

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	23/11/2017
		N/A / attached	<b>Consultation Expiry Date:</b>	27/10/2017
<b>Officer</b>			<b>Application Number(s)</b>	
Charlotte Meynell			2017/5420/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Pavement outside 197 & 199 Camden High Street London NW1 7BT			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 kiosk 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>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p><u>A site notice was displayed on 06/10/2017 and expired on 27/10/2017.</u>  <u>A press notice was advertised on 06/10/2017 and expired on 27/10/2017.</u></p> <p>In response to the proposal, an objection was received from 74 Durdans House, Royal College Street.</p> <p>Objections were made on the following grounds:</p> <ul style="list-style-type: none"> <li>• Why do we need to install new telephone kiosks in this day and age?</li> </ul> <p>Metropolitan Police – Designing Out Crime Officer objects on the following grounds:</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p>TfL objects on the following grounds:</p> <ul style="list-style-type: none"> <li>• This proposal would clutter the street further at a busy location popular with pedestrians, especially at weekends.</li> <li>• 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.</li> <li>• 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.</li> <li>• TfL would expect the siting of any kiosk to comply with our</li> </ul>					

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.
- 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 contrary to paragraph 10.10 of policy T1 and paragraphs 8.6 and 8.9 of Camden's Planning Guidance (CPG7).
- Furthermore, the proposed location is within close proximity to Camden Town Tube station, where there are extremely high concentrations of pedestrian movement. The proposed telephone box is within the pedestrian desire-line to and from the station and is deemed inappropriate, as it would impede/obstruct/inhibit this movement.
- 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. Installing a telephone kiosk at the proposed location would impede/obstruct loading and unloading activity associated with the shops on Camden High Street, 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 Nos. 197 and 199 Camden High Street, on the south-western side of Camden High Street. The site is situated approximately 4.0m to the north-west of a street lamp and bin, and the entrance to Camden Town Underground Station is directly opposite to the site on the north-eastern side of Camden High Street.

The site is situated within the Camden Town Conservation Area. The site is not adjacent to any listed buildings.

## Relevant History

### Site history:

None

### Neighbouring sites:

**Pavement outside Camden Town Underground Station, Opposite 197 Camden High Street 2017/5421/P** – Installation of 1 x telephone kiosk on the pavement. **Prior Approval under consideration**

### **o/s HSBC Bank at Camden Town Underground Station, Camden High Street**

**2017/0440/P** – Erection of freestanding BT panel providing phone and Wi-Fi facilities, with 2 x internally illuminated digital advertisements following the removal of 2no. BT telephone kiosks.

**Planning permission granted 15/05/2017**

**2017/0536/A** – Display of 2 x internally illuminated digital advertisement panels to freestanding BT panel. **Advertisement consent granted 15/05/2017**

### **Outside 176 Camden High Street**

**2009/3556/P** – Re-siting and installation of a telephone kiosk on footpath. **Prior Approval given 10/09/2009**

### **Pavement outside 186 & 188 Camden High Street**

**2017/5418/P** – Installation of 1 x telephone kiosk on the pavement. **Prior Approval under consideration**

### **Outside Camden Market, Camden High Street**

**2009/3563/P** – Re-siting and installation of a telephone kiosk. **Prior Approval given 10/09/2009**

### **Outside 221 Camden High Street**

**2009/1766/P** – Installation of a telephone kiosk on the public highway. **Prior Approval refused 27/05/2009**

### **O/S 190 Camden High Street**

**2017/0439/P** – Erection of freestanding BT panel providing phone and Wi-Fi facilities, with 2 x internally illuminated digital advertisements following the removal of 2no. BT telephone kiosks.

**Planning permission granted 24/03/2017**

**2017/0535/A** – Display of 2 x internally illuminated digital advertisement panels to freestanding BT panel. **Advertisement consent granted 15/05/2017**

### **Telephone kiosk outside Camden Market Camden High Street**

**2003/3611/P** – Removal of a telephone kiosk and replacement kiosk with ATM facilities. **Planning permission refused 11/02/2004**

### **Land Adjacent to 241 Camden High Street**

**2017/1089/P** – Installation of 1 x telephone box on pavement. **Prior Approval refused 05/04/2017**

### **Kiosk on pavement outside 6 Parkway**

**2012/6644/A** – Display of 1x non-illuminated billboard poster on rear of existing newspaper kiosk.

**Advertisement consent refused 23/01/2013; Appeal dismissed 01/08/2013**

**Bus shelter O/S 14 Parkway (Odeon Cinema)**

**2016/6869/A** – Installation of double-sided structure to existing bus shelter no. 0107/9523 to display 2x internally illuminated digital screens. **Advertisement consent refused 26/01/2017; Appeal allowed 30/06/2017**

**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 Town Conservation Area Appraisal and Management Strategy (2007)

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 south-western pedestrian footway along Camden High Street, adjacent to Nos. 197 and 199 Camden High Street.

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 5.8m wide. This area of the footway consistently experiences extremely high pedestrian flows, due to its high street location

and close proximity to Camden Town Underground Station and Camden Market.

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.

3.4 Policy A1 emphasises that it is important that development balances the needs of development with the needs and characteristics of local areas and communities and ties into the existing transport network. Given there are already three existing telephone kiosks located between 22m and 69m of the site, 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 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 A1 and T1 and is considered unacceptable.

3.5 There are three existing telephone kiosks within approximately 69m of the site. These include one BT link panel located approximately 22m south-east of the site and one further BT link panel approximately 69m to the north-west of the site on the north-eastern side of Camden High Street; and one wheelchair accessible telephone kiosk approximately 63m north-west of the site on the north-western side of Camden High Street. No justification has been submitted for the need to install a further one. Given 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.

3.6 Furthermore, the installation of a new telephone kiosk on the pavement would obstruct existing loading and unloading arrangements along this part of Camden High Street. 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 within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

4.2 The Camden Town Conservation Area Appraisal and Management Strategy advises that 'the Council will seek to ensure that its own ongoing investment in the public realm in the Conservation Area respects and enhances its special character and will look for opportunities to make specific appropriate enhancements to the public realm and particularly to the pedestrian environment as one way of supporting the preservation of the area's distinctive character'.

4.3 This section of the footway is particularly clear of street furniture and it is considered that the introduction of a new telephone kiosk 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 22m from an existing BT link panel on the opposite side of Camden High



Street, 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 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 character and appearance of the Camden Town 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.

4.5 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 are already a number of existing telephone kiosks 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

4.6 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 (ASB), 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 Camden Town Conservation Area, and to the detriment of pedestrian flows, and would create opportunities for crime and ASB. The proposal, by virtue of its siting and appearance, is considered unacceptable.

## **7.0 Recommendation**

7.1 Refuse Prior Approval