

Committee:	Date:
Planning and Transportation	17 November 2015
Subject: BT Payphones, Outside 4 St Paul's Churchyard London EC4M 8AY Conversion of two BT K6 payphone kiosks to combination payphone and ATM booth and ancillary ATM secure room.	Public
Ward: Bread Street	For Decision
Registered No: 15/00190/FULL	Registered on: 7 April 2015
Conservation Area: St Paul's Cathedral	Listed Building: Grade II

Summary

The application relates to a pair of Grade II listed type K6 BT telephone boxes located south of St Paul's Cathedral within the St Paul's Cathedral Conservation Area.

Planning Permission and Listed Building Consent are sought for conversion of the two boxes to form a single kiosk that would incorporate an externally mounted payphone and ATM with internal strongroom.

The proposal would introduce inappropriate activity into the public domain, would give rise to a structure that would have a solid and anomalous appearance, would unacceptably add to street clutter, would be detrimental to the character and appearance of the St Paul's Cathedral Conservation Area, would be detrimental to the wider setting of listed heritage assets and in particular St Paul's Cathedral, and would result in substantial harm to the special architectural and historic interest and significance of the listed telephone boxes.

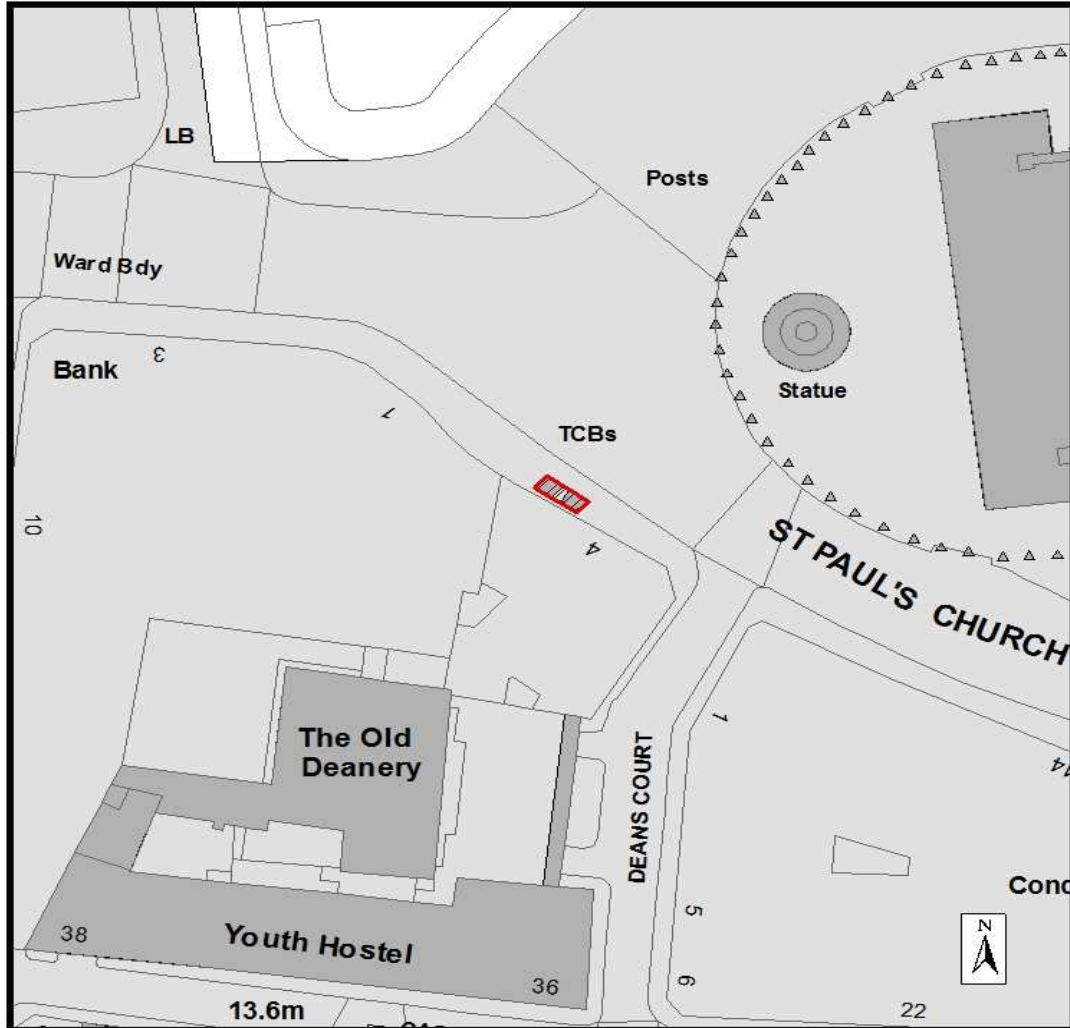
The City's streets are subject to increasingly high levels of footfall and improvements to pedestrian permeability and enhancement of the public realm is consequently a priority for the City. The proposal would prejudice existing and future pedestrian movement within the footway.

