

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 March 2018		Classification For General Release
Report of Director of Planning		Ward(s) involved Hyde Park	
Subject of Report	Development site at 5 Kingdom Street, London, W2 6AE,		
Proposal	Details of an updated Operational Statement for 2018 season pursuant to Condition 15 of planning permission dated 7 March 2017 (RN: 16/12331/FULL).		
Agent	Mr A Kindred		
On behalf of	Mr Ed Davenport		
Registered Number	18/00244/ADFULL	Date amended/ completed	12 January 2018
Date Application Received	12 January 2018		
Historic Building Grade	Unlisted		
Conservation Area	Outside of a designated conservation area		

## 1. RECOMMENDATION

Approve details.

## 2. SUMMARY

The site is located outside of a conservation area and the Central Activities Zone (CAZ), but is within the North Westminster Economic Development Area (NWEDA) and the Paddington Opportunity Area (POA).

Permission was granted on 7 March 2017 for a temporary two-year period for the use of the development site at 5 Kingdom Street as a meantime use as 'Pergola', a pop up bar and restaurant space. The development is set over two levels, with a bar adjacent to the entrance on Kingdom Street (podium level) and a number of food kiosks, bar and seating area under a covered roof at lower level (podium -1). A walkway has also been implemented along the northern side of the site, which provides booth seating and a pedestrian link from Kingdom Street to the Harrow Road.

This application has been submitted in order to discharge condition 15 of the temporary consent, which required the submission of an updated Operational Statement to address any issues which have arisen following the first year of operation and to address any concerns raised by residents during consultation.

Objections have been received from residents who mainly raise complaint in relation to patrons leaving the site and causing antisocial behaviour both within Paddington Central and when exiting to Bishops Bridge Road or Paddington Station. Concerns in relation to taxi drop off / pick up have also been raised, and request for the Royal Oak station and side of the site to be utilized (a full summary of objections is available in section 5 below).

The applicant states that the operator of Pergola has kept a log of complaints and introduced measures to tackle issues. Four complainants appear to have been received by the council in the last year, 2 in July and 2 in October, which relate to noise from patrons leaving the site.

Within this application, the operator has put forward four main changes within the updated Operational Statement in order to try to tackle the issues raised:

1. Reduced weekday openings (no longer open Mondays and Tuesdays);
2. Changes to taxi drop off / pick up arrangements. Now to take place next to Pergola at the western end of the campus rather than adjacent to Bishops Bridge Road at the eastern side of the campus;
3. Additional / improved signage;
4. Additional staff.

No changes are proposed to the opening dates of Pergola, which are to remain as previously approved namely:

<i>Summer Season</i>	<i>26th April - 30th September</i>
<i>Re-dress/Closed</i>	<i>1st October - 17th October</i>
<i>Winter Season</i>	<i>18th October- 23rd December</i>

The reduction in the number of opening days is welcomed. In order to reduce any antisocial behaviour across the campus, the operator in conjunction with British Land (the land owner) are implementing a strategy to direct guests who are using taxis away from Sheldon Square and towards the rear of the venue, adjacent to Pergola, where they can be dropped off and collected. A plan has been provided which indicates the route which taxis will take, entering from Bishops Bridge Road, as they would currently, but instead of exiting at the same point, they will be directed through the estate to exit onto the Harrow Road frontage. This means that patrons using taxis can be dropped off and collected at the western end of the site, adjacent to Pergola, away from residents within Sheldon Square.

The Highways Planning Manager has raised concerns in relation to the revised taxi proposals, as while the reasoning for the change is understood, it is unknown if unexpected issues such as taxis arriving from the west (rather than from Bishops Bridge Road) which has highways restrictions and if the allocated area is sufficient for purpose. As such he has recommended that a temporary period until the end of the summer season is conditioned so that any changes in this new strategy can be incorporated. While these comments are noted it is not considered that such a review could be undertaken as there is only 17 days between the summer and winter season, which would not provide enough time for such a review to be considered. Given that the permission expires at the end of 2018 and the amenity benefits of moving the taxi activity to the other end of the site to reduce the number of patrons walking through the campus, the proposals amendments are considered acceptable.

