

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	13/01/2012
		N/A / attached		Consultation Expiry Date:	29/12/2011
Officer			Application Number(s)		
Jonathan Markwell			2011/5859/P		
Application Address			Drawing Numbers		
Pavement outside 40 Great Queen Street London WC2B 5AA			Please see decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of single storey kiosk for retail use (Class A1).					
Recommendation(s):		Grant Planning Permission			
Application Type:		Councils Own Permission Under Regulation 3			

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 has been received from an occupier of Flat 1, 39 Great Queen Street. A summary of the issues raised are as follows:</p> <ul style="list-style-type: none"> a) spoil the view of the Freemasons Grand Lodge; b) spoil the general ambience of the pedestrianised open space created; c) design is "garish and ugly and not in keeping with the design of the buildings in the street... this kiosk would be an unnecessary eyesore spoiling a very attractive architectural vista" d) "The area is more than adequately served for coffee and snacks with cafes nearby in Drury Lane, Long Acre and Great Queen Street". <p>Officer response: a) b) and c) Please see section 4 of the assessment; d) Please see section 2.</p>					
CAAC/Local groups* comments: *Please Specify	<p>Covent Garden CAAC was formally consulted and objects on the following basis "The structure would be alien to the historic streetscape of Bloomsbury and would contribute to visual clutter".</p> <p>Officer response: Please see section 4 of the assessment.</p> <p>Covent Garden Community Association was formally consulted and objects on the following basis "The CGCA believes the siting of this kiosk is inappropriate owing to the proliferation of public houses, café's, coffee shops and restaurants in the immediate area. We genuinely cannot see a need for this retail outlet".</p> <p>Officer response: Please see sections 1 and 2 of the assessment.</p>					
Site Description						
<p>The application site is the Great Queen Street pedestrianised space at the junction with Wild Street (to the north-east), Drury Lane (to the south-east and south-west) and Long Acre (to the south). The Council has recently completed a new public realm square in the area. Alterations include the re-allocation of highway space around Great Queen Street to improve the movement of pedestrians and de-clutter the area. The space comprises a tree centrally located at the Drury Lane end of the space, with seating and bins on either side facing the Great Queen Street buildings and highway. The (Itsu) restaurant on the corner of Great Queen Street and Drury Lane also has some outdoor seating space. There is a zebra crossing on the Drury Lane part of the space, with Drury Lane being one way to traffic and Great Queen Street two-way. There is a TfL cycle hire station on Drury Lane to the north-west of the space. The borough boundary with City of Westminster is to the east, south and west of the site (the south side of Wild Street, Long Acre and north-west side of Drury Lane are within City of Westminster).</p> <p>In addition to being located within Seven Dials (Covent Garden) Conservation Area the application site is also located within a London Underground Zone of Interest, the Central London (Clear Zone) Area and an Archaeological Priority Area. Within the revised Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail Uses document the Great Queen Street frontage from the junction with Drury Lane to Kingsway is an identified commercial frontage.</p> <p>The surrounding area comprises a mix of uses and building types. There are offices, pubs, shops and restaurants on typically 4-5 storey buildings surrounding the site. The exceptions are the six storey 41-44 Great Queen Street (restaurant at ground floor level and offices above) and the Grade II* Freemason's Hall, which the conservation area statement denotes has "a prominent steel frame construction faced with Portland Stone. The Hall fits into an irregular polygonal site and was built as a memorial to Freemasons killed in World War I. It dominates the view eastwards along Long Acre and is widely considered to be an over development of the site by virtue of its scale and bulk in relation to its surroundings". No's 33-35 Great Queen Street are Grade II* and No's 36 & 37 and 38 are Grade II listed. In townscape terms the conservation area statement notes the generous width of the street at the western end (around the application site), with the views along Queen Street from Drury Lane also noted.</p>						

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
2011/5864 - Pavement adjacent to south-east Gardens entrance and opposite 59 Russell Square
2011/5865/P - Pavement outside British Museum, Montague Place
2011/5866/P - Pavement Outside Mornington Crescent Station
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)
CS9 (Achieving a successful Central London)
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
Seven Dials (Covent Garden) Conservation Area Statement (1998)
Revised Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail Uses. Adopted 4 October 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 pavement within the recently updated public open space on the junction of Great Queen Street / Drury Lane. During the course of the application the site plan was updated to reflect the present public realm features at and around the application site. Moreover the position of the proposed kiosk has been amended to that it is to the north-east of the existing tree within the central area of the public space, with the front facing in a north-east direction (towards the Great Queen Street highway between 37 Great Queen Street and Freemasons' Hall) and the rear facing in a south-west direction (towards Drury Lane / Long Acre). This is instead of the originally proposed position, which was slightly more to the north-east of the now proposed position and was previously proposed to front towards 41-44 Great Queen Street (on the junction of Great Queen Street and Drury Lane). Thus during the course of the application the location of the kiosk has moved marginally to the south-west and re-orientated 90 degrees.

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 not located adjacent to a designated Central London frontage, but is nevertheless located within the Central London Area which is noted to be the focus for Camden's growth in shops, amongst other things, in accordance with policy CS9. In addition, policy CS7 denotes that the Council will support limited provision of small shops outside designed centres to meet local needs. 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 such as along Great Queen Street, Drury Lane and within the City of Westminster along Long Acre. 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. 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 Seven Dials (Covent Garden) Conservation Area and adjacent to Grade II and II* listed buildings, most prominently the Freemason's Hall. 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 nor entrances to the surrounding shops, restaurants and public houses which surround the wide pedestrianised space at this point. 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 (within the pedestrianised area) 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 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 As part of the improvements to the Great Queen Street area, defined spaces were created with different finishes to promote pedestrian desire lines and a street furniture zone. The kiosk position has been reconsidered during the course of the application (see paragraph 1.1 above for details) in relation to the new square layout and the interaction with the defined street furniture zones and how the kiosk would interact within this setting. Although the kiosk is not located within the designated street furniture zone (granite sett paving), it has been positioned so as to allow customers to queue into the square, with the back of the kiosk against the tree and Drury Lane. By locating the open side of the kiosk into the square the conflict between queues and pedestrian desire lines are reduced in this congested location. Thus from a transport planning perspective the proposed location is now considered to be satisfactory, with a condition added regarding the orientation of the kiosk to be implemented as indicated on the site plan (with the front of the kiosk facing in a north-east direction towards Freemason's Hall and Kingsway end of Great Queen Street) to ensure that the pedestrian desire lines of the pedestrianised space are maintained and promoted. This condition ensures that no issues in relation to the impact on pedestrian flows and movements are raised.

5.2 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 close proximity to a recently planted tree and the location of the site within a pedestrianised area and close to the busy junction of Great Queen Street / Drury Lane, 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'.

5.3 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.

6.2 The kiosk is to be located 5.4m to the north-east of a recently planted tree. As shown on the site plan submitted the kiosk is located a sufficient distance from the existing tree and the root protection zone of the tree in the future. As a result this tree is not envisaged to be negatively impacted by the proposed works, given that the lightweight nature of the structure means there will be minimal impact on the tree at the time of the kiosk being erected. As such no details in respect of the protection of the tree are considered to be necessary in this instance.

7. Recommendation: Grant Planning Permission

DISCLAIMER

**Decision route to be decided by nominated members on Monday 23rd January 2012.
For further information see**

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