

FITZROVIA WEST

NEIGHBOURHOOD PLAN

2019 to 2034

May 2019

Prepared by the FitzWest Neighbourhood Forum



Acknowledgements

This Neighbourhood Plan has been prepared by members of the Fitzrovia West Neighbourhood Forum over several years and after a number of events to consult and engage local residents and businesses. It has also appeared in several drafts and has been featured in local media and on our website.

We would like to thank all those who contributed and especially Tony Burton, planning consultant, and officers of the Policy, Performance and Communications Department of Westminster City Council.

FitzWest Executive Committee

www.fitzwest.org

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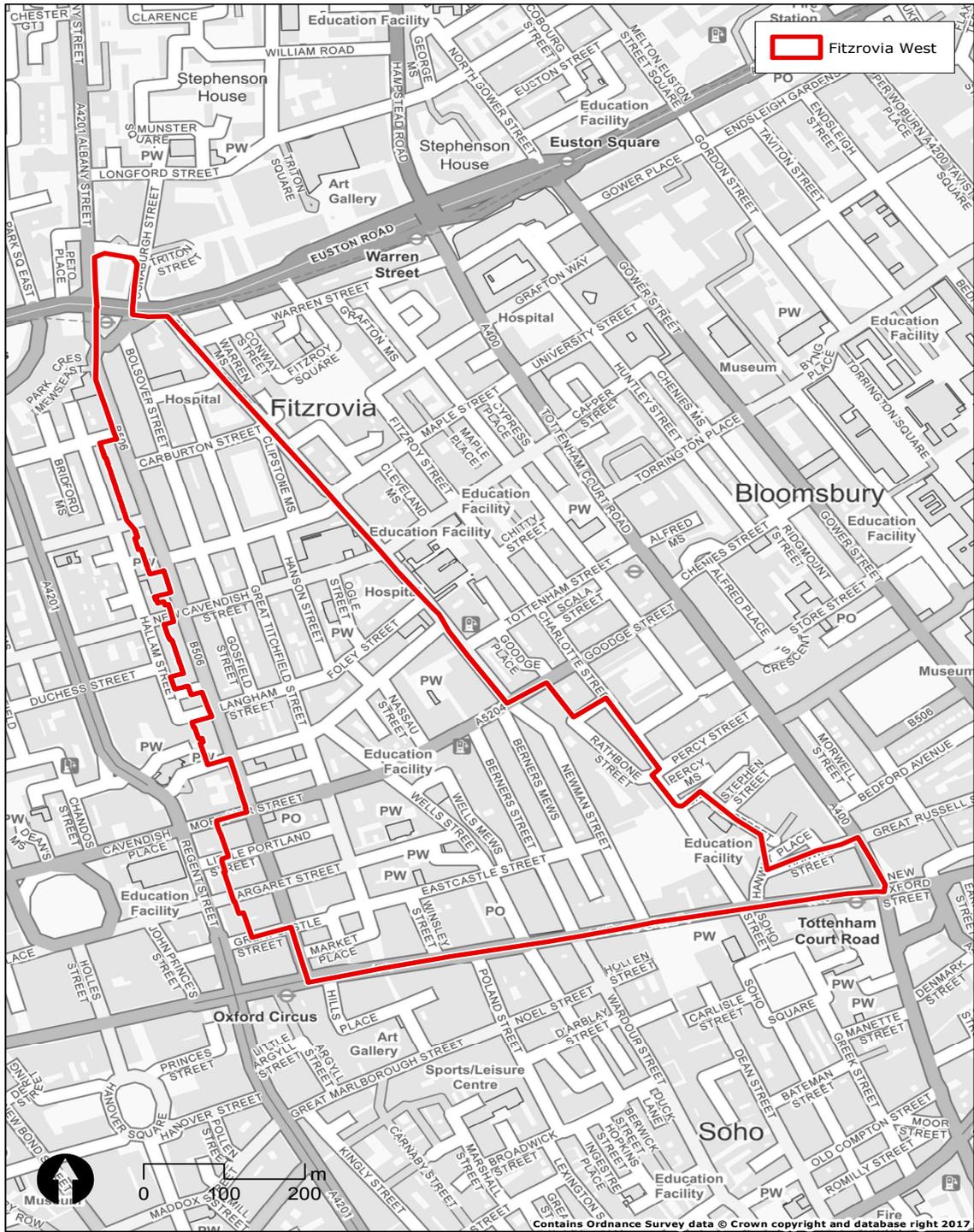


Figure 1: Fitzrovia West Neighbourhood Forum Designated Area

FITZROVIA WEST NEIGHBOURHOOD PLAN

1 Introduction

- 1.1 The proposal to set up the Fitzrovia West Neighbourhood Forum developed over a number of years based on public consultation and meetings with Westminster City Council (WCC). WCC approved the designated area for the Forum on 28 March 2014 and on 5 February 2015 the constitution of the Forum was confirmed as a business neighbourhood. This means the neighbourhood plan will need to be approved by referenda of both the residential and business communities. The Forum has a membership of at least 200 businesses and residents and holds regular meetings and consultations based on its website <http://fitzwest.org/>
- 1.2 This Neighbourhood Plan has been prepared in accordance with the Town & Country Planning Act 1990, the Planning & Compulsory Purchase Act 2004, the Localism Act 2011, the Neighbourhood Planning Regulations 2015 (as amended) and the Neighbourhood Planning Act 2017. The Forum has prepared the Plan to establish a vision for the future of the Area and to set out how that vision will be realised through planning and controlling land use and development change over the plan period 2019 to 2034.
- 1.3 Both the Westminster City Plan and the London Plan were adopted in 2016 to be in conformity with the National Planning Policy Framework (NPPF) published in 2012. These two documents provide the strategic context for the Plan. In addition, a number of policies in the Westminster Unitary Development Plan (UDP) 2007 have been 'saved' and form part of the development plan. In December 2017 the Mayor published a full revision of the London Plan for consultation and 'minor suggested changes' in July 2018. All these documents make up the development plan. The Neighbourhood Plan must be in general conformity with the strategic policies in the development plan. It should also take into account the emerging priorities in the Westminster City Plan Full Revision, which was commenced in Summer 2017 and a consultation draft was published in the autumn of 2018. Also in that year national policy was reviewed and in July 2018 a revised NPPF was published. This confirms that a presumption in favour of sustainable development is to be maintained. For plans, this means positively seeking opportunities to meet the development needs of the area. Sustainable development is secured by balancing economic, social and environmental considerations within legal limits and other boundaries.
- 1.4 Extensive consultation with residents and businesses has been carried out through public meetings, exhibitions and use of social media. The early stages of consultation leading up to approval are set out on the website here <http://fitzwest.org/wordpress/about-2/have-your-say/neighbourhood-forum-application/>. The first public meeting of the Forum was

held at the University of Westminster on 14 April 2015 at which those attending were invited to discuss and report back particular local issues of concern. These included: The lack of green open space, the environmental impact of extended licensing hours, problems relating to refuse and recycling, rents for small businesses and traffic, parking and congestion.

In January 2016 a major exhibition of issues and proposals relating to the Plan area was mounted at the Getty Images Gallery. Over 100 residents and members of local businesses visited the exhibition and left comments about the following seven issues: Housing; conservation; the local economy; environment; urban realm; transport; and infrastructure. Full details are on the Forum's website at <http://fitzwest.org/wordpress/the-plan-our-exhibition/>

On 26 June 2018 the Forum's Annual General Meeting discussed three main topics: the pedestrianisation of Oxford Street East (following a proposal by the Mayor of London and subsequently superseded by an alternative proposal from WCC in November 2018); greening; and promoting walking, cycling and public transport. greening and cycling, walking and public transport.

These issues have been combined into the main headings set out as Objectives in section 4.1. The Forum will continue to keep residents and businesses informed through the website, public meetings and exhibitions.

- 1.5 Many members of the Forum have contributed to the preparation of this Plan over three years. A first draft was produced in 2017 for internal consultation. This received detailed feedback from WCC officers. A second draft was prepared by a working group of four people with a professional advice from planning consultant, Tony Burton.

2 Our Neighbourhood

- 2.1 Fitzrovia West constitutes that part of Fitzrovia which lies in the City of Westminster - the other half is in the London Borough of Camden – and which still retains the characteristics of an 'urban village'. Fitzrovia West is bounded by Oxford Street, Great Portland Street, Marylebone Road and Cleveland Street and follows the boundary between the two local authorities down Cleveland Street, through Charlotte Place and south to Rathbone Place and Hanway Place. This designated area is henceforward referred to as the Plan area (see Figure 1). Fitzrovia's diverse community and the availability in the past of relatively low cost housing, workshops and commercial units has endowed the area with a bohemian character. From the beginning it became a magnet for artists and writers, non-conformists, political activists and the avant-garde. The western section of the area was first developed by the Cavendish-Harley Estate in the eighteenth century and parts were later redeveloped as leases fell in the early part of the twentieth century. Over time land ownership in

Fitzrovia became fragmented which endowed the neighbourhood with a rich architectural heritage and a diversity of ownership and uses. This enabled a wide range of service and manufacturing industries to flourish, such as furniture making, clothing and car showrooms. These have now largely been replaced by companies associated with business services, the media, advertising, television and radio, architecture and engineering, design, IT related services and catering. A number of corporate headquarters occupy offices in the area, such as Estée Lauder and Facebook. The University of Westminster has several buildings in the area, such as in New Cavendish Street and Wells Street.

2.2 The distinctive character of the Plan area (NPPF 2018, section 12) arises from its location in the West End of London, from its rich architectural heritage and diversity of land uses. The road pattern reflects its origins as a grid plan of Georgian streets developed over most of the 18th century, particularly by the Cavendish-Harley estate. These buildings tend to be of basement, ground and three or four storeys above in a traditional terrace layout and were originally for residential use. Mews buildings originally accommodated horses and carriages but have subsequently been converted for residential use. This grid pattern has been maintained but with subsequent infill and redevelopment in a variety of architectural styles, including five storey residential mansion blocks. The area includes five Conservation Areas (see Figure 2) and over 70 listed buildings reflect the architectural and historic qualities of the Plan area. The daily influx of those working in or visiting the area supports the mix of uses but also enables residents to enjoy periods of relative quiet on, for example, Sundays and some public holidays. It is this distinctive character which this Plan is designed to protect and enhance.

2.3 Fitzrovia West includes parts of West End and Marylebone High Street wards and is made up of part or all of several different Census super output areas. Therefore the assessment of population data is subject to approximations. It was also suggested that under-enumeration occurred in the 2011 Census, particularly in inner city areas such as Westminster. The best assessment of the total population is 3848 of which 35% were white British, 28% white other and approximately 18% of Asian origin. Of the 1913 households, 26% owned their property with a mortgage or outright, while 24% were renting socially and a further 10% were renting from the City Council. A further 45% of households were renting privately and 53% were one-person households. A total of 264 household spaces or 12% had no residents, were second homes or holiday accommodation. Car ownership is very low with only 27% of households owning a car or van. House prices remain exceptionally high even by London standards and in 2017 the median price in West End ward was £1.8m, and well beyond the reach of those on the median income of £44,800 (WCC, West End ward profile, 2018). Section 5.18 below provides more information on house prices and rents. Most people in employment walk, cycle or use public transport to travel to their place of work. Marylebone High Street and West End wards had the second

and eighth lowest levels of unemployment respectively of all wards in the City of Westminster.

3 The Planning Context in Fitzrovia West

- 3.1 Fitzrovia West is under continuous pressure for development of all kinds both through refurbishment and redevelopment since a significant proportion lies within the Central Zone (CAZ). The draft London Plan and WCC City Plan are proposing that the whole plan area should be so designated. Market conditions are always fluctuating but there is particular pressure for high-value residential development and large office units. It tends to be lower value commercial space, which often accommodates SMEs, which is redeveloped in order to provide larger office floor plates or other commercial uses.

Because of the increase in international tourism there have also been applications approved for new hotels in, for example, Newman Street. There has been a gradual increase in retail floor space in larger units on major roads, while smaller A1 units have tended to be converted to restaurants or cafes. Because the area includes several Conservation Areas and has many listed buildings, more development pressure is placed on those streets and buildings without heritage protection.

- 3.2 Air quality and transport are major issues of concern to businesses and residents. Pollution from diesel road vehicles have a serious impact on the health of those living and working in the area and this plan aims to address these issues through the adoption of the Mayor's 'healthy streets' principles (Mayor/TfL, 2017), as well as by increasing open space and landscaping on streets. The opening of the Elizabeth Line expected in 2019 or 2020 will bring large numbers of additional pedestrians onto Oxford Street and surrounding hinterland such as Fitzrovia West. A recent WCC Cabinet report noted that 'Transport for London's passenger demand forecast indicates that from December 2018 [*now deferred*] passenger numbers using Bond Street and Tottenham Court Road (Elizabeth Line) stations will increase by 17% and 37% respectively. These passenger predictions rise to 57% and 81% respectively by 2021' (WCC, 9 July 2018).

- 3.3 The shortage of housing, particularly that which is affordable to those on average or below incomes, is a serious local issue. While there has been a significant provision of open market housing in the £1m+ range, housing associations have had limited success at acquiring new sites for their own development. Most affordable housing is provided through S106 legal agreements although in the City of Westminster as a whole this has averaged at only 13% of all new housing stock, compared to a London average of 21% in the period 2012/13 to 2015/16 (GLA Annual Monitoring Report 14, 2018 p. 25). In many cases developers in Fitzrovia West are permitted to make payments to the Council's

affordable housing fund rather than provide new affordable housing adjacent to the development site itself. This Plan aims to increase the proportion of affordable housing which should be fully integrated on the approved development site.

Structure of the Neighbourhood Plan

- 3.4 This Plan is divided into the following sections. Section 4 sets out our vision and objectives for the Plan as a whole under five main headings. Policies designed to implement these objectives are developed in five subsequent sections of the Plan. Section 5 sets out policies on Managing Development while section 6 relates to Supporting Business Uses and Development. Section 7 relates to the objectives designed to increase the amount of green and open space in the public realm while Section 8 sets out Environmental Standards. Section 9 addresses Mobility and Transport. The first of three appendices sets out the unlisted buildings of merit in designated Conservation Areas. Appendix 2 describes how CIL income might be used to improve the area. Appendix 3 provides a list of key sources used in drawing up this Neighbourhood plan. Appendix 4 is a Glossary of definitions.
- 3.5 This Plan, therefore, builds on strategic policy in higher tier statutory plans in order to achieve the vision and objectives set out in section 4. There is a great deal of relevant policy in the London Plan and the WCC development plan. This Plan avoids repeating this although cross-references are listed in each section, but instead focuses on adding value and providing guidance on how strategic policies might be applied at the neighbourhood level. Thus each policy section identifies key local issues, sets out clear and concise policies and provides an evidence-based justification. As the Guidance suggests '[the Plan] should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.'
- (<https://www.gov.uk/guidance/neighbourhood-planning--2>)
- 3.6 Section 1 above has already referred to the extensive consultations carried out with residents and businesses since the inception of the Forum in 2013. There was a broad consensus about the boundaries of the plan area and the special characteristics which needed to be preserved and enhanced. Key issues facing the area which emerged at the public meetings included: The need to manage development in order to preserve the best in terms of land uses and heritage; the need for a more balanced mix of all types of housing to sustain a mixed community; environmental issues including air quality, noise, street maintenance and refuse; the need to balance the needs of big business and the diverse range of small business; the need to increase the provision of green and open space; and a wish to restrict through traffic where possible and promote sustainable forms of transport whether public, cycling or walking together with the necessary infrastructure. Information collected at all meetings has been used to inform and set priorities for this

plan.

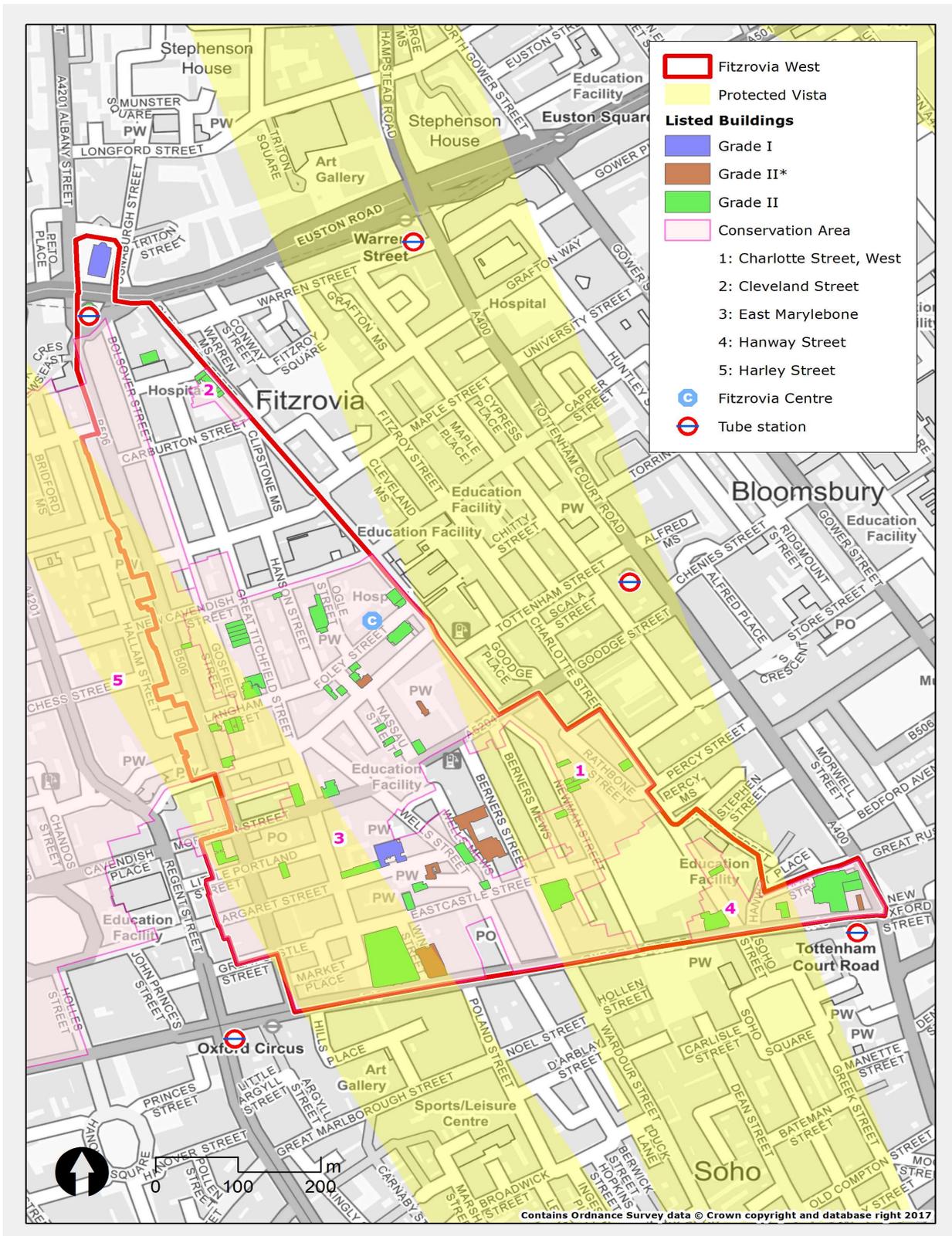


Figure 2: Major Policy constraints in the designated area.

4 Our Vision and Objectives

4.1 VISION

This Plan aims to ensure that Fitzrovia West develops as a habitable, sustainable and neighbourly community in which to live and work through all means available, including planning, collaborative working and community enterprise.

The following objectives aim to achieve sustainable development while meeting the needs of the community.

OBJECTIVES

Managing Development

1. To achieve a vibrant residential and business community which promotes excellent design in terms of height, scale, density, use of materials, and a mix of uses which complements the architectural, cultural and heritage qualities of the area;
2. To promote and support the provision of new housing to meet the needs of all through a mix of housing types, sizes, tenures as well as provision for those with special needs;
3. To ensure that tourism, entertainment and night-time uses are carefully integrated in the area and do not cause additional noise, nuisance or adverse environmental conditions for other users;
4. To protect existing community facilities and where possible to increase the provision for all sections of the community.

Supporting Business Uses and Development

5. To protect and support provision for all business uses but in particular new and small business spaces and retail shops;
6. To enable all businesses to thrive through the efficient and sustainable management of servicing and deliveries;

Protecting and increasing Green and Open Space

7. To protect and increase existing publicly accessible open space, green space and play space provision;
8. To encourage and support an increase in the provision of private amenity space in housing, green walls, green roofs, street landscaping and street closures;
9. To support the provision of meanwhile uses such as housing, open space, landscaping and other uses in vacant buildings and on sites.

Protecting and Improving Environmental Standards

10. To ensure that the amenity of the area is protected and enhanced for the benefit of all those living, working and visiting the area;
11. To be an exemplar in sustainable city living by applying the highest environmental standards, particularly on energy conservation and reducing the emission of greenhouse gases and particulates.

Mobility and Transport

12. To reduce and minimise the adverse impact of through traffic in the area;
13. To support the improvement of provision for public transport, walking and cycling;
14. To support the rationalisation of deliveries to businesses and residents in the area in order to minimise the number of vehicular journeys particularly of diesel vehicles;
15. To ensure that the adverse impact of any major transport developments or projects are minimised and that amenity standards are increased for residents and businesses.

4.2 Thus this Neighbourhood Plan adds value and detail to the delivery of the visions in both the Westminster City Plan – ‘remaining a world class global city, while improving its sustainable performance’ – and the draft London Plan’s concept of ‘good growth’. ‘Good Growth is about working to rebalance development in London towards more genuinely affordable homes for working Londoners to buy and rent. And it’s about delivering a more socially integrated and sustainable city, where people have more of a say and growth

brings the best out of existing places while providing new opportunities to communities’ (Mayor of London, 2017 p.xiv).

Policies for Neighbourhood Planning

5 Managing Development

Objectives	Policies
1. To achieve a vibrant residential and business community which promotes excellent design in terms of height, scale, density, use of materials, and a mix of uses which complements the architectural, cultural and heritage qualities of the area;	Policy MD 1: Managing Development in the Plan Area
2. To promote and support the provision of new housing to meet the needs of all through a mix of housing types, sizes, tenures as well as provision for those with special needs;	Policy MD2: Housing Provision Policy MD3: Hostels and Student Accommodation
3. To ensure that tourism, entertainment and night-time uses are carefully integrated in the area and do not cause additional noise, nuisance or adverse environmental conditions for other users;	Policy MD4: Tourism, Entertainment and Night Time Uses
4. To protect existing community facilities and where possible to increase the provision for all sections of the community.	Policy MD5: Retaining and Expanding Community Facilities

5.1 Fitzrovia West is undergoing increasing pressure for redevelopment as accessibility improves and London’s population grows. Development is largely concentrated outside the conservation areas although a number of buildings within these areas are being refurbished and enlarged, thus often causing the displacement of small shops and businesses on relatively low rents. The Plan area is characterised by mixed uses vertically and horizontally and this Plan wishes to retain this mix. Recent large-scale developments include Pearson Square (Fitzroy Place) and Rathbone Square which both comprise a mix of commercial uses and a predominance of open market flats with some additional open courtyards.

