

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	20/03/2007
		N/A / attached		<b>Consultation Expiry Date:</b>	26/2/2007
<b>Officer</b>			<b>Application Number(s)</b>		
Hugh Miller			2006/5865/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Toilet Cabin Highgate Road (Outside St Albans Villas) LONDON NW5			Site Location Plan x 2; JCDecaux Foster Cabin APC for London Bus Services Personnel Specification; Photo Sheet		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Erection of a toilet cabin for London Transport bus staff on highway outside St Albans Villas.					
<b>Recommendation(s):</b>		Refused			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	14	No. of responses	11	No. of objections	11
			No. electronic	04		
Summary of consultation responses:	<p><b>Summary of consultation responses:</b></p> <p>1. The site is already very congested with people waiting for buses and a Toilet Cabin would create a considerable obstruction. The site is on the narrow pavement and used by school children and pedestrians. It poses a safety hazard.</p> <p>2. The proximity of the bus shelter to the toilet cabin would cause embarrassment to the public and the drivers.</p> <p>3. It is an inappropriate site to locate a toilet cabin immediately outside residential accommodations. Likelihood that the toilet would smell offensively, particularly during the hot weather, impacting on local residents opposite.</p> <p>4. Bus drivers already use the toilet facilities in The Dukes of St. Albans, other local businesses, and the public toilets on Hampstead Heath, Camden Town, Great Portland St and Oxford Street.</p> <p>5. If a dedicated toilet facility is deemed necessary for the bus drivers, a more appropriate place would be on the east side of Highgate Road close to the pedestrian entrance – utilising a small near the previous public toilet facility which was removed by Camden Council.</p> <p>6. The proposed toilet structure is unsightly and will surely be covered by graffiti once erected.</p> <p>7. The toilet cabin structure could have an adverse effect on crime and safety. It would create a ‘blind spot’ for pedestrians and create an opportunity for criminals to lie and wait for potential victims.</p> <p>8. As there is no main water/sewage pipe to facilitate a running cabin, the sanitation problems, cleaning and emptying of this facility, the vermin problem that can arise from blockages, missed effluent pick-ups, etc. What would be the consequence to the local community, local dwellings and shops?</p> <p>The proposed toilet cabin would be unhygienic, unsightly located in front of the ground floor residential units.</p>					
CAAC/Local groups* comments: *Please Specify	<p><u>Dartmouth Park CAAC</u>: Object.</p> <p>1. The pavement at the application site is narrow and the toilet cabin will obstruct pedestrians and force them onto the road into the path of buses, particular at school time when the school children are walking along Highgate Road.</p> <p>2. To place the cabin beside the bus shelter will make it embarrassing for the bus drivers to use the toilet as they pointed out when they</p>					

were consulted.

3. The toilet cabin is unsightly at the entrance to the road as well as marring the approaches to the Heath, which policy UDP 15.24 seeks to protect.
4. It is inappropriate to site the toilet immediately outside residential accommodation.
5. As suggested in 2005, the drivers can use the toilets in the Duke of St. Albans and other restaurant and cafes within the local retail parade.
6. The cabin exposed to the sun all day would we feel sure smell offensively.
7. As suggested in 2005 a better position for the toilet would be on the former toilet site in the Heath, screened by shrubs and trees. Camden Council should renew the lease for this piece of land from the Corporation of London and place the toilet cabin there.

Highgate Society :Object.

We have seen the above application, and while we recognise that there may well be a need for such a facility, the proposed location is in a highly visible position within the Dartmouth Park Conservation Area, at a gateway location both to the Highgate Conservation Area and to Hampstead Heath.

The location is a busy pedestrian one, on a relatively narrow pavement, where it will cause an obstruction. Further, relatively few individuals – namely bus drivers - will be permitted to use it, and we understand that those in any case currently use existing nearby facilities (pubs or cafes) and can also use the facility close by on Hampstead Heath.

