

|   |  |                       |                                       |                   |
|---|--|-----------------------|---------------------------------------|-------------------|
| <b>Delegated Report</b>                                     |  | <b>Analysis sheet</b> | <b>Expiry Date:</b>                   | <b>11/04/2017</b> |
|   |  | N/A / attached        | <b>Consultation Expiry Date:</b>      | <b>29/03/2017</b> |
| <b>Officer</b>  |  |                       | <b>Application Number(s)</b>          |                   |
| Oluwaseyi Enirayetan  |  |                       | 2017/1085/P                           |                   |
| <b>Application Address</b>                                  |  |                       | <b>Drawing Numbers</b>                |                   |
| Land Adjacent to 55 Fortune Green Road<br>London<br>NW6 1DR |  |                       | Please refer to final decision notice |                   |
| <b>PO 3/4</b>   | <b>Area Team Signature</b>                 | <b>C&amp;UD</b>       | <b>Authorised Officer Signature</b>   |                   |
|   |  |                       |                                       |                   |
| <b>Proposal(s)</b>  |  |                       |                                       |                   |
| Installation of 1 x telephone box on the pavement           |  |                       |                                       |                   |
| <b>Recommendation(s):</b>                                   | Prior Approval Required – Approval Refused |                       |                                       |                   |
| <b>Application Type:</b>                                    | GPDO Prior Approval Determination          |                       |                                       |                   |

|                                    |   |   |                  |   |                   |   |
|------------------------------------|---|---|------------------|---|-------------------|---|
| Conditions or Reasons for Refusal: | Refer to Decision Notice  |   |                  |   |                   |   |
| Informatives:                      |   |   |                  |   |                   |   |
| <b>Consultations</b>               |   |   |                  |   |                   |   |
| Adjoining Occupiers:               | No. notified  | 0 | No. of responses | 0 | No. of objections | 0 |
|                                    |   |   | No. electronic   | 0 |                   |   |
| Summary of consultation responses: | <p>A site notice was erected on 08/03/2017 (expired 29 March 2017).</p> <p><b>Metropolitan Policy Crime Prevention Design Advisor objects as follows:</b><br/>They may be abused for the purposes of crime and ASB (Anti-Social Behaviour). There will be a reduction in surveillance of the area. An offender may use this telephone kiosk to avoid CCTV, or casual surveillance from other users of the street. A telephone kiosk may provide an opportunity for an offender to loiter in the area. This kiosk may also be abused, by the posting of prostitute cards.</p> <p><b>Transport Strategy objects as follows:</b></p> <ul style="list-style-type: none"> <li>Any development that would result in a narrowing of the footway, whether this is from the telephone box causing a physical obstruction or from queues that may form as a result of the telephone box, will obstruct pedestrian movement and would therefore be contrary to policies DP21.</li> <li>Further to this, any new proposal that could hinder movement for wheelchair users (narrow footways) or interfere with the navigation for vulnerable road users, such as visually impaired users, will also be contrary to DP21. Any development that presents a safety risk will also be refused. If the proposed telephone box blocks sightlines, visibility splays, queueing distances and causes harm to highway safety the proposal would be contrary to policy DP21 and thus unacceptable.</li> <li>Street furniture, such as a telephone box, that is not seen as a benefit to highway users will be deemed as unacceptable. Given the infrequent use of telephone boxes it can be argued that instead of providing a service to the highway users, instead, they act only as a hindrance to pedestrian movement</li> </ul> |   |                  |   |                   |   |
| CAAC/Local groups comments:        | N/A   |   |                  |   |                   |   |

## Site Description

The application site comprises part of the public pavement outside a residential building in front of an educational unit at ground floor. The site is not in a conservation area nor is it listed. The site is located in close proximity to the Fortune Green open space, which is designated as locally listed.

## Relevant History

None

## Relevant policies

### National Planning Policy Framework 2012 (Paragraphs 42 to 46)

### London Plan 2016

### TfL's Pedestrian Comfort Guidance for London (2010)

### LDF Core Strategy and Development Policies

#### Core Strategy

- 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
- DP26 – Managing the impact of development on occupiers and neighbours
- DP29 – Improving access

### Camden Planning Guidance 2011 (as amended)

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

Camden Streetscape Design Manual  
TfL Pedestrian Comfort Guidance (PCG) 2010

### Draft Camden Local Plan 2016

- A1 Managing the impact of development
- C5 Safety and Security
- C6 Access
- D1 Design
- G1 Delivery and location of growth
- T1 – Prioritising walking, cycling and public transport

*The emerging Camden 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.*

## **Assessment**

### **1. 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 kiosk would site outside of a new build residential block with education centre on the ground floor on the footpath.
- 1.3 The proposal seeks the installation of a solar powered telephone box with wheelchair access. The box measures 1.2m x 1.4m with overall height of 2.6m. It would be steel frame with clear polycarbonate toughened glass on 3 sides.

### **2. 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 proposal 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 seek 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 Paragraph 8.9 states: 'Footways should be wide enough for two people using wheelchairs, or

prams, to pass each other. We seek to maximise the width of footways wherever possible.

2.5 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.’

2.6 Policy CS17 requires development to contribute to community safety and security, 17.5 states that the design of street 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.

2.7 In the absence of detailed design drawings that include dimensions of the proposed position of the new telephone box, it is unclear as to how wide the ‘clear footway’ width is once the proposed telephone box has been installed.

### **3. Siting**

3.1 There is existing street furniture in the form of trees, bicycle stand, litter bins and lamppost. The adjacent site has recently been redevelopment and this stretch of pavement remains visually relatively uncluttered.

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. This would reduce the ‘clear footway’, 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.

3.4 The addition of telephone box would introduce unnecessary street clutter. Not only would the proposal create additional street clutter, but in doing so, the payphone kiosk would reduce the amount of available footway, to the detriment and quality of the public realm. This would reduce amenity for pedestrians, thus having a detrimental impact on the promotion of walking as an alternative to motorised transport, contrary to aims and objectives of DP17 and DP21.

3.5 Furthermore, due to the siting of the kiosk the additional clutter would present a safety risk for

pedestrian and cyclist using the stands by reducing forward visibility and effective footway width, which is contrary to policy DP21 to avoid causing hindrance to pedestrian movement and unnecessary street clutter.

- 3.6 There are two existing telephone boxes outside No. 39 Fortune Green 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. This would be contrary to the guidance of the NPPF which aims to keep telecommunication sites to a minimum and encourage applicants to explore shared facilities.

#### **4. 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
- 4.2 The proposed phone box measures 1.4m in width and 2.6m in height. The proposed structure is considered to be a very poor design in terms of size, scale, massing and proposed material. It is not considered to be an appropriate or acceptable addition in this location. It would be an obtrusive piece of street furniture detracting from the wider streetscene.
- 4.3 Due to the prominence of the proposal's siting, 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.
- 4.4 It is considered that the introduction of this telephone kiosk due to its bulk and siting would introduce unnecessary street clutter which would cause harm to the streetscene and the character and appearance of the surrounding area. This would be contrary to the guidance of the NPPF which aims to keep telecommunication sites to a minimum and encourage applicants to explore shared facilities.
- 4.5 There are two existing telephone boxes outside No. 39 Fortune Green Road. The proposal would simply serve to add additional unnecessary street clutter harming the appearance and character of the area.

#### **5. 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 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. Conclusion**

- 6.1 The proposal would result in unacceptable clutter in the street, harmful to its character and appearance and to the detriment of free and uninterrupted 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.

**Recommendation:** Refuse prior approval