

Marylebone Association Response to City Plan Reg 19 Publication Draft

The Marylebone Association is the official amenity association for the Marylebone area, south of Marylebone Road, north of Oxford Street, east of Edgware Road and west of Great Portland Street.

References below to City Plan policies as presently drafted are in italics, suggested amended wordings are shown in red.

1. GENERAL

We welcome and support the new draft City Plan, the broad thrust of its approach and its policies, subject to the following comments and suggested amendments.

2. SPACE STANDARDS

8.B - Stepping up Housing delivery - we welcome the uplift to a 200sq m maximum but we would like to see the policy wording to include reference to the minimum sizes and also the quality of housing space - including minimum ceiling heights, light levels and natural ventilation.

We further suggest the amendment in red below to Policy 8.10:

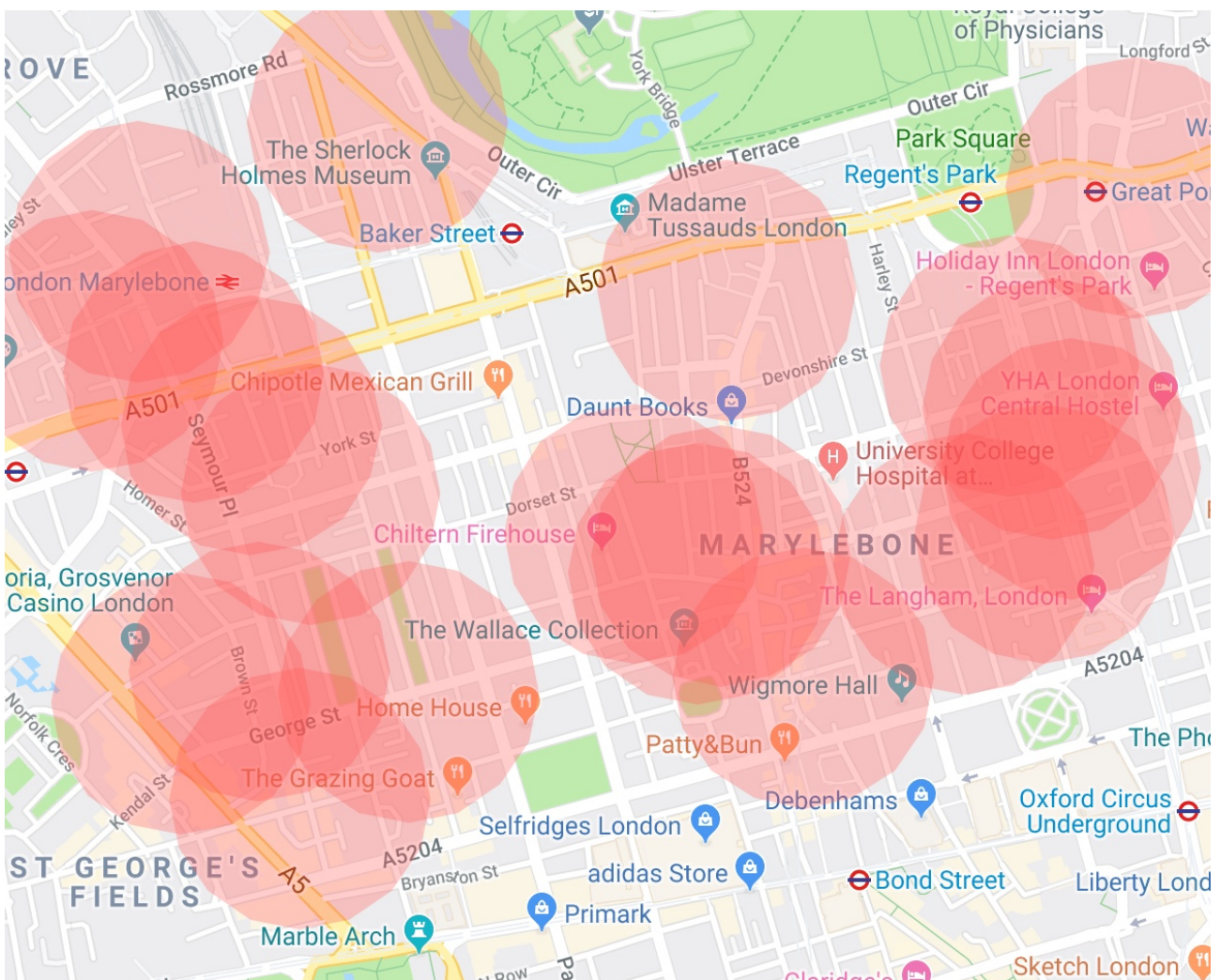
8.10 “Furthermore, in order to ensure that site capacities are optimised, no new homes in Westminster (including changes of use and residential extensions) will exceed 200sq m of Gross Internal Area (GIA). This size restriction is needed because Westminster’s position in the global housing market can create demand for super-size properties do not optimise development density on our scarce land. The only exception to this will be where a larger unit is needed to ensure the protection of a heritage asset or a converted home as we recognise that it is not always practicable or appropriate to merge parts of the floors to create larger units, or a minor increase over 200sq m to maximise a development density. The 200sq m limit is 62sq m above the highest minimum standard in the Nationally Described Space Standards and is higher than the average size of recently built private homes in Westminster (163sq m between 2013 and 2018). The limit will still enable generously sized homes to be developed to meet demand from the prime market and large families, but balances that against the other, more strategic housing needs of the city.”

