Committee(s):	Date(s):	Item no.
Planning and Transportation Committee	10th March 2016	

Subject:		**Public**
Historic telephone kiosks issues and options report		
Report of:		**For decision**
The Chief Planning Officer		

Summary

Historic 'red' K2 and K6 telephone kiosks are located throughout the City and make a positive and distinctive contribution to the townscape. Usage of them as public telephone facilities is extremely low and in many cases they have suffered damage, neglect and ill-usage. A number of planning applications for change of use from public telephones to ATM or coffee kiosk uses have been refused by your committee over the past ten years, largely in the previous year. A steep rise in pedestrian numbers and highway usage is projected by the City Corporation's work on Future Cities. This report has been produced to provide members with an overview of the current situation, a recommended corporate position and options for future work.

Recommendations

1. That the City seeks the removal of all modern kiosks unless operationally required through negotiation with the operators.

2. That City requires the retention of the 20 listed kiosks (12 K2, 8 K6) and where necessary their repair.

3. That the City undertakes an assessment of the townscape/conservation area contribution and physical condition of each unlisted K6 kiosk, including their potential for conversion to new uses that comply with Local Plan policies. The assessment will form the basis for further discussions with kiosk operators and will yield recommendations for:

    a. Repairs and potential new uses;

    b. Potential candidates for relocation;

    c. Potential candidates for removal of unlisted kiosks.

4. That following Member approval the City implements the recommendations of the assessment.

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Main Report

Context

5. There are 42 historic telephone kiosks in the City of London. These comprise 12 of the K2 model introduced in London in 1924 and 30 of the K6 model introduced nationally in 1936. Both were designed by the architect Sir Giles Gilbert Scott.

6. All 12 K2 kiosks are listed at grade II and located within or close to conservation areas. 8 of the K6 kiosks are listed at grade II and 24 of them are located within conservation areas.

7. The City has hitherto considered that the K2 and K6 kiosks have high design, historical and townscape significance. They are designated heritage assets when listed and have been identified as non-designated heritage assets when not. The City has hitherto sought the preservation or retention of the kiosks and resisted their removal or their unsympathetic conversion.

8. There are 8 historic (c.1930) blue police call boxes owned and maintained by the City Corporation, all listed at grade II. These fall outside the scope of this report.

9. There are c.40 unlisted modern KX100 and KX100+ telephone kiosks in the City. These were introduced from 1985 onwards. The City considers these kiosks to have negligible design, historical or townscape significance and encourages their removal where appropriate. Apart from this recommendation they are beyond the scope of this report.

10. The land on which telephone kiosks stand is not owned by kiosk operators or owners; it is public highway vested in the City as Highway Authority. Functional telephone kiosks benefit from permitted development rights and telecommunications legislation allowing them to remain in operation on the highway. Removal of them is at the discretion of the operator.

11. When a kiosk becomes redundant for telecommunications these benefits cease and the operator or new owner must apply to the local authority for permission to retain them on the highway, as well as for any new use proposed. Retention of a redundant kiosk further requires either the consent of the City as Highway Authority or stopping of the highway on which the kiosk resides.

Current status

12. British Telecom is responsible for 26 of the historic kiosks. An independent provider, New World Payphones, is believed to be responsible for a further 8. These carry Wi-Fi and are painted black to distinguish them from the BT kiosks.

13. The remaining 8 historic kiosks are not used for telecoms purposes. The equipment has been removed and they have been sold by BT to private owners. These have been the subject of planning applications, some of which were refused in 2015 by your Committee (see below).

14. BT has advised that 136 calls were made from the 26 historic kiosks they operate between October 2014 and October 2015. The statistics are likely to be similar for New World Payphones.

15. Many of the kiosks are in poor physical condition, with many showing severe signs of wear, broken glass, missing components and other defects. The majority have a strongly lavatorial character.

Planning history

16. There have been 19 planning applications for the historic K2 and K6 kiosks over the past ten years, with 12 of these made in 2015. Of these, 3 were approved, 4 withdrawn, 6 returned to the applicant and 6 refused by your Committee. Please see appendix 2 for a full list.

17. Permissions granted were for the installation of a K6 kiosk outside 50 Cannon Street (07/01104/FULL) and the relocation of a K2 kiosk in connection with the St Dunstan's Court development (12/01056/LBC & 13/00728/LBC).

18. Proposals withdrawn or refused involved the change of use of K6 kiosks to retail and ATM booths. These are located outside Royal Exchange Buildings (since listed grade II, 14/00984/FULL), Finsbury Circus (15/00039/FULL), 21 Fleet Street (15/00041/FULL), 8 Lothbury (15/00042/FULL) and 4 St Paul's Churchyard (15/00190/FULL).

19. The reasons for refusal were that the material alterations required for these uses would have caused harm to the significance of individual kiosks and their relationships with nearby heritage assets. The proposals conflicted with relevant Design and Historic Environment Local Plan policies detailed in appendix 3.

20. The uses created by these proposals would have detracted from the public realm and resulted in unacceptable patterns of use on the public highway with the potential to create obstruction, nuisance and litter. The proposals conflicted with relevant Design, Highway and Waste Local Plan policies detailed in appendix 3.

