

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	09/08/2017
		N/A / attached	<b>Consultation Expiry Date:</b>	02/08/2017
<b>Officer</b>			<b>Application Number(s)</b>	
Charlotte Meynell			2017/3549/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Pavement outside The Holborn Hotel on north side of Theobald's Road at junction with Old Gloucester Street London WC1B 4AR			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 12/07/2017 and expired on 02/08/2017.</u></p> <p>An objection was received from Flat 18, 122 Southampton Row.</p> <p>Objections were made on the following grounds:</p> <ul style="list-style-type: none"> <li>• The proposal provides no utility as there are many underused phone boxes nearby and it will merely add to street clutter, impede pedestrians and provide a place for litter and general detritus.</li> <li>• There can be no justification for this other than to provide advertising space for the applicant. I therefore request that this application should be rejected.</li> </ul> <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) purposes;</li> <li>• CCTV and general surveillance may be obstructed by this kiosk;</li> <li>• The depth of the design may allow a person to deal in drugs, due to the reduction in surveillance;</li> <li>• It may provide the opportunity for the display of prostitute cards;</li> <li>• The telephone kiosk may be used as a urinal.</li> </ul> <p>TfL objects on the following grounds:</p> <ul style="list-style-type: none"> <li>• The site is on the TLRN for which TfL is the highway authority and as such we are concerned about any proposal which could impact on the safety and capacity of the public carriageway and/or footway. TfL is also 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 is lacking in 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 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</li> </ul>					

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:

- 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 kiosk would be located within the area of the committed Holborn scheme to improve the public realm, and as such is deemed unacceptable.
- The location of the proposed kiosk is beyond the existing street furniture zone, and as such would create an obstruction which would reduce the permeability of the environment and hinder pedestrian movement and desire lines, contrary to point c) of Policy T1. A reduction in pedestrian comfort can result in a less inviting environment and could in turn discourage active travel, and is therefore unacceptable.
- The proposed kiosk is located within an area which experiences high flows of pedestrian movement, and the minimum footway width should comply with the 'clear footway widths' as set out in TfL's Pedestrian Comfort Guidance document.
- 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 is recommended for refusal.
- Whilst the current proposal does not seek to introduce advertising at this stage, the potential for advertising on the rear panel of the kiosk raises concern. The Camden Streetscape Design Manual outlines advertising guidance that resists the introduction of commercial advertising. The proposal in that respect would be unacceptable as the suggested future use of the kiosk may be more for commercial advertising rather than for the benefit of the highway user.
- 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.

The Council's Access Officer objects as follows:

	<p>There are a number of requirements for an accessible phone booth that need to be considered. These are all taken from BS8300 (current addition).</p> <ul style="list-style-type: none"><li>• 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.</li><li>• 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.</li><li>• Telephone controls should be located between 750mm and 1000mm above the floor.</li><li>• 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'.</li><li>• Instructions for using telephones should be clear. They should be displayed in large easy-to-read typeface.</li></ul> <p>There should also be at least 1200mm, preferably 1800mm between the booth and any wall / guiding opposite.</p>
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**Bloomsbury  
Association  
comments:**

The Bloomsbury Association has objected on the following grounds:

- We note that the application is accompanied by an uncompromising letter, that no pre-application discussions have taken place with the Council's officers and that there is no Design & Access Statement. It is one of a chain of similar applications for sites of high visibility.
- No consideration is given to the impact of the appearance of the kiosk from the adjoining Bloomsbury and Kingsway Conservation Areas when it is clear from the plan and elevation that the back and side of the kiosk (of unspecified material) may be intended to include full-height advertising of an unspecified nature.
- We note that no application for advertisement consent accompanies the applications although the kiosk is clearly designed to facilitate this.
- There is a severe deficiency in public space provision in the area. Of the existing public open space, 80% is estimated to be on streets and footpaths and it is an inappropriate balance of priority that space on Theobalds Road should be cluttered by privately owned kiosks, serving a commercial purpose. Open space is a civic amenity to be enjoyed by all.
- In the area there are already many existing telephone kiosks. All are unused, unmaintained, covered in graffiti and advertisements for prostitutes; larger kiosks are used by rough sleepers and those with doors by users of crack cocaine. All make an unsightly contribution to the street scene; some are also used as urinals and present a health hazard. There is no need for more of the same. We note that this is not an application to replace existing kiosks but to add more. No management or maintenance plan accompanies the application.
- Southampton Row and Bloomsbury Way/Theobalds Road have high footfall and are particularly difficult for pedestrians to navigate. We have previously expressed concern to the Council that not enough has been done to deal with removal of existing street/pavement clutter, including the various unsightly structures that occupy the public realm. These proposals will add more clutter, further obstruct pedestrian flow and add to what is already a serious safety hazard for pedestrians.

