

Terry Scott
The Planning Inspectorate
Room 3D
Temple Quay House
2 The Square
Bristol BS1 6PN

29 The Green
London
N21 1HS

07825 646 365

Your ref: 3286012

Our ref: 2312

Via email (north2@planninginspectorate.gov.uk)

21st January 2022

Dear Terry

Appeals by Mr Michael Graney

On pavement in front of 232 High Holborn, London WC1V 7EG

Ref: APP/T5720/W/20/3253478

I write on behalf of the Appellant, Mr Graney, to comment on the Council's Appeal Statement. Reference is made below to the unnumbered paragraphs and pages in the Council's Statement.

First Paragraph, Third Page

The Council refers to TfL's Pedestrian Comfort Guidance. This document has been considered in detail in paragraphs 6.5 – 6.10 of the Appellant's Statement of Case.

In respect of people queuing, the Council have considered it appropriate to renew the annual trading licence for the existing stall fourteen times. The stall, which occupies the same footprint as the kiosk, and queuing customers have been a long-stand feature of this section of High Holborn. The stall has operated to the Council's satisfaction over a long period of time.

Activity associated with the stall, which will be similar in nature to the proposed kiosk, cannot, therefore, have caused issues that the Council considered to be at all problematic. The Council have submitted no evidence to suggest that the operation of the stall has caused any issues with pedestrian movement.

Second Paragraph, Third Page

Reference is made to an appeal (2018/0319/P) "*in this same location*". While the proposed telephone kiosk was proposed nearby, as a matter of fact, it is not the "*same location*" as the appeal scheme.

The Inspector noted that in this location, the pavement width began at 5.2 metres, and was therefore below the 5.3 metres, the starting point in the TfL Pedestrian Comfort Guidance.

It is also relevant to note that the (2018/0319/P) location did accommodate a long-established trading stall.

Fourth Paragraph, Third Page

The proposed kiosk would be fitted with permanent, directional, heavy duty caster wheels which allows the unit to be moved quickly and with ease. The levelling pads would be removed, allowing the wheels to become operational and the kiosk is moved.

The appellant has not claimed that the kiosk would be *“wheeled away at night and then returned in the morning”*. The kiosk has been described as *“semi-permanent”* because, if needed, it can be moved easily to allow, for instance, maintenance work.

There is, as standard, 50mm clearance beneath such kiosks, allowing water to run beneath to the pavement grate.

The details of the wheels and levelling pads could be subject to a pre-commencement condition, in the same way that Condition 3, proposed by the Council, requires approval of materials prior to installation.

First Paragraph, Fourth Page

The Statement notes that the Council’s Streets Team would not permit a permanent structure in this location, and that, *“All kiosks are required to be removed should the need arise for works on the highway.”*

The means for moving the kiosk to allow for highway works has been set out above; it is considered that there is no conflict with the objectives of the Council’s Streets Team.

First Paragraph, Fifth Page

The Council refer to the existing stall not being read as part of the street furniture. The stall has occupied a pitch 4 metres x 2 metres in this location for over fourteen years. The trading hours are 7am – 7pm; the stall is permitted to remain in place for the entirety of the working day, and throughout the times when High Holborn is at its busiest.

Whether it is called *“street furniture”* or not, the stall has been a long-standing and prominent feature on the street. The impact of the existing stall and proposed kiosk on the Conservation Area has been considered in detail in the Appellant’s Statement of Case.

I hope that these comments on the Council's Statement are helpful.

Yours sincerely

Jon Dingle

Jon Dingle

For and on behalf of Jon Dingle Ltd