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Report on Mayfair Neighbourhood Plan 2018 - 2038

An Examination undertaken for Westminster City Council with the support of the Mayfair Neighbourhood Forum on the 2 February 2018 submission version of the Plan.

Independent Examiner: Jill Kingaby BSc(Econ) MSc MRTPI

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Intelligent Plans and Examinations (IPE) Ltd, Regency Offices, 37 Gay Street, Bath BA1 2NT

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Main Findings - Executive Summary

From my examination of the Mayfair Neighbourhood Plan (the Plan /MNP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Mayfair Neighbourhood Forum;
- The Plan has been prepared for an area properly designated – the Mayfair Neighbourhood Forum Area shown on Page 11 of the submitted Plan;
- The Plan specifies the period to which it is to take effect – 2018-2038; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Mayfair Neighbourhood Plan 2018–2038

- 1.1 Mayfair is located within the London Borough of Westminster, immediately east of Hyde Park. The Neighbourhood Plan area is bounded by Park Lane to the west, Oxford Street to the north, Piccadilly to the south and Soho to the east. Mayfair is an intensively developed area with a mix of nationally and internationally-renowned retail outlets and commercial enterprises, as well as foreign embassies and public institutions, hotels and residential properties. Mayfair is part of the Core Central Activities Zone (CAZ) and West End Special Retail Policy Area as defined in Westminster's City Plan, 2016. Mayfair is a major focus of attraction for visitors from the UK and overseas, and is the workplace for many people from the wider London area.
- 1.2 The Steering Group of the Mayfair Neighbourhood Forum began work on the preparation of the MNP in January 2014, following designation of the Neighbourhood Plan Area in April 2013. Following some four years of plan preparation and consultation with local residents, businesses and

stakeholders, the submission version of the MNP which is the subject of this examination was produced.

The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the MNP by the City of Westminster Council (WCC), with the agreement of the Mayfair Neighbourhood Forum. I am a chartered town planner and former government Planning Inspector, and have previous experience examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.4 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.5 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions;
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development';
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;

- whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.6 I have considered only matters that fall within paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended), with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.7 The 'Basic Conditions' are set out in paragraph 8(2) of Schedule 4B to 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.8 Regulation 32 and Schedule 2 to the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.¹

2. Approach to the Examination

Planning Policy Context

2.1 The Development Plan for this part of the City of Westminster, not including documents relating to excluded minerals and waste development, is the London Plan March 2016 and the Westminster City Plan November 2016 with saved policies from the Westminster Unitary Development Plan (2007). A draft new London Plan is currently undergoing examination, with hearing sessions which were scheduled

¹This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

from January to May 2019. A draft new Westminster City Plan was published for consultation in November 2018.² WCC suggested that paragraph 1.3.3 of the MNP should be modified to refer to the current statutory and emerging Development Plan more clearly. I support this approach to provide readers with more comprehensive information about the planning policy context, and recommend modifications to section 1.3 of the MNP, as in proposed modification **PM1** in the Appendix.

- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 24 July 2018 (and a further revised version on 19 February 2019), replacing the previous NPPF 2012. The transitional arrangements for local plans and neighbourhood plans are set out in paragraph 214 of the NPPF 2018 (and subsequent 2019 version), which provides 'The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019'. A footnote clarifies that for neighbourhood plans, 'submission' in this context means where a qualifying body submits a plan to the local planning authority under Regulation 15 of the 2012 Regulations. The MNP was submitted to WCC in February 2018. Thus, it is the policies in the original NPPF that are applied to this examination and all references in this report are to the March 2012 NPPF and its accompanying PPG.

Submitted Documents

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:

- the submitted MNP 2018-2038, 2 February 2018;
- the Map on Page 11 of the Plan which identifies the Mayfair Neighbourhood Forum area to which the MNP relates;
- the Consultation Statement, February 2018;
- the Basic Conditions Statement, February 2018;
- all the representations that have been made in accordance with the Regulation 16 consultation;
- the Strategic Environmental Assessment (SEA) Screening Report and Habitats Regulations Assessment (HRA) Screening Report, December 2017, prepared by the Forum; and
- the requests for additional clarification sought in my letters of 24 August 2018, 20 March and 29 April 2019, and the subsequent responses from WCC and the Forum, which are available on WCC's website.³

² In this context, please note the references in this report to the 'Westminster City Plan' or the 'City Plan' are to the **adopted 2016 Plan**, unless otherwise stated.

³ View at: <https://www.westminster.gov.uk/NP-mayfair>

Site Visit

- 2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 7 March 2019 to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses articulated the main objections to the Plan, and presented arguments for and against the plan's suitability to proceed to a referendum. In August 2018, I sought clarification in writing from the Forum as to its position on a number of points raised in the Regulation 16 responses. This led to the production of a number of suggested changes to the Plan's wording for my consideration, set out in a revised draft of the MNP (dated 12 February 2019), alongside a Statement of Common Ground between WCC and the Forum, and additional written information in February and April 2019. I noted the Forum's willingness to engage in future discussions, as well as Clean Air in London's wish to give oral evidence to the examination. However, I considered that the submitted written material provided a satisfactory evidence base for my examination without the need for public hearings.

Modifications

- 2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have also listed these modifications separately in the Appendix. In these PMs I make reference to the suggested changes in the document of 12 February 2019 mentioned above, which I hereafter refer to as the 'the draft revised MNP' and which is attached as Appendix 2 to this report. I endorse, as PMs, most of the changes put forward, to meet the Basic Conditions.

3. Procedural Compliance and Human Rights

Qualifying Body, Neighbourhood Plan Area and Plan Period

- 3.1 The MNP has been prepared and submitted for examination by the Mayfair Neighbourhood Forum. The Forum is a qualifying body by virtue of its original designation by WCC on 10 January 2014, which was renewed in January 2019 upon the expiry of the initial 5 year designation period, for a further 5 years. The Neighbourhood Plan Area was designated by WCC on 5 April 2013, who also designated it as a business area.
- 3.2 It is the only neighbourhood plan for Mayfair and, as long as Policy MPL1 is modified in accordance with **PM6**, does not relate to land outside the designated Neighbourhood Plan Area.

