

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>13/01/2012</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	29/12/2011
<b>Officer</b>			<b>Application Number(s)</b>		
Jonathan Markwell			2011/5866/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Pavement Outside Mornington Crescent Station LONDON NW1 2JA			Please see decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Erection of single storey kiosk for retail use (Class A1).					
<b><u>Recommendation(s):</u></b>		<b>Grant Planning Permission</b>			
<b>Application Type:</b>		<b>Councils Own Permission Under Regulation 3</b>			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. Electronic	01		
Summary of consultation responses:	<p>Multiple site notices were erected on 30/11/2011, expiring on 21/12/2011. A press notice was published on 08/12/2011, expiring on 29/12/2011.</p> <p>One objection was received from an occupier at Flat 1, 24 Harrington Square. A summary of the issues raised are as follows:</p> <ul style="list-style-type: none"><li>a) questioning of the need for the facility owing to there already being “around 20 food / drink outlets in the short stretch of Camden High Street between Mornington Crescent tube and Plender Street”.</li><li>b) Proposed design; “Does the showy kiosk design fit with the statue in the square and the aspect towards Mornington Crescent station from Camden High Street”.</li><li>c) “Now that the railings have been removed [from] the square would it not be better to improve area with some more plants/trees rather than a kiosk?”</li></ul> <p>Officer response: a) Please see section 2 of assessment b) Please see section 3; c) Please see section 1.</p>					
CAAC/Local groups* comments: *Please Specify	<p><b>Camden Town CAAC</b> was formally consulted and objects for the following reasons:</p> <ul style="list-style-type: none"><li>a) “The kiosk is over-designed and, we suggest, would not necessarily make 'an interesting contribution to the street scene', as the designers suggest. We are certainly not against innovation but we feel that the designers have misjudged the design-style of Camden and particularly the style of Camden Town. The kiosk might suit a trade fair or the Brighton seafront but somehow fails in the surroundings of Camden Town. The stalls in the Camden markets are laid back, re-cycled and low key - that is why people flock there. Whereas this kiosk bristles with sophisticated shapes”.</li><li>b) “The kiosk would certainly not be well sited on the Cobden traffic island. Perhaps it is not tacky enough as certainly the site is poisoned by traffic fumes and detritus. It is not a good place to sell food”.</li><li>c) “It also adds further clutter to our streetscape”.</li></ul> <p>Officer response: Please see section 3 of the assessment.</p> <p><b>Transport for London (TfL)</b> note that the proposed development is on the A400 Camden High Street, which forms part of the Transport for London Road Network (TLRN). TfL objects on the following basis:</p> <p>“The proposed kiosk is on an island used by large numbers of pedestrians as they walk from Mornington Crescent LU station and local bus stops to access offices, shops and local services. The installation of a kiosk on this island would reduce the effective width of the island and therefore the level of service for pedestrians. TfL does not want to reduce the level of service for pedestrians in an area which experiences high pedestrian flows. In conclusion, as the proposal stands, TfL recommend a REFUSAL to this planning application, because of the reduction in the level of service for pedestrians created by the installation of a kiosk in an area with high pedestrian flows”.</p> <p>Officer response: It is acknowledged that there would inevitably be some disruption of pedestrian movements for those travelling from the east of Camden High Street towards the north via the island. However this is not considered to be so significant to warrant the refusal of the application on this basis. Moreover, a further consideration in relation to the proposed location is that LB Camden and TfL are working together to deliver a new public realm improvement scheme around this junction. Although the scheme is currently still in the funding stage, feedback received is positive. With the implementation of the scheme a larger public realm space would be delivered providing more space for pedestrian movements. The kiosk location would be considered as part of this scheme to enhance the space. Please also see section 5 of the assessment.</p>					

## Site Description

The application site is located within the pedestrian island opposite Mornington Crescent underground station (to the south) at the intersection of Camden High Street (to the north), Crowdown Road (to the east), Eversholt Street (to the south-east), Millbrook Place (to the south), Hampstead Road (to the south-west) and Mornington Crescent (to the west). The junction comprises a number of one-way traffic systems.

Within the pedestrian island are various pieces of street furniture such as traffic lights, tactile paving, seats, railings and steps leading down to former public toilets, cycle stands, scrubs and most prominently a Grade II listed statue of Richard Cobden (Statue. c1868. By W and T Wills. Sicilian marble. Figure of Cobden (badly weathered) in contemporary dress with right hand raised and holding papers in left hand; standing on an inscribed pedestal with side panels having carved swags. Base inscribed "Cornlaws repealed 1846"). In recent months guard railings which once surrounded surrounding the island have been removed. The conservation area appraisal and management strategy notes that "The Cobden statue at southern end of Camden High Street is a focal point in views from south from Hampstead Road, with curved terrace on west side playing an important backdrop role in local townscape".

