

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		17/04/2015	
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>		19/03/2015	
<b>Officer</b>				<b>Application Number(s)</b>			
Rachel English				1. 2015/0674/P 2. 2015/0980/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
BT telephone kiosk opposite 43 Bloomsbury Square Southeast corner of Bloomsbury Square London WC1A 2RA				See decision notices			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
1. Change of use of BT telephone box to self-contained retail kiosk (Class A1) 2. Removal of telephone equipment, replacement of glass and modification to handle to allow locking							
<b>Recommendation(s):</b>		1. Grant conditional planning permission 2. Grant conditional listed building consent					
<b>Application Type:</b>		1. Full Planning Permission 2. Listed building consent					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notices					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses No. Electronic	00 00	No. of objections	00
<b>Summary of consultation responses:</b>		Site notice displayed from 25/02/2015 until 18/03/2015 Press notice displayed from 26/02/2015 until 19/03/2015  No responses received.					
<b>CAAC/Local groups comments:</b>		<b>Bloomsbury CAAC –</b> “The Advisory Committee objects strongly to the application to change the use of a BT telephone box to a self-contained retail kiosk”  1) “This proposed commercial enterprise will impact negatively on the easy passage of pedestrians who walk in large numbers along Bloomsbury Way; it will also impact negatively on the quality of life of those who live and work in the neighbourhood. [DP26: Managing the impact of development on occupiers and neighbours].  2) In particular the proposal goes against Camden’s Policy DP25:					

Conserving Camden's heritage. 43 Bloomsbury Square is a listed building. The telephone kiosk is acknowledged as an element of streetscape interest in the Conservation Area Appraisal, adopted 2011. The change of use of the BT phone box outside number 21 into a retail kiosk completely undermines the status of this historic square, which is the oldest square in the district, laid out in the late 17th century by Lord Southampton to the south of his residence Southampton House (re-named Bedford House). The unwelcome intrusion of an inappropriate focus for commercial activity will certainly not preserve and enhance the character and appearance of the conservation area. It will increase a sense of clutter on the street.

- 3) It will have a negative impact on the views. The addition of advertising, self service coffee machines or whatever else is proposed for the BT telephone kiosk will cause harm to the conservation area. The planning application should be refused.”

Officer response

- 1) See section 4 below
- 2) See section 3 below
- 3) See section 3 below

### Site Description

The site contains a Grade II listed K6 phone kiosk located on the southeast side of Bloomsbury Square, opposite to 43 Bloomsbury Square. It is located on pavement adjacent to cycle stands and near to a bus stop.

The site is located in the Bloomsbury Conservation Area.

### Relevant History

Russell Square Gardens North, junction Woburn Place,  
PS9704760 - Replacement of kiosks with 4 K6 types. GPDO Prior approval determination. Agreed on 25/08/1997

Russell Square Gardens West, junction Thornhaugh Street,  
PS9704761 - Replacement of kiosk with a K6D type and install an additional K6C type. GPDO Prior approval determination. Agreed on 25/08/1997

Russell Square Gardens East, junction Southampton Row,  
PS9704762 - Replacement of kiosk with a K6 type. GPDO Prior approval determination. Agreed on 25/08/1997

Russell Square Gardens South, junction Montague Place,  
PS9704763 - Replacement of kiosk with a K6C type. GPDO Prior approval determination. Agreed on 25/08/1997

The Cafe Russell Square Gardens  
PSX0005230 - Part demolition & extension of the existing café (class A3) on the northern side of the square, and the relocation of air monitoring unit within the parks service yard. Planning permission granted on 22/03/2001.

### Relevant similar telephone kiosk applications

BT Telephone Box land fronting 25-26 Hampstead High Street  
2014/3243/P - Change of use from BT telephone box to shop (Class A1). Approved on 14 July 2014

BT telephone kiosk outside 75 Hampstead High Street  
2014/6251/P and 2014/6250/L - Change of use of BT phonebox to retail kiosk (A1). Approved on 8

December 2014

BT telephone kiosk opposite The Wiener Library, Northwest corner of Russell Square  
2015/0672/P and 2015/0979/L - Change of use of BT telephone box to self-contained retail kiosk (Class A1). Decision pending

BT telephone kiosk opposite Hotel Russell, North side of Russell Square  
2015/0987/P and 2015/0922/L - Change of use of 1 x BT telephone box to self-contained retail kiosk (Class A1). Decision pending

BT telephone kiosk outside 21 Southampton Row  
2015/0679/P - Change of use of 1 x BT telephone box to self-contained retail kiosk (Class A1).  
Decision pending

BT Telephone Kiosk outside 148 Southampton Row  
2015/0923/P - Change of use of 1 x BT telephone box to self-contained retail kiosk (Class A1).  
Decision pending

BT telephone kiosk outside British Museum  
2015/0870/P and 2015/0984/L - Change of use of 1 x BT telephone box to self-contained retail kiosk (Class A1). Decision pending

2 x BT telephone kiosks opposite Imperial Hotel Southeast side of Russell Square London  
2015/0664/P and 2015/0974/L - Change of use of 2 x BT telephone boxes to 2 x self-contained retail kiosks (Class A1). Decision pending

## **Relevant policies**

### **National Planning Policy Framework 2012**

### **London Plan March 2015, consolidated with alterations since 2011**

### **Local Development Framework 2010**

#### Core Strategy

CS5 – Managing the impact of growth and development

CS7 – Promoting Camden's centres

CS8 – Promoting a successful and inclusive Camden economy

CS14 – Promoting high quality places and conserving our heritage

CS17 – Making Camden a safer place

#### Development Policies

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

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

### **Camden Planning Guidance**

CPG1 (Design) 2013

CPG5 (Town Centres) 2013

CPG6 (Amenity) 2011

CPG7 (Transport) 2011

### **Bloomsbury Conservation Area Appraisal and Management Strategy 2011**

## Assessment

### 1. Proposal

- 1.1. Planning and listed building consent is sought for change of use of the phone kiosk at the Southeast corner of Bloomsbury Square.
- 1.2. The proposal would involve the removal of the telephone equipment and installation of a self-contained modular unit into the K6 phone kiosk. The glass would be replaced with toughened glass and a new locking mechanism behind the existing “pull” plate. The modular kiosk would be on rollers and would not be fixed to the existing K6 kiosk. There would be no changes to the external appearance of the phone box except new toughened glass fitted to the existing window and door frames and the insertion of a locking mechanism behind the pull plate. Internally the existing phone and equipment would be removed and a modular kiosk inserted which can be easily moved in and out. It is proposed that the units would operate from 0800 to 1800 Monday to Friday, 0800 to 1900 on Saturdays and 0900 to 1800 on Sundays and Bank Holidays.
- 1.3. The proposals involve changing the use to a retail unit (Class A1) primarily for the sale of drinks and/or ice cream to passing pedestrians. It is proposed that the retail unit be run with the door open and staffed by one person.
- 1.4. The application is made by charitable trust “Thinking Outside the Box” which supports homeless projects around the country through donating a percentage of earnings from the retail uses in the phone boxes to charity.
- 1.5. The applicant has indicated that the telephone box is currently redundant and the use would bring the phone kiosk back into use.
- 1.6. This application is assessed in terms of three key material considerations 1) the principal of the use 2) the effect of the proposal on the special interest of the telephone box and whether the proposals would preserve and enhance the character and appearance of the Conservation Area and 3) the effect of the proposal in terms of pedestrian circulation and highway safety.

### 2. Principal of the use

- 2.1. The proposed change of use from a phone box to a retail shop is supported. Phone boxes are generally underutilised due to the use of mobile phones and have been known to be used for anti-social behaviour. The proposed use re-invents the phone box and enables a very small increase in retail floorspace.
- 2.2. Trading from the highway would require a trading licence and the retail kiosk proposed would need to be designated for street trading which would follow the licensing committee process for approval. An informative is added to the decision reminding the applicant that a separate trading licence is required.
- 2.3. It is recommended that a condition is added that ensures that the permission granted is personal to the applicant only and were the unit to not be used for retail purposes it would be returned to the original use as a telephone kiosk.
- 2.4. Chapter 12 of the NPPF establishes that any harm to heritage assets requires clear justification, and expects ‘less than substantial’ harm to be weighed against the proposal’s public benefits, including securing its optimum viable use. The use of the phone kiosk as a retail unit would secure the future of the under-utilised listed kiosk which would be of public benefit. Whilst there would be some harm in the fact that the telephone equipment would be removed and the use of the building would not be as it was originally designed, it is considered that the benefits would outweigh any harm.

