

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 October 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	Pitch 1726, Duke Street, W1U 3EG		
Proposal	Installation of a free standing retail kiosk (Class A1)		
Agent	Capital Kiosk Co Ltd		
On behalf of	Mr P Stein		
Registered Number	17/06208/FULL	Date amended/ completed	20 July 2017
Date Application Received	12 July 2017		
Historic Building Grade	N/A		
Conservation Area	Mayfair		

## 1. RECOMMENDATION

Refuse permission : Unacceptable in design terms

## 2. SUMMARY

The site is on the eastern side of Duke Street south of its junction with Oxford Street, within the Mayfair Conservation Area. Since 1998 various temporary permissions have been granted for 'Heritage' style trading kiosks throughout the West End, particularly on or near Oxford Street. Permission has previously been granted for a heritage style kiosk that covers part of the licensed pitch area. The current application is for a kiosk of a new design that covers the whole of the pitch and will extend further towards Oxford Street than the existing kiosk.

The key issues for consideration are:

- The impact on the townscape and
- The impact on pedestrian movements

The City Council has granted planning permission for a number of new kiosks in the Oxford

Street area in the last few years. These include kiosks in Binney Street, Vere Street, Marylebone Lane and Bird Street. Some of these permissions allowed a new kiosk, larger than the existing one, which filled the whole street trading pitch as is proposed on this site.

However, historically, kiosks have not generally filled the whole pitch, and their size has reflected what has been considered acceptable in the context of the space, and its architectural relationship to adjacent buildings. It should not be considered automatically acceptable for new kiosks to fill the whole of the street trading pitch, as this may have harmful impacts on the streetscape. This is the case in Davies Street. It is considered the proposed kiosk is too large for this part of the street, would appear incongruous, and would obstruct street views. No objection is raised to the principle of a new kiosk but it should not exceed the size of the existing kiosk.

The Highways Planning Manager, whilst not objecting to the kiosk, advises that the kiosk should not trade on the side adjacent to Duke Street. Although there is 2.2m between the edge of the kiosk and the kerb, serving in this area could result in congestion. Had the application been considered acceptable in design terms, this aspect of the application could have been dealt with by a condition.

### 3. LOCATION PLAN



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## 4. PHOTOGRAPHS



**5. CONSULTATIONS**

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Any response to be reported verbally

CLEANSING

No objection

HIGHWAYS PLANNING

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED ;

No consulted 17 Total No of Replies 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

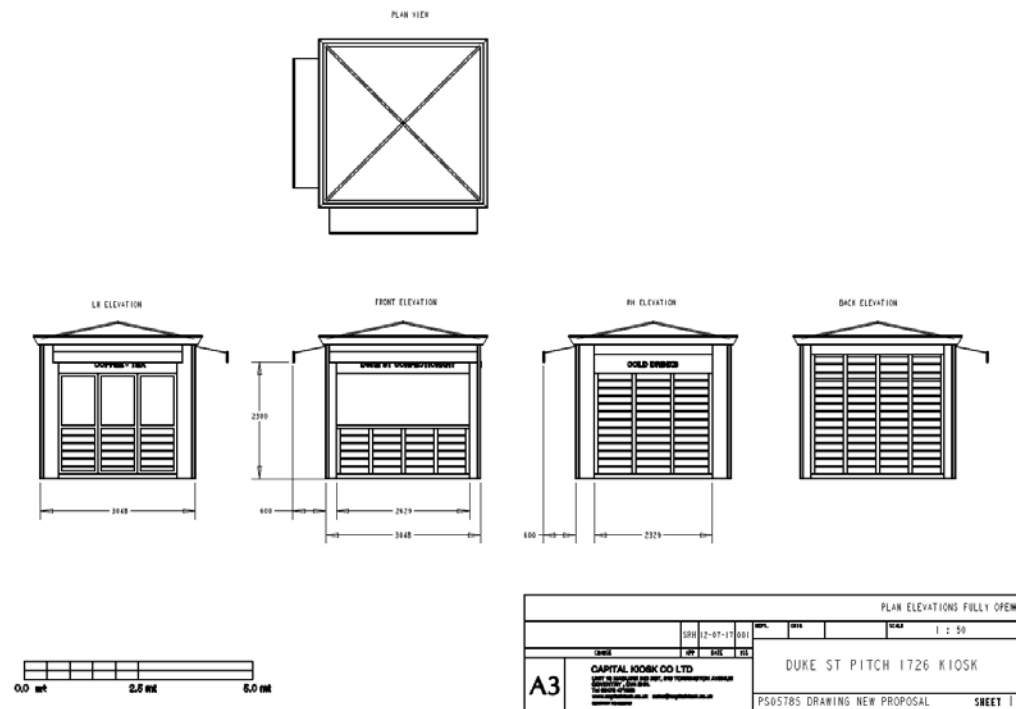
**6. BACKGROUND PAPERS**

1. Application form
2. Email from Highways Planning Manager dated 1 September 2017
3. Memorandum from Cleansing dated 7 August 2017

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



7. KEY DRAWINGS



**DRAFT DECISION LETTER**

**Address:** Pitch 1726, Duke Street, London, W1U 3EG,  
**Proposal:** Installation of a free standing retail kiosk (Class A1).  
**Reference:** 17/06208/FULL  
**Plan Nos:** CKC-A1726, PS0785, PS05785

**Case Officer:** Mike Walton

**Direct Tel. No.** 020 7641 2521

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

Because of its size, the proposed kiosk would harm the appearance of this part of Duke Street and fail to maintain or improve (preserve or enhance) the character and appearance of the Mayfair Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 7 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (X16AC)

**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 (November 2016), 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.

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.