- 5.2 Data from the City Council shows that between 2012/13 and 2016/17 there was a net increase of 11,310 sq.m of A1 retail use and 17,727 sq.m. of B1 office floor space in the plan area. A further 8000 sq.m. of retail space and 19000 sq.m. of office space is under construction. In all years there has been a net loss of office floor space apart from 2015/16 when there was a net increase of 33,767 sq.m.
- 5.3 The area is heavily congested by motor traffic and air quality remains very poor throughout the area. Improvements have been carried out to public transport and accessibility to the area will be greatly increased with the opening of the Elizabeth Line and with 24 hour running of the London Underground on some lines.
- 5.4 Increased pressure for development arises from the inclusion of the Plan area in the CAZ. However, a designated strategic view crosses the area (no.4 from Primrose Hill to the Houses of Parliament) and thus limits the potential for more intensive development above prevailing levels (see Figure 2).
- 5.5 There has been extensive refurbishment within the Conservation Areas and some redevelopment outside these areas for office, hotel, restaurant and upmarket residential uses. These have been of varying architectural quality with in many cases little reference to the street context.
- 5.6 Upmarket residential units have been provided but the proportion of affordable housing on larger sites has rarely exceeded 20 per cent of the total. In smaller developments, developers have argued for off-site provision or an alternative payment into the Council's Affordable Housing Fund.
- 5.7 The Council has successfully obtained exemption from the permitted development right to change B1(a) offices to C3 residential without planning permission in the CAZ. Thus it will be possible to balance the supply of both office floor space and residential uses contributing to the overall aim of sustaining a mix use plan area. There is also an Article 4 Direction removing permitted development rights to the change of use of retail (A1) to financial and professional services (A2) without planning permission.
(see <https://www.westminster.gov.uk/permitted-development-rights>)

5.8 **Policy MD 1 Managing Development in the Plan Area**

The redevelopment or extension of existing buildings in the Plan area will be supported where applications meet the highest quality design standards, achieve the highest standards of environmental sustainability, and makes a positive contribution to the public realm.

In particular:

Development proposals will be supported which retain and restore listed buildings and unlisted buildings of merit as set out in Appendix 1 or identified in future updates to conservation audits and other studies.

1. Applications for the refurbishment of all unlisted buildings of merit will be supported where they meet the following criteria:

- The original design and details are preserved or replaced and appropriate traditional materials are used;
- As far as possible the original uses are preserved or reinstated;
- Additional floorspace, for example additional storeys or Mansard roofs are not included except where precedents are set in buildings immediately adjacent, except in the area between Oxford Street and Eastcastle Street, and that part of Great Portland Street south of Margaret Street;
- Where necessary ventilation shafts and air cooling should be fully integrated in the buildings fabric and should not be visible from the street or residential windows;
- All developments should achieve all prevailing national and local sustainability standards as well as not increasing the heat island effect and keeping energy use and greenhouse gas emissions to an absolute minimum.

2. Applications for redevelopment of all other buildings, whether within or outside a Conservation Area, will only be supported where the following criteria are met:

- The building being replaced has little or no architectural or historic significance and refurbishment is not a viable option;
- The layout and design achieves the highest architectural standards, does not adversely affect the setting of a listed building and preserves or enhances a Conservation Area;
- The massing, scale and height fully respects that of adjoining properties and the

street as a whole and does not exceed the prevailing height of the street ;

- Special attention is paid to the design of street frontages and points of access to the development to ensure these provide visual interest and are in keeping with the area as a whole;
- All approved housing tenures are provided on site in the development according to Westminster City Council and London Plan policies. Departures from this principle will only be accepted where there are exceptional and unavoidable legal or technical reasons not to do so. Viability statements should be made public with the planning application;
- Where a mix of uses are proposed a high priority should be the provision of landscaped open space including children's play space as a planning obligation;
- All developments should achieve all prevailing national and local sustainability standards as well as not increasing the heat island effect and keeping energy use and greenhouse gas emissions to an absolute minimum.

Strategic Policy Context

WCC City Plan (2016): S1, S5, S6, S7, S8 (Marylebone & Fitzrovia)

WCC draft City Plan (2018): 1 (spatial strategy), 2 (spatial development priorities), 7 (neighbourly development), 28 (parking), 37 (design principles), 38 (Westminster's heritage), 39 (townscape and architecture), 40 (density and building height), 41 (public realm)

London Plan (2016): 2.12 (predominantly local activities), 4.3 (mixed use and offices), 5.3 (sustainable design and construction), 7.5 (public realm)

Draft London Plan (December 2017): HC1 (Heritage, conservation & growth), HC4 (London view management framework), SD4, SD5 (CAZ), D2 (good design), D8 (tall buildings), S14 (managing heat risk)

NPPF (2019): paras 7-10 (achieving sustainable development), 184-202 (conserving and enhancing the historic environment)

Justification

- 5.9 Paragraph 124 of the NPPF 2018 states 'Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development'. The Plan area is under considerable pressure for redevelopment and in recent years new developments have often been insensitive, out of scale and out of keeping with the prevailing height, scale and mix of uses in existing buildings. In some

cases, development has potentially threatened the appearance and setting of listed buildings and Conservation Areas. This Plan seeks to promote development which is sympathetic to the surrounding area in terms of height, massing, mix of uses, materials, servicing and complementary to the street frontage. These Plan policies are also designed to achieve a more rigorous appraisal of planning applications to ensure the vision and core objectives (1-4) are achieved. The redevelopment of sites which significantly exceed surrounding buildings in terms of scale, height, density or massing, or which adversely affect the setting of listed buildings will not be supported.

5.10 Policy MD1 is designed to ensure that listed and unlisted buildings are restored sympathetically and in keeping with their architectural qualities. This policy also addresses the need to ensure that where unlisted buildings are redeveloped or extended they also reflect the highest design qualities and height levels so that there is no significant difference in scale and design qualities between those parts of the area within Conservation Areas and those outside them. Unlisted buildings of merit (as set out in Appendix 1) were identified in Conservation Area Audits carried out by WCC and subsequently updated by the Forum. The presumption for unlisted buildings of merit should be that they are firstly considered for refurbishment and only proposed for redevelopment where evidence is submitted relating to their structural condition. The whole Plan area should achieve similar standards in the treatment of the public realm, including paving, tree planting, signage and the promotion of cycling and walking.

5.11 A detailed Design Guide has also been prepared and is available at:
<http://fitzwest.org/wordpress/wp-content/uploads/2017/03/06-Design-Guide-Draft.pdf>
This should be consulted and applied by all potential applicants considering submitting a planning application.

Housing

5.12 The Plan area has always had a vibrant and mixed community of residents living in a variety of tenures. As well as permanent residents there are significant numbers of students and nurses living in halls of residence. One of the core objectives is to preserve existing housing and to encourage further provision to buy and to rent, which local people can afford. WCC data records a net increase of C3 residential units of 571 between 2012/13 and 2016/17, of which 138 were affordable.

5.13 As already noted in 2.3 above, Fitzrovia West has a diverse population living in a mixture of owner-occupied, private rented and socially rented accommodation. The quality of accommodation is generally good although residents often complain of backlogs of repairs in the rented sector. The level of employment is generally high although there is considerable evidence of deprivation amongst some residents. West End ward is within the

30-40% most deprived wards in the UK (WCC West End Ward Profile, 2018). There is a continuing need for affordable housing for local people and because of the large number of people on the waiting list for social housing (3900 at March 2018).

- 5.14 A recent development has been the growth of 'buy to rent' accommodation and short-term letting through agencies such as *Airbnb*. This has tended to increase prices and to reduce the available stock for permanent residents. There is a danger that the future sustainability of the area will be threatened if the proportion of permanent residents decreases further.
- 5.15 The intention of the Plan is therefore to protect existing residential uses and to support the provision of new social and affordable housing (see the Glossary, appendix 4, for a definition) to meet a variety of needs as set out in policy MD2. Where there are concentrations of residential uses, particular attention should be paid to creating 'healthy streets' as defined in the London Plan (2018).

Policy MD2 Housing Provision

Throughout the Plan area, existing housing provision will be protected and new housing development will be encouraged particularly where it falls within the definition of 'affordable' and is provided by registered providers.

- All new housing should be at least dual aspect, should meet or exceed London Plan floor space standards and should provide access to outdoor space, such as gardens, balconies, green roofs or other similar provision;
- All new housing regardless of tenure should be well designed, built to the same standards and be 'tenure blind';
- Adequate provision should be made for accommodation to meet the needs of all age groups and those with special needs;
- In all developments refuse storage and related facilities should be provided and if more than 5 units are provided, additional community meeting and/or storage space is required;
- Because of high accessibility to public transport, off-street car parking should

only be provided in accordance with WCC policy;

- A condition and/or legal agreement should be added to the planning permission to ensure that all newly constructed housing is to be occupied as a 'principal residence';
- Affordable housing arising from Section 106 agreements should be transferred to a registered provider and rented at below market levels in order to ensure it meets the needs of those unable to purchase leases;
- In designing new housing developments, *Building for Life 12* criteria should be applied and will be expected in determining acceptability (Building for Life Partnership, 2018).

Policy MD3 Hostels and Student Accommodation

Development proposals for additional hostel accommodation (C2 and/or sui generis), such as for students, nurses or ancillary health workers, will be supported so long as it does not replace housing (C3) or community uses and on condition that:

- It provides suitable internal space for refuse collection, servicing and the storage of bicycles;

Strategic Policy Context:

WCC City Plan (2016): S14, S15, S16, S29

WCC draft City Plan (2018): 8 (housing), 9 (affordable housing), 13 (housing quality), 28 (parking)

London Plan (2016): 3.4, 3.5, 3.8, 3.9, 3.11, 3.12, 7.1

Draft London Plan (December 2017): D4, H2, H5, H6, H7, H12, T2 (healthy streets), SD5

NPPF (2019); paras 59-76 (supply of homes), paras 91-95 (promoting healthy & safe communities) para 122 (achieving appropriate densities), paras 124-132 (achieving well designed places)

Justification

- 5.16 Fitzrovia West is a dense urban area in central London with no vacant land suitable for development. The price of land and property is rising rapidly and further pressures for development will arise in anticipation of the opening of the Elizabeth line in 2019/20. Additional housing provision will therefore be largely achieved through the planned redevelopment of existing buildings and change of use. Affordable housing is most likely to be provided as part of a Section 106 agreement but provision by registered providers is

also welcome. The NPPF (section 5) and the London Plan urge local authorities to make plans for the provision of housing to meet all needs and sets out minimum space standards for new dwellings (Mayor of London, 2017, p.111). The City Council’s strategic policies support the overarching provision of residential use, and this plan endorses this approach and adds policies to ensure the highest quality of housing space standards and an appropriate range of unit sizes. The Council’s Interim Statement (WCC, June 2017) stresses the need for affordable housing to be fully funded as part of the development and that developers should ‘fully evidence their justification for moving each step down the cascade from on-site delivery’ to payments in lieu. This is a clarification of adopted policy S16.

5.17 Public consultation carried out in January 2016 identified a strong preference for an increase in housing provision on any suitable site in the area, particularly affordable housing. Many representations were received which opposed further ‘super-prime’ housing development.

5.18 Evidence of house and flat prices in Fitzrovia shows that current prices far exceed the ability to purchase by those on average incomes. Table 1 shows a range of properties of different sizes for sale in the Plan area in March 2018:

Table 1: A Sample of Property Prices in the Fitzrovia West Area in January 2019

Location	No. Bedrooms	Asking price
Bolsover Street	3	£2,850,000
Margaret Street	3	£1,995,000
Hanway Street	2 bed townhouse	£1,900,000
Ogle Street	2	£1,025,000
Rathbone Square	Studio	£1,000,000
New Cavendish Street	2	£999,000
Great Portland Street	1	£995,000
Rathbone Square	1	£950,000
Hanson Street	2	£895,000
Clipstone Street	3	£649,000
Great Titchfield Street	1	£375,000

Source: www.rightmove.co.uk accessed 07.01.19

The rent for a two-bedroom flat in Fitzrovia costs in excess of £2000 per month

5.19 Ward Profiles indicate that in 2017 the median property price in West End ward was £1.75m (£1.5m in Marylebone High Street ward) and this exceeded the average for all wards by 63%. Council tax returns indicated that 515 or 6% of properties in West End ward were listed as second homes (WCC, 2018). The City Council estimates that by dividing the median house price by the median household income, residents would have to pay 38.7 times their income to afford accommodation in the ward. The median income in 2017 was £44,700. 56% of households are composed of one person, 29% of two persons. 18% of the population are over the age of 65 that is the same as the average for Westminster. West

End ward is amongst the 30-40% most deprived wards in the country and 23% of children living in the ward are receiving free school meals.