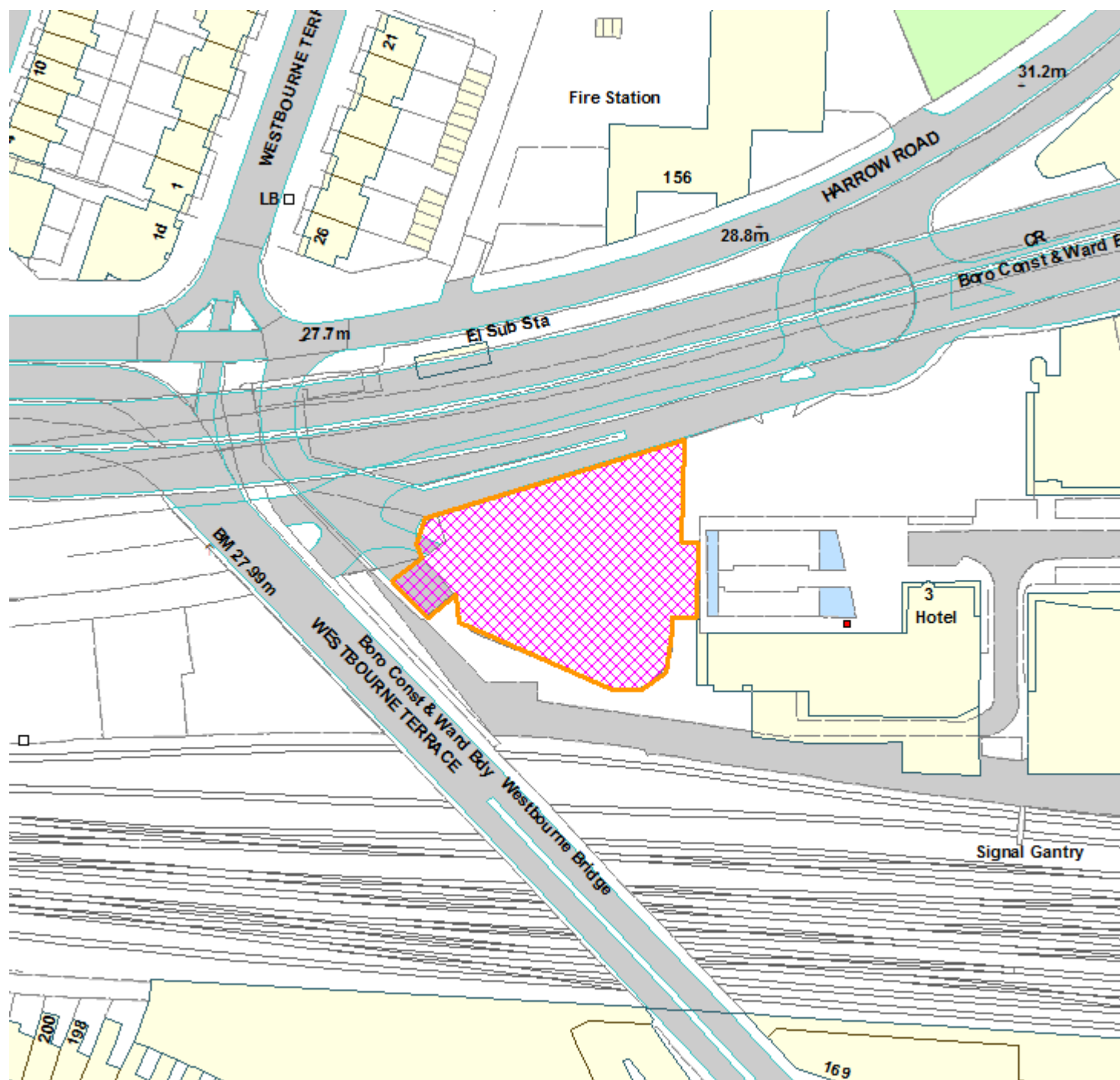
In addition to this the applicant notes that the majority of people arrive by public transport. Additional

staff and cleaners are to be provided throughout the estate and signage to point out that Royal Oak tube station is an alternative tube station located to the west of the site and to reduce litter. This will further help to spread activity to the west and east.

