

**Table 1: Fitzrovia West Neighbourhood Plan Examination: Responses**

NP = the draft neighbourhood plan

Underlining = new wording

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Examiner's comment	Plan paragraph/policy	Forum Responses
1		The NP has been prepared with consideration given to the Human Rights Convention
2	7.3 GS1	Correction: Delete (see figure 3) Four existing open spaces to be indicated on Figure 8
	7.6	Correction: Delete 'as set out in Figure 5 below'. Replace with 'as set out in Figure 8 above'.
3	8.2	These figures for NO <sub>2</sub> and PM <sub>2.5</sub> in Westminster are different to those used in Figure 9. This Figure is used because it illustrates graphically the sources of pollution in Greater London as a whole.
	Paragraph 8.2 and Figure 9	Are 2013 figures in Figure 9 the most recent? Yes, they were the ones used in the 2018 report listed as the source and there has been no updated version. 8.2 line 2 should read Figure <u>9</u> .
4	Appendix 3	Correction: This should refer to 20 years, i.e. 2020 to 2040 Also change years on cover of NP
5	PR2 Housing Provision	See responses to Shaftesbury plc and WCC below
	Policy B1 Small business units	See new text below
	Changes to the UCO	<p>Changes to the UCO from 1<sup>st</sup> September largely affect the amalgamation of several uses, including retail, into Use Class E. This is repeated here as an aide memoire and not for inclusion in the Plan:</p> <p><b>Class E. Commercial, Business and Service</b></p> <p>Use, or part use, for all or any of the following purposes—</p> <p>(a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,</p> <p>(b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,</p> <p>(c) for the provision of the following kinds of services principally to visiting members of the public—</p> <p>(i) financial services,</p> <p>(ii) professional services (other than health or medical services), or</p> <p>(iii) any other services which it is appropriate to provide in a commercial, business or service locality,</p> <p>(d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,</p> <p>(e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,</p> <p>(f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,</p> <p>(g) for—</p> <p>(i) an office to carry out any operational or administrative functions,</p>

		<p>(ii) the research and development of products or processes, or</p> <p>(iii) any industrial process,</p> <p>being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.</p> <p>[Town &amp; Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020 No.757)]</p> <p>Section 6 has been redrafted – see below</p>
6	WCC comments	PR2 Housing -see below
	Business Uses	Section 6 redrafted – see below
	Business Uses	Section 6 redrafted – see below
7	Simon Birkett, KNF and Clean Air in London	<p>Policy PR1. Amend 2(c) to: ‘Because of the prevalence of mechanical ventilation on buildings in the plan area, <u>ducting, air-filtration</u>, heating and air-cooling plant should be fully integrated in the fabric of new development and should not directly or indirectly diminish the amenity of adjoining occupants’.</p> <p>This change would address the fact that buildings may have mechanical ventilation, air filtration and heating/cooling plant.</p> <p>3 (f): Amend to: All developments should achieve or exceed prevailing national and local sustainability standards as well as not increasing the heat island effect, <u>or worsening air quality</u>, and keeping energy use and greenhouse gas emissions to an absolute minimum’.</p> <p>This is to ensure that methods to increase sustainability do not include flawed approaches to offsets, wood burning or decentralised power generation.</p> <p>Amend Policy EN1: Promoting Improved Environmental Sustainability and Air Quality (page 43) to read:</p> <p>‘All applications for built development including substantial refurbishments should demonstrate and seek to achieve net zero emissions as soon as practical and in any event by the end of the Plan's life and make a positive contribution towards improving ambient air quality and reducing emissions of greenhouse gases and the urban heat island effect. Passive ventilation should be prioritised where it supports these requirements’.</p> <p>3. Policy EN2: Renewable energy (page 43): 1. ‘To mitigate greenhouse gas emissions that contribute to climate change, developments will be supported where buildings, minimise energy use and maximise energy efficiency, and assist in the production and use of renewable energy to meet their needs’.</p> <p>Reword EN2 (2) to read: ‘All development, including substantial refurbishments, should demonstrate that all practical measures have been included to minimise the use of non-renewable energy in comparison with the development it replaces’.</p>

