

Application ref: 2020/5658/P
Contact: Jaspreet Chana
Tel: 020 7974 1544
Email: Jaspreet.Chana@camden.gov.uk
Date: 13 October 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

B + C Architecture
3 High Street
East Grinstead
RH19 3AF

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**1no. telephone kiosk outside
40 Rosslyn Hill
London
NW3 1NL**

Proposal:

Change of use of 1 K6 telephone box to a coffee and refreshment pod

Drawing Nos: Existing and site location 0170-01 200, proposed 0170-01 201

Supporting documents: Design and Access Statement dated December 2020, 'Operational Procedure' by Art security solutions, 'Lock Specification' by Art security solutions.

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).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing and site location 0170-01 200, proposed 0170-01 201

Supporting documents: Design and Access Statement dated December 2020, 'Operational Procedure' by Art security solutions, 'Lock Specification' by Art security solutions.

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

- 3 All physical alterations to the telephone Kiosk, including repainting, new glazing and lock installation, shall be carried out and maintained in precise accordance with the drawings and supporting documents described in Condition 2 above.

Reason: To protect the special historic significance of the listed structure and character of the conservation area in accordance with Policies D1 and D2 of the Camden Local Plan 2017 and Policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018-2033.

- 4 No advertising shall be placed on the kiosk, both internally behind glazing or externally without being first submitted to and approved in writing to the Local Planning Authority. Any advertising permitted shall be displayed and maintained in precise accordance any approval given.

Reason: To protect the special historic significance of the listed structure and character of the conservation area in accordance with Policies D1 and D2 of the Camden Local Plan 2017 and Policies DH1, DH2 and DH3 of the Hampstead Neighbourhood Plan 2018-2033.

- 5 Notwithstanding the provisions of Town and Country Planning (Use Class) Order 2020, the use shall be as a coffee and refreshment kiosk only.

Reason: to protect the retail character of the area and neighbour amenity in accordance with policies A1 and TC1 of the Camden Local Plan 2017 and policy TT2 of the Hampstead Neighbourhood Plan 2018-2033.

- 6 The use hereby permitted shall be maintained and operated in accordance with undertakings specified in supporting documents described in Condition 2 above, including servicing, refuse and security measures described therein.

Reason: to ensure the use operates without harm to neighbour amenity, pedestrian safety and general security in accordance with policies C5, A1 and T1 of the Camden Local Plan and policies DH3 and TT2 of the Hampstead Neighbourhood Plan 2018-2033.

- 7 The use hereby permitted shall not be carried out outside the following times 0700 to 1900 hours daily

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the Camden

- 8 No paraphernalia including tables, chairs, litter bins or A-boards associated with the use hereby permitted shall be placed on the public highway.

Reason: To safeguard the appearance of the immediate area and enable free pedestrian movement in accordance with the requirements of policy T1 of the Camden Local Plan and policies DH3 and TT2 of the Hampstead Neighbourhood Plan 2018-2033.

Informative(s):

- 1 Reasons for granting permission.

The application proposed the use of the existing listed telephone kiosk as a coffee kiosk and will include the sale of snacks. In terms of physical alterations, the application proposes stripping back the interior telephone paraphernalia and fittings to its original shell, 'sugar soap wash', paint with zinc oxide metal primer undercoat (1 coat), paint with BS381 539 'Currant Red' (1 coat), paint skirt with Hammerite Metalshield (1 coat), and replace the glass with 4mm thick thermally toughened soda lime silicate safety glass (BS EN 12150-1:2000). All glazing beads will be reinstated once the glass is fitted. A new security lock will be fitted to the door with the mechanism behind the 'pull' panel. The new fittings would comprise a modular plywood/stainless steel unit that would be inserted into the kiosk. It would not be fixed to the listed structure.

The applicant has included the following management undertakings: daily servicing and waste removal; staffed at all times while open; no cash left when not operational; and no seating or other paraphernalia to be sited outside in the public highway. A detailed security operational procedure has been included with the application, including 'Volo' operational control software with CCTV. The hours of use are proposed to be 7am to 7pm.

The proposed alterations to the grade II listed kiosk are considered to be minor in nature, preserving its character and special interest. The replacement glazing and repainting are appropriate to its historic use and maintenance as a telephone kiosk. The new lock will be discretely positioned behind the 'pull' panel and would not detract from the external appearance of the kiosk. All new fittings are modular and entirely reversible without alteration to the structure. No advertising is proposed as part of the application; however, a condition is included to control future proposals, should they become necessary in the interests of preserving the special interest of the kiosk. The new use would ensure regular maintenance and improve its appearance in the streetscape.

The site is within the Hampstead Conservation Area and the area of the Hampstead Neighbourhood Plan. It is also within a designated shopping area. The use and alterations preserve both the character of the area and complement the shopping function. The condition to control siting of paraphernalia in the highway ensures that there will be no additional clutter in the street and ensure pedestrian comfort levels are maintained.

The site is immediately outside a building with residential use and there are other residential properties nearby. Whilst this use is on a busy road, it would nonetheless be appropriate to control the hours of use as per the condition to ensure no disturbance occurs during quieter times of the day to protect residential amenity.

The proposal is in general accordance with policies C5, A1, D1, D2, TC1 and T1 of the Camden Local 2017 and policies DH1, DH2, DH3, TT2, EC1, EC2, and HC3 of the Hampstead Neighbourhood Plan 2018-2033 as well as the guidance in the National Planning Policy Framework 2021. Special attention has been given to protecting heritage assets in accordance with statute.

The application was advertised in accordance with statute and the undertakings in the Council's approved Statement of Community Involvement and no representation were submitted. The relevant planning history was assessed in determining the application.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer