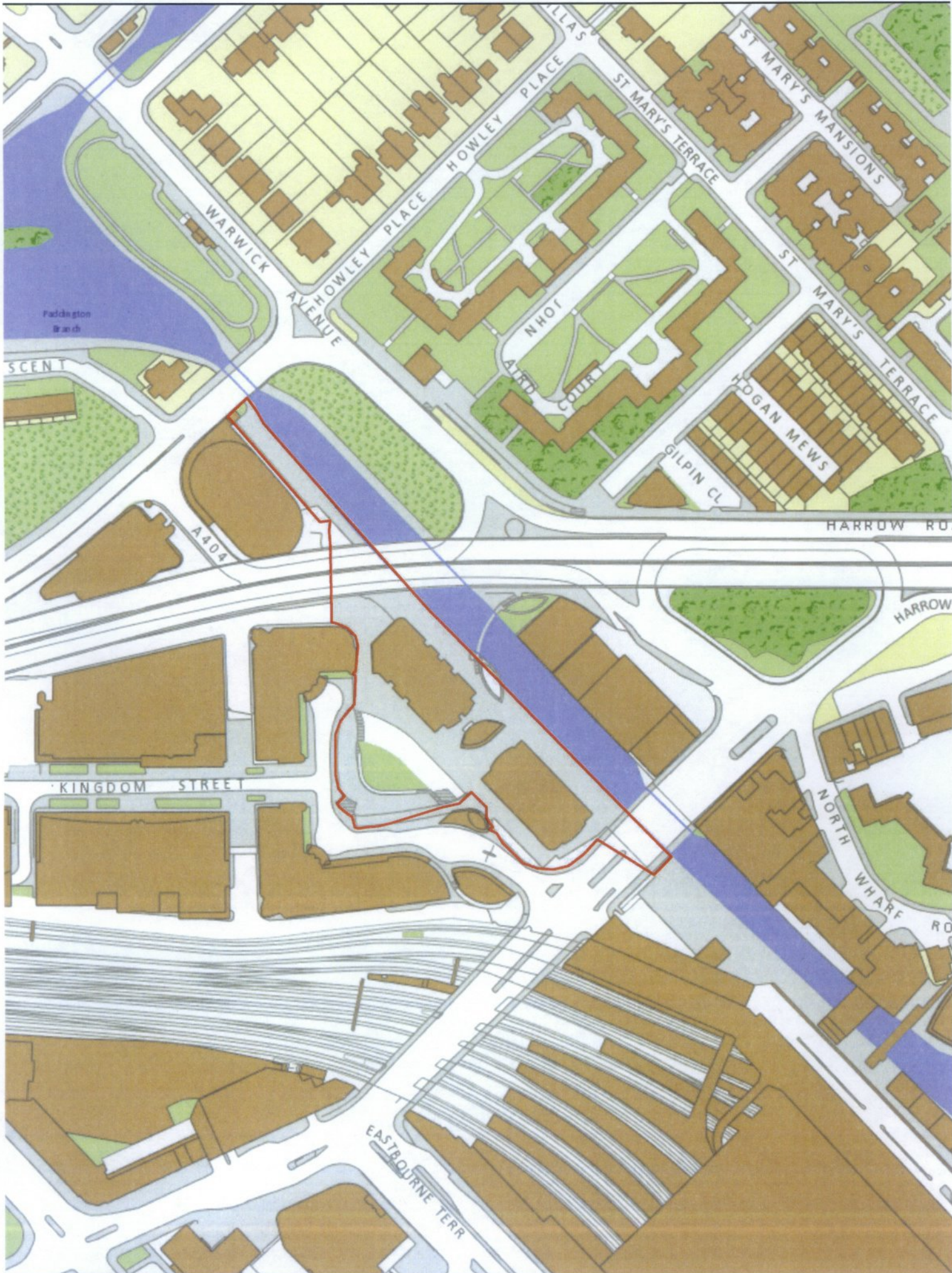


<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 10 March 2015	<b>Classification</b> For General Release	
<b>Report of</b> Operational Director Development Planning		<b>Wards involved</b> Hyde Park	
<b>Subject of Report</b>	<b>Paddington Central, Bishop's Bridge Road, London, W2 6BA</b>		
<b>Proposal</b>	Public realm enhancements to the pedestrian routes under Bishop's Bridge Road and the Westway, the canal side between these routes and the area around the Sheldon Square amphitheatre, including alterations to paving, lighting, seating and tree planting, relocation of cycle parking, alterations to the undercroft beneath, removal of redundant basement exits and installation of green walls.		
<b>Agent</b>	CBRE		
<b>On behalf of</b>	Paddington Central I (GP) Ltd		
<b>Registered Number</b>	14/11805/FULL	<b>TP / PP No</b>	TP/1419
<b>Date of Application</b>	28.11.2014	<b>Date amended</b>	23.02.2015
<b>Category of Application</b>	Minor		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	The majority of the application is outside a conservation area, but the northern part of the site next to the canal and the Rotunda building is within the Maida Vale Conservation Area		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone  Within Paddington Opportunity Area  Within Paddington Special Policy Area		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

## 1. RECOMMENDATION

Grant conditional permission.









**PADDINGTON CENTRAL, BISHOP'S BRIDGE ROAD, W2**





Existing cycle racks under the bridge (top) and existing pedestrian route to be widened by extending over the void (bottom)

**PADDINGTON CENTRAL, BISHOP'S BRIDGE ROAD, W2**





Proposed new location of cycle racks (top) and trees at the rear of 27 Sheldon Square (bottom)

**PADDINGTON CENTRAL, BISHOP'S BRIDGE ROAD, W2**





Trees along the canal side

**PADDINGTON CENTRAL, BISHOP'S BRIDGE ROAD, W2**

## 2. SUMMARY

This application relates to various works to the public realm of Phase 1 of Paddington Central. These include alterations to the paving, lighting, seating, landscaping including the removal of 41 trees, the relocation of the existing cycle parking, alterations to the undercroft beneath Bishops Bridge Road to widen the footway, the replacement of the solid parapet wall onto Bishop's Bridge Road with railings, and new green walls. The application has been amended to delete the railings along Bishops Bridge Road and pull the green wall away from the structure of the bridge. Objections have been received from an existing resident in Sheldon Square on the grounds that the loss of the trees will make overheating of her flat much worse, the public realm improvements will also result in loss of privacy and more noise and disturbance.

The key issues are:

- The impact of the proposed works on the appearance of Paddington Central and the adjacent canal.
- The impact on pedestrian routes within the development and the relocation of the cycle stands.
- The acceptability of the removal of 41 existing trees and whether the new planting compensates for the loss of these trees.
- The impact of the alterations on the amenities of existing residents within Paddington Central, in relation to their privacy, noise and whether the loss of the existing trees will make overheating worse.

The highway implications of the proposal in terms of the structural integrity of Bishop's Bridge Road Bridge.

Overall, the package of improvements to the public realm are most welcomed and will enhance pedestrian routes within this part of the development. The Arboricultural Manager raises no objection to the loss of the existing trees. Despite the objections received, it is not considered that the removal of these trees will make overheating for a number of existing flats within the development worse. The application is recommended for conditional approval.

## 3. CONSULTATIONS

### CROSSRAIL

No response received to date.

### TRANSPORT FOR LONDON

Supports proposal to move the cycle parking to a new location next to the canal and requests that the applicant consider increasing the level of cycle parking in the scheme to meet future demand. As part of the site is under the TLRN and alterations to the bridge are proposed further discussions are required and the approval of TfL structures will be required. The site is also located in close proximity to London Underground Infrastructure including the Hammersmith and City Line tunnels serving Paddington Station and submerged cables under Bishops Bridge Road. Technical approval will be required for all works by London Underground Infrastructure Protection and should be secured by condition. Request a Construction Logistics Plan is secured by condition. Confirm the proposal will not have an unacceptable impact on their road network.

