NEW WORLD PAYPHONES

Date: 16th February, 2018

Planning and Regeneration,
London Borough of Camden,
2nd Floor,
5 Pancras Square,
London,
N1C 4AG

Dear Sir / Madam,

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015
TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007

Re. Telephone Kiosk outside 55-59 New Oxford Street, LONDON, WC1A 1BS

Introduction and background

Please find enclosed related applications for Prior Approval for the replacement of the existing telephone kiosk at the above site with a new replacement Telephone Kiosk, and Express Advertisement Consent for an internally illuminated digital advertisement display integrated within the replacement Telephone Kiosk.

These applications are submitted following a Pre-Planning application enquiry raised with the Council's Planning Department in June 2016 (Your Ref. 2016/3367/PRE). The Council responded to this pre-planning exercise on 16th September 2016; a copy of this response is included with the application. The pre-planning enquiry proposed upgrading 35 Telephone Kiosks and removing 35 via this initiative. The proposal now is to upgrade 26 Kiosks and to remove 45, which equates to removing 63% of the applicant's estate across the Borough.

The Council's Pre-Planning note included feedback on the proposed replacement Telephone Kiosk and on the various kiosk sites proposed for upgrade. In relation to the former, in terms of utility and design, Officers opined that the proposal would not improve the existing situation and further might cause harm to the built environment. The note then offered feedback on the suitability of the various sites for accommodating roadside advertising.

Development Plan policy framework

The Local Plan was adopted in July 2017 and has replaced the Core Strategy and Camden Development Policies as the basis for planning decisions within the Borough.

Policy C6 Access for all

Policy C6 states, *"the Council will seek to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities and will: a. expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all; and c. expect … facilities … to be designed to be fully accessible."*

Policy E1 Economic development

This policy states that the Council will help secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses. In this respect it will *inter alia*: a. support businesses of all sizes, in particular start-ups, small and medium-sized enterprises.

Policy D1 Design

The Council will seek to secure high quality design in development and will require that development:
a. respects local context and character;
b. preserves or enhances the historic environment and heritage assets in accordance with "Policy D2 Heritage";
c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
d. is of sustainable and durable construction and adaptable to different activities and land uses;
e. comprises details and materials that are of high quality and complement the local character;
f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
g. is inclusive and accessible for all;
h. promotes health;
i. is secure and designed to minimise crime and antisocial behaviour;
j. responds to natural features and preserves gardens and other open space;
k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
l. incorporates outdoor amenity space;
m. preserves strategic and local views;
n. for housing, provides a high standard of accommodation; and o. carefully integrates building services equipment.

Policy D2 Heritage

This policy states, the Council will preserve and, where appropriate, enhance Camden's rich

and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Policy D4 Advertisements

Policy D4 states that the Council will require advertisements to preserve or enhance the character of their setting and host building, and must respect the form, fabric, design and scale of their setting and host building and be of the highest standard of design, material and detail.

The Council will support advertisements that:
a. preserve the character and amenity of the area; and
b. preserve or enhance heritage assets and conservation areas.

The Council will resist advertisements that:
c. contribute to an unsightly proliferation of signage in the area;
d. contribute to street clutter in the public realm;
e. cause light pollution to nearby residential properties or wildlife habitats;
f. have flashing illuminated elements; or
g. impact upon public safety.

Camden Planning Guidance CPG 1 'Design'

This document includes a section on Telephone boxes. This states among other things that there should be a minimum footway width of 2m adjacent to a phone box.

The Proposal

The applicant is an Electronic Communications Code Operator under the terms of the Telecommunications Act 1984, and has statutory powers enabling it to install, alter and replace electronic communications apparatus for the purpose of its electronic communications network within the highway. This being the case, the applicant operates an electronic communications network of circa 2000 Telephone Kiosks across the United Kingdom, 70 of which are located in Camden.