8	Derwent London plc	Policy PR1 (2a) amend to read: Where, on the basis of a balanced judgement, the loss of a building in this category is deemed to result in harm to the local area, <u>it should be retained and the original uses (or reasonable alternatives)</u> and architectural features should be preserved or reinstated.
	Derwent London plc	PR2 (b) add '.....and should <u>so far as practicable</u> provide access to outdoor space.....'
	Derwent London plc	Policy B1 amended – see new text below
	Derwent London plc	Policy B2 Retail and Related Uses Section 6 redrafted as in text below
	Derwent London plc	Policy GS2 Creating New Green and Open Spaces. It is felt that there is enough flexibility in this policy to enable the policy to be achieved. Almost all developments can incorporate one or more of the examples in 2b if only minimal landscaping and/or tree planting.
	Derwent London plc	Policy EN1. Amended at point 7 above to read:  'All applications for built development including substantial refurbishments should demonstrate and seek to achieve net zero emissions as soon as practical and in any event by the end of the Plan's life and make a positive contribution towards improving ambient air quality and reducing emissions of greenhouse gases and the urban heat island effect. Passive ventilation should be prioritised where it supports these requirements'.  Minor alterations such as shopfronts would not contribute to greenhouse emissions so would meet the policy above.
9	Transport for London	On page 14 amend Mobility and Transport objective 1 to read 'To reduce and minimise the adverse impact of through traffic in the area and promote the reduction of road deaths to zero by 2041.' Crossrail 2 is not mentioned in the neighbourhood plan since its future is currently uncertain and is unlikely to be completed within the plan period. No stations are proposed in the NP area. Page 47-48 Policy T2 add d: ' <u>Support alternative means of goods distribution including electric vehicles, cargo bikes and walking</u> '.  Noted policy PR2 (g) is supported.
10	Mayor and GLA	Tottenham Court Road Opportunity Area: A clear policy framework with targets for employment and housing has been established so that the NP provides general support rather than additional policy. Tall buildings: References to policy D9 in the ITP London Plan is noted and will be corrected. The NP considers that tall buildings above 30 metres are not acceptable in any part of the area because of a number of design and strategic factors, including strategic views and the presence of many listed buildings and 5 Conservation Areas. Definition of small business: 1000 or 2500 sqm – see new section 6 below.
11	Mayor and GLA	The need to conform to agent of change principles is set out at PR3 (4) on page 25.
12	Mayor and GLA	Policy PR2 (g) amend to: Because <del>of</del> <u>the designated area</u> has high accessibility to public transport, off-street car parking should not be provided <u>in new developments</u> except for disabled persons as set out

		in higher tier plans.
13	Swift Conservation	Add ' <u>Including integrated measures for biodiversity such as swift bricks and bat boxes</u> ', after '.....wherever appropriate' at policy GS2, 7.4 (2). As this is included in the policy the second inclusion of this in 7.2 is not considered necessary.
14	Berners-Allsopp Estate: On-site affordable housing PR1 3d	The requirement to provide affordable housing as part of larger development on site and as part of mixed developments directly conforms with strategic guidance from the London Plan and WCC. Recent developments such as Fitzroy Place and Rathbone Square have produced affordable housing on site and in the immediate area. In the Fitzroy Place development 19% of the residential floor area is affordable; for Rathbone Square 17% was provided including three properties let on Council-agreed affordable rents in Mortimer Street and Great Portland Street. Payments in lieu are of little benefit to the Plan area because these resources are pooled and almost always are used outside the area and often in lower value parts of the borough. We strongly support the objective of achieving mixed communities and providing appropriate housing for all income and employment groups, as a way of furthering the historic role of the area as a genuine 'urban village'. Thus our policy conforms with the ItP London Plan (D5) and WCC draft City Plan (policy 9).
15	Berners-Allsopp Estate	Policy B2 will be revised to take account of the adoption of Use Class E from 1 <sup>st</sup> September, which no longer differentiates between retail and a wide variety of other 'high street' uses. See revised text for section 6 below. Add a definition of Use Class E in the Glossary.
16	Figure 8, page 38	The 9 sites identified in the figure were selected by the consultants for detailed study. They were designed to show what could be done to increase open space and improve the local amenity. They are therefore indicative of the potential rather than firm proposals since the Forum accepts that detailed negotiations with WCC would be required. This is explained in paragraph 7.6. It was also accepted that environmental improvements of this kind often progress incrementally and the City Council may prefer to proceed gradually. The north end of Berners Street was not selected as a case study in this respect.
17	T1c	The policy should read: ' <u>support and encourage</u> developments which provide off-street space for bicycle storage, deliveries, servicing and refuse collection'. This suggests the Forum will support applications which meet this requirement but not necessarily oppose those which don't. Much depends on the size of the development but it's almost impossible to define a minimum site or floor space area as much depends on the uses proposed.
18	PR2	No change. While liaison with stakeholders is important, most developers and/or their contractors will do this as part of their role. Thames Water should be consulted but there are many other stakeholders which can't all be listed and this is not strictly a planning policy.