### LONDON UNDERGROUND INFRASTRUCTURE

Request condition reserving the submission of detailed design and method statements of all foundations and other structures below ground level.

#### CANAL AND RIVER TRUST

Supports the provision of cycle parking beneath the West way, although the loss of existing cycle parking beneath Bishops Bridge Road is regrettable. This cycle parking is well utilised and is a more convenient location for cyclists who are using Paddington Station. Although no net loss of cycle parking, consider that more should be provided. Given the area beneath Bishops Bridge Road is being widened some parking could be retained in this convenient and sheltered location. Consider that a row of some 25 Sheffield stands could be located next to wall without harming pedestrian permeability. Request that the replacement cycle parking is provided before the existing parking is removed. Concerned that the landscaping improvements will create a pinch point around the existing pedestrian footbridge and request that the tree nearest the bridge's ramp access is omitted from the scheme. If the Council is minded to approve request an informative is added.

#### PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

Concerns over the relocation of the cycle racks and the impact on pedestrian safety. Before consenting to the relocation of the racks request that a study should be undertaken by the applicants to assess the impact of the change. Support the remainder of the proposal.

#### HYDE PARK ESTATE ASSOCIATION

To be reported verbally.

#### SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

No objection, welcome the improvements as Paddington Central is in need of enhancement. Have concerns regarding the loss of trees and the proposed guard railing instead of a wall. The proposed railing onto Bishops Bridge Road seems to be very basic in design terms and is it strong enough to stand being hit by a car.

#### ARBORICULTURAL MANAGER

Various trees - Italian Alders, Limes and Sweet Gums are to be removed, but requested further clarification as some of the trees do not feature on the plans. Consider the applicant's suggestion of Birch trees alongside the canal lack sufficient stature for such a hard part of the urban townscape. Prefer *Alnus incana* 'Lancinata'. Further details required of the tree and shrub planting.

#### ENVIRONMENTAL HEALTH

Whilst shading is an important mitigation measure, Environmental Health would never accept shading by trees as being an acceptable solution due to their transient nature and not being under the control of affected persons ( e.g. the trees could die, be pruned back for safety, disease or aesthetic reasons. Were trees to offer some mitigation they would need to cover the full height of all the windows of the premises to be protected and be immediately adjacent the windows to prevent the changing angle of the sun during the day varying the effectiveness of the shading provided. Looking at the photographs shown in the application, the trees appear to offer neither sufficient height or be close enough to provide meaningful mitigation. In addition, understand that most of the trees removed will be replaced by a different type but of a similar size. Environmental Health consider the objection to be unsustainable.

#### HIGHWAYS PLANNING MANAGER

The Highways Structure Team is concerned about the proposed changes and there are a number of concerns that need to be addressed to ensure highway safety for all users is maintained. The existing concrete bridge parapet is designed for a 30 tonne rigid HGV with an impact speed of 65 km/hr and require the same containment level to be maintained and this may require some design changes. Request a Risk Assessment with the railing height and the likelihood/consequence of the public falling or climbing over the railing. With regards to the green wall, a minimum clear horizontal gap of 1200mm required to facilitate access during routine bridge inspection regime .Request additional cross sections.



**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS**

No. Consulted: 369; Total No. of Replies: 4.

All responses received are from one resident in Sheldon Square.

**Amenity**

- Proposal to remove trees and replace the solid boundary wall onto Bishops Bridge Road with railings will result in Flat 14, 27 Sheldon Square being overlooked causing a loss of privacy.
- Increased pollution into flat.
- Increasing the width of the pavement area outside flat will increase the number of people congregating outside (in the summer months) which will increase noise and cigarette smoke coming into flat and increased litter.
- Patrons of Smiths and Paddington Central workers smoke outside flat and the construction associated with Crossrail has resulted in health problems (asthma and related allergies)
- Proposed viewing rail will result in loss of privacy.

**Trees**

- Object to the loss of trees will result in increased overheating to existing flat at No. 27 Sheldon Square.
- These trees currently offer shading to existing flats.
- Flats have no air conditioning and in the summer temperatures can exceed 50 degrees on sunny days. There is an Environmental Health report in 2009 regarding heat hazard and if these trees are removed will make matters worse.
- Request that the three trees to be removed be replanted against the proposed railing/curved wall in order to provide more privacy.

**Other**

- Patrons using Smith's bar block the entrance into the flats and use this area for smoking and request that a specific smoker's area is created away from residents' blocks and the canal side. Entrance suffers from litter. Request that the Management Company addresses this as include no smoking signs as part of the public realm works.

**ADVERTISEMENT/SITE NOTICE: Yes**

Additional Information submitted in respect of the trees, sun path documents, highway works. Amended plans to delete railings and alternative position of green wall next to bridge.

**LONDON UNDERGROUND LIMITED**

Confirm now satisfied with the submitted details and no further involvement required.

**HIGHWAYS PLANNING MANAGER**

Repeats earlier concerns about the position of the green wall and allowing access to inspect the structure of the bridge. No further information has been provided on the bollards. In the absence of detailed design information cannot agree to the principle of development and this cannot be reserved by condition.

Re-consulted on the proposal to delete the railings and relocate green wall away from the bridge and any responses will be reported verbally.

**ARBORICULTURAL MANAGER**

To be reported verbally.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS**

No. Consulted: 1; Total No. of Replies: 1.



Repeat previous objections to the public realm works, and disappointed that Environmental Health advised that issues are for the Planning Department and tired that the Council is passing the buck.

#### **4. BACKGROUND PAPERS**

##### **4.1 The Application Site**

This planning application relates to Phase 1 of Paddington Central which is located at the eastern end of the site next to the canal. Phase 1 is bounded by Bishops Bridge Road to the south and the elevated sections of the Harrow Road and Westway to the north. This was the first part of the former Paddington Goods Yard to be redeveloped in accordance with the 2000 outline consent. Phase 1 comprises of two residential blocks (both market and private housing) with shops and restaurants /bars on the ground floor, two office blocks, and a public square with shops. There is a pedestrian route running along the canal from Paddington Station to Pool at Little Venice and a pedestrian footbridge across the canal. There is a vehicle access from Bishops Bridge Road for dropping off, with the main vehicular access into the site is via a ramp adjacent 179 Harrow Road.

The majority of the application site is located outside a Conservation Area, although boundary of the Maida Vale Conservation Area lies to the north and includes section of the canal footway outside the Rotunda Building, and the boundary of the Bayswater Conservation Area to the south. The Rotunda Building and 179 Harrow Road to the north are Grade II\* listed, and Paddington Station to the south is Grade I.

The application site is located within the Paddington Opportunity Area (POA) in the City Plan and within the Paddington Special Policy Area (PSPA) in the UDP.

The public realm areas in Phase 1 are on private land and not public highway.

##### **4.2 Planning History**

On 23 May 2000 outline consent was granted for the redevelopment of the former Paddington Goods Yard to provide offices, 210 residential units, local shopping and studio/light industrial units in buildings between seven and 13 storeys high, the creation of new access off Bishops Bridge Road, new egress ramp, basement car parking and ancillary office accommodation, new footpaths and pedestrian links including a new footbridge. This decision was the subject of a section 106 legal agreement.

Reserved matters approval for Phase 1 was granted on 5 November 2001 which included the public realm works and landscaping. There have been a large number of approvals relating to the later phases of development.