The Telephone Kiosks making up the applicant's network date back to the 1990's. They are tired looking structures and also outdated in terms of their telephony equipment. The applicant is therefore upgrading and, at the same time, consolidating the network nationally, to be part funded through advertising. In this process, the applicant recognises that the old, enclosed kiosk design has experienced historic problems including anti-social behaviour and lack of access for people with mobility impairments.

The current Telephone Kiosk is box-shaped, enclosed and with a footprint measuring 0.89sq.m. The applicant has developed a new Telephone Kiosk design that while modern in function draws influence from UK telephone kiosk design heritage. The new Kiosk has a

footprint measuring 0.83sq.m (which is slightly smaller than the footprint of the existing kiosk), is 2499mm high, 1096mm wide and 762mm deep. This compares to the existing kiosk which is 2430mm high (a difference of 69mm), 948mm wide and 948mm deep. In addition to design changes, the replacement Kiosk has the following multi-functional capability:

- New telephone equipment with the ability to accept credit/debit card, contactless and/or cash payment;
- 24inch LCD display providing an interactive wayfinding capability;
- Equipment for provision of public Wi-Fi access points and/or equipment for provision of public small-cell access nodes;
- Location-based information (NFC, Bluetooth 4.0 LE); and
- On the reverse side, a 1650mm (h) x 928mm (w) LCD display for digital advertising purposes, recessed behind toughened glass.

In functional terms, unlike the existing kiosk, the new design is open enabling unfettered access for all users including those with accessibility impairments, wheelchair users for example. This open aspect would also help eradicate anti-social behaviour sometimes associated with kiosks.

As noted, the reverse side of the replacement Kiosk would incorporate a 1650mm high by 928mm wide 1.5sq.m integrated digital display panel. This panel would display static advertising images in sequence, changing no more frequently than every 10 seconds, the change via smooth fade. The illumination brightness of the display is controlled via light sensor which monitors ambient light. During periods of darkness, the display's illumination would be restricted to a maximum brightness of 280cd/m², which is within the levels recommended by the Institute of Lighting Professionals. The display would never therefore appear overly bright or cause glare.

The replacement Telephone Kiosk is in our view an aesthetically pleasing contemporary design that would represent an improvement on the existing kiosk both visually and functionally. In this respect, we refer to a series of appeal decisions from 2016 in respect of various appeals in Hillingdon (lead case APP/R5510/Z/16/3157043) which involved replacing the same old kiosks with the same new design as proposed in this case. In these cases the Inspector commented, *"the existing phone box, which would be replaced as part of the proposed advertisement, is a tired looking feature"*. He added, *"the new kiosk would introduce a more appropriate, modern feature and in this respect it would improve visual amenity"*.

We note also the recent findings of a number of Planning Inspectors in respect of 40 appeals in Westminster, which neighbours Camden, in which all 40 prior approval appeals for the new replacement Telephone Kiosk were allowed. Below are relevant excerpts from a sample of these decisions addressing the design and utility aspects of the proposal. The Appeal decisions concerned are included with the application documentation.

Appeal A Ref: APP/X5990/W/17/3182187 - 50-52 Buckingham Palace Road, London

SW1W ORN

"10. The proposed kiosk would be more modern in appearance than the double kiosk that is currently positioned on the site. It would be finished in a black colour (according to the accompanying specification) and so would assimilate well into the street-scene. It would have a more contemporary appearance in relative terms, but not so contemporary that it would be to the detriment of the overall character and appearance of the immediate locality. Furthermore, its open sided design would have the effect of minimising its scale and dominance when viewed from public roads.

11. The screen to the rear would have the effect of breaking up the rear elevation of the kiosk. The use of a screen in such an elevation (for display purposes) would not be an alien concept in what is a very urban environment.

14. In design terms, I consider that the new kiosk would appear as a more up to date and aesthetically pleasing structure when viewed in the street-scene. In this sense, it would lead to some improvement to the overall setting of the listed statue and the Conservation Area.

27. I have taken into account comments made by other interested parties, but I do not consider that the proposal would constitute poor design, have an adverse impact upon the ease of walking in the locality or unacceptably add to street clutter.

