

Delegated Report		Analysis sheet	Expiry Date:	23/11/2017
		N/A / attached	Consultation Expiry Date:	27/10/2017
Officer			Application Number(s)	
Charlotte Meynell			2017/5425/P	
Application Address			Drawing Numbers	
Pavement 31 Chalk Farm Road London NW1 8AJ			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 1 x telephone kiosk 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	02	No. of objections	02
Summary of consultation responses:	<p><u>A site notice was displayed on 06/10/2017 and expired on 27/10/2017.</u></p> <p>In response to the proposal, objections were received from 32 Belsize Park Gardens and Individual Restaurants Ltd, Ridgefield House, 14 John Dalton Street, Manchester.</p> <p>Objections were made on the following grounds:</p> <ul style="list-style-type: none"> • There is no need for a telephone box when everyone has a mobile phone. It is unnecessary street clutter and an excuse for underhand advertising. I strongly object. • The application for telecommunications equipment is by a company that is now principally an advertising company. The supporting documentation shows no effort to consult with neighbours and no evidence to support the need for the telecommunications equipment, as required by the regulations, in that location. The proposed kiosk is large and with its advertising will add clutter to the pavement, detract from the street scene and, potentially, the Listed Building opposite. It is noted that the Metropolitan Police also object to the installation of the kiosk on the basis of its potential for anti-social behaviour. As such, I request that the prior notification application be rejected as no need has been demonstrated, no consultation has taken place with adjacent owners and its serious impact on visual amenity and its potential for harbouring anti-social behaviour. <p>Metropolitan Police – Designing Out Crime Officer objects on the following grounds:</p> <ul style="list-style-type: none"> • Telephone kiosks are no longer used for their original purpose due to the fact that nearly every person is in possession of some kind of mobile device thus negating the need to use fixed landline telephones. As a result of this the phone boxes in the London Borough of Camden have now become ‘crime generators’ and a focal point for anti-social behaviour (ASB). • My own previous experience of policing Camden highlights the above ASB, ranging from witnessing the taking of Class A drugs, urination, littering, the placing of ‘Prostitution cards’ and sexual activities. All of which have occurred in telephone kiosks. • The introduction of the telephone kiosk will only increase the ASB, as it conceals the activities of what is occurring inside the actual space and prevents police or passers-by seeing what or who is in there. This generates for the latter a fear of crime. • The extra lighting produced by the kiosk and the space it uses up in the public realm will also create an added distraction to an already cluttered space. Any CCTV monitoring the area will be effected by this and therefore any crime prevention they produce is lost. • In addition, the area of Chalk Farm in which the proposed kiosk is to 					

be placed is an iconic London tourist attraction attracting 250,000 per week to Camden Market. The night time economy of the area attracts up to 40,000 per evening. Therefore the footfall of the area is incredibly high during a 24 hour period. The main Stables Market area has a number of night clubs and bars which close from 0100 hours until 0300 hours. The large amount of people in the area of Chalk Farm who are under the influence of alcohol attempting to walk down the already narrow footpath creates issues with fights and spilling out into the road in front of traffic. From previous experience of policing this area clutter and extra street furniture causes problems with crowd control, and the closeness of bus stops to the proposed telephone boxes will make matters worse.

TfL objects on the following grounds:

- This proposal would clutter the street further at a busy location popular with pedestrians, especially at weekends.
- TfL is responsible for planning and securing the operation of bus services in the capital and most other public transport. In addition it plans and operates the cycle hire scheme and Cycle Superhighways, Quietways and other cycle routes. We are concerned about impacts on these transport services and infrastructure.
- The submission lacks detail such that it is difficult to assess the acceptability of the kiosks in terms of siting and appearance. There is no photo montage with the site marked out nor are there drawings showing the kiosks in the context of the footway and carriageway and existing trees, street furniture, signs and so forth. Furthermore, there is no indication as to the orientation of the kiosk.
- TfL would expect the siting of any kiosk to comply with our Streetscape design guidelines. The covering letter submitted suggests this is the case and there is at least 3.3m clear footway width (excluding any private forecourt) and there is a minimum of 0.45m set back from the carriageway. However it is not possible to check this and nor is it clear whether any account is taken of trees, street furniture etc. On this basis TfL would object to prior approval being given on the grounds of failure to demonstrate that the siting meets safety and comfort guidance.
- TfL reminds the applicant and Council that the London Plan favours decluttering and simplifying the streetscape wherever possible (see policy 6.10) and this is also prioritised in TfL Streetscape Guidance (available from <https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>). In addition we note that all the kiosks are proposed for locations in which there are already a number of existing phone kiosks in close proximity. There has been no evidence submitted as to the need for further provision of phone kiosks over and above those which exist already. We therefore also object to the principle of siting new phone kiosks in these parts of Camden.

