

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 2 May 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Hyde Park	
Subject of Report	5 Kingdom Street, London		
Proposal	Use of the existing vacant 'Crossrail box', located below Kingdom Street level, as a delivery, logistics and distribution hub (Class B8). Erection of a single storey pedestrian access structure at ground floor / Kingdom Street level. Installation of facades to largely enclose the box. Other associated alterations.		
Agent	Will Lingard		
On behalf of	British Land		
Registered Number	22/08571/FULL	Date amended/ completed	18 January 2023
Date Application Received	20 December 2022		
Historic Building Grade	Unlisted		
Conservation Area	Outside		
Neighbourhood Plan	No adopted Neighbourhood Plan		

1. RECOMMENDATION

1. Grant conditional permission subject to completion of a Section 106 Legal Agreement to secure the following:
- i. Provision of a financial contribution of £232,554 (index linked) to provide employment, training and skills development for local residents, provided prior to commencement of development;
 - ii. The provision of an Employment and Skills Plan;
 - iii. Highways works necessary to facilitate the proposed development to provide cycle infrastructure improvements to the Harrow Road gyratory, which provides access and egress to the site. The works shall be completed prior to first occupation of the development.
 - iv. Payment of a contribution of £1m towards cycle infrastructure improvements for the development, within the vicinity, prior to commencement of use. In consultation and agreement with the councils Director of City Highways, within 6 months of commencement, the submission of a cycle impact and safety assessment setting out areas where and how the £1m would be best spent. The assessment will include estimated costs and an implementation strategy. Should any of the works not been implemented within 3 years following commencement, the City Council will refund any unspent monies.

- v. Provision of a financial contribution of £189,905 to the Carbon Offset Fund (index linked) payable prior to the commencement of development;
- vi. Be seen energy monitoring; and
- vii. The costs of monitoring the S106 legal agreement.

2. If the S106 legal agreement has not been completed within six weeks of the date of the Sub-Committee's resolution, then:

- a) The Director of Town Planning and Building Control shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Place Shaping and Town Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
- b) The Director of Town Planning and Building Control shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY & KEY CONSIDERATIONS

The application relates to an area known as "The Crossrail Box". The Box extends eastwards under the existing 4 Kingdom Street, Hotel Novotel London Paddington (3 Kingdom Street) and 1 Kingdom Street buildings above, is approximately 8m tall and currently has an open south aspect over the railway. The space, which is now vacant, was used for the storage of materials in association with Crossrail, now the Elizabeth Line, during the construction process. It was originally intended to accommodate railway sidings in association with the Elizabeth Line, however these have moved further west and the box is now available for an alternative use.

The application proposes the use of the Crossrail box as an urban logistics hub / package distribution centre (Use Class B8). The sides of the box would be enclosed and a new mezzanine floor added within to provide 13,132sqm of B8 floorspace. A single storey structure would be added at podium level (Kingdom Street level), between 1 and 3 Kingdom Street to provide pedestrian access to the box for employees. The hub will be serviced by HGV's and the goods distributed by e-cargo bikes, which will be released in two shifts, one in the morning and one in the afternoon.

Objections and comments have been received from stakeholders including neighbouring occupiers and amenity societies, these include concerns in relation to highways, air quality, amenity, land use and pre-application engagement. A full summary is provided within the main body of this report.

The key considerations in this case are:

- The impact of the proposals on the highway network.
- The impact on the amenity of neighbouring residential properties.
- The acceptability of the energy performance of the proposed building.
- The acceptability of the proposed buildings in design terms.
- The impact of the proposal on the setting of nearby designated heritage assets, namely the Grade II listed Westbourne Bridge adjacent to the site.

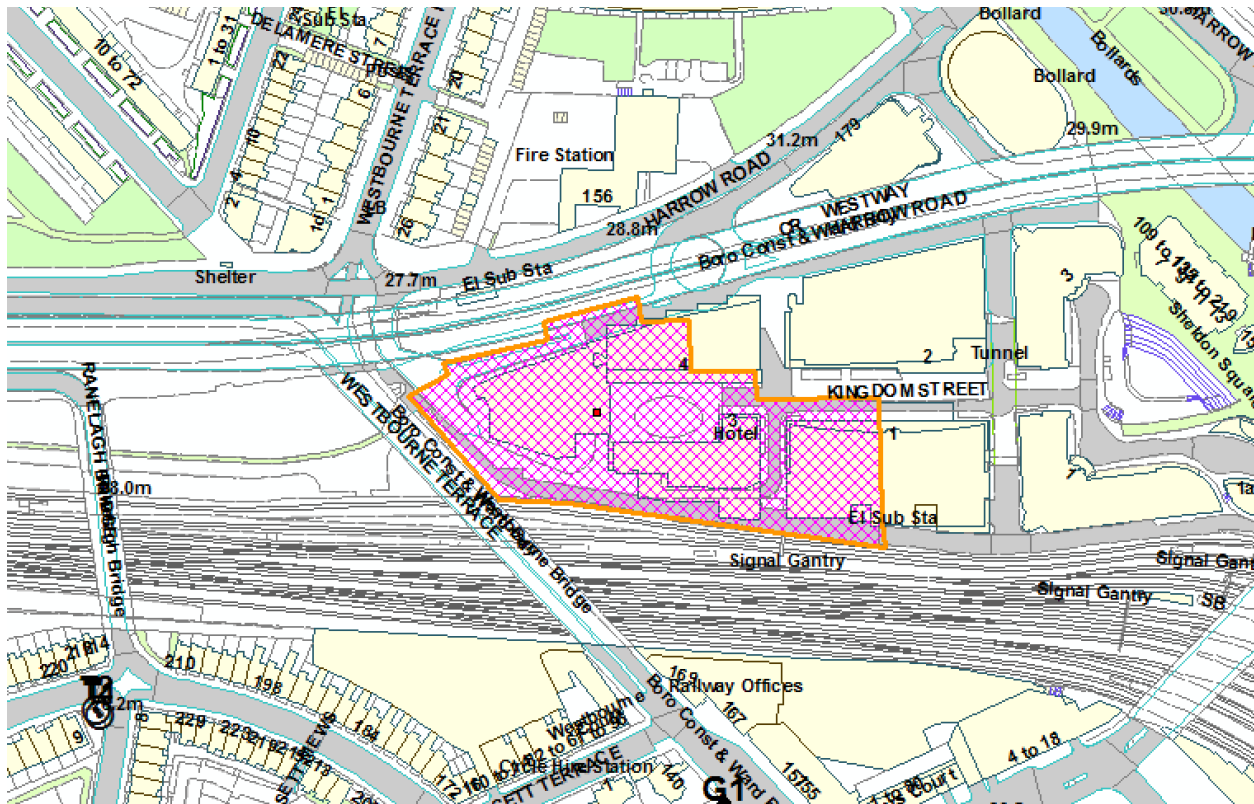
While the development will result in some increase in the number of HGV vehicle movements, it will

Item No.

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significantly reduce the number of LGV movements into the city and will allow for the “last mile” of delivery to be undertaken in a zero emission way by e-cargo bikes. The development is subject to improvements as secured by the S106 legal agreement to the Highway network, along other benefits including for employment. The development is also subject to conditions to ensure that it operates in such a way as to reduce its impact on the City. Subject to the legal agreement and these conditions, the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View west within "Crossrail box"



View east within "Crossrail box"

5. CONSULTATIONS

5.1 Application Consultations

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY

Any response to be reported verbally.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION (SEBRA)

Note that comments from PRACT shared by SEBRA

DESIGNING OUT CRIME

Any response to be reported verbally.

NATIONAL GRID

Any response to be reported verbally.

UK POWER NETWORKS

Any response to be reported verbally.

PADDINGTON BID

Any response to be reported verbally.

TRANSPORT FOR LONDON (TfL):

- TfL supports the introduction of logistics facilities for use by electric cargo bikes in principle.
- However, TfL is concerned that the designs as presented do not provide adequate on or off site infrastructure to allow and safe and efficient cycling movements; therefore TfL cannot support the application as currently presented.
- To resolve this, significant improvements to cycling facilities to and from the site need to be funded and / or delivered by the developer, to ensure a safe and attractive environment for cyclists, in line with London Plan policies T1, T2, T4, T5 and T7, the MTS and the Mayor's Vision Zero objective. These include, but are not limited to:
 - o A movement strategy route from Cycleway 3 in Paddington to Little Venice (it is understood that designs are being progressed by NRP on behalf of WCC).
 - o There are two junctions (Westbourne Gr / Bishops Bridge and Westbourne Gr / A40 Westway) which need modernising to cater for the increased cycling flows.
 - o The proposed changes to the Harrow Road gyratory for cycling are inadequate and need to be revised.

