

<b>Application Number</b>	21/02121/LBC	<b>Agenda Item</b>	
<b>Date Received</b>	7th May 2021	<b>Officer</b>	Charlotte Peet
<b>Target Date</b>	23rd July 2021		
<b>Ward</b>	Market		
<b>Site</b>	Telephone Boxes Adjacent Church Of St Mary The Great St Marys Street Cambridge		
<b>Proposal</b>	Change of use and alterations to 2 no. BT telephone box to E Class usage (for tour brochures)		
<b>Applicant</b>	Mr Edward Ottewell Aussex Innovation Centre Falmer Brighton BN1 9SB		

SUMMARY	The development accords with the Development Plan for the following reasons:  The proposal would preserve the historic interest and significance of the listed telephone kiosks
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The proposal site comprises 2no telephone kiosks adjacent to the Church of St Mary the Great. The telephone kiosks are situated within a group of four and comprise the two middle units. The kiosks are located on the pavement adjacent to the Church railings and open up towards St Marys Street.
- 1.2 The application site is located close to the marketplace, the local area is characterised by a prevalence of retail, business and other commercial uses. This area is sited within the City Centre and within the Primary Shopping Area. The north side of St Marys Street is designated as primary shopping frontage.
- 1.3 The telephone kiosks are Grade II listed, and the Church of St Mary the Great is Grade I listed. The railings around the Church

are grade II listed. The site is located within the setting of several listed buildings, including the Market Place which is Grade II listed and designated as Protected Open Space. In addition, this includes 17 - 21 Market Hill and 27 & 28 Market Hill which are grade II listed.

- 1.4 The proposal site is located within the Central (Historic Core) Conservation Area, and within a Controlled Parking Zone.

## 2.0 THE PROPOSAL

- 2.1 The application seeks listed building for alterations associated with the change of use of 2 no. bt telephone box to E class usage (for sale of tour brochures).
- 2.2 The application is accompanied by the following supporting information:

1. Drawings
2. Design and Access Statement
3. Heritage Statement
4. Lock Specification
5. Operational Procedure

## 3.0 SITE HISTORY

Reference	Description	Outcome
14/0320/FUL	Change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.	Refused 01.10.2014
14/0806/LBC	Works to facilitate a change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.	Refused 01.10.2014
15/0805/ADV	Three electronic screens mounted on stands screwed into base of kiosk	Withdrawn 21.07.2015

15/0806/LBC	Insertion of 3no. electronic screens mounted on stands screwed into base of kiosk - Grade II Listed Building.	Withdrawn 21.07.2015
16/2096/FUL	Change of use of 2no. BT telephone boxes to 2no. office pods (sui generis).	Permitted 24.01.2017
16/2097/LBC	Internal and external alterations to two telephone boxes to form 2no. office pods.	Permitted 24.01.2017
21/02120/FUL	Change of use of 2 no. BT telephone box to E Class usage (for tour brochures)	Pending Consideration

#### 4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

#### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 61 62

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
-----------------------------	--

	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2015)
--	---

## 6.0 CONSULTATIONS

### Urban Design and Conservation Team

- 6.1 This proposal is to re-use the existing Grade II listed K6 telephone kiosks outside St Mary the Great for sales of maps, tours and tickets. The description mentions the sale of tea and coffee but there is no indication of this in the plans so this part of the description needs to be removed.
- 6.2 The existing fittings would be removed and replaced with a modular unit which is self-supporting and so will not require any fixings to the structure and can be removed. The drawings do not show details of the module in terms of the framing and this is required by condition.
- 6.3 The existing glass would be replaced with 4mm toughened glass and a mortice lock inserted behind the existing Pull plate.
- 6.4 The box would be maintained and repainted every 2 years in the standard BT red.
- 6.5 According to the operating details the door would remain closed except when a customer is being served and no seating or paraphernalia would be outside the box at any time.
- 6.6 Taking the above into account, I consider that the proposal with an amended description will not harm the significance of the listed building.
- 6.7 The proposals will comply with Local Plan policy 61.
- 6.8 With reference to the NPPF and the effect on the significance of the heritage asset, paragraph 192 would apply.
- 6.9 Conditions:
- Full details of the inserted modular unit to be submitted and approved by the LPA.

## **Cambridgeshire County Council (Highways Development Management)**

- 6.10 Telephone kiosks are permitted to be installed within the adopted public highway by telecommunication companies under their rights as statutory undertakers to provide a public service.
- 6.11 Once this service ceases such structures should be removed from the adopted public highway as they no longer provide a public service and become private structures which the Highway Authority will not licence.
- 6.12 The Highway Authority requests that the application be refused on the grounds of highway safety as the doors of the structure open outwards across the adopted public highway in an area where there is very high pedestrian flows under normal conditions. Doors opening across the adopted public highway is a breach of the Highways Act 1980 and a detriment to pedestrian safety.

### **Environmental Health**

- 6.13 The development proposed is acceptable. Thank you for consulting the Environmental Quality & Growth Team on this application.
- 6.14 I have no comments or recommended conditions to make regarding this application
- 6.15 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations:
- 15 Oxford Road, Cambridge
- 7.2 The representations can be summarised as follows:
- Additional congestion for highway users
  - Additional litter

- Additional deliveries (limited deliveries, wouldn't be required)

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received the main issues are as follows:

1. Impact to the Listed Building
2. Other Matters

### **Impact to the Listed Building**

8.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.3 Cambridge Local Plan (2018) Policy 61 states that to ensure the conservation and enhancement of Cambridge's historic environment, proposals should:

- (a) preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas;
- (b) retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area;
- (c) be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality;
- (d) demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context; and

- (e) provide clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of substantial public benefit, through detailed analysis of the asset and the proposal.
- 8.4 The telephone kiosks form a piece of traditional street furniture, which are underutilised in their current form. The proposal seeks to convert the telephone boxes to Class E use for the sale of tour brochures and tickets. Externally, this would involve the refurbishment of the kiosks through repainting the frame and replacing the existing glass with toughened glazing. Internally, the existing fittings would be removed and replaced with a modular unit which would be free standing. The application would not seek to install any external paraphernalia.
- 8.5 The Conservation Officer supports the proposal, suggesting that it would not harm the significance of the listed building. I agree with this assessment and support the restoration and conversion of the 2no. telephone kiosks. The external appearance of the telephone box would be retained, and the detailing appropriate as to preserve the character and appearance of the units.
- 8.6 It is considered that the proposal would preserve the historic interest and significance of the listed telephone kiosks, in compliance with Cambridge Local Plan (2018) Policy 61 and National Planning Policy Framework (2021).

### **Other Matters**

- 8.7 The Cambridgeshire County Council (Highways Development Management) Officer has objected to the proposal, raising concerns regarding the opening of the doors of the structure across the adopted public highway and the potential conflict with pedestrian flow. The representation received has also reiterated this concern. This application is submitted under the Planning (Listed Buildings and Conservation Areas) Act 1990, and therefore highway safety cannot be considered under this application. Instead, it would need to be considered in full in the full planning application which has been submitted for this proposal (ref. 21/02120/FUL).

## **9.0 CONCLUSION**

- 9.1 Having considered the proposed development against the applicable national and local planning policies and having taken all relevant material into account, it is recommended that listed building consent should be granted in this instance.

## **10.0 RECOMMENDATION**

**APPROVE** subject to conditions:

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Prior to installation, the full details of the internal modular unit shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2018, policy 61).