Transport Strategy object as follows:

- One of Camden's core objectives is to promote sustainable transport by means of walking and cycling. Installing a telephone box at this location would reduce the available footway and result in pedestrian comfort levels being below an acceptable level and could in turn lead to the discouragement of travel by sustainable means.
- As an absolute minimum guide to footway width, Camden refers to Appendix B in TfL's Pedestrian Comfort Guidance which notes that active and high flow locations must provide a minimum 2.2m and

3.3m of 'clear footway width' (respectively) for the safe and comfortable movement of pedestrians. The proposal would reduce the 'clear footway' to less than the thresholds set out in TfL's Pedestrian Comfort Guidance and has therefore been deemed unacceptable.

- The Council is committed to improving the public realm and pedestrian environment in order to encourage more sustainable travel. Camden are currently involved in a number of infrastructure schemes within the borough that seek to improve the streetscape and as part of that commitment, the Council will be reducing the amount of street clutter in order to create a high quality place that is inviting for pedestrians. The proposed telephone kiosk would be placed within the scope of the Chalk Farm Area Based Scheme, a committed public realm improvement scheme. For this reason, the application has been deemed unacceptable.
- Development wishing to alter the existing layout of the public highway must design for Camden's road hierarchy giving pedestrians and cyclists priority above all other users. Any introduction of unnecessary street furniture and thus the removal of a permeable pedestrian environment, is seen to have a detrimental effect on pedestrian movement, specifically for vulnerable road users. Interrupting continuous stretches of public footways and increasing pedestrian journey time is unacceptable. With respect to the above points the proposed telephone kiosk has been deemed as unacceptable and contrary to paragraph 8.7 of Camden's Planning Guidance (CPG7).
- Policy A1 states that the Council will resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. The proposed telephone kiosk fails to tie in with the existing transport network as it physically obstructs existing loading and unloading arrangements. This is deemed as unacceptable and contrary to Policy A1.
- The application is contrary to policies T1 (Prioritising walking, cycling and public transport) and A1 (Managing the impact of development) and Camden's Streetscape Design Manual. The application is therefore deemed unacceptable and recommended for refusal.

The Council's Access Officer objects as follows:

There are a number of requirements for an accessible phone booth that need to be considered. These are all taken from BS8300 (current addition).

- A fold down seat (450mm to 520mm high) or a perch seat (650mm to 800mm high) should be provided for convenience of ambulant disabled people. Drop down arms should be provided for each seat.
- Telephone controls on accessible telephones for wheelchair users should be angled so they can be used by people when seated or when using a perch seat.
- Telephone controls should be located between 750mm and 1000mm above the floor.
- To benefit blind and partially sighted people, telephones should be selected which have well lit keypads, large embossed or raised numerals that contrasts visually with their background and a raised dot on the number '5'.
- Instructions for using telephones should be clear. They should be displayed in large easy-to-read typeface.

There should also be at least 1200mm, preferably 1800mm between the booth and any wall / guiding opposite.

Site Description

The application site comprises of an area of the footway adjacent to No. 31 Chalk Farm Road on the northern side of Chalk Farm Road. The site is situated between two mature street trees and a street sign, and several Camden cycle stands are located to the west of the site.

Although the site does not fall within a conservation area, it is located opposite the Regents Canal Conservation Area and the Stables Market, which is a Grade II* listed building.

Relevant History

Site history:

None

Neighbouring sites:

Pavement outside 28 Chalk Farm Road

2012/5945/P – Installation of 1x solar powered telephone kiosk on the pavement. **Prior Approval refused 20/12/2012**

Land adjacent to 27-28 Chalk Farm Road

2017/1079/P – Installation of 1 x telephone box on the pavement. **Prior Approval refused 06/04/2017**

Pavement outside 27-28 Chalk Farm Road

2017/5427/P – Installation of 1 x telephone box on the pavement. **Prior Approval under consideration**

Bus shelter outside Stables Market (opposite 23 Chalk Farm Road)

2016/4467/A – Installation of double-sided structure to existing bus shelter no. 0107/1074 to display 2x internally illuminated digital screens. **Advertisement consent refused 24/01/2017; Appeal dismissed 24/04/2017**

44-45 Chalk Farm Road

2005/0605/P – Installation of a dual-purpose ATM/telephone kiosk. **Planning permission refused 13/04/2005**

Relevant policies

National Planning Policy Framework (2012)

London Plan 2016

TfL's Pedestrian Comfort Guidance for London (2010)

Camden Local Plan 2017

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

Camden Planning Guidance

CPG1 Design (2015)

CPG7 Transport (2011)

Camden Streetscape Design Manual

Assessment

1.0 Proposal

- 1.1 Confirmation is sought as to whether the installation of a telephone kiosk 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 kiosk would measure 1.32m by 1.11m with an overall height of 2.45m, and would be located on the northern pedestrian footway along Chalk Farm Road, adjacent to No. 31 Chalk Farm Road.
- 1.3 It would have a powder coated metal frame with reinforced laminated glass on three sides, and a solar panel on the roof.

