

Soho Neighbourhood Plan 2020 (Reg 16) - Representations on behalf of Shaftesbury

| Neighbourhood Plan Policy | Shaftesbury Response |
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| <p>2.</p> <p>A. In recognition of the sensitivity of the historic and lower-scale environment of Soho tall buildings including the alteration of existing tall buildings will not be permitted where they would have an adverse impact on any of the following:</p> <ul style="list-style-type: none"> a. Golden Square, Soho Square and St Anne’s Gardens; b. Other heritage assets including listed buildings or local buildings or structures of merit. c. The 3 strategic views as indicated in Figure 3. <p>B. Proposals for infill development of more than 2 storeys may be permitted where they respect the surrounding building heights.</p> | <p>The redrafted policy represents a significant improvement over the previous iteration, and we welcome the removal of land use as a factor in the determination of the acceptability of upwards extensions to buildings.</p> <p>Referring to Part B, it is assumed the policy intends to take any proposals for infill on a site by site basis considering design quality and townscape.</p> |
| <p>6. Proposals for major development will be supported where commercial or mixed-use development proposals demonstrate that they are flexible workspaces suitable for SMEs and other small-scale businesses so that the availability of smaller commercial premises for office and other uses are not lost within the Plan area.</p> | <p>See points below</p> |
| <p>7. Office development proposals should be designed to provide flexibly sized workspaces and accommodate a wide variety of business occupiers and large floorplate office developments designed for single occupiers should normally be avoided due to their adverse effects upon the character and heritage of the Plan area.</p> | <p>We broadly welcome some of the changes to the proposed policy wording. However, the policy still assumes that large office floorplates affect the character and heritage of the plan area without providing any definition of what constitutes a ‘large’ office floorplate and without providing strong evidence as to the impact such floorplates would have on the character of the area.</p> |

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| | <p>Current working trends such as flexible co-working spaces (which can house a diverse range of creative industries and businesses of various sizes) often prefer to occupy buildings with larger floorplates, which can then be suitably sub-divided. It is these types of companies that we and the Neighbourhood Forum would wish to attract to Soho, and which contribute greatly to its character</p> <p>Shaftesbury supports the view that a variety of sizes of commercial spaces will provide the most choice to businesses wishing to locate in Soho. However, Soho is home to many large creative businesses that would not be able to be here if larger offices were not on offer. The market place needs to offer flexibility and agility. We know to our cost, that small offices often located over more than one floor, are not suitable. We must be careful what we wish for, and while large homogenous buildings do not necessarily have a place in the existing townscape of Soho, a variety of space of different sizes and characters does.</p> <p>We should be seeking accommodate office growth in line with the Council's targets for employment floorspace in the draft City Plan. As such this policy would not be in accordance with the draft City Plan as it may have the unintended consequence of restricting such growth in the Soho area.</p> |
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| | <p>We also consider that the reference to ‘single occupiers’ should be removed from this policy. Planning runs with the land and cannot restrict the type or number of occupiers falling into the same use class in any given building.</p> <div data-bbox="1122 365 2056 987" style="border: 1px solid orange; padding: 10px;"><p><i>COVID-19 Comment</i></p><p><i>The Plan should also recognise that the post COVID 19 office market in Central London is extremely difficult to predict. Planning policy will undoubtedly play a vital role. Policy should be as flexible and agile as possible to allow for the provision of offices of all types and sizes to ensure that developers and landowners can react to the market quickly and appropriately. We need to ensure that Soho remains open for business and that businesses can continue to provide space that they require.</i></p><p><i>For example, one consequence of COVID-19 may be that office occupiers are even more aware of space for workers to comfortably work in, and the provision of larger office floorplates may be what the market requires for both small and large businesses alike.</i></p></div> |
| <p>12. Existing (D2) music venues will be protected. The development of live music venues (D2) will be supported provided they are low impact and comply with policy 34C of the draft Local Plan in terms of noise and show how the arrival and dispersal of customers is managed to mitigate any adverse impacts.</p> <p><i>Selected reasoned justification text:</i> <i>It is also supportive of carefully considered growth in D2 entertainment and live</i></p> | <p>Whilst we support the main policy wording, we have strong concerns over the how this policy might be applied in practice particularly in light of the text contained within the reasoned justification which seeks to draw a line at supporting ‘evening’ activity and not the ‘late-night economy’ – although neither of these are clearly defined in the Plan.</p> <p>Within the Mayor’s adopted Culture and Night-time Economy SPG it states that</p> |

music. This use should be promoted as being primarily viable as an evening activity rather than a late-night activity because it is recognized that the late-night economy in general adds a degree of pressure to local services and can have adverse impacts on residential amenity.

