

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received ☐
2. Application complies with all relevant planning policies and is acceptable on planning grounds ☐
3. There is no Committee resolution for the enforcement action ☐
4. There is no effect on listed buildings or their settings ☐
5. The site is not in the Green Belt (but see 11 below) ☐

REFUSAL RECOMMENDED: GENERAL

6. Application is contrary to relevant planning policies/standards ☐
7. No petition of 20 or more signatures has been received ☐
8. Application has not been supported independently by a person/s ☐
9. The site is not in Green Belt (but see 11 below) ☐

RESIDENTIAL DEVELOPMENT

10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha ☐
11. Householder application in the Green Belt ☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses ☐
13. Refusal of change of use from retail class A1 to any other use ☐
14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. ☐

CERTIFICATE OF LAWFULNESS

15. Certificate of Lawfulness (for proposed use or Development) ☐
16. Certificate of Lawfulness (for existing use or Development) ☐
17. Certificate of Appropriate Alternative Development ☐

CERTIFICATE OF LAWFULNESS

18. ADVERTISEMENT CONSENT (excluding Hoardings) ☐
19. PRIOR APPROVAL APPLICATION ☐
20. OUT-OF-BOROUGH OBSERVATIONS ☐
21. CIRCULAR 18/84 APPLICATION ☐
22. CORPSEWOOD COVENANT APPLICATION ☐
23. APPROVAL OF DETAILS ☐
24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval ☐
25. WORKS TO TREES ☐
26. OTHER (please specify) ☐

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Katherine Mills

Signature:**Date:** 3rd February 2017

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:**Signature:****Date:**

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:**Date:**

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Building Control, Sport & Green Spaces**

Address PAVEMENT OUTSIDE 174 HIGH STREET UXBRIDGE

Development: Installation of new public call box (Application for prior approval under Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015)

LBH Ref Nos: **72456/APP/2016/4556**

Drawing Nos: Location Plan (1:1250)
Block Plan (1:250)
Covering Letter/Statement
Telephone Kiosk Elevations
Photograph of Proposed Location

Date Plans received : 15/12/2016

Date(s) of Amendment(s):

Date Application Valid: 15/12/2016

1. SUMMARY

Prior approval has been sought under Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of a new public call box.

It is considered that the proposed public call box is unacceptable in terms of its appearance and siting, adding to the existing street clutter within the surrounding area and restricting the movement of people across this busy pedestrian area within Uxbridge Town Centre.

The proposal would therefore impact on pedestrian safety and on the character and appearance of the immediate street scene, the neighbouring Old Uxbridge/Windsor Street Conservation Area and Uxbridge Town Centre, contrary to Policies AM7, BE4, BE13, BE26 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The application for prior approval is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed public call box, by reason of its design, appearance and creation of additional street clutter, would result in a detrimental impact on the character and appearance of the immediate street scene, the wider Old Uxbridge/Windsor Street Conservation Area and Uxbridge Town Centre. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies BE4, BE13, BE26 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The proposed public call box, by reason of its siting, would result in an increase in street clutter that restricts the movement of people across this busy pedestrian area within

Uxbridge Town Centre to the detriment of pedestrian safety, contrary to Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE details of siting and design has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE details of siting and design has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE26	Town centres - design, layout and landscaping of new buildings
BE37	Telecommunications developments - siting and design
NPPF5	NPPF - Supporting high quality communication infrastructure
NPPF12	NPPF - Conserving & enhancing the historic environment

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a section of pavement opposite 174 High Street, Uxbridge and the entrance to the Intu Shopping Centre. The site is located within Uxbridge Town Centre, along a busy pedestrian area of the High Street. It also falls within the Old Uxbridge/Windsor Street Conservation Area opposite Nos. 25-27 and 28 High Street, which are Grade II Listed. The High Street benefits from a relatively well planned layout including tree planting, lamp posts, litter bins, bollards and a few scattered benches.

3.2 Proposed Scheme

Prior approval has been sought under Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of a new public call box. The public call box would comprise of three clear polycarbonate toughened glass panels set within a black steel frame. The call box would open on one side. The call box would be 1.4m wide, 1.2m deep and 2.6m high.

It is noted that a further 8 prior notification applications have been submitted along Uxbridge High Street.

3.3 Relevant Planning History

Comment on Planning History

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 3rd February 2017

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consultation

Consultation letters were sent to 3 local owners/occupiers. No responses were received.

Conservation Officer:

The use and need of public call boxes today can be viewed as questionable, taking into account modern living and advances in technology. Many call boxes are becoming redundant, some Statutory Listed call boxes have been converted for other uses, however many are subject to vandalism leading to them detracting from the appearance of the area.

