

# 2016/6055/P & 2016/6165/L Church of Christ the King, Byng Place



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2016/6055/P & 2016/6165/L Church of Christ the King, Byng Place.





<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>10/03/2017</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	12/01/2017
<b>Officer</b>			<b>Application Number(s)</b>	
Matthew Dempsey			2016/6055/P & 2016/6165/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Telephone kiosk outside Church of Christ the King Byng Place LONDON WC1E 7LE			Existing drawings EX01, Proposed drawings PL01A, Proposed layouts and fittings 11 <sup>th</sup> Revision. Design/ Access & Heritage Statement. Lock Specification. Operational procedure.	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Change of use of telephone box to office pod (Sui Generis) and associated alterations				
<b>Recommendation(s):</b>		Granted subject to conditions		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
			No. Electronic	<b>01</b>		
<b>Summary of consultation responses:</b>	A press notice was published: 22/12/2016 – 12/01/2017. A site notice was displayed: 20/12/2016 – 10/01/2017.					
<b>CAAC/Local groups* comments:</b> *Please Specify	<p>The <u>Bloomsbury CAAC</u> object with regards to advertising from the site and possibility of increased commercial activity which would be of detriment to the conservation area.</p> <p><u>Officer response:</u> There is no advertising being displayed as part of this proposal. Although the proposed use may increase activity around the kiosk, I do not expect that this would be significantly greater than that of a fully operational traditional telephone box. In addition the applicant has a procedure in place to maintain the kiosk every two years to ensure it is well kept, clean and tidy. Kiosk maintenance will be conditioned should the application be granted.</p>					

## Site Description

The existing telephone box is an example of a K6 Grade II listed structure located adjacent to the Church of Christ the King on Byng Place. There is a row of three Telephone boxes, the box in question is the one on the right when facing the church. The telephone box itself is a bit grubby with litter and graffiti in evidence. There is no telephone within it and the door is locked shut. For the adjacent phones, the middle one has no ring tone and the left hand one has a phone in working order.

## Relevant History

### Applications to Telephone kiosks / boxes along Byng Place:

**2016/5465/INVALID** - 1no. telephone kiosk outside Church of Christ the King, Byng Place, London. WC1E 7LE. Change of use of 1no. BT telephone box to 1no. office pod (B1) – **Withdrawn** 31/10/2016.

**2016/5476/INVALID** - 1no. telephone kiosk outside Church of Christ the King, Byng Place, London. WC1E 7LE. Change of use of 1no. BT telephone box to 1no. office pod (B1) – **Withdrawn** 31/10/2016.

### Relevant current applications

There are 8 sites in the Borough whereby similar applications have been submitted to change a telephone box into an Office Pod (sui Generis). All decision are currently pending.

2016/6008/P & 2016/6150/L – o/s 29 Russell Square – Recommended for approval.  
2016/6045/P & 2016/6151/L – o/s 29 Rossllyn Hill – Recommended for approval.  
2016/6046/P & 2016/6159/L – o/s 40 Rossllyn Hill – Recommended for approval.  
2016/6047/P & 2016/6161/L – o/s British Museum, Gt. Russell St. – Recommended for approval.  
2016/6053/P – o/s UoL Senate House, Malet St. – Recommended for approval.  
2016/6054/P & 2016/6911/L – o/s 3 Highgate High St. – Recommended for approval.  
2016/6055/P & 2016/6165/L – o/s Church of Christ the King, Byng Place – Recommended for approval.  
2016/6056/P – o/s 148 Southampton Row – Recommended for approval.

In addition there are 2 sites in the Borough whereby other applications have been made to change the use of telephone boxes. These are applying to change to A1 retail units for Mobile Phone repair. Both decisions are currently pending.

2016/6965/P – o/s 21 Southampton Row – Recommended for approval.  
2016/6966/P – o/s 35-36 Hampstead High St. – Recommended for approval.