21. … The Council state that the proposed kiosk would not be well used for telephone call purposes given the rise in mobile telephone use. Need is not a matter under consideration in terms of the prior approval criteria and, in any event, the kiosk would include additional functionality and not all people have a mobile telephone.

23. … The kiosk would perform a public function and, in any event, the degree of public benefit is not a prior approval consideration.

24. I note that the proposed kiosk would include mapping functionality which may be of benefit for tourists. It would also include telephone use, public Wi-Fi capability and advertisement space including urgent messages that could potentially be displayed by the Council. Furthermore, its open sided design would enable ease of access for wheel chair users."

Appeal A Ref: APP/X5990/W/17/3182001 - Payphone Outside 105 Charing Cross Road, London WC2H 0DT

"12. The proposed kiosk would be more modern in appearance than the kiosk that is currently erected on the site. However, it would be finished in a black colour and would not be too dissimilar in size to the existing kiosk. Taking into account its size, position, design and colour, I am satisfied that the proposed telephone kiosk would assimilate well into the street-scene and that it would not constitute an alien feature in this urban environment.

14. *I conclude that the overall effect of the siting and appearance of the development upon the character and appearance of the Conservation Area would be a neutral one.*

27. *I have taken into account comments made by other interested parties, but I do not consider that the proposal would constitute poor design, have an adverse impact upon the ease of walking in the locality or unacceptably add to street clutter."*

Appeal A Ref: APP/X5990/W/17/3182218 - Payphone Site Outside 1-3 Craven Road, London W1F 9JT

"11. The proposed kiosk would be more modern in appearance than the kiosk it would replace. It would be finished in black matching street furniture nearby, would be open sided, of relatively simple design and an overall less bulk than the existing kiosk. Thus there would be no increase in street clutter.

20. … I am satisfied the proposed kiosk would perform a public function".

Appeal A Ref: APP/X5990/W/17/3182287 - Payphone site outside 3-4 London Street, London W2 1HL

"10. The proposed kiosk would be marginally wider and slightly shallower than the existing box, but would be the same colour and be roughly the same height. It would be open on two sides and would contain the telephone equipment and a 24 inch wayfinder display screen.

11. Overall its scale is similar to the existing kiosk, and its design has regard to more traditional K6 phone boxes in terms of its slightly domed roof and the fenestration pattern on the side panel. The existing phone box appears bland and dated. The proposal would therefore represent an opportunity to improve and, due to the wayfinding screen, modernise its appearance in keeping with the commercial character of this part of the Bayswater Conservation Area."

Appeal Ref: APP/X5990/W/17/3182344 - Payphone Site Outside 508-520 Oxford Street, London W1C 1NB

"10. The replacement kiosk would have a more modern and contemporary appearance than the existing kiosk but the simple and open sided design would not appear out of place within the context of the existing street furniture and the commercial nature of this part of the street. It would be no more visually prominent than the kiosk that would be replaced.

11. Overall it would be no more bulky and imposing than the kiosk it would replace and in being sited in the same position it would assimilate well into the street scene and would not add to street clutter. Therefore its siting and appearance would have a neutral effect on the character and appearance of the surrounding area. As such, the character and

appearance of the Conservation Area would not be harmed and would be preserved.

23. … I am satisfied the proposed kiosk would perform a public function".

Proposed replacement Telephone Kiosk

The proposed replacement Kiosk including integrated advertisement display, has been approved in 38 local authorities across the United Kingdom, including 26 (81%) of the 32 London Boroughs. In total, approx. 440 new replacement Kiosks are consented in cities across the country.

As demonstrated by the foregoing, the design and utility merits of the proposal are widely recognised across the UK, including within Westminster, which has very comparable planning and heritage asset constraints to Camden.

Application site and surroundings

The application site was one of the sites put to the Council in the pre-planning enquiry in 2016. In the September 2016 response note, the Council stated as follows:

"o/s 55 New Oxford St

6.38 This site is within the Bloomsbury conservation area and is opposite a Grade II listed building. It is however noted that the site is in a particularly commercial area. It is noted that whilst the land use of the surrounding area is such that advertising in this area may be suitable, it will be important to demonstrate that the site's surrounding heritage assets will not be affected by such a proposal."