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2018 to 2038.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Steering Group of the Mayfair Neighbourhood Forum began work on the preparation of the Plan in January 2014, with an introductory session on 12 March 2014 for all members of the Forum to hear advice from planning consultants on the process of plan preparation. A steering group workshop on 19 June 2014 identified key topic areas for public consultation (housing, local retail and amenity, waste, community services, night-time economy, public spaces and traffic). A public consultation event, promoted through e-mail and the Forum's website, with a community event in Grosvenor Square, produced 251 responses. These led to the identification of a number of issues and objectives, and provided the basis for a survey in June and July 2015. With 15 consultation events, and online working, 381 responses were received and an additional 200 new members were signed up to the Forum.
- 3.5 Draft policy recommendations, based on the findings from the 2015 survey, were consulted on in July 2016, with events in Grosvenor Square as well as 'e-shots' to Forum members, Directors of the Steering Group and social media networks. 131 survey responses were received, showing 97% support for the policy recommendations. The draft Mayfair Neighbourhood Plan was put to consultation from 13 June to 1 August 2017 in accordance with the Regulation 14 requirements. A variety of techniques were used to publicise the Plan including delivery of 10,000 postcards to local addresses and an article in the Mayfair Times. 179 responses were received, including from WCC, the Greater London Authority, Historic England, Thames Water and Transport for London (TfL). A further discreet round of consultation on Green Spaces policies was undertaken in October/November 2017, because the earlier Regulation 14 responses did not demonstrate a single strong consensus of opinion. A general meeting in November 2017 outlined the process of plan preparation, the key points arising from consultation and the consequent amendments to the Plan.
- 3.6 The Forum sought to engage with a number of local stakeholders and other bodies during plan preparation. These included TfL, the Royal Parks, representatives of Mayfair residents' associations/societies and other Neighbourhood Forums. The MNP was submitted to WCC on 2 February 2018, and was consulted on from 14 May to 24 June 2018 in accordance with Regulation 16 requirements. 19 responses were received. I take account of these in examining the Plan. Overall, I am satisfied that a transparent, fair and inclusive consultation process has been followed for the MNP, that has had regard to advice in the PPG on plan preparation and engagement and is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

- 3.7 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.8 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.9 WCC confirmed in its note to the Examiner of 29 April 2019 its satisfaction that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998), and I see no reason to disagree.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The SEA Screening Report and HRA Screening Report prepared by the Forum was submitted to WCC in accordance with the legal requirement under Regulation 15(1)(e) of the 2012 Regulations. Natural England advised that the proposals in the MNP would not have significant effects on sensitive sites which it has a duty to protect. The Environment Agency identified no major constraints within the Neighbourhood Plan Area and was pleased to read the policies for climate change and waste. WCC raised no objections regarding the screening process but, concerning the likely environmental effects of Plan proposals, WCC contended that the policies for Park Lane would trigger the requirement for a full SEA. Historic England also raised concerns over the three options for transforming Park Lane and the potential effect on heritage assets. I address this matter in section 4 below. I am satisfied that the Forum has followed the SEA screening process in accordance with legal requirements and, as long as the modifications which I propose below (notably **PM6**) are made, I conclude that it will be unnecessary to undertake SEA or HRA of the Plan.

Main Issues

- 4.2 I have had regard for the submitted MNP, the consultation responses and other evidence, as well as the Statement of Common Ground between WCC and Mayfair Neighbourhood Forum with the accompanying draft revised MNP, and the site visit, in my assessment of the Plan. I report on the assessment of compliance with the Basic Conditions of the MNP as two main matters:
1. Compliance of the Plan policies, which are addressed under the following headings:

- Introduction to the Plan
 - Transforming public realm
 - Directing growth
 - Enhancing experience
 - Building on heritage
2. The approach to infrastructure provision, management, monitoring and review.

Introduction to the Plan

- 4.3 Section 1.1 of the MNP sets out background information and includes two maps which indicate the setting of the designated Mayfair Neighbourhood Area within Westminster and define the boundary of the Area. The text explains that the Forum has been working to produce the Plan since 2014 and sets out what it aims to achieve. The draft revised MNP, which gives modified wording as agreed between WCC and the Forum, includes proposed changes to paragraph 1.1.3 to state that the MNP policies will “*be used to determine planning decisions*”, rather than “*to govern the way planning decisions are taken*”. I agree that the modified wording is consistent with national planning policy and the fact that WCC will make planning decisions having regard for its Local Plan and the London Plan, as well as the ‘made’ Neighbourhood Plan (assuming this will be the final outcome). **PM1** should be made to amend paragraph 1.1.3 and secure compliance with the Basic Conditions.
- 4.4 Section 1.2 describes the main assets of Mayfair, but concedes that it is “*also a place full of challenge and opportunity*”. The MNP then sets out its vision and core values, and explains the consequent policy areas which need to be addressed to realise the vision. I support this section, as well as the thrust of section 1.3 which describes the current and emerging policy framework. As already referenced in paragraph 2.1 above, modification is needed here, to update and correct⁴ the references to the current and emerging development plan documents. **PM1** would secure this modification which is necessary to meet the Basic Conditions and describe planning policy accurately.

Transforming public realm

- 4.5 Paragraph 2.1.1 describes the ambition for “*comprehensive public realm enhancements across Mayfair*”, in order to transform “*what is already a wonderful place, into the most desirable and attractive place in the world to live, work, and visit*”. I support this ambition and appreciate, especially from my site visit, how special are the streets and pedestrian ways through Mayfair, and how much its public realm is used by workers, shoppers, tourists, other visitors and residents. However, Policies MPR1 and MPR2 on Transforming Mayfair’s Streets have to have regard to

⁴ Modifications for the purpose of correcting errors is provided for in Paragraph 10(3)(e) of Schedule 4B to the 1990 Act.

national planning policy in relation to planning conditions and obligations as set out in paragraphs 203 to 206 of the NPPF. Planning obligations have to be directly related to the development proposed, and planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted.