Surrounding the island is a variety of building types and styles. To the east (on the east side of Camden High Street) are 4-6 storey buildings, predominantly in retail use at ground floor level. On the junction of Camden High Street and Crowdown Road is the Grade II listed 4 storey Camden Palace Theatre (Symmetrical facade in Baroque pastiche style, now in use as a nightclub). To the south the 2 storey Mornington Crescent Underground Station is also a Grade II listed building, while to the west on Camden High Street the buildings are largely 3-4 storey's in height, comprising a public house on the junction with Mornington Crescent and various retail and related uses further to the north.

As well as being within Camden Town Conservation Area the application site is also within the designated Camden Town town centre and a London Underground zone of interest. Camden High Street at this point is also a TfL Red Route, which prevents stopping, waiting or loading taking place at any time.

## Relevant History

This application is one of seven applications across the Borough currently under consideration. No formal decision has been made by the Council on any of these applications. The other six applications / sites are as follows:

2011/5849/P - Pavement immediately to south of air shaft and opposite 235 Shaftesbury Avenue  
2011/5859/P - Pavement outside 40 Great Queen Street  
2011/5864 - Pavement adjacent to south-east Gardens entrance and opposite 59 Russell Square  
2011/5865/P - Pavement outside British Museum, Montague Place  
2011/5879/P - Pavement adjacent to north-east Gardens entrance and opposite 10 Russell Square House  
2011/5884/P - Pavement adjacent to Cochrane Theatre, Theobald's Road

## Relevant policies

### LDF Core Strategy and Development Policies

CS1 (Distribution of growth)  
CS3 (Other highly accessible areas)  
CS5 (Managing the impact of growth and development)  
CS7 (Promoting Camden's centres and shops)  
CS11 (Promoting sustainable and efficient travel)  
CS14 (Promoting high quality places and conserving our heritage)  
CS17 (Making Camden a safer place)  
DP10 (Helping and promoting small and independent shops)  
DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)  
DP17 (Walking, cycling and public transport)  
DP20 (Movement of goods and materials)  
DP21 (Development connecting to the highway network)  
DP24 (Securing high quality design)  
DP25 (Conserving Camden's heritage)  
DP26 (Managing the impact of development on occupiers and neighbours)  
DP29 (Improving access)

Camden Planning Guidance 2011

Camden Town Conservation Area Appraisal and Management Strategy (2007)

## Assessment

### 1. Introduction

1.1 Planning permission is sought for the erection of a single storey kiosk for retail use (Class A1). It is proposed to be located on the east side of the pedestrian island close to the south-east corner point (junction of Camden High Street, Crowdown Road and Eversholt Street).

1.2 This application is one of seven current applications across the Borough of a similar design for small scale kiosk facilities. It has been found that many of the existing kiosks in the Borough have not been maintained to a high standard and are not considered to positively contribute the surrounding public realm or conservation areas many are located within. This application, part of a wider project, is anticipated to over time contribute to the replacement of the existing kiosks with high quality, interesting and iconic structures designed by MAKE Architects.

1.3 More specifically, the intention is to introduce a high-quality iconic design for a new street kiosk which is unique to LB Camden. When closed the kiosk is anticipated to make an interesting contribution to the streetscene and when open provides the best possible trading environment for vendors. Furthermore another aim is for the kiosk to assist in the upgrade LB Camden's streetscape and add to the vibrancy and success of Camden's commercial areas. In the future it is anticipated that individuals will tender to operate the hot beverage / snack style business kiosks from the Council. As well as creating new business opportunities it will also provide a new facility for local residents, workers and visitors. Once the cost of erected the kiosk has been covered it is anticipated that the rental income generated by the kiosk would be reinvested to improve the street trading service in the Borough.

1.4 The kiosk will be largely rectangular in shape, barring the front elevation opening position, which resembles an open oyster shell. The opening faces concept developed from origami, with the introduction of folds or hinges in a rigid material allowing it to change shape and therefore 'open'. The result is what is described as "a form that appears sculptural when 'closed' and dynamic when 'open,' through the use of simple geometry". When closed the size of the kiosk will be 2.8m in height, between 3.3m and 3.95m in width and between 2.45m and 3.2m in depth. When open the size of the kiosk will be a maximum of 3m in height (but predominantly 2.8m), between 3.3m and 4.35m in width and between 2.45m and 3.43m in depth. The internal floor area of the kiosk would be 8sqm.