In respect of the existing cycle parking underneath Bishops Bridge Road, permission was granted on 31 January 2007(Ref: 06/09950/FULL). This approval was for 100 cycle spaces, but there are currently 92 spaces (46 stands).

#### **5. THE PROPOSAL**

This application is for various works to enhance the public realm at Phase 1. These relate to the pedestrian routes into the site from underneath Bishops Bridge Road and the Westway, along the canal side and around the Sheldon Square grassed amphitheatre. It is proposed to alter the paving, install new lighting, seating and tree planting/landscaping. It is proposed to widen the pedestrian route to the south of No. 27 Sheldon square by continuing the deck over



the void below. New green walls are proposed. It is also proposed to relocate the existing cycle parking underneath Bishop's Bridge Road to a new location north under the Westway.

Other works include replacing the solid wall facing onto Bishops Bridge Road with railings and inserting bollards in front of the new railings.

It is also proposed to remove two basement step exits and lightwells and to infill these areas with green walls.

The proposal results in the removal of a 41 trees along the canal side .New trees and landscaping are proposed.

The application has been amended to provide additional information in respect of the removal of the existing trees and their impact on sun paths to the first floor flat at 27 Sheldon Square given the objections received on overheating grounds. Further information has been provided regarding the position of the green walls in relation to the bridge.

The proposal to replace the solid boundary wall with railings has been deleted from this application, albeit this is likely to be the subject of a separate planning application. The applicant has submitted an amended plan in respect of the location of the green wall next to Bishops Bridge Road Bridge to provide a 1200mm clear space to allow a visual inspection of the bridge.

## 6. DETAILED CONSIDERATIONS.

### 6.1 Land Use

This proposal raises no land use issues.

### 6.2 Townscape and Design

In general, the majority of the proposal alterations and improvements to the public realm are acceptable in townscape terms and will enhance the appearance of this development and preserve the appearance and character of the Maida Vale Conservation Area.

The palette of materials for the new paving has been simplified. The existing granite setts to the canal side are retained, with new granite paving alongside. York stone is proposed to the Bishops Bridge Road entrance and Westway entrance, and the proposal also includes refurbishing the areas of self binding gravel at the top of Sheldon Square. The samples submitted are considered acceptable. New lighting, landscaping and seating will improve the pedestrian spaces. The relocation of the cycle racks will enhance the visual appearance under the bridge which is the main approach into the site from Paddington Station.

The most contentious element in design terms, is replacement of the solid barrier with railings facing Bishops Bridge Road. Whilst there are no design objections to the railings per se, it is the associated bollards which need to be sited in front of the railings (to provide additional protection and also for anti-terrorism purposes) which will represent more clutter in the street scene. It is recognised that due to anti-terrorism concerns these bollards are now becoming common features in the street scene.

As set in Section 6.4 of this report, highways officers do not consider that the applicant has satisfactory addressed their concerns relating to highway safety and do not consider that these details can be reserved by condition. The applicant has now agreed to delete this aspect from the application.



### 6.3 Residential Amenity

#### Loss of Privacy

An objection has been raised on the grounds that the removal of the solid wall onto Bishop's Bridge Road and the proposed replacement railings and the loss of trees will make overlooking worse and members of the public walking along Bishop's Bridge Road and into Paddington Central will be able to look into existing flats in Sheldon Square.

It is recognised that there is a high level of mutual overlooking, and the proposed open railings will marginally make matters worse in respect of the first floor flats which face onto Bishop's Bridge Road. However, this aspect of the proposal has now been deleted by the applicant.

It is recognised that the existing trees do perform a screening function in the summer months, as do the other trees along the canal side and to the amphitheatre. Whilst it is regrettable that so many trees are being removed, the majority of the trees which are located outside a conservation area could be removed by the applicant without needing the formal approval of the City Council and a refusal on this basis could not be sustained.

#### Noise and Disturbance

An objection has been received that the works to improve pedestrian routes will result in additional footfall and this in turn will result in more noise and disturbance to existing residents.

The existing pedestrian route into the site from Bishop's Bridge Road is rather unsightly and cluttered, and this proposal seeks to improve and expand this route into the development. Whilst it is recognised that the number of pedestrians using this route will increase as a result of the works, it is not considered to result in such increased levels of noise and disturbance to harm the amenities of the residents above to warrant refusal.

#### Overheating

An objection has been raised by a resident in Flat 14, 27 Sheldon Square on the grounds that the felling of the trees at the rear of this block will make overheating of this flat much worse. This flat is located on the first floor and a number of the affordable housing flats in Paddington Central experience overheating. This is due to the lack of mechanical ventilation to these flats, and their generally southward orientation with largely glazed facades with windows which have restrictive openings. The objector's flat has been inspected internally to assess the impact.

The existing trees at the rear of this flat do perform a role of screening views of Bishop's Bridge Road and the access road leading in Sheldon Square in the summer months. However, these trees do not extend up to the full height of the first floor windows, and these trees are regularly pruned to limit their overall size.

In light of the objection received the applicant has submitted additional information (sun path drawings) to demonstrate that the removal of these trees will not make overheating worse.

Environmental Health advise that these trees do not appear to offer sufficient height or are close enough to provide any meaningful mitigation in respect of overheating, and they go onto state that they do not accept shading by trees as an acceptable solution to overheating due to their transient nature and not being under the control of affected persons, as trees can die, become diseased, be pruned and can be removed. Although the objections are well understood, the City Council is not able to refuse planning permission on the grounds of the loss of the trees.

The existing trees along the canal side, to the rear of 27 Sheldon Square and at the top of the amphitheatre are not protected by a Tree Preservation Order, or considered to be of such visual amenity value to warrant a Tree Preservation Order. The majority of trees (with the exception of the row of trees next to the Rotunda building) are not located within a conservation area; therefore the applicant does not need the approval of the City Council to remove them. Whilst the objector's concerns regarding overheating are understood, it is considered that the removal of these trees will not make overheating matters worse. Therefore this objection cannot be supported.

#### **6.4 Transportation /Highways**

##### **Bishop's Bridge Road parapet wall /railings and green walls**

The applicant is proposing to alter the existing solid barrier on the northern corner of the site with Bishop's Bridge Road with railings and to install bollards in the pavement in front of the railings. The applicant wishes to improve the visibility of the entrance and state that the proposal will not adversely affect highway safety.

Officers have a number of concerns about this aspect of the scheme. The existing concrete bridge parapet is designed for a 30 tonne rigid HGV with an impact speed of 65 km/hr and the Council requires the same containment level to be maintained. Officers have requested a Risk Assessment with the railing height and the likelihood/consequence of the public falling or climbing over the railing. They repeat their objections to the railings and do not consider that given fundamental issues have not been addressed that these matters can be reserved by condition. The applicant has now agreed to delete this aspect from this application and submit a fresh planning application once the additional information is available.

The proposed green wall adjacent Bishop's Bridge Road Bridge is another area of concern, as highway officers are concerned that there is sufficient space to facilitate access during routine bridge inspection regime. Following a meeting with the Highways officers, the applicant advises that their proposal will allow access for the inspection of the bridge, and once the design of the parapet wall has been worked up they will be able to demonstrate compliance with health and safety standards.

The Highways officer's repeat their concerns about the green wall and the railings. The applicant needs to demonstrate that there is sufficient space off the bridge and therefore this will need a redesign. The applicant has now submitted an alternative design which provides a 1200 mm clear space at the rear to facilitate a visual inspection of the bridge. The formal views of the Highways Planning Manager will be reported to Committee.