Other points to note:

- Cycle parking for workers to be provided in line with LP standards - in addition to provision for the cargo bikes. This is welcomed.
- It would be useful to understand suitability of ramps (as opposed to lifts for example) for fully laden cargo bikes.
- The transport statement doesn't include details of the net multi-modal impact compared with the both the existing use and extant permission.
- HGV access to the hub would be via the strategic road network, with routing to be managed via the operational management plan. However it must be noted that
- The A5 is listed as key route in but should be noted that vehicles cannot make return trip as there is no left turn from Harrow Road to Edgware Road. Generally this route will

need to be clarified further to account for various banned turns.

CROSSRAIL SAFEGUARDING

No objection on the basis the developer will:

- Work with TfL infrastructure protection on the constructability of the project in relation to Elizabeth Line tunnels under the site and Hammersmith and City Lines adjacent to the site.
- conform to the covenants within the Grainhurst agreement, dated 1st June 1983 between Grainhurst and The London Transport Executive
- conform to the conditions previously applied by CRL safeguarding to the planning application submissions for this property

LONDON UNDERGROUND

No objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. It will need to be demonstrated to the satisfaction of TfL Infrastructure Protection engineers that:

- The developer continuing to work with TfL Infrastructure Protection on the constructability of project in relation to both the Elizabeth Line tunnels beneath the site and Hammersmith and City Lines adjacent the site.
- The developer must conform to the covenants within the Grainhurst agreement, dated 1st June 1983 between Grainhurst and The London Transport Executive.
- The developer must conform to the conditions within the attached Responses from CRL safeguarding on these and previous planning applications for this property.

NETWORK RAIL

No objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway they have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

Note that no scaffolding or cranes should over-sail or fall onto the railway.

PRACT:

We are content with conditional approval subject to the following:-

1. That the other two contemporaneous applications (22/08597/FULL and 23/00648/NMA) get conditional approval on the same day.
2. Since the 'delivery, logistics and distribution hub' has substantial implications for the local road system, both as regards HGV arrivals and the departures of electric cargo bikes, that the City Council's Highways Department confirms before determination that the scheme is workable and without material adverse effect on these roads. In particular we request confirmation that local pinch points such as Bishop's Bridge can cope, without restricting or unduly delaying the movement across it of emergency vehicles (fire engines and ambulances), station taxis, LT buses or scheduled airport coaches.
3. There should be generous provision for the parking on site of private bikes used for commuting, by both categories of workers - on-site and riders of cargo bikes, say around 100. The present proposal is to allow cycle parking on-site only for site employees, limited to 29 spaces; and there would be none on-site for E Cargo Bike riders commuting

to the site.

CADENT GAS:

No objection however informatives are recommended in relation to asset protection.

WASTE PROJECT OFFICER:

Raise an objection as drawings are not in line with council waste storage requirements.

ENVIRONMENTAL SCIENCES OFFICER:

No objection subject to conditions. Comments as follows

Air quality:

- The Code of Construction Practice condition will ensure dust and delivery vehicles are mitigated and managed during construction.
- In terms of operation, A detailed assessment is therefore not required and air quality impacts are not considered significant.
- A condition is recommended for deliver bikes to be zero emission.
- A response has been provided to address objections in relation to air quality concerns and lack of information.

Air quality Positive:

- An Air Quality statement is required as the development is a major development and within an opportunity area. This can be secured by condition.

Noise:

- Subject to condition to limit noise from plant and internal activity, no objection raised
- Due to the relationship with adjacent sensitive occupiers, the HGV movements are considered marginal.

Contaminated Land:

- A condition is recommended to secure details.

HIGHWAYS PLANNING MANAGER:

No objection, but have the following comments:

- Welcome the provision of 29 long stay cycle parking spaces in accordance with London Plan guidance for employers.
- Waste storage off the public highway is indicated and welcomed.
- Off-street servicing is provided, with the site within a private estate, with private roads, which will not need alterations to accommodate servicing vehicles.
- No car parking is provided which is welcomed.
- A travel plan is not required.
- The evidence provided by the applicant in terms of the impact of development on reducing LGV's is a fair estimate namely, 13 HGV movements would remove the equivalent of 20-30 LGVs and the site location and use of cargo bikes would remove the equivalent of 100 LGVs.
- The change in vehicle type and numbers is not considered to be likely to result in significantly adverse traffic congestion or highway operation for other highway users, particularly when considered the activity would otherwise be occurring with delivery vans.
- It is accepted that the proposed HGV vehicles are suitable for the routes outlined in

- the submitted Transport Assessment and Operational Management Plan.
- Zero emission bikes are welcomed. Disappointing zero emission HGV's are not proposed, but given the status of this technology for larger vehicles, this is accepted. The applicant can keep this under review.
 - It is accepted the HGV's and cargo bikes broadly will not have a significant adverse impact on the wider highway network. But this is subject to improvements to the immediate highway area to aid dispersal of bikes. These alterations will be subject to post planning detail and approval. In addition given the number of bikes a further study should be undertaken in conjunction with the Highway Authority to identify wider infrastructure improvements. This should be supported by an undertaking to fund the identified improvements.

WASTE PROJECT OFFICER:

Raise an objection and note that the drawings are not in line with the council waste storage requirements. Revised drawings are required to show waste storage in line with council guidance.

WESTMINSTER ECONOMY TEAM:

Note that British Land are committed to producing an employment and skills plan and making a contribution to Westminster's fund. Also note that while such a use does not trigger this requirement, given their position consider the council should negotiate to secure these benefits.

PLACESHAPING (PUBLIC REALM)

Any response to be reported verbally.

ARBORICULTURAL SECTION

Any response to be reported verbally.

ADJOINING OWNERS / OCCUPIERS:

No. Consulted: 2427

No. of objections: 8 (with 2 from the same person)

No. in support: 1

The objections are summarised as follows:

Highways:

- There are inconsistencies between the timings and numbers of HGV movements between the submitted reports.
- Proposed HGV delivery times are already very heavy with traffic.
- 44T articulated lorries are too large to be accommodated safely within the public and private highway and therefore the whole development needs to be reconsidered.
- HGV's will spill onto the egress route when accessing the site.
- Negative impact of HGV's and bikes on the gyratory. Improvements to the gyratory in terms of the HGV's not discussed.
- Conflicts between existing residential and commercial traffic within the Paddington Central service roads and new vehicles. No evidence that vehicles would be able to manoeuvre acceptably within the estate. Further evidence required to indicate acceptable.
- More cycle parking is required for workers at the development site. Location of the

- proposed 29 long-stay cycle parking spaces is not clear.
- If approved suitable conditions and legal agreement will be needed to secure the operation of the development including monitoring servicing vehicles and hours.
 - No contingency in place if the 4 HGV loading bays are already occupied.
 - Conflict between service vehicles and existing traffic at peak times of the day.

Land Use:

- Oppose the principle of a busy logistics hub on this urban mixed use site.
- Note that the 2022 survey shows that 45% disagree or strongly disagree with the proposals for a logistics hub. Recommend the approved mixed use scheme is undertaken instead.
- No benefit to the local community and will only benefit the corporation who the logistics centre serves.
- Recommend alternative sites further east.

Amenity:

- Increased noise disturbance from HGV's

Design / Heritage:

- Impact on adjacent conservation areas.

Air Quality:

- Increased HGV activity will impact on air quality and increase pollution
- Request a full "Air Quality Assessment" to be commissioned and submitted as part of the current planning process, in advance of proposals being presented to planning committee. This is required as 26 HGV movements per day which is in excess of the 25 within the IAQM screening criteria guidance.
 - o The justification for the lack of a report are misguided and could lead to the council being accused of being lax in its review of the environmental and social impact of the proposals.
- Question who will review the 'Air Quality Report' by British Land and raise questions with its content.
- The developers reference outdated WHO guidance.

Other:

- Query what the application timeframes are.
- Query how the council will ensure proper engagement and consultation with local communities. How is this reviewed? How can community input on the planning application
- This development will severely affect residents in a wide geographic area due to the significantly increased local traffic generated to and from the propose warehouse and the environmental impact. Query how will the council invite people affected to participate and contribute to the consultation and engagement?
- Lack of early engagement with the local community about the development proposals.

1 letter of support welcoming better cycle infrastructure into the area, particularly the Harrow Road gyratory.

PRESS NOTICE/ SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

Objections have been received on the grounds that insufficient engagement was undertaken with adjacent occupiers prior to submission to allow for concerns to be considered.

The application is supported by a Statement of Community Involvement (SCI) as recommended by the councils Early Community Engagement guidance. The engagement activities undertaken by the applicant as listed in the submitted SCI are summarised in the table below:

Engagement Method/Event/Activity	Date	Attendance	Summary of Discussions
Early engagement and stakeholder discussions	From July 2022 to April 2023	Varies, but at least 13 stakeholder discussions and two workshop sessions with PRACT representatives	As outlined in Section 3 of the SCI.
Newsletter to 40,404 addresses	27 th October 2022	N/A	Promoting engagement website and drop-in sessions
Website fivekingdomstreetconsultation.com	Survey open from 27 th October to 20 th November	201 unique visitors	20 completed feedback surveys – as outlined in Section 4 of the SCI which demonstrated reasonable support for the overall package of plans albeit feedback on the logistics hub per-se was more evenly balanced. However, this contrasted with the generally positive responses from stakeholders and representatives of the area.
Two drop-in exhibition sessions on 8 th and 16 th November in 2 Kingdom Street	8 th and 16 th November	30 attendees	Generally positive, and keen to understand more about the logistics hub particularly and operational management.

An advertised telephone number (0203 900 3676) and a dedicated email address fivekingdomstreet@kandaconsulting.co.uk were provided and managed by Kanda to supply further information to residents, businesses and stakeholders on request as well as to answer any questions they may have.

In summary, across the range of engagement undertaken by the applicant the principal issues raised were:

- Scale
- Use
- Sustainability
- Public Realm
- Logistics hub operation
- Construction

The applicant's Statement of Community Involvement and other application documents identify that the scheme has been revised in the following ways in response to views and representations expressed during pre-application community engagement:

- Reducing the number of proposed HGVs to 13 per day (from 15 in the pre-application consultation)
- Identifying a secondary access route to the site for HGVs from the Edgware Road
- Identifying two further egress routes from the site for HGVs (via the Edgware Road and Westway)
- Confirmation of HGV arrival times (ie 6am to 8am, and 6pm and 8pm)
- Further analysis to confirm HGVs and buses can pass each other at key points along the Harrow Road
- Retention and enhancing the profile of the pedestrian and cycle route through the redeveloped Five Kingdom Street site
- Commitment to enhancing the gyratory to the north to enhance safety for the cargo bikes leaving the site
- Clarifications on numerous issues including cargo bike routes and reach within the borough, the reduction in the number of smaller vans and 'dead mileage', how consolidation works through a main depot outside of London; the ability for HGVs to wait within the Kingdom Street campus with engines off in the event they arrive outside of the arrival window

While the objections in relation to the lack of engagement, particularly with certain interested groups are regrettable, and the council will always promote as wide and inclusive engagement to be undertaken prior to submission, it is not a ground to withhold permission.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in

accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

This site is located outside of a conservation area, but the Maida Vale Conservation Area lies to the north of the site on the other side of Harrow Road. The Bayswater Conservation Area is also in close proximity to the south, with the Grade II listed Westbourne Bridge located within the area, which forms the western boundary of the site. It is within the Paddington Opportunity Area and the Central Activities Zone.

Railway lines delineate the southern boundary of the site, Westbourne Bridge is to the west and Harrow Road and Westway sit to the north. The edge of the campus to the east terminates with the canal and Bishops Bridge Road.

The application relates to an area known as “The Crossrail Box”. The Box extends eastwards under the existing 4 Kingdom Street, Hotel Novotel London Paddington (3 Kingdom Street) and 1 Kingdom Street buildings above, is approximately 8m tall and currently has an open south aspect over the railway. The space, which is now vacant, was used for the storage of materials in association with Crossrail, now the Elizabeth Line, during the construction process. It was originally intended to accommodate railway sidings in association with the Elizabeth Line, however these have moved further west and the box is now available for an alternative use.

Paddington Central is a predominantly commercial estate comprising offices and a hotel, with a retail presence at street level. The exception to this are 11 and 21 Sheldon Square at the eastern end of the campus and adjacent to the canal, which are two residential blocks again with retail activity at ground level. All of the buildings on the site are derived from a masterplan devised in the late 1990s and an outline planning

permission granted in 2000. The campus has been built out in phases with the buildings surrounding Sheldon Square forming the first phase; and then the buildings along Kingdom Street (2, 3 & 4 Kingdom Street and Novotel) following as a second phase. The site at the western end of Kingdom Street, which would be where no.5 Kingdom Street would stand, has yet to be fully developed. A full history is set out below.

7.2 Recent Relevant History

Outline planning permission dated 23rd May 2000 (Ref 97/06935/OUT) granted the redevelopment of the old Paddington Goods yard for what is now know as Paddington Central:

'Redevelopment to provide a mix of uses; namely offices, 210 residential units, local shopping and studio/ light industrial units in buildings between 7 and 13 storeys in height. Creation of new access off Bishops Bridge Road and new egress ramp, provision of basement car parking and ancillary office accommodation. New footpaths and pedestrian links including a new footbridge across the canal'

The outline consent sets out parameters for the total quantum of office floorspace which can be provided across the Paddington Central redevelopment. Pertinent to this application, permission was subsequently granted 12 January 2010 under application referenced 09/08353/RESMAT for the development of the last two masterplan plots at No's 4&5 Kingdom Street:

“Reserved matters approval in relation to the last two buildings at 4 and 5 Kingdom Street pursuant to Condition A.1(a),(b),(c) in part relating to the layout, siting means of vehicular and pedestrian access, parking, detailed design and external appearance and the surface treatment of any part of the site not covered by buildings or formally landscaped areas and Condition M.1 (disabled access) attached the outline planning permission dated 23 May 2000 (as amended by 09/08354/FULL), for one 13 storey office building plus plant room and one 10 storey office building plus plant room.”

This application has been implemented through the construction and completion of the approved building at No 4 Kingdom Street (as confirmed through certificate of lawful development application referenced 11/12117/CLEUD). There is therefore an extant consent for the development of a 13 storey office building at No 5 Kingdom Street. A S73 application has been submitted alongside this application to make alterations to this implemented scheme and is currently being considered by officers (referenced 22/08597/FULL).

Pending its development, the concrete base which covers the Crossrail box at the site of 5 Kingdom Street has been used as a meantime use – bar and restaurants, with associated buildings, known as Paddington Pergola. Permission was first granted in February 2017 (Ref 16/12331/FULL) and a number of permissions to allow for the use to continue on a temporary basis have been permitted since.

A major redevelopment which includes a new tower at the site of 5 Kingdom Street and a multi-use space within the Crossrail box was granted by the GLA (following a resolution to refuse by The City Council) in March 2021 and remains extant for:

“Erection of a mixed-use development comprising ground floor (at Kingdom Street level), plus 18 storeys to provide offices (B1a) and retail (A1/A3) plus ancillary plant and amenity areas. Three floors below Kingdom Street delivered in phases to provide an auditorium (Sui Generis), a community space (D1) and a flexible mix of business (B1a/B1b), retail (A1/A3/Sui Generis), sport and leisure (D2) and exhibition (D1) uses within the former 'Crossrail box'. New outdoor terraces adjacent to railway at basement level; creation of a new pedestrian and cycle link between Harrow Road and Kingdom Street including internal and external garden and landscaping; and associated works.”

8. THE PROPOSAL

The application proposes the use of the now vacant Crossrail box as an urban logistics hub (Use Class B8). The northern, western and southern sides of the box would be enclosed and a new mezzanine floor added within to provide 13,132sqm of B8 floorspace. A single storey structure would be added at podium level (Kingdom Street level), between 1 and 3 Kingdom Street to provide pedestrian access to the box for employees. This will comprise of grey brick and cladding, a biodiverse roof and replacement planting. Below podium level, the currently open, south, west and part northern elevations will be enclosed with a grey curtain wall system, with a combination of masonry, composite cladding, louvred panels and glazing. Mesh screening will be provided to the servicing areas.

Table 1: Existing and proposed land uses.

