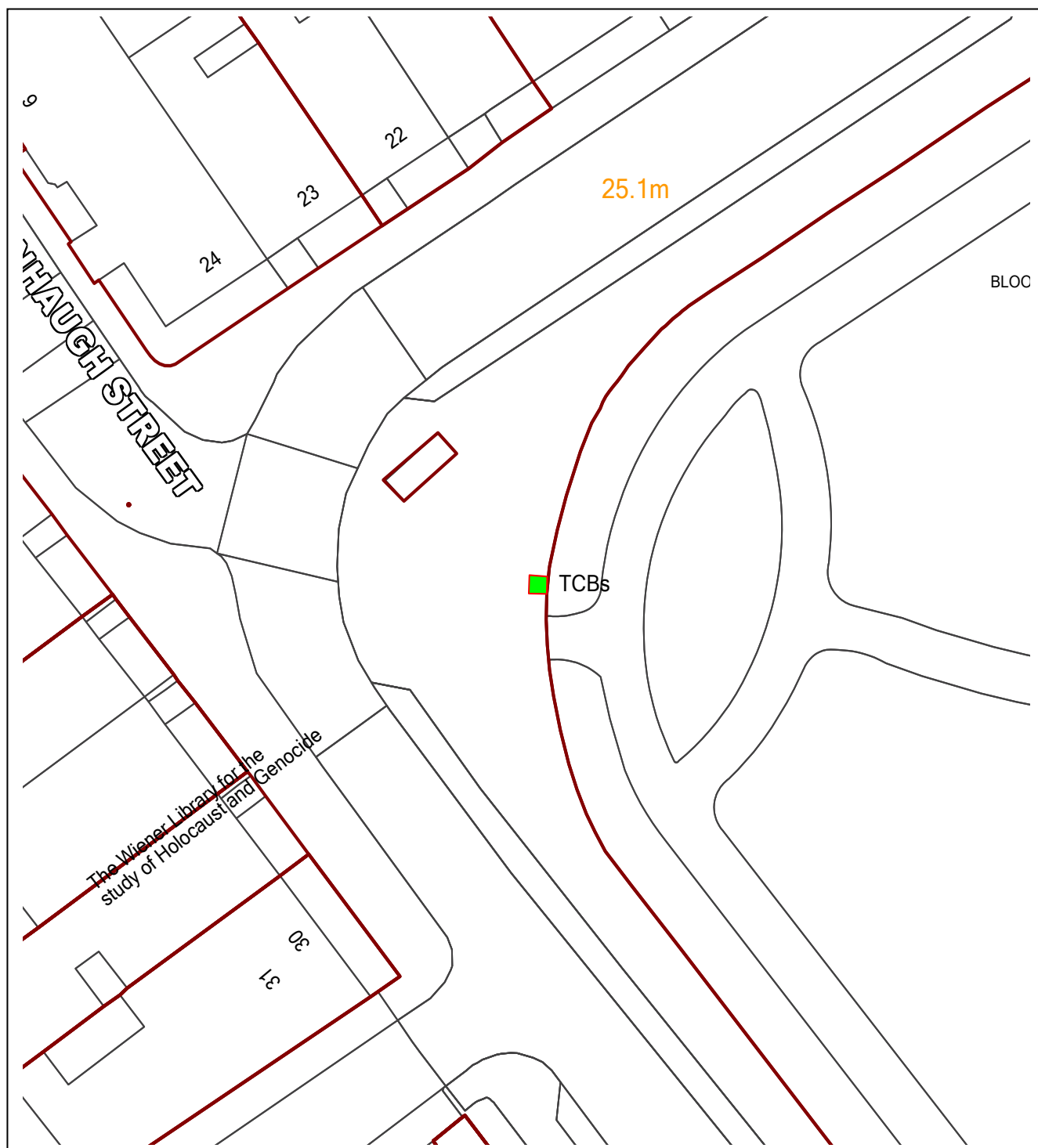


2021/5543/P and 2021/6250/L
Russell Square Phone Kiosk 1-500



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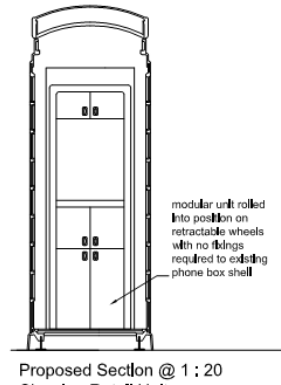
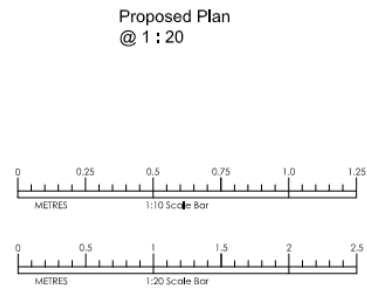
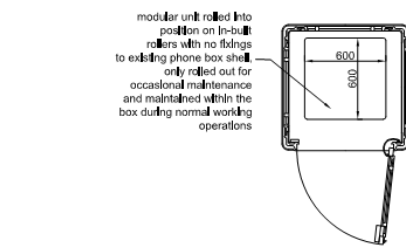
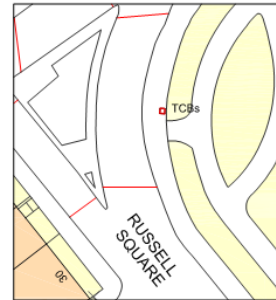
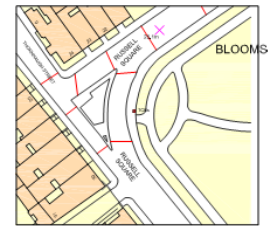
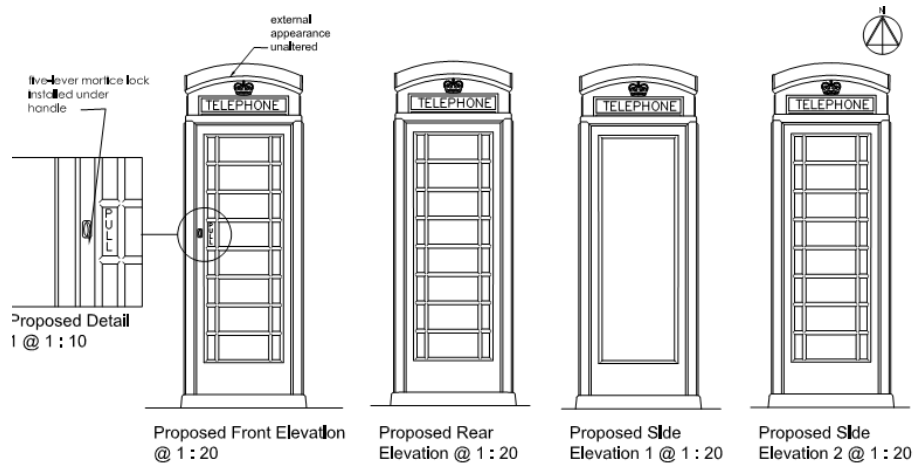
Images for 2021/5543/P and 2021/6250/L



Ariel view



Kiosk in context



Proposed drawings

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	06/01/2022
		N/A / attached		Consultation Expiry Date:	
Officer			Application Number(s)		
Leela Muthoora			2021/5543/P and 2021/6250/L		
Application Address			Drawing Numbers		
Telephone kiosk west corner outside Russell Square (east of 29 Russell Square) London WC1B 5DP			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
(i) Planning application: Change of use of telephone box (Sui Generis) to retail kiosk (Use Class E) and associated alterations. (ii) Listed building consent: Change of use of telephone box (Sui Generis) to retail kiosk (Use Class E) and associated alterations.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full Planning Permission Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Summary of consultation:	Site notice for both planning and listed building applications were displayed near to the site on 01/04/2022 (expired 25/04/2022). They were advertised in the local press on 30/12/2021 (expired 23/01/2022).					
Adjoining Occupiers:	No. notified	00	No. of responses	05	No. of objections	05
Summary of consultation responses:	<p>5 letters of objection were received from local occupiers at 29A Montague Street, Flat 2, 54 Russell Square, Flat A, 6 Regent Square. One of the objectors objected as an individual, and also on behalf of Friends of Russell Square and an objection was received from the owner of Café Tropea on Russell Square Gardens.