##### **Relocation of existing cycle racks**

Both the Canal and River Trust and Transport for London consider that more cycle parking should be provided within the development. The Paddington Waterways and Maida Vale also raise concerns over the relocation of the cycle racks and the impact on pedestrian safety and request that a survey be undertaken. The applicants have carried out surveys of cycle counts of the existing provision.

Relocating the cycle spaces to a new location underneath Westway will improve the pedestrian route from Paddington Station and there will be no net loss in the number of spaces (94). The new location will be suitably lit and monitored by CCTV. The proposal therefore accords with Policy TRANS 9. Whilst the provision of more cycle spaces would be welcomed, this can be addressed in dealing with future planning applications for the rest of the development. Given there is no net increase in floorspace /units, it is not considered reasonable to require more cycle parking as part of this development.



**Pedestrian Access**

In terms of pedestrian routes, the proposals to improve the Bishop's Bridge entrance by removing the walls and cycle parking underneath the bridge and to increase the size of the deck above the void below will improve pedestrian access to and from Paddington Station are supported.

The new widened pedestrian route will also be enhanced by the use of green walls (subject to agreement with highways regarding space to allow inspections of the bridge), new landscaping and new lighting. It is not considered that the other proposals to relocate the cycle spaces to a new position under Westway and the associated new landscaping in planters will harm pedestrian access along the canal.

**Vehicular Access**

No changes are proposed to the current vehicular access routes that serve the development. A Construction Logistics Plan as recommended by Transport for London will be secured by condition.

**6.5 Equalities and Diversities**

It is not considered that the proposal will affect disabled access within the development.

**6.6 Economic Considerations**

Not relevant in the determination of this application.

**6.7 Other Westminster Policy Considerations****The Canal Side**

In respect of the impact on the canal environment, the proposals are considered to be an improvement and will not harm views of the canal or its ecology. The Canal and River Trust consider that the landscaping improvements will create a pinch point around the pedestrian footbridge and request that the tree nearest the ramp that serves the footbridge is removed. It is not considered that this proposed tree will compromise pedestrian safety.

**Lighting**

A new scheme of lighting is proposed to address a number of shortcomings associated with the existing lighting; namely excess light and glare in Sheldon Square, inadequate lighting along the pedestrian routes plus there is no clear hierarchy of lighting. The proposed new lighting is considered acceptable in principle and a condition is recommended to secure details of lux levels to ensure that the amenity of existing residents is safeguarded. It is not considered that the new lighting will have an adverse impact on the adjacent canal.

**6.8 The London Plan**

This application raises no strategic issues.

**6.9 Planning Obligations**

Not applicable.

**6.10 Central Government Advice**

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be

applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications. Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework.

The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. The relevant policies in the City Plan which has replaced the Core Strategy have been discussed in this report and other policies in the previous report have not changed significantly. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

### **6.11 Environmental Assessment, Sustainability and Biodiversity, Loss of Existing Trees**

The applicant is proposing to remove a number of trees (41) as a desire to improve legibility and permeability in and across the site and 23 trees are to be retained. The applicant states that the Lime trees have grown to create dense, dark canopies, and although a number of trees will be removed, the proposed substantial new trees will enhance the appearance of this part of the Estate and compensate for the loss of existing trees. The trees to be removed are those facing the canal, removing a line of Lime trees and the hedge at the top of the amphitheatre, six Limes at the rear of 27 Sheldon Square, and the Sweet Gums to the northern section of the canal.

Whilst it is regrettable that so many trees are being removed, the Arboricultural Manager raises no objections to their removal. Despite the objection received by an existing resident to the loss of the trees, they are not considered to be of such amenity value to warrant a Tree Preservation Order. The vast majority of the trees within the Phase 1 are located outside a conservation area and as such the applicant does not require the Council's approval to remove them. The only trees which are within the Maida Vale Conservation Area are the row of trees along the canal next to the Rotunda Building.

The loss of the trees along the canal side and at the rear of No 27 Sheldon Square will be compensated by new planting. Whilst it is accepted that only 17 new trees are being planted to replace the 41 removed, it is considered that the improved landscaping /planting within Phase 1 together with the provision of new green walls will represent adequate mitigation.

The Arboricultural Manager did consider that the proposed Silver Birches along the canal side would not be suitable species for such a hard urban location and suggested an alternative *Alnus* (Cut Leaf Alder). The applicant has amended the proposal to include 5 Alders along the canal side with Silver birches. The formal views of the Arboricultural Manager will be reported verbally.

#### **Green Walls**

The creation of green walls within Phase 1 is encouraged. These walls will provide visual interest and also offer biodiversity benefits.



## 6.12 Other Matters

### London Underground Infrastructure

London Underground have requested a pre-commencement condition to reserve the detailed design and method statements for all the foundation or any other structures given the proximity of some of the works to the Hammersmith and City Line tunnels. The applicant considers this condition to be unnecessary and has supplied further information showing that the closest works are some distance away from their tunnels. London Underground confirm that they are now satisfied with the details submitted by the applicant and this condition is not required.

### Public Art

This application involves no changes to the existing pieces of public art. The applicant has indicated that they are looking at displaying new public art at Paddington Central and this will be the subject of a separate application in the future.

### Seating

The existing bench seating on the canal side will be removed and replaced with new bench seating. New seating is also proposed at the top of the amphitheatre, and this is welcomed. Details of the new seating will be secured by condition.

### Signage

The applicant is proposing new hanging signs to the retail units on Sheldon Square, but these benefit from deemed consent.

### Patrons congregating outside the entrance

The objector requests that Paddington Central address the problems of smokers associated with Smith's bar standing outside the residential entrance and affecting residents in the block. The Estate Director advises that Smith's have a designated smoking area on the canal side of the block and that Smith's employ a member of staff to handle this issue. The Estate Security Team have been requested to keep an eye on this area in the evening and if smokers are congregating, they will be asked to move to the designated areas.

## 6.13 Conclusion

The revised scheme is now considered acceptable and the application is recommended for conditional approval.

## BACKGROUND PAPERS

1. Application form.
2. Email from Transport for London dated 18.12.2014.
3. Email from Transport for London enclosing London Underground Infrastructure comments dated 19.12.2014.
4. Letter from the Canal and River Trust dated 9.1.2015.
5. Response from the Paddington Waterways and Maida Vale Society dated 15.12.2014.
6. Response from South East Bayswater Residents Association dated 4.2.2015.
7. Memorandum from the Arboricultural Manager dated 28.1.2015.
8. Email from Highways Planning Manager dated 7.1.2015.

9. Memorandum from Environmental Health dated 10.02. 2015.
10. Emails from Flat 14 27 Sheldon Square London W2 dated 9.1.2015 12.1.2015, 30.1.2015 and 19.2.2015.
11. Email from London Underground dated 13.2.2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT NATHAN BARRETT ON 020 7641 5943 OR BY E-MAIL – [nbarrett@westminster.gov.uk](mailto:nbarrett@westminster.gov.uk)



**DRAFT DECISION LETTER**

- Address:** Paddington Central, Bishop's Bridge Road, London, W2 6BA
- Proposal:** Public realm enhancements to the pedestrian routes under Bishop's Bridge Road and the Westway, the canal side between these and the area around the Sheldon Square amphitheatre, including alterations to paving, lighting, seating and tree planting, relocation of cycle parking, alterations to the undercroft beneath, removal of redundant basement exits and installation of green walls.
- Plan Nos:** Covering letter dated 28 November 2014 , letter from British Land dated 3 December 2014 , Arboricultural Impact Appraisal and Method Statement dated 26 November 2014 , Design and Access Statement November 2014 ; Public Realm Enhancements :Phase 2 ; ;London-Paddington Cyclist Counting and Intercept Report dated February 19th 2014 ; Statement of Community Involvement dated November 2014, Site Wide External Lighting by Arup, Tree Plan 14406-T1. 2200 Rev A ,2210 Rev A;2211 Rev A; 2220 Rev A ,2221 Rev A; 2252 RevA, 2253 Rev A;2254 Rev A, 2255 Rev A.2256 Rev A 2258 Rev A; TOWNN595(03) 3001, 3004,3005, 3006,3007 , 7001, 7002, 7003 SK\_174.1 and SK\_174.2; Green wall -typical plans. Tree Strategy Jan 2015; Stone Selections Feb 2015; Plan from London Underground Limited .Sample of York stone and Granite .Email dated 23.2.2015 and amended plans in respect of the green wall next to the bridge A\_PCD\_SK\_184.1 and A\_PCD\_SK\_184.2 .