- 4.6 The draft revised MNP includes a number of agreed modifications to Policy MPR1 (eg. widening footways where feasible) which I support to ensure that the policy is not unduly onerous and inconsistent with national policy. In addition to the agreed modifications to the policy, I propose a change to Policy MPR1 to acknowledge that the need for improvement to the public realm may not be required everywhere in Mayfair; in some locations, it will be appropriate for major new development to demonstrate that it is 'maintaining' an existing, high quality public realm. Also, for similar reasons, Policy MPR2 should be modified to refer to funding "*the delivery of improved high quality streets and spaces ...*". This is also part of **PM2** and is necessary having regard for national planning policy.
- 4.7 With reference to the divergence of viewpoints between WCC and the Mayfair Neighbourhood Forum over criterion (a) in paragraph 2.1.6, I propose that the following modification is made. The sentence should be moved from (a), with re-numbering of the following criteria, and be re-written as "***(f) Transformative rethinking of Park Lane with the dual aim of opening up the eastern side, and significantly enhancing pedestrian and cyclist accessibility to Hyde Park, is a long-term ambition for enhancement of the public realm in Mayfair.***" In the light of the modification I have proposed to Policy MPR2, paragraph 2.1.7 need not be amended.
- 4.8 Section 2.2 concerns Green Spaces, and the Introduction describes the importance of green spaces offering tranquillity in this intensively developed area of bustling activity in London, and contributing positively to local heritage, character and appearance. There is an absence of consensus between WCC and the Forum over Policy MGS1: Mayfair's Local Green Spaces. Policy MGS1 describes Grosvenor Square, Berkeley Square, Hanover Square and Mount Street Gardens as Local Green Spaces (LGS). LGS designation is described in the NPPF, paragraphs 75 – 77. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. Local policy for managing development within a LGS should be consistent with policy for Green Belts. Designation should satisfy a number of criteria, but "*will not be appropriate for most green areas or open space*".
- 4.9 I am aware that the proposed LGSs host commercial events from time to time. I consider that Policy MGS1 would have a significant effect on the ability of the named squares and open space to host future commercial events, because the policies applicable to Green Belts would be applied. Westminster's City Plan, adopted in November 2016, seeks "*to protect*

and enhance Westminster's 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." (Strategic objective 7). However, in addition, Mayfair is included in London's Core CAZ and Westminster's Policy S1: Mixed Uses in the CAZ encourages commercial development. The supporting text states that the Council *"wishes to accommodate the various economic functions that contribute to London's world class city status ... balance between residential and commercial uses must be managed to ensure that the core strategic commercial function can continue to thrive"* In my opinion, LGS designations of the named squares could restrain commercial activity and would not be in general conformity with Policy S1 of Westminster City's Plan.

- 4.10 The PPG on Local Green Space Designation⁵ cautions against designating LGSs where land is already protected by other designations. As described in Appendix 5 to the MNP, the London Squares Preservation Act 1931 should safeguard the Squares in Mayfair as areas of permanent open space. Three conservation areas (Mayfair, Regent Street and Royal Parks) also offer protection to established open spaces against undesirable changes. I am satisfied that the existing designations should protect the Squares from inappropriate development. Having regard for national planning policy, I consider that Policy MGS1 should refer to Mayfair's "public green spaces" rather than LGS, and I propose to modify the Neighbourhood Plan accordingly. Policy MGS1 should be merged with Policy MGS2 and modified as in **PM3**. Paragraphs 2.2.6, 2.2.7 and 2.2.8 should also be deleted to meet the Basic Conditions.
- 4.11 Policy MGS3 of the Neighbourhood Plan concerns events in green spaces, seeking to control their incidence and ensure that there are no significant adverse effects on local amenity where they take place. The Forum pointed out that local residents in Mayfair would like to have very few commercial events in the Squares; local businesses would like to see a limited number of events that would be complementary to their businesses. I have read the planning permissions granted in May and June 2016 for the erection of marquees in Berkeley Square to host commercial events for temporary periods in 2016 and 2017, and for unspecified dates in future years. I note that a significant part of Berkeley Square is occupied by marquees and related structures during events, and that additional events could take place in the Square at separate times of the year. Appendix 5 of the MNP reports that events in Berkeley Square have caused substantial disruption to the public's enjoyment of the Square, with apparent failure to restore the Square after the events. I recognise the concern of the Forum. However, WCC has the responsibility to ensure that the terms and conditions of the 2016 planning permissions are being met in full, and harm is being mitigated.

⁵ PPG Reference ID: 37-005 to 022-20140306.

- 4.12 The Forum is critical that some of the planned events would not be directly related to local businesses or beneficial to them. However, WCC pointed out that controlling the nature of occupiers and attendees at events was beyond the remit of land use planning. WCC states that it supports clear policies to identify potentially detrimental land use impacts and identify mitigation measures, but planning policy should recognise and not duplicate WCC's Events and Licensing team's responsibilities. WCC put forward modified wording for Policy MGS3 which I broadly support. However, as intermittent high levels of noise may be as damaging as sustained and "*permanent*" high noise levels, I shall retain the wording of paragraph (a) (i) from the submitted MNP. I agree that Policy MGS3 should be modified so that limitations on events not for "Local Community Use" are omitted, given that Mayfair is located in the Core CAZ where Westminster's City Plan states that Westminster is the economic powerhouse of the UK, with the business activity centred around the West End. Its pre-eminent role must be protected and enhanced for the benefit of the economy.⁶ Modification to Policy MGS3 and paragraph 2.2.11, as in **PM3**, is necessary for general conformity with the strategic Development Plan.
- 4.13 Section 2.3 of the MNP, headed Greening, is supportive of increased planting and landscaping within Mayfair to improve the environment. The draft revision of the submitted MNP includes a revised Policy MGI1: Green Infrastructure in place of Policies MUB1-3, which would remove earlier repetition and give a strong policy encouraging development to provide green infrastructure, where possible. Policy MUB4 should be renumbered as MGI2 as shown in the draft revised MNP, and without the reference to demonstrating resilience to changes in pests and diseases, which could be overly onerous for developers. **PM4** should be made to secure these alterations and contribute towards sustainable development.

Directing growth

- 4.14 Section 3 acknowledges that in Mayfair the only prudent course is to plan for growth. WCC's City Plan, Policy S18, is clear that all Mayfair is suitable for commercial development, and WCC argued that Policy MSG2, encouraging development in six specified areas, could be out of general conformity with this approach. The draft revision of the MNP includes modified wording to Policy MSG2 to "*particularly*" encourage growth within the six named areas, which I support to secure general conformity with Westminster's City Plan. I agree with WCC that the aim to rediscover and celebrate the path of the Tyburn River through Policy MTR, Tyburn Opportunity Frontage, is an interesting initiative. WCC also observed that further detailed analysis is required to create a more distinctive public realm. I support Policies MTR1 and MTR2, with the minor amendments agreed by the WCC and Forum, and shown in the draft revised MNP. As long as **PM5** is made, I am satisfied that section 3.2 will be in general

⁶Westminster's City Plan Policy S1.

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conformity with strategic development plan policies and should contribute to sustainable development.