19	Crown Estate: Oxford Street	Our understanding from Cllr Caplan, deputy leader of WCC, is that the Oxford Street Project is under review and that a revised set of proposals will be published in the coming months.
20	Shaftesbury plc	Change paragraph 3.1 on page 10 to read: Fitzrovia West is under continuous pressure for development of all kinds both through refurbishment and redevelopment since a <del>significant proportion</del> it lies within the Central Activities Zone (CAZ). <del>The draft London Plan and draft WCC City Plan are proposing that the whole plan area should be so designated.</del> Market conditions.....
	Shaftesbury plc	Affordable housing: WCC's policy of requiring the provision of affordable housing only applies to larger developments where it is normally possible to accommodate the affordable housing on the development site. As the NP explains, the policy fully conforms with the London Plan and WCC City Plan which promote mixed tenures in, ideally, tenure blind development. There are some good examples of where this has been achieved on both the Westminster and Camden sides of Fitzrovia and elsewhere in West End ward such as in Soho.
	Shaftesbury plc	PR1 (2) Refurbishment of unlisted buildings of merit: Unlisted buildings of merit as set out in Appendix 2 often add character to the area and contribute to the street scene while in themselves not fully meeting the criteria for listing. Some have been subject to additional floors and other alterations, such as plant rooms on roofs which are visible from the street, such as 29-35 Mortimer Street.
	Shaftesbury plc	PR1 (3g) Loss of Daylight and Sunlight and noise. Amend g to read: 'Applicants should do everything possible to minimise the loss of daylight and sunlight to adjoining occupants, increases in ambient noise levels or other environmental impacts taking all current technical standards into account.'
	Shaftesbury plc	PR2 (f) It is accepted that this might be too difficult to achieve in some cases so it should be amended to refer only to new developments: In all <u>new</u> developments refuse storage and related facilities should be provided and if more than <u>10</u> units are provided, additional community meeting and/or storage space should be <u>considered</u> . Note it says considered and not mandatory.
	Shaftesbury plc	Policy PR2 (h) The reasons for the Principal Residence condition on permissions for new build housing is discussed in paragraph 5.21. In summary, the evidence to support this is based on: very high prices for housing of all sizes in the area (Table 1); the prevalence of second homes and holiday lets; and the large number of properties let through Airbnb. A recent survey of the Airbnb website produced 28 flats and rooms advertised in Fitzrovia on the first 3 pages listing available properties. It is not known how many of these are let for no more than 90 days a year. In addition, most new housing developments are advertised on the international market or as buy-to-rent and this forces up house prices generally. A Principal Residence condition would make these properties more attractive to residents who wanted to make the flats their main home.  In addition, experience during the pandemic lockdown has demonstrated that there are only a limited number of permanent