**Case Officer:** Amanda Coulson

**Direct Tel. No.** 020 7641 2875

**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

**Reason:**

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 The development shall be carried out in accordance with the samples of granite and York stone submitted and the proposed palette of materials set out in the Design and Access Statement.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 You must carry out the planting shown on the drawings within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30EA)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Maida Vale Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 5 **Pre-Commencement Condition:** A Construction Logistics Plan (CLP) shall be submitted to and approved by the City Council in consultation with Transport for London. The development shall be carried out in accordance with the approved Plan.

Reason:

In order to safeguard the impact on Transport for London's Road network.

- 6 The relocated cycle parking as shown on drawing 2258 Rev A must be provided before the existing cycle parking underneath Bishop's Bridge Road is removed.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 8 **Pre Commencement Condition.** You must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on drawing 14406-BT1. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2005. You must then carry out the work according to the approved details. (C31AC)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 9 Before the new lighting is installed, a lighting contour map in accordance with the Institute of Lighting standards setting out lux levels to demonstrate that the residents in Paddington Central shall not be affected by glare shall be submitted to and approved by the City Council as local planning authority.  
The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the amenities of existing residents in Paddington Central as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV10 of our Unitary Development Plan that we adopted in January 2007.

- 10 The new green wall adjacent Bishops Bridge Road Bridge shall be in the revised position to give 1200mm clear space to allow visual inspection of the bridge as shown on drawings A-PCD\_SK\_184.1 and 184.2.

Reason:

Top ensure there is adequate clear space at the rear of the green wall to allow a visual inspection of the bridge.

- 11 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green walls to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43AB)

- 12 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 13 You must apply to us for approval of details of the following parts of the development - new lighting and seating. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these approved details. (C26DB)



**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 14 Before any works start on the green wall adjacent to Bishops Bridge Road bridge, a Bridge Inspection Access Strategy shall be submitted to and approved by the City Council. This strategy will need to include the following:
1. Size of vehicle required for inspections (given the height from ground to the bridge, a sizeable vehicle will be required)
  2. Access route through site from the public highway to inspection location, including width of access points and height clearances
  3. Access process, who to contact beforehand, what notification period they require, is any other structures needed to be cleared to allow access
  4. Space at ground level at inspection location for vehicle, including manoeuvring space, is anyone else affected or access blocked by inspection vehicle
  5. Ground conditions at inspection location (e.g. levels, material and are these suitable for the vehicle to base itself on etc)
  6. Undertaking to remove the green wall structure if requested by the Council to allow access to the bridge

The development shall be carried out in accordance with the approved strategy.

**Reason:**

To ensure that the proposed green wall does not compromise the safety of the bridge and to ensure that the bridge can be inspected and maintained.

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your

proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 3 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 5 To meet condition 8 the minimum protection we normally expect is plywood boarding at least 1.2 metres high. The boarding should go around the tree at a distance from the trunk which will keep machinery away from the branches. If this is not possible there should be at least two metres between the trunk of the tree and the boarding. (I33AA)
- 6 When you carry out the work, you must avoid taking, damaging or destroying the nest of any wild bird while it is being built or used, and avoid taking or destroying the egg of any wild bird. These would be offences (with certain exceptions) under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000. For more advice, please speak to our Biodiversity Project Manager on 020 7641 1951. (I81CA)

### Existing Site Plan

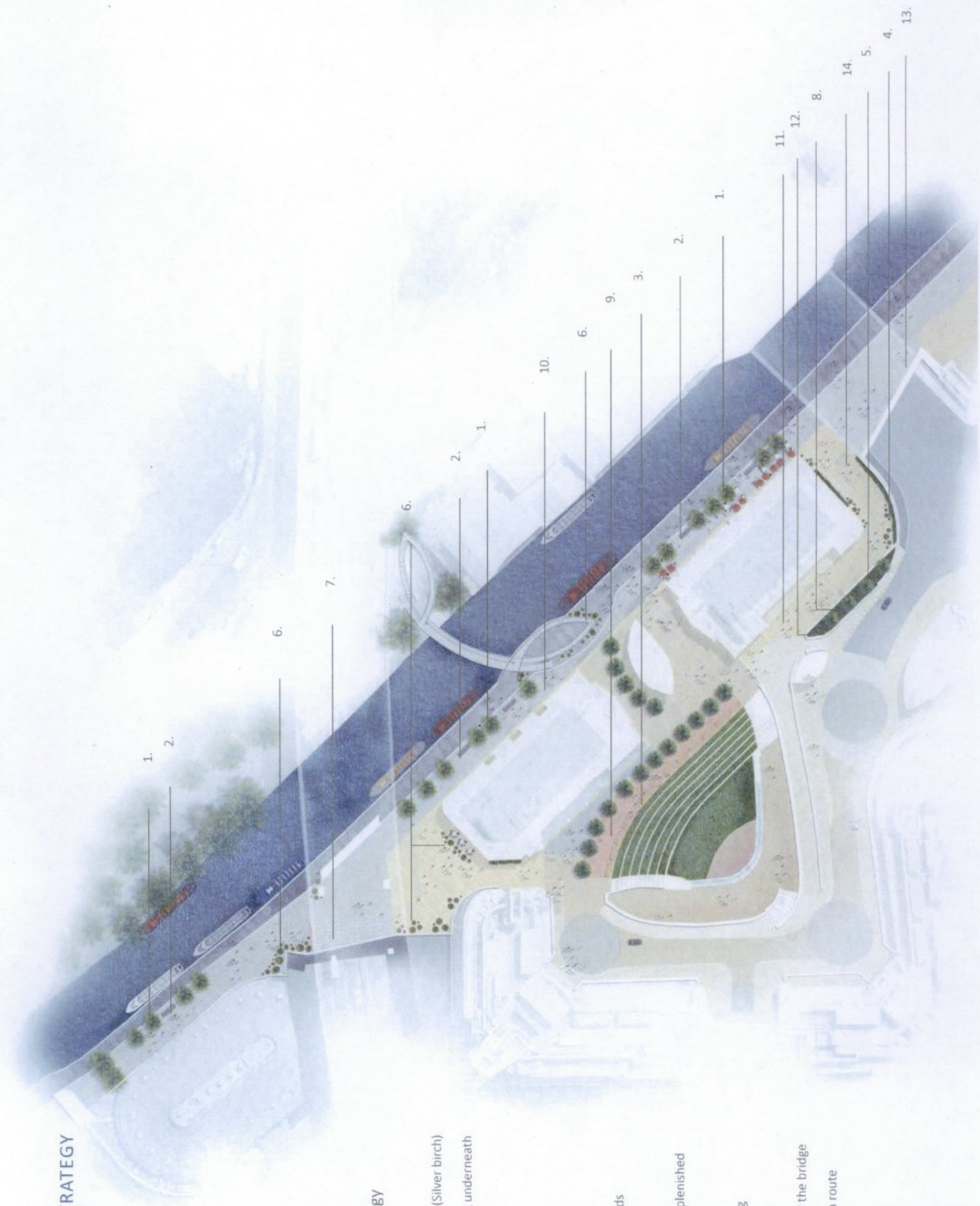
Key:

