

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 July 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	Pitch 918 , Marylebone Lane, London, W1C 2JG		
Proposal	Retention of retail (Class A1) kiosk (for 12 months)		
Agent	Mr Steven Burney		
On behalf of	Mr Steven Burney		
Registered Number	17/03303/FULL	Date amended/ completed	5 May 2017
Date Application Received	13 April 2017		
Historic Building Grade	N/a		
Conservation Area	N/a		

1. RECOMMENDATION

Renew planning permission (for one year)

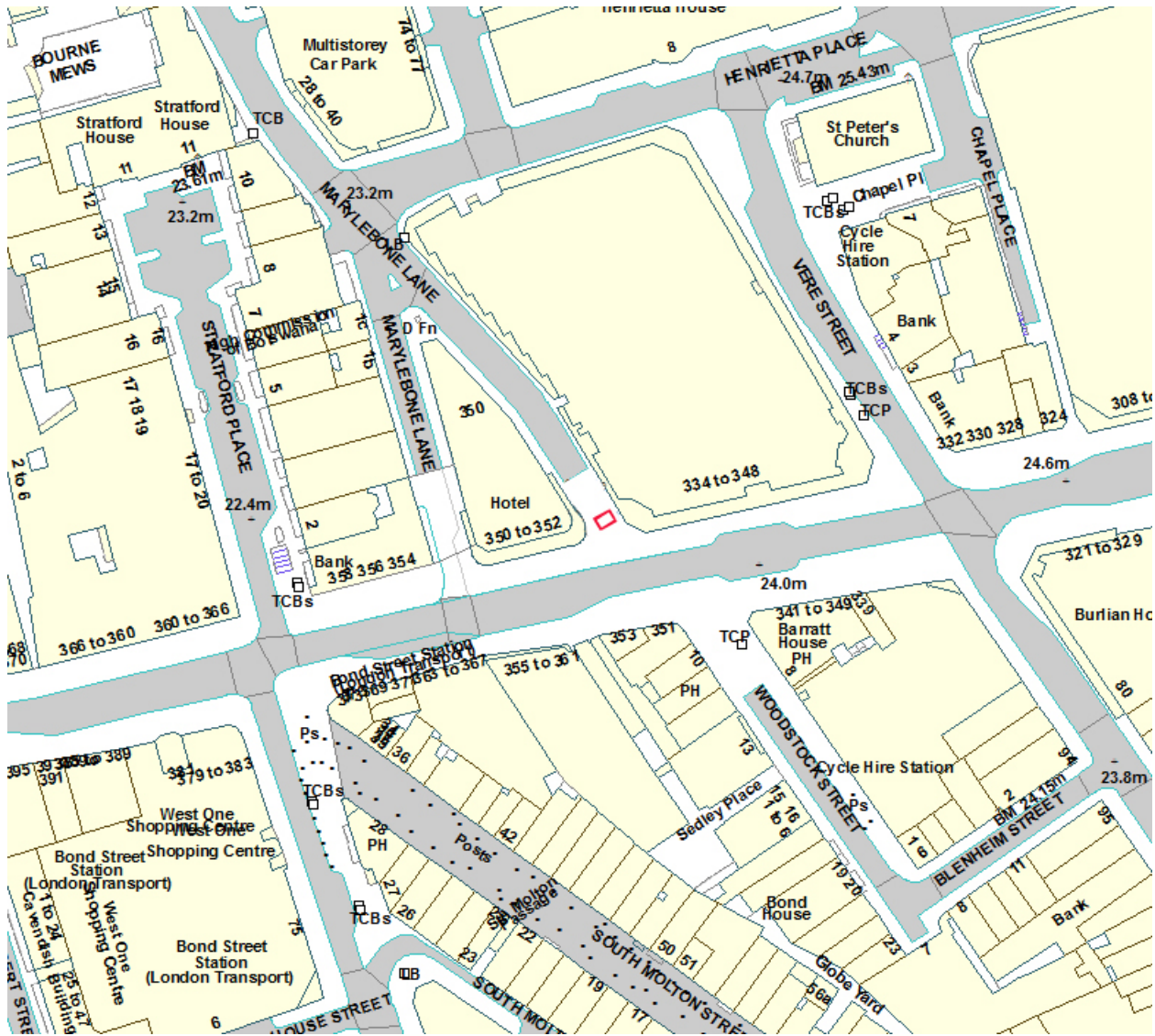
2. SUMMARY

Permission is sought for the retention of a retail street trading kiosk for a temporary period of 1 year. The kiosk is situated on the northern side of Oxford Street at the junction with Marylebone Lane. Permission was initially granted for the kiosk in 2015 and subsequently again in May 2016 both for a temporary one year periods. This is normal for street trading kiosks. They are granted a temporary permission to allow a review of any change in circumstances, including the potential impact on pedestrian flows in the Oxford Street area following the opening of the Elizabeth Line, (scheduled for December 2018).