We are also particularly concerned that it is also located on a busy junction and will obscure traffic moving southwards down Highgate Road from vehicles wishing to turn into Highgate Road from St. Albans Road. For this reason, its positioning could be highly dangerous and increase the likelihood of collisions. Since the location is particularly heavily used by schoolchildren, this danger could be exacerbated both by exposing them to the risk of traffic collisions, and obscuring motorists' views of them should they rush out from behind the toilet to cross a road? We consider that this risk is sufficiently serious for your highways department to be asked to comment, and have therefore copied this to your Mr. Alex Williams of that Department.

Since the applicant is an advertising company, we presume that advertising space will be available on the installation. This would be unacceptable in a conservation area.

In view of the low use it will have, and the prominent location it will occupy in a Conservation Area, we consider that the location proposed is completely inappropriate. If it is considered necessary for one to be available – and for the abovementioned reasons, we do not consider this to be the case – we ask that a site meeting be held, with the applications, your conservation officer, and representatives from the Society and the Dartmouth Park CAAC, to examine a more appropriate location. In the meantime, it is the view of the Highgate Society that it is both inappropriate, and a danger to traffic and pedestrians, and that permission should not be granted.

Please advise when a site meeting can be arranged.

## Site Description

The application site comprises part of the pavement area on the south side of the existing bus shelter, located at the corner of St. Alban's Road and Highgate Road.

The toilet cabin would be located in front of the brick boundary wall and privet hedge, on the southern corner opposite the residential block nos. 40-61 St. Alban's Villas. The site is within the Dartmouth Pk. C.A.

## Relevant History

In August 2002 **withdrawn** planning application for the Installation of toilet cabin for bus driver's use only on pavement fronting Highgate Road. (PEX0100155).

In March 2004 **refused** planning application for the erection of a toilet cabin for London Transport bus staff on pavement outside St Albans Villas (Ref. PEX0200738).

- 1. The proposed toilet cabin, by reason of its setting, location and general appearance would add to the visual clutter at pavement level and, as such would be detrimental to the visual amenity of the streetscene in this part of the Conservation Area contrary to policies EN (General environmental protection and improvement), EN13 (Design of new development), EN14 (Setting of new development) and EN31 (Character and appearance of conservation areas), of the London Borough of Camden Unitary Development Plan 2000.*
- 2. The proposed toilet cabin, by reason of location, would be detrimental to residential occupiers and customers of the Food and drink premises close by and be contrary to policy EN1 (General environmental protection and improvement), and RE2 (Residential amenity and environment) of the London Borough of Camden Unitary Development Plan 2000.*

In May 2005 **refused** planning application for the erection of a toilet cabin for London Transport bus staff on highway opposite St Albans Villas, (Ref. 2005/0799/P).

- 1. The proposed toilet cabin, by reason of its setting, location and general appearance would add to the visual clutter at pavement level and, as such would be detrimental to the visual amenity of the streetscene in this part of the Conservation Area contrary to policies EN (General environmental protection and improvement), EN13 (Design of new development), EN14 (Setting of new development) and EN31 (Character and appearance of conservation areas), of the London Borough of Camden Unitary Development Plan 2000.*
- 2. The proposed toilet cabin, by reason of location, would obscure pedestrian sightlines and increase opportunities for antisocial behaviour. This would be detrimental to community safety and be contrary to policy EN20 (Community safety), and the Supplementary Planning Guidance on Community safety of the London Borough of Camden Unitary Development Plan 2000.*

## Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### RUDP 2006:

SD1A –Quality of life –Community safety

SD6 –Amenity for occupiers and neighbours

B1 –General design principles

B7 –Conservation areas

B9B –Important local views

B4 B –Advertisement & signs

T3 –Pedestrians and cycling

## Assessment

The main issues concern i) location, ii) setting & design of the proposed toilet cabin on the character & appearance of the C.A.

The application proposes the following:

- Erection of single storey toilet cabin structure on the east side of the bus shelter on the pavement close to the junction with Highgate Rd. and St. Alban's Road.

## Background

In August 2001 a planning application for a toilet cabin was withdrawn by the applicant following concerns raised by officers by letter dated July 2001. The letter to the agent states inter alia, "*Whilst I am sympathetic to the need for this facility for the use of bus drivers at the nearby terminus, the proposal raises important planning issues in respect of its sitting plus visual impact on views over Parliament Hill. We would wish to see the structure located in a less prominent position i.e., closer to the parade of shops (number 1 Highgate Road / Highgate West Hill and the existing footpath)*".