'London has lost 103 nightclubs and live music venues since 2007, a decline of almost a third... [and] figures show that 1,220 pubs and bars shut between 2001 and 2016 – an average of 76 a year.' The SPG also states that boroughs should encourage the provision for night-time activities in order to expand their cultural offer.

The reasoned justification therefore appears to be at odds with the London Plan, and given that Soho is probably London's most recognizable night-time destination we consider that the Neighbourhood Plan should be trying to promote well-managed night-time economy uses and activity.

It should be recognised that all of Soho benefits from the late night economy. Businesses feed off each other, shopping and retail in the day supports the restaurateurs and cafes; keeping customers in the area for later cultural and entertainment venues and nightlife. Management of the venues and customers should be the key to the suitability of such uses. If the venues are managed well then the impacts will not be harmful to the residents who choose to live in the heart of a lively entertainment district. Pushing music venues to the edges of the Soho area, undermines the unique character of the area and the social diversity that Soho is celebrated for.

If Soho can no longer offer a variety of places to socialize much after 9pm it will be damaging to its character as a lively part of London (since the late 19th century).

We would also note that if existing music venues are to be afforded proper protection then the Agent of Change principle should be included within this policy as it has been elsewhere in the Plan. For example, when the introduction of a new

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| | <p>sensitive receptor (use), i.e. a residential use, impacts upon existing established uses.</p> <p>As set out in the draft London Plan, the Agent of Change principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive development.</p> |
| <p>13. In order to be supported proposals for new A1 cafes, A3, A4, A5 and D2 uses which are in direct physical proximity to residential use must fully apply the ‘agent of change’ principle and demonstrate that they will not have adverse impacts on residential amenity which cannot be mitigated.</p> <p><i>Selected reasoned justification text:</i> <i>While there is no clear cut-off point when the evening economy ceases, the nature of the late night economy gradually changes the area to one sometimes more based on the consumption of alcohol and illegal drugs and various forms of anti-social behaviour.</i></p> | <p>All users should be aware and understanding of adjoining uses. Residents and the entertainment/leisure industry have had a long established relationship within Soho. If residents chose to live in Soho then there should be an understanding that this is in the heart of the nightlife of a major world City. New schemes should have operational management plans to ensure that the businesses do not demonstrably harm the amenity of existing residents. In the same way that new residential units or tenants within Soho should not inhibit the ability for the night time economy to operate and thrive.</p> <p>The specific statement taken from the reasoned justification (see left column) should be deleted. It is disparaging of the efforts the business and night time economy. The Soho Neighbourhood Plan should be supportive of operational management plans and responsible business and landowners. Working with the business community will mitigate and help manage the impacts from the Soho economy which includes and has always included the late night entertainment and leisure industry.</p> <p>The reference to ‘A1 cafes’ should be removed from the main policy text. Planning applications which include new A1 units do not need specify the type of A1 user, and these may or may not end up as cafes. In the majority of examples, they will</p> |