The benefits associated with convenient access to an ATM facility and improved telephone accessibility for some would in this instance be insufficient to outweigh the significant level of harm that would arise.

Recommendation

That Planning Permission and Listed Building Consent be refused for the reasons set out in the attached schedule.


Site Location Plan



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ADDRESS:
Telephone Boxes Outside 4 St Paul's Churchyard

CASE No.
15/00190/FULL &
15/00774/LBC

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT





Main Report

Site

1. The application relates to a pair of Grade II listed type 'K6' operational BT red telephone boxes located back-to-back within the public footway on the south side of St Paul's Churchyard, within the St Paul's Cathedral Conservation Area and on the processional route.
2. The boxes are set within the footway approximately 2.5m from the facade of a mixed use commercial building at 4 St Pauls Churchyard, and approximately 3.0m from the kerb edge.
3. Type K6 telephone boxes were designed by Sir Giles Gilbert Scott in 1935 to commemorate the Silver Jubilee of King George V. There are 31 K6 telephone kiosks in the City, of which 6 are listed Grade II.
4. St Paul's Cathedral is a Grade I listed building of international significance and a focal point for the City of London. It lies some 40m to the North East of the listed telephone boxes. A Grade II listed statue of Queen Anne and listed bollards lie within the cathedral forecourt midway between the boxes and the cathedral.

Proposal

5. Planning permission and listed building consent are sought for the conversion of the two boxes into a single integrated kiosk that would incorporate an ATM, payphone and ATM secure room.
6. The telephone boxes would be substantially altered. One would accommodate an external payphone and ATM, while the other would serve as a secure room. The internal telephone equipment would be removed and the telephone boxes would be welded together. There would be no public access to the internal space and all clear glazing would be replaced with polished stainless steel mirrored panels, giving rise to a visually solid form.

Consultations

7. The application has been publicised on site and in the press. No representations have been received from members of the public.
8. Historic England has commented that: 'the installing of a modern ATM machine would neither preserve the special interest of the listed kiosk or the setting of St Paul's Cathedral, and would not appear to preserve the character of St Paul's Cathedral Conservation Area. Historic England is therefore unable to support this application'.
9. A letter of objection has been received from the Surveyor to the Fabric of St Paul's Cathedral and is attached to this report as a background paper. The surveyor's comments can be summarised as follows:
 - a) *Impact on St Paul's Cathedral Conservation Area:* These telephone boxes are amongst the most readily and internationally recognisable signifiers of London. Historic England recognises that to be listable street furniture needs to have a strong visual relationship with more than one listed building or with a single grade I listed building. The significance of these boxes to the setting of the Cathedral is therefore established. The telephone boxes feature highly within the list of values identified within the Conservation Area Character Summary and Management Strategy.
 - b) *Impact on the listed structures:* The telephone boxes were designed as structures to be entered into and to have views from within and for the interior to be visible from without. The introduction of mirrored glass would change their appearance, historic character and significance. These alterations in conjunction with the installation of an ATM would significantly damage their heritage and significance. The physical harm would be substantial.
 - c) *Impact on pedestrian flow:* The development may have a detrimental impact on pedestrian flows.
 - d) *Quality of the application:* A compelling case or justification as to why these listed assets should be converted has not been made.
10. The views of City of London departments have been taken into account in the consideration of this scheme.
11. The City of London Conservation Area Advisory Committee (CAAC) supports the City's policy of seeking to reduce street clutter and has objected to the proposal considering it to be detrimental to the street scene and to the conservation area.

Policy Context

12. The development plan consists of the London Plan and the City of London Local Plan. The London Plan and Local Plan policies and Supplementary Planning Documents that are most relevant to the consideration of this case are set out in Appendix A to this report.
13. Government planning guidance is contained within the National Planning Policy Framework (NPPF) and accompanying National Planning Practice Guidance (NPPG).
14. Although not a Development Plan Document, the City of London Corporation City Street Scene Manual is considered material as it provides specific guidance for developers in respect of telephone boxes and kiosks that are located within the highway.