- 5.20 Fitzrovia is an extremely attractive place to live and the demand for all types of accommodation is almost infinite and is very likely to increase in the future. Thus the intention of this Plan is to ensure that a mix of housing types, sizes and tenures is a high priority and is provided wherever opportunities arise in order to sustain a mixed and inclusive community. Target figures for the Plan area in this context would not be meaningful.
- 5.21 The Mayor of London has introduced an improved mechanism for increasing the proportion of affordable housing and has introduced a strategic target of 50% in the draft London Plan (policy H5), as well as a threshold approach to applications (policy H6). A minimum of 30% of affordable homes should be low cost rented homes and a minimum of 30% intermediate products. The remainder can be determined by the boroughs (WCC's draft City Plan proposes that 35% of all housing over 10 units should be affordable with 60% intermediate and 40% social rented). This approach appears to be reasonable and is unlikely to affect the viability of housing development in the Plan area given the continuing level of demand.
- 5.22 This Plan supports the draft London Plan's statement that 'cash in lieu [for affordable housing] should be used in even more limited circumstances, and only where there is detailed evidence to demonstrate that on-site affordable housing delivery is not practical, off-site options have been explored but are not acceptable and that accepting a cash in lieu contribution will not be detrimental to the delivery of mixed and inclusive communities' (London Plan, 2018: 163). WCC's 'Interim Statement of our new approach to Housing Delivery: Application of Adopted City Plan Policies' (June 2017) provides further detailed guidance on City Plan policies, which is supported by this Neighbourhood Plan.
- 5.23 Given the evidence of house prices, the number of second homes in West End ward (515) and the lack of affordable homes to rent or buy for those on average or median incomes, a condition should be considered to be added to permissions for housing with the effect that all open market properties should be occupied as 'principal residences'. This has been incorporated in some neighbourhood plans (e.g. St Ives) and confirmed by the High Court (see <http://www.bailii.org/ew/cases/EWHC/Admin/2016/2817.html>). A principal residence should be evidenced by, for example, at least two of the following: full-time employment of at least one occupant at a London address, registration on the electoral roll, attendance of children at local schools and registration with local doctors or dentists.
- 5.24 The approach set out above is most likely to ensure that social, economic and

environmental sustainability is achieved as set out in the NPPF for the following reasons:

- It contributes to a safe, vibrant, socially mixed and economically resilient place to live and work;
- It provides for a range of housing types and meets the needs of all sections of the community;
- It supports a mix of uses providing a wide diversity of employment opportunities;
- It reduces travel to work and encourages walking and cycling;
- It maximises the use of existing facilities and infrastructure.

Tourism, Arts, Culture and Entertainment

Introduction

- 5.25 Fitzrovia West has many pubs, bars, cafes and restaurants that provide employment and which add to the attractive mix of uses and active street life in the area. However, residents have expressed strong views about the need to protect A1 retail uses, so far as this is possible. However, tables and chairs and A boards on pavements can cause obstructions and create a hazard for those with disabilities.

Policy MD4: Tourism, Entertainment and Night Time Uses

The provision of new tourism and entertainment uses, such as hotels, bars and night clubs of 500 sq.m. or more gross floor space will be encouraged to locate in that part of the West End Retail and Leisure Special Policy Area (WERLSPA) that is the northern Oxford Street frontage and the area north to Mortimer Street in the Plan area (see Figures 2 and Figure 3). Cultural activities should be included to provide a balance for premises primarily for alcoholic consumption.

This Plan supports the provision of cultural activities, such as museums, libraries, art galleries and related uses throughout the Plan area so long as there is no loss of residential or A1 retail uses. These uses are particularly encouraged in the area north of Oxford Street and as far as Mortimer Street

Planning applications for tourism and entertainment uses should provide a full impact assessment in terms of noise, additional traffic generation, servicing arrangements and the location of flues, air extracts and heating/cooling provision.

All development should be implemented in accordance with Agent of Change principles (as defined in the Glossary, appendix 4).

Applications for restaurant, cafe and bar tables and chairs on the pavement will be

supported where there is at least 2 metres or more remaining for pedestrian movement in accordance with WCC Policy. Planning conditions will be applied taking full account of local circumstances.

Strategic Policy Context

WCC UDP: TACE 1-12, Table 8.1

WCC draft City Plan (2018): 17 (visitor economy), 18 (food, drink, entertainment uses)

London Plan (2016): 4.6 (support for and enhancement of arts, culture etc.)

Draft London Plan (December 2017): HC5 (supporting London's culture and creative industries), HC6 (Supporting the night-time economy)

NPPF (2019): paras 7-10 (achieving sustainable development), 182 (agent of change principle)

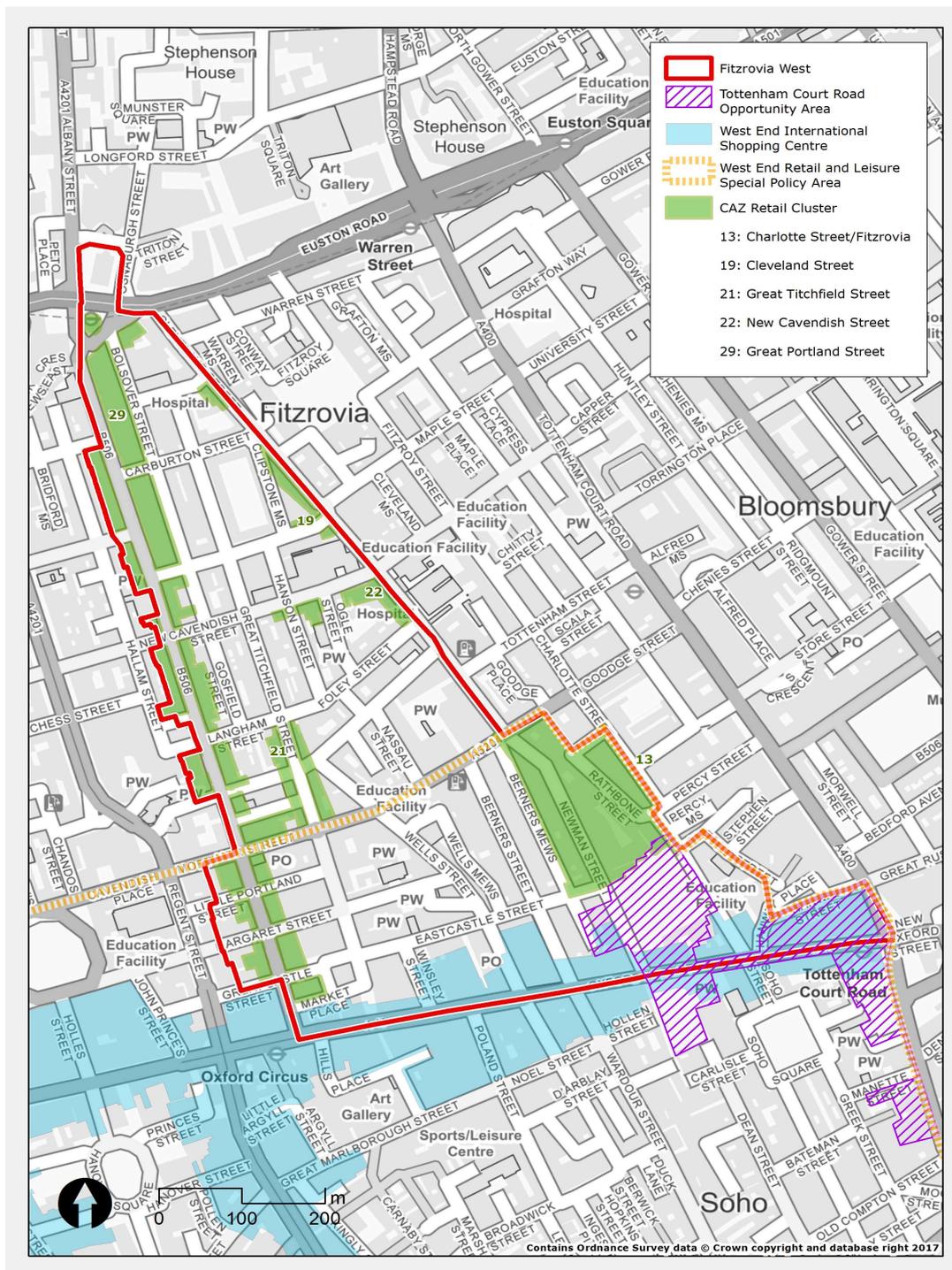


Figure 3: Opportunity Areas for Retail and Leisure in the Fitzrovia West Area.

Justification

5.26 The draft London Plan (2018) suggests boroughs should develop a vision for the night-time economy, particularly in the CAZ. In Fitzrovia West residents welcome the mix of licensed, restaurant and other entertainment uses so long as these do not create noise, nuisance, excess refuse or traffic congestion in the area. This Plan wishes to see any increase in

hotels, licensed clubs and other 24-hour uses located away from the main residential areas and particularly in the WERLSPA area between the north side of Oxford Street and Mortimer Street and eastwards to the Tottenham Court Road Opportunity Area. This is because the density of residential uses is lower in this designated area and because residents have experienced noise and disturbance from, in particular, clubs and premises with late night drinking licences.

- 5.27 This Plan supports the Council's policy towards licensed premises and other places of entertainment as set out in TACE policies 8, 9 and 10 in the UDP which states 'Only proposals for small uses, those with less than 150 sq.m. of gross floor space, will generally be permitted [in the stress areas] and they will be expected to meet all the criteria set out in TACE 8 (B) and (C)' (WCC UDP, 2007, para 8.94 and Table 8.1). Residents are particularly concerned about the rapid growth in licensed premises and restaurants and wish to see the 'core hours' in the WCC licensing policy strictly adhered to and enforced.
- 5.28 This Plan supports the provision of cultural activities, such as museums, libraries, art galleries and related uses throughout the Plan area so long as there is no loss of residential or A1 retail uses. These uses are particularly encouraged in the area north of Oxford Street and as far as Mortimer Street. These uses tend to add to the mixed use character of the area and are less likely to create adverse environmental impacts.

Leisure, Sports and Community Uses

- 5.29 Fitzrovia West has a limited range of community and leisure facilities and these mainly take the form of meeting places where some recreational activities can take place. Sports facilities and swimming pools are available but located outside the Plan area, for example the Oasis in Holborn and Marshall Street baths in Soho. Likewise, hospitals, doctors' and dentists' surgeries tend to be outside the area. The main community facilities are the Fitzrovia Centre in Foley Street, All Souls' Clubhouse in Cleveland Street, All Souls' primary school, and the Holcroft Court nursery.

Policy MD5: Retaining and Expanding Community Facilities

Existing community and leisure uses (Class D) will be protected and development proposals which would result in their loss through redevelopment or change of use should provide for a similar facility on site or elsewhere in the plan area.

Development proposals for redundant social infrastructure should provide for its full or partial use as other social infrastructure before consideration of alternatives.

Development proposals for new community, health and sports facilities with access arrangements to meet the needs of all user groups and sections of the population will be supported.

Strategic Policy Context

WCC City Plan (2016): S34 (Social and community infrastructure)
 WCC draft City Plan (2018): 30 (community infrastructure, education and skills)
 London Plan (2016): 3.17 (health and social care facilities)
 Draft London Plan (December 2017): S1 (Developing London’s social infrastructure), S2 (Health and social care facilities)
 NPPF (2019): paras 7-10 (achieving sustainable development), 91-95 (promoting healthy and safe communities)

5.30 *Justification*

5.31 The Plan area includes several community facilities which cater for a wide range of interests and user groups but these are sometimes limited by space and access arrangements. Those seeking specialist sports facilities often have to leave the area and travel significant distances. These uses increase the health and wellbeing of users, whether residents or those working in the area, and are a major contribution towards social sustainability. Thus any proposals to improve the social infrastructure to meet a recognised need in the area will be supported.

6 Supporting Business Uses and Development

Objective	Policies
5. To protect and support provision for all business uses but in particular new and small business spaces and retail shops;	Policy B1: Small Business Units
6. To enable all businesses to thrive through the efficient and sustainable management of servicing and deliveries;	Policy B2: Retail and Related Uses

6.1 The area between Oxford Street and 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 opening of the Elizabeth line, and stations at Tottenham Court Road and Dean Street, has made the area particularly attractive to major office users and catering outlets in, for example, 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 there are a total of 2056 businesses in the Plan 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 increasing 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 small scale enterprises.

6.6

Policy B1: Small Business Units

Applications for redevelopment of existing buildings which include business units of less than 300 sq. m. will be supported where the redevelopment involves provision of an equivalent or increased number of such units.