Park Lane

- 4.15 Section 3.3 of the Neighbourhood Plan describes a series of challenges presented by the road structure in the Park Lane area. It was apparent at my site visit that poor public realm, a poor pedestrian and cycling environment, severance - with very poor connections between intensively developed Mayfair and the spacious green area of Hyde Park to the west, heavy traffic flows with associated noise and air pollution, characterise the area. Policy MPL1: Transforming Park Lane seeks s106 contributions from future development in the vicinity of Park Lane to fund further analysis and modelling for change to the transport network, and pursuit of one of three Solutions described, or variants to them.
- 4.16 In its Regulation 16 response to the submitted Neighbourhood Plan, WCC stated that it supported finding ways to improve access between Mayfair and Hyde Park, and the quality of the public realm in and around Park Lane. However, it had major reservations around Policy MPL1. I share the concerns raised by WCC as follows:
- There are currently no plans at London or Westminster level to support the options described in the Neighbourhood Plan. Policy S43 of Westminster City's Local Plan identifies strategic transport projects, but does not envisage works to Park Lane. The Neighbourhood Plan is not therefore in general conformity with the strategic Development Plan policies.
 - Park Lane is an important road within London, accommodating much through traffic which comprises private cars, commercial vehicles, buses or coaches and taxis. All three options for improvement could have significant implications for other neighbourhoods than Mayfair within Westminster and other Boroughs.
 - Policy MPL1 states that development in Park Lane and nearby will contribute via s106 agreements towards funding transformational change to Park Lane. However, I am not satisfied that the legal requirements and rules governing the use of s106 obligations, as set out in CIL Regulations 122 and 123⁷, would be met by the policy. At present, the scheme is largely speculative and requires further research and traffic modelling, assessment of environmental impact and investigation of stakeholder support and funding sources.
- 4.17 Although the letter from the Forum's Chairman to me of 14 February 2019 refers to "*TfL's comments in relation to the policies in the formal consultation responses*", I am unaware of any received at the Regulation 16 consultation stage. However, I note that TfL commented on the draft

⁷The Community Infrastructure Levy Regulations 2010 (as amended).

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Neighbourhood Plan on 1 August 2017. It stated then that it had not yet undertaken any feasibility work to assess the impact of major changes on Park Lane. The schemes envisaged could cost significantly more than the total income generated by neighbourhood CIL over the stated Plan period. Park Lane forms a vital link in the scheduled express coach and tour bus networks, and has a role in the provision of interchange between regional and airport express services. TfL questioned the proposal to shut down the southbound carriageway rather than the northbound one. It queried whether Park Lane's role in providing accessible mass transport (by bus) to and from all corners of the capital had been taken into account. These factors cause me concern that Policy MPL1 may not contribute to the promotion of sustainable development within the wider London context.

- 4.18 The concerns are compounded by comment from The Royal Parks (Regulation 16 response) that it welcomes ideas to transform Park Lane, but would be unlikely to support opening Hyde Park's eastern boundary. Historic England commented on the SEA Screening Report for the MNP that the three options for transforming Park Lane, referenced in Policy MPL1, have the potential for significant effects on the historic environment. It listed some of the historic assets, beginning with the Grade 1 registered Hyde Park and Grade 1 listed screen at Hyde Park Corner, which could be affected by the options for transforming Park Lane. Furthermore, both Mayfair and Hyde Park are covered by archaeological priority areas, which could be affected by large scale excavation necessary to implement Policy MPL1. Historic England advised that the scale of change at Park Lane envisaged and promoted in the MNP triggers the need for SEA of the Neighbourhood Plan. This is a serious objection which confirms my view that section 3.3 Park Lane must be modified, if not removed from the Plan, to meet the Basic Conditions.
- 4.19 WCC suggested having a single policy for Park Lane (to replace the three policies in the submitted Plan) focused on changes likely to be deliverable within the timescale of the Neighbourhood Plan, with a paragraph setting out the Forum's aspirations for more radical change. I broadly support that approach and propose that the Plan is modified along those lines, with the combination of Policies MPL1, MPL2 & MPL3 and downgrading of the expectation that s106 obligations will fund scheme development. Some text relating to further work, including the need for environmental impact assessment, should be moved to Appendix 3. **PM6** should be made so that the Basic Conditions are met.

Enhancing experience

- 4.20 Section 4 of the MNP is mainly concerned with retail policy, recognising the special status of the West End retail frontages on Oxford Street, Bond Street and Regent Street, as well as Savile Row which is a designated special policy area in Westminster's City Plan (Policy CM2.3). Paragraphs 4.1.3 and 4.1.4 explain that there is limited control within the planning system over the goods sold within a particular A1 retail unit, and this should assist readers of Policy MR1.1(b)(iii). I have considered whether

the MNP should define small scale retail development as referenced in MR1.1 and large sized units as referenced in MR1.3. A possible size limit of 500sqm at ground level was suggested, and I note that the PPG⁸ refers to major economic development as sites of 0.25 hectares (or 500sqm floorspace) or more in scale. However, the PPG also states: "Where appropriate, plan makers may wish to consider alternative site size thresholds". Given that the Forum considers Policy MR1 to be sufficiently clear, and as units may vary in size depending upon the character and building layout of the area, I consider that it is unnecessary to define a specific size limit.

- 4.21 As Policies MR1.1 and MR1.2 only permit the loss of A1 retail floorspace if non-viability can be demonstrated, I am satisfied that they are in general conformity with the City Plan's Policy S21: Retail. As WCC pointed out, MR1.3 would be dealing with internal changes to buildings in most cases where planning permission would not be required. The wording should be modified to allow for this, as in **PM7**, so that sustainable development is not prevented. MNP Policies MR2 – Retail Public Realm Improvements, MR3 – Oasis Areas, and MR4 – Public Conveniences set out provisions for features which are important for a good shopping experience. These policies should contribute to the promotion of sustainable development. The footnote (No 65) to paragraph 4.1.24 should be modified to refer to latest proposed policy on the provision of public toilets, as in **PM7**. High quality design in shop fronts is sought by Policy MR5, and has regard for national policy (NPPF section 7. Requiring Good Design). Even if there is some overlap with Westminster's City Plan and saved UDP policies, I support the policy but agree that paragraph 4.1.27 should be modified as in **PM7**, given that WCC's emerging policy on this topic is not yet certain.
- 4.22 Policy MR6 – Creative Originals was criticised by WCC as occupiers of developments cannot be protected through the planning system, only the land use. WCC stated that it could not prevent a shop selling creative original goods from changing to one which sold more mainstream produce. In practice, WCC argued that the policy would be unenforceable and add little to City Plan Policy CM2.5 (Mayfair Special Policy Area). I note that the Glossary to the MNP helpfully includes a definition of Creative Originals. Policy CM2.5 points out that Mayfair has an international reputation as a centre for the arts trade with galleries and antique trader space, (including Sotheby's, Bonham's and the Royal Academy of Arts). Large numbers of outlets on Bond Street and in other parts of Mayfair have been lost in recent years, and Policy CM2.5 states that the City Council will work with landowners to protect and promote clusters of specialist retailers in Mayfair.
- 4.23 Policy CM2.3: Savile Row Special Policy Area in the City Plan also seeks to promote bespoke tailoring premises in Mayfair. In this special context, I consider that it is appropriate for the MNP to include its Creative Originals policy reminding readers of this distinctive and internationally-important

⁸ PPG Reference ID: 3-010-20140306.