### 2. Land use

2.1 The application site is located within the designated Camden Town town centre. Policy CS3 notes that the Council will promote appropriate development in the town centre of Camden Town, including the provision of shops. In addition, policy CS7 denotes that the Council will promote in the range of 20-30,000 square metres of additional retail at Euston and Camden Town (with the majority expected to take place at Euston) as part of the general distribution of retail growth across the borough (CS7b). The Council will also promote successful and vibrant centres by protecting and enhancing the role and unique character of each of Camden's centres (CS7e), provide for a range of shops to provide variety, vibrancy and choice (CS7f) and promote small and independent shops (CS7g). Furthermore policy DP10 also provides support for helping and supporting small and independent shops which this 8sqm kiosk would be considered to be. Moreover, policy DP12 denotes that the Council will ensure that the development of shopping uses (as well as services, food, drink, entertainment and other town centre uses) does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.

2.2 Given this context it is considered that the provision of an 8sqm kiosk for retail (Class A1) use (anticipated to be for coffee/snack vendors but must be considered on the basis of any Class A1 use) would add to the existing provision of establishments in the local area along predominantly Camden High Street. The proposed kiosk is considered to support rather than harm the character, function, vitality and viability of the local area, in line with policies CS7 and DP12. The provision of the proposed facility is anticipated to complement rather than directly compete with existing nearby traders such as those along this part of Camden High Street. As such, from a land use perspective there are no issues raised with the proposed use.

### 3. Design

3.1 The design of the kiosk has been carefully considered given the sensitive location of the site within Camden Town Conservation Area and adjacent to Grade II listed buildings (see site description section above for details). The design has been developed in conjunction with Council officers, with the kiosk itself to be constructed off-site to a design by MAKE Architects. In overall terms it is considered that the design is of an innovative organic nature and will read as a prefabricated stand-alone structure, both when in open and in closed mode. The scale, proportions, dimensions, form and detailed design will fit in with the context of the site, not unduly harming the setting of the nearby listed buildings and instead, as suggested by Make Architects actually assist in encouraging the more active use of what could be considered as a presently underused space. In addition the kiosk is not considered to interrupt the views of the Cobden statue from Hampstead Road, as noted within the conservation area appraisal. Thus it is considered that the kiosk would preserve the character and appearance of the conservation area and the setting of the nearby listed buildings, complying with policies CS14, DP24 and DP25.

3.2 The kiosk's proposed size and proportions have been reduced in advance of the submission of the application so that it is minimal in size (hence reducing any visual impact) while maintaining its core function requirement. The architect has

cleverly designed an innovative concept where the structure is a complete form when closed (said to be an abstract object) and the purpose of the structure is then revealed when the kiosk is opened. The open form of the structure creates a natural canopy for the future tenant. The opening mechanism has been designed to function using a simple counterweight system, very similar in action to a trebuchet. The reasoning behind this is to ensure an easy and fail-safe operating system with few moving parts for future occupiers.

3.3 At the present time self-finished brass metal panels have been chosen as the likely option for the cladding of the kiosk. Such a material is likely to be appropriate, both in terms of quality and also durability. The architect has confirmed that the panels will have a natural finish from day one and will develop slowly over time, transforming from a bright finish into a more subdued but rich tone in time. The final colour is very dependent on the site's exposure and orientation. This is considered to be appropriate in principle, with a condition added to any permission seeking full details of all facing materials to be provided prior to the kiosk being erected on site.

3.4 It has been confirmed that the internal structure will be timber composite from sustainable sources. The faces will be lined with a plywood stressed skin covered with a waterproof membrane. The rain skin cladding panels are supported off the plywood skin to create an air gap and in-turn assist in reducing solar gain. The intention is to keep the overall kiosk light, to minimise foundation requirements and allow prefabrication off-site. Thus in overall terms it is considered that the proposed design of the kiosk is appropriate and raises no objection, subject to a condition denoting details of the facing materials.

3.5 It is also recommended that a condition is added to denote that no lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the kiosk, without the prior approval in writing of the Council. This is in order to safeguard the appearance of the kiosk and the character of the immediate area.