Considerations

15. The Corporation in determining both the planning and listed building applications has the following main statutory duties to perform:-
16. To have regard to the provisions of the development plan, in so far as it is material to the application, to local financial considerations so far as they are material to the application, and to any other material considerations (Section 70 (2) Town & Country Planning Act 1990);
17. To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);
18. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building/structure or its setting or any features of special architectural or historic interest which it may possess. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)
19. In considering whether to grant listed building consent, to have special regard to the desirability of preserving the building/structure or its setting or any features of special architectural or historic interest which it may possess. (S66 (1) Planning (Listed Building and Conservation Areas) Act 1990)
20. When considering the applications, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).
21. Chapter 12 of the NPPF is relevant in this instance as it sets out key policy considerations for applications relating to designated and non-designated heritage assets. Other relevant guidance is provided by Historic England including the document's Conservation Principles, and

The Setting of Heritage Assets together with Building in Context (HE/CABE) and Historic England's 'Historic Environment Good Practice Advice Notes' (1, 2 and 3).

22. Considerable importance and weight should be given to the desirability of preserving or enhancing the character or appearance of a conservation area and the setting of listed buildings. A finding that harm would be caused to a conservation area or the setting of a listed building gives rise to a strong presumption against planning permission being granted.

The Acceptability of the Proposal in Design and Heritage Terms

23. The telephone boxes are listed and are an instantly identifiable, iconic and archetypal element of the public domain. They are heritage assets which have a visual relationship with surrounding heritage assets and buildings and contribute positively to the appearance and character of the conservation area and streetscene.
24. A key characteristic of Type K6 telephone boxes is that the 8 X 3 pattern of glazing is transparent and allows light and public views to permeate through the structure. The proposal would be materially different, with no clear glazing and as a result would appear as a solid and anomalous structure within the street scene. This unsympathetic modification of the Type K6 telephone boxes would neither preserve nor enhance the St Paul's Conservation area and would result in less than substantial harm to the character and appearance of St Paul's Conservation Area and this would not be outweighed by the perceived benefits of the proposal.

Listed Building Considerations

25. The proposed alterations to replace glass with mirrored stainless steel, the installation of the ATM and combining the two listed buildings into one would fundamentally change the architectural detailing and iconic form of the K6 telephone boxes. The resulting structure would be solid rather than transparent in appearance. The existing telephone apparatus would be removed from the interior and apparatus, unrelated to the listed buildings' original telecommunications function, would be attached to the exterior. The removal of the internal telephone equipment would be regrettable as it is visible through the predominantly glazed exterior of the telephone boxes and defines their main use. The doors would be replaced with replica panels and the interior space would no longer be accessible.
26. These unsympathetic alterations would result in substantial harm to the special architectural and historic interest and significance of the listed telephone boxes.

27. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm to the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the works are necessary to achieve substantial public benefits that outweigh the harm or loss. The telephone boxes are still in use and the proposals are not considered to offer substantial public benefits.

The impact on the setting of nearby listed buildings and the conservation area

28. The alterations to the telephone boxes together with the likely assembly of persons using the box on the public footway would restrict public views of St Paul's Cathedral which in conjunction with the anomalous appearance of the telephone boxes following their conversion would have a negative impact upon the significance of this part of St Paul's Conservation Area as a designated heritage asset. Although the scale of development and the distance from St Paul's would be such that the harm to the setting of St Paul's Cathedral and the Queen Anne statue and bollards would be less than substantial, public views of St Paul's and the character of its setting would be compromised.

Highway Considerations

29. Local Plan policies CS20, DM10.4 and CS16 seek to ensure that the City's streets and walkways remain uncluttered in order to facilitate and prioritise pedestrian movement and permeability.

30. The Corporation's City Street Scene Manual recognizes that telecommunication kiosks have an important role to play within City streets, providing a valuable amenity within the public realm and can contribute positively to the street scene. The manual recognizes that retail or other forms of kiosk are not common within the City's streets due to the general lack of space on the existing walkways and public spaces.

31. The City's streets have a high level of footfall during peak commuting hours and within the environs of major tourist attractions. During 2014 St Paul's Cathedral attracted 1.82 million paying visitors. This is in addition to approximately 1.2million worshippers and an unrecorded number of non-paying visitors. The environs of St Paul's Cathedral is

consequently subject to particularly high levels of footfall which is only set to grow.

32. Ease of pedestrian movement and the enhancement of the public realm is a priority for the City. The existing telephone boxes lie almost centrally within the footway which at this point is some 6.5m wide. The proposed payphone and ATM use external to the box would result in obstruction and detract from the permeability of the public realm. As such the proposal would be contrary to the aims of policies CS10, DM10.4, CS16, DM 16.1, and DM16.2 of the Local Plan and policies 6.10B and 7.5B of the London Plan.