2.0 Assessment

- 2.1 Policy A1 states that the Council will seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities, and that the Council will resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. Paragraph 6.10 states that the Council will expect works affecting the highway network to consider highway safety, with a focus on vulnerable road users, including the provision of adequate sightlines for vehicles, and that development should address the needs of vulnerable or disabled users. Furthermore, Policy T1 point e) states that the Council will seek to ensure that developments provide high quality footpaths and pavements that are wide enough for the number of people expected to use them, including features to assist vulnerable road users where appropriate, and paragraph 8.9 of CPG7 (Transport) highlights that footways should be wide enough for two people using wheelchairs, or prams, to pass each other.
- 2.2 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’.
- 2.3 All development affecting footways in Camden is also expected to comply with Appendix B of Transport for London's (TfL's) Pedestrian Comfort Guidance, which notes that active and high flow locations must provide a minimum 2.2m and 3.3m of 'clear footway width' (respectively) for the safe and comfortable movement of pedestrians.
- 2.4 Policy T1 states that the Council will promote sustainable transport choices by prioritising walking, cycling and public transport use and that development should ensure that sustainable transport will be the primary means of travel to and from the site. Policy T1 points a) and b) state that in order to promote walking in the borough and improve the pedestrian environment, the Council will seek to ensure that developments improve the pedestrian environment by supporting high quality improvement works, and make improvements to the pedestrian environment including the provision of high quality safe road crossings where needed, seating, signage and landscaping.
- 2.5 Policy T1 (Public Transport) states that where appropriate, development will be required to provide for interchanging between different modes of transport including facilities to make interchange easy and convenient for all users and maintain passenger comfort.
- 2.6 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.

2.7 Policy C5 requires development to contribute to community safety and security, and paragraph 4.89 of Policy C5 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 kiosk needs to be considered to ensure that it has a limited impact on the sightlines of the footway, and that the size of the kiosk 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 4.8m wide. This area of the footway consistently experiences extremely high pedestrian flows.

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 footprint of the proposed telephone kiosk measures 1.32m by 1.11m. Detailed design drawings that include the orientation and exact proposed positioning of the new telephone kiosk 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 kiosk 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, resulting in overcrowding, issues highway safety through interfering with signals, visual obstructions, visibility splays and may lead to the discouragement of sustainable travel. As such, the proposal would be contrary to Policies A1 and T1 and is considered unacceptable.

3.4 There is one existing telephone kiosk located approximately 82m to the north-west of the site on the northern side of Chalk Farm Road. No justification has been submitted for the need to install a further one. In addition to concerns about the infrequent use of telephone kiosks due to the prevalence of mobile phone use, it is considered that the proposed telephone kiosk 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 A1.

3.5 Furthermore, the installation of a new telephone kiosk on the pavement would obstruct the loading and unloading arrangements along this part of Chalk Farm Road. The proposal would therefore be contrary to Policy A1 and as such is considered unacceptable.

4.0 Design and Appearance

4.1 Policy D1 aims to ensure the highest design standards for developments. Policy D1 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 D2 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, and that to preserve and enhance the borough's listed buildings, the Council will only grant permission for development that it considers would not harm the setting of a listed building.

- 4.2 The street furniture that presently exists on this section of the footway comprises street trees and necessary elements of signage and bicycle stands. It is considered that the introduction of a new telephone kiosk to this relatively clear section of footway would severely degrade the visual amenity of the area through the creation of unnecessary street clutter. Furthermore, due to its proposed location within approximately 82m of an existing telephone kiosk, 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 powder coated metal frame and reinforced laminated glass incongruous design would provide an intrusive addition to the street. Consequently, the proposed kiosk would seriously affect the setting of the adjacent Grade II* listed Stables Market and Regents Canal Conservation Area, and would thus result in a significant harm to the wider streetscene. As such, the proposal would fail to adhere to Policies D1 and D2.
- 4.4 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 it is considered 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 telephone kiosk within close proximity of the site there is not considered to be any public benefit from the provision of another kiosk in this location.

Access

- 4.5 Policy C6 requires 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 Policy 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 area is currently experiencing an increase in crime and anti-social behaviour, and the design and siting of the proposal on a busy footway would further add to street clutter and safety issues in terms of crime and anti-social behaviour, through reducing sight lines and natural surveillance in the area, and providing a potential opportunity for an offender to loiter. The proposal would therefore be contrary to Policy C5 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 conservation area and Grade II* listed building, and to the detriment of pedestrian flows, as well as creating issues with safety and poor accessibility. The proposal, by virtue of its siting and appearance, is considered unacceptable.

7.0 Recommendation

7.1 Refuse Prior Approval