Applications for development of buildings for B1 use in excess of 1,000 sq. m. gross floor area shall include where possible a range of unit sizes and types suitable for small and

independent businesses including at least one business unit of less than 300 sq. m per 1,000 sq. m.

Developments containing small business units of up to 300 sq.m managed by specialist workspace providers will be encouraged.

Strategic Policy Context

WCC City Plan (2016):

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

Draft London Plan (December 2017): S16 (Digital connectivity infrastructure)

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

- 6.7 The Plan area contains a number of groups of small retail units which provide a range of goods and services to residents and local businesses. These are made up of a frontage of retail outlets (A1), local services (A2) and cafes and restaurants (A3). This mix is typical of the area and provides an attractive feature of local streets, particularly when external seating is possible.

Policy B2: Retail and Related Uses

A1 retail uses should be protected and applications for premises in the CAZ retail clusters will be considered in the light of the draft City Plan policies. Where there is evidence that a retail unit has been vacant and advertised to let for more than 18 months, alternative uses, such as A2, A3 and leisure uses can be considered. Particular attention should be paid to providing a vibrant and attractive street frontage at ground floor level.

Applications for redevelopment of existing buildings which include retail units of about 150 sq. m. (defined by WCC as 'small retail units') will be supported where the redevelopment involves provision of an equivalent or increased number of such units;

Applications for development of buildings containing retail space in excess of 2,500 sq. m. shall include where possible at least 10% of this space as small retail units;

Parades of shop units containing A1, A2 and A3 ground floor uses should be protected where possible, such as in CAZ retail clusters, for example Great Titchfield Street, Great Portland Street, Cleveland Street, and Charlotte Street.

In the West End International Centre in Oxford Street (within the FitzWest plan area) the presumption is towards protecting retail floor space at ground and first floor levels. However, where long-term vacancies of a year or more occur, a wide range of alternative

uses should be considered: leisure, entertainment (e.g cinemas), sports, office and residential if above ground and first floor levels.

Where ground floor units are vacant, temporary, pop-up uses will be supported so long as they don't create any adverse environmental impacts.

Strategic Policy Context:

WCC Draft City Plan (2018): 15 A-G, 15.6

London Plan (2016): 4.8 (retail sector)

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

6.8 *Justification*

6.9 The Plan area has an extremely buoyant economy with a broad mix of large international companies as well as smaller specialist service firms. 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. This Plan supports the protection of floor space for SMEs and opportunities for new start-ups that may be spin-offs from companies already based in the area.

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. Vacant units have largely been filled by A2 services, A3 cafes and restaurants, and A5 hot food takeaways, all of which provide a large number of skilled and semi-skilled jobs.

6.11 The City Plan has designated four CAZ retail clusters as set out in policy B2 above. Oxford Street falls within the West End International Centre and while retail should be the primary use at ground floor level, a wider mix of uses should be considered where retail floor space contracts or closes.

7 Green and Open Space

Objective	Policy
7. To protect and increase existing publicly accessible open space, green space and play space provision;	Policy GS1: Protect and Enhance Existing Open Spaces
8. To encourage and support an increase in the provision of private amenity space in housing, green walls, green roofs, street landscaping and street closures;	Policy GS2: Creating New Green Spaces
9. To support the provision of meanwhile uses such as housing, open space and other uses in vacant buildings and on sites.	Policy GS2: Creating New Green Spaces

7.1 The WCC City Plan recognizes that the borough lacks sufficient public open space and accessible play space (see Figure 4). Policy S35 states that ‘the Council will seek to address existing open space deficiencies, including active play space deficiency, and current and future open space needs’ (policy S35). Figure 3 illustrates one very small area of public open space in the Plan area.

The priorities are therefore to:

- protect existing public and private open and green space;
- create new open and green space, including children’s play space, in order to correct recognized deficiencies.

Some new open space can be created when the redevelopment of major sites takes place but this realistically will not achieve enough open space to meet London Plan and WCC standards. Landscaping and improvements to the public realm in streets will also be needed.

7.2 Existing tree cover has recently increased but there is capacity for more. In addition, the designated area has a relatively small amount of green landscaping features. Additional priorities are therefore to:

- preserve existing trees and green landscape features;
- ensure any trees and green landscape features which are lost are replaced;
- plant new trees and create new green landscape features on streets or as part of redevelopments;
- Make full use of green roofs, walls and other forms of street planting.



Figure 4: A pocket park at the corner of New Cavendish Street and Cleveland Street

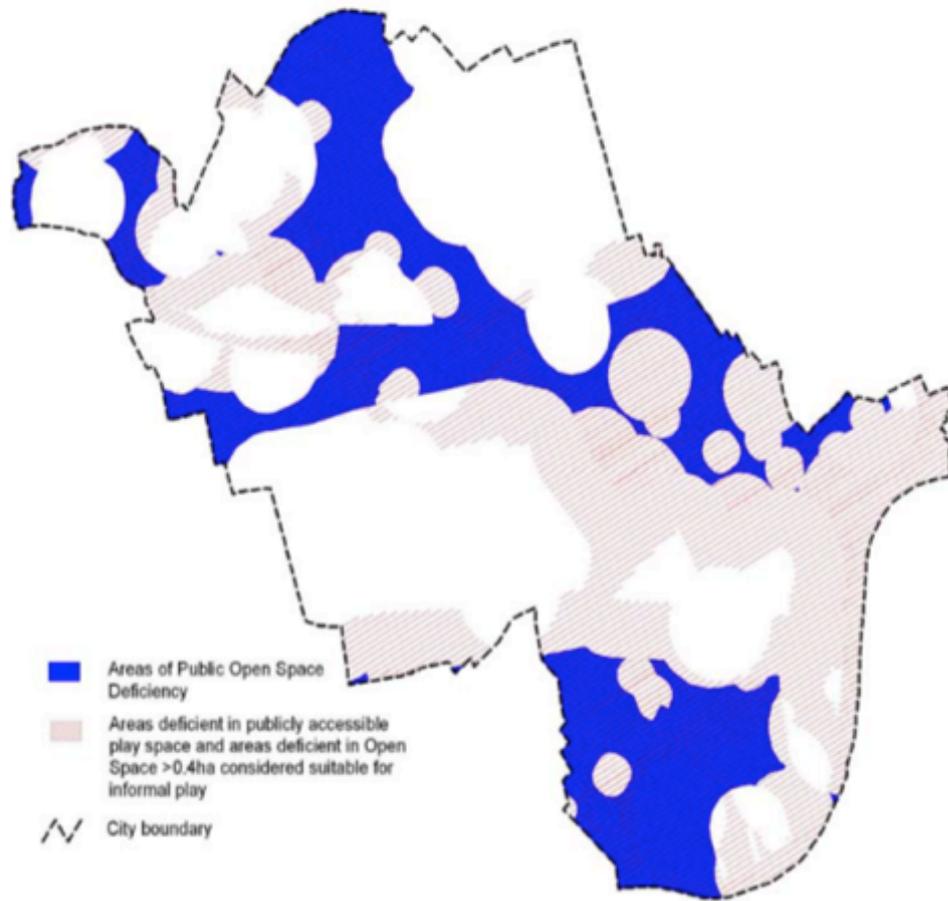


Figure 5: Extract from WCC City Plan 2016 (p.147) showing areas of public open space and publicly accessible play space deficiency

7.3

Policy GS1: Protecting and Enhancing Existing Green and Open Spaces

Development proposals which protect and enhance existing open and green spaces, trees, and landscaping within the Plan area will be supported.

The following areas, although not officially designated as Local Green Space are identified as being of special significance and should be protected and enhanced:

- Triangle at NW corner of junction between Cleveland St and New Cavendish Street' (see Figure 3);
- Small rectangle at south end of Great Titchfield Street;
- Courtyard at Pearson Square;
- Courtyard at Rathbone Square (Newman Street/Rathbone Place).

Development adjacent to existing open and green space should safeguard its appearance and wider setting and have no significant adverse impact in terms of views, daylight, sunlight, access and flood risk.

7.4

Policy GS2: Creating New Green and Open Spaces

All new major development over 0.5 hectares should incorporate an appropriate and well-designed new open or green space. Appropriate provision should include living roofs, living walls and ecologically sensitive landscaping.

1. Where development is proposed, a landscape plan should be submitted identifying the provision of trees and ecologically sensitive landscaping wherever appropriate. This will:

- ensure adequate space is provided in new developments both above and below ground for tree planting and greening where appropriate, and seek infrastructure changes as part of new developments to allow for future tree planting, such as seeking diversion of below ground services or creating wider pavements by the use of pavement build outs.
- include living and green roofs, gardens, the planting of additional trees, sustainable urban drainage systems and rain gardens, green walls and soft landscaping wherever they are structurally viable and will have no adverse affect on heritage assets. Evidence

of proposed maintenance arrangements should be submitted, particularly with sensitive landscaping such as green roofs and green walls.

2. In order to create further public amenity space and improve the public realm, the conversion of existing streets should be considered as set out in paragraph 7.5 and Figure 7 below. Streets selected for this policy should:

- Provide for pedestrian, cycling or shared use, landscaping and play streets;
- Identify opportunities to apply principles of ‘healthy streets’;
- Encourage the use of visually attractive paving, landscaping and street furniture;
- Rationalise and if necessary relocate residents’ parking provision.

Temporary or meanwhile uses which provide additional landscaping or play space will be supported.

Strategic Policy Context:

WCC City Plan (2016): S35 and fig 47

WCC City Plan (2018): 35 (green infrastructure)

London Plan (2016): 7.18 (protecting open space and addressing deficiency)

Draft London Plan (December 2017): G4, G5

NPPF (2019): paras 96-101 (open space)