</p> <p>The objections can be summarised as follows:</p> <p>Use</p> <ul style="list-style-type: none">• Inappropriate use• Impinge on trade of nearby cafes and there are already cafes in the area• Attract groups of people and refuse/servicing, which will harm amenity and be a hazard to pedestrians <p><i>Officer's response:</i></p> <ul style="list-style-type: none">• <i>There is no longer a notable demand for phone boxes so without a change of use, they are likely to remain empty and unattended. There are no policies explicitly protecting the historical use as a phone box.</i>• <i>Impact on competition with other businesses is not a material planning consideration. In any event, the site is in Central London which is an area appropriate for commercial use.</i>• <i>The pavement is wide in this location and additional pedestrians and activity would not be considered to be a pedestrian hazard. The scale of the kiosk means amenity impacts from customers, servicing and refuse would be minimal. A condition would be attached preventing any paraphernalia on the pavement associated with the kiosk.</i> <p>Appearance</p> <ul style="list-style-type: none">• Additional paraphernalia will spill out to surrounding pavement• Will require street trading licence• Will alter the character of the square (registered garden)• The other businesses are willing to ensure the historical (listed) phone box be properly maintained <p><i>Officer's response:</i></p> <ul style="list-style-type: none">• <i>A condition would be attached preventing any paraphernalia on the pavement associated with the kiosk.</i>• <i>The requirement for other licences will fall under those other regimes – an informative would be attached.</i>• <i>The presence of some additional activity on the edge of the registered garden would not harm its setting.</i>• <i>There is no incentive to maintain the kiosk unless it is in a viable use. Whilst others may be willing to maintain it, they have not come forward with an application for consideration. The change to a viable commercial use would promote ongoing maintenance and be more likely to secure its long-term survival.</i>					