		<p>residents in the area and this is not sufficient to maintain basic services. More permanent residents would assist in sustaining local shops and services such as cafes and restaurants. This would go some way to compensating for the reduction of those working in the area and international visitors.</p> <p>Finally, public consultation carried out for this plan identified a strong preference for an increase in housing provision particularly for affordable housing. Many representations were received which opposed further 'super-prime' development. See paragraphs 5.15-5.23 for further discussion of this issue.</p> <p>The justification for this policy is that it contributes towards achieving a socially sustainable community:          'In order to meet the housing needs of local people, bring greater balance and mixture to the local housing market and create new opportunities for people to live and work here, to strengthen our community and the local economy the Fitzrovia West NDP supports the principle of full-time principal residence housing. This applies to new housing which has to be used as the principal residence of the household living in it but does not have the price controls that affordable housing does, or any local connection requirement.'</p> <p><b>But in the light of WCC objections, PR2 (h) will be deleted. Paragraphs 5.15-5.23 will be amended to explain the nature of the housing market in Fitzrovia West.</b></p>
	Shaftesbury plc	Policy PR2 (j) <i>Building for Life</i> criteria sets out a useful summary and checklist in one place of issues to be addressed in developing housing. Many of these criteria can be found in other plans and design guides produced at national and local levels. No conflicts are envisaged between all these sources of guidance but evidence on the ground suggests that rarely are they all met.
	Shaftesbury plc	Policy PR3 (5) The 2 metre rule comes from WCC's guidance on tables and chairs on pavements. The 2011 <i>Westminster Way: Public Realm Strategy</i> guide says at paragraph 246: 'There is national guidance in "Manual for Streets" that expects that the minimum clear way for pedestrians (the clear stream for the "river of people") should be 2 m'. See <a href="#">Westminster_Way_Public_Realm_Strategy_Adopted_September_2011.pdf</a>
	Shaftesbury plc	Policy B1 (1) and B1 (2) Small business units. See below
	Shaftesbury plc	Policy B2 (1) and B2 (2) Marketing of Retail Units. This policy will be rewritten in the light of the creation of Use Class E from 1 September 2020. See below
	Shaftesbury plc	Policy T1 c. This says that developments will be <u>supported</u> which provide off-street space for bicycle storage, deliveries, servicing and refuse collection. It is not a mandatory requirement. See No.17 above.
	Other changes	Check all text and figures including indexes and appendices to ensure all changes are consistent and updated.

**NEW TEXT for Section 6**  
**Supporting Business Uses and Development**

Objective	Policies
4.4 1. To protect and support provision for all business uses but in particular new and small business spaces and high street uses;	<b>Policy B1:</b> Small Business Units
4.4 2. To enable all businesses to thrive through the efficient and sustainable management of servicing and deliveries;	<b>Policy B2:</b> Street Frontages

- 6.1 The area in the designated area north of Oxford Street and south of Mortimer Street has distinctive and predominantly commercial uses which until recently was typified by the clothing industry. These uses add to the character, vibrancy and economic performance of the neighbourhood. The implementation of the Council’s Oxford Street Project will make the area particularly attractive to major office users and catering outlets in side streets such as Market Place.
- 6.2 The wider Plan area is home to a vibrant mix of small-scale businesses (including shops, galleries, showrooms, cafes and restaurants), as well as many micro-enterprises and start-ups, occupying small premises sometimes in clusters (including media hubs) and sometimes benefiting from temporary uses. The management of small business units by specialist workspace providers will help ensure the success and long-term retention of such spaces.
- 6.3 Information from the Inter-Departmental Business Register (IDBR) indicates that in 2016 there are a total of 2056 businesses in the designated area employing a total of 38,740 staff. Of these, 5841 or 15% are part-time jobs. The average number of employees per business is 18.8. By far the largest proportion of companies are defined as business services (56%), followed by ‘other service activities’ (13%), ‘information and communication’ (12%) and ‘wholesale and retail’ (9%). According to *Banksearch* statistics, 27% of business start-ups in Westminster since 2008 have been in the West End. The West End also generates 34% of Westminster’s GVA.
- 6.4 There is growing pressure on such small-scale businesses from increased rents and in the two major recent developments in the area (Fitzroy Place and Rathbone Square), much of the new business accommodation is occupied by large scale multinational headquarters. While in many respects the presence of such large operations enhances the area and provides much needed employment, it is important that such use does not displace the current mix of different types and sizes of businesses, and the range of other uses in the area less able to pay high commercial rents.

6.5 While a neighbourhood plan cannot set business rents, it can promote mixed uses of the type referred to above, can protect and enhance the availability of appropriately sized spaces for small-scale businesses (including shops) and can encourage the provision of temporary uses for start-ups and other enterprises.

6.6

**Policy B1: Small Business Units**

- I. Applications for redevelopment of existing buildings which include business units of less than 250 sqm. will be supported where the redevelopment involves provision of an equivalent or increased number of such units;
- II. Applications for development of buildings for commercial use in excess of 2,500 sqm. gross floor area shall include where possible a range of unit sizes and types suitable for small, start-up and independent businesses;
- III. Developments containing small business units managed by specialist workspace providers will be supported;
- IV. Developments of small business spaces at below market rents for social enterprises, charities and start-up businesses secured by planning obligations will be supported.