3. SUPPORTING ECONOMIC GROWTH

We feel that the encouragement of SME's should not be limited to the NWEDA alone and propose that 14E should be amended as below in red:

14E. "Proposals, *particularly* within the NWEDA , involving the loss of space suitable for small and medium enterprises (SMEs) will be resisted. Redevelopment proposals will be required to re-provide existing employment floorspace, including dedicated space that meets the needs of SMEs."

4. FOOD DRINK AND ENTERTAINMENT



17.B - We support the continued protection of Public Houses.

17.C "Hot Food Takeaways and Deliveries - Proposals for hot food takeaways within 200m walking distance from the entrance of a primary or secondary school will not be supported."

Practically all of Marylebone is within 200m of a primary or secondary school entrance (see map above, red circles indicating the 200m scope of each educational institution). The remaining areas are typically not retail locations and are also unsuitable. Hot food takeaways can comprise healthy food. The planning system already has too much effect on our diet with what is and what is not allowed as “cooking”. The policy as presently drafted would punish healthy food operators.

17.F - We support all attempts to control and regulate shisha smoking. We would suggest that: “*adjacent to*” is supplemented by an actual distance from residential windows-*ie: “adjacent to or within 25 meters of windows of existing residential properties.”*

17.12 - *“We consider shisha bars a sui generis use, meaning that where an applicant seeks to change use to a shisha bar planning permission will be required.”*

We are concerned that this will not be sufficient where it can be argued that shisha smoking is ancillary to the main use, say, as A3 and therefore would not constitute a material change of use. We would therefore welcome any further provision that would require any shisha smoking to come within this clause.

5. DEVELOPMENT INVOLVING AMALGAMATION OF UNITS

21 Soho Special Policy Area - this Plan revision has removed previous Policy 19.E-*“Development involving the amalgamation of units behind retained facades will not be permitted, other than on Oxford Street, Charing Cross Road and Shaftesbury Avenue.”*

The replacement policy guidance at 21.3 lacks teeth and we feel that Policy 19.E from the previous plan should be reinstated.

Marylebone has similar issues to Soho concerning loss of built heritage from demolition of buildings behind retained facades. We would therefore submit that old Policy 19.E should in addition be extended to the conservation areas within Marylebone to help preserve its remaining buildings and the character of the neighbourhood.

6. PARKING

We support the parking policy as set out in 28, particularly the rationale for separate treatment of Zones F and B as set out in 28.14 and 28.15.

7. ELECTRIC VEHICLE CHARGING

We are fully supportive of 31C and 31.D but in Appendix 2 we would welcome 100% active provision of EV charging.

8. WESTMINSTER'S HERITAGE

We welcome the improved weight given to heritage considerations but are concerned that Policy 40.L CONSERVATION AREAS and 40.R NON-DESIGNATED HERITAGE ASSETS offers only an element of general protection to unlisted buildings of merit in conservation areas, which alone will not be sufficient.

We suggest 40.16 to be amended as set out below in red:

“Demolition or substantial demolition of unlisted buildings that make a positive contribution to a conservation area will be resisted unless it can be demonstrated that the public benefits of the proposals, including the quality of the replacement building, outweigh the case for retention of the building. Any replacement buildings in a conservation area must respect and seek to enhance its character and appearance. In some circumstances, demolition behind retained facades can provide a way to protect facades of townscape merit while allowing new accommodation to be developed behind this and may be acceptable where the overall integrity of unlisted buildings is maintained in street views.

However where the building has been designated an unlisted building of merit the presumption will be that demolition behind retained facades to join buildings together is not acceptable under these circumstances and will be resisted.”

9. DESIGN REVIEW PANEL

39.13 “Promoting excellence in contemporary design - We welcome creative approaches to contemporary, high quality architecture and state of the art building technology in appropriate locations, optimising densities and making the most of the opportunities they present to celebrate, enhance and reveal the existing built and historic environment.”