Conclusion – Application for Full Planning Permission

33. The unsympathetic conversion and solidification of the pair of telephone boxes would have an adverse impact upon the listed K6 telephone boxes. The development would detract from and obstruct public views of the Grade I listed St Paul's Cathedral, the Grade II listed Statue of Queen Anne and the listed bollards, giving rise to less than substantial harm to the setting of the listed buildings. It would result in less than substantial harm to the character and appearance of this part of the St Paul's Conservation Area.
34. Within the City it is projected that footfall will increase as a result of growth and improved public transport services. The proposed conversion of the telephone boxes would give rise to the assembly of persons on the public footway which would unacceptably compromise the permeability of the public realm.
35. Although the proposal would provide the convenience of an additional ATM and a more accessible payphone for some, such public benefits would not outweigh the identified harm.
36. For the above reasons the proposal is considered to be contrary to Local Plan policies CS6 'Cheapside and St Paul's', CS10 'Design', DM10.1 'New Development', DM10.4 'Environmental Enhancement', CS12 'Historic Environment', DM12.1 'Managing change affecting all heritage assets and spaces', DM12.2 'Development in conservation areas', DM12.3 'Listed Buildings', CS16 'Public Transport Streets and Walkways', DM16.2 'Pedestrian movement', London Plan policies 6.10A/B 'Walking', 7.5A/B 'Public Realm' and 7.8D 'Heritage Assets and Archaeology' and the aims of chapters 7 and 12 of the NPPF.

Conclusion – Application for Listed Building Consent

37. The telephone boxes contain their equipment and remain operational. The alterations associated with the proposed change of use would be detrimental to their character and appearance and to their special architectural and historic interest and significance and would as a consequence result in substantial harm to the listed buildings.
38. For the above reasons the proposal would be contrary to Local Plan policies CS12 'Historic Environment', DM12.1 'Managing change affecting all heritage assets and spaces', DM12.3 'Listed Buildings', London Plan Policy 7.8D 'Heritage Assets and Archaeology' and the aims of chapter 12 of the NPPF.

Background Papers

Internal

City Transportation - Memo dated 8th May 2015;

Access Advisor – Email recommendations to applicant dated 11th May 2015 and confirmation of acceptability dated 20th May 2015.

External

Design and Access Statement;

Photomontage of sample converted K6 telephone box;

Standard K6 telephone kiosk as existing: Drawing number T2;

City of London Conservation Area Advisory Committee – Memo dated 14th May 2015;

Historic England Consultation response letter dated 23rd October 2015;

Surveyor to the Fabric of St Paul's Cathedral – letter dated 2nd November 2015.

Appendix A

London Plan Policies

39. Policy 6.10 Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.
40. Policy 7.5 Development should make the public realm comprehensible at a human scale. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.
41. Policy 7.8 Development should identify value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Relevant Local Plan Policies

CS10 Promote high quality environment

To promote a high standard and sustainable design of buildings, streets and spaces, having regard to their surroundings and the character of the City and creating an inclusive and attractive environment.

CS12 Conserve or enhance heritage assets

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

CS16 Improving transport and travel

To build on the City's strategic central London position and good transport infrastructure to further improve the sustainability and efficiency of travel in, to, from and through the City.

CS20 Improve retail facilities

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

CS3 Ensure security from crime/terrorism

To ensure that the City is secure from crime, disorder and terrorism, has safety systems of transport and is designed and managed to satisfactorily accommodate large numbers of people, thereby increasing

public and corporate confidence in the City's role as the world's leading international financial and business centre.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

DM10.8 Access and inclusive design

To achieve an environment that meets the highest standards of accessibility and inclusive design in all developments (both new and refurbished), open spaces and streets, ensuring that the City of London is:

- a) inclusive and safe for of all who wish to use it, regardless of disability, age, gender, ethnicity, faith or economic circumstance;
- b) convenient and welcoming with no disabling barriers, ensuring that everyone can experience independence without undue effort, separation or special treatment;
- c) responsive to the needs of all users who visit, work or live in the City, whilst recognising that one solution might not work for all.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement

building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM12.3 Listed buildings

1. To resist the demolition of listed buildings.
2. To grant consent for the alteration or change of use of a listed building only where this would not detract from its special architectural or historic interest, character and significance or its setting.

DM16.1 Transport impacts of development

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:
 - a) road dangers;
 - b) pedestrian environment and movement;
 - c) cycling infrastructure provision;
 - d) public transport;
 - e) the street network.
2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

DM16.2 Pedestrian movement

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.
2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:
 - a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
 - b) the shortest practicable routes between relevant points.
3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.

