



Dear Camden Planning,

The following comments represent the views of Transport for London officers and are made on a “without prejudice” basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to a planning application based on the proposed scheme. These comments also do not necessarily represent the views of the Greater London Authority.

Thanks for consulting TfL Spatial Planning on:

- ∞ **Application Number** 2018/0319/P
- ∞ **Site Address** Pavement outside 229 High Holborn London WC1V 7DA
- ∞ **Application Type** GPDO Prior Approval Determination
- ∞ **Development Type** Obs to adjoining, GPDOs.
- ∞ **Proposal** Installation of 1 x telephone kiosk on the pavement.

TfL has the following comments:

- ∞ TfL understands from previous discussions with the Council and statements in the application materials that this proposal for a new phone box is not part of a deal between the Council and BT to renew the entire BT phone box estate across the borough. It is therefore not contingent on removal of more than 1 phone box in exchange for the new unit proposed, leading to an overall reduction in phone boxes in the public realm across Camden.
- ∞ This application should be carefully considered by the Council, as similar units installed in London elsewhere function mainly as digital advertising, not communications infrastructure. TfL Planning has supported the introduction of BT InLink units only in exchange for removal of at least 2 redundant and dilapidated phone boxes. Removal of at least 2 phone boxes prior to installation of the new unit proposed in this application should therefore ideally be secured by appropriate planning obligations.
- ∞ TfL reminds the applicant and Council that the current London Plan Policy 6.10 (Walking) refers to ‘**promoting simplified streetscape, decluttering and access for all**’ and also states that Planning Decisions ‘**should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space**’. TfL Spatial Planning takes the view that the phone box proposed would not contribute in any way to a high quality pedestrian environment or emphasise the quality of pedestrian and street space.
- ∞ Decluttering the streetscape is also prioritised in TfL Streetscape Guidance (available from https://protect-eu.mimecast.com/s/MdzuCK1q3u2pm8OuAHD_i?domain=tfll.gov.uk). TfL expects the standards and principles in this document to be applied to all phone box replacement applications by the council.

Part E, page 241 of the guidance is about phone boxes and states: ‘New open-sided units, such as the ST6, are now in use and include a 1.36-metre wide illuminated advert on one side. ST6 units should be fitted so that the advertisement faces the flow of traffic. A footway width of minimum 4,200mm is required but **designers should also consider pedestrian flows to determine appropriate placement. They are not appropriate for conservation areas** and require planning consent for illuminated advertisements.’

The unit proposed in this application is similar to the ST6 discussed in the current TfL Streetscape guidance.

- ∞ We remind the Council that the draft new London Plan was launched for consultation on 1st December 2017. This document is now a material consideration in determining applications and in assessing general conformity of emerging local policy. As such, TfL now has regard to this Plan, inter alia, when assessing and responding to relevant consultations.

Policy D7 (Public realm), part I, states: 'Ensure that shade and shelter are provided with appropriate types and amounts of seating to encourage people to spend time in a place, where appropriate. **This should be done in conjunction with the removal of any unnecessary or dysfunctional clutter or street furniture to ensure the function of the space and pedestrian amenity is improved. Applications which seek to introduce unnecessary street furniture should normally be refused.**'

The street furniture proposed would be unnecessary due to the widespread popularity of mobile phones. It is also likely to be dysfunctional as a telephone kiosk due to extremely low usage.

Policy T2 (Healthy Streets), part D, states:

'Development proposals should:

1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance.'

This development proposal would not deliver any improvements that support any of the ten Healthy Streets Indicators.

- ∞ The site of the proposed development is also on High Holborn A40, which forms part of the Strategic Road Network (SRN). TfL have a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. Section 31 of the Act specifically states that the term "traffic" includes pedestrians. So the duty requires the LTA to consider the movement of all road users: pedestrians and cyclists, as well as motorised vehicles – whether engaged in the transport of people or goods.

Unnecessary and dysfunctional street clutter at any location in the footway on the SRN or Transport for London Road Network (TLRN) has an adverse impact on the movement of pedestrians, which goes against TfL's statutory network management duties.

- ∞ Finally, the application Cover Letter also mentions a legal decision on prior approvals for phone boxes, *Infocus Public networks Ltd v Secretary of State for communities and Local Government* [2010] EWHC 3309, which ruled that matters of prior approval on siting and appearance should be treated as analogous to reserved matters following the granting of planning permission. However this decision should be revisited and national government should consider reforming the legislation on phone box prior approvals to halt the increasingly common and clearly negative practice of phone box prior approvals being used as an excuse to introduce advertising to London's streets by stealth, cluttering the streetscape against current and emerging London Plan policy and compromising TfL's statutory network management duties, as explained above.
- ∞ For the above reasons, TfL Spatial Planning objects to the application on behalf of TfL.

Thanks and kind regards,

**Gavin McLaughlin | Planner
Spatial Planning | City Planning**

M: 07711 345112 T: 020 3054 7027 Ext: 87027

Level 9, 5 Endeavour Square, Westfield Avenue, Stratford E20 1JN

gavinmclaughlin@tfl.gov.uk

For more information regarding the TfL Spatial Planning team, including TfL's *Transport assessment best practice guidance* and pre-application advice please visit:

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