As noted, the site is within the Bloomsbury Conservation Area. The nearest Listed Building is Hazelwood House (No. 53 New Oxford Street) located to the east of 55-59 New Oxford Street. However, as also noted above, the locality is particularly commercial in character

and appearance and the application site adjoins a section of modern commercial frontage comprising Nos. 55-59 New Oxford Street.

The proposed replacement Kiosk incorporating the integrated advertisement display – in the foreground of the above-mentioned modern commercial frontage - would appear in our view as an appropriate form of development, in keeping with features that characterise the area, would assimilate well in the street scene, and would we conclude preserve the amenity, character and appearance of the area. Given the orientation of the replacement Kiosk, the advertisement display would be parallel with the road and would thus not impact on long range views along New Oxford Street, including those towards the nearby listed building.

The applicant has considered carefully the positioning/orientation of the proposed replacement Kiosk in terms of public safety. The proposed Kiosk would remain within the general alignment of street furniture thus avoiding being an obstruction to pedestrians. It would be oriented in such a way that the narrower side of the Kiosk (762mm in width) would project north-south, thereby reducing the extent of footprint impacting the main footway. In fact, the proposal would increase the amount of available footway by 336mm by virtue of the Kiosk's relocation marginally closer to the kerb face coupled with its orientation as described above. The advertisement display within the Kiosk would be parallel with the road, this specifically to avoid the display being a distraction to motorists passing through the junction arrangement, and also to enable the footway widening described above. The conclusion reached is that the proposal would not affect the safety of pedestrians and other road users.

Kiosk Removal

The proposal put to the Council at pre-planning stage was to remove 35 existing Kiosks across the Borough. The proposal as submitted now is to remove 45 Kiosks equating to 63% of the applicant's kiosk estate across the Borough. This kiosk removal, which would be a positive development in terms of reducing street furniture clutter across the Borough overall, would be delivered by means of agreement (under either Section 278 of the Highways Act 1980 or Section 106 of the Town and Country Planning Act 1990) linked to the various upgrade applications. To this end, we identify below the kiosks proposed for removal in association with this upgrade proposal:

- Telephone Kiosk outside 29 Tottenham Court Rd, London, W1T 1BU;
- Telephone Kiosk outside Central St. Martin's College of Art and Design, Southampton Row, London, WC1B 4AP.

Tree planting

As part of its environmental commitments, the applicant has partnered with 'Trees for Cities', which is a global charitable organisation working to create greener cities internationally. As part of this commitment, the applicant hereby offers to plant a tree in a location to be agreed with the local authority for every kiosk proposed for upgrade to the

new replacement Kiosk. If accepted by the Council, this obligation would also be secured by agreement under either Section 278 of the Highways Act 1980 or Section 106 of the Town and Country Planning Act 1990.

Council communications

The proposal includes an offer for the Council to make use of the advertisement panel within the replacement Kiosk for Council communication purposes - the proposal being one ten second slot in each hour – at no cost to the Council, to be secured by agreement.

The applicant appreciates greatly the cooperation of the Council in this matter during the pre-application consultation process and looks forward, we believe reasonably, to this and the other associated applications receiving favourable consideration.

Yours faithfully,

Richard Wilson
Planning Manager

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Encs.

Camden Council's Pre-planning feedback note;
Appeal A Ref: APP/X5990/W/17/3182187 - 50-52 Buckingham Palace Road, London SW1W ORN;
Appeal A Ref: APP/X5990/W/17/3182001 - Payphone outside 105 Charing Cross Road, London WC2H 0DT;
Appeal A Ref: APP/X5990/W/17/3182218 - Payphone Site outside 1-3 Craven Road, London W1F 9JT;
Appeal A Ref: APP/X5990/W/17/3182287 - Payphone site outside 3-4 London Street