#### **4. Amenity**

4.1 In terms of overlooking, outlook, daylight and sunlight matters no significant adverse impacts are envisaged to nearby occupiers as a result of the erection of the proposed kiosk. In terms of noise and disturbance the small size of the unit (8sqm) and the width of the pavement at this point means that noise and disturbance of a level which would cause significant harm to nearby occupiers is envisaged. In terms of litter created from the kiosk, it is not considered that the facility would in itself result in significant amounts of litter. Moreover, the existing provision of bins in the local area (such as that directly to the south of the proposed location of the kiosk) is considered to be sufficient to cater for increases in need for waste facilities in the area caused by the kiosk. It is not considered necessary to add any condition in this respect, although an informative will be added to any permission alerting the future occupier of means of disposing of waste.

4.2 The proposed use falls under a Class A1 (retail) use. In line with DP12 the use of a planning condition to control the hours of use has been considered. However in this instance, given the town centre location of the site and the proposed Class A1 use, it is not considered necessary to impose a condition limiting hours of use. In respect of possible tables and chairs outside of the kiosk within the pavement/surrounding area at this point, this does not form part of this application and would be subject to a separate application in the future if it were to be proposed. As such, it does not form part of the considerations of this application.

4.3 The design of the kiosks have also been considered with community safety matters in mind, with the self finished brass material being non-flammable and durable to reduce instances of graffiti or being susceptible to vandals. The Council's Crime Prevention Design Advisor has liaised with a counterpart at the Olympics Development and the Counter Terrorism Security Advisor at Holborn Police Station. No concerns are raised from any party in relation to the design or location of the kiosk.

4.4 In terms of access the design of the kiosk has been prepared with consideration of mobility impaired persons, wheelchair users, the ambulant disabled and people with poor dexterity, poor comprehension or a sensory impairment. For example the kiosk will be DDA compliant with regards to ease of use by way of locking and opening the kiosk. It is also noted that the submission does not include details of the fit-out and fittings, including the front counter. These aspects of the kiosk design will be determined by each individual vendor.

#### **5. Transport**

5.1 The location of the kiosk is on the edge of the eastern side of the pedestrian island. It is to the north of a traffic controlled junction with vehicles moving from east and south to north. Given this context the proposed kiosk is not anticipated to interfere with motorist's safety when passing the site.

5.2 In terms of pedestrian safety, the concerns raised by TfL are acknowledged and commented upon above in the consultation responses section. In overall terms, given the overall width of the island and the existing context of the island (site description section above) it is considered that the kiosk would not significantly harm the pedestrian environment or safety in this location. There is considered to be ample space for the proposed kiosk to be integrated into the space and the location to one side of the island minimises the potential conflict with pedestrians (in particular those waiting to use nearby crossings) from those who may queue to use the kiosk. Thus on balance the proposed location is considered to be appropriate.

5.3 Limited details have been provided to date as to how the kiosk will be installed and/or removed should this be required in the future. Given the location of the site on a busy red route junction and nearby existing street furniture, more information will be secured via a condition attached to the permission. This will provide details of, for example, an indication on the size of vehicle involved in the kiosk being installed and the route this vehicle will take. For instance should a crane lifting operation be required this may result in disruption to pedestrian and vehicle movements on the road network and could also result in possible damage to the paved area. Thus it may be necessary to undertake this work 'out of hours'.

5.4 However, subject to this condition the kiosk will be able to be installed to the satisfaction of transport planning. Furthermore the condition will also secure details of how the kiosk will connect to electricity, water and drainage utility services in the area (if subsequently required by the future occupier). As a result of these installation works it is also necessary for the condition to denote that any damage caused to the footway or highway as a result of the kiosk being installed shall be paid from the kiosk budget. Normally this would be secured via a S106 Legal Agreement, but this is not possible in this instance owing to the Councils Own Permission nature of the application. Consequently this shall be secured via condition in this instance. This will seek to avoid disruption to the highway network and its function, minimise any traffic disruption and dangerous situations for pedestrians and other road users and provide an appropriate means for repairing any construction damage to transport infrastructure caused during the course of the installation process.

## **6. Other matters**

6.1 It is noted that no advertisements are shown to be proposed on the kiosk. This is partly owing to the future occupiers of the kiosks not being known at this point in time. It is advised that an informative is added to any permission denoting that advertisement consent may be required for any advert placed on the kiosk in the future.

## **7. Recommendation:**

7.1 Grant Planning Permission

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 23<sup>rd</sup> January 2012.**

**For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>