The proposed new public call box is of simple, uninspiring design. It would detrimentally add to the clutter of street furniture along the busy, high movement environment of Uxbridge High Street. The siting of the structure would be adjacent to an existing lamp post, bollards and benches. Furthermore there is a modest sized Starbucks coffee kiosk (part of Intu Shopping Centre) adjacent to the site which benefits from an outdoor seating area. The proposal would take up a substantial area of the pavement, substantially narrowing the amount of pavement for pedestrians, which would become a particular issue when this section of the High Street is shared with vehicles. It would create an unnecessary, additional obstacle within the space, restricting the movement of people along the pavement.

The submitted information states that it would be made of a black steel frame, with clear polycarbonate toughened glass 8mm. It is unclear whether the toughened glass is actually laminated with the polycarbonate. The production of toughening glass (which involves tempering) does not include polycarbonate however the glass may be laminated with such material. This should be clearly stated. There are concerns that the proposed materials would detract from the character and appearance of the conservation area, in close proximity to the Listed Building and would not be considered in keeping with the surrounding historic character. The clear glazed areas may become subject to fly-posting, detrimentally changing the principal appearance of the call box. The open call box is oddly shaped, whilst the proposed, substantially sized call box is rectangular in plan form, it is an open structure with two full width elevations and one half width. The entire structure could be much smaller in size if its appearance was amended.

There are future concerns that the call box would be used for further advertisement on the substantially sized side elevation, which would detract from the street scene. It would fail to preserve and/or enhance the character and appearance of the conservation area.

CONCLUSION: Objection

Officer comments:

In regards to the need for public call boxes, the installation of public call boxes benefits from planning permission as set out in Schedule 2, Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Under the regulations, the Local Planning Authority can only assess the proposal on matters

relating to siting and appearance only. As such, the principle of these types of developments has already been established.

In regards to concerns over potential advertising on public call boxes, a 2010 High Court Judgement states that advertising on payphone is subject to separate legislation and so cannot be considered as a reason for refusal.

Environmental Protection Unit:
No adverse comments from EPU

Town Centre Improvement Manager:
We are gravely concerned that the siting and appearance will severely undermine the £2m town centre improvements commencing later in 2017.

The news that Hillingdon Council has been successful in being awarded a £800k grant from the Greater London Authority (GLA) was made public on 26 January 2016 www.hillingdon.gov.uk/article/30695/London-Mayor-backs-Hillingdons-Uxbridge-plans. As a GLA grant recipient our grant agreement includes a clause (2.4) that 'Where the Project involves any element of urban design, streetscape design and or architecture, the Recipient shall submit full details of such proposed design and/or re-design work to the Authority for its consideration and will co-operate and engage fully with the Authority to agree design dialogue arrangements to be followed (in accordance with available guidance as outlined in schedule 1) in the procurement, commissioning and undertaking of agreed design and/or re-design work.' To that extent we have worked closely with GLA Regeneration Officers in procuring architects and developing high quality public realm designs.

Whilst not yet in the public domain draft RIBA stage 2 concept plans include a schematic view and proposal 'to increase greenness of this environment currently very hard/grey'. Our overall stance is that the siting of the proposed Infocus phone boxes will curtail where new trees can be planted. The benefits of trees in an urban environment are well documented. From providing colour and shade to contributing to improved air quality, the health, aesthetic and environmental benefits of street trees are well documented. The stretch of the High Street from 48 to 58 is a particular focus for creating a green chain of trees with adjacent seating and a pocket park for enjoyable outdoor eating.

Furthermore the siting of the phone boxes will limit how cultural events and regular markets can operate. This includes the popular Uxbridge 'Flavours of the World' market, which attract considerable footfall into the area as well as the newly supported Hillingdon Arts Festival planned in summer 2017.

In terms of appearance, the Streetscape within Uxbridge is currently cluttered with a mismatch of street furniture which detracts from the aesthetic appeal of the town centre and curtails pedestrian movement especially in areas of the high street where footfall is intensified. This includes Uxbridge Station, entrances to Intu and the Pavilions Shopping Centres and the pedestrianised high street.

We note from the supporting information provided that the phone kiosks can be installed with 'virtually no invasive work' and will 'operate independently without the need for support from any utility services.' What is not clear is how the siting of the nine kiosks may impede access to underground utility services as required for future necessary repairs and maintenance.

This concern is raised in the knowledge that Affinity Water as a specific example, will be carrying out major works from summer 2017 to renew their water main along the entire stretch of Uxbridge High Street.

To summarise, overall the prior approval intention to install nine new public payphones undermines the Council's intent to rationalise street furniture throughout providing a much improved and consistent aesthetic appeal, creating a fully 'whole' town centre and new public civic spaces facilitating outdoor retail and accommodating cultural opportunities throughout the year and throughout the town centre.

The proposal is to site a payphone at the main entry point to Intu Shopping Centre. Appendix 1 (Drawing 1609-022) shows the intention that this area is remodelled to provide for a new flower shop with sightlines through, new trees and new benches.

Whilst the taxi stand would be retained all other parking which detracts from the historic Market Place would be removed. We would also have concerns that the concentration of underground utility services at this location could compromise access for repairs and maintenance. These are our reasons for objecting to the proposal for this new kiosk in relation to siting and appearance.