## 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

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

### **Camden Local Plan Submission Draft 2016.**

The emerging Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

Policy C4 Safety and security

Policy C5 Access for all

Policy E1 Promoting a successful and inclusive economy

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy TC2 Protecting and enhancing Camden's centres and other shopping areas

## **Assessment**

### **1. The Proposal:**

- 1.1 Planning permission and listed building consent is sought for the change of use of the Grade II listed telephone kiosk to the northern side of Byng Place from its current traditional public telephone use to that of an office pod (sui generis).
- 1.2 The office pod will provide printing, scanning, copying and WiFi services and will be accessible to registered users only. Members can join by downloading an application form from the applicant's website.
- 1.3 There will be a Wi-Fi hotspot available to the general public within 3m of the office pods.
- 1.4 Externally, the phone box will remain painted in BT phone box red, and a rolling maintenance programme will see the kiosks refurbished every two years. The maintenance programme will entail a complete overhaul, to include all exterior and interior paint and associated works. All paint used will be the same as that currently used by BT. No advertising shall be displayed from the kiosk.
- 1.5 Internally, the existing telephones and associated equipment will be removed back to the original shell. The new fully self-contained pod will not have any fixings to the carcass or floor plate of the phone box and can easily be moved in and out manually within minutes.
- 1.6 Maintenance of the office equipment and supplies will be carried out daily, between 11.00 and 17.00. All waste paper will be removed by the maintenance staff. The door will remain closed during the day, except when users are entering or leaving the box.
- 1.7 The application is made on behalf of charitable trust 'Thinking Outside the Box' which supports homeless projects around the country through donating a percentage of earnings from commercial uses of phone boxes to charity.
- 1.8 The applicant has indicated that the telephone box is currently redundant and the proposal would bring the telephone box back into use.
- 1.9 The key material considerations when assessing this application are; Design, impact on the character and appearance of the conservation area and setting of a listed building, Impact on Amenity and the impact on Transport, both pedestrian and vehicular.

### **2. Design:**

- 2.2 K6 Telephone boxes were designed by Sir Giles Gilbert Scott in 1935 and went into production in 1936. They have become widespread throughout the country and are an iconic piece of the traditional British street scenery.
- 2.3 External changes proposed in this scheme are to install a locking mechanism to the door to keep the site secure and also a keypad to allow registered users access to the kiosk. The lock and keypad shall be painted BT telephone

box red to minimise any harm to the listed structure or the conservations area.

2.4 A rolling maintenance programme will see the kiosk refurbished every two years to include all exterior and interior paint to match that currently used by BT. It is recommended that the maintenance of the kiosk is conditioned to ensure that the site is well kept throughout use as an office pod. The method for the refurbishment of the exterior is outlined within the Design/ Access and Heritage statement.

2.5 Concern has been raised by the Bloomsbury CAAC that there would be advertising displayed from the site and this would have a negative impact on the conservation area. However there is no advertising proposed within this application.

2.6 To alleviate concerns of the CAAC it is recommended that a condition be added to ensure no adverts are displayed from the site in the future. Daily maintenance to the pod will ensure that any flyers or other litter can be removed immediately.

2.7 Internally, the existing telephones and associated equipment will be removed back to the original shell. The new fully self-contained pod will not have any fixings to the carcass or floor plate of the phone box and can easily be moved in and out manually within minutes.

2.7 The revised proposed plans for the interior of the kiosk have been designed to be subordinate to the original design of the phone box itself. All internal fittings and equipment shall be matt black to match those of a traditional telephone box and so that there is minimal visual impact when viewing the box from the outside.

2.8 Clutter within the kiosk has been kept to a minimum, with all fittings on one side of the box which allows for the box to remain 'see through' as in the original design. Designs should seek to maximise views into and through the phone box and along the footway in line with CPG 1 Design, 9.27.

2.9 Officers consider that the design of the proposed office pod will be in keeping with the original design of the K6 box and it will make a positive contribution to the street scene because the telephone box will remain virtually unchanged as a piece of street furniture.

2.10 The maintenance of the box will ensure the general up keep is improved and it should not fall into a state of disrepair whilst in use as an office pod.

2.11 The proposal to include a Wi-Fi hotspot as part of the scheme will ensure continued public communications use in keeping with the original purpose of a traditional phone box.

