

Draft Soho Neighbourhood Plan

Regulation 18 (2) Decision Statement

1. Summary

- 1.1 Following an independent examination of the plan, Westminster City Council recommends that the Soho Neighbourhood Plan is modified as set out in Table 1 of this statement, and then proceeds to referendum.
- 1.2. The council agree with the Examiner's recommendation that the referendum area for the Soho Neighbourhood Plan (as modified) should be the approved Neighbourhood Area which is set out in Figure 1 of this Decision Statement for convenience.
- 1.3 The Examiner's Report, and other background documents can be viewed on the Council's website at <https://www.westminster.gov.uk/planning-building-and-environmental-regulations/city-plan-neighbourhood-planning-and-planning-policy/soho-neighbourhood-plan>.
- 1.4 If approved at referendums, the Soho Neighbourhood Plan will form part of the statutory development plan and will be used alongside the Westminster City Plan 2019-2040, and the London Plan 2021, when determining planning applications within the Soho Neighbourhood Area.

2. Background

- 2.1 Soho Neighbourhood Area (as shown in Figure 1 of this statement) was designated by the council on 5th April 2013 and in accordance with Section 61G of the Town and Country Planning Act 1990. On 25th July 2014 Soho Neighbourhood Forum were designated as the neighbourhood forum for the area, and subsequently began preparing a Draft Neighbourhood Plan. The Neighbourhood Forum was re-designated for a further five years on 24 September 2019.
- 2.2 The Soho Neighbourhood Forum published a draft plan for Regulation 14 pre-submission consultation in June 2019. It was subsequently revised in light of comments received, before submission to the Council in February 2020. Regulation 16 consultation on the plan was then carried out from May to July 2020.
- 2.3 In August 2020, the council, in consultation with Soho Neighbourhood Forum, appointed Ms Jill Kingaby BSc (Econ) MSc MRTPI as independent examiner of the plan. The purpose of the examination of the plan was to determine if it met the basic conditions required by legislation, other legal requirements, and should proceed to referendum.
- 2.4 The Examiner considered that a public hearing into the plan was not required and the examination was conducted through written representations. The Examiner's report concludes that, subject to making the modifications recommended in her report, the plan meets the basic conditions set out in legislation, and should proceed

to a local referendums. It also recommended that the area for the referendums should be the Neighbourhood Plan Area.

3. Decision

- 3.1 The Neighbourhood Planning (General) Regulations 2012 requires that the local planning authority outline how it intends to respond to the Examiner's recommendations.
- 3.2 Having considered each of the recommendations made in the Examiner's report, and the reasons for them, the Council has decided to make the modifications to the draft plan set out in Table 1 of this Decision Statement. These changes are considered to be necessary to ensure that the draft plan meets the basic conditions and legal requirements.
- 3.3 The submitted plan was accompanied by a Strategic Environmental Assessment Screening Report and a Habitats Regulations Assessment Screening Report. None of the modifications set out in Table 1 are considered to necessitate revisiting any of these assessments.
- 3.4 Westminster City Council agrees:
 - A) That the recommendations to modify the plan as set out in Table 1 and in the Examiner's Report be accepted.
 - B) That the Examiner's recommendation that the Soho Neighbourhood Plan, as modified, proceed to referendums on the basis that the plan meets the basic conditions, is compatible with the European Convention on Human Rights, complies with the statutory definition of a neighbourhood development plan, and comprises provisions that can be made by such a document.
 - C) That, in accordance with the Examiner's recommendation, the referendum area be the Neighbourhood Area as designated by the Council on 5th April 2013.
 - D) That if the results of the two referendums are in support of the approval of the plan, the council proceeds to formally making the plan.

Signed

Cllr Matthew Green, Cabinet Member for Business, Licensing and Planning

Date

Table 1: Examiner’s recommended changes to the plan

Note: PM17 below specifically recommends the changes shown in Appendix 3 of the February 2021 published version of the SOCG (shown in Appendix 2 to this report, page 11 onwards) are all made to the draft SNP, subject to the additions and revisions set out in PMs 1-16.

Proposed modification number (PM)	Page no. (or other reference) from submitted SNP	Modification (Policies numbered as in the submitted SNP)
PM1	Front Cover	Insert the Plan period prominently on the front cover: 2019-2040
PM2	Page 8	Figure 1: Map of Soho Neighbourhood Area designated area Enhance the map so that street names and key landmarks eg. Soho Square can be readily identified.
PM3	Page 13	Living in Soho Although originally builtLiving accommodation <i>in Soho</i> , much of it built ...
PM4	Pages 17-20	Policy 1: Development Proposals in the Soho Conservation Area <u>Reasoned justification</u> Soho is known globally In addition, there are many unlisted buildings of merit <i>as can be found in the Soho Conservation Area Audit</i> and Soho is an Area of Archaeological Priority. Policy 2: Proposals for increased building height <u>Reasoned justification</u> Links to Neighbourhood Plan Objectives Listed buildings and unlisted buildings of merit, <i>as can be found in the Soho Conservation Area Audit.</i>
PM5	Page 19	Figure 2: Map of Soho Conservation Area Add the names and location of other Conservation Areas which are contiguous with the Soho Neighbourhood Area.
PM6	Page 21	Figure 3: Protected views across Soho Add existing public open spaces at Soho Square, Golden Square and St Anne’s Gardens to the map. Add a note to the bottom of the map to state: Source: GLA London Plan, London Views Management