**Strategic Policy Context**

WCC City Plan (2016): S18

London Plan (2016): 4.3 (mixed use development and offices), 5.9 (heat island effect)

Draft London Plan (December 2017): E2 (low cost business space), E3 (affordable workspace), S16 (Digital connectivity infrastructure)

NPPF (2019): paras 7-10 (achieving sustainable development), paras 80-82 (building a strong and competitive economy)

*Justification*

6.7 The designated area has an extremely buoyant economy with a broad mix of large international companies as well as smaller specialist service firms. Local agents confirm that demand for commercial floorspace is considerable in this area and recent developments have involved the creation of large floor plates for companies such as Facebook and Estée Lauder. 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. This mix refers to both the uses involved and the conjunction of commercial space and other uses, such as residential, retail, sometimes in the same building. Because of pressures for redevelopment, market trends tend to be towards providing rental units with large open floor plans and it is often the small, well established SMEs in older buildings which tend to be displaced. Policy B1 is therefore designed to conserve and promote this traditional mix of uses to ensure that a range of sized units with varying degrees of facilities are available at a range of rent levels. This will ensure that growth objectives in higher tier plans can be achieved but through the provision of a substantial proportion of smaller units.

6.8 Local letting agents report a growing demand for micro, small and start-up business units in the area. These fall mainly into the IT, media, creative and design sectors. Most clients in this category are looking

for 1,000 to 1,500 sq ft. (92-139 sqm.) at varying cost and with basic services provided for two to three years. Policy B1 is designed to encourage the provision of small units in the region of 250 sqm. (2,690 sq.ft) to allow for flexibility and to enable the Council's wider strategic objectives to be achieved. Agents also report continuing demand for larger units in excess of 276 sqm. (3,000 sq.ft.). Several companies provide fully serviced desk space for micro-companies and sole practitioners; Fora plc has three such buildings in Berners Street and Eastcastle Street advertised as 'flexible workspace'.

- 6.9 The designated area contains a number of groups of small commercial units which provide a range of goods and services to residents and local businesses. These are made up of a frontage of retail outlets, local services and cafes and restaurants. This mix is typical of the area and provides an attractive feature of local streets, particularly when external seating is possible. All these uses fall into Use Class E.

**Policy B2: Street Frontages**

Retail, commercial, business, hospitality and other service uses are included in Use Class E. Applications involving uses falling into Use Classes E, F1 and F2 will be supported where they meet the following criteria:

- I. Provide a range of retail and other outlets which meet a variety of local and other needs;
- II. Provide attractive and vibrant street frontages and window displays particularly at street level;
- III. Maintain and enhance a high standard of design reflecting local character and location particularly in relation to heritage assets;
- IV. Facilitate the movement of pedestrians by conforming with all City Council guidance and regulations on design, lighting, advertising and tables and chairs on pavements;
- V. Where ground floor units are vacant, temporary, pop-up uses will be supported so long as they do not create adverse environmental impacts;
- VI. Applications involving the conversion of existing retail premises to sui generis uses such as bars and hot food takeaways will not be supported.

**Strategic Policy Context:**

WCC Draft City Plan (2019): 14 A, B, D, E (supporting economic growth, 15 (town centres, high streets, and CAZ)

London Plan (2016): 4.8 (retail sector)

Draft London Plan (December 2017): SD6 (town centres), SD8

*Justification*

- 6.10 Although there has been a decline in local shops, those remaining provide a valuable range of services to residents and local businesses and should therefore be protected. The need to protect small shops, and where possible the provision of new ones, is a priority repeatedly stressed by residents and shop tenants as an exemplar of local distinctiveness. Vacant units have largely been filled by services, cafes and restaurants, and hot food takeaways, all of which provide a large number of skilled and semi-skilled jobs

and now fall into the same Use Class. The Plan will seek to resist the loss of existing retail uses to bars or hot food takeaways.

- 6.11 Oxford Street lies within the West End International Centre and while retail is the preferred use at ground floor level, a wider mix of uses in Use Class E, F1 and F2 as well as sui generis uses should be considered where retail floor space becomes surplus to requirements. As air quality improves and traffic restrained, there may be scope for new residential and non-retail commercial uses particularly in the upper floors of the WEIC.