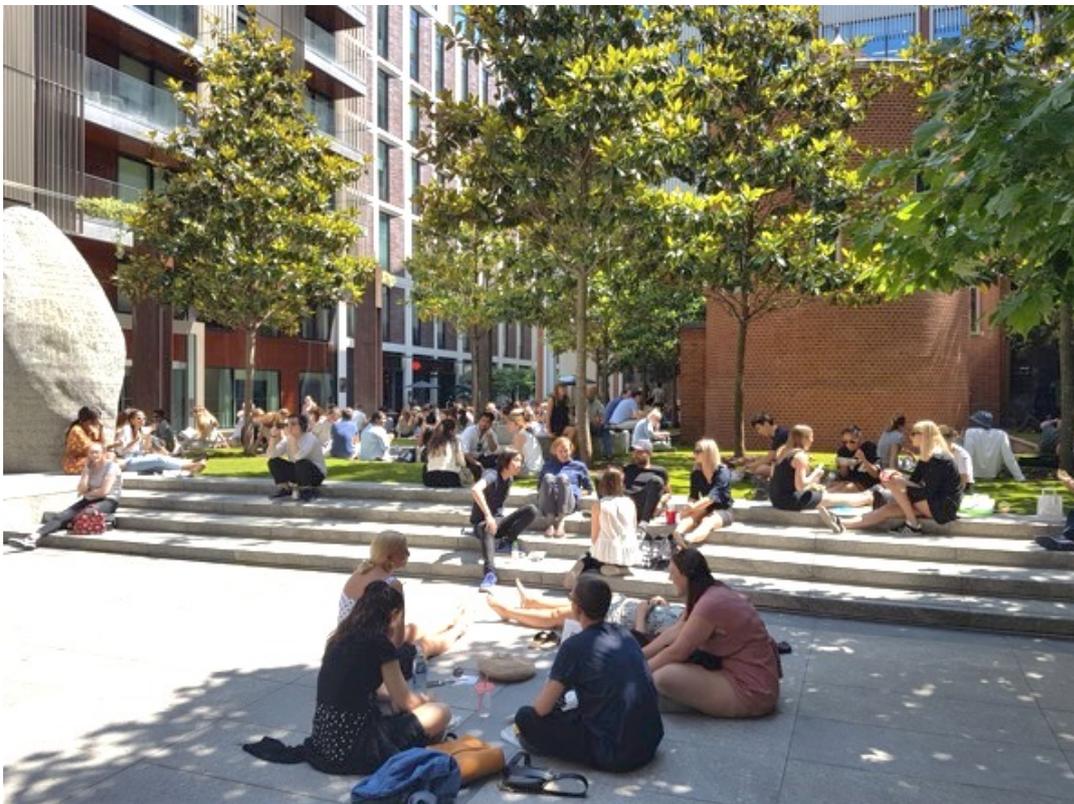
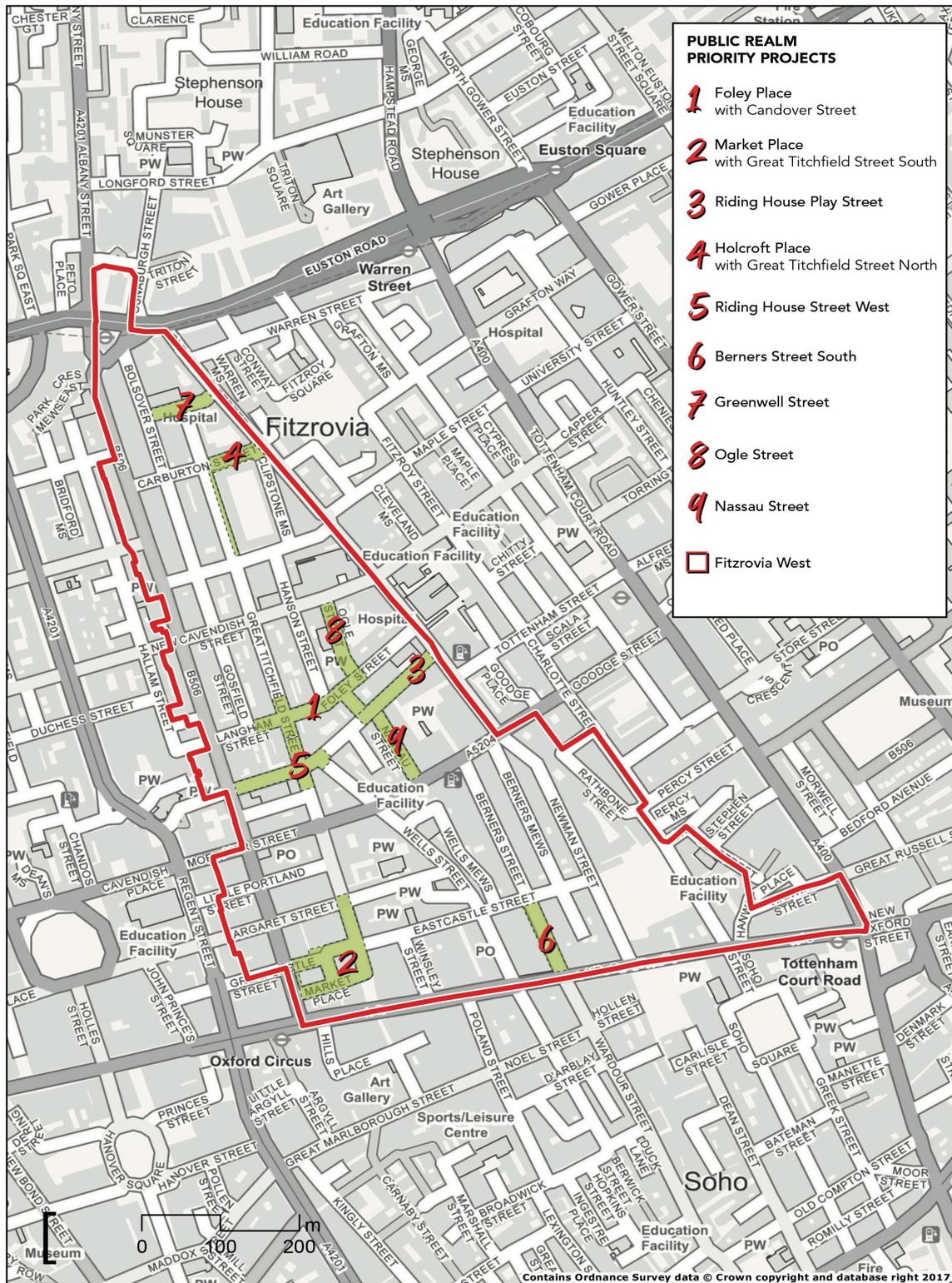


Figure 6: Heavily used open space at Pearson Square

7.5 In August 2018 consultants were commissioned to investigate the potential for improving the public realm by applying the principle of a 'super-block' to the area whereby through traffic would be encouraged to use the major boundary roads, such as Marylebone Road, Tottenham Court Road, Oxford Street and Great Portland Street. A series of streets and sections of streets within the super-block have been identified whereby traffic calming, rearranging residents' parking, landscaping and other measures could be applied to improve air quality and make up for the deficiency of open and play space in the area. Nine potential interventions have been identified as set out in Figure 5 below. More detail is set out in the supporting document, *Fitzrovia West: Public Realm Improvements (2018)*. These projects could be implemented by WCC or could be part funded through use of CIL and S106 resources.



Source: Fitzrovia West Public Realm Improvements: Design Report, Urban Movement, October 2018

Figure 7: Proposed Public Realm Priority Projects

Justification

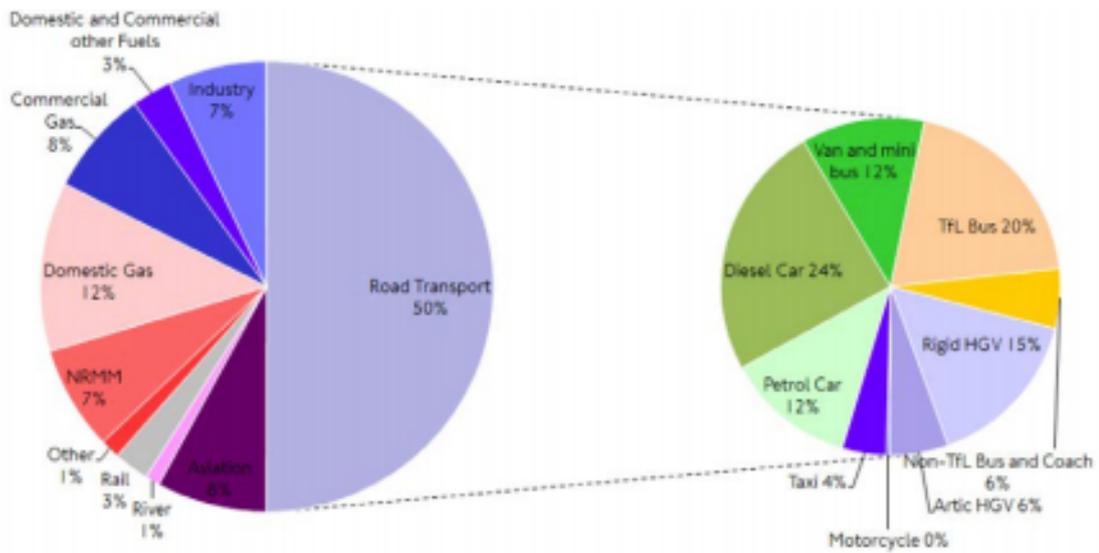
- 7.6 The area has been recognized as severely deficient in open and green space provision. There are no squares or major public open spaces and no progress has been made in providing new publicly owned local parks or play space. Policies in this Plan are designed to increase the amount of green space through a variety of mechanisms, including redevelopment and street improvements. There is very limited privately owned green space in Fitzrovia West. The courtyard in the former Middlesex Hospital site (now called Pearson Square), and the recently completed Rathbone Square, both have public access to small landscaped courtyards that are private and are managed by the freeholders. Thus the designated area has no publicly owned and managed open space, for example a children's play space or open air sports area, despite an increasing population. Access to Regent's Park is difficult for the elderly and those with disabilities and for children as it involves crossing a major highway (Marylebone Road).
- 7.7 This Plan fully supports strategic policy in the draft London Plan which calls upon boroughs to 'undertake a needs assessment of local green and open space to inform policy' (policy G4). In addition, the designated area fails to meet the London Plan standards of the provision of 2 hectares of local parks and small open space within 400 meters of all residents (Table 1, p.307-8). The 'Urban Green Factor' approach should also be applied in the designated area (p.309).
- 7.8 Where such spaces do exist and are properly managed they are of immense local value, providing a valuable recreational, environmental resource and assist with drainage. The most urgent requirement for additional green space comes from the very marked urban heat island effect that is prevalent in central London. Green space is one of the ways that overheating can be mitigated, leading to a reduction in temperature inversion and thus a reduction in trapped pollution. A detailed analysis and recommendations are set out in *Fitzrovia West Public Realm Improvements: Design Report* (Urban Movement, 2018). See also the research paper on the urban heat island effect at FitzWest (2019).
- 7.9 Some streets may be unsuitable for tree planting for technical reasons, but those with undistinguished buildings may be able to accommodate more trees in groups if underground conditions permit. Redevelopment in the area and changes in roadways or pavements may create further opportunities for greening and open space in the area. There remains potential for further tree planting using appropriate species in order to promote a healthier environment and to complement other measures to improve the public realm.

8 Environmental Standards

Objectives	Policies
10. To ensure that the amenity of the area is protected and enhanced for the benefit of all those living, working and visiting the area;	Policy EN1: Promoting Improved Air Quality
11. To be an exemplar in sustainable city living by applying the highest environmental standards, particularly on energy conservation and reducing the emission of greenhouse gases and particulates.	Policy EN2: Renewable Energy

- 8.1 As a densely developed urban area, Fitzrovia West suffers from negative environmental conditions relating specifically to: poor air quality, the urban heat island effect, noise and related nuisance from traffic, air conditioning and ducts and flues servicing cafes, restaurants and pubs. In addition, many older buildings have very limited provision for storing refuse or materials for recycling. Furthermore, construction can generate an additional source of noise, nuisance and the passage of heavy goods vehicles.
- 8.2 NO₂ is an indicator of combustion emissions from road traffic, domestic and commercial sources. Figure 8 illustrates the sources of two major pollutants in Great London in 2013. The London Atmospheric Emissions Inventory estimated that the major sources of emissions of oxides of nitrogen (NO₂) in the City of Westminster in 2013 were road transport at 57.9% and domestic and commercial gas at 32.2%. For fine particles (PM_{2.5}), the figures were 65.0% from road transport, 11.5% from domestic and commercial gas and 10.0% from non-road mobile machinery. NO₂ contributes to morbidity and mortality along with fine particles (PM_{2.5}). Public Health England estimates that 6.7% of deaths in the City of Westminster in 2015 were attributable to human made PM_{2.5}.

NOx sources in Greater London in 2013 (LAEI 2013)



PM10 sources in Greater London in 2013 (LAEI 2013)

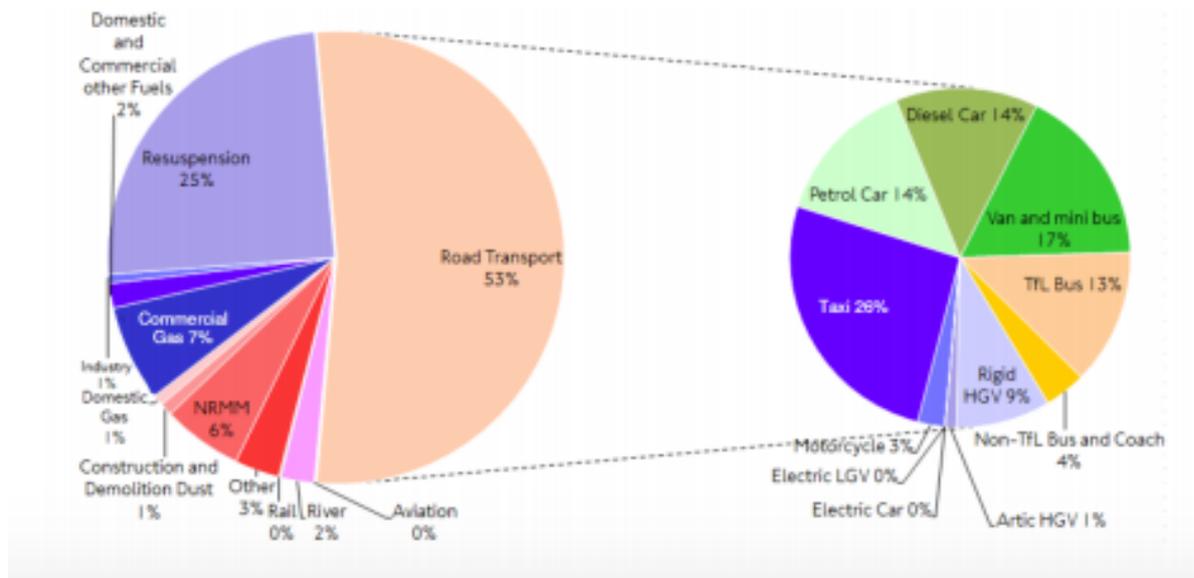


Figure 8: Sources of NOx and PM10 in Greater London in 2013.

