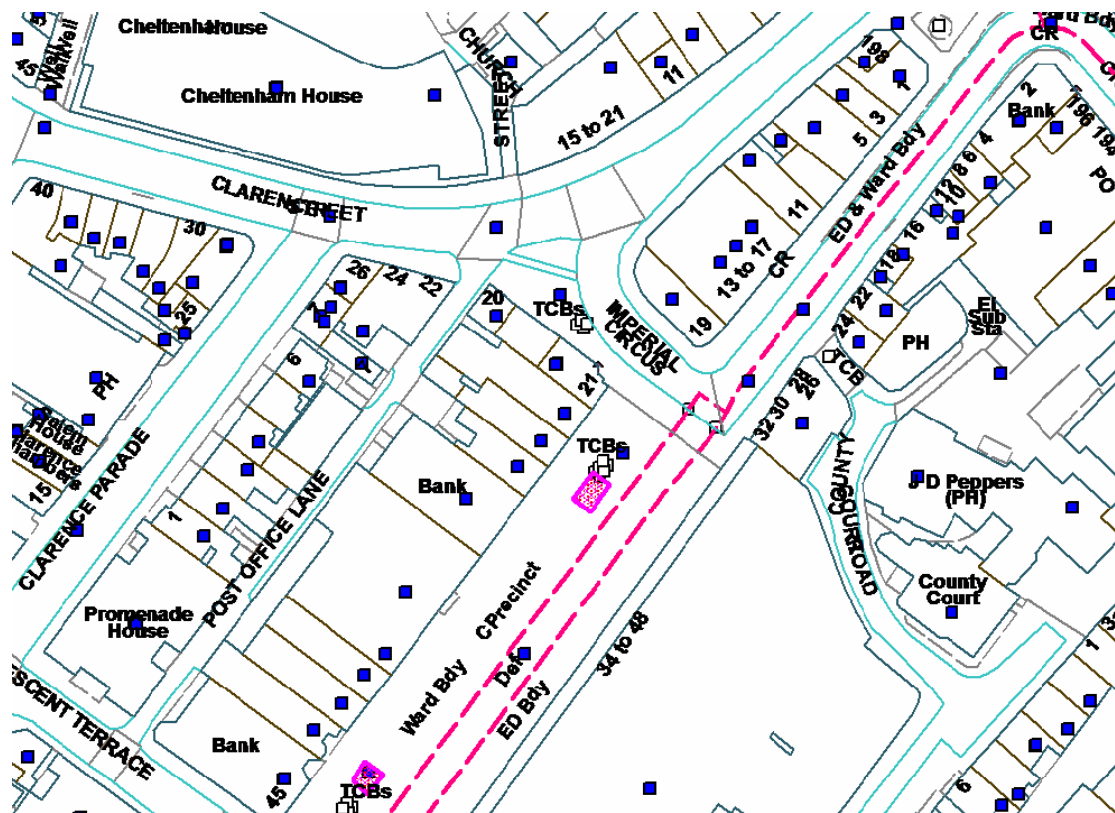


<b>APPLICATION NO:</b> 13/02055/LBC		<b>OFFICER:</b> Mrs Emma Pickernell	
<b>DATE REGISTERED:</b> 30th November 2013		<b>DATE OF EXPIRY:</b> 25th January 2014	
<b>WARD:</b> Lansdown		<b>PARISH:</b>	
<b>APPLICANT:</b>	Mr Howard Barber		
<b>AGENT:</b>	n/a		
<b>LOCATION:</b>	6 Telephone Kiosks, Promenade, Cheltenham		
<b>PROPOSAL:</b>	Refurbishment of existing phone boxes to be used for temporary display of art installations: 6 kiosks outside 23 Promenade 4 kiosks outside 43 Promenade		

**RECOMMENDATION:** Grant



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises 10 phone boxes on the promenade. A group of 6 located outside 23 Promenade and 4 located outside 43 Promenade. The kiosks are Grade II listed structures.
- 1.2 It is proposed that the Local Authority adopt the kiosks and Listed Building Consent is sought for their refurbishment. They would be decommissioned of telephone apparatus and refurbished by a specialist contractor. The design and access statement states that a detailed method statement will be prepared however in essence the refurbishment works involves stripping back the kiosks, repainting, re-glazing them and re-hanging the door with new leather straps. Each kiosk would be fitted with a brass light bulb assembly and low voltage bulb. Each kiosk would then be re-installed in its original location. The kiosks would then be used to house art installations. Signage on clear film would be applied to the inside of the glazed panels stating that the kiosks are managed by the Cheltenham Art Gallery and Museum (The Wilson), directing people to the nearest public telephone box.
- 1.3 The application is brought to committee for determination as the applicant is Cheltenham Borough Council.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Conservation Area  
Core Commercial Area  
Listed Buildings Grade 2  
Central Shopping Area  
Smoke Control Order