**Table 2: Response to WCC Comments from Regulation 16 Consultation Letter dated 4.08.20**

General drafting	<p>All comments are noted and will be incorporated in the ‘referendum version’ of the plan.</p> <p>We will use ‘the Plan’ to refer to the neighbourhood plan and ‘designated area’ for the defined Fitzrovia West neighbourhood planning area.</p> <p>Sections of policies will be numbered 1, 2, 3 etc; sub-clauses I, ii, iii etc</p> <p>Our approach has been to refer to current and draft London Plan and City Plan policies where this will inform the non-technical reader of what the general policy is (e.g. the presumption against loss of residential uses). It will also make the reader aware of the higher level strategic policy on which the neighbourhood plan policy is based. In some cases, however, the higher level policy has been stressed or modified with local interpretations of particular priorities while remaining in general conformity.</p> <p>Paragraph 21 of the NPPF is noted:  ‘Plans should make explicit which policies are strategic policies. These should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies’.</p> <p>The numbering of strategic policies in the ItP London Plan will be updated.</p>
PR1: Promoting regeneration	<p>Policy PR1 (2a) redrafted to read: Where, on the basis of a balanced judgement, the loss of a building in this category is deemed to result in harm to the designated area, <u>it should be retained and the original uses (or reasonable alternatives)</u> reinstated and original architectural features should be restored.</p>
PR2: Housing provision	<p>Clause a: this policy is repeated to ensure consistency and that businesses and residents are fully aware of it.</p> <p>Clause B: Amend to:</p> <p>b. All new housing should be designed to <u>maximise dual aspect housing and minimise single aspect housing</u>. It should meet or exceed London Plan floor space standards and <u>as far as possible</u> should provide access to private outdoor space, such as terraces, courtyards, gardens, or balconies. Additional features such as shared roof terraces, green roofs and other forms of green</p>

	<p>landscaping will also be supported;</p> <p>Guidance on single aspect housing is set out in the ItP London Plan Policy D6 (C) and paragraphs 3.6.4 and 3.6.5. Policy D6 (9) refers to the need for private outdoor space in new housing.</p> <p>Minimum space standards are set out in ItP London Plan table 3.1</p> <p>Clause c: The policy of ‘tenure blind’ housing is explained in ItP London Plan paragraph 3.6.6 and is generally deemed to be best practice in the design of mixed tenure housing. See for example, The Peabody Design Guide (2018) at <a href="https://www.peabody.org.uk/media/12988/peabody-design-guide_complete_low-res-web-min.pdf">https://www.peabody.org.uk/media/12988/peabody-design-guide_complete_low-res-web-min.pdf</a></p> <p>Clause e: This is a general planning principle (see NPPF section 5) which is particularly relevant in the designated area because of the aim to achieve a sustainable community and to meet the needs of all sections of the population. This policy is repeated to ensure consistency and that businesses and residents are fully aware of it.</p> <p>Clause f: delete</p> <p>Amend Clause g to read: Because <del>of the designated area</del> has high accessibility to public transport, off-street car parking should not be provided in <u>new developments</u> except for disabled persons as set out in higher tier plans;</p> <p>This is London Plan policy and this has now been accepted by WCC in parking zones B and F.</p> <p>Clause h: delete</p> <p>Clause i: delete</p> <p>Add clause k: <u>In order to promote a more inclusive society and sustainable community, gated forms of housing development will not be supported.</u></p> <p>As explained in ItP London Plan paragraph 3.6.7</p>
<p>PR3 : Tourism, arts, culture and entertainment uses</p>	<p>PR3 (1) to be amended:</p> <p>1.The provision of new tourism and entertainment uses, such as hotels, bars and night clubs <del>of 500 sq.m. or more gross floor space</del> will be supported if located in that part of the West End Retail and Leisure Special Policy Area (WERLSPA) that extends from the northern Oxford Street frontage as far north as Mortimer Street in the Plan area (see Figure 3). <u>Cultural activities and community uses, such as galleries, museums, cinemas and theatres, will be supported in order to promote the diversity of uses and cultural activities in the designated area.</u></p> <p>Amend Figure 3 to show designated area for PR3 (1) above. <b>Delete CAZ retail clusters?</b></p>
<p>PR4: Leisure, sports and community infrastructure</p>	<p>Comment on Clause 1 noted but this plan aims to see any <del>displaced</del> facilities which are displaced or subject to redevelopment relocated, as far as possible, on the site or at least in the designated area. This is a local interpretation of WCC’s policy 18. It is more restrictive because of the lack</p>