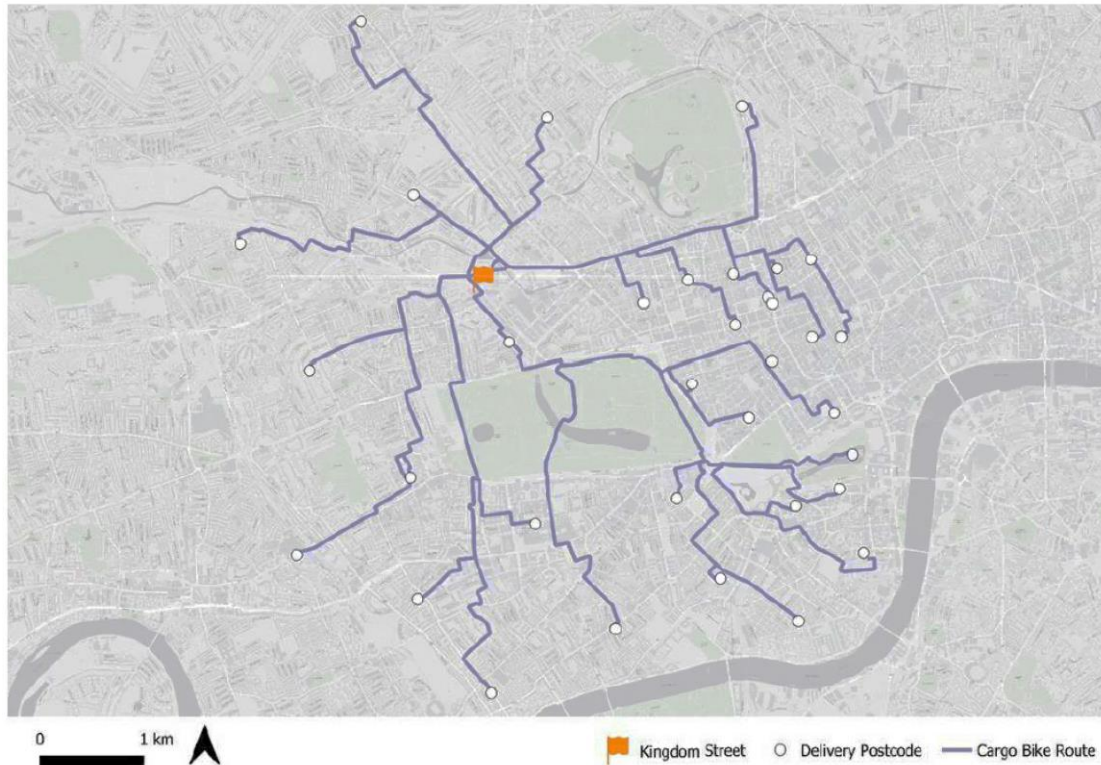
Land Use	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Nil	8,619	0	-8,619
B8 storage	0	13,132	+13,132
Total	8,619	13,132	+4,513

The site would be accessed by all vehicles from the existing Harrow Road Gytratory (Warwick Crescent). There would be no customer collection or visitors to the site.

Up to 13 HGV's would access and depart from the site each day. HGV's are indicated to arrive from sites outside of Westminster, to the north and west of the borough. HGV's would arrive at the site in two windows each day between 06:00 and 08:00 (8 arrivals and 8 departures) and 18:00 and 20:00 (5 arrivals and 5 departures). The majority of the HGV routes would be on Transport for London Road Networks (TLRN) with only the last elements being via the Westminster highway network (for which WCC are the Highway Authority).

239 electric cargo bikes are indicated to operate from the site. They would deliver online shopping/parcels to addresses principally within Westminster but also some in neighbouring boroughs. The site would serve the majority of Westminster by cargo bike. The cargo bikes would be zero emission/electric. The cargo bikes assisted electric motor disengages at 15.5 mph.

Indicative cargo bike delivery routes:



The cargo bikes would leave the site in waves over two windows each day between 08:00 and 10:00 (estimated to return between 10:00 and noon) and then 15:00 and 17:00 (estimated to return between 17:00 and 19:00). This would mean a maximum of 956 arrivals and departures each day by e-cargo bike from the site. The departures waves would be 30 cargo bikes every 15 minutes over the two hours departure windows (morning and afternoon).

The logistics hub is indicated to be 7 days a week, with hours of operation indicated to be 06:00 to 20:00 daily. The total number of staff is not yet fixed as no operator is linked to the development, but would be over 240 (the maximum number of cargo bikes that would be operated from the site).

Bikes would be stored, charged and serviced on the mezzanine level above the loading base level. This level will be accessed by a new ramp to the northern service road, within the private campus. Staff amenity facilities and ancillary office space will also be provided at this mezzanine level. The ground floor will include the HGV delivery bay, warehouse/package sorting area and bike loading area.

In order to facilitate the development, changes to the highway, namely the Harrow Road Gyratory (Warwick Crescent) are proposed, however as this is outside of the development site, this would need to be secured via a S106 legal agreement.

9. DETAILED CONSIDERATIONS

9.1 Land Use

Policy E4 of the London Plan relates to Land for industry, logistics and services to support London's economic function. This seeks to ensure that there is a sufficient supply of land and premises in different parts of London to meet demands for industrial and related functions, including under part 2) storage and logistics/distribution (Use Class B8) including 'last mile' distribution close to central London, consolidation centres and collection points. It notes in part D that additional industrial capacity should be prioritised in locations that 1) are accessible to the strategic road network; 2) provide capacity for logistics...that support London's economy and population; 4) are suitable for 'last mile' distribution services to support large-scale residential or mixed-use development subject to existing provision; 5) support access to supply chains and local employment in industrial and related activities.

Policy 3 of the City Plan is specific to the Paddington Opportunity Area and seeks to promote additional jobs as identified in the London Plan, provide new workspace including light industrial units and workshops.

Policy 13 relates to development which supports economic growth. While it does not specify the proposed type of use, it does state in part B, within NWEDA, a range of workspace typologies, including workshops and studios, will be particularly welcome.

Policy 29 states that the council will strongly support the provision of consolidated facilities for freight, servicing and deliveries in new development in accordance with emerging London Plan policy. Paragraph 29.4 goes on to say "Utilising electric vehicles for the last mile or consolidating loads are just a couple of examples of how the last leg can be made in a more sustainable way".

Policy 30 relates to technological innovation in transport and notes that technological innovation in transport designed to improve mobility, reduce congestion and improve air quality will be supported where it does not compromise highway safety and other amenity and environmental concerns. It states that the council will work with applicants and other stakeholders to minimise any negative impacts of these technologies.

In general terms the proposals are considered to be acceptable in land use terms, providing a use within the currently vacant crossrail box, which will deliver employment opportunities and deliver a last mile distribution centre, which is in close proximity to the strategic road network. Detailed consideration such as air quality, amenity and highways impact are discussed further below.

9.2 Environment & Sustainability

9.2.1 Energy Performance

The application has been supported by an Energy Strategy to indicate how the energy consumption of the development have been reduced. The following energy saving measures have been incorporated as part of the energy hierarchy to improve on-site carbon savings:

Be Lean:

- Use of efficient building materials and air permeability beyond standards set out in Part L 2021 of building regulations.
- Use of natural ventilation where appropriate
- Efficient ventilation and heat recovery/recirculation in mechanically ventilated spaces
- Energy efficient light fittings, controls and metering

Based on the information provided, the Non-domestic part of the development is estimated to achieve a 32.6% improvement over a PartL2013 compliant building. This is welcomed as in line with the Westminster ESPD and GLA London Plan targets. However, they are encouraged to seek further improvements to achieve positive savings against PartL2021 as well. They are also recommended to explore further strategies to lower the building cooling demand, this will be reported verbally to planning committee.

Be Clean:

- Investigation to nearby existing heat networks and subsequently discounted.
- Discount use of CHP

Further justification is required as why systems are not provided and provision of connections for future linkages to a district heating network have been requested and will be reported verbally.

Be Green:

- Use of Air Source Heat Pumps (ASHP)
- Suitable boiler selection for hot water.

Table 2: Regulated carbon dioxide savings from each stage of the energy hierarchy.

	Regulated Carbon Dioxide Savings	
	Tonnes CO ₂ per Annum	%
Be Lean: Savings from energy demand reduction	34.8	32.6
Be Clean: Savings from heat network	0	0
Be Green: Savings from renewable energy	5.4	5
Cumulative on-site savings	40.2	37.6
Carbon shortfall	66.6	-
	Tonnes CO ₂	
Cumulative savings for offset payment	1,999	
Cash-in-lieu contribution	£189,905	

The cash in lieu carbon offset payment is to be secured by legal agreement. In addition further information has been requested from the applicant in support and to justify the

proposals, and will be reported verbally at planning committee.

