

Delegated Report		Analysis sheet	Expiry Date:	11/04/2017
		N/A / attached	Consultation Expiry Date:	29/03/2017
Officer			Application Number(s)	
Charlotte Meynell			2017/1073/P	
Application Address			Drawing Numbers	
Land adjacent to Swiss Cottage Library 88 Avenue Road London NW3 3HA			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 1 x telephone box on pavement.				
Recommendation(s):		Prior Approval Required – Approval Refused		
Application Type:		GPDO Prior Approval Determination		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p><u>A site notice was displayed on 08/03/2017 and expired on 29/03/2017</u></p> <p>Metropolitan Police – Designing Out Crime Officer objects on the following grounds:</p> <ul style="list-style-type: none"> - The proposed telephone kiosk may be abused for the purposes of crime and anti-social behaviour (ASB); - It will cause a reduction in surveillance in the area. An offender may use this telephone kiosk to avoid CCTV or casual surveillance from other users of the street; - It may provide an opportunity for an offender to loiter in the area; - It may also be abused by the posting of prostitute cards. <p>Transport Strategy object as follows - The application is contrary to policies CS11 (Promoting sustainable and efficient travel), DP21 (Development connecting to the highway network), and DP17 (Walking, cycling and public transport), Camden Planning Guidance CPG7 (Transport), Camden's Streetscape Design Manual, and TfL's Pedestrian Comfort Guidance. The application is also situated in close proximity to the proposed schemes for the installation of Cycle Super Highway 11 (CS11) and the re-development of the Swiss Cottage Gyratory. The proposal is therefore deemed unacceptable.</p>					
Elsworthy Residents Association comments:	<p>The Elsworthy Residents Association has objected on the following grounds:</p> <ul style="list-style-type: none"> - Much of what I wrote re application 2017/1074/P applies to this request but since I sent the first I have counted today 10 existing phone boxes situated around the "swiss cottage gyratory" as it is now called in relation to the cycle highway proposal and 100 Ave Road development. Apart from the existing four telephone boxes between the Tube and the library there are two bus shelters and street sign posts, in other words a lot of obstacles. During my walk around the circuit I didn't see one of the ten boxes in use - only people on their mobiles. I understand that a business wants to expand but at the expense of public space that is already cluttered and for a little used service it is unreasonable and these two applications and the one at the corner of Finchley road and Adelaide Road (not a pedestrian route) should be refused. 					

Site Description

The application site comprises of an area of the footway adjacent to Swiss Cottage Library at 88 Avenue Road, on the eastern side of Avenue Road. The site is directly adjacent to a tree to the south-east and a bus stop is situated approximately 15m north-west of the site along this side of Avenue Road. Two existing telephone boxes are located approximately 50m north-west of the site along this side of Avenue Road.

The site is part of Transport for London's (TfL's) Road Network (TLRN). Although the site does not fall within a conservation area, it is located adjacent to Swiss Cottage Library which is a Grade II listed building, and opposite the Grade II listed flats and parade of shops at Regency Lodge on the western side of Avenue Road.

Relevant History

Site history:

None

Neighbouring sites:

Land adjacent to 100 Avenue Road

2017/1074/P – Installation of 1 x telephone box on pavement. **Prior Approval under consideration**

Outside of 100 Avenue Road

2004/2964/P – Remove existing two telephone kiosks and re-siting of new telephone kiosk on to paved area adjoining public footway. **Prior Approval Given 24/08/2004**

Relevant policies

National Planning Policy Framework (2012)

London Plan 2016

TfL's Pedestrian Comfort Guidance for London (2010)

LDF Core Strategy and Development Policies

CS1 Distribution of growth

CS5 Managing the impact of growth and development

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

CS17 Making Camden a safer place

Development Policies

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP21 Development connecting to the highway network

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP29 Improving access

Camden Planning Guidance

CPG1 Design (2015)

CPG7 Transport (2011)

Camden Streetscape Design Manual

TfL Pedestrian Comfort Guidance (PCG) 2010

Camden Local Plan Submission Draft 2016

The emerging Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

A1 Managing the impact of development

C5 Safety and Security
C6 Access
D1 Design
D2 Heritage
G1 Delivery and location of growth
T1 Prioritising walking, cycling and public transport