	<p>of community-orientated facilities in the designated area so it is essential that they are retained on site or within the immediate area.</p> <p>The clause is thus amended to read:</p> <ol style="list-style-type: none"> <li>Existing community and leisure uses (<u>previously Class D, now part of E</u>) will be protected and development proposals which would result in their loss through redevelopment or change of use should <u>as far as possible</u> provide for a similar facility on site or elsewhere in the designated area.</li> </ol> <p>The only community, sports and leisure facilities in the designated area open to the public are: Fitzrovia Centre, Foley Street and All Souls' Clubhouse, Cleveland Street.</p>
B1 Small business units	<p>Paragraph 6.3 amend to read: 'Information from the Inter-Department Business Register (IDBR) indicates that <u>in 2016</u> there were a total of 2056 businesses.....'</p> <p>This policy has been rewritten as set out above</p>
B2: Retail and related uses	<p>This policy has been rewritten as above in the light of changes to the UCO. See above.</p> <p><b>Clarification needed on any proposed changes to policies for the West End International Shopping Centre and WE Retail &amp; leisure SPA.</b></p> <p><b>Does WCC have new policies for hot food takeaways (A4) and bars (A5)?</b></p>
GS1: Protecting and enhancing existing green and open spaces	<p>Include open spaces listed in GS1 in Figure 8.</p> <p>It is assumed that regular maintenance and replacement of dead or defective trees will be carried out by public or private owners and that this is not a specific planning policy.</p>
GS2: Creating new green and open spaces	<p>Amend GS2 (1) to read:</p> <p>'All <del>new</del> major development should incorporate <del>an</del> appropriate and well-designed new open or green space <u>where possible</u>. Appropriate provision should include living roofs, living walls and ecologically sensitive landscaping'.</p> <p>Clause 2 should be amended to read:</p> <ol style="list-style-type: none"> <li>Where <u>major</u> development is proposed, a landscape plan should be submitted identifying the provision of trees and ecologically sensitive landscaping wherever appropriate. This shall:</li> </ol> <p>Clause 3: We fully accept WCC's statement about the need for feasibility studies and costing including possible road traffic orders. The 9 projects in Figure 8 are therefore indicative and close liaison with the City Council and other agencies will be needed to implement any of them.</p>
EN1: Promoting improved environmental sustainability and air quality	<p>Amend Policy EN1: Promoting Improved Environmental Sustainability and Air Quality (page 43) to read:</p> <p>'All applications for built development including substantial refurbishments should demonstrate and seek to achieve net zero emissions as soon as practical and in any event by the end of the Plan's life and make a positive contribution towards improving ambient air quality and reducing emissions</p>

	<p>of greenhouse gases and the urban heat island effect. Passive ventilation should be prioritised where it supports these requirements’.</p> <p>Move Figure 9 nearer to paragraph 8.6 and refer to the Figure in 8.6</p>
EN2: Renewable energy	<p>Amend policy wording as in point 7 in Table 1:</p> <p>Policy EN2 (1) to read ‘To mitigate greenhouse gas emissions that contribute to climate change, developments will be supported where buildings, minimise energy use and maximise energy efficiency, and assist in the production and use of renewable energy to meet their needs’.</p> <p>Reword EN2 (2) to read: ‘All development, including substantial refurbishments, should demonstrate that all practical measures have been included to minimise the use of non-renewable energy in comparison with the development it replaces’. Such development should:</p> <ol style="list-style-type: none"> <li>I. demonstrate that it has taken all reasonable steps to minimise energy use and maximise energy efficiency;</li> <li>II. demonstrate that systems have been designed to operate at optimum efficiency e.g. low return water temperatures;</li> <li>III. facilitate the reduced use of unregulated energy on-site where technically feasible and commercially viable;</li> <li>IV. maximise the proportion of renewable energy generated on-site consistent with local amenity and the character and without causing harm to heritage assets. <del>of any Conservation Area.</del></li> </ol> <p><del>3. Objectives as set out in 2 a-d above should be carried out as far as possible without adverse impacts on heritage assets such as listed buildings.</del></p>
T1: Pedestrian movement and sustainable transport	<p>Paragraph 9.5. Add Mortimer St./Goodge Street and Great Portland Street to examples of ‘major highways’.</p>
T2: Improving the distribution and delivery of goods to local businesses	<p>See point 9 in Table 1:</p> <p>Page 47-48 Policy T2 add d: <u>‘Support sustainable means of goods distribution including electric vehicles, cargo bikes and walking’.</u></p>