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characteristic of the area and local economy. Policy MR6 should reinforce the City Plan policies and contribute to the achievement of sustainable development.

- 4.24 The draft revised MNP includes a new Policy MR7: Public Houses to resist their loss, which effectively repeats Policy MSC2. I appreciate that there is widespread community support for pub protection and I support the retention of this policy, albeit in a different location in the Plan to reflect its land use classification (A4). As the proposed policy allows for closure of pubs if appropriate marketing has been carried out, I consider that it is not unduly restrictive and should contribute to sustainable development. **PMS** should be made to modify the Plan, deleting Policy MSC2 and adding Policy MR7: Public Houses.
- 4.25 Turning to residential policies and section 4.2 of the MNP, the potential conflict between Mayfair's role as a vibrant cultural, retail and commercial area and as a home for its residents is clearly described. WCC raised concerns at Regulation 16 stage that Policy MRU1, which seeks to prevent late-night noise and waste disposal when new commercial or entertainment development takes place, was out of line with its licensing policy, which (WCC states) allows noise up to 11.30pm Monday to Thursday and midnight Friday and Saturday. The Forum observed that its policy is not aimed exclusively at licensed premises and the selected hours were the result of much local discussion. The World Health Organization, which has assessed the impact of noise on wellbeing and health and set noise standards for many years, defines night-time as 11pm to 7am, as does Policy MRU1. Although WCC posited that developers would be required to produce an operational management plan to comply with Policy MRU1, paragraph 4.2.11 of the MNP is in fact more flexible, stating that developers are encouraged to consider submitting such a management plan. I am satisfied that Policy MRU1 meets the Basic Conditions, including general conformity with Policies in the City Plan - S29: Health, safety and well-being, and S32: Noise - and need not be modified.
- 4.26 The MNP takes a positive approach in support of new residential development, reflecting national planning policy. Paragraph 3.1.15 refers to the Government White Paper – Fixing our broken housing market, DCLG Feb 2017. The Growth Areas Map on Page 28 differentiates between West Mayfair, Central Mayfair and East Mayfair. Paragraphs 4.2.6 onwards describe the character of these areas, stating that West Mayfair is predominantly (but not wholly) residential, whereas East Mayfair is fundamental to the vibrancy of the West End. Central Mayfair has a greater mix of major commercial, retail and entertainment uses, as well as residential. I consider that this more detailed information about the character of different parts of Mayfair, as reflected in the Ground Floor Use Plan on Page 36, should be helpful for readers of the Plan and potential developers. It is appropriate for Policy MRU2 to refer to the different character areas and expectations for new development, in my view, so that future growth takes into account the amenity of existing

residential communities and respects the character of the immediately surrounding area. I am satisfied that MRU2.3, aiming to resist the net loss of residential units, is in general conformity with Policy S14: Optimising housing delivery, in the City Plan. Overall, Policy MRU2 is in general conformity with City Plan Policy S15: Meeting housing needs, and should contribute to the achievement of sustainable development.

- 4.27 Policy MRU3, encouraging new retail and entertainment uses which complement residential communities, and resisting the loss of social and community facilities, is in general conformity with City Plan Policy S34: Social and community infrastructure. WCC argued that Policy MRU4 was not clear as to what constituted construction traffic, and should be clarified to avoid unnecessary work for small developments. I consider that some re-wording to clarify this and correct the reference to Westminster's Code of Construction Practice should be made to contribute to sustainable development. **PM9** should be made accordingly.
- 4.28 WCC raised an objection to Policy MC: Commercial Growth in Mayfair, indicating that it was contrary to City Plan Policies S18: Commercial development and S20: Offices and other B1 floorspace. Policy MC implies that the loss of commercial floorspace to residential use would be more acceptable in West Mayfair than Central or East Mayfair. Although the City Plan treats the Core CAZ as a single area within/to which commercial development should be encouraged and directed, Policy S18 does make an exception for residential streets and areas within the Core CAZ which are wholly residential; commercial encroachment there, it states, is not considered appropriate. The MNP is providing more detail than the City Plan with a focus on character areas within Mayfair and within the Core CAZ, and I consider that Policy MC is in general conformity with Westminster's City Plan.
- 4.29 Section 4.4 deals with cultural and community uses, and the draft revised MNP includes modification to paragraph 4.4.5 and its footnote, to update the reference to emerging planning policy, which I support. WCC also pointed out that the listing of buildings in paragraph 4.4.8 needs correction. I agree that this should be done, as the Royal Academy is Grade II*, Curzon Cinema is Grade 2, and there is no listing for Mayfair library. **PM10** would secure these modifications and meet the Basic Conditions.
- 4.30 WCC stated that it supports the protection of Shepherd Market, but queried whether Policy MSM in the MNP added a level of protection over and above that given in the City Plan design policies. As the MNP specifically highlights Shepherd Market and describes its current character and risks (paragraphs 4.53 to 4.57), I consider that the MNP policy should be retained to reinforce the City Plan's Policies S28: Design and S29: Health, safety and well-being, with which it is in general conformity. I broadly support Policies MSD1 and MSD2 which address servicing and deliveries, important considerations in Mayfair with its mix of closely located and diverse land uses, and heavy vehicular and pedestrian footfall.

However, I accept that the policy requirements for servicing and deliveries of new development should take account of the nature and scale of development, so that overly onerous requirements are not placed on small schemes. Policies MSD1 & MSD2 should be modified, as in **PM11** in order to meet the Basic Conditions.

