

Delegated Report		Analysis sheet	Expiry Date:	11/04/2017
		N/A / attached	Consultation Expiry Date:	29/03/2017
Officer			Application Number(s)	
Matthew Dempsey			2017/1086/P	
Application Address			Drawing Numbers	
Land Adjacent to Warren Street Underground Station Tottenham Court Road London NW1 3AA			Please refer to final decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 1 x telephone box on the 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
			No. electronic	01		
Summary of consultation responses:	<p><u>A site notice was displayed 08/03/2017 – 29/03/2017.</u></p> <p>Transport Strategy objects as follows: 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. 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. 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.</p> <p>Highways objects as follows: The West End Project will be transforming the Tottenham Court Road area part of which is to de-clutter the road along its entirety. This style of kiosk is similar to those used by other operators and are used for a number of non-official activities which promote antisocial behaviour in the area. To add additional kiosks would, rather than stop the anti-social behaviour (ASB), actually facilitate its promotion. The ASB is a major concern for residents and businesses alike and the removal /reduction would be supported locally. To add kiosks would be seen as a retrograde step. The area will see a massive increase in footfall when Crossrail opens and additional street furniture would hinder the pedestrian flow. Locations would be based on the existing carriageway and footway. The west end project will change this and so the locations would need to be assessed for location suitability. The West end project is a two year scheme. If these are installed then there will possibly be a cost to the council to move them.</p> <p>Metropolitan Policy Crime Prevention Design Advisor objects as follows. 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>TFL object as follows - We don't feel that the supporting information is sufficiently detailed to be able to properly assess the impacts of the proposals. None of the plans submitted are dimensioned, and none show existing street furniture. We've therefore had to make some assumptions in terms of distance from the kerb edge, distance from the back of footway and proximity to other things on the footway. Recommend refusal on the grounds</p>					

	of insufficient information being provided. Directly outside entrance / exit to Warren Street underground with significant pedestrian flows.
CAAC/Local groups comments:	<p><u>1 x objection received from The Bloomsbury Association.</u> Concerned with 1) lack of pre-app discussions with the local planning authority 2) design of the kiosk and blank space being utilised for advertising 3) sceptical about the site context given the applicant has provided a photo from a time which does not accurately demonstrate how busy this area is in working hours 4) Concerned about street clutter and the proliferation of existing telephone kiosks which are un-used and the potential for new kiosks to exacerbate issues around antisocial and criminal behaviour.</p>

Site Description

The site in question is on the pavement adjacent to Warren Street Underground Station on the Western side of Tottenham Court Road. The pavement here is approximately 6-7m in width. This is a major road junction and is very busy with vehicular traffic and used by lots of pedestrians. Existing along the pavement in close proximity is; a market kiosk, litter bins, traffic lights, street signage, newspapers distributors and underground access.

Relevant History

There is no relevant planning history relating to the application site.

Relevant policies

National Planning Policy Framework 2012 (Paragraphs 42 to 46)

London Plan 2016

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
- 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 2015

- 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

1.0 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 proposal is for installation of a solar powered telephone kiosk with wheelchair access, sited on the pedestrian 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.

2.0 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 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

3.0 Siting

- 3.1** The application site is a stretch of pedestrian foot path which is approximately 6-7m wide adjacent to Warren Street Underground Station on the Western side of Tottenham Court Road. Along this path there is an existing a market kiosk, litter bins, traffic lights, street signage, newspapers distributors and underground access.
- 3.2** 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’ 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.
- 3.3** The Transport Strategy team have raised concerns about the siting of this kiosk as it is likely that road layouts in this location shall be altered as part of the West End Project. They state that the addition of kiosks would be a retrograde step, given that part of the scope of the project will be to remove street clutter rather than to add to it.
- 3.4** 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 which states that Camden will expect developments connecting to the highway network to:
- avoid causing harm to highway safety or hinder pedestrian movement and avoid unnecessary street clutter
 - contribute to the creation of high quality streets and public spaces

- 3.5 There are 3 existing telephone boxes located within 15m from the site 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. 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.
- 3.6 The Bloomsbury Association have objected to the siting of this kiosk given the proliferation of existing public telephone in the area. It is also noted that the majority of public telephones are not widely used if at all and the installation of another kiosk will exacerbate issues relating to ease of pedestrian flow an already busy area with more obstacles to pedestrian movement.

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 and the prominence of the proposal's siting, 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.
- 4.3 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.

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 and its design with a large solid panel 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 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 and by virtue of its inappropriate siting, size and design, 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.