Source: Demystifying air pollution in London, London Councils, 2018

8.3 The Measurement of pollution by King’s College and others indicates that Oxford Street has some of the highest recorded levels of NO₂ and particulates in London. In 2014 135 milligrams of NO₂ were recorded per cubic metre, which is three times the permitted EU level. Other streets such as Marylebone Road, Mortimer Street and Great Portland Street often record levels of pollutants well in excess of permitted levels.

8.4

Policy EN1: Promoting Improved Environmental Sustainability and Air Quality

Applications will be supported that make a positive contribution towards improving air quality and reducing the emission of greenhouse gases and surplus heat which contributes to the urban heat island effect and passive ventilation should be prioritised.

Policy EN2: Renewable Energy

To mitigate emissions that worsen climate change, developments will be supported where buildings in the designated area minimise energy use and maximise energy efficiency and the production and use of renewable energy to meet their needs;

New development or the substantial refurbishment of existing buildings should minimise energy use and maximise the proportion of energy used from renewable sources, Such development should demonstrate that measures have been included to minimise the use of non-renewable energy in comparison with the development it replaces. Such development should:

- a. demonstrate that it has taken all reasonable steps to minimise energy use and maximise energy efficiency;
- b. demonstrate that systems have been designed to operate at optimum efficiency e.g. low return water temperatures;
- c. facilitate the reduced use of unregulated energy on-site where technically feasible and commercially viable;
- d. maximise the proportion of renewable energy generated on-site consistent with local amenity and the character of any Conservation Area.

It is acknowledged that these standards may not always be achievable in full in relation to heritage assets such as listed buildings.

Strategic Policy Context:

WCC City Plan (2016): S28, S40

Justification

- 8.5 The Plan area suffers from poor air quality particularly in streets with heavy traffic flows. Oxford Street, Mortimer Street, Goodge Street and Great Portland Street often exceed EU standards as measured by levels of Nitrogen Dioxide and particulates. Diesel powered vehicles such as buses, taxis and delivery vehicles are the main cause of poor air quality. However, steps taken by the Mayor and Transport for London to introduce the T-charge from October 2017 and the Ultra Low Emissions Zone (of which the Plan area is part) in April 2019 are to be welcomed. The City Council has also issued an Air Quality Manifesto (WCC 2018).
- 8.6 Recent research indicates that 48% of NOX is produced by road transport in central London and 54% of PM10 (IPPR 2016). Although electric taxis and hybrid buses are increasingly being introduced, the number of deliveries by private diesel vans and lorries is increasing. More needs to be done to consolidate goods deliveries at designated hubs for both homes and commercial premises.
- 8.7 The draft London Plan notes that ‘ The urban heat island effect is caused by the extensive built up area absorbing and retaining heat during the day and night leading to parts of London being several degrees warmer than the surrounding area’ (para.9.4.2). It goes on to suggest that the increased use of air conditioning systems is not desirable as it exacerbates temperature differentials. The Plan area lies at the centre of the metropolis (see Figure 9) and is a densely developed part of central London with many buildings using mechanical ventilation and with very little natural vegetation to dissipate heat. It is also surrounded by major roads (for example, Oxford Street, Marylebone Road) that frequently exceed air quality thresholds as defined by the European Union and UK Government. These adverse environmental conditions can be mitigated by, for example, the reduction of through traffic, increased provision of green space and tree planting and an increased use of natural ventilation in offices and other commercial buildings.

9 **Mobility and Transport**

Objectives	Policies
12. To reduce and minimise the adverse impact of through traffic in the area;	Policy T1: Pedestrian Movement and Sustainable Transport
13. To support the improvement of provision for public transport, walking and cycling;	Policy T1: Pedestrian Movement and Sustainable Transport
14. To support the rationalisation of	Policy T2: Improving the distribution and delivery of

deliveries to businesses and residents in the area in order to minimise the number of vehicular journeys particularly of diesel vehicles;	goods to local businesses
15. To ensure that the adverse impact of any major transport developments or projects are minimised and that amenity standards are increased for residents and businesses.	Policy T1: Pedestrian Movement and Sustainable Transport

9.1 The Plan area is highly accessible and very well served by public transport. The Elizabeth line will increase accessibility for businesses and residents but will also bring more pedestrians into central London. The objectives of this Plan are therefore to promote health, safety and wellbeing by increasing provision for walking, cycling and the use of public transport wherever possible. The intention is also to reduce the adverse impact of through traffic and wherever possible to rationalise the delivery of goods.

9.2 The most frequently used mode of transport in the area is walking and almost 40% of residents walk to work. About 26% use the bus or underground and only about 5% drive to work. The vast majority of those working in the area or visiting use public transport.

9.3

Policy T1: Pedestrian Movement and Sustainable Transport

Development proposals will be supported that provide for increased efficiency and movement of people and goods in the area. In particular it will:

- Support recent policy initiatives such as the introduction of the T-charge and Ultra Low Emission Zone (ULEZ) to reduce the number of excessively polluting vehicles in the area;
- Support environmental improvements for those using pavements, cycling or accessing public transport in order to create ‘healthy streets’ as set out in the London Plan;
- Support increased provision for on-street provision for cycle parking and the application of the Mayor’s standards for off street provision in all new development;
- Support developments which provide off-street space for bicycle storage,

deliveries, servicing and refuse collection;

- Support the concept of a 'super-grid' which ensures that traffic uses the main distributor roads and restrict vehicular access on smaller streets except for essential servicing.



Figure 10: Low emission electric delivery vehicle

Policy T2: Improving the distribution and delivery of goods to local businesses

Development proposals will be supported which include measures designed to rationalise the delivery of goods in the area, including individual parcels to private addresses. It supports the provision of distribution hubs whereby deliveries can be amalgamated and sent to companies in single loads using electric vehicles. In particular developments will be encouraged which:

- Reduce traffic flows and congestion through the area and which limit pressures on on-street parking;

- Support the provision of distribution hubs for goods particularly for users located on Oxford Street and other main highways without rear servicing;
- Support the increased use of electric vehicles and provision of electric charge points;
- Support measures designed to rationalise and reduce the frequency of the delivery of goods and services to local businesses;

Strategic Policy Context:

WCC City Plan (2016): S29, S41, S42

WCC draft City Plan (2018): 24 (enhancing mobility), 26 (freight, servicing and deliveries)

London Plan (2016): 6.9 (cycling), 6.10 (walking)

Draft London Plan (December 2017): T2 (healthy streets), T5 (Cycling)

NPPF (2019): paras 102-107 (promoting sustainable transport)

Justification

- 9.4 The Plan area is already extremely congested and suffers high levels of atmospheric pollution. In addition, a high proportion of taxis and delivery vehicles are diesel powered while deliveries are uncoordinated and are increasing in volume because of the rise of online sales. A major objective is to improve the environmental quality of our streets by reducing traffic speeds, by reducing through traffic and discouraging unnecessary use of the motorcar. This will provide the basis for enhancing the public realm through environmental improvements discussed above.
- 9.5 As cycling becomes safer and attracts more users as a convenient means of transport, this Plan supports the increased provision for cycle parking both on and off street. The draft London Plan policy T5 and parking standards (table 10.2) will be a requirement on all new development in the designated area.

Appendix 1: Unlisted Buildings of Merit

The following list of unlisted buildings of merit has been compiled from the Conservation Audits prepared by WCC, checked and updated in preparing this Neighbourhood Plan. Any buildings subsequently added to this list will be subject to the same policy MD 1.

Charlotte Street West CA

Berners Street Nos. 34 to 36 consec (including Berners Mansions)
Charlotte Place Nos. 2 to 7 (consec)
Charlotte Street Nos. 5, 15 to 25 (odd)
Goodge Street Nos. 57 to 61 (odd)
Mortimer Street Nos. 1 to 11 (odd)
Newman Passage Nos. 1, 2, 4, 4a, 5, 6, 14a, 15, 16, 17, 20
Newman Street Nos. 15 to 22 (consec), 25, 26, 32, 34 to 40 (consec), 42, 44, 45, 46, 48, 49
Rathbone Place Nos. 30 to 32 (consec)
Rathbone Street Even nos. 2, 6 to 20 (even); Odd nos. 11 to 15 (odd), 19 to 47 (odd)

Policy DES9 2 states that the City Council will seek the retention of buildings which in the opinion of the City Council make a significant contribution to the character or appearance of a conservation area and this would include unlisted buildings of merit.

Cleveland Street CA

Carburton Street Nos. 1-19
Cleveland Street Nos. 127-129 & 131-133
All Soul's Clubhouse

East Marylebone CA

Berners Mews Nos. 2, 5-8 (cons), 15
Berners Place Nos. 8, 9, 10, 11
Berners Street Nos. 1-2, 3, 4, 5, 11, 12, 13, 19-20, 68-73
Bolsover Street Nos. 2-8 (cons)
Bourlet Close Nos. 3, 4, 5, 6, 6a, 7, 8, 9, 11
Bywell Place Nos. 3,4,5,6
Candover Street Nos. 4, 7
Cleveland Street Nos. 51, 53, 55, 57, 59, 61, 63
Eastcastle Street Nos. 1, 2, 13-15, 16-22 (cons), 26, 27-8, 32-42 (cons), 61-62, Rose and Crown Public House
Foley Street Nos. 2-16 (John Astor House), 20, 21, 21a, 22, 23, 24-25, 29, 30, 37, 38-39, 41-48 (cons)
Gosfield Street Nos. 1a, 1-35 (cons), 37
Greatcastle Street Nos. 1-12 (cons), 14-15, 36-38, 40, 41
Great Portland Street Side elevation No. 200 Oxford Street, Nos. 4, 12-24 (even), 15-25 (odd), 27, 30, 37, 41, 50-56 (even), 51-53 (odd), 55 (The George PH)-65 (odd), 68-76 (even)
Great Titchfield Street Nos. 1-3 (odd), 8, 10, 10a, 14-18 (even), 21, 20-30 (even), 32-34 (even), 36-38 (even), 42-44 (even), 46-54 (even), 53-67 (odd), 56, 58, 60-62 (even), 64, 66, 68, 69, 69a, 70, 71, 72, 74, 76, 78, 79, 80, 81 82, 82a, 84, 84a, 86, 88, 83-89 (odd) 90, 91, 94, 96, 98, 100, 102, 109-119 (odd), 108-128 (even)
Hanson Street Nos. 2-26 (even), Nos.1-29 (odd)
Langham Street Nos. 29, 36, 44, 46 (Yorkshire Grey Public House), 48, 50, 52-54 (even), 56
Little Portland Street Nos. 4, 6, 15, 16, 17, 24-26 (cons)
Little Titchfield Street 4-12 (even)

Margaret Street 1, 2, 3, 4, 5, 6, 17-18, 19, 26, 27, 28, 48, 49, 50, 52-55 (cons), 56, 57, 63, 69-71 (cons), 72, 73, 74, 76, 75, 76, 77, 78, 79, 80, 81, 82-83 (All Saints House)
Market Place 4-13 (cons), No. 14-17 (Kent House), Portland House, 41, 40, side elevation of 4 Great Portland Street
Marylebone Passage Whole of street
Middleton Place Whole of street
Mortimer Street 24, 26, 27, 28, 29, 31-35 (odd), 40, 37-41 (odd), 46-50 (even), 51-55 (odd), 57-61 (odd), 65, 67, 69, 70-74 (even), 71, 73, 75, 77, 79, 80, 81, 83, 85, 87-89 (odd), 91, 95, 97, 99
Nassau Street Nos. 15, 16, 17, 18, 19, 21-22, 24-25,
New Cavendish Street Nos. 108-112, 114, 116, 128, 130, 132, 142, 144, 148-150 (even), 152, 154, 156, 158, 160, 162, 164, 166, 168
Newman Street Nos. 72, 74, 75, 80, 81 (Rose & Crown), 82-83
Ogle Street Nos. 10-16 (even), Side elevation to 148 New Cavendish Street (Highwood House), John Astor House
Oxford Street Nos. 90-92, 100-102, 110-114, 116-122, 142-144 (even), 146, 148-150 (even), 192, 196, 198, 200
Riding House Street Nos. 14, 16, 15-19 (odd), University of Westminster 18-22 (even), 29, 31, 33, 36-46 (even), 51, 53, 55, 57, 63, 65, 67-73 (odd), 75-79 (odd), side elevation to no. 7 Candover Street, 70 Great Titchfield Street
Swan Court, Booth's Place No. 1
Wells Street Nos. 14, 15, 16, 17, 24, St. Andrews Chambers, Furnival Mansions, 53, 56, side elevations to Nos. 37-41 Mortimer St, 68, 69, 72, 73, 74, 75, 76, 77a