Objections have been received from The Marylebone Association and Debenhams retail PLC. The objection from the Marylebone Association is on the grounds that the kiosk would block the pavement in a busy location and has an untidy appearance when open and trading. The objection from Debenhams is also on the same grounds, plus that the kiosk offers low grade souvenirs which are available at many other outlets and that the kiosk does not enhance the retail offer and detracts from the locality.

Permission could not reasonably be withheld due to the nature of the retail offer. Furthermore there has been no material change in circumstances since permission was last granted. There are therefore no valid reasons for refusing permission.

3. LOCATION PLAN



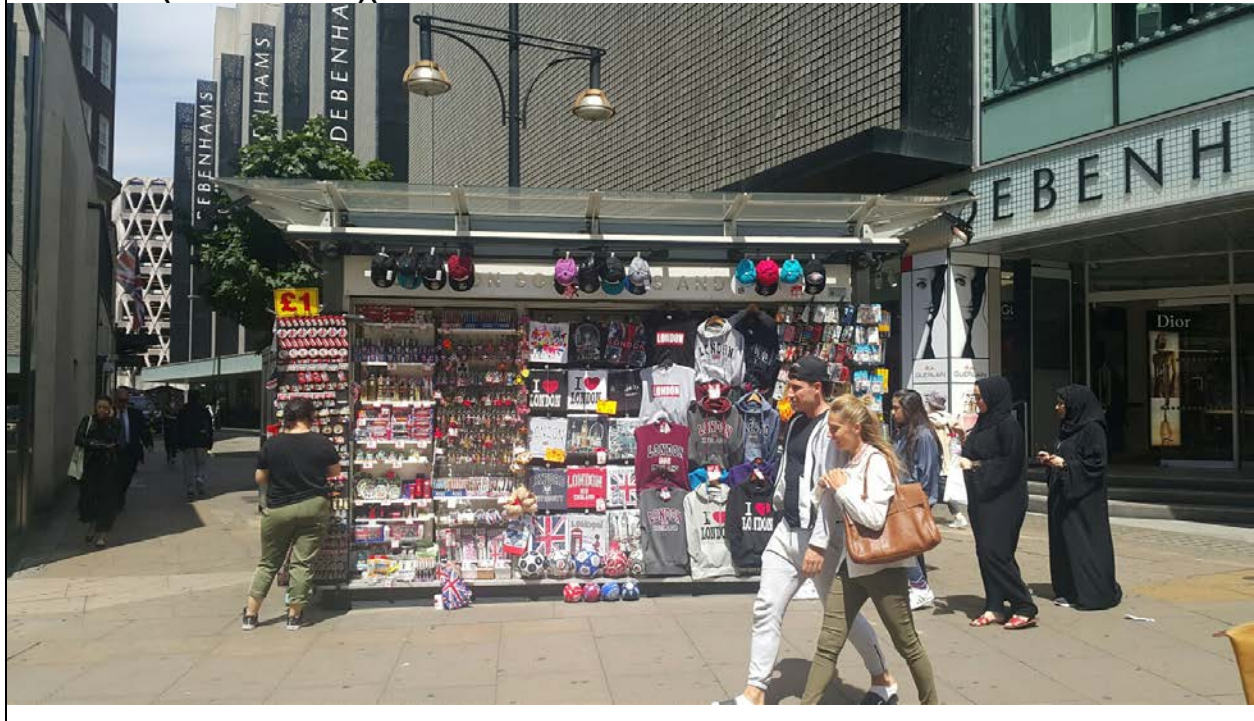
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4. PHOTOGRAPHS

View from the west



Front view (Oxford Street)



5. CONSULTATIONS

The Marylebone Association:

Objection; the kiosk blocks the pavement in a busy location and has an untidy appearance when open and trading.

New West End Company:

Any response to be reported verbally

Highways Planning Manager:

No objection

Cleansing

No objection

Adjoining Owners / Occupiers No. Consulted: 3

Total No. of replies: 1

No. of objections: 1

No. in support: 0

Debenhams Retail PLC

Objection; this is the prime retail location of the West End and development should be designed to enhance and improve the area. The kiosk is unsightly and offers low grade souvenirs which are available in many other outlets. It adds nothing to Oxford Street's retail offer while detracting from the character and appearance of the locality.

This part of Oxford Street suffers from extremely heavy pedestrian flows which will increase with the opening of Crossrail and need to be managed. The kiosk is detrimental to the safety and functioning of the area.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