Assessment

1.0 Proposal

- 1.1 Confirmation is sought as to whether the installation of a telephone box would require prior approval under Part 24 of Schedule 2 of the GPDO. The order permits the Council to only consider matters of siting and appearance in determining GPDO prior approval applications. The potential impact on crime and public safety are relevant considerations under siting.
- 1.2 The box would measure 1.3m in width, 1.1m in depth and 2.6m in height, and would be located on the eastern pedestrian footway along Avenue Road, adjacent to Swiss Cottage Library.
- 1.3 It would have a steel frame and casings with 8mm clear polycarbonate toughened glass on two sides, and a solar panel on the roof.

2.0 Assessment

- 2.1 Policy DP21 states that the Council will expect works affecting the highway network to address the needs of wheelchair users, people with sight impairments and other vulnerable users; to avoid causing harm to highway safety or hinder pedestrian movement and avoid unnecessary street clutter; and to contribute to the creation of high quality streets and public spaces. Policy CS11 paragraphs 11.8-11.12 specifically detail the importance of encouraging more walking, and Policy DP21 paragraph 21.21 emphasises that it is important that development does not hinder pedestrian movement, and states that the Council will not support proposals that involve the provision of additional street furniture that is not of benefit to highway users.
- 2.2 Policy DP17 states that the Council will promote walking, cycling and public transport use and that development should make suitable provision for pedestrians, cyclists and public transport where appropriate, and paragraph 17.4 highlights that footpaths need to be wide enough for the number of people who will use them so they do not spill onto roads.
- 2.3 Paragraph 8.6 of CPG7 (Transport) seeks improvements to streets and spaces to ensure good quality access and circulation arrangements for all. Ensuring the following:
- Safety of vulnerable road users, including children, elderly people and people with mobility difficulties, sight impairments and other disabilities;
 - Maximising pedestrian accessibility and minimising journey times;
 - Providing stretches of continuous public footways without public highway crossings;
 - Linking to, maintaining, extending and improving the network pedestrian pathways;
 - Providing a high quality environment in terms of appearance, design and construction, paying attention to Conservation Areas;
 - Use of paving surfaces which enhance ease of movement for vulnerable road users; and,
 - Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed e.g. by pavement parking or by street furniture.
- 2.4 Camden's Streetscape Design manual – section 3.01 footway width states the following:
- “Clear footway” is not the distance from kerb to boundary wall, but the unobstructed

pathway width within the footway;

- 1.8 metres – minimum width needed for two adults passing;
- 3 metres – minimum width for busy pedestrian street though greater widths are usually required;
- Keeping the footway width visually free of street furniture is also important, allowing clear sightlines along the street’.

2.5 Policy CS17 requires development to contribute to community safety and security, and paragraph 17.5 states that the design of streets needs to be accessible, safe and uncluttered, with careful consideration given to the design and location of any street furniture or equipment. Paragraphs 9.26 and 9.27 of CPG1 (Design) advise that the proposed placement of a new phone box needs to be considered to ensure that it has a limited impact on the sightlines of the footway, and that the size of the box should be minimised to limit its impact on the streetscene and to decrease opportunities for crime and anti-social behaviour.

3.0 Siting

3.1 The application site is located on a pavement measuring roughly 6.0m wide. This area of the footway is relatively clear of street furniture and experiences high pedestrian flows, particularly at peak times.

3.2 Section 3.01 of Camden’s Streetscape Design Manual requires a minimum unobstructed pathway width within the footway, known as the ‘clear footway’. This guidance and Appendix B of TfL’s Pedestrian Comfort Guidance, outlines the recommended minimum footway widths for different levels of pedestrian flows.

3.3 The proposed telephone box measures 1.325m in width (rounded to 1.4m for robustness). Detailed design drawings that include the orientation and exact proposed positioning of the new telephone box on the pavement have not been submitted and so it is unclear as to how wide the ‘clear footway’ width would be once the proposed telephone box has been installed. However, Camden’s Streetscape Design Manual section 4.01, together with TfL’s Pedestrian Comfort Guidance, states that street furniture should be placed a minimum of 0.45m back from the carriageway, therefore the proposal would result in the loss of a minimum of 1.9m of the footway.