1. Lime trees with dense canopy
2. Vented bench
3. Cafe spill-out
4. Cycle stands
5. Retail area
6. Footbridge
7. Planter
8. Small poplar trees
9. Void





## 4 OVERALL STRATEGY



### Proposed site strategy

#### Key:

1. Betula pendula trees (Silver birch)
2. Benches with venting underneath
3. Timber benches
4. Green wall
5. Climbers up wall
6. Planted pots
7. Temporary cycle stands
8. Trees thinned
9. Self binding gravel replenished
10. New granite paving
11. New Yorkstone paving
12. Refurbished planting
13. Expanded area under the bridge
14. Expanded pedestrian route

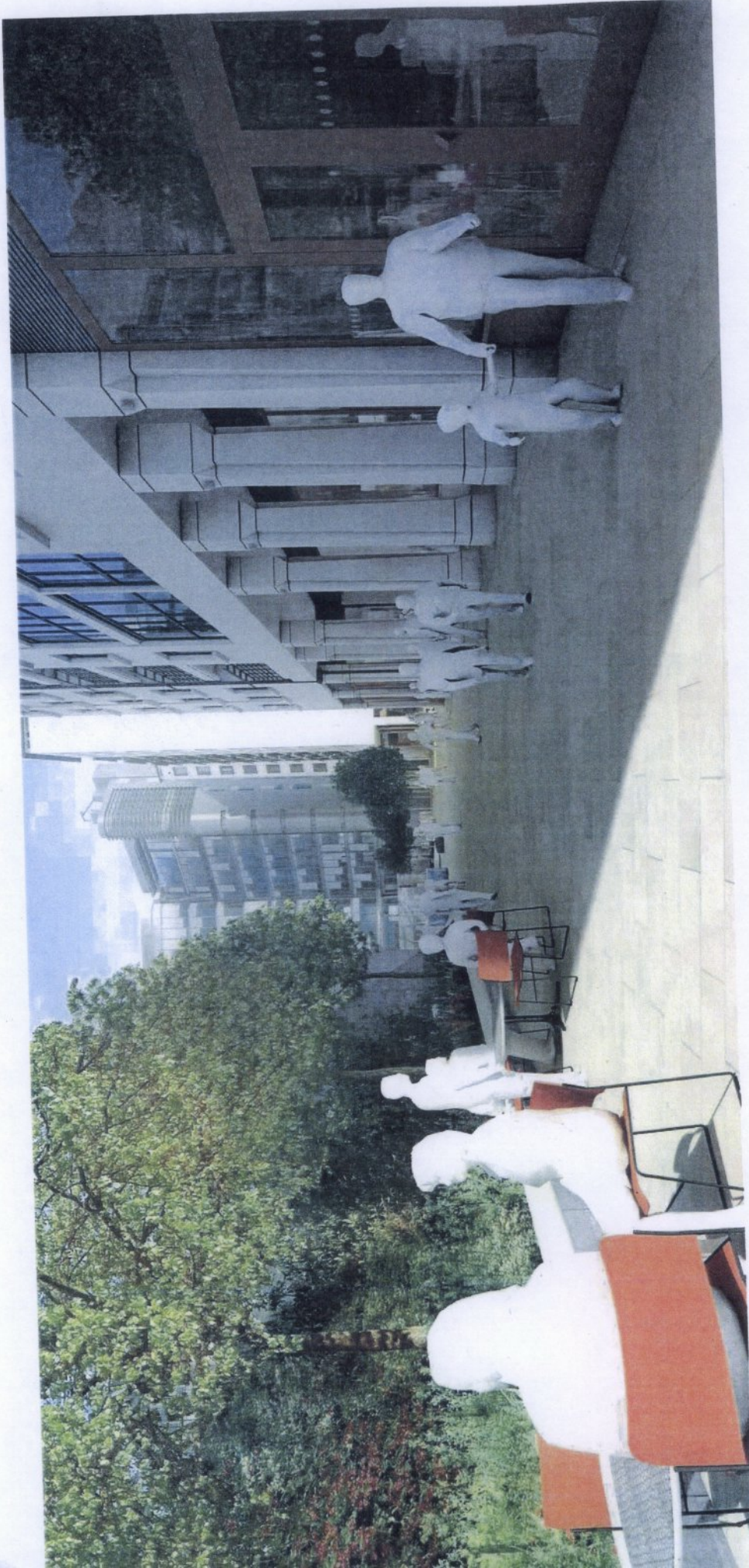


BISHOP'S BRIDGE AFTER





BISHOP'S BRIDGE AFTER





WESTWAY - AFTER



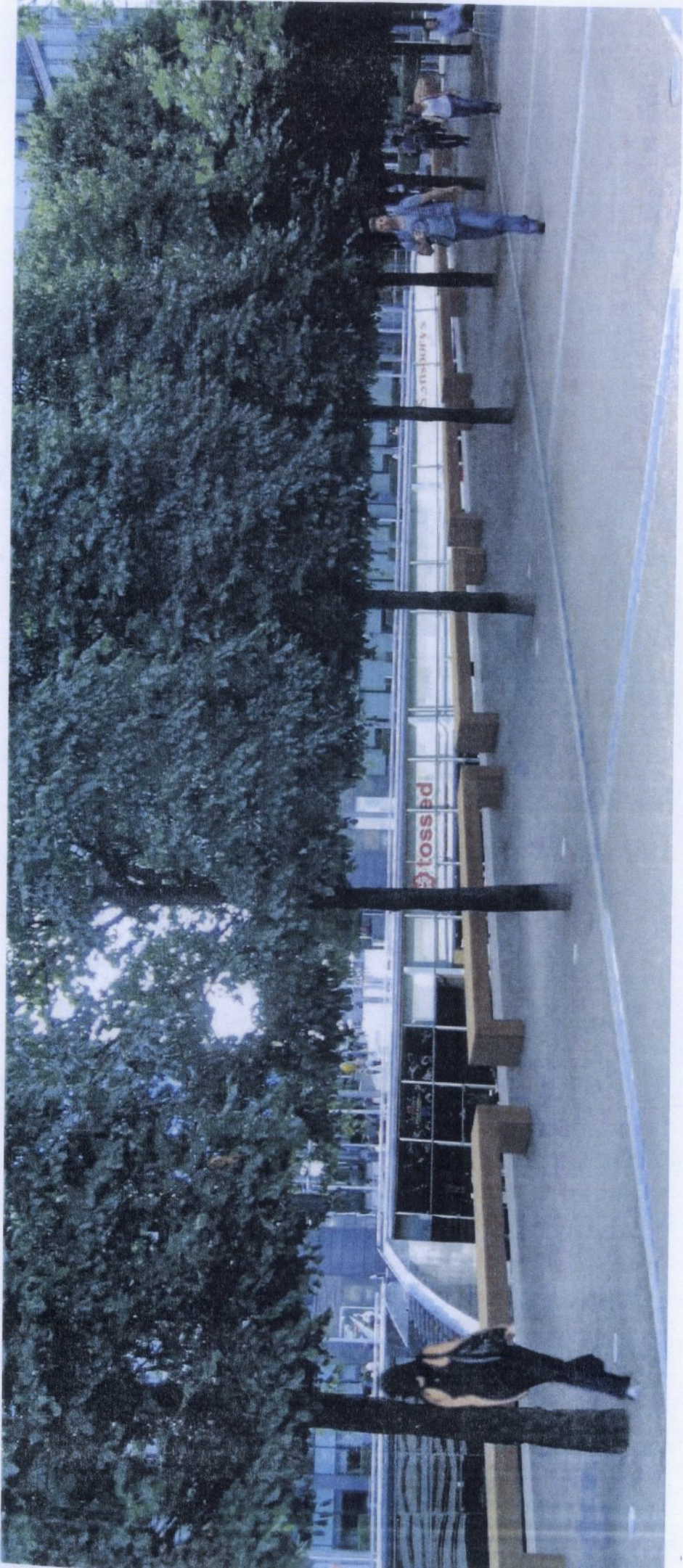


