

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>22/06/2017</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	<b>31/05/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Oluwaseyi Enirayetan			2017/2490/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Land adjacent to 7 Harben Parade London NW3 6JP			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	1	No. of objections	1
			No. electronic	0		
Summary of consultation responses:	A site notice was erected on 10/05/2017 (expired 31 May 2017).					
	<p><b>1 x 32 Belsize Park Gardens objected on the following grounds:</b></p> <ul style="list-style-type: none"><li>Telephone usage - This day and age that 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>Advertisement - It is simply an underhand way to display unnecessary advertising. We have enough street clutter</li><li>Street clutter – There is enough street clutter.</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 providing a service to the highway users, instead, they act only as a hindrance to pedestrian movement.</li></ul> <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</li></ul>					

	<p>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.)</p> <ul style="list-style-type: none"> <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>
<p><b>CAAC/Local groups* comments:</b></p>	<p><b>Elsworthy Residents Association objects on the following grounds:</b></p> <ul style="list-style-type: none"> <li>• Objection to any new telephone kiosk is the same as that made in connection with the recent multiple applications for new telephone boxes by another company Maximus.</li> <li>• There are already numerous telephone boxes at Swiss Cottage on both sides of the junctions and none of them are now used in the era of mobile phones.</li> <li>• Camden refused Maximus all their applications and their objections that related to pedestrian access, street clutter etc. are relevant to this application and therefore it should be rejected</li> </ul>

## Site Description

The application site is located on the south-western side of Finchley Road on pavement outside a retail unit at 7 Harben Parade and about 100m from the junction with Fairfax Road.

The site is part of Transport for London's (TfL's) Road Network (TLRN). The site does not fall within a conservation area, nor is it listed.

## Relevant History

### Site History

None

### Neighbouring sites:

#### **Land Adjacent to 104 Finchley Road**

**2017/1021/P** - Installation of 1 x telephone box on pavement - **Refused 07/04/2017**

#### **Land Adjacent to 108-110 Finchley Road**

**2017/1023/P** - Installation of 1 x telephone box on pavement - **Refused 07/04/2017.**

#### **Land Adjacent to 131 Finchley Road**

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

## Relevant policies

### **National Planning Policy Framework (2012)**

#### **London Plan 2016**

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

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

CS5 Managing the impact of growth and development

CS11 Promoting sustainable and efficient travel

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

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

C5 Safety and Security

C6 Access  
D1 Design  
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 1.32m x 1.11m x 2.45m and would be located on the western pedestrian footpath outside a retail shop adjacent to 7 Harben Parade along 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 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 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.

2.5 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

### **3.0 Siting**

3.1 The application site is located on a pavement measuring 6.2m wide. This area of the footway is a busy section of Finchley Road, which experiences high pedestrian flow given its location on a busy commercial high street and in between Swiss Cottage and Finchley Road Tube stations.

3.2 The stretch of the parade frontage on Finchley Road is adorned with existing street furniture in the form of trees, lampposts, litter bins, bus shelter, directional sign and cabinets.

3.3 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.

3.4 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, 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 1.8m of the footway. 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, DP17 and DP21 and Policies T1 and A1 of Draft Local Plan and is considered unacceptable.

3.5 Given there are a number of existing telephone boxes along this part of Finchley Road, there is not considered to be any benefit to highway users from this proposal. As such, the proposal would be contrary to Policies CS11, DP21, DP17, A1 and T1 and is considered unacceptable. This would also be contrary to the guidance of the NPPF which aims to keep telecommunication sites to a minimum and encourage applicants to explore shared facilities. 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

3.6 The proposed scheme 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 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. As such the proposal would fail to adhere to Policy DP24 and Policy D1 of Draft Local Plan.

4.3 The street furniture that presently exists on this section of the footway are necessary elements such as street trees, bus shelter, bins, directional sign stand and street lamps which enhance the visual amenity of the area. It is considered that the introduction of a large unsightly telephone box to this section of footway would severely degrade the visual amenity of the area through the creation of further unnecessary street clutter. Furthermore, due to its proposed location within close proximity to 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.

4.4 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 adjacent to an existing telephone box 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