3.4 This would reduce the ‘clear footway’ to less than the minimum threshold, which would reduce pedestrian comfort, may lead to the discouragement of sustainable travel, and could have an impact on highway safety through interfering with signals, visual obstructions, visibility splays and leading to overcrowding. As such, the proposal would be contrary to Policies CS11, DP21 and DP17 and is considered unacceptable.

3.5 There are two existing telephone boxes in close proximity to the site to the north-west along this side of Avenue Road and no justification has been submitted for the need to install a further one. Policy DP21 specifically states that the Council will not support proposals that involve the provision of additional street furniture that is not of benefit to highway users. There is no benefit to highway users from a further phone kiosk and certainly not one which further reduces pavement width. The siting to one end of a bus stop, by the design blocking views of pedestrians is considered to be detrimental to pedestrian and vehicular safety.

3.6 The additional proposed telephone box would act only as a hindrance to pedestrian movement, adding further clutter to the streetscene rather than providing a public service for the benefit of highways users, contrary to Policy DP21.

3.7 The proposed schemes to install Cycle Super Highway Route 11 and reconfigure the Swiss Cottage Gyratory are within the vicinity of the site. The schemes aim to create a high quality place

and improve pedestrian comfort and increase the safety of vulnerable road users through providing additional space for walking and cycling. The installation of a new telephone box in this location would add further street clutter to the streetscene, contrary to the aims of the committed schemes, and the resulting reduction in the footway width may discourage active travel. The siting of the proposal is therefore considered to be unacceptable.

4.0 Design and Appearance

- 4.1 Policy CS14 aims to ensure the highest design standards for developments. Policy DP24 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, its contribution to the public realm, and its impact on wider views and vistas. Policy DP25 states that to preserve or enhance the borough's listed buildings, the Council will only grant permission for development that it considers would not harm the setting of a listed building.
- 4.2 Due to the prominence of the proposal's siting on a relatively clear section of pedestrian footway, it is considered that the proposed development would severely degrade the visual amenity of the area through the creation of further unnecessary street clutter. The proposed structure is considered to be a very poor design in terms of size, scale, massing and proposed materials, and is not an appropriate or acceptable addition in this location. It would be an obtrusive piece of street furniture in this location detracting from the streetscene. The stainless steel incongruous design would provide an intrusive addition to the street. Consequently, the proposed kiosk would seriously affect the setting of the Grade II listed Swiss Cottage Library, and would thus result in a significant harm to the wider streetscene. As such the proposal would fail to adhere to Policies CS14, DP24 and DP25.
- 4.3 The National Planning Policy Framework (The Framework) says that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance. In this case there would be harm but that this would be less than substantial harm. In these circumstances the harm should be weighed against the public benefits of the proposals. As there are already two existing kiosks located within 50m of the site there is not considered to be any public benefit from the provision of another kiosk in this location.

5.0 Anti-social behaviour

- 5.1 With regards to community safety matters, a number of issues have been raised by the Metropolitan Police Crime Prevention Design Advisor. In particular it has been noted that the siting of the proposal on a relatively clear section of the footway and its design with a large solid panel would add to street clutter and safety issues in terms of crime and anti-social behaviour, through reducing sight lines and casual surveillance in the area, and providing a potential opportunity for an offender to loiter, contrary to Policy CS17 and CPG1 (Design).

6.0 Conclusion

- 6.1 The proposal would result in unacceptable street clutter, harmful to the character and appearance of the streetscape and the adjacent Grade II listed building, and to the detriment of pedestrian flows. The proposal would fail to reduce opportunities for crime and antisocial behaviour to the detriment of community safety and security, and compromise the safety of those using and servicing the telephone kiosk. The proposal, by virtue of its siting and appearance, is considered unacceptable.
- 6.2 Having regard to the above it is considered that the prior approval of the Local Planning Authority is required for the siting and appearance of the development under Part 24 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995. It is recommended that

prior approval is refused in this instance, for the reasons given in this report

7.0 Recommendation

7.1 Refuse Prior Approval