CANALSIDE - AFTER



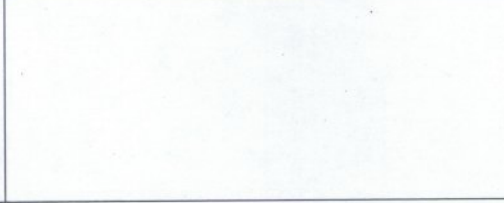


SHELDON SQUARE - AFTER

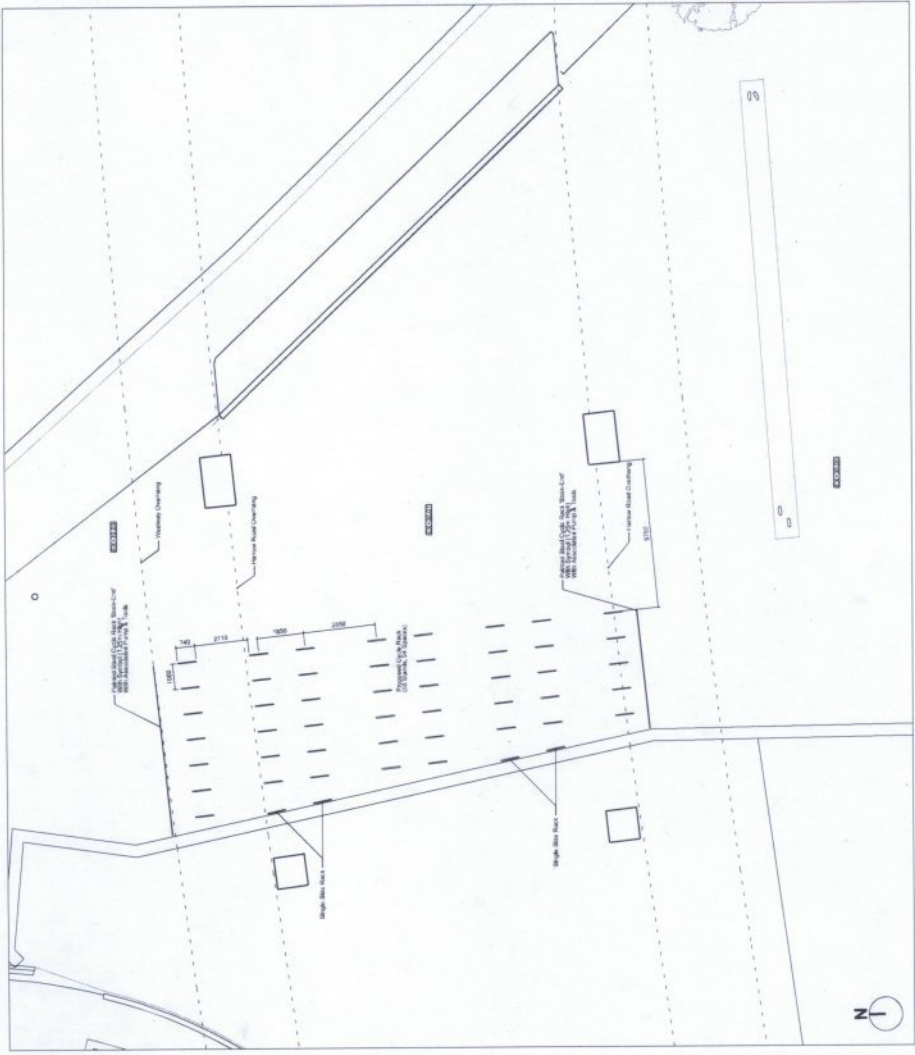




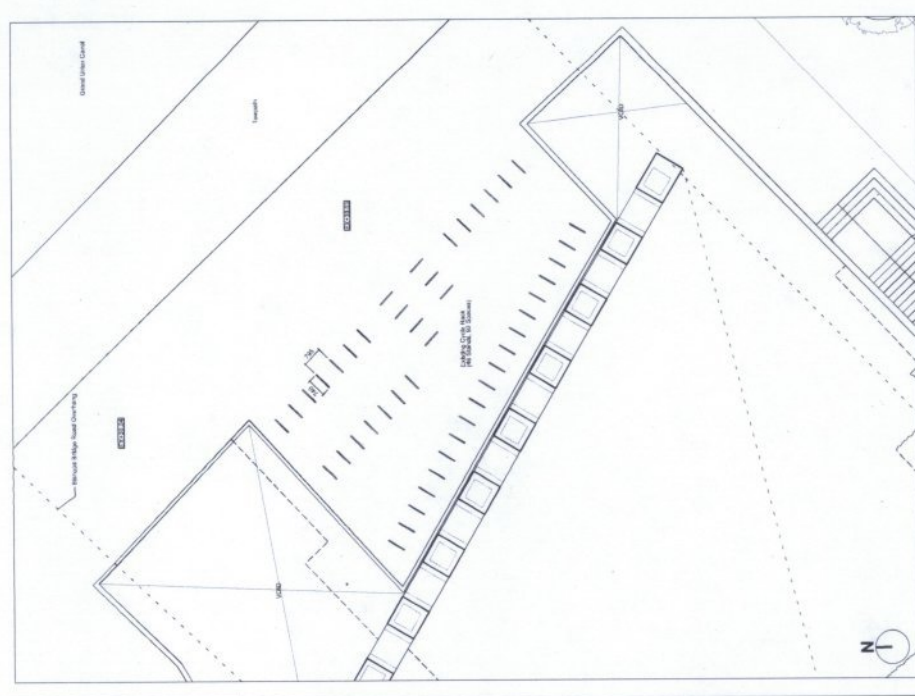
- General Notes:**
- 01 All dimensions to be checked in situ.
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  - 04 All levels are given relative to datum (AOD).
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**PLANING**



Plan of Proposed Layout (84 Spaces)



Plan of Existing Layout (82 Spaces)

Rev.	Change Number	Drawn	Checked	Approved	Date	Scale
A	2258				27.11.2014	1:100

Project Name	Client	Location	Phase	Drawn	Checked	Approved	Date	Scale
...	...	...	...	...	...	...	...	...

Author	Designer	Checker	Approver
...	...	...	...