Building on heritage

- 4.31 Section 5.1 Design begins with Policy MD1, which requires new development to be of the highest quality design. Given the aims of national planning policy (NPPF section 7) and the special history and architecture of Mayfair, I support this policy which meets the Basic Conditions. WCC suggests that Policy MD2 is misleading as development proposals which put forward a design and access statement may not necessarily merit the grant of planning permission. Paragraph 1.2.19 of the MNP explains that work has been undertaken by the Forum to define character sub-areas within Mayfair, although it points out that this has been a difficult process and "*The character areas are therefore of limited usage*". Policy MD2 asserts that "*the Character Area as designated by this Plan*" should be considered when design and access statements are prepared. The MNP should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications.⁹ Accordingly, I consider that Policy MD2 should be modified in the interests of clarity, and I note that there is no detailed reference of any designation process of character sub-areas.
- 4.32 Mayfair Neighbourhood Plan Area is almost synonymous with Mayfair Conservation Area, with the eastern part of the area including part of Regent Street Conservation Area. The Royal Parks (Hyde Park and St James's) abut the western and southern boundaries. The WCC website gives access to information in its Conservation Area Directory and Mayfair Mini Guide about the designation, providing a useful description of the Mayfair Conservation Area and its character. In order to avoid conflict with WCC's policy for conservation areas and having regard for national planning policy, I consider that Policy MD2 should be modified to omit the reference to "*the Character Area as designated by this Plan*". Changes to the supporting text in paragraphs 5.1.2 and 5.1.3 to explain the background in terms of Conservation Areas and other heritage assets should also be made. **PM12** is needed for the MNP to meet the Basic Conditions.
- 4.33 Environment and sustainability is covered in section 5.2 of the MNP. The voluntary organisation, Clean Air in London, drew attention to the severity of air pollution problems in Mayfair, with breaches of air quality limit values and high energy use in a part of London which has iconic status. Mayfair should be an exemplar of improvements to air quality. Clean Air in London argued that the reference to Environmental Protection UK/ Institute of Air Quality Management guidance should be removed from

⁹PPG Reference ID: 41-041-20140306.

Policy MES1, based on a legal opinion given to the Knightsbridge Neighbourhood Forum in May 2018. Clean Air in London also sought modification to the policy to encourage greater use of renewable energy. Following comment from WCC that it is extremely difficult for policies on a neighbourhood scale to deal effectively with regional (and arguably higher level) issues like climate change and air pollution, I note that the draft revised MNP includes agreed modifications to Policies MES1: Air Quality, MES3: Climate Change adaptation, MES4: Materials and MES5: Carbon, as well as their supporting text. These modifications have taken account of the concerns of Clean Air in London. The modifications, as in **PM13**, are necessary, in my opinion, to avoid repetition or lack of general conformity with policies in the City Plan and London Plan, and to secure sustainable development.

- 4.34 On the first issue, I conclude that, as long as the modifications in **PM1 to PM13** are made, the sections of the Plan comprising Introduction to the Plan; Transforming public realm; Directing growth; Enhancing experience; and Building on heritage will meet the Basic Conditions for neighbourhood planning.

Infrastructure provision, management, monitoring and review

- 4.35 These topics are covered in Part III of the MNP. Section 6.1 – CIL and s.106– repeatedly refers to “s.106 Agreements”, whereas it should refer to s.106 obligations. Having regard for national planning policy, the heading in 6.1, and references in paragraphs 6.1.2, 6.1.4, 6.1.5, 6.1.7 and 6.2.1 should be modified as in **PM14**. WCC pointed out that it is not a requirement for the portion of CIL for Mayfair to be spent in the neighbourhood area. To reflect the requirement that it must be spent on items that enable the neighbourhood to address the demands incurred by development (which may be outside its area), I put forward modified wording to paragraph 6.1.8 (**PM14**). This has regard for national planning policy and CIL Regulations.
- 4.36 The draft revised MNP includes modifications to 6.1.9 to 6.1.11, where the Forum and WCC have reached agreement as to how the Forum’s preferred priorities for CIL and ongoing monitoring and review of CIL spending should be described. The draft revised MNP also sets out agreed modifications to section 6.2 on Neighbourhood Infrastructure Requirements. I support these modifications, which are also included in **PM14** to meet the Basic Conditions. The draft revised MNP also shows (in green) the deletion of a list of infrastructure items from paragraph 6.2.4, which I consider should be removed as they have been incorporated into new paragraph 7.4.
- 4.37 I have considered the proposal by Thames Water that section 6.2 should include supporting text to advise developers about water supply and drainage requirements, and how to contact Thames Water. The Forum regarded this as a matter for WCC rather than a neighbourhood planning

matter, and I agree as WCC determines planning applications. Section 6.2 need not be modified as suggested.

- 4.38 Section 7 sets out neighbourhood management issues which could help deliver the Forum's vision to make Mayfair the most desirable and attractive area of London, but cannot be tackled directly by planning policy. I support the inclusion of these issues and actions, as they could assist developers and users of the Plan when devising and evaluating potential development schemes, even though they are outside the remit of planning policy. Also, they may lead to community engagement and projects which benefit the character and appearance of the area. A new paragraph 7.4 listing items identified for improvement identified through consultation, which might attract Council funding should be added. This should include the modifications agreed by WCC and the Forum and shown in the draft revised MNP, as well as the items moved from paragraph 6.2.4. **PM15** would secure the modification to section 7, and should be made to contribute to sustainable development.
- 4.39 Section 8 describes the Forum's intent to monitor and review the MNP, and Section 9 sets out the "Next Steps" which I support as they should contribute to good planning over the Plan's lifetime of 20 years. I agree with the deletion of paragraph 9.1, as shown in the draft revised MNP, as the Regulation 16 consultation stage is now ended. The reference to the "inspector" in paragraph 9.2 should be changed to "examiner" for accuracy and so as not to confuse readers. Appendix 2 has also been revised in the draft revised MNP to give up-to-date information as to plan-making in London and Westminster City, which I support. **PM16** includes these modifications needed to meet the Basic Conditions.
- 4.40 WCC stated that an appendix with mapping to show the heritage constraints, listed buildings and structure, street furniture and archaeology (details of the Archaeological Priority Area) would strengthen the Plan. I consider that the Appendices, notably 4, 5 and 6 provide some very useful information about Mayfair, its history and assets. However, there is limited information about Mayfair Conservation Area and the area's listed buildings. I propose that a reference to WCC's Mayfair Conservation Area documents should be attached to Appendix 4, with a map showing its principal features and major listed buildings. The footnote to Historic England's Regulation 16 letter of 22 June 2018 identifies significant listed buildings and the archaeological priority areas, which could be mentioned in the MNP. **PM17** would include this information having regard for national planning policy, and contribute to the achievement of sustainable development.
- 4.41 Providing the proposed modifications **PM14** to **PM17** are made, I conclude that the Plan's policies and proposals for infrastructure, monitoring, managing and review will meet the Basic Conditions.