GLA Regeneration Team:

We are committed to funding the 'Uxbridge Town Centre, Change of Heart' Project, one of the key objectives of which is to improve the public realm in the High Street area. As well as significant capital expenditure, this includes a series of measures to declutter and rationalise street furniture.

The siting and scale of these telephone boxes would appear to reinforce existing clutter and further compromise pedestrian movement and sightlines.

It would be much better if the ongoing design work to declutter the high street area could consider the positioning of these telephone boxes in less intrusive and obstructive locations.

6. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE26 Town centres - design, layout and landscaping of new buildings

BE37 Telecommunications developments - siting and design

NPPF5 NPPF - Supporting high quality communication infrastructure

NPPF12 NPPF - Conserving & enhancing the historic environment

In addition:

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

The proposed public call box would be located on a section of pavement within the pedestrian area of Uxbridge High Street and so would not directly impact on the residential amenity of neighbouring residential properties within the High Street.

7.2 Impact on Street Scene

The application site is located within the Old Uxbridge/Windsor Street Conservation Area. Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new developments should retain or enhance the character and appearance of Conservation Areas and those features which contribute to the special architectural qualities. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires new development to harmonise with the existing street scene.

Policy BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that telecommunications developments (which includes public call boxes) will be acceptable in principle provided that any apparatus is sited and designed so as to minimise its effect on the appearance of the surrounding areas.

The Council's Conservation Officer objects to the proposed public call box in regards to its impact on the immediate street scene and the Old Uxbridge/Windsor Street Conservation Area. The public call box would be located adjacent to an existing lamp post, bollards and benches situated on a large forecourt in front of the main entrance to Intu Shopping Centre; the public call box would also be located opposite an outdoor seating area for a Starbucks coffee kiosk. This section of the Town Centre is a busy pedestrian area of the High Street with large levels of footfall due to the Intu Shopping Centre and Uxbridge Underground Station located nearby. This area is highly visible and it is considered that additional street furniture would increase the cluttered appearance of this area and so cause harm to the character and appearance of the immediate street scene and the surrounding Old Uxbridge/Windsor Street Conservation Area.

In terms of design, the proposed public call box would comprise of clear polycarbonate toughened glass within a black steel frame; due to its overall size, design and proposed materials the public call box is considered to detract from the character and appearance of the surrounding Old Uxbridge/Windsor Street Conservation Area, particularly given the close proximity to a number of Listed Buildings.

It is therefore considered that the proposal does not comply with Policies BE4, BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.3 Traffic Impact / Pedestrian Safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that permission will not be given for developments that prejudice the free flow of traffic or conditions of general highway or pedestrian safety.

The proposed public call box would be located on a section of pavement within a large pedestrianised area of Uxbridge High Street alongside an access road for servicing vehicles. The public call box would be set back from the public highway, with bollards separating the pavement and the servicing access road, and so would not impact on vehicular traffic along this section of the High Street.

In regards to pedestrian safety, given the servicing access road, other existing street furniture in this area and the large footfall resulting from the adjacent main entrance to Intu Shopping Centre, the proposed public call box would result in an increase in the amount of street clutter and further restrict the movement of people across this busy pedestrian area.

It is therefore considered that the proposal would not comply with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.4 Carparking & Layout

Not applicable to this application.

7.5 Urban Design, Access and Security Considerations

Urban Design:

See Section 7.2 of this report.

Access & Security:

The public call box would have large windows and would be open at one end so that the payphone is visible to the public and can accommodate wheelchair users easily. As such, the proposed public call box would be acceptable in regards to security and accessibility.

7.6 Other Issues

Uxbridge Town Centre:

Policy BE26 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect the role, overall scale and character of town centres as a focus of shopping and employment activity through appropriate design and layouts.

The Council's Town Centre Improvement Manager has raised concerns that the siting and appearance of the proposed public call box would severely undermine the £2m Uxbridge Town Centre improvements commencing later in 2017; the improvements to the town centre seeks to rationalise the amount of street furniture throughout the High Street in order to provide an improved appearance, along with the creation of new public civic spaces to facilitate outdoor retail and to accommodate cultural opportunities throughout the year and throughout the town centre.

The proposed public call box would be situated on a large forecourt in front of the main entrance to Intu Shopping Centre. This area of Uxbridge Town Centre is highly visible and is currently unattractive in its appearance due to a large amount of hard surfacing and street clutter, which detracts from the historic Market Place located nearby. The addition of a public call box in this location would add to the street clutter and impact on the provision of improved amenity as part of the Uxbridge Town Centre improvement works. This would have a detrimental impact on the character and appearance of Uxbridge Town Centre, contrary to Policy BE26 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Concerns have been raised that the installation of the public call box could compromise access to a number of underground utility services at this location for repairs and maintenance. It is considered that this would be an issue for the public call box providers and the utility services and so is not considered to be a material planning consideration.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

National Planning Policy Framework (March 2012)

Contact Officer: Katherine Mills

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