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|---|----------------------------|--|--|----------------------------------|------------|
| <b>Delegated Report</b>   |                            | <b>Analysis sheet</b>                      |  | <b>Expiry Date:</b>              | 07/01/2016 |
|   |                            | N/A / attached                             |  | <b>Consultation Expiry Date:</b> | N/A        |
| <b>Officer</b>  |                            |  | <b>Application Number(s)</b>   |                                  |            |
| Matthias Gentet   |                            |  | 2015/6638/P  |                                  |            |
| <b>Application Address</b>  |                            |  | <b>Drawing Numbers</b>   |                                  |            |
| O/S UCL<br>1-19 Torrington Place<br>London<br>WC1E 7HB  |                            |  | Site Plan; 4 x Photos; Site Location Plan;<br>Detailed Site Plan; Phone Boxes Photos and<br>Specification. |                                  |            |
| <b>PO 3/4</b>   | <b>Area Team Signature</b> | <b>C&amp;UD</b>                            | <b>Authorised Officer Signature</b>  |                                  |            |
|   |                            |  |  |                                  |            |
| <b>Proposal(s)</b>  |                            |  |  |                                  |            |
| Relocation of existing payphone from the pavement outside 22-24 Torrington Place to the pavement outside 1-19 Torrington Place. |                            |  |  |                                  |            |
| <b>Recommendation(s):</b>   |                            | Prior Approval Required – Approval Refused |  |                                  |            |
| <b>Application Type:</b>  |                            | GPDO Prior Approval Determination          |  |                                  |            |

|   |  |           |                  |           |                   |           |
|---|--|-----------|------------------|-----------|-------------------|-----------|
| Conditions or Reasons for Refusal:              | Refer to Draft Decision Notice   |           |                  |           |                   |           |
| Informatives:                                   |  |           |                  |           |                   |           |
| <b>Consultations</b>                            |  |           |                  |           |                   |           |
| Adjoining Occupiers:                            | No. notified   | <b>00</b> | No. of responses | <b>00</b> | No. of objections | <b>00</b> |
| Summary of consultation responses:              | <p>Consultation letter was sent out to the Metropolitan Police (expiring on 19/01/2015).</p> <p>A comment from the <b>Metropolitan Police</b> was received as follows:</p> <p><i>I don't think I have any concerns about this change of location.</i></p> <p><i>Although I think there should be no advertising to allow for surveillance of this phone box.</i></p> |           |                  |           |                   |           |
| CAAC/Local groups* comments:<br>*Please Specify | No response has been received from any Local Groups and/or CAAC  |           |                  |           |                   |           |

## Site Description

The site is located near the traffic junction of Torrington Place and Tottenham Court Road, on the pavement outside a part 2/ part 11 storey building - forming part of UCL portfolio - and Brook House (on the opposite side) - a 6-storey with basement Grade II Listed Building of a modern design divided between commercial and auxiliary use to all floors (Habitat on Tottenham Court Road) and a new hotel from first to top floor.

The site sits in Bloomsbury Conservation Area surrounded by 4/5 to 6 storey buildings of various architectural styles with commercial units at ground floor level, offices or similar/ancillary at upper levels as well as residential such as Gordon Mansions further down to the east on Torrington Place.

There is little in terms of street furniture in the immediate vicinity except a telecommunication equipment cabinet and an adjacent lamp post, traffic sign, a tree and traffic lights further down.

## Relevant History

### Host Site:

PS9704134 – (agreed by default) - Installation of 2 KX plus kiosks - **Outside 22-24 Torrington Place, junction Huntley Street;**

### Adjacent Sites:

2009/1035/P – (Prior approval refused on 19/05/2009) - Installation of telephone kiosk on the public highway - **outside 191 Tottenham Court Road;**

2005/1386/P – (refused on 14/07/2005) - The replacement of an existing telephone box with a combined ATM/Payphone kiosk (BT) - **O/s Waterstone's Torrington Place & 82 Gower Street;**

PS9604107 – (agreed by default) - Upgrade existing telephone kiosks (BT) - **Torrington Place near Malet Place;**

PS9604106 - (agreed by default) - Upgrade existing telephone kiosks (BT) - **Outside Dillons Bookstore, 82 Gower Street;**

It must be noted that the 4 public phone kiosks located between 82 Gower Street and 2-16 Torrington Place are now the subject of enforcement cases, listed as follow:

- EN15/ 1290 – Unauthorised advertisement on twin BT phone boxes outside Waterstone, 82 Gower Street;
- EN15/1291 – Unauthorised advertisement on Wifi Kiosk outside Waterstone, 82 Gower Street. It is unclear whether the Wifi kiosk itself was granted prior approval by default due to the lack of historical information provided;
- EN15/1292 – Unauthorised advertisement on BT phone box outside 24-26 Torrington Place.

