

<b>Application Number</b>	21/01588/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	8th April 2021	<b>Officer</b>	Charlotte Peet
<b>Target Date</b>	12th July 2021		
<b>Ward</b>	Market		
<b>Site</b>	Telephone Box Quayside Front of 32 Bridge Street Cambridge		
<b>Proposal</b>	Change of use of 1 no. BT telephone box to 1 no. coffee and snacks pod (Class E(a) (former A1 usage)		
<b>Applicant</b>	Mr Edward Ottewell Aussex Innovation Centre Falmer Brighton BN1 9SB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposal would preserve the character and appearance of the surrounding area.</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The proposal would not result in significant adverse impacts to highway safety</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The proposal site comprises 1no telephone kiosk in front of 32 Bridge Street. The kiosk is located in the area of pavement in front of the building and sits adjacent to an area of cycle parking and other street furniture such as a bench and vehicle bollards.
- 1.2 The surrounding area comprises mainly retail and restaurants at ground floor and accommodation or offices above. The

proposal site and surroundings form part of the City Centre, Primary Shopping Area and the buildings to the east are designated as a Secondary Shopping Frontage.

1.3 The telephone kiosk is grade II listed and located in the Historic Core Conservation Area. The proposal site is located within the setting of several grade II listed buildings (Magdalene Bridge and 29 & 30 Bridge Street) and buildings of local interest (33 & 33A, 34-35, 36 and 37). The proposal site is located within the controlled parking area.

## 2.0 THE PROPOSAL

2.1 The application seeks permission for change of use of 1 no. BT telephone box to 1 no. coffee and snacks pod (A1 usage).

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
6. Updated Operational Guide

2.3 During the course of the application, the applicant submitted additional information regarding the operation of the telephone box, this includes that the telephone box would operate through ordering coffee online.

## 3.0 SITE HISTORY

Reference	Description	Outcome
21/01589/LBC	Change of use of 1 no. BT telephone box to 1 no. coffee and snacks pod (A1 usage)	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 Plan 2018	Local	1 6 7 8
		10 11
		28 29 30 31 32 33 34 35 36
		55 56 58 59 61 62 65 70 71
		80 81 82

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)
Supplementary Planning Documents	Cambridgeshire and Peterborough Flood and Water Greater Cambridge Sustainable Design and Construction SPD January 2020 Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material	<u>City Wide Guidance</u>

<p>Considerations</p>	<p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Balanced and Mixed Communities – A Good Practice Guide (2006)</p> <p>Buildings of Local Interest (2005)</p> <p>Cambridge City Council Draft Air Quality Action Plan 2018-2023</p> <p>Cambridge City Council</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridgeshire County Council Transport Assessment Guidelines (2017)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2015)</p>

## **6.0 CONSULTATIONS**

### **Urban Design and Conservation Team**

- 6.1 The application site is a grade II listed K6 telephone kiosk which makes a positive contribution to the Cambridge Historic Core Conservation Area. It is noted in the Conservation Area Appraisal as an element of historic street furniture in the Quayside sub-area (p.3).
- 6.2 The kiosk would be altered to facilitate use as a coffee outlet. Internally it would be fitted with shelves and cupboards while externally a lock and safety glass would be installed, with existing glazing beading reinstated. It would be redecorated in traditional BT phone box 'currant red'.
- 6.3 The works would maintain the significant features of the kiosk and provide it with a beneficial new use. The alterations would be relatively minor, and its contribution to the character of the area would be unaffected. In conservation terms the applications can be supported.
- 6.4 Taking the above into account, I consider that the proposals would not adversely affect the character of the Listed Building. Taking the above into account, I consider that the proposals would preserve or enhance the character or appearance of the conservation area.
- 6.5 The proposals would comply with Local Plan policy 58. With reference to the NPPF and the effect on the significance of the heritage asset, paragraphs 190 and 194 would apply.

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

- 6.6 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.
- 6.7 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.

6.8 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 are a breach of the Highways Act 1980 and a detriment to pedestrian safety.