More recently, March 2004 and May 2005, planning permissions was refused 'for the erection of a toilet cabin for London Transport bus staff on pavement outside St Alban's Public House and St. Alban's Villas'; on grounds of design, materials, location and setting and impact on residential occupiers and on the retail units. Please see history section above.

The area chosen for the toilet cabin would be towards the southern side of the existing bus shelter, which is located in front of the low-brick wall and privet hedge fronting the garden amenity space of residential block nos. 42-45 St. Alban's Villas. The proposed photomontage also shows that the toilet cabin would be located close to the corner of Highgate Road and St. Alban's Road.

West of the proposed site, on Highgate Rd. by the Heath, the drivers of London Buses terminate their journey. Buses also terminate their journey on the east side opposite the existing bus shelter.

The toilet cabin would be used solely by the drivers and not the general public.

The proposed toilet cabin is considered unacceptable for reasons as follows:

## Design

The toilet cabin dimensions are, base: 1.7m x 750mm and cabin: 1.7m x 2.3m x 1.6m. At 2.3m height the toilet cabin would be lower in height than the existing adjacent bus shelter and a gap of 1.340m between the structures. The toilet cabin would compromise pre-cast concrete and aluminium fibreglass laminated with polyester. The side panels would incorporate fluorescent tubes – although it is not made explicit on the drawings it is assumed that these panels will incorporate advertising. Given the unobtrusive pavement, the proposal would form an alien feature in terms of its design, use of materials, location and setting. Notwithstanding the use of laminated safety glass the toilet cabin would be similar to a larger version of a telephone kiosk incorporating internally illuminated advertising adding to street/ pavement clutter. The previous proposals were considered to be at odds with the open nature of the streetscape and out of keeping with the conservation area and setting of Parliament Hill adjacent. This proposal, whilst proposed to be located in a less prominent part of the pavement, is not considered to overcome any of these issues and remains contentious.

In terms of its form and materials, and location corner of the road junction, the structure would represent an alien feature in this part of the conservation area, and would create visual clutter in the streetscene.

Other than the bus shelter and the refuse bin, the pavement north and south of the application site has an open vista, with limited street furniture. It offers unobtrusive views to pedestrians, motorists, employees within the business premises and residential occupiers in the dwellings immediately

opposite the application site. The uncluttered streetscape provides existing views to and from the Heath and within the Dartmouth Pk C.A.

The proposed would not be in keeping with the open character of the streetscape and it would be unacceptable. The proposal would cause harm to the prevailing unobtrusive streetscape and harm the character and appearance of the C.A. and the Heath.

#### **Amenity for occupiers & neighbours**

The proposal would not result in any adverse impacts to surrounding occupiers by way of loss of light, outlook or privacy.

#### **Community Safety**

Policy SD1A –Quality of life –Community safety has reinforces the principle of using the Planning process to encourage community safety. It is explicit in its requirements to ensure that personal and collective safety is not compromised by new development. The policy is a reflection of the strategic guidance as noted in Circular 5/94 Planning Out Crime & also Planning Policy Statement (PPS) 1.

This particular bus shelter services local schools in addition to local residents. There is a high volume of pedestrians flow using the pavement area. Officers are therefore concerned about the proposals impact on community safety, given the narrow pavement and proximity of the application site (toilet cabin) to the road junction. The proposed would be contrary to Transport Policy T3 – (Pedestrians and Cycling), which states ‘*The Council will only grant planning permission for development that it considers to make satisfactory provision for pedestrians and cyclists. (The term "Pedestrians" includes wheelchair users)*’. Specifically, the reduction in pavement width and pedestrian safety and the impairment on pedestrian sightlines walking due west along St. Alban’s Road towards the junction with Highgate Road.

Additionally, the proposed toilet cabin is large enough to enable would-be attacker to lay-wait the occupier and for this and the above reasons, officers considers that the proposal would be unsatisfactory in this location and setting.

Refusal is recommended.

#### **Disclaimer**

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