## **Relevant policies**

### **LDF Core Strategy and Development Policies**

#### **Core Strategy:**

CS5 - Managing the impact of growth and development  
CS14 - Promoting high quality places and conserving our heritage  
CS17 - Making Camden a safer place)

#### **Development Policies:**

DP17 - Walking, cycling and public transport  
DP21 - Development connecting to the highway network  
DP24 - Securing high quality design  
DP26 - Managing the impact of development on occupiers and neighbours  
DP29 – Improving access

#### **Camden Planning Guidance:**

**CPG1 - Design** Section 9 (Designing safer environments) - 2015  
**CPG7 - Transport** Section 8 (Streets and public spaces) - 2013

**National Planning Policy Framework (March 2012) (Chap 42 to 46)**

**London Plan March 2015, consolidated with alterations since 2011**

**Bloomsbury Conservation Area Appraisal (April 2011)**

## Assessment

### **1. Proposal**

1.1 The application is seeking prior approval for the installation of a payphone kiosk – to be relocated from the opposite side of the pavement to the proposed site location – measuring around 2.5m in height, 0.9m in width and 0.9m in depth to be sited next to the edge of the pavement running alongside Torrington Place.

1.2 The proposed phone booth would consist of a steel, black and red frame with clear glazing on 3no elevations. The door would be facing away from the traffic travelling on Torrington Place from the south-east in the direction of Tottenham Court Road.

1.3 The proposed phone booth would provide wheelchair access.

1.4 The proposed works fall under the criteria for assessment under Part 24 of Schedule 2 of the General Permitted Development Order 1995 (as amended) by virtue of the proposed apparatus' height and cubic content. The order permits the Council to only consider matters of siting and design in determining GPDO prior approval applications. The potential impact on crime and public safety are relevant considerations under siting.

1.5 It is considered relevant in the assessment of the current application as it lies within Bloomsbury Conservation Area that any form of advertisement to be displayed on one elevation of the phone booth would require advertisement consent and that it is unlikely it would be granted. Nevertheless where phone booths cannot be relied upon for revenue in themselves to telecommunication companies these will inevitably bring about pressure for advertising whether authorised or unauthorised.

1.6 Such advertising would inevitably alter the characteristics of the kiosk, offering screening for those inside which could encourage inappropriate and antisocial use of the facility raising issues of crime and safety.

1.7 In considering recent appeals APP/X5210/A/09/2112784; 2112781; 2112748; 2112753; 2112776; 2112754; 2112772 & 2112750 the inspector noted that the individual merits of each case need to be assessed with regards to crime and safety . Evidence of existing anti-social behaviour was contributory to dismissing some of these appeals.

1.8 It must be noted that the side of the pavement where the installation of the phone booth is proposed is relatively free from street cluttering with the exception of a telecommunication equipment cabinet and adjacent lamp post, a London Plane and traffic light to the West of the site and a traffic sign and 2 London Planes to the East.

1.9 A cycle lane also runs along Torrington Place, adjacent to the side of the pavement affected by the proposal.

### **2. Policies**

2.1 DP24 requires all developments to be of the highest standard of design and to consider the character setting context and form and scale of neighbouring buildings and its contribution to the public realm, and its impact on wider views and vistas.

2.2 DP21 States that the Council will expect development connecting to the highway network to avoid causing harm to highway safety or hinder pedestrian movement and avoid unnecessary street clutter; and contribute to the creation of high quality streets and public spaces.

2.3 CS17 requires development to contribute to community safety and security particularly in areas of

relatively high crime levels.

2.4 Camden Planning guidance contains specific guidance on telephone boxes and seeks to ensure that such development is designed and located to limit its impact on the streetscene and to decrease the opportunities for crime and antisocial behaviour. It states that street furniture should not obstruct pedestrian views or movement or be positioned to encourage antisocial behaviour.