### **3. Impact on the conservation area and listed building:**

3.1 The Bloomsbury Conservation Area Appraisal and Management Strategy adopted in 2011 states "Development proposals must preserve or enhance the character or appearance of the Bloomsbury Conservation Area."

3.2 The Bloomsbury CAAC have raised concerns about advertisements being displayed from the site. Although there is no advertising proposed as part of this proposal, the site was displaying an unconsented advert during the consultation process. Therefore to alleviate the concern of the CAAC it is recommended that a condition be added to the decision notice to explicitly ban any advertising from being displayed while in use as an office pod.

3.3 The CAAC are also concerned about an increase in commercial activity generated by the change of use. Officers think that this would not be a significant increase when compared to a traditional telephone kiosk in normal operation. Users will be inside the office pod on a one at a time basis as with a normal telephone kiosk, and the function of the pod is for administration of fairly quick tasks to enable those without a fixed office space to carry out their working needs, for example checking e-mails, printing/ scanning documents, charging computer equipment etc.

3.4 Furthermore and in line with previous consents granted to change the use of telephone boxes, it is recommended that permission is specifically for the purpose of a sui generis office pod as described within the application documents to ensure it does not change to an alternative use which may have different impacts.

3.5 Following revisions which were more subordinate to the traditional design of the kiosk, conservation officers are now satisfied that changing the use would preserve the conservation area and protect the setting of the listed structure by ensuring upkeep of the kiosk by the maintenance programme offered by the applicant. The internal and external alterations are minimal and will not harm the special interest and fabric of the listed structure. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the



Enterprise and Regulatory Reform Act 2013.

3.6 Historic England were notified of applications to change the use of listed telephone boxes; however they did not consider it was necessary for them to make comments on this proposal.

3.7 It is considered that finding a new use for a redundant telephone kiosk will both enhance and preserve the character of the conservation area and appearance of the listed structure.

#### **4. Impact on Amenity:**

4.1 CPG 1 Design 9.2 states that “public call boxes can be seen as crime generators”. The Designing out Crime Officer from the Metropolitan Police initially had concerns about the amount of technology and equipment housed within kiosk and the temptation this may create for criminal activity.

4.2 However having reviewed the security arrangements incorporated within the proposal, the Police are now satisfied that the change of use would not have a negative impact. Furthermore the proposal could be seen to illuminate some aspects of antisocial and criminal activity associated with disused telephone boxes.

4.3 The proposed maintenance programme will ensure the kiosk is well kept and in good general order. In addition there will be daily maintenance of the office equipment and supplies which will help avoid the proliferation of graffiti and flyers and other antisocial behaviour which has blighted telephone boxes. It is recommended that this is also conditioned as part of any approval.

4.4 CPG 6 Amenity 9.4 states that “Changes of use, alterations and extensions to existing buildings and spaces should, where practicable and reasonable, be designed to improve access for all.”

4.5 The Access officer was consulted on the scheme. Due to the nature of the existing kiosks it is not possible to make them fully assessable without fundamentally altering their appearance. The Access officer has indicated that the proposed stool, desk and shelving height are acceptable.

4.6 The proposal to incorporate a Wi-Fi hotspot as part of the proposal means that communication uses for all can be said to have improved when compared to the traditional telephone box, as anyone will be able to access Wi-Fi from next to the kiosk regardless of being able to enter the box.

4.7 A digital timer display is housed within the kiosk for the purpose of notifying the occupant how much time they have left. Some concerns have been raised about the illumination level of this display. Given that it is purely for the occupant inside the kiosk there is no need for this to be of set at a high level. Advice from environmental health officers have suggested a level that; light emanating from the digital display timer shall not increase the pre-existing light expressed in Cd/m outside the box at any time during the day or night. It is recommended to add this condition to the decision as part of any approval.

4.8 Furthermore it should also be conditioned that all LED lighting, including the timer display should be switched off when not occupied by an office pod user. This is to protect the character of the conservation area and special interest of the listed building and surrounding properties.

#### **5. Impact on Transport**

5.1 CPG 7 Transport states that “new development should contribute to the creation of attractive, clean and well maintained public spaces”. The maintenance programme will facilitate this requirement.