9.2.2 Circular Economy

The development is unusual in that it relates to an existing concrete box structure, which will be largely retained, and the development purpose built within the structure. The use of any recycled or re-used materials are welcomed.

9.2.3 Air Quality

Construction Impacts / Dust

A dust risk assessment has been included within chapter 4.3 of the air quality assessment, the report sets out the proposed mitigation during construction activities to minimise any impact. The final details of dust suppression for the development will have to comply with the Councils Code of Construction Practice (CoCP) where a Site Environmental Management Plan will need to be agreed by the council before any works commence. The council's standard CoCP condition is recommended for this development, which will require these details to be agreed with the Environmental Inspectorate prior to works commencing.

Impacts to local Air quality.

Construction Traffic Impact

Vehicle movements associated with access, demolition and construction will vary through the construction programme, with short periods of peak HGV movements associated with demolition. With the implementation of the Construction Environment Management Plan (CEMP), as required by the CoCP, any impacts are considered by the Environmental Sciences Officer (ESO) to be insignificant.

Operational Vehicle traffic Impact

Objections have been received on the grounds of the impact of the proposed HGV's on air quality and increased pollution. They also note that there are discrepancies between information, however they refer to pre-application information which was amended as part of this application.

26 HGV movements are predicted to deliver goods that will be distributed to the wider area by electric cargo bikes with zero emissions. The ESO notes that while 26 HGV movements is above the IAQM/EPUK Planning guidance suggesting an adverse impact, this only occurs at the application site (Paddington Central) which is commercial in nature and the annual mean National Air quality objective is not applicable at this location. A detailed assessment is therefore not required, and air quality impacts are not considered significant.

It is recommended that a condition is applied to any permission restricting the use of electric cargo bikes with zero emissions for distribution only. The ESO notes that any deviance from the proposed strategy will require amendments to the air quality assessment. It is also noted that should anything other than e-bikes be proposed, a new planning application would likely be required and re-assessed.

While objections have been received on other air quality grounds, the ESO does not consider the development requires additional information on these grounds and is acceptable.

Air Quality Positive (AQP)

The ESO disagrees with the applicant, and considers that an AQP statement is required. They note that the provision of zero emission vehicles removes the requirement for deliveries to be made by diesel vehicles, which will have a wider air quality benefit, which should form part of any air quality positive statement. As has been agreed by the GLA on other sites, a condition is recommended for an AQP statement to be submitted and agreed by the City Council prior to commencement.

Air Quality Neutral

The development is considered to be air quality neutral as it is classed as car free and does not include any combustion sources as part of the scheme. Transport emission benchmarks are derived only considering car trips by employees to and from the site. Deliveries by HGV are not considered as part of an air quality neutral calculation. No objection has been raised by the ESO.

Electric bikes and vehicles

The electric zero emission nature of the cargo bikes is welcomed (it is noted the draft OMP does not appear to commit to zero emission cargo bikes). While it is disappointing that more is not proposed in terms of zero emission HGV as part of this application, given the status of the technology for larger vehicles it is accepted that the HGVs would need to be conventional powered at this point in time. The applicant should keep this under review and this site would be a positive location to implement emerging technologies around zero emissions (including hydrogen).

9.2.4 Flood Risk & Sustainable Drainage

The site is located within the Environment Agencies Flood Zone 1 (Low Probability of flooding). The site is however located within a flood risk hotspot zone as identified by the City Council. Due to the size of the site and location within a flooding hotspot, a flood risk assessment has been provided in line with guidance.

The report notes that there are no historical records of flooding onsite, and the site is most at risk from surface water flooding (from a 1% AEP event onwards). The site's surface water run-off is currently managed through a combination of pipe networks and a large attenuation tank. The existing site storm water attenuation tank serves a significant section of the development and has an approximate storage volume of 300 m³ and has been designed to cater for a 1 in 100-year storm event.

The lowest level of the development site will not be for residential or office uses, which reduces the risk of flooding to people. The drainage strategy states that a new attenuation tank will be installed at the north edge of the development at Basement 3 Level. It will have a storage volume of 360m³ and will have capacity to store the 1% AEP + 40% Climate Change storm event. The existing Foul Water connections will be maintained, and the existing Surface Water pipes will be rerouted into the new attenuation tank. It is recommended that this attenuation is secured by condition.

9.2.5 Land Contamination

The site has historically been a location with a commercial history potentially leading to ground contamination. No information has been provided by the applicant; therefore the ESO recommends that a condition is attached to secure details of land contamination reports prior to commencement of development.

9.3 Biodiversity & Greening

The proposals include the removal of a fastigiata oak and a river birch, both in early maturity. These are located at Kingdom Street level above the existing crossrail box. Due to their location outside of a conservation area, these trees are not protected. The arboricultural officer has noted that they are growing within a planter with limited soil volume, and while their loss is regrettable, given their limited amenity value, their loss is acceptable.

The proposals include the provision of a biodiverse green roof above the new entrance structure at Kingdom Street level. This will help to meet the requirements of policy 34 of the City Plan which seeks to promote greening within the City. Given that the vast majority of the site is underneath the existing podium of Kingdom Street, there is very limited land which can be used for greening and therefore the provision of green to the only part of roof proposed is welcomed. A condition is recommended for details and maintenance of this green roof.

9.4 Townscape, Design & Heritage Impact

While the site does not contain any listed buildings or structures, and is located outside of a conservation area, it is directly adjacent to the grade II listed Westbourne Bridge, which is also located within the Bayswater Conservation Area.

9.4.1 Legislative & Policy Context

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the LBCA Act') requires that "*In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*"

Section 66 of the LBCA Act requires that "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*"

Section 72 of the LBCA Act requires that "*In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*"

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that where development will have

a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

9.4.2 Detailed Design

Currently the crossrail box is open sided to the south and west, with only the eastern and part of the northern side enclosed by sub-levels of adjacent buildings on Kingdom Street above. The proposals essentially seek to enclose the existing structure through construction using a combination of architectural masonry, composite cladding and louvre panels, curtain wall glazing and architectural mesh screening to service areas. A series of brickwork piers frame key areas of the proposed building elevations and provide a base rhythm, breaking the overall mass length of the façade areas.

Illustrative visual of the southern service road elevation, adjacent to the railway lines.



Located at lower levels, the main view of the site will be from the south over the railway lines. The enclosure of the space will help to better ground this level of the estate, removing the open sided structure. The proposed dark toned colour palette and design are considered to be complimentary to the existing surrounding high-rise buildings of mixed design and are therefore considered acceptable. A condition is however recommended for the submission of details of the proposed materials.

9.4.3 Impact on Heritage Assets

The closest listed building to the proposed development is the grade II listed 1909 Westbourne Bridge, which lies immediately to the west of the site and carries Westbourne Terrace over the railway tracks. The bridge is already surrounded by buildings and structures of differing ages, scale and appearance and thus the setting

makes very minimal contribution to its significance. The proposed works are located at low level, beneath the bridge, given its existing setting and location it is not considered that the development proposals will cause harm and are therefore considered acceptable in terms of their impact on its setting. Similarly, it is not considered that the development will cause harm on the character and appearance of the adjacent conservation areas.

9.4.4 Design & Heritage Conclusion

The proposed works are considered to be acceptable in design and heritage terms and will comply with Policies 38, 39 and 40 of the City Plan.

9.5 Residential Amenity

Policy 7 within the City Plan seeks to protect and where appropriate enhance amenity, by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking. Policy 38 C similarly seeks to provide a good standard of amenity for new and existing occupiers.

Policy 33 seeks to make sure that the quality of life, health, wellbeing and natural environments of existing and future occupants is not adversely affected by harmful pollutants and other negative impacts on the environment. It also seeks to minimise the impact of light, noise and vibration on local environments.

The proposed new logistics hub is to be situated within the existing crossrail box, located underneath the buildings above on Kingdom Street. The nearest residential properties to the box are located to the south on the other side of the railway lines, to the north on the other side of the Harrow Road / Westway and to the east at the other end of Paddington Central at Sheldon Square. Due to its location and relationship with these properties, the infilling of the existing concrete structure will not have an impact on these adjacent occupiers in terms of daylight, sunlight, sense of enclosure or privacy.

9.5.1 Noise & Vibration

Operation vehicles

The development requires 26 daily HGV movements (13 access and 13 egress), these will use the existing highway network until they exit the gyratory at the north-eastern end of Paddington Central. At this point the vehicles will enter the private estate of Paddington Central and use its existing service roads. The roads are all set away from the residential occupiers and are already used by existing vehicles which service the buildings above on Kingdom Street and Sheldon Square. It is not considered that the additional vehicle movements will cause any significant impact above the existing situation so as to be unacceptable.

239 cargo bikes will also operate from the site operating in two shifts, one in the morning leaving between 08:00 and 10:00 (estimated to return between 10:00 and noon) and then one in the afternoon between 15:00 and 17:00 (estimated to return between 17:00 and 19:00). This would mean a maximum of 956 arrivals and departures each day by e-cargo bike from the site. The bikes are scheduled to leave in groups of 30 every 15 minutes in order to ensure that they do not all enter the highway at the same point causing congestion. While this is a significant number of cargo bike movements, it is not

considered that they would cause disturbance to adjacent occupiers in terms of their operation, as they will be near silent, and utilise the existing highway network, which has noise from the existing vehicles. The impact in amenity terms is not considered to be significant (the impact in highways terms is addressed elsewhere within this report).

Plant and Equipment

The site is within an area where ambient noise levels exceed WHO Guideline Levels. The proposals include the provision of plant equipment within the development and therefore an acoustic report has been provided to establish the lowest background noise levels. The M&E detailed design is not yet fully known, therefore at this stage the 'design criteria' has been established but as yet the applicant is unable to demonstrate compliance with Westminster's standard noise conditions and / or specify mitigation as it is not known if this is required as yet. As such a condition is recommended by the ESO requiring that a supplementary acoustic report with acoustic specifications for the plant/ducting and details of noise/vibration attenuation measures be submitted. No objection is raised subject to such conditions.

Noise from Internal Activity

The application site has the potential to generate high internal noise levels. Predicted noise sensitive properties are some distance away from the facility so the ESO confirms that any impacts can be easily controlled. They do however recommend conditions to ensure that noise from the development does not cause harm to adjacent occupiers through the installation of sufficient mitigation measures and for the submission of a supplementary acoustic report to demonstrate compliance with Westminster standard internal noise condition.

9.6 Transportation, Accessibility & Servicing

Policy 24 of the City Plan relates to sustainable transport and notes development should maximise trips made by sustainable modes.

Policy 25 relates to walking and cycling, and seeks to ensure that developments do not compromise safe and accessible environments for cyclists and other transport modes.

Policy 29 relates to freight and servicing and strongly supports the provision of consolidated facilities.

Policy 30 promotes innovation in transport to improve mobility, reduce congestion and improve air quality.

9.6.1 Trip Generation and Impact on Highway

No objection has been raised by the councils Highways Planning Manager, subject to conditions and S106 obligations as set out below.

It is noted the proposal is expect to either reduce existing numbers of delivery vans (light good vehicles/LGVs) on the Westminster highway network or reduce any increase that would be required to meet increasing demand from online shopping.

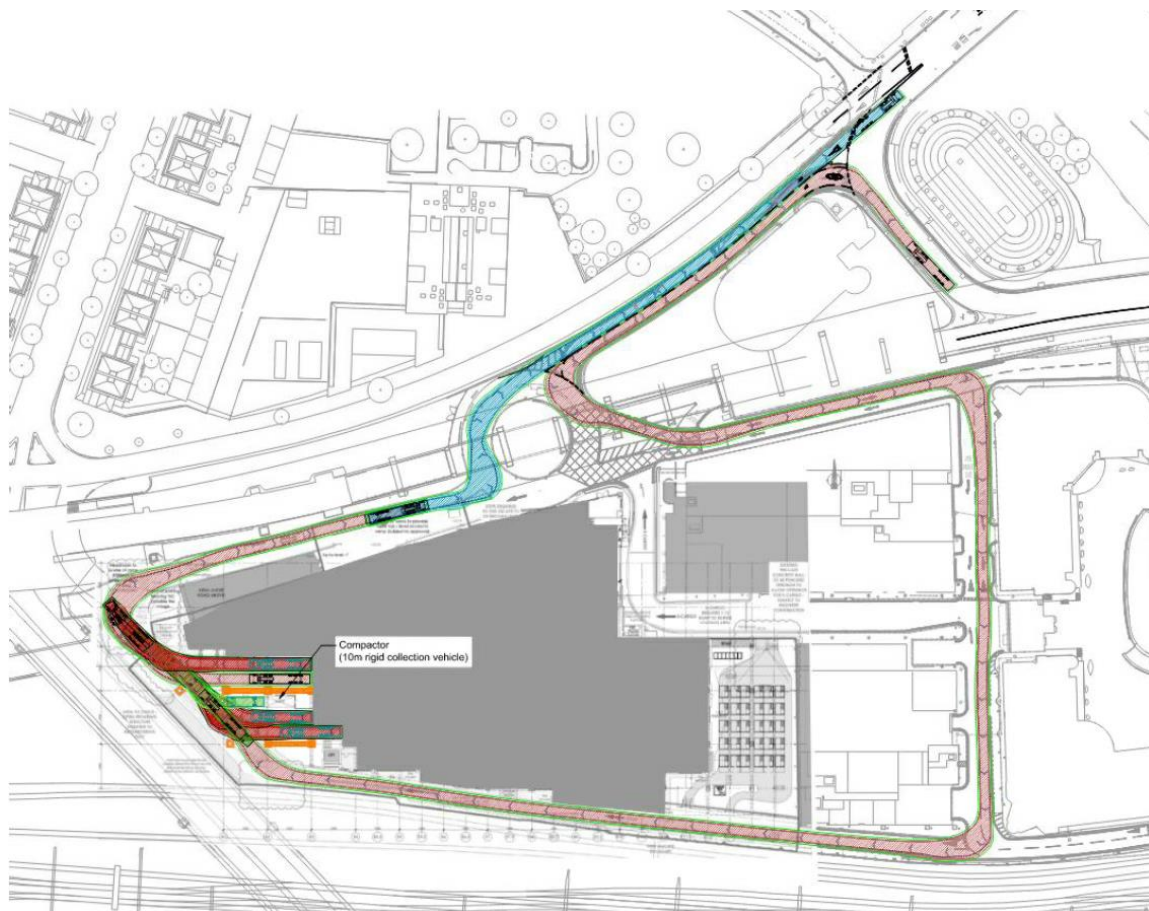
The applicant states that the 13 HGV movements would remove the equivalent of 20-30 LGVs and the site location and use of cargo bikes would remove the equivalent of 100

LGVs. These LGVs would originate outside of Westminster but would all need to complete the work they are required for on the Westminster highway network (delivering parcels to residents and businesses). The overall reduction in vehicle numbers occurs by substituting vehicles that would have travelled from warehouses elsewhere in the country to delivery online orders being replaced by a limited number of HGV movements and cargo bikes from the subject site. Based on the evidence provide by the applicant this is considered to be a fair estimate of reduction in LGV activity within Westminster.

The removal of this quantum of LGVs (either existing or created by future demand) is considered a positive impact on the Westminster highway network, even when balanced with the increase of 26 (arrival and departure) controlled HGV vehicle movements on the Westminster highway network plus the addition of cargo bike movements. The change in vehicle type and numbers is not considered to be likely to result in significantly adverse traffic congestion or highway operation for other highway users, particularly when considered the activity would otherwise be occurring with delivery vans.

It is accepted that the proposed HGV vehicles are suitable for the routes outlined in the submitted Transport Assessment and draft Operational Management Plan. They would be similar in size (including width) to existing HGV vehicles using the Westminster highway network (including London Buses). The routes to and from the site by HGV should be secured by planning condition. Any deviation of routes would need to be reconsidered.

HGV access and egress tracking map – entering from the gyratory, turning left onto the Paddington Central service entrance road, left at the roundabout and through the site to the loading bay (down to the left below). The vehicles would then exit back up the ramp and onto the gyratory.



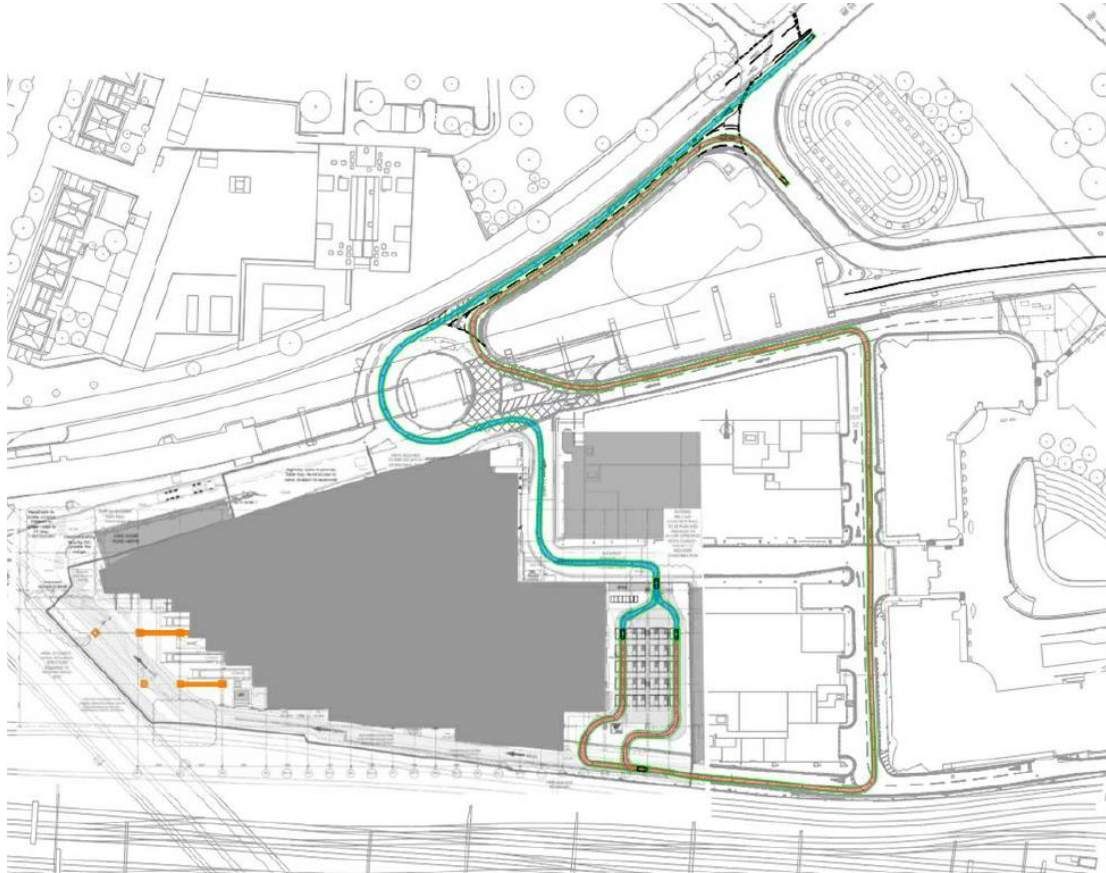
It is accepted the addition of the HGVs plus cargo bikes broadly will not have a significantly adverse impact on the Westminster highway network. However, this is subject to alterations and improvements to the existing immediate highway area to aid the dispersal and return of the cargo bikes on the highway network, including the immediate Harrow Road Gyratory (Warwick Crescent) and Harrow Road (section to the east from the service road exit ramp) being secured through legal agreement. Concerns have been raised by objectors that the gyratory will need to be changed to make it safe for HGV's, but officers do not share this concern (further details in relation to bikes below).

These alterations will need to be subject to the usual post planning detail highway design phase. There will be a requirement for physical interventions in the highway and likely to be more extensive than the indicative drawing included within the Transport Assessment. It is acknowledged that discussions have commenced with the applicant on these external works, which are considered a requirement to support the scheme and ensure the increase in cargo bikes to and from the site can disperse onto the wider highway network safely and with minimal impact on operation. These highway works will need to be secured by legal agreement and should be progressed prior to commencement of use.

In addition, given the volumes of cyclists departing the site in waves it is expected that improvement to cycling infrastructure away from the site is also required to mitigate the

impact of the development. This may include further physical highway alterations on the local highway network, including to the Harrow Road Gyratory at Bishop's Bridge Road and Bishop's Bridge Road itself. It is suggested that a further study undertaken by the applicant in conjunction with the Highway Authority to identify wider infrastructure improvements as their scheme progresses. This would also allow for further identification of routes and delivery locations. This should be supported by an undertaking to fund the identify improvements.

Cargo Bike access and egress tracking map. Similar route to HGV's except exiting onto a different service road within the estate as shown below.



Consultation responses:

Objections have been received from residents within Sheldon Square that there is already a lot of competition between users of the private estate road network who service the commercial and residential properties, including residential parking. These users will use many of the same roads as the proposed HGVs and cargo bikes. They also have concerns in relation to the feasibility of HGV's safely navigating the roads and impact of the increase in activity on existing users. They state that the route of the HGVs is not clear and suggest an alternative route. The route is as set out above, and the alternative route is not considered to be workable. The applicant has confirmed that HGV can safely manoeuvre within the estate, this is not challenged by officers.

In terms of the interactions between existing users of the service roads, while the proposals will result in a significant increase in vehicle and bike movements, its is

expected that this can be reasonably absorbed. The development benefits from these purpose built service roads, located off the highway to service the development. Service vehicles entering the site would use the same entrance as the one proposed, feeding in from the gyratory. As the majority of vehicles leaving the estate would be exiting up the ramp, they would unlikely be hindered from entering the estate (by vehicles continuing around the roundabout). On exit existing vehicles would likely have right of way of bikes and HGV's leaving the site, due to the road arrangement. In addition, the proposal is for the bikes to leave it 15 minute bursts, to reduce their impact. As such it is not considered that this objection can be upheld.

Transport for London support the proposals for a logistics facility, however, have concerns that offsite infrastructure to allow safe and efficient cycling movements are insufficient and request improvements to cycling facilities to and from the site.

PRACT have provided extensive comments in relation to the development proposals but have not objected subject to suitable conditions and controls being put in place.

As aforementioned, cycle improvements to the adjacent gyratory are to be secured by S106, these are considered necessary to make the development acceptable and will therefore be secured to be completed prior to commencement of operation. Final details of this will be secured through the design process post planning in consultation with Westminster. These improvements are to be provided at the applicant's expense.

An obligation is also recommended for the securing of a cycle infrastructure and safety study to be provided by the applicant following 6 months of operation. Data of how the facility is operating and routes of cyclists will then be available, which can feed into a better understanding of where on the highway network improvements are required. The applicant has agreed to pay £1m towards cycle network improvements as identified by the study and in consultation with other relevant parties. This is a benefit of the scheme, as these improvements will also benefit other users of the highway. This will also help to address concerns raised by both TfL and PRACT in terms of junctions and highway which may need to be upgraded as a result of the development.

The operation of the logistics centre will be secured through an operational management plan (OMP), which will include (not exhaustive) details and processes of scheduling, HGV routes to/from the site, HGV and cargo bikes types, HGV and cargo bikes numbers, HGV and cargo bikes timings, cargo bike wave operation and control, staff numbers (both warehouse and delivery drivers), shift patterns (both warehouse and delivery drivers), maintenance practices of cargo bikes, tracking and management of routes of HGVs and cargo bikes, consolidation of deliveries to the site (if different operators operate from the facility and/or deliveries arrive from different external warehouse locations).

9.6.2 Accessibility

The development is car free. Users of the facility will either access by bike using the estate roads, or use the main pedestrian access from Kingdom Street, via the new single storey access structure on Kingdom Street.

9.6.3 Servicing and Waste & Recycling Storage

Policy 29 requires off-street servicing and freight consolidation. It is accepted the design

of the scheme provides off-street servicing. This is welcomed.

It is accepted that the HGV can manoeuvre within the private estate roads and these will not require alterations to accommodate these vehicles (it is noted that site often already has deliveries by HGV for existing uses).

9.6.4 Cycle Parking

Long stay cycle parking will support active travel options by staff. Long term staff cycle parking must be secure, accessible and weatherproof. Long stay cycle parking for developments must be met within the development site itself. The London Plan Policy T5 requires 1 space per 500m² GEA for B8 storage/distribution (most comparable use).

A total of 29 long stay cycle parking spaces are proposed plus 2 short term spaces adjacent to the ground floor entrance would be required. Objections have been received that additional cycle parking should be provided given the considerable number of staff and as they consider that a larger proportion of staff may cycle given the proposed use as a cycle distribution centre. While these comments are noted, and additional parking would be welcomed, the applicant has noted that proposals are in accordance with the London Plan cycle parking standards, and no additional parking is to be provided. While it may be less than what objectors would like to see be provided, the parking is welcomed and in accordance with Policy. No objection has been raised by the Highways Planning Officer, subject to the parking being secured by condition.

9.7 Economy including Employment & Skills

Policy 13 seeks to support economic growth within the city, including 63,000 new jobs over the plan period. In addition to these city wide goals, the site is located within the Paddington Opportunity Area (POA). Policy 3 of the City Plan notes that development within the POA will aim to help achieve the London Plan target of 13,000 jobs over the development plan period (up to 2040).

While the number of jobs created by the development is not defined as there is no confirmed operator, the planning statement notes that the logistics hub could support 500+ new jobs ranging from e-cargo bike riders, warehouse operators and management staff.

The council has an Inclusive Local Economy & Employment Supplementary Planning Document (SPD) supporting Policy 18 D of the City Plan, which states major developments will contribute to improved employment prospects for local residents. The SPD does not include guidance for uses such as the one proposed in this application, namely a B8 logistics distribution hub, and therefore there is no direct requirement for the applicant to sign up to an employment and skills plan or make a contribution to the councils employment and skills fund, however, given the opportunities of the proposed use, and in consultation with the councils Economy Team, the applicant has agreed to both. Firstly they have agreed to include an Employment and Skills Plan within the legal agreement and also agreed to make a payment to the councils employment and skills fund based on comparable uses within the guidance, namely £232,554 (index linked). Both of these are welcomed and considered as a benefit to the development proposals above what is required.

9.8 Other Considerations

9.8.1 Fire Safety

The development does not include a relevant building and therefore the application does not require a Health & Safety Executive (HSE) fire statement form to be completed, or trigger a requirement for the HSE to be consulted on the application.

As the application is “Major Development” a Fire Statement is required by Policy D12 of the London Plan. A Fire Statement has been provided in support of the application, which sets out how the development will achieve the highest standards of fire safety. It confirms that the design will meet the functional requirements of Part B of the Building Regulations 2010 and where necessary, go beyond these requirements. The report has been undertaken by a fire specialist, who have a duty of care to ensure the development will meet requirements as set out within Building Regulations and this is therefore considered satisfactory at this stage of development, with further approvals required to satisfy building regulations at a later stage, post planning.

9.8.2 Waste

The Highways Planning Officer has noted Waste stored on the public highway awaiting collection creates an obstruction to pedestrians and other highway users contrary to City Plan 2040 Policy 25. It would also have an adverse impact on the public realm. Waste storage is indicated off the Highway which is welcomed.

The Waste Project Officer has noted that the waste storage is not in accordance with the councils supplementary planning guidance and has requested updated drawings. It is considered that this can be suitably secured through planning condition.

9.8.3 Crime & Security

A crime prevention statement has been submitted in support of the application, it states that by applying international best practice security design principles such as Crime Prevention Through Environmental Design (CPTED) and where possible utilising the principles of the Police Service’s Secured by Design initiative, the Site seeks to achieve the creation of a safe and secure environment. In so doing it aims to meet the requirements for National Planning Policy Framework (NPPF), London Plan and Westminster Plan Policy 38. It also notes that through the BREEAM, a security needs assessment will be required to achieve the BREEAM credit. This is considered acceptable.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment, this has been agreed through the submission of an EIA screening opinion, referenced 23/00031/EIASCR.

9.10 Planning Obligations & Pre-Commencement Conditions

The draft ‘Heads’ of agreement are proposed to cover the following issues:

- i. Provision of a financial contribution of £232,554 (index linked) to provide employment, training and skills development for local residents, provided prior to commencement of development;

- ii. The provision of an Employment and Skills Plan;
- iii. Highways works necessary to facilitate the proposed development to provide cycle infrastructure improvements to the Harrow Road gyratory, which provides access and egress to the site. The works shall be completed prior to first occupation of the development.
- iv. Payment of a contribution of £1m towards cycle infrastructure improvements for the development, within the vicinity, prior to commencement of use. In consultation and agreement with the councils Director of City Highways, within 6 months of commencement, the submission of a cycle impact and safety assessment setting out areas where and how the £1m would be best spent. The assessment will include estimated costs and an implementation strategy. Should any of the works not been implemented within 3 years following commencement, the City Council will refund any unspent monies.
- v. Provision of a financial contribution of £189,905 to the Carbon Offset Fund (index linked) payable prior to the commencement of development;
- vi. Be seen energy monitoring; and
- vii. The costs of monitoring the S106 legal agreement.

It is understood that the proposed use does not trigger the requirement for a Westminster CIL payment. The estimated mayoral CIL payment is £384,892.49.

The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 requires the City Council to obtain the applicant's written agreement before imposing pre-commencement conditions (i.e. conditions which must be discharged before works can start on site) on a planning permission. Pre-commencement conditions can only be imposed without the written agreement of the applicant where the applicant fails to provide a substantive response within a 10 day period following notification by the Council of the proposed condition, the reason and justification for the condition.

The proposals will include a number of pre-commencement conditions and agreement for these will need to be received from the applicant prior to planning committee. This will be reported verbally.

10. Conclusion

The proposed logistics centre will provide an environmentally friendly last mile package distribution hub, which will help to meet both Council and London Plan policies for technological innovation and de-carbonisation. It will also deliver economic benefits, through the employment and skills plan and contribution, and increased jobs to the local area. Detailed representations have been made raising concerns both in relation to air quality and highways implications, however officers consider that subject to conditions, and improvements to the highway as secured through the legal agreement, these impacts can be suitably mitigated and are acceptable.

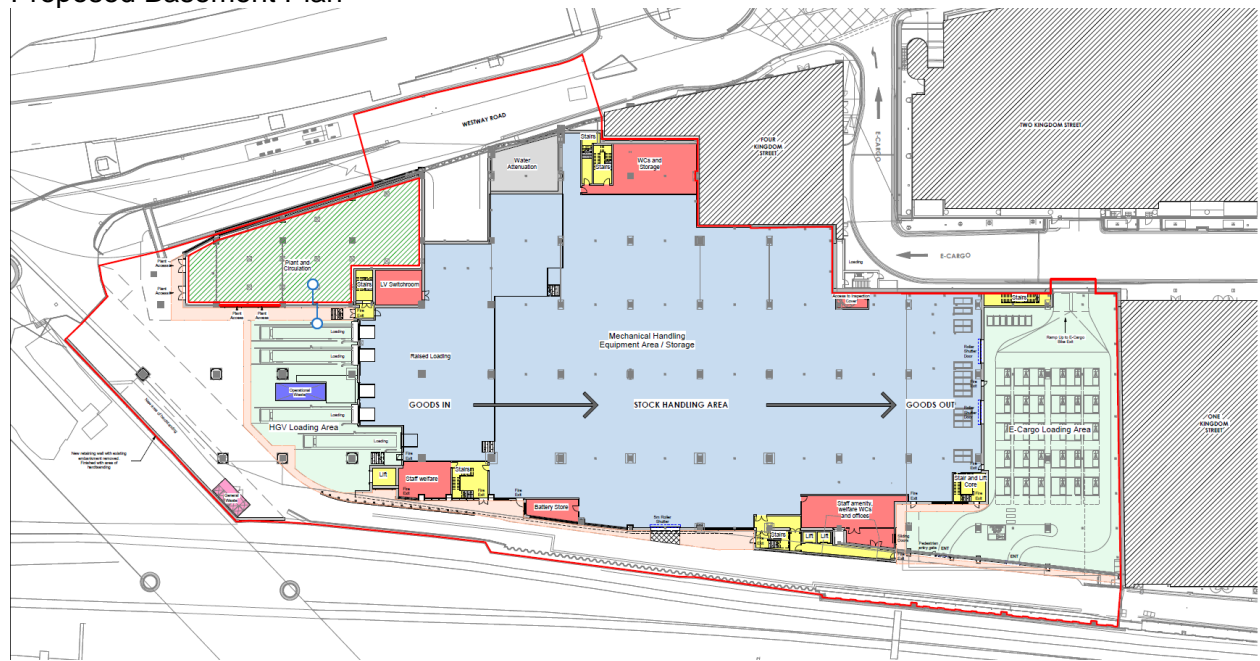
As such, the proposal is considered acceptable, mindful of policies within the City Plan 2019-2040 and London Plan, and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. The draft decision letter will be provided prior to committee.

(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: RUPERT HANDLEY BY EMAIL AT rhandley@westminster.gov.uk
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11. KEY DRAWINGS

Proposed Basement Plan



Proposed mezzanine Plan