### **Environmental Health**

6.9 The development proposed is acceptable.

6.10 Thank you for consulting the Environmental Quality and Growth Team on this application. I have reviewed the details submitted and consider that the proposals will not have any adverse impacts on local amenity with respect to Environmental Health issues. As such, I have no further comments to make.

6.11 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:

- Scudamore's Punting Company, 32a Bridge Street, Cambridge

7.2 The representations can be summarised as follows:

- Pedestrian congestion
- Overconcentration of coffee/ snack provision

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. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Third party representations

## **Principle of Development**

- 8.2 Policy 10 of the Cambridge Local Plan (2018) states that development will be permitted where it would (a) add to the vitality and viability of the City Centre; (b) achieve a suitable mix of uses; (c) preserve or enhance heritage assets and their setting, open spaces and the River Cam; (d) be of the highest quality design and deliver a high quality public realm; and (e) promote sustainable modes of transport.
- 8.3 Policy 11 states that in the Primary Shopping Area (PSA) in the city centre, for new retail use (A1) will be supported. Proposals for other centre uses, as defined in Table 3.1 in this policy, will be supported, provided:
- a. the proposal complements the retail function and makes a positive contribution to the vitality, viability and diversity of the city centre;
  - b. provision is made for an active frontage, such as a window display, in keeping with the character of the shopping area; and
  - c. it would not give rise, either alone or cumulatively, to a detrimental effect on the character or amenity of the area through smell, litter, noise or traffic problems
- 8.4 The proposal seeks to change the use of 1 no. telephone box to a retail unit used for the sale of coffee and snacks. The description states that the proposed use would fall under Class A1 in terms of its use, Class A1 use has now been revoked, and therefore the updated use class would be Class E(a).
- 8.5 As existing, the telephone box is not actively used for telecommunication purposes and therefore is somewhat redundant. The proposal would restore and re-use the kiosk for retail purposes, specifically the sale of coffee and snacks. As such, given that the proposal would bring the telephone box back into active use it would be considered to add to the vitality

and viability of this area. In addition, it is considered that the addition of the small-scale retail unit would complement the surrounding uses. Policy 11 states that in the Primary Shopping Area, A1 uses should be supported and should not fall below 70% of the frontage. The change of use of the telephone box would add to this mix and be considered a suitable addition to this location.

- 8.6 One representation has been received, raising concern regarding the over concentration of coffee and snack provision in the area. Officers acknowledge that there is a good provision of coffee and snack locations in and around the Quayside area, however if the proposal was permitted a suitable mix of uses would remain as to ensure the viability of the area. The proposal would be of a modest scale and would be considered to be complementary to the existing uses in the area as to not disrupt this mix. It is considered that the proposal would support the existing retail functions.
- 8.7 To ensure that the telephone kiosk would remain in a use that would complement and support the surrounding area, a condition will be added to any consent granted to restrict the use to E(a).
- 8.8 Overall, Officers consider that the principle of the development is acceptable and in accordance with policies 10 and 11 of the Cambridge Local Plan (2018).

### **Impact to the Listed Building and Heritage Assets**

- 8.9 Policy 61 of Cambridge Local Plan (2018) states that to ensure the conservation and enhancement of Cambridge's historic environment, proposals should 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.
- 8.10 The telephone kiosk is grade II listed, the Historic England list entry describes that the K6 telephone kiosk is a milestone of C20 industrial design. The telephone kiosk holds both architectural importance given that it was designed by Sir Giles Gilbert Scott and group value given its relationship with a number of the surrounding listed buildings.

- 8.11 In consultation with the Conservation Officer, the internal fitting would not require any fixings to the telephone box structure and could be removed if no longer in use. The proposed toughened glass and mortice lock are considered to be acceptable as the toughened glass would replace the existing and the lock would be located behind the existing pull handle. The alterations proposed would preserve the character and appearance of the listed telephone kiosk and would not harm the historic fabric.
- 8.12 As part of the Historic Core Conservation Area Appraisal, the telephone kiosk is understood to form part of a key positive view into the Conservation Area and is listed as a positive part of street furniture. As the proposal would retain the external appearance of the structure, it is considered that it would preserve the character and appearance of the Conservation Area.
- 8.13 The proposal would preserve the significance of the listed building and Conservation Area in accordance with Policy 61 and the NPPF (2021).