5.2 The nature of the design and minimal changes to the exterior of the traditional telephone kiosk combined with lack of on-site advertising will mean the scheme is not noticeable from passing vehicular traffic.

5.3 Due to the subordinate styling of the interior, pedestrians would need to be quite close to a kiosk before noticing that it had changed from a traditional telephone box.

5.4 The proposal is of a self-service nature in keeping with the original design and use of a traditional telephone kiosk. Officers do not consider there will be a significant increase in user traffic generated from the proposed change to that of a traditional phone box in operation.

5.5 Within the applicants design and access and heritage statement it states that; no external paraphernalia shall be added to the site. In the interests of protecting access along the pavements it is recommended that this is conditioned

to any approval.

5.6 The Transport team were consulted on the proposal and found that it was acceptable in terms of transport.

**6. Recommendation:**

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

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 6<sup>th</sup> March 2017, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Mr Miles Broe  
Miles Broe Architecture LLP  
Sussex Innovation Centre  
Science Park Square  
Falmer  
Brighton  
BN1 9SB

Application Ref: **2016/6055/P**  
Please ask for: **Matthew Dempsey**  
Telephone: 020 7974 **3862**

2 March 2017

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Full Planning Permission Granted**

Address:  
**1 Telephone kiosk  
Outside Church of Christ the King  
Byng Place  
London  
WC1E 7LE**

**DECISION**

Proposal:

Change of use of telephone box to office pod (sui generis).

Drawing Nos: Existing drawings EX01, Proposed drawings PL01A, Proposed layouts and fittings 11th Revision. Design/ Access & Heritage Statement. Lock Specification. Operational procedure.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

Executive Director Supporting Communities



- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans Existing drawings EX01, Proposed drawings PL01A, Proposed layouts and fittings 11th Revision. Design/ Access & Heritage Statement. Lock Specification. Operational procedure.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 No tables, chairs, litter bins or a-boards shall be placed on the public highway without prior approval in writing from the planning authority.

Reason: To safeguard the appearance of the immediate area and enable free pedestrian movement in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17, DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The maintenance programme as described in paragraph 6.4 - 6.7 the Design/ Access & Heritage statement shall be carried out every two years from the date of implementation of the scheme.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Upon implementation of the scheme the maintenance procedure as described in paragraph 6.9 of the Design / Access & Heritage statement shall be carried out daily between 1100hrs and 1700hrs.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Light emanating from the office pod shall not at any time increase the pre-existing light levels expressed in cd/m outside the pod when in use and all LED lighting is to

be switched off when not in use.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies

- 8 No advertisements are to be displayed on, in or from the site without prior consent in writing from the planning authority.

Reason: To safeguard the appearance of the conservation area in accordance with policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Notwithstanding the provisions of Class B1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall only be used as a bespoke office pod (as described in the Design/ Access & Heritage Statement hereby approved) and not as a general Class B1 office.

Reason: To safeguard the appearance of the immediate area and to ensure that the future occupation of the structure does not adversely affect the immediate area by reason of noise and disturbance in accordance with policies CS5 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Planning and Regeneration

**DRAFT**

**DECISION**

Miles Broe Architecture LLP  
Sussex Innovation Centre  
Science Park Square  
Falmer  
Brighton  
BN1 9SB

Application Ref: **2016/6165/L**  
Please ask for: **Matthew Dempsey**  
Telephone: 020 7974 **3862**

2 March 2017

# DRAFT

Dear Sir/Madam

## DECISION

Planning (Listed Building and Conservation Areas) Act 1990

### Listed Building Consent Granted

Address:

**1 Telephone kiosk  
Outside Church of Christ the King  
Byng Place  
London  
WC1E 7LE**

# DECISION

Proposal:

Change of use of telephone box to office pod (sui generis) and associated alterations.  
Drawing Nos: Existing drawings EX01, Proposed drawings PL01A, Proposed layouts and fittings 11th Revision. Design/ Access & Heritage Statement. Lock Specification. Operational procedure.

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Executive Director Supporting Communities



- 2 All new work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

DRAFT

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Planning and Regeneration

DECISION