

Mr Matt Swindles
Primesight Limited
The MET Building
22 Percy Street
London
W1T 2BU

Application Ref: **2017/1125/P**Please ask for: **Nora-Andreea****Constantinescu**Telephone: 020 7974 **5758**

15 May 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 278 Legal Agreement

Address:

**o/s 100 Avenue Road and Swiss Cottage Station
NW3 3HF**

Proposal: Erection of freestanding BT panel providing phone and Wi-Fi facilities with 2 x internally illuminated digital advertisements following the removal of 1no. BT telephone kiosks.

Drawing Nos: PY2869 - 001; Street Furniture Comparison; Existing and proposed elevations 02074832537; Existing and proposed views 02074832537; Site location plan 02074832537; D0002.

Reports: Cover Letter prepared by Matt Swindles dated 24/01/2017; Proposed Schedule of Operating Conditions for LinkUK from BT Advertisement Screens prepared by BT Link UK; Guidance for Digital Roadside Advertising and Proposed Best Practice prepared by Waterman Group dated 04/03/2013; Planning, Design and Access Statement prepared by LinkUK dated 02/12/2016.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):



- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans

Site location Plan; PY2804 - 001; PY2804 - 002; PY2804 - 003; D0002; Street Furniture Comparison

Reports: Cover Letter prepared by Matt Swindles dated 24/01/2017; Proposed Schedule of Operating Conditions for LinkUK from BT Advertisement Screens prepared by BT Link UK; Guidance for Digital Roadside Advertising and Proposed Best Practice prepared by Waterman Group dated 04/03/2013; Planning, Design and Access Statement prepared by LinkUK dated 02/12/2016.

Reason: For the avoidance of doubt and in the interest of proper planning

- 3 The structure hereby permitted shall be removed from the land on which it is situated as soon as reasonably practicable after it is no longer required for telecommunication purposes.

Reason: In order to minimize the impact on the appearance of the streetscene and the highway in accordance with the requirements of policy CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17 and DP24 of the London Borough of Camden Local Development Framework Development Policies and D1 and T3 of the Draft Camden Local Plan 2016.

- 4 All surface materials should match the existing adjacent surface materials.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies and D1 of the Draft Camden Local Plan 2016.

- 5 The panel shall be orientated so that the user interface is not kerbside.

Reason: In order to minimize the impact on the appearance of the streetscene and the highway in accordance with the requirements of policy CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP16, DP17 and DP24 of the London Borough of Camden Local Development Framework Development Policies and D1 and T3 of the Draft Camden Local Plan 2016.

- 6 The developer shall enter in to a legal agreement under section 278 of the Highways Act 1980 and other local authority powers to carry out the development

hereby approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally, minimize the impact on the character and appearance of the streetscene and the highway, in accordance with the requirements of policies CS5, CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25, DP26, DP16, DP17, DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and policies and policies D1, A1 and A4 of the emerging Camden Local Plan 2016 .

Informative(s):

1 Reasons for granting permission.

This application is part of a wider scheme seeking to replace traditional phone kiosks with new phone structures known as BT links. The scheme involves the replacement of a 1 x existing BT telephone kiosk with a new standalone structure which would measure 2.9m in height, 0.79m wide at ground increase to 0.89m at the top of the structure and 0.24m deep. Planning permission is sought for the structure with 2 x digital advertisement panels on each face and services to include, WIFI, free calls, local search apps and rapid mobile phone charging. This application is part of a wider scheme which looks to remove approx. ratio of at least 2.4:1 of existing BT phone kiosks within the immediate proximity of the site.

The proposed materials are of a high quality durable nature and include robust aluminium superstructure, ribbed panelling to eliminate flat surfaces prone to vandalism. The design of the structure has a vertical emphasis to reduce the footprint on the ground. The depth of unit would be 274mm compared with the telephone kiosks with an overall reduction of footprint of 75%. Whilst the principle of the advertisement is assessed under the separate application, the scale of the digital displays in the unit is limited and appears as integral to the units. Unlike phone boxes these structures will provides other functions of benefit to pedestrians. Conditions to limit the digital display of the advertisements are secured to limit its prominence. In the context of the scheme seeking to reduce the overall numbers of kiosks and not introducing new clutter to the conservation area on balance the proposal is not considered to be harmful to the wider streetscene.

The street is located in on a busy street which experiences very high footfall. 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, however in this case the existing kiosk and proposed location is away from the general pedestrian flow in the open space in front of no. 100 Avenue Road. The proposal would result in the loss of a minimum of 1.4m of the footway and when in use an approx. 0.5m of pavement would be taken up. To ensure that the existing pavement width as existing is not altered a condition is recommended to relocate the panel to the office side facing away from the highway. This would ensure when the kiosk is being used there is sufficient space around the unit for the free movement of people and Link Unit users, in general accordance with TfL guidance and Camden policies and guidance.

This application is part of a group of applications which, collectively, have been connected to a single Section 278 legal agreement (due to the site being located on the public highway) to secure the removal of existing phone kiosks negotiated to be removed (in addition to the 1 x on the application site) before the proposed application is implemented and a service management plan to ensure the structure and its features are maintained.

There are concerns with the links between ASB and phone kiosks as due to their design they provide opportunities for various levels crime. The removal of the 1 x kiosks, in addition to those additional sites secured via S278 and the potential for ASB is therefore welcomed. The new structures by reason of their design will be used in the open and users will be located adjacent to the pedestrian flow and due to the sleek design users will be visible from the wider streetscene. The unit will be sited on a busy road close to a tube station allowing natural surveillance. As outlined above the structures have been designed to be resistant to graffiti or damage. An obligation is recommended to ensure the link units are regularly maintained.

The site's planning history has been taken into account when coming to this decision.

- 2 On balance there are benefits resulting from the proposed removal of the existing phone kiosk in terms of the reduction in clutter, design, crime and highway issues. As such, the proposed development is in general accordance with policies CS5, CS11, CS14 and CS17 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP16, DP17, DP21, DP24, and DP26 of the London Borough of Camden Local Development Framework Development Policies, policies A1, D1, D4 and T1 of the Camden Local Plan Submission Draft 2016.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 5 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this

CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

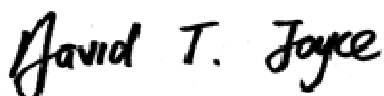
- 6 The emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



David Joyce
Director of Regeneration and Planning