Bloomsbury CAAC:

Objection on the following grounds:

Use

- Inappropriate use
- Impinge on trade of nearby cafes
- Attract groups of people which will be a hazard to pedestrians

Officer's response:

- *There is no longer a notable demand for phone boxes so without a change of use, they are likely to remain empty and unattended.*
- *Impact on competition with other businesses is not a material planning consideration. In any event, the site is in central London and an area appropriate for commercial use.*
- *The pavement is wide in this location and additional pedestrians would not be considered to be a pedestrian hazard.*

Appearance

- Inappropriate advertising
- The historical (listed) phone box should be properly maintained

Officer's response:

- *Phone boxes are often subject to flyposting. Maintained as part of the commercial use, a condition would be attached preventing advertising on the front door of the phone box or any external surfaces, meaning only internal decals could be used on the side panels, which is deemed appropriate.*
- *There is no incentive to maintain the kiosk unless it is in a viable use. The change to a viable commercial use would promote ongoing maintenance and be more likely to secure its long-term survival.*

Site Description

The existing telephone box is a K6 Grade II listed structure next to the railings and entry gate to the Northwest corner of Russell Square, opposite the Wiener Library. There is no telephone in the box and it has been used for various commercial purposes previously (see site history below).

The site is within the Bloomsbury Conservation Area.

Relevant History

Application site:

2015/0979/L - Removal of telephone equipment, replacement of glass and modification to handle to allow locking – **granted 14-04-2015**

2015/0672/P - BT Telephone kiosk opposite The Wiener Library, Northwest corner of Russell Square, London. WC1B 5DP. Change of use of BT telephone box to self-contained retail kiosk (Class A1) – **granted 14/04/2015**

2016/6008/P & 2016/6150/L - Alterations in association with change of use from telephone kiosk to office pod (Sui Generis) – **granted 6 March 2017**.

Applications to telephone boxes around Russell Square:

2015/0664/P - 2 x BT telephone kiosks opposite Imperial Hotel, Southeast side of Russell Square, London. WC1B 5BB. Change of use of 2 x BT telephone boxes to 2 x self-contained retail kiosks (Class A1) – **Granted 14/04/2015**.

2015/0987/P - BT Telephone Kiosk opposite Hotel Russell, North side of Russell Square, London. WC1B 5BE. Change of use of BT telephone box to self-contained retail kiosk (Class A1) – **Granted 14/04/2015**.

Several phone boxes have been granted permission to change to retail/café kiosks elsewhere in the borough, including:

2014/3243/P - Telephone Box outside 25-26 Hampstead High Street - Change of use from BT telephone box to retail kiosk (Class A1) – **granted 14 July 2014**.

2020/5295/P - Telephone kiosk to east of 3 Highgate High Street - Change of use of BT telephone box (Sui Generis) to retail kiosk (Use Class E) – **granted 7 July 2021**.