5. Conclusions

Summary

- 5.1 The Mayfair Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Plan, and the evidence documents submitted with it, as well as the response to my questions during the examination process. I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to the two statutory referendums.¹⁰

The Referendums and Referendum Area

- 5.2 I have considered whether or not the referendum area for the two referendums should be extended beyond the designated area to which the Plan relates. The MNP, after modification, will have no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendums to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendums on the Plan should be that of the designated Neighbourhood Plan Area.

Overview

- 5.3 The Forum has been preparing and refining the MNP for more than four years, and it is clear to me that a great deal of hard work has been undertaken seeking to consolidate the different views of its diverse business interests, culture and entertainment operators, statutory bodies and local residents. Having assimilated all the neighbourhood's different views, the Forum has then had to produce a long-term vision and practical Plan for this highly complex area. I appreciate the Forum will be disappointed that I have recommended modifications to hold back, at this juncture, its proposals for the transformation of Park Lane, but I hope that its commendable work initiating a scheme to manage traffic, to improve access from Mayfair to Hyde Park and enhance the public realm on the area's western boundary, will be taken forward during the Plan period to 2038. The MNP contains many policies which should be useful when WCC has to determine planning applications within Mayfair, and the Plan should assist in making Mayfair the most desirable and attractive area of London in which to live, work and visit thus meeting the Forum's vision for the Neighbourhood Plan Area.

¹⁰ As the Neighbourhood Plan Area was designated by WCC as a business area, both residents and non-domestic rate payers will have an opportunity to vote in respective referendums.

Jill Kingaby

Examiner

Appendix 1: Modifications

The modifications below, which I propose should be made to the submitted Mayfair Neighbourhood Plan (MNP), incorporate most of the suggested changes put forward by the Forum and WCC that were included in the draft revised MNP dated 12 February 2019 (attached as Appendix 2 to this report). The text of that document is referenced below, but not re-written in full.

The page and paragraph numbers given below refer to the submission version (February 2018) of the MNP.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 11, paragraph 1.1.3 (b) and Page 17, section 1.3	Modify as shown in the draft revised MNP.
PM2	Pages 20 & 21	<p>Policies MPR1 & MPR2</p> <p>Modify MPR1 as shown in the draft revised MNP.</p> <p>In addition:</p> <p>MPR1: Applications for major new development should demonstrate how they contribute to improving, or at least maintaining, the quality ...</p> <p>Policy MPR2: If not making through s.106 Agreements obligations to fund the delivery of improved high quality streets and spaces</p> <p>2.1.6 Delete criterion (a) and rename (b) to (f) as (a) to (e), after which add a new criterion (f): Transformative rethinking of Park Lane with the dual aim of opening up the eastern side, and significantly enhancing pedestrian and cyclist accessibility to Hyde Park, is a long-term ambition for enhancement of the public realm in Mayfair.</p>

PM3	Page 23	<p>Policy MGS1: Mayfair's Local Green Spaces</p> <p>MGS1.1 Grosvenor Square, Berkeley Square, Hanover Square and Mount Street Gardens are Local public Green Spaces.</p> <p>MGS1.2 In Local public Green Spaces, Local Community Use</p> <p>MGS2: Mayfair's Green Spaces</p> <p>MGS2.1 Proposals which enhancesupported.</p> <p>MGS2.2 Enhancement to the public realm ... supported. Where relevant, developments ... space in question.</p> <p>.... MGS2.3 Proposals for development that fronts- ... is achieved.</p> <p>MGS3: Events in Green Spaces</p> <p>Proposals for events</p> <p>(a) Demonstrate in advance and ensure that:</p> <p>(i) there is no significant</p> <p>(ii) the buildings or ..</p> <p>(iii) in the case of an eventSeptember – May.</p> <p>(iv) the cumulative totalyear.</p> <p>(v) the event will bethe public working or residing in Mayfair.</p> <p>(b) Remediate the green ... enhanced.</p> <p>(c) In the case of an event ... structures.</p> <p>Delete paragraphs 2.2.6 to 2.2.8</p> <p>2.2.11 Having regard tothe Forum to refuse to countenance any the Forum to monitor private events, or events are therefore proposing that non-Local Community Use events should be prohibited from June to August in any</p>
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		<p>year <i>it will continue to review the impact of such events on the local community and businesses, and maintain liaison with WCC to safeguard against future detrimental effects.</i></p> <p>2.2.13 Part of whatMGS2.3 <i>MGS1</i>) ...</p>
PM4	Page 26	<p>MUB: Urban Greening</p> <p>Modify Policies MUB1 – MUB4 as shown in the draft revised MNP.</p>
PM5	Pages 29, 30 and 31	<p>Policy MSG2 – modify as shown in the draft revised MNP.</p> <p>Policy MTR: Tyburn Retail Opportunity Frontage - modify as shown in the draft revised MNP.</p>
PM6	Pages 32, 33 and 34	<p>Delete paragraphs 3.3.3 and 3.3.4.</p> <p>Delete heading Enhancing access to Hyde Park</p> <p>Policy MPL1: Transforming Park Lane Development in Park Lane, West Mayfair will contribute towards:</p> <p><i>Further work will be supported, to investigate, define and deliver the optimum scheme for future works to reduce traffic levels and improve the public realm on Park Lane, and to enhance access from Mayfair to Hyde Park for pedestrians and cyclists. Further studies should involve engagement with WCC and other stakeholders and research into potential funding sources. Future works will contribute towards:</i></p> <ul style="list-style-type: none"> (a) Further analysis and modelling ... (b) The drawing up and submission of format of proposals for approval <i>which will be acceptable to WCC, the GLA and TfL, as well as other</i>

		<p>bodies including Historic England and the Royal Parks.</p> <p>(c) Ensuring that the requirements for environmental impact assessment, habitats regulations assessment and flood risk assessment are satisfied.</p> <p>(d)(e) If and when</p> <p>MPL2MPL1.2: Park Lane’s Crossings</p> <p>MPL2: Development in the vicinity directly related to the development (subject to the priority of MPL1) for any developmentcycle crossings.</p> <p>MPL3MPL1.3: Park Lane’s highway concerns.</p> <p>3.3.10 To date There are three potential solutions have been developed. These potential solutions and details of work undertaken so far are included in Appendix 3 Public Realm Strategy.(a) Solution 1 stands in its own right (b) Solution 2 involves the tunnelling... (c) Solution 3 involves the lowering ...with Solution3.</p> <p>3.3.11 ...3.3.12 3.3.13 publicly available funding is directed to it.</p> <p><i>Reasoned Justification</i></p> <p>3.3.14 Transformational changeWhilst the funding priority is therefore for MPL1, sSubject to the availability of funds,</p> <p>Appendix 3 section4. Ways to achieve our objectives - Add text before the paragraph headed “Lower levels of motorised traffic” from Page 33 on Transforming Park Lane as follows:</p> <p>Transforming Park Lane</p>
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		<p>The following three solutions to transform Park Lane have been considered as follows:</p> <p>(from paragraph 3.3.10)</p> <ul style="list-style-type: none"> (a) Solution 1 stands (b) Solution 2 involves the tunnelling (c) solution 3 involves the loweringtogether with Solution 3. <p>3.3.11 Some of these ...</p> <p>3.3.12 With the ability the Forum has ...transformational result. The potential for funding, including from s.106 obligations and CIL, will be researched to enable delivery of the project.</p> <p>3.3.13 Through high-level....greater challenges to their delivery and implementation. The impact of works on Mayfair’s significant heritage assets including archaeological priority areas requires additional research. Further detailed work directed to it. Strategic Environmental Assessment of any preferred solution(s) will be necessary to satisfy the Environmental Assessment of Plans and Programmes Regulations 2004.</p>
PM7	Pages 38 to 42	<p>Policy MR1: Retail encouragement and direction</p> <p>MR1.3 The amalgamation.... will not be permitted be resisted where possible.</p> <p>Footnote 65, referenced in paragraph 4.1.24 should be modified to read:</p> <p>CM34.1 in WCC Booklet 7 “social and Community Uses”, Draft CP poly 17I.</p> <p>4.1.27 Delete last sentence, as in the draft revised MNP.</p>

PM8	Pages 43 & 51	Delete Policy MSC2 and paragraph 4.4.11. Add Policy MR7: Public houses, and text of 4.1.38, as shown in the draft revised MNP.
PM9	Page 48	Policy MRU4: Construction Management MRU4 To be supported, ...in Mayfair of a scale and type that will require the introduction of be likely to generate significant construction traffic movements within Mayfair should demonstrate In addition, the assessment must comply with the Council's Code of Construction Code of Practice
PM10	Pages 50 & 51	4.4.5 Modify as shown in the draft revised MNP 4.4.8 These include churches, notable Grade 1 listed buildings such as the Royal Academy and Apsley House, the Curzon Cinema, Saint George's Primary School (currently the only school in the area), the Mayfair Library, the Royal Institution, and the Handel Museum.
PM11	Page 54	MSD: Servicing and Deliveries MSD1 All new retail development and commercial development of a significant scale and large-scale residential MSD2 All new development of a significant scale is required ...
PM12	Page 56	Policy MD2 Applications for Proposals for new development in Mayfair should have regard for the following will be approved....submission. <ul style="list-style-type: none"> Where the application ... Mayfair's internationally significant character and heritage..... the Character Area as designated by this Plan, and the setting of listed buildings in the vicinity.

		<ul style="list-style-type: none"> Where the application is not required....same points. All proposals should consider their impact on the character and appearance of Mayfair and/or Regent Street Conservation Areas, and on nearby listed buildings and their settings. <p>5.1.2 WCC’s Conservation Area Directory explains that the townscape of Mayfair derives from its gradual, rather piecemeal development and the renewal of many of its buildings over a long period of time, resulting in a generally formal street pattern containing an informal mixture of building types. The rich and varied architecture covers many periods and styles. There are almost 700 listed buildings in the Mayfair Conservation Area, of which 44 are listed Grade 2* and 14 are listed Grade 1. The eastern edge of the Mayfair Neighbourhood Area lies outside Mayfair Conservation Area, but is included within the Regent Street Conservation Area. Mayfair’s heritage is one of the most prestigious</p> <p>5.1.3 An approach ... where the Conservation Area is would be preserved or enhanced. Design must reflect the varying characters areas found within Mayfair ...</p> <p>5.1.4 Whilst this might ... through independent verification.</p>
PM13	Pages 58 to 61	<p>Policy MES1: Air Quality</p> <p>Modify the policy and supporting text in paragraphs 5.2.6 to 5.2.9 as shown in the draft revised MNP.</p> <p>Policy MES3: Climate Change Adaptation</p>

		<p>Modify the policy and supporting text in paragraphs 5.2.15 to 5.2.18 as shown in the draft revised MNP.</p> <p>Policy MES4: Materials</p> <p>Modify the policy and supporting text in paragraphs 5.2.19 to 5.2.23 as shown in the draft revised MNP.</p> <p>Policy MES5: Carbon</p> <p>Modify the policy and supporting text in paragraphs 5.2.24 to 5.2.26 as shown in the draft revised MNP.</p>
PM14	Pages 64 & 65	<p>6.1 CIL & s.106</p> <p>Modify the heading above 6.1.1 and the references in 6.1.2, 6.1.4, 6.1.5, 6.1.7 and 6.2.1 so that they state <u>s.106 obligations</u> and not s.106 agreements.</p> <p>6.1.8 In respect of the 25% ... WCC must spend in <i>order to address the demands that development places on</i> in Mayfair, the allocation</p> <p>6.1.9 and 6.1.11 and 6.2.4 – Modify as shown in the draft revised MNP.</p>
PM15	Page 66	<p>7.0 Neighbourhood Management</p> <p>Modify as shown in the red and green text in the draft revised MNP.</p>
PM16	Pages 67 & 68	<p>Section 9.0 Next Steps</p> <p>Delete 9.1 as shown in the draft revised MNP.</p> <p>9.2 If and when the Inspector Inspector <i>Examiner</i></p> <p>..</p> <p>Modify Appendix 2 as shown in the draft revised MNP.</p>
PM17	Pages 74 & 75	<p>Expand Appendix 4 to explain that all Mayfair has Conservation Area status and many buildings and structures have protection as listed buildings. A reference should be added to WCC's Conservation Area Directory No 11: Mayfair and any</p>

		<p>additional up-to-date documents pertaining to the Conservation Area and Mayfair's listed buildings.</p> <p>Either a new map or an expanded version of the Conservation Area map on Page 16 of the MNP should illustrate the area's principal heritage features and listed buildings.</p>
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