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| | <p>be shops. The inclusion of a specific A1 users could lead to unhelpful presumptions being made about the impact of applications containing A1 units, and may hinder the delivery of such uses.</p> <div data-bbox="1122 422 2029 834" style="border: 1px solid orange; padding: 10px;"><p><i>COVID- 19 COMMENT</i></p><p><i>Shops, cafes, restaurants and bars are all diversifying. They are increasing wet sales, introducing take away, outdoor trading and seating, or trading longer hours due to reduced covers. As a consequence, Soho have to will change to meet the current needs of the industry. The residents that enjoy living in Soho will understand the need for this transition to sustain the character of Soho and help rebuild its economy. It is hoped the Soho Neighbourhood Plan and the City Council can set a policy framework that supports these necessary changes in the short and possibly longer term.</i></p></div> |
| <p>27. All development proposals should be designed in such a way as to facilitate pedestrian movement and prevent it being impeded by other uses such as the provision of tables and chairs.</p> <ul style="list-style-type: none">• Proposals should seek to deliver safe, efficient and inclusive design in line with the Healthy Streets Approach and Vison Zero Strategy• Create clear well-lit and well signed pedestrian routes• Provide even surfaces and minimise steps and level changes wherever possible• Design out blind spots and recessed doorways• Provide well-lit and clean temporary passageways during construction and fitting out works | <p>We consider that the addition of tables and chairs into the policy is a backwards step, as this appears to pave the way for objections and refusals for tables and chairs applications rather than being a general policy which requires suitable pedestrian environments to be provided</p> <p>We consider that tables and chair (or benches) play a crucial role in the City by providing places for people to rest and dwell as well as for the purposes of eating and drinking.</p> <p>The policy wording appears to unnecessarily single out tables and chairs. Whereas</p> |

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| <ul style="list-style-type: none">• Reduce vulnerability to flash flooding and ensure that the neighbouring public realm is well drained using sustainable urban drainage systems (SuDS) wherever possible. | <p>without this additional text this policy would work well.</p> <div data-bbox="1104 316 2033 1177" style="border: 1px solid orange; padding: 10px;"><p><i>COVID-19 COMMENT</i></p><p><i>There is likely to be more reliance on outdoor space for standing and seating for the purposes of trading, but also for resting, waiting and queueing.</i></p><p><i>The emphasis as businesses begin to tentatively re-open will need to be on fluidity of movement and that will potentially mean narrower gaps than guidance might normally allow. The City Council are also actively looking at facilitating the use of the street to support the food and beverage trade, including several street closures.</i></p><p><i>The Soho Neighbourhood Plan should be actively supporting these measures and should assess the impacts of the temporary road closures for the future. In the longer term implementing a Low Traffic Neighbourhood coupled with appropriate pedestrianisation of Soho streets would, improve air quality, facilitate improved pedestrian movement and reduce conflict with outdoor trading and seating.</i></p><p><i>A focus of this policy should be on promoting a low-traffic future that would benefit everyone, residents and businesses.</i></p></div> |
| <p>31. A. Development must provide separate waste and recycling facilities within the boundary of the development which has easy access for contractors to</p> | <p>Whilst we consider the aims of Policy 31 B to be laudable and we can see why such an idea would have merit, we simply cannot support it as a policy requirement.</p> |

collect the materials. Development that is designed for letting to a number of commercial occupiers should provide a single facility for waste and recycling storage for use by all occupiers of the development.

B. Major commercial development in addition to providing adequate waste and recycling as required by policy 38 of the draft Local Plan should provide extra waste and recycling storage capacity (within the development) for designated neighbouring small commercial units within a 100 metre radius (provided it is within the boundaries of the City of Westminster).

C. Development which includes the provision or retailing of food and drink must provide sufficient space in which to store food waste as a separate recycling category from other waste and recyclables and should encourage occupiers to use a food waste recycling service.

Policy 31 B seeks to *provide extra waste and recycling storage capacity (within the development) for designated neighbouring small commercial units within a 100 metre radius*. From our extensive experience of managing properties across our Soho and Carnaby Portfolios this is simply not practical and feasible for a variety of reasons.

Namely -

- Policing / Management
- Security
- Cost (service charges)
- Insurance
- Enforceability
- Responsibility for collections

The application of this policy may increase costs for neighbouring businesses expected to use such a facility, and may also inadvertently create further longer stretches of 'dead' ground floor frontages (in conflict with the Neighbourhood Plans own policies – **Draft Policies 5 and 8**) as all waste stores would need to be separately accessed from the street.

Unfortunately, we consider Part B to be an unworkable policy and should be removed from the Plan.