4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.

5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.

6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

SCHEDULE

APPLICATION: **15/00190/FULL**

BT Payphones, Outside 4 St Paul's Churchyard London

Conversion of two BT K6 payphone kiosks to combination payphone and ATM booth and ancillary ATM secure room.

REASONS FOR REFUSAL

- 1 The proposal would result in the erection of a visually impermeable structure which in conjunction with and exacerbated by the nature of the proposed use would detract from and result in less than substantial harm to heritage assets including the setting of St Paul's Cathedral and the Statue of Queen Anne, and would fail to preserve or enhance the character and appearance of this part of the St Paul's Conservation Area resulting in less than substantial harm to St Paul's Conservation Area, and could obstruct the highway which would prejudice existing and future pedestrian movement and permeability, contrary to the following Development Plan policies: CS6, CS10, DM10.1, DM10.4, CS12, DM12.1, DM12.2, DM12.3, CS16 and DM16.2 of the Local Plan, Policies 6.10A/B, 7.5A/B and 7.8D of the London Plan and the aims of chapters 7 and 12 of the NPPF.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.

However, notwithstanding the above, it has not been possible to achieve solutions to the problems as the proposals are contrary to planning policies, do not demonstrate other over-riding material considerations, and negotiations could not overcome the problems.

2 November 2015

Ms. Annie Hampson
Chief Planning Officer and Development Director
Department of the Built Environment
City of London
PO Box 270
Guildhall
LONDON EC2P 2EJ

Dear Annie Hampson,

PT_JS/15/00774/LBC – 4 St Paul's Churchyard London EC4M 8AY Pay
Phone Boxes

I am writing with regard to the two Grade II listed Giles Gilbert Scott -
designed Type K6 telephone boxes referenced above. This application
concerns proposals to convert these boxes to an ATM kiosk with ancillary
secure room. I write on behalf of the Chapter of the Cathedral Church of St
Paul in London (hereafter St Paul's Cathedral, or The Cathedral).

We wish to object to the proposed changes to these listed telephone boxes
on the following grounds:

1. Impact on the St Paul's Cathedral Conservation Area

The applicant's heritage statement is inadequate in our view. However we
do agree with their observation that these telephone boxes are amongst
the most readily and internationally recognisable signifiers of London. In
their 2011 *Listing Selection Guide for Street furniture*, Historic England state
that 'To be listable a kiosk needs to have a strong visual relationship with
more than one listed building' or with a single Grade I listed building. The
significance of these boxes to the setting of the Cathedral is therefore
established by association with the Cathedral and more generally within the
Conservation Area.

The Conservation Area Character Summary and Management Strategy,
states that the area has 'a visual character and groundscape that is enriched
by a wealth of materials, features, monuments, public sculpture, signs,
plaques, statuary, and other structures'. These telephone boxes must
undoubtedly feature highly within this list of values and significances. To so
fundamentally alter their function and appearance by what is proposed
would have a clearly detrimental impact on the Conservation Area. In our
view, in the terms of the NPPF, the harm is substantial.



ACKNOWLEDGED

2. Impact on the Listed Structures

These telephone boxes were designed as structures that can be entered and from which one can both see out, and also be seen from the outside looking in. The introduction of modern mirrored glass will wholly change their appearance and historic character, as well as their actual function. This, and the proposed 'sealing up' of both boxes through the insertion of an ATM in the entrance door of one and the creation of a secure room for restricted access only in the other, will significantly change and damage their heritage significance. The physical harm will be substantial.

3. Impact on Pedestrian Flow

In an area of extremely high pedestrian footfall and busy road traffic it would seem ill-advised (or at least un-proven) to propose a change that may have a detrimental impact on pedestrian flows, with associated health and safety implications.

4. Quality of the Application

As alluded to above, we find the quality of documentation supporting this proposal to be unsatisfactory; providing no compelling case or justification as to why the proposed conversion of these listed assets to an ATM is in any way beneficial (nor indeed that there is a proven need for further ATM facilities at this location). For substantial harm to be considered there must be the highest justification, which the applicant does not demonstrate. The absence of any options appraisal for other possible uses is particularly disappointing. We acknowledge that mobile telephone technology has greatly reduced the need for public telephones, however, there could be much more imaginative ways in which these phone boxes could continue to have a useful and beneficial life. For example, as a characterful space, a phone box could be an excellent, quirky venue in which to provide information and interpretation to visitors about the rich history of this area.

I hope this response is constructive and reasonable. Please do not hesitate to contact me if you require any further information.

Yours sincerely,



Oliver Caroe
Surveyor to the Fabric

Director:
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