planning Advisor | Sustainable Places | North London

**Environment Agency** | 2 Marsham Street London SW1P 4DF

☎ 0207 7140 578

✉ Team email account: [HNLsustainableplaces@environment-agency.gov.uk](mailto:HNLsustainableplaces@environment-agency.gov.uk)

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Fitzrovia West Neighbourhood Forum

**Fitzrovia West Neighbourhood Plan  
Submission Version: Basic Conditions Statement**

March 2020