Objections have also been received on various grounds which do not relate to this application, such as affordable housing, redevelopments to provide new buildings, electric charging points and school catchments. Such considerations are not relevant to this approval of details application.

Subject to amendments as put forward by the applicant, the updated Operational Statement is considered acceptable to allow the use to continued for another year. The application is accordingly recommended for approval.

### 3. LOCATION PLAN



## 4. PHOTOGRAPHS

Top: Front entrance on Kingdom Street  
Bottom: View from rear service area



## 5. CONSULTATIONS

### WARD COUNCILLORS FOR HYDE PARK

Any response to be reported verbally.

### PADDINGTON WATERWAYS & MAIDA VALE SOCIETY

Recognise the steps taken by the applicant to address complaints, and whilst they support this renewal for 12 months, they would like to see the impact monitored and any necessary adjustments made. Also request for neighbours views to be taken into consideration.

### SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

### NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

### CROSSRAIL STRATEGIC SCHEME

Any response to be reported verbally.

### DESIGNING OUT CRIME

Any response to be reported verbally.

### NETWORK RAIL

Any response to be reported verbally.

### HIGHWAYS PLANNING MANAGER

Concerns are raised around the management of the new taxi/private hire arrangement and the impact on the surrounding highway. Recommend that the current Operational Management Plan (OMP) is reviewed prior to the commencement of the winter season.

### CLEANSING MANAGER

No objection raised.

### ENVIRONMENTAL HEALTH:

Any response to be reported verbally.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 1075

Total No. of replies: 5

No. of objections: 4

No. neutral: 1

The comments raise the following points:

Amenity:

- Considerable antisocial behaviour from patrons leaving to Bishops Bridge Road and Paddington Station.

- Security is undermanned to deal with antisocial behaviour across the campus.

#### Highways:

- Request that patrons are redirected to Royal Oak after 9pm.
- Request that no taxi's, traffic or parking restrictions are directed north as this would negatively impact residential amenity.

#### Other:

- Request for the development of glass buildings to stop in the area.
- Oppose the building of the hotel on the existing management office on various grounds.
- Oppose applications in general for retail units not in keeping with the area.
- Residents have never met with Pergola managers as stated would happen in the previous OMP.
- Pergola management have not made efforts to ensure positive local relationships with residents as promised.
- Comments in relation to affordable and intermediate rent housing in the area.
- Request for electric car charging infrastructure, street greening and alterations to state school catchment areas.

#### PRESS ADVERTISEMENT / SITE NOTICE:

Yes

## 6. BACKGROUND PAPERS

1. Application form
2. Access and Taxi Map
3. Response from Paddington Waterways & Maida Vale Society, dated 23 January 2018
4. Response from Highways Planning, dated 23 January 2018
5. Response from Cleansing, dated 24 January 2018
6. Letter from occupier of 26 Westbourne Court, Orsett Terrace, dated 21 January 2018
7. Letter from occupier of Sheldon Square, London, dated 22 January 2018
8. Letter from occupier of Apartment 6, 27 Sheldon square, dated 24 January 2018
9. Letter from occupier of 16 Westbourne Terrace Road, London, dated 3 February 2018
10. Letter from occupier of 7C Westbourne Terrace Road, London, dated 4 February 2018