2020/5658/P and 2021/0568/L - Telephone kiosk outside 40 Rosslyn Hill - Change of use of 1x K6 telephone box to a coffee and refreshment pod – **granted 13 October 2021**.

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

D4 Advertisements

C6 Access for all

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance:

CPG Amenity (2021)

CPG Design (2021)

CPG Transport (2021)

Conservation Statements:

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

Assessment

Use and public realm

- 1.1 The phone box has not been in use as a phone box for some time. There is very low demand for their use since a huge shift to mobile phone use. Without an alternative viable use, the phone boxes, many of which are listed structures, are likely to remain empty and unattended. There are no policies explicitly protecting the historical use as a phone box. This kiosk has previously been granted permission to change use to a retail kiosk. The permission was personal to the user who were a charitable trust that supported homeless projects and when they vacated the phone box it was required to return to its original use. It was subsequently turned into an office pod (also with permission) so now needs permission again to revert back to a retail kiosk.
- 1.2 Repurposing phone boxes as small commercial kiosks can help to support small and independent businesses in line with Local Plan policy E1. The very small scale of the kiosk means it would be disproportionate to apply a stringent sequential test as set out in section 9 of the Local Plan. Nonetheless, the site is in London and an area appropriate for commercial use. Concerns were raised about the impact on competition with other businesses. However, this is not a material planning consideration and existing businesses should expect to operate in a competitive commercial environment. The kiosk would operate between the hours of 08:00 and 18:00. This is considered acceptable opening hours for a small retail use. A condition would be attached to secure this.
- 1.3 The use as a kiosk is likely to attract increased numbers of people, and this can in turn have an impact on amenity and the pedestrian infrastructure. Policy T1 supports high quality footpaths that are wide enough to support the numbers of people that use them. There is an existing cabman's shelter opposite the phone kiosk. This appears to be in some form of long standing use for retail of refreshments. The pavement is wide in this location and it is not considered that any conflict with pedestrians or other amenity impacts will arise from any cumulative effect of the two uses operating alongside each other. Similarly, the scale of the kiosk means amenity impacts from customers, servicing and refuse would be minimal and in line with Local Plan policy A1. A condition would be attached preventing any paraphernalia on the pavement associated with the kiosk. If any structures associated with the new use are erected outside the kiosk the applicant will need to apply for a highways licence for trading which needs to be undertaken separately from the planning process.



Image showing pavement of more than 15m to kerb line in front of kiosk

Design and heritage

- 1.4 The application has potential to impact on designated heritage assets, most notably three assets. The kiosk itself is Grade II Listed, and the gardens on the edge of which it sits are Grade II Registered Gardens. It is also in Bloomsbury Conservation Area. There are also other designated assets in the area but the impact on them is lesser. The wooden Cabman's Shelter of 1897 (Grade II) is on the

pavement in front of the kiosk, nearer the kerb line. Directly across the road opposite are several listed buildings including: the Institute of Chemistry at No. 30 Russell Square (Grade II); Nos. 25-29 (Grade II); and Nos. 21-24 (Grade II).

- 1.5 The proposal would not make any irreversible alterations to the listed kiosk itself, other than fitting a lock, with a modular unit placed internally but not fixed to the structure. Maintenance work would be carried out, including washing, repainting using the appropriate paint, and glass replacement with restoration glass normally used in kiosk restorations. A clear vinyl applied to the glass would help to prevent flyposting and no other decals would be placed on the glass. A condition would prevent the application of advertisements to the kiosk. By bringing it back into use, the kiosk is more likely to be maintained, with a rolling two-year programme proposed. The proposal will put the kiosk to a viable use consistent with its conservation in line with the NPPF.
- 1.6 The setting of the Registered Garden, and the other listed buildings in the area including the kiosk itself, is an urban square in London and the presence of the kiosk along with the urban environment and its associated activity, is a normal part of the setting, and the character of this part of the Conservation Area. As such, minimal alterations to the appearance of the kiosk, and the additional activity on the edge of the registered garden would preserve its setting in line with Local Plan policy D2, and the significance and settings of the other designated assets in the area.
- 1.7 There was a concern that items like advertising and tables and chairs could be placed on the pavement nearby. Although this would not harm the setting of the nearby designated heritage assets, it could give a chaotic appearance if not properly managed and controlled, at odds with the formal appearance of the area. As such, a condition would be attached preventing any paraphernalia on the pavement associated with the kiosk in line with Local Plan policy D1.
- 1.8 The proposal would preserve the character and appearance of the conservation area overall. It would also preserve the special architectural and historic interest of the listed buildings and their setting. The council has had special regard to the desirability of preserving the character and appearance of the Conservation Area, the listed buildings, their setting, and their features of special architectural and historic interest.

