

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	22/06/2017
		N/A / attached		<b>Consultation Expiry Date:</b>	31/05/2017
<b>Officer</b>			<b>Application Number(s)</b>		
Oluwaseyi Enirayetan			2017/2489/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Land Adjacent to 131 Finchley Road (Swiss Cottage Underground Station) London NW3 6HY			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:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	3	No. of objections	3
			No. electronic	0		
Summary of consultation responses:	A site notice was erected on 10/05/2017 (expired 31 May 2017)					
	<p><b>1x 32 Belsize Park Gardens and 1x Flat 23, 56 Eton Avenue objected on the following grounds:</b></p> <ul style="list-style-type: none"><li>• Telephone usage - This day and age everyone has mobile phones. If a telephone kiosk was not required in this area to date then it is certainly not needed now.</li><li>• Advertising - It is simply an underhand way to display unnecessary advertising. We have enough street clutter.</li><li>• Location - There are two Phone boxes less than 3 metres away from the new one proposed, along with a Pillar box and Bus shelter</li><li>• Street clutter - Do not need any more street furniture. In addition, about 10m north along the same side of the Finchley Road there are two DISUSED phone boxes, why not replace them? Please reject this unnecessary box, there is already too much street clutter here.</li></ul> <p><b>Metropolitan Policy Crime Prevention Design Advisor objects as follows:</b></p> <ul style="list-style-type: none"><li>• This type of telephone box will provide a possible obstruction to cctv, and highway, and general surveillance of the area.</li><li>• I think it would provide an opportunity for offenders to loiter,</li><li>• This structure may provide the opportunity for prostitute cards to be displayed.</li><li>• This location may obstruct the pedestrian crossing.</li></ul> <p><b>Transport Strategy objects as follows:</b></p> <ul style="list-style-type: none"><li>• 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</li><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.</li><li>• 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</li></ul>					

	<p>providing a service to the highway users, instead, they act only as a hindrance to pedestrian movement.</p> <p><b>TfL Objects on the following grounds</b></p> <ul style="list-style-type: none"> <li>• scaled drawings have not been provided to show the exact position of each proposed new kiosk in the footway, potential leftover remaining footway widths, and the spatial relationships with other street furniture and features in close proximity (e.g. trees, pedestrian crossings, cycle parking, bus stops, London Underground station entrance/exits, etc.)</li> <li>• They also fail to show how advertising would be orientated towards the highway and even the proposed distances from the kerbside.</li> <li>• TfL cannot assess the applications in terms of highway safety, pedestrian and cyclist amenity, legibility and permeability, or fully understand how installation of the proposed kiosks would impact our assets, services, infrastructure and passenger experience</li> </ul>
CAAC/Local groups* comments:	N/A

## Site Description

The application site comprises of an area of the footway adjacent to 131 Finchley Road, on the western side of Finchley Road. The site is directly adjacent to a ventilation shaft for Swiss Cottage Tube Station, an entrance to which is located approximately 20m to the north-west of the site. A pedestrian crossing is located immediately to the south east of the site and a bus stop is located approximately 25m to the south-east of the site along this side of Finchley Road. Two BT telephone boxes and two independent telephone boxes are situated between the application site and the bus stop.

The site is part of Transport for London's (TfL's) Road Network (TLRN). The site does not fall within a conservation area and is not adjacent to any listed buildings.

## Relevant History

### Site history:

**2017/1069/P** - Installation of 1 x telephone box.- **Refused 07/04/2017.**

### Adjoining sites:

#### **O/S Overground House, 125 Finchley Road**

2017/0444/P – Erection of freestanding BT panel providing phone and Wi-Fi facilities, with 2 x internally illuminated digital advertisements following the removal of 1 no. BT telephone kiosk. Full planning application under consideration

#### **Land Adjacent to, 100 Avenue Road, London, NW3 3HA**

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

#### **Land Adjacent to 100 Avenue Road**

2017/1074/P - Installation of 1 x telephone box on pavement. Refused 05/04/2017.

#### **Land adjacent to 17-24 Dobson Close**

2017/1068/P – Installation of 1 x telephone box on pavement. Refused 05/04/2017

## 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**

DP21 Development connecting to the highway network

DP24 Securing high quality design

DP29 Improving access

### **Camden Planning Guidance**

CPG1 Design (2015)

CPG7 Transport (2011)

### **Camden Streetscape Design Manual**

## **Camden Local Plan Submission Draft 2016**

The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report

A1 Managing the impact of development

A2 Open Space

C5 Safety and Security

C6 Access

D1 Design

D4 Advertisement

G1 Delivery and location of growth

T1 Prioritising walking, cycling and public transport

T3 Transport infrastructure

## **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 1.32m x 1.11m x 2.45m and would be located on the western pedestrian footway along Finchley Road, adjacent to 131 Finchley Road.

1.3 It would have a steel frame and clear laminated glass on three 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 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.

2.3 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.

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’.

### **3.0 Siting**

3.1 The application site is located on a pavement measuring roughly 13m wide. This area of the footway experiences high pedestrian flows at peak times due to its location at the junction with Finchley Road and adjacent to Swiss Cottage Tube Station.

3.23.01 of Camden's Streetscape Design Manual requires a minimum unobstructed pathway width within the footway, known as the 'clear footway'. This guidance outlines the recommended minimum footway widths for different levels of pedestrian flows.

3.3 The proposed telephone box measures 1.32m x 1.11m x 2.45m. 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 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 1.8m of the footway. Given there are 4 existing telephone boxes along this part of Finchley Road, there is not considered to be any benefit to highway users from this proposal. It is considered that the loss of any of the clear footway, 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, DP17, A1 and T1 and is considered unacceptable.

3.4 As highlighted above, there are four existing telephone boxes in close proximity to the proposal and no justification has been submitted for the need to install a further one. Given the infrequent use of telephone boxes due to the prevalence of mobile phone use, it is considered that the 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 and Policy A1 of Draft Local Plan.

3.5 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.
- 4.2 Due to its location in a relatively clear section of the footway but within close proximity to four existing telephone boxes, it is considered that the proposed development would add to the over-proliferation of such structures and 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 result in a significant harm to the wider streetscene. As such the proposal would fail to adhere to Policies CS14 and DP24 and Policy D1 and C6 of the Draft Local Plan.
- 4.3 Policies DP29 and C6 require new buildings, spaces and facilities that the public may use to be fully accessible to promote equality of opportunity. Although the proposed kiosk would allow for wheelchair users to 'access' the kiosk, this does not amount to the provision of a wheelchair accessible phone. The Council's Access Officer has highlighted that there are a number of requirements which need to be considered for an accessible phone booth, including the height of the telephone controls, which should be located between 0.75m and 1.0m above the floor. The telephone controls in the proposed kiosk would be located at a height of 1.5m above the floor, and so the proposed kiosk is considered unacceptable in terms of providing access for all, contrary to Policies DP29 and C6.

## **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 in close proximity to four existing telephone boxes would further 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 C5 of the Draft Local Plan 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 to the detriment of pedestrian flows. The proposal, by virtue of its siting and appearance, is considered unacceptable.

## **7.0 Recommendation**

### **7.1 Refuse Prior Approval**