The Association supports good quality design that will enhance Bloomsbury's streetscape, which this proposal clearly does not. With such a demonstrable breach of the Council's planning policy and of its supplementary planning guidance, we look to the Council to refuse this application.

## Site Description

The application site comprises of an area of the footway adjacent to The Holborn Hotel, on the north-western side of Theobald's Road. The site is directly adjacent to railings, a street tree, traffic signs and a pole, and a pedestrian crossing, and signals are located to the south-west of the site.

The site lies within the Central London Area and is part of Transport for London's (TfL's) Road Network (TLRN). Although the site does not fall within a conservation area, it is located adjacent to the Kingsway Conservation Area, and the Grade II listed buildings Victoria House, Nos. 1-6 Avenue Chambers and Kingsway Tram Subway, and the Central St Martin's College of Art and Design, which is a Grade II\* listed building.

## Relevant History

### Site history:

None

### Neighbouring sites:

#### **Land adjacent to 128 Theobalds Road and corner with Old Gloucester Street**

**2017/1256/P** – Installation of digital advertisement screen (Dimensions: 6m height x 4m width x 0.4m depth) and associated stand (Dimensions: 10.6m height x 0.9m width x 1 depth). **Advertisement consent under consideration**

#### **Outside 83 Theobalds Road**

**2009/1029/P** – Installation of telephone kiosk on the public highway. **Prior Approval refused 19/05/2009**

#### **Outside St. Martins College Junction of Theobalds Road and Southampton Row**

**2006/4320/P** – Replacement of existing telephone kiosk with cash machine/telephone kiosk. **Full planning permission refused 18/01/2007**

#### **Junction of Drake Street & Proctor Street**

**2014/4609/P** – Installation of a public payphone on pavement. **Prior Approval refused 09/02/2015**

#### **1 Telephone Kiosk Outside 21 Southampton Row**

**2016/6965/P** – Change of use from telephone kiosk to mobile repair shop (A1). **Full planning permission granted 06/03/2017**

#### **BT telephone kiosk opposite 43 Bloomsbury Square, Southeast corner of Bloomsbury Square**

**2015/0674/P** – Change of use of BT telephone box to self-contained retail kiosk (Class A1). **Full planning permission granted 14/04/2015**

#### **Bus Shelter outside Sicilian House and 43 Bloomsbury Way**

**2016/4261/A** – Installation of double-sided structure to existing bus shelter no. 0107/1065 for display of 2 internally illuminated digital screens. **Advertisement consent refused 24/01/2017**

**2015/5227/A** – Installation of double-sided structure to existing bus shelter no. 0107/1065 for display of digital screen and non illuminated static poster panel. **Advertisement consent refused 25/01/2016**

## 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 north-western pedestrian footway along Theobald's Road, adjacent to The Holborn Hotel.
- 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 8.9m wide. This area of the footway experiences very high pedestrian flows, particularly 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 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 13 existing telephone kiosks located between 28m and 194m 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 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 A1 and T1 and is considered unacceptable.

- 3.5 There are two existing telephone kiosks opposite the site on the southern side of Theobald's Road, one existing telephone kiosk approximately 55m to the south-west of the site on the western side of Southampton Row, and four further existing telephone kiosks including one wheelchair accessible kiosk located between approximately 172-194m north-west of the site along Southampton Row. Two further existing telephone kiosks are located approximately 28m to the north-east of the site along the northern side of Theobald's Road, one existing wheelchair accessible telephone kiosk is located approximately 48m east of the site on the western side of Drake Street, and three further existing telephone kiosks, including two wheelchair accessible kiosks, are located between approximately 65m and 134m to the north-east of the site along Theobald's Road. 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 The application site is situated within the vicinity of the current and proposed scheme in Holborn to reduce street clutter through the removal of existing telephone kiosks. In accordance with Policy T1 points a) and b), the scheme aims 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 kiosk in this location would add further street clutter to the streetscene, contrary to the aims of the scheme, and the resulting reduction in the footway width may have a detrimental impact on pedestrian movement and discourage active travel. The siting of the proposal is therefore considered to be unacceptable and contrary to Policy T1.

#### **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 or 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 necessary elements such as a street tree, traffic signs and traffic signals which enhance the visual amenity of the area. 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 further unnecessary street clutter. Furthermore, due to its proposed location within close proximity of numerous existing telephone kiosks, 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 Grade II\* listed Central St Martin's College of Art and Design, Grade II listed Victoria House, Nos. 1-6 Avenue Chambers and Kingsway Tram Subway, and the Kingsway 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 are already 13 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.

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 siting of the proposal within close proximity of numerous existing telephone kiosks 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 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 Kingsway Conservation Area and Grade II and Grade II\* listed buildings, 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