		Strategy. Locations 2A.1, 2B.1 and 4A.1 are shown.
PM7	Pages 26, 27	<p>Policy 7: New Office Developments</p> <p><u>Reasoned justification</u></p> <p>Penultimate paragraph, and penultimate sentence:</p> <p>It makes clear that large floorplate developments, which are out of scale with the prevailing context, character and plot widths, which tend to be occupied</p>
PM8	Page 28	<p>Policy 8: Creating Active Ground Floor Uses in New Commercial Developments</p> <p><u>Reasoned justification</u></p> <p>This policy requires...wasted or underused space in the Soho Neighbourhood Area. The AECOM</p>
PM9	Page 29	<p>Policy 9: Providing Public Art to Reflect Local Culture and Heritage</p> <p><u>Reasoned justification</u></p> <p>This policy seeks Where development is required to provide provides public art or does so as a condition of planning permission</p>
PM10	Page 31	<p>Figure 4: Map of PUBLICA Creative Industries</p> <p>Modify the key to the map to read: Soho Neighbourhood Area.</p>
PM11	Page 34	<p>Policy 13: Food and Beverage Developments to Protect Residential Amenity</p> <p><u>Reasoned justification</u></p> <p>Soho's evening economy Whilst there are a number of well-run late-nightunregulated approach to the late-night economy will further could damageand crime. While There is no clear cut-off point when the evening economy ceases ,the nature of the late-night economyit can be more problematic. and the night-time economy begins. However, a consequence of heightened night-time activity, albeit unintentional on the part of operators, has been incidents of crime, anti-social behaviour, noise, waste and physical damage to Soho's built environment. These consequences can be problematic for police and other agenciesworkers to contend with because of the noiseaccompany it.</p>
PM12	Page 35	<p>Policy 14: Provision of Public Toilets</p> <p><u>Reasoned justification</u></p>

		<p>Re-order sentences as follows:</p> <p><i>Westminster City Council's Licensing Policy Statement indicates the concentration of night-time ... in March 2020. The London Plan has a specific policy in relation to the provision of public toilets.</i></p>
PM13	Pages 38, 39	<p>Policy 17: Residential Space Standards</p> <p><u>Reasoned justification</u></p> <p>The City Plan 2019-40 the city <i>subject to a maximum space standard of 200sqm with 25% of the new homes provided as family homes with between 3 and 5 bedrooms.</i> However, there is no local area differentiation to reflect location, urban fabric or character.</p> <p>Within the <i>Soho</i> neighbourhood area, space is at a premium ... provide housing <i>homes and particularly smaller homes.</i> <i>The cost and scarcity of land for housing underline the need for land to be used effectively.</i></p> <p>In support of this <i>approach</i>, the Publication London Plan states <i>in Policy D6 paragraph 3.6.2 that "Boroughs are..."</i>. The Forum....even the largest homes.</p> <p>An independent Housing Needs...</p>
PM14	Page 45	<p>Policy 22: Refurbishment and Retrofitting of Existing Buildings</p> <p><u>Reasoned justification</u></p> <p>Delete the last paragraph and replace it with:</p> <p><i>In order to help innovation in construction practice towards achieving further carbon reductions as part of developments, major development proposals are encouraged to show how the proposals have considered the potential of retrofitting and to make clear where they have been able to retrofit or reuse materials and to indicate the constraints (if any) they experience in adopting further such measures.</i></p>
PM15	Page 52	<p>Figure 6: Map showing <i>existing areas of Public Open Space, and</i> Ramillies Place and Dufour's Place</p> <p>Add existing public open spaces at Soho Square, Golden Square and St Anne's Gardens to the map. Delineate in a different way from Ramillies Place and Dufour's Place, which should be described as areas suitable for enhancement as areas of public open space.</p>
PM16	Page 58	<p>After the first sentence, add new text as follows: <i>To ensure that necessary water and wastewater infrastructure is provided in major new developments, developers are encouraged to discuss proposals with Thames Water, ahead</i></p>

		<p><i>of submitting a planning application.</i></p> <p>Before the final paragraph, add:</p> <p><i>Where new development includes commercial hot food premises, kitchens should be fitted with a grease separator complying with BS EN 1825-:2004, and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal, to comply with Building Regulations part H, paragraph 2.21.</i></p>
PM17	Whole Plan	The changes shown in Appendix 3 to the SOCG (page 11 onwards of Appendix 2 to this report) are recommended, subject to the additions and revisions set out in PMs 1-16 above.

Figure 1: Soho Neighbourhood Area

