

<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>	
Charlotte Meynell			2017/1083/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Land adjacent to 511 Finchley Road London NW3 7BB			Refer to draft 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			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	<p><u>A site notice was displayed on 08/03/2017 and expired on 29/03/2017- no received.</u></p> <p>Metropolitan Police – Designing Out Crime Officer objects on the following grounds:</p> <ul style="list-style-type: none"> <li>- The proposed telephone kiosk may be abused for the purposes of crime and anti-social behaviour (ASB);</li> <li>- It will cause a reduction in surveillance in the area. An offender may use this telephone kiosk to avoid CCTV or casual surveillance from other users of the street;</li> <li>- It may provide an opportunity for an offender to loiter in the area;</li> <li>- It may also be abused by the posting of prostitute cards.</li> </ul> <p>Transport Strategy object as follows:</p> <ul style="list-style-type: none"> <li>- The application is contrary to policies CS11 (Promoting sustainable and efficient travel), DP21 (Development connecting to the highway network), and DP17 (Walking, cycling and public transport), Camden Planning Guidance CPG7 (Transport), Camden’s Streetscape Design Manual, and TfL’s Pedestrian Comfort Guidance. The application is therefore deemed unacceptable.</li> </ul> <p>TfL object as follows:</p> <ul style="list-style-type: none"> <li>- 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 of insufficient information being provided</li> <li>- Potentially within root protection area adjacent tree.</li> <li>- May obstruct existing bus lane signage, as immediately to the north of proposed location</li> </ul>					
<b>CAAC/Local Group comments:</b>	N/A					

## Site Description

The application site comprises of an area of the footway adjacent to 511 Finchley Road, on the south-western side of Finchley Road. The site is directly adjacent to a street sign to the north-west, and several mature highways trees and post-box are located within the immediate vicinity of the site on this side of Finchley Road.

Although the site is not in a conservation area and is not adjacent to any listed buildings, it is on the border with the West End Green Conservation Area directly to the south and south-east.

## Relevant History

None relevant

## 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

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP21 Development connecting to the highway network

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP29 Improving access

#### Camden Planning Guidance

CPG1 Design (2015)

CPG7 Transport (2011)

Camden Streetscape Design Manual

TfL's Pedestrian Comfort Guidance

#### Camden Local Plan Submission Draft 2016

The emerging 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.

A1 Managing the impact of development

C5 Safety and Security

C6 Access

D1 Design

D2 Heritage

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 1.3m in width, 1.1m in depth and 2.6m in height, and would be located on the south-western pedestrian footway along Finchley Road, adjacent to the forecourt of 511 Finchley Road.
- 1.3 It would have a steel frame and casings with 8mm clear polycarbonate toughened glass on two 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 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’.

- 2.5 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.

### **3.0 Siting**

- 3.1 The application site is located on a pavement measuring roughly 4.4m wide. This area of the footway experiences high pedestrian flows at peak times.
- 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' 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.
- 3.4 There is an existing telephone box approximately 90m to the north-west of the application 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. There is no benefit to highway users from a further phone kiosk and certainly not one which further reduces pavement width. 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.

### **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. Policy DP25 states that the Council will not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area.
- 4.2 The street furniture that presently exists on this section of the footway is necessary elements such as a bus shelter and bicycle stands which enhance the visual amenity of the area. It is considered that the introduction of a new telephone box to this relatively clear section of footway 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. The stainless steel incongruous design would provide an intrusive addition to the street.

Consequently, the proposed kiosk would seriously affect the setting of the adjacent West End Green Conservation Area, and would thus result in a significant harm to the wider streetscene. As such the proposal would fail to adhere to Policies CS14, DP24 and DP25.

4.3 The National Planning Policy Framework (The Framework) says that heritage assets are an irreplaceable resource and that they should be conserved in a manner appropriate to their significance. In this case there would be harm but that this would be less than substantial harm. In these circumstances the harm should be weighed against the public benefits of the proposals. As there is already an existing kiosk within close proximity of the proposal there is not considered to be any public benefit from the provision of another kiosk in this location.

## **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 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).

## **6.0 Conclusion**

6.1 The proposal would result in unacceptable street clutter, harmful to the character and appearance of the streetscape and the adjacent West End Green Conservation Area, and to the detriment of pedestrian flows. 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