### **Relevant Planning History:**

**88/00939/LA 4th August 1988 REF**

4no. Kiosks, The Promenade Cheltenham Gloucestershire - replace the original dome glass engraved "Telephone" in maroon on cream background by glass engraved "Phonecard" in white on green background

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 3 Sustainable environment  
CP 4 Safe and sustainable living  
CP 7 Design  
BE 9 Alteration of listed buildings

### Supplementary Planning Guidance/Documents

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### Heritage and Conservation

20th December 2013

1. The design of the phone boxes considered in this application is the Jubilee K6 design kiosk produced in 1936. It was designed in 1935 by Sir Giles Gilbert Scott, the famous Edwardian architect.
2. These iconic kiosks have become a cherished and characteristic feature of many British towns. These kiosks located in the Promenade have an historic association with the adjacent building which is now Waterstones bookshop. This building was originally the main Post Office to the town.
3. However in more recent times they are not being used as public phone boxes, but instead have suffered a variety of anti-social behaviour problems.
4. This application is to re-use the phone boxes to house items of art together with associated signs. The principle of this proposal is welcomed and is considered to be a very innovative new use for these iconic structures.
5. The general detailed information on the proposed refurbishment is acceptable, however the Design and Access Statement does state that a method statement will be submitted by a specialist contractor for their removal and re-instatement of the kiosks in due course. I suggest a condition is attached to ensure that this method statement is received.

CONCLUSION: approve subject to conditions

Conditions:

#### LIS02B Design details

Prior to the commencement of development, a method statement detailing the following including materials and finishes shall be submitted to and approved in writing by the Local Planning Authority:

1. the proposed method of removal and relocation of the phone kiosks
2. the detailed refurbishment of the phone kiosks

The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure that the design of the details listed are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out in the NPPF. These are important details which need to be constructed in a manner which ensures that they serve to preserve the special interest of the building.

#### LIS03B Disturbed surfaces to be made good

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out in the NPPF.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	19
Total comments received	2
Number of objections	0
Number of supporting	2
General comment	0

- 5.1 The application was advertised by a site notices, a notice in the paper and letters sent to 19 nearby properties. Two letters of support have been received and are attached to this report.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

As an application for listed building consent the main issue is whether the proposal has an acceptable impact on the listed structures.

The NPPF states that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.

The phone boxes at present have become a target for anti-social behaviour and are rarely used. Figures provided by British Telecom indicate that over a 12 month period an average of one call every two hours was recorded for the whole group. A new, viable use for the kiosks has been identified which will result in the refurbishment of these listed structures, thereby enhancing their appearance. Their use as housing for art installations would deliver obvious cultural benefits and be an amenity for residents and visitors. As such the proposal is considered to be wholly in the spirit of the approach outlined in the NPPF. The proposal has the support of the conservation officer, subject to conditions to ensure that the refurbishment is carried out in an appropriate manner.

### 6.2 Other Matters

A representation has been received regarding a potential future use of a kiosk. This is not relevant to the consideration of this application, however has been forwarded to the gallery.

## 7. CONCLUSION AND RECOMMENDATION

- 7.1 For the reasons outlined above the application is recommended for approval subject to the conditions detailed below and referral to the Secretary of State. This is necessary because the application has been made by the local authority and relates to listed structures.

## 8. CONDITIONS / INFORMATIVES

- 1 The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.  
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and 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 drawing numbers CBC\_UD\_L\_PPE\_P\_PB2, BC\_UD\_L\_PPE\_P\_PB3, CBC\_UD\_L\_PPE\_P\_PB4, CBC\_UD\_L\_PPE\_P\_PB5, CBC\_UD\_L\_PPE\_P\_PB6, CBC\_UD\_L\_PPE\_P\_PB7, received 29/11/13.

Reason: To ensure the development is carried out in strict accordance with the approved drawings.

- 3 Prior to the commencement of development, the detailed design including materials and finishes of the following items shall be submitted to and approved in writing by the Local Planning Authority:

1. The proposed method of removal and relocation of the phone kiosks
2. The detailed refurbishment of the phone kiosks

The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure that the design of the details listed are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in a manner which ensures that they serve to preserve the special interest of the building.

- 4 All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.