### **3. Context**

3.1 There are currently 4 public payphones on Torrington Place – all located on the south pavement – consisting of a single kiosk and a set of twin phone boxes sitting outside Waterstone on the edge of the pavement, and a single kiosk sitting outside 24-26 Torrington Place.

3.2 Originally, prior approval was granted by default for the installation of 2no kiosks (twin) outside 24-26 Torrington Place which were duly erected as such. However, one of the phone boxes has been removed sometime in 2008-2009, leaving the single phone box which is now forming part of this application.

### **4. Siting**

4.1 The application site is located on a pavement around 4m wide and, although it is sufficient to allow for the free flow of pedestrians in its currently more or less uncluttered state, the presence of what can be considered a rather large feature would invariably reduce the space available to navigate unhindered.

4.2 The closeness of the site to the edge of the pavement, coupled with the presence of the cycle lane running on the south-eastern side of the proposal raises concerns for the safety of visually impaired pedestrians who would not expect to find an obstacle of that size in such a prominent location which would force visually impaired pedestrians to either veer to the left or right – depending on the direction of origin – and could find themselves having to step onto the road and therefore on the path of cyclists.

4.3 The proposed telecommunication apparatus would be an incongruous addition bringing the amount of street cluttering to a now unreasonable level affecting the visual amenity on this side of Torrington Place. The Council aims to resist any proposals that will either exacerbate an already existing problem with visual clutter as well as proposals intending to introduce such a problem.

4.4 Although the application is for the relocation of an existing phone booth from outside 24-26 Torrington Place to outside 1-19 Torrington Place, there is no guarantee that the existing phone booth is to be removed and as such, it opens the possibility of having 2no telecommunication apparatus in very close proximity of each other and thus increasing the impact of such a status quo on the conservation area, the streetscape and the impact on the setting of the adjacent listed building – namely Brook House.

### **5. Cyclist and Pedestrians**

5.1 DP21 states that Camden will expect developments connecting to the highway network to avoid causing harm to highway safety or hinder pedestrian movement and avoid unnecessary street clutter; and contribute to the creation of high quality streets and public spaces.

5.2 The proposed public payphone, in terms of its location, would not be a direct obstacle for pedestrians, pedestrians with pushchairs and wheelchair users as what could be considered to be sufficient space is provided to navigate past the phone booth undisturbed.

5.3 However, this may not be the case for visually impaired pedestrians who will find the proposed kiosk in their path due to the booth's unexpected location.

## **6. Anti-social Behaviour**

6.1 The application site, though set back from the main high street (Tottenham Court Road) would still benefit from some level of natural surveillance. However, the potential for advertisement on the elevation facing the traffic for example would hinder the natural surveillance quite significantly and would thus provide opportunities for anti-social behaviour and criminal activities to take place.

6.2 The proposal is therefore considered to be unacceptable by virtue of its siting in relation to added street clutter and safety issues (crimes and anti-social behaviour) and would be contrary to the guidance of the NPPF, Camden Planning Guidance (CPG1) and policy CS17 (Making Camden a safer place).

## **7. Design**

7.1 The proposal is of a standard size for payphone kiosks, and kiosks of similar size and design have been granted prior approval in the past in various locations throughout the London Borough of Camden. In terms of its size, design, material used and setting amongst office buildings at upper floors and commercial units are ground floor level, the proposal is considered to be acceptable.

## **8. Conclusion**

8.1 The applicant has failed to provide genuine and reasonable evidence to justify the need to firstly relocating the current public payphone to this new location, and secondly evidence confirming the removal of the existing phone kiosk without which raises the prospect of further cumulative harm from an additional telecommunication device.

8.2 As such, the proposal is contrary to the guidance of the NPPF requesting that the applicant *"should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified."* Chap 43.

8.3 The proposal would result in unacceptable street clutter and would be harmful to the character and appearance of Bloomsbury Conservation Area, the streetscape and harmful to the setting of the adjacent listed building and would only serve the purpose for advertisements. The proposal, by virtue of its siting, is considered unacceptable.

8.4 The proposal would also inadvertently provide the space and opportunity for crime and anti-social behaviour to take place, particularly with the screening effect of any advertising which is difficult to control.

## **9. Recommendation**

9.1 It is recommended that this prior approval be refused.