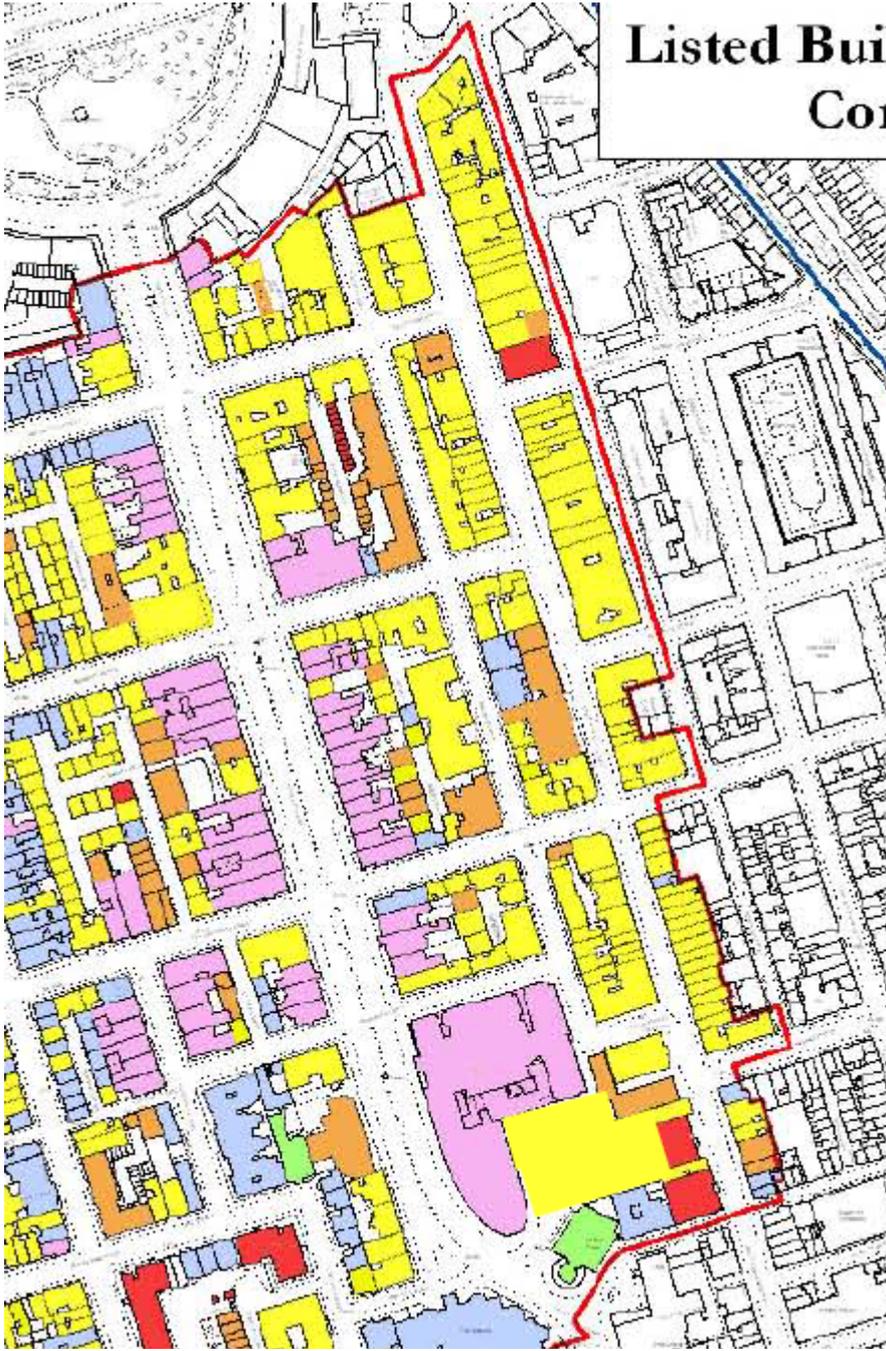
Hanway Street CA

Hanway Street Nos. 34, 36, 38, 42-44, 47-55
Hanway Place No. 1
Rathbone Place Nos. 6, the Black Horse Public House, 9, 12-13, 15
Oxford Street Nos. 4, 8, 10, 12, 14-16, 24, 26-32, 40-42, 48, 52, 62, 64-66
Tottenham Court Road No. 1, (no. 2-3 considered to be of merit as the lesser front of no. 14-6 Oxford Street)

Harley Street CA

Great Portland Street Nos. 100-136, 138-248 (evens) (excluding no.204 Sofia House), 101-113, 117-121, 125-129, 155-185 (odd) and all linked property at rear in Bolsover Street.
Bolsover Street Nos. 53, 54-58

Listed Buildings



 Harley Street Conservation Area
 Westminster boundary

 Grade I Listed	 Unlisted Buildings of Merit
 Grade II Listed	 Neutral Buildings
 Grade II* Listed	 Negative Buildings

Appendix 2: Monitoring and Reviewing the Plan

The role of the Forum:

The Forum will continue beyond this Plan being made. Whilst the main focus of the Forum to date has been on the production of the Plan, there are other functions such as:

- (a) Promoting local events and community engagement;
- (b) Commenting on planning applications of note in the area, including at committee;
- (c) Being a sounding board for other local community groups;
- (d) Discussing issues of importance to membership about the way the designated area is changing;
- (e) Lobbying WCC, The Mayor of London, Transport for London and other organisations on planning, transport, environmental and heritage issues;
- (f) Advising the Council on the best use of CIL and other resources;
- (g) Liaising with other forums in Westminster on matters of common interest.

Functions of the Forum:

These functions will continue on after the Plan has been made. In addition, the Forum will monitor implementation of the policies in this plan, particularly:

- (a) To ensure funding is being applied correctly;
- (b) To assess whether policies are being applied consistently and interpreted correctly in response to applications;
- (c) To review the policies and to propose revisions and updating where appropriate.

The life of the Plan is for 20 years. We anticipate that revisions and updates will be required at least every 2-3 years in response to changes in the environment, infrastructure being delivered, and priorities of the community evolving. These will require separate consultation and adoption processes, which will be managed by the Forum and WCC.

The Neighbourhood Planning Act 2017 amended the legislation governing neighbourhood planning, including clarifying:

- (a) the status of draft plans in planning decision making;
- (b) the process for making minor amendments to adopted plans;
- (c) the effect of parish council boundary changes on designated neighbourhood areas; and
- (d) how local planning authorities will provide assistance to neighbourhood forums during the process of drafting, consultation and making of neighbourhood plans.

Appendix 3: Use of CIL Income and Non-Planning Projects

The Forum will continue to support development initiatives by the Mayor, WCC and other agencies which make positive contributions towards reducing through traffic of all kinds, rationalising the use of taxis and deliveries, improving air quality and by implementing the Ultra Low Emissions Zone.

Where CIL monies become available we will propose schemes that improve the public realm for residents and all users. Particular priorities will be the reduction of through traffic, improved facilities for those walking and cycling and the provision of tree planting and other landscaping by adopting existing streets and through the creation of new open space through redevelopment. This may involve working in partnership with WCC and other public agencies.

The provision of children's play space is another priority.

Where appropriate CIL funding should be used to improve and enhance the range of community facilities for residents.

The Forum will continue to ensure that businesses and residents are kept fully informed of developments and CIL funding will be used for this purpose to promote the website, publicity, exhibitions and public meetings.

CIL resources should be used to improve public provision for domestic and business refuse storage and recycling.

Enforcement against the use of residential property for holiday lets beyond the permitted 90 day annual total should be a priority for the council, in order to maintain residential provision. CIL resources might be used to carry out surveys and take enforcement action where needed.

APPENDIX 4: Key Sources

[Building for Life Partnership, Building for Life 12, CABE etc, 2018](#)

[Census, ONS, 2011](#)

[City of Westminster, Shop fronts, Blinds and Signs, WCC, 2004.](#)

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City of [Westminster CIL tariff, 2016](#)

[City of Westminster's City Plan \(consolidated November 2016\)](#)

[City of Westminster, West End Ward Profile, 2018](#)

[City of Westminster, Air Quality Manifesto, 2018](#)

City of Westminster Interim statement of our new approach to housing delivery: Application of adopted City Plan policies. June, 2017.

City of Westminster Conservation Area Audits: Charlotte Street West, Cleveland Street, East Marylebone, Hanway Street, and Harley Street Conservation Areas at <https://www.westminster.gov.uk/conservation-area-audits>

[City of Westminster Statement of Licensing Policy, 2016](#)

Fitzrovia West population profile prepared by Westminster City Council from 2011 Census data (unpublished)

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[Historic England, Conservation area designation, appraisal and management, Historic England Advice Note no.1, 2016](#)

[Institute of Public Policy Research. Lethal and illegal: London's air quality crisis. IPPR, 2016.](#)

Mayor of London, Tottenham Court Road Opportunity Area, at <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/opportunity-areas/opportunity-areas/tottenham-court>

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MHCLG. National Planning Policy Framework, February, 2019

[Neighbourhood Planning \(general\) Regulations, 2012](#)

[New West End Company, Air quality strategy 2020](#)

[Noise Policy Statement for England \(NPSE\), DEFRA, 2010](#)

[Pedal Cyclist Fatalities in London: Analysis of Police Collision Files, University College London and Loughborough University \(2007-2011\)](#)

[Trees in the Townscape, Trees and Design Action Group, 2012](#)

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[UK's worst air pollution hotspots in 2020 and 2025](#)

[Understanding the Health Impacts of Air Pollution in London, Walton et al, 2015](#)

[Walking and cycling to health: A comparative analysis of city, state, and international data, Pucher *et al*, American Journal of Public Health, 2010](#)

[Westminster Advertising Design Guidelines Supplementary Planning Guidance, 2004](#)

[Westminster Economics, Westminster housing market analysis: Final report, 2014.](#)

[World Health Organisation, Ambient \(outdoor\) air quality and health, updated 2016](#)

APPENDIX 5 Glossary

Definition of affordable housing

The government defines affordable housing in the National Planning Policy Framework. To comply with the government definition, affordable housing should:

- Be provided to households whose needs are not met by the market;
- Be provided to eligible households, where eligibility takes into account local incomes and house prices;
- remain at an affordable price for future eligible households unless the subsidy is recycled for alternative affordable housing provision.

The government includes three types of housing within this broad definition.

Social rented housing is provided at rents guided by national targets, and is mostly owned by the Council or Housing Associations.

Affordable rented housing is also provided to households who are eligible for social rented housing, mostly by the Council or Housing Associations. Rents are based on local market rents rather than national targets.

Intermediate housing costs less than market housing but more than social rented housing and complies with the overarching government definition of affordable housing. It includes shared ownership, other low cost ownership and intermediate rent. It can also include key worker housing for groups such as health service staff, teachers and workers in emergency services. The Mayor sets caps on the income groups eligible for intermediate housing through the London Plan (updated in GLA Annual Monitoring Reports).

Agent of Change Principle

The principle places the responsibility of mitigating the impact of noise from existing noise generating businesses on proposed new development near by, thereby ensuring that residents of the new development are protected from noise and existing businesses are protected from noise complaints. Similarly, any new noise generating development, for example a music venue, will need to put in place measures to mitigate noise impacts on existing development close by.

Draft London Plan, 2017, p.506.

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

NPPF, 2019, para 182.