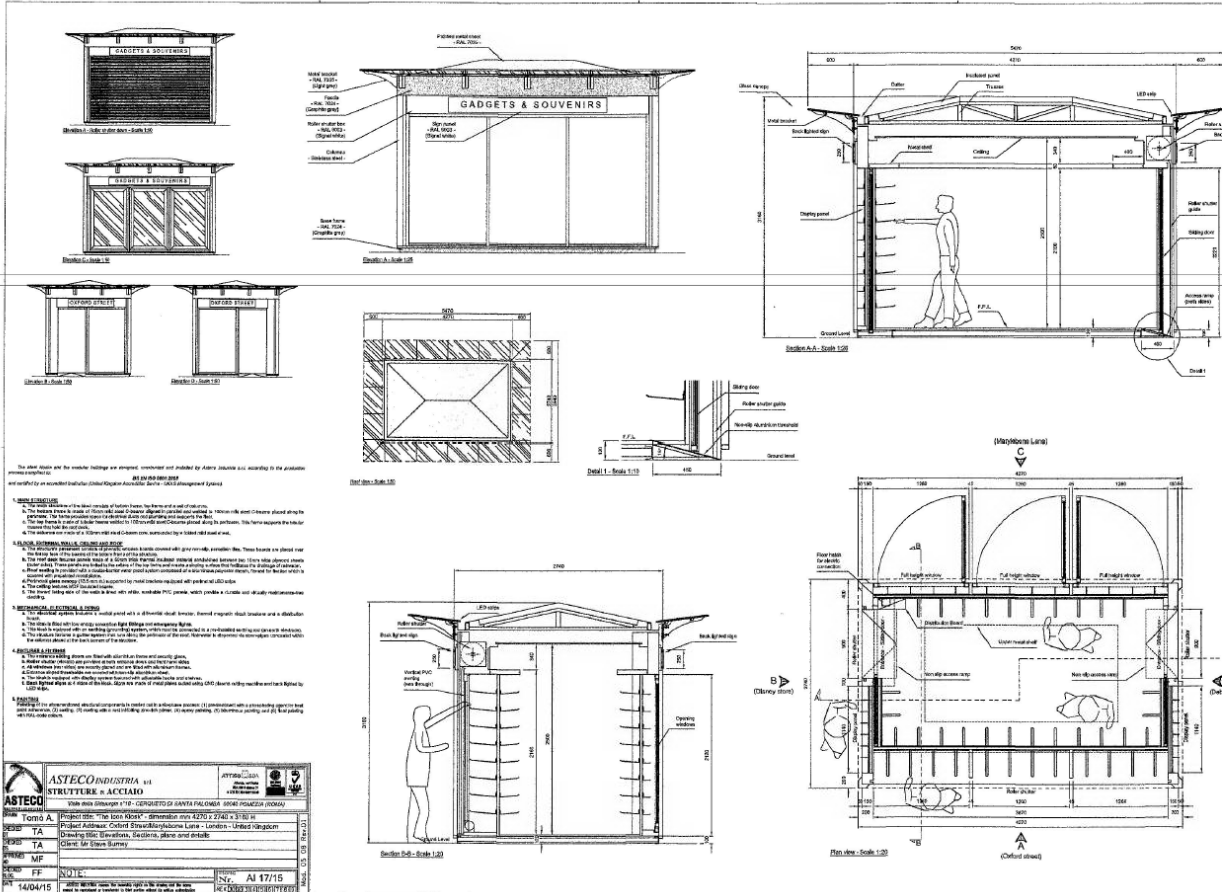
6. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 5 July 2017
3. Letter from Debenhams Retail PLC, 10 Brock Street, dated 30 May 2017

(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: **MICHAEL WALTON** BY EMAIL AT mwalton@westminster.gov.uk.

7. KEY DRAWINGS



DRAFT DECISION LETTER

Address: Pitch 918 , Marylebone Lane, London, W1C 2JG

Proposal: Retention of retail (Class A1) kiosk (for 12 months)

Plan Nos: A1 17/15

Case Officer: Robert Ayton

Direct Tel. No. 020 7641 2978

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 The kiosk can remain in position for 12 months from the date of this permission. After that you must remove it and return the land to its previous condition.

Reason:

So that we can assess the effect of the kiosk in light of experience and the prevailing circumstances and make sure it meets DES 7 and SS 16 of our Unitary Development Plan and CS24 and CS27 of our Core Strategy that we adopted in January 2011.

- 3 The windows shall remain clear of advertisements at all times. No advertisements shall be displayed on the outside or behind the windows of the kiosk, nor shall there be any advertisements on the roller shutter. Advertisements shall be displayed on the kiosk fascias only.

Reason:

To make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 No advertisements shall be displayed on the kiosk hereby approved other than those comprising the name of the trader of the kiosk and the nature of his or her business.

Reason:

To make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 The base of the kiosk shall not extend beyond the boundary of the existing pitch and shall not be formed of concrete.

Reason:

To ensure that the kiosk does not extend beyond the area highway designated as a street trading pitch and that the kiosk can be easily removed if this is necessary for any reason.

- 6 The glazed panels on the north side should be kept shut at all times, and only opened temporarily to change the display of goods within the kiosk.

Reason:

To make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 7 All trading activity and storage of refuse shall be within the licensed trading area.

Reason:

To prevent obstruction of the footway and make sure that the appearance of the kiosk is suitable and that it contributes to the character and appearance of the area. This is as set out in DES 7 and SS 16 of our Unitary Development Plan that we adopted in January 2007 and S25 and S28 of our Strategic Policies that we adopted in January 2011.

Informative(s):

- 1 This is a temporary permission, to allow the City Council to review the acceptability of the kiosk at the end of the one year period.

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.