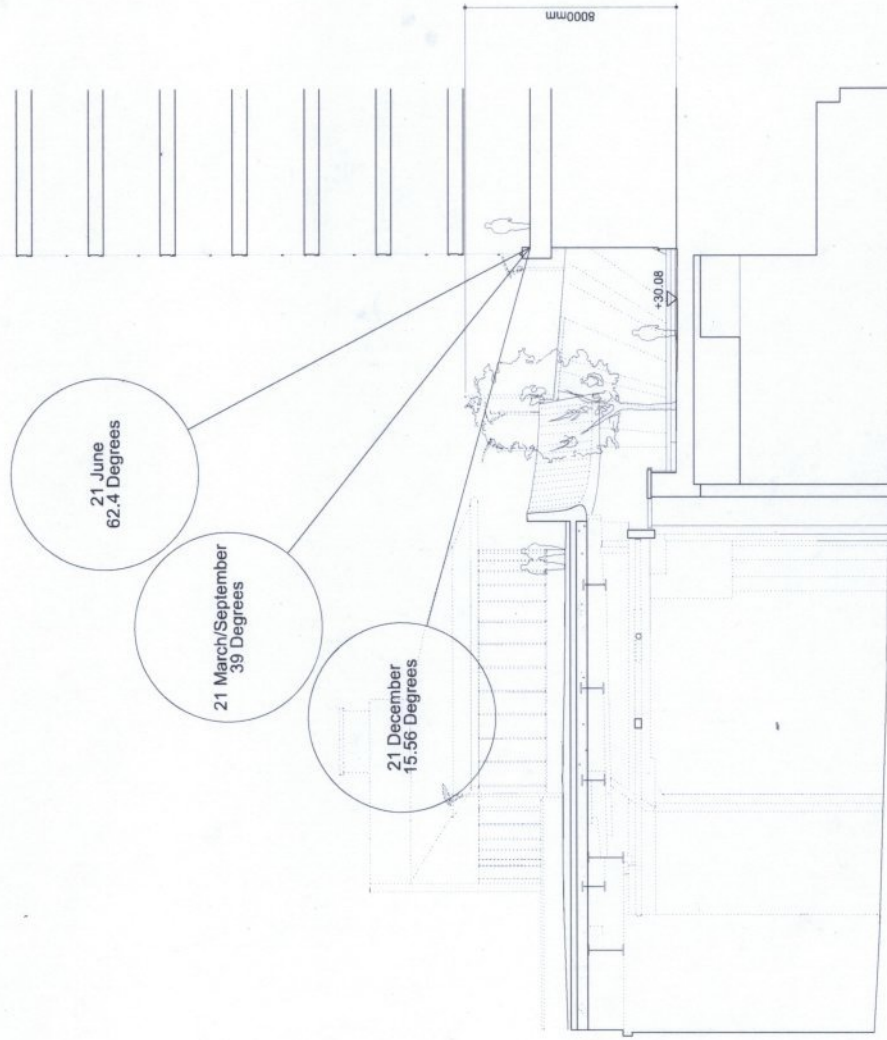
Project Name	Client	Location	Phase	Drawn	Checked	Approved	Date	Scale
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2/2

Sun Path Study  
done at 12.00 pm

Height of existing  
trees as per tree  
survey information  
(MSA drawing  
3844 G Topo-Sheet  
1 of 5, date  
06.01.14)

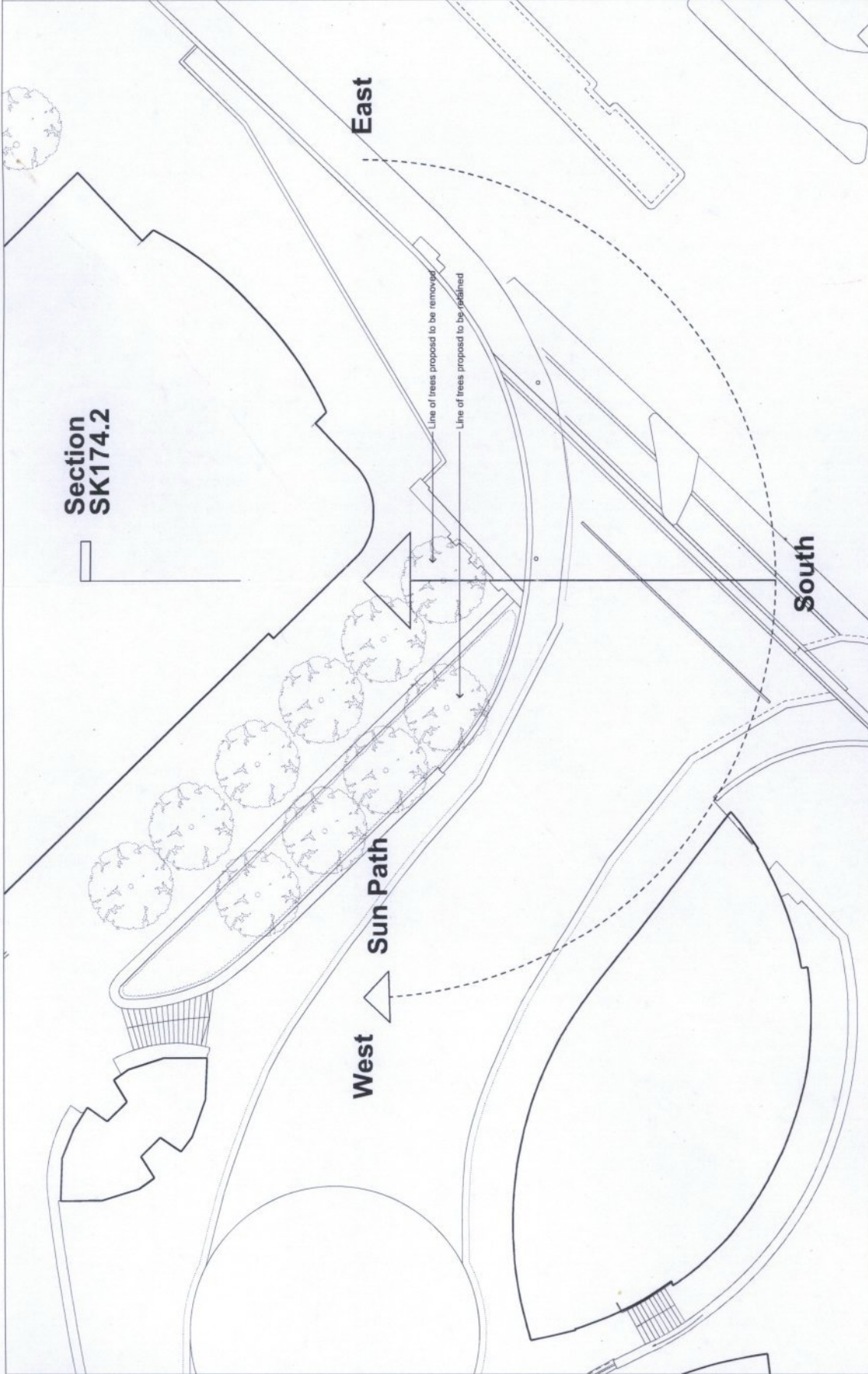


Date	Rev.	Description	Approved By	Project	Subject	Architects	Sort Code	Drawing Number	Rev.	
				Paddington Central	Sketch of Sun Study - section	Hopkins Architects Partnership LLP 27 Broadley Terrace, London, NW1 6LG T: 020 7724 1751 E: mail@hopkins.co.uk	A/PCD	<b>SK_174.2</b>	-	
							Date	30.01.2015	Scale	1:200 at A3



1/2

Sun Path Study  
done at 12.00 pm



Section  
SK174.2

West  
Sun Path

East

South

Line of trees proposed to be removed

Line of trees proposed to be retained

Date	Rev.	Description	Approved By	Project	Paddington Central	Sort Code	Drawing Number	Rev.
				Subject	Sketch of Sun Study - plan	A/PCD	SK_174.1	-
				Architects	Hopkins Architects Partnership LLP 27 Broadley Terrace, London, NW1 6LG T: 020 7724 1751 E: mail@hopkins.co.uk	Date	30.01.2015	Scale 1:200 at A3