### **Context of site, design and external spaces**

- 8.14 The application seeks to change the use of the telephone box for the sale of coffee and snacks (Class E(a), previously A1). The applicant has clarified through the course of the application that the telephone box would be operated by one staff member, and customers would order their coffee through a website to avoid queuing and congestion at the site itself. The proposal would not seek to add any external paraphernalia and the door would remain closed when customers are not being served.
- 8.15 The existing context in this area is informed both by the concentration of retail uses in this area and the special historic environment informed by the variety of listed buildings. As existing the telephone kiosk is not in active use, however the proposal would bring the telephone kiosk back into active use and therefore complement the viability and vitality of this area.
- 8.16 In regard to the visual context and the historic environment, the telephone box forms an important historic building in its own right and forms part of positive street furniture that hosts a strong visual link with the surrounding historical buildings. The proposal would preserve the external appearance of the

telephone kiosk, and would therefore maintain the significance of these visual connections. Only minor alterations in order to restore and secure the unit would be required. These include the installation of a locking mechanism behind the existing 'PULL' plate, repainting in the iconic red colour and the installation of toughened safetyglass. Given that the external appearance of the telephone box would be maintained, the proposal would be considered to successfully respond to the local context.

- 8.17 The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58, and 59.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.18 The proposal would be situated within the area of pavement in front of 32 Bridge Street. This area forms a key part of the City Centre, and already comprises a variety of commercial units such as restaurants at ground floor level and offices above. The proposal would add one modest retail unit to the area, so that there may be a minor increase in pedestrian activity. Given the modest scale of the proposal, Officers agree with the Environmental Health Officer that the proposal would not result in adverse impacts to residential occupiers in terms of noise.
- 8.19 The proposal would respect the amenity of neighbouring occupiers, in accordance with Cambridge Local Plan (2018) policies 35 and 58.

### **Highway Safety**

- 8.20 The Local Highways Authority has objected to the application on the basis that telephone boxes were installed by telecommunication companies as part of their statutory services and are no longer required. In addition, they raise concern that the opening of the telephone box door across the public highway would breach the Highways Act 1980 and be of detriment to pedestrian safety. In addition, the representation received raises concerns regarding the impact to pedestrian congestion in this area.

8.21 The telephone box is an existing structure, whilst it is no longer used for telecommunication purposes, it remains in situ due to its architectural and historical importance. The information submitted with the application explains that the telephone box would be used as a coffee and snacks pod, with the associated paraphernalia located entirely in the kiosk. It would be staffed by one staff member, with customers able to order on a website to help avoid any significant queuing. When customers are being served the door of the kiosk would be open, however it would be closed at all times when not serving customers.

8.22 Officers acknowledge that this section of the Quayside sees much pedestrian throughfare, and that the existing street furniture constrains this somewhat. The telephone box is an existing structure, which is set between a bench and several Sheffield cycle stands. The door is located on the north west side of the kiosk, and is left hinged. The door is very modest in its span, with a length of under 0.7 metres.

8.23 Officers acknowledge, that the change of use of the telephone kiosk may bring some additional pedestrian activity to the area, however given the minor scale of the unit, the minimal span of the door and the width of the pavement in this area, it is not considered to result in adverse impacts in terms of highway safety.

8.24 The proposal is compliant with Cambridge Local Plan (2018) policy 81.

## **9.0 CONCLUSION**

9.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that consent should be granted in this instance.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

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

Reason: In accordance with the requirements of Section 91 of

the Town and Country Planning 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 73 of the Town and Country Planning Act 1990.

3. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for Class E(a), formerly A1, and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact. (Cambridge Local Plan 2018 policies 35, 55, 57, and 81) .