Conclusion

- 1.9 As such, the proposal is in general accordance with the development plan, and in particular with policies A1, D1, D2, and T1 of the Camden Local 2017, as well as the National Planning Policy Framework 2021.

RECOMMENDATION – grant planning permission and listed building consent

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30 January 2022, 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 and search for 'Members Briefing'.

Application ref: 2021/5543/P
Contact: Leela Muthoora
Tel: 020 7974 2506
Email: Leela.Muthoora@camden.gov.uk
Date: 25 January 2023

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

Broe and Co LLP
66 Haven Way
Newhaven
BN9 9TD

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Telephone kiosk west corner outside Russell Square
(east of 29 Russell Square)
London
WC1B 5DP**

DECISION

Proposal:

Change of use of telephone box (Sui Generis) to retail kiosk (Use Class E) and associated alterations.

Drawing Nos: EX01; PL01; Design and access heritage statement (9274/MB/FB) revised April 2022.

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 and documents:

EX01; PL01; Design and access heritage statement (9274/MB/FB) revised April 2022.

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing kiosk, 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The use hereby permitted shall not be carried out other than between the hours of 0800 hours to 1800 hours (8am to 6pm).

Reason: To safeguard the amenity of nearby occupiers and the area generally in accordance with policy A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 No tables, chairs, litter bins, A-boards or other paraphernalia associated with the use, shall be placed on the public highway near the kiosk.

Reason: To safeguard the appearance of the immediate area and enable free pedestrian movement in accordance with policies A1, C6, D1, D2 and T1 of the Camden Local Plan 2017.

- 6 The modular retail installation hereby approved shall be removed from the kiosk structure as soon as reasonably practicable when no longer required.

Reason: In order to minimize the impact on the appearance of the kiosk and local environment in accordance with policies D1 and D2 of the Camden Local Plan 2017.

- 7 No advertising shall be placed on the kiosk or its glazing, whether internally or externally, without the express permission in writing of the Local Planning Authority.

Reason: To protect the special historic significance of the listed structure in accordance with Policies D1, D2, and D4 of the Camden Local Plan 2017.

Informative(s):

- 1 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).

- 2 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.
- 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 Advertisement Consent and Listed Building Consent may be required to display any advertisements. The display of an advertisement without consent and unauthorised works to a listed structure are criminal offences. You must have all necessary consents prior to any display of advertising.
- 5 Trading from the highway requires a street trading licence, and the proposed retail kiosk would be subject to licensing controls. You should contact the licensing team before commencing the use: <https://www.camden.gov.uk/street-or-market-trading-licence>

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:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer

Application ref: 2021/6250/L
Contact: Leela Muthoora
Tel: 020 7974 2506
Email: Leela.Muthoora@camden.gov.uk
Date: 25 January 2023

Development Management
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Phone: 020 7974 4444

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Broe and Co LLP
66 Haven Way
Newhaven
BN9 9TD

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:

**Telephone kiosk west corner outside Russell Square
(east of 29 Russell Square)
London
WC1B 5DP**

Proposal:

Change of use of telephone box (Sui Generis) to retail kiosk (Use Class E) and associated alterations.

Drawing Nos: EX01; PL01; Design and access heritage statement (9274/MB/FB) revised April 2022.

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.

- 2 All new work and work of making good shall be carried out to match the existing kiosk as closely as possible in materials and detailed execution. No physical alterations shall be undertaken to the telephone kiosk, other than those works for maintenance and alteration set out in the approved drawings and documents set out in this notice.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 No advertising shall be placed on the kiosk or its glazing, whether internally or externally, without the express permission in writing of the Local Planning Authority.

Reason: To protect the special historic significance of the listed structure in accordance with Policies D2 and D4 of the Camden Local Plan 2017.

Informative(s):

- 1 The site's planning history has been taken into account when making this decision

Special regard has been attached to the desirability of preserving the listed building 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 (ERR) 2013.

As such, the proposal is in general accordance with policies D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 2 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

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

Chief Planning Officer