

Delegated Report		Analysis sheet	Expiry Date:	17/04/2015
		N/A	Consultation Expiry Date:	19/03/2015
Officer			Application Number(s)	
Rachel English			2015/0923/P	
Application Address			Drawing Numbers	
BT Telephone Kiosk Outside 148 Southampton Row London WC1B 5AG			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use of BT telephone box to retail kiosk (Class A1).				
Recommendation(s):		Refuse planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	Press notice displayed from 26/02/2015 until 19/03/2015 Site notice displayed from 25/02/2015 until 18/03/2015 No responses received					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>Bloomsbury CAAC:</p> <p><i>“The Advisory Committee objects strongly to the application to change the use of a BT telephone box to a self-contained retail kiosk. This proposed commercial enterprise will impact negatively on the easy passage of pedestrians who walk in large numbers along Southampton Row; 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].</i></p> <p><i>In particular the proposal goes against Camden’s Policy DP25: Conserving Camden’s heritage. Numbers 140-148 Southampton Row (Russell Mansions) are considered a positive contributor to the conservation area. The change of use of a BT phone box outside number 148 into a retail kiosk completely undermines the status of these buildings. It will increase a sense of clutter on the street. It will have a negative impact on the views.</i></p> <p><i>The unwelcome intrusion of an inappropriate focus for commercial activity will certainly not preserve and enhance the character and appearance of the conservation area.</i></p> <p><i>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.”</i></p>					

Site Description

The site contains an unlisted phone kiosk, located on the east side of Southampton Row. It is part of a pair of phone kiosks located outside 148 Southampton Row, a restaurant with residential/offices above.

The site is located in the Bloomsbury Conservation Area.

Relevant History

2012/3221/P - Insertion of an ATM and a phone unit into the side elevations of an existing public telephone kiosk and associated external alterations (retrospective). Refused on 20th August 2012 and warning of enforcement action for the following reasons:

1. The unauthorised works, by reason of their detailed design, are considered harmful to the historic character and appearance of this traditional telephone kiosk, the streetscene and the wider Bloomsbury Conservation Area contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.
2. The ATM, by virtue of its inappropriate design and location would create opportunities for crime and antisocial behaviour to the detriment of the amenities and perceived safety of the area contrary to policy CS17 (Making Camden a safer place) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

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

2015/0664/P and 2015/0974/L - Change of use of BT telephone box to self-contained retail kiosk (Class A1) and removal of telephone equipment, replacement of glass and modification to handle to allow locking. Granted planning permission and listed building consent on 14th April 2015

BT telephone kiosk opposite 43 Bloomsbury Square, southeast corner of Bloomsbury Square

2015/0674/P and 2015/0980/L - Change of use of BT telephone box to self-contained retail kiosk (Class A1) and removal of telephone equipment, replacement of glass and modification to handle to allow locking. Granted planning permission and listed building consent on 14th April 2015

BT telephone kiosk opposite Hotel Russell, north corner 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) and removal of telephone equipment, replacement of glass and modification to handle to allow locking. Granted planning permission and listed building consent on 14th April 2015

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). Granted planning permission and listed building consent on 14th April 2015

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 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) and removal of telephone equipment, replacement of glass and modification to handle to allow locking. Decision pending

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

CS5 – Managing the impact of growth and development

CS7 – Promoting Camden's centres

CS8 – Promoting a successful and inclusive Camden economy

CS11 - Promoting sustainable and efficient travel

CS14 – Promoting high quality places and conserving our heritage

CS17 – Making Camden a safer place

CS19 - Delivering and monitoring the Core Strategy

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

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

Camden Planning Guidance

CPG1 (Design) 2014 – chapters 1-3 and 9

CPG5 (Town Centres) 2013 – chapters 1-4 and 6

CPG6 (Amenity) 2011 – chapters 1, 4 and 9

CPG7 (Transport) 2011 – chapters 1, 4 and 8

Bloomsbury Conservation Area Appraisal and Management Strategy 2011 – pages 1-3, 11-19, 57, 83-84, 104, 125.

London Plan March 2015, consolidated with alterations since 2011

National Planning Policy Framework 2012

Assessment

Proposal

Planning permission is sought for the change of use of the phone kiosk outside 148 Southampton Row for retail purposes.

The proposal would involve the removal of the telephone equipment and installation of a self-contained modular unit into the 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 kiosk.

Retrospective planning permission was refused in 2012 for unauthorised change of use of the kiosk to an ATM. The application was refused for two reasons: impact on the traditional phone kiosk and wider

conservation area and the inappropriate design which would create opportunities for crime and antisocial behaviour. An enforcement notice was subsequently served and complied with in 2013 with the kiosk returning back to its original use and appearance.

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 unit would operate from 0800 to 1800 Monday to Friday, 0800 to 1900 on Saturdays and 0900 to 1800 on Sundays and Bank Holidays.

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.

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.

The applicant has indicated that the telephone box is currently redundant and the use would bring the phone kiosk back into use.

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 existing telephone kiosk 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.

Principal of the use

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. There are no policies within the LDF which would prevent the introduction of new retail uses.

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.

If the proposals were considered acceptable then a condition would be 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.

Impact on the existing kiosk and the surrounding conservation area

The phone kiosk is noted in the Bloomsbury CA statement as being of streetscape interest. The phone kiosk would retain its original appearance with only minor upgrade works to fit new glass in order to provide additional security. There would be no changes to the external appearance of the phone kiosk except for removal of the telephone and the insertion of the 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.

As the beading is removable to allow for the panes to be individually replaced, there will be no significant impact upon the appearance of the kiosk, and the proposed alterations would not cause any harm to the external appearance of the kiosk. The Applicant proposes a rolling maintenance programme to see the kiosk 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.

The proposed kiosk unit would have a self-contained waste area which would be emptied daily. 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. The proposals do not involve the display of any adverts and any advertisements would require separate advertisement consent.

As such the proposals are considered acceptable in design terms.

Impact on amenity and pedestrian and highway safety

The telephone box is located less than a metre from the edge of the pavement and adjacent to another kiosk. From the buildings on Southampton Row to the road, the width of the pavement is 5.2metres however there is restaurant seating in front of 148 Southampton Row which narrows the useable pavement space further. Whilst the door of the phone box opens sideways rather than outwards into the main pedestrian flow it is considered that were queues to form at the kiosk whilst it is in use, there is insufficient space for pedestrians to safely pass by without hindrance and they could potentially step into the road. Southampton Row is a very busy road and there is a constant flow of tourists and commuters using the pavement. The footway would be obstructed by users of the kiosk. Whilst 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 phone kiosk it is considered that any sort of waiting on the pavement in the proposed location would hinder the flow of pedestrian movement.

The change of use would have no adverse impact on any nearby residential occupiers in terms of noise. Were the proposals to be considered acceptable then conditions would be added to the decision notice that restrict the hours of opening and prevents any tables, bins, chairs or A-boards cluttering the pavement and a condition preventing cooking on the premises.

The kiosk would need to be serviced every day in respect of dry stock, water and / or saleable goods. Southampton Row is a busy north-south through route and there is a bus lane adjacent to the site so no parking is allowed. Any vehicle dropping off goods would obstruct the highway network and cause queues whilst dropping off supplies to the kiosk. The applicant has not given details of where or how the unit would be serviced from. Waste removal would be part of the same daily process, whereby the operators would remove any waste at the end of each day. As a result of a lack of details submitted regarding servicing and considering the location on a busy main road, it is considered that the proposed change of use would have an adverse effect on highway safety.

Recommendation

It is recommended that planning permission be refused on pedestrian and highway safety grounds.