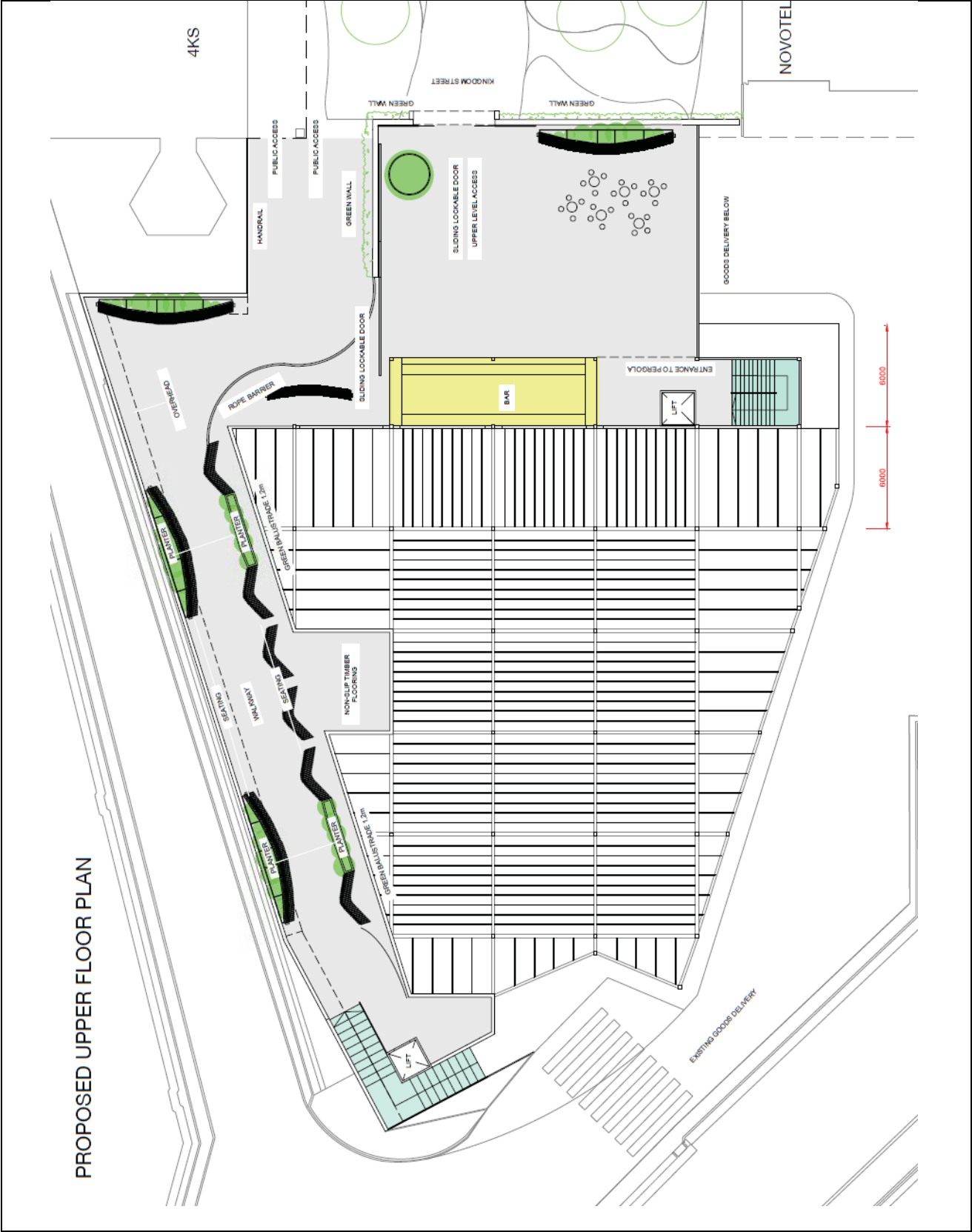
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT [kdavies1@westminster.gov.uk](mailto:kdavies1@westminster.gov.uk).









**DRAFT DECISION LETTER**

**Address:** Development Site At, Kingdom Street, London, W2 6AE,

**Proposal:** Details of an updated Operational Statement for 2018 season pursuant to Condition 15 of planning permission dated 7 March 2017 (RN: 16/12331/FULL).

**Reference:** 18/00244/ADFULL

**Plan Nos:** 98 B; Operational Statement dated January 2018; Pedestrian and taxi map document titled 'Pergola Paddington Central'; Letter dated 12 January 2018 from CBRE

**Case Officer:** Rupert Handley **Direct Tel. No.** 020 7641 2497

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

- 1 This permission fully meets condition(s) 15 of the planning permission dated 7 March 2017. (I11AA)

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.