**INDEPENDENT EXAMINATION OF THE MAYFAIR NEIGHBOURHOOD PLAN**

EXAMINER: JILL KINGABY BSc (Econ) MSc MRTPI

Mark Henderson

Chair Mayfair Neighbourhood Forum

Josephine Gay

Westminster City Council

|  |  |
| --- | --- |
| By email | Examination Ref: 01/JK/MNP  24 August 2018 |

Dear Mr Henderson and Ms Gay

MAYFAIR NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Mayfair Neighbourhood Plan (the Plan) for examination, I would like to clarify some initial procedural matters.

1. Examination Documentation

I confirm that I have received the Plan and accompanying documentation which you have submitted. The documentation, which includes the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, will enable me to undertake the examination.

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

1. Further Clarification

Having read the submitted Neighbourhood Plan and supporting documents, in particular the responses to the Regulation 16 consultation exercise, I make the following request to the Forum. It would greatly assist the Examination, which I have been appointed to undertake, if the Forum were to meet representatives of Westminster Council’s City Policy and Strategy Team, to discuss the proposals for modification of the submitted Neighbourhood Plan which have been put forward by the Council in its Regulation 16 response.

As the City of Westminster will be the main decision-maker for planning applications relating to the development and use of land in Mayfair[[1]](#footnote-1), it is advisable that the Forum and the Council have a shared understanding around the potential application of the Plan’s policies. Therefore, I consider it important that the views of Westminster City Council on the effectiveness of the policies and supporting text in the Mayfair Neighbourhood Plan are fully considered before the Plan proceeds to adoption, to ensure the policies will operate as is intended. All Neighbourhood Plans must meet the Basic Conditions[[2]](#footnote-2) before they proceed to referendum, ie:

• Be in general conformity with strategic local policy;

• Have regard to national policy;

• Contribute to the achievement of sustainable development; and

• Be compatible with EU obligations.

It would greatly assist me if the Neighbourhood Forum could achieve a Statement of Common Ground (SOCG) with the Council, setting out the detailed wording of any modifications to the submitted Plan which are agreed, and explaining the reasoning behind points of disagreement.

I shall be considering all the Regulation 16 representations in detail when examining the Plan, and am grateful for the Forum’s chart summarising its response to many of the points raised.

However, I have some preliminary questions (in addition to the request for an SOCG with Westminster City Council) arising from the Regulation 16 responses. The Forum may wish to consider these further, and discuss them with the Council when producing its SOCG. These are:

• Historic England raised concern about the potential impact on heritage assets of the three solutions for transforming Park Lane (Policy MPL1). It is unclear to me where the proposal for transforming Park Lane and defining three solutions has come from? Have the City of Westminster Council, Greater London Authority, Transport for London, Royal Parks or other stakeholders had an input into the proposal’s formulation? Are there any evidential research studies to support the rationale and feasibility of such a project? Are there any references to it in relevant adopted or emerging Plans, including Transport Plans, for Westminster or London?

• Historic England also commented that the west part of Mayfair has a particularly high concentration of some of the nation’s most significant heritage assets. It seems to me that readers and users of the Neighbourhood Plan would find it helpful if such assets (as listed in the footnote to Page 1 of Historic England’s response) were named and mapped in the Neighbourhood Plan. This should cover all Mayfair and not just the western part of the neighbourhood.

• Historic England stated, **very significantly**, that in its view Strategic Environmental Assessment (SEA) should be undertaken before the Plan could be adopted. As you will be aware, Historic England is the government’s national advisor on heritage matters and, as such , it is generally recognised to have considerable expertise in this field. I note that the Forum disagrees with Historic England, but I request that the matter be discussed further with the City of Westminster Council, which following Regulation 15 submission, is now the competent authority for SEA.

• Simon Birkett (Clean Air in London) proposed changes to Policy MES1: Air Quality. What is the Forum’s response to these? The Forum may wish to discuss the matter with the City of Westminster Council before reaching its view.

• Grosvenor proposed that Policy MR1.3 should give a size limit of 500 square metres (sqm), to provide clarity as to what would be a “large” shop unit. The Forum stated that it considers there is already sufficient clarity, but Westminster City Council may have a different view, based on its experience processing retail planning applications. I note that Policy CM2.3: Savile Row Special Policy Area of Westminster’s City Plan refers to retail units no larger than 300 sqm. It would be helpful if this could be considered when the Plan is discussed with the Council.

I am sorry to add to the Forum’s workload but consider that the above tasks should be undertaken to enable an effective and speedy Examination of the Neighbourhood Plan for Mayfair. I would very much appreciate, in due course, an estimation of the indicative timeframe for the receipt of a response to these questions and the SOCG. Once I have received these documents, I will write again giving further details of the examination timetable and letting you know when I will be carrying out my site visit.

In the interests of transparency, I ask that a copy of this letter and any responses to my questions are placed on the Forum and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

Jill Kingaby

Examiner

1. Most planning applications will be determined by the City of Westminster Council, but some major or complex applications may be ‘called in’ for determination by the Secretary of State. [↑](#footnote-ref-1)
2. As set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and in Schedules 2(1) and 3(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended). [↑](#footnote-ref-2)