21. Invalid applications for the installation of LCD screens displaying digital advertisements were returned to the applicants and would have conflicted with relevant Design, Historic Environment and Advertising Local Plan policies.

22. The City manages the ongoing demand for new uses within the planning process on a case-by-case basis in accordance with national and local policy. Other London Boroughs have approved changes of use.

Townscape and heritage value

23. The telephone kiosks are a valued element of the public domain classed as designated and non-designated heritage assets in policy terms. Their intrinsic design quality has been recognised through listing.

24. The kiosks can have significant townscape value and visual relationships with other surrounding heritage assets, particularly listed buildings and conservation areas. This is a key consideration in the listing process.

25. Listed kiosks and those within conservation areas are subject to guidance set out in NPPF chapters 7 ('Requiring good design') and 12 ('Conserving and enhancing the historic environment'). Relevant London Plan policies include 7.5 ('Public Realm'), 7.8 ('Heritage assets and archaeology') and 7.9 ('Heritage-led regeneration).

26. Relevant City of London Local Plan policies include CS10 'Design', DM10.1 'New Development', CS12 'Historic Environment', DM12.1 'Managing change affecting all heritage assets and spaces', DM12.2 'Development in conservation areas' and DM12.3 'Listed Buildings'.

27. There are 6 K6 kiosks neither listed nor in a conservation area. These are considered to be undesignated heritage assets for the purposes of the above policies.

28. The townscape and heritage value of the kiosks is recognised in Historic England guidance on Street Furniture (2011) and the City's draft Public Realm SPD (2016).

Issue #1: Condition

29. Collectively the current presentation of the kiosks is unsatisfactory as a result of their poor condition. This detracts from their intrinsic character and is harmful to their visual amenity.

30. Operators of functional kiosks have obligations to maintain them under relevant legislation. Private owners of redundant kiosks will be responsible for their maintenance. There is potential scope for the City to require their proper maintenance under planning legislation.

Issue #2: Perception as clutter

31. The historic kiosks should be considered as features within the street scene, rather than as furniture. Their established heritage and townscape value and their contribution to the settings of buildings means they should be regarded as different to bollards, chairs, cycle racks etc.

32. There is no evidence at present that individual historic kiosks obstruct the movement of pedestrians on the highway to any severe degree.

33. Any move to reduce the number of kiosks should begin with the modern KX100 and KX100+ kiosks, which have no heritage or townscape value. Removing these would approximately halve the number of telephone kiosks on the City's streets.

The removal of a functional kiosk is at the discretion of the operator, subject to obtaining planning permission or listed building consent if required. If the City wishes to secure removal of a functional modern or unlisted historic kiosk it would

need to negotiate with BT and New World Payphones to achieve this. Unless planning permission has been granted for its retention on the highway, the removal of a redundant kiosk could potentially be secured through enforcement action by the City Corporation. No such planning applications have been made to date.

34. The removal of a listed historic kiosk amounts to the demolition of a listed building, requiring a listed building consent application and public consultation, including with Historic England and the statutory consultees.

Issue #3: Use

35. The kiosks are little used for telecommunications. There is the potential for conversion to a new beneficial use.

36. As *sui generis* structures, change of use and associated alteration requires planning permission and listed building consent where necessary.

37. A relatively limited number of new uses would comply with the City's Local Plan policies. Conversion to coffee kiosks and ATMs has been established as unacceptable in the City by refusals of planning permission for such uses. Similar retail or advertising uses are not likely to be acceptable in policy terms.

38. An optimum use would be one that aligns with a kiosk's original public function and requires minimal alteration to its fabric. An example might be conversion to accommodate Broadband infrastructure.

Considerations

39. The 20 listed historic kiosks are officially recognised as having historic, architectural and townscape interest. Their relocation or removal would conflict with national and local planning policies and guidance.

40. Removing all the modern KX 100 and KX 100+ kiosks would achieve a significant reduction (half) of the overall number of kiosks in the City.

41. Some or all of the unlisted historic kiosks could be removed to achieve a further reduction in kiosk numbers if required to remove obstruction on the highway. As this would result in a degree of harm to the townscape in which they stand, their townscape value and potential for adaptation should be assessed before removal is authorised.

42. The City could be proactive in identifying acceptable new uses for remaining historic kiosks or continue to manage proposals on a case-by-case basis.

Recommended corporate position

43. The City seeks the removal of all modern kiosks unless operationally required through negotiation with the operators.

44. The City requires the retention of the 20 listed kiosks (12 K2, 8 K6) and where necessary their repair.

45. The City undertakes an assessment of the townscape/conservation area contribution and physical condition of each unlisted K6 kiosk, including their potential for conversion to new uses that comply with Local Plan policies. The assessment will form the basis for further discussions with kiosk operators and will yield recommendations for:

    a. Repairs and potential new uses;

    b. Potential candidates for relocation;

    c. Potential candidates for removal of unlisted kiosks.

46. Following Member approval the City implements the recommendations of the assessment.

Appendices

- Appendix 1: Kiosk location map

- Appendix 2: Digest of recent planning applications

- Appendix 3: Refusal policy context

- Appendix 4: Images of kiosk models

Contact:
Tom Nancollas
Planning Assistant (Historic Environment)
0207 332 3692
Tom.Nancollas@cityoflondon.gov.uk