### **3. Design and impact on the listed phonebox and the Bloomsbury Conservation Area.**

3.1. The phone kiosk would retain its original appearance with only minor upgrade works to fit new glass in order to provide security. The Bloomsbury CAAC has objected to the application on the grounds that the proposals would harm the character and historic nature of the Square, the Conservation area and the surrounding buildings and would clutter the area. The proposals would not harm the fabric of the listed buildings as the proposals would simply remove the telephones from inside the kiosk and insert a self-contained modular box inside. The change of use of the phone kiosks would allow them to be revitalised and re-used. There would be no changes to the external appearance of the phone kiosk except for removal of the telephone and the insertion of the modular kiosk. The Applicant has confirmed in the Design and Access Statement that there would be no seating, parasols or other paraphernalia outside the box at any times and a condition is added to the decision notice to ensure nothing is placed on the pavement which could cause clutter. Therefore it is considered the proposals would preserve and enhance the character and appearance of the Bloomsbury Conservation Area.

3.2. As the beading is removable to allow for the panes to be individually replaced, there will be no significant impact upon the historic fabric or appearance, and the proposed alterations would not cause any harm to the special architectural or historic interest of the kiosks. The Applicant proposes a rolling maintenance programme to see the kiosks refurbished every two years. The maintenance programme would involve a complete overhaul, to include all exterior and interior paint and associated works and all paint used would be the same as that currently used by BT.

3.3. The proposed kiosk unit would have a self-contained waste area which would be emptied daily. Concerns have been raised about the prospect of litter as a result of the proposals. There are a number of street bins around the site and the small site would not create sufficient litter from coffee cups or ice cream to refuse the application. The Design and Access Statement confirms that the unit would be staffed at all times with the phonebox locked and monies taken out of the box outside trading hours.

3.4. The proposals do not involve the display of any adverts. An informative is added to the decision notice to ensure that the applicant is aware that advertisement consent and listed building consent is required for any display of advertisements.

3.5. The proposals are therefore considered acceptable in design and listed building terms.

### **4. Impact on amenity and pedestrian and highway safety**

4.1. The retail unit would be open during business hours only. The pavement is wide where the kiosk is located. The phone kiosk is located 4.5 metres from edge of pavement and 4.5 metres from the nearby bus stop. The phone kiosk is located adjacent to public bike racks but the door of the kiosk faces away from the racks so would not impact on bicycle users racking their bicycles and the racks would not harm the movement of pedestrians visiting the kiosk or passing by. It is considered that were queues to form at the kiosk whilst it is in use, there is sufficient space for pedestrians to safely pass by without hindrance. The Design and Access Statement says that all the phone boxes will have an online presence allowing customers to pre-order their drink by mobile phone / tablet etc. and then pick it up as they walk by which has the aim of reducing any queueing at the phonebox. It is considered that due to the very small size of the kiosk and the proposed function the change of use would have no adverse impact on nearby residential occupiers in terms of noise. It is recommended that a condition is added that prevents cooking on the premises.

4.2. Conditions are added to the decision notice that restrict the hours of opening and prevents any tables, bins, chairs or A-boards cluttering the pavement.

4.3. Due to the small scale of the proposals there would be very little servicing required as the self-contained modular unit would contain everything required for the day to day running of the retail kiosks. The Design and Access Statement indicates that the modular kiosk would be

serviced every day in respect of dry stock, water and / or saleable goods. Waste removal would be part of the same daily process, whereby the operators would remove any waste at the end of each day. The small scale nature of the kiosk would mean there would be no adverse effect on highway safety.

## **5. Recommendation**

5.1. It is recommended that planning permission and listed building consent be granted subject to conditions.

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 13<sup>th</sup> April 2015. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**