Further to 39.13 above we welcome the inclusion of design principles in the Plan but they appear rather vague as presently drafted and to ensure that they can be

effectively developed we would urge the development of a Design Review Panel, similar to the Boroughs of Camden and Kensington and Chelsea.

10. ALTERATIONS AND EXTENSIONS

Those amenity areas still remaining to the rear of buildings need to be specifically protected. Policy 41 should resist the development of these areas, to reflect what is stated in Policy 7: *“Policy 7. Managing development for Westminster’s people. Development will be neighbourly by: A. Protecting and where appropriate enhancing amenity....”*

And at the very minimum the Plan should incorporate the London Plan proviso that any intensification should be appropriate to the form and scale of its surroundings.

41.4 “A variety of distinctive spaces and features contribute to the character and appearance of townscapes across the city. The layout and pattern of development in Westminster, much of which was developed in the Georgian and Victorian eras, gives rise to certain locally distinctive building forms, rhythms and patterns of architectural detail within the townscape. Where such characteristic architectural detailing, features and spaces contribute to the townscape, these should be retained, enhanced and integrated within new designs, where appropriate. The protection and /or restoration of such features and spaces is particularly important when heritage assets are affected.”

The need to preserve amenity spaces to the rear of buildings is recognised in Para 41.4 of the Plan above. But as these are rapidly being built over we ask that they are protected in Policy 41.D as highlighted in red:

*41D. “Alterations and extensions will respect the character of the existing and adjoining buildings, **be appropriate to the form and scale of its surroundings, seek to protect remaining amenity areas to the rear of buildings,** avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groupings of buildings that contribute positively to Westminster’s distinctive townscape.”*

11. BASEMENT DEVELOPMENT

The suggested basement policy - Policy 46 still allows extremely disruptive but unnecessary developments to take place. We would like to see this controlled by a more comprehensive basement policy - along the same lines of Royal Borough of Kensington and Chelsea. This in effect restricts most basements under listed buildings and limits other developments to one basement level only (not an additional level under an existing basement). We would be very keen to see a

similar policy introduced in the City Plan, at least with respect to the Marylebone Conservation Areas. It is accepted there would be a need for certain exemptions- eg. for medical equipment in the Harley Street Special Policy Area and major developments. We understand the Marylebone Forum is making a similar submission.

12. EVENING AND NIGHT TIME ECONOMY

Whilst supporting the concept of broadening the cultural offer within Westminster's night time economy, it is essential that this is balanced against the need of residents to be able to sleep at night.

One of the 4 Key Approaches laid out for the City Plan is: "***A city that focuses on the needs of our community and beyond***".

Further Key Objective 4 of the Plan states: "***Broaden the city's cultural offer, while managing the impacts of clusters of uses, and of the evening and night time economies on existing residential communities***".

The World Health Organisation has assessed the impact of noise on wellbeing and health and set noise standards for many years and defines night-time as 11pm to 7am

Given all of the above we submit that WCC should ensure that what it says in the plan is reflected in its policy and not pass over this opportunity to incorporate this basic minimum of amenity protection within the Plan, possibly in a broader Policy 2 - see 2.11 below as amended in red.

2.9 "The West End is home to the largest evening and night-time economy in the UK. It has a wealth of cultural uses, pubs, bars, restaurants, nightclubs, cinemas, theatres and other leisure uses. To ensure the area is welcoming and attractive to all communities, the appropriate management and further diversification of the evening and night-time economy will be supported. This will be done through enhancements to its cultural offer, hosting of events and art installations such as Lumiere London, and late-night shopping.

2.10 / This activity will help ensure the evening and night-time economy is not dominated by the consumption of alcohol, which can lead to issues of anti-social behaviour and deter those who do not drink from visiting central London outside of the daytime. Enhancing the cultural offer will include support for new venues, ancillary uses that enable existing ones to thrive (e.g. cafés within museums or theatres), and investment in the public realm around existing clusters ..."

2.11 Proposals for new commercial or entertainment uses must demonstrate how they will protect the amenity of nearby residential units and create no material

additional adverse effects (after mitigation) such as noise, and rubbish between 11pm and 7am.

13. NEIGHBOURHOOD PLANNING

We welcome the support given to Neighbourhood Planning on Pages 15 and 173. However further to our Regulation 18 submission on this in 2017, we ask that WCC develop specific proposals that go beyond those stated in the Regulation 18 Notice of 2017, and the list of strategic policies listed in Appendix 3 of this Plan; to leave sufficient space within the Local Plan for non-strategic neighbourhood policies to be developed and to make clear how this can be done and in what policy areas this will be encouraged.