

LDC Report		09/12/2024
Officer		Application Number
Connie Marinetto		2024/4474/P
Application Address		Drawing Numbers
1no. telephone kiosk outside 148 Southampton Row London WC1B 5AG		See draft decision notice
PO 3/4	Area Team Signature	Authorised Officer Signature
Proposal		
Installation of 1x street cabinet to house electrical supply to kiosk.		
Recommendation: Refer to Draft Decision Notice		
Assessment		
<p>The purpose of this application is to confirm that planning permission is not required for the erection of a UKPN power supply cabinet. The proposed cabinet would be located within the red line of the telephone kiosk which it would serve. The telephone kiosk was granted consent for a change of use from "sui generis" to Class E under reference 2024/1849/P.</p> <p>The temporary substation has been assessed against, and accords with Schedule 2, Part 15, Class B <i>Electricity undertakings</i> of the Town and Country Planning (General Permitted Development) Order 2015.</p> <p>Permitted development</p> <p><i>B. Development by statutory undertakers for the generation, transmission, distribution or supply of electricity for the purposes of their undertaking consisting of—</i></p> <p><i>(a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably necessary in connection with an electric line;</i></p> <p><i>(b) the installation or replacement of any electronic communications line which connects any part of an electric line to any electrical plant or building, and the installation or replacement of any support for any such line;</i></p> <p><i>(c) the sinking of boreholes to ascertain the nature of the subsoil and the installation of any plant or machinery reasonably necessary in connection with such boreholes;</i></p> <p><i>(d) the extension or alteration of buildings on operational land;</i></p> <p><i>(e) the erection on operational land of the undertaking or a building solely for the protection of plant or machinery;</i></p> <p><i>(f) any other development carried out in, on, over or under the operational land of the undertaking.</i></p>		

Officer Response: The substation is considered to fall within points (a).

Development not permitted

B.1 Development is not permitted by Class B if -

(a) in the case of any Class B(a) development—

(i) it would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 (consent required for overhead lines)(a) applies; or

(ii) it would consist of or include the installation or replacement at or above ground level or under a highway used by vehicular traffic, of a chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity;

Officer Response: Point (i) is not relevant as the proposal does not involve an overhead electrical line. In regards to point (ii), the cabinet would measure 1.1m x 0.6m x 0.25m and therefore would not exceed the 29 cubic metres in capacity.

Conditions

B.2 Development is permitted by Class B subject to the conditions that, when the operations have been carried out -

(a) in the case of any Class B(a) development consisting of or including the replacement of an existing electric line, compliance with any conditions contained in a planning permission relating to the height, design or position of the existing electric line which are capable of being applied to the replacement line;

(b) in the case of any Class B(a) development consisting of or including the installation of a temporary electric line providing a diversion for an existing electric line, on the ending of the diversion or at the end of a period of 6 months from the completion of the installation (whichever is the sooner) the temporary electric line is removed and the land on which any operations have been carried out to install that line is restored as soon as reasonably practicable to its condition before the installation took place;

(c) in the case of any Class B(c) development, on the completion of that development, or at the end of a period of 6 months from the beginning of that development (whichever is the sooner) any plant or machinery installed is removed and the land is restored as soon as reasonably practicable to its condition before the development took place; and

(d) in the case of any Class B(e) development, approval of details of the design and external appearance of the buildings must be obtained, before development is begun, from—

(i) in Greater London or a metropolitan county, the local planning authority,

(ii) in a National Park, outside a metropolitan county, the county planning authority,

(iii) in any other case, the district planning authority.

Officer Response:

Condition (d) is relevant to the proposal. The applicant has provided detailed plans of the proposed power supply cabinet. It is considered to be of an acceptable design in the context of the application site and retail use of the kiosk. Although located in a conservation area, the cabinet's modest size ensures it integrates with the existing context and it is not considered to affect the external appearance of the telephone kiosk. The kiosk has already been granted consent for retail use and the cabinet will facilitate its operation and protection. The benefits of supporting the kiosk's retail function outweigh any visual impact on the conservation area.

Given the above, the proposed erection of the power supply cabinet is considered to be lawful and planning permission is therefore not required.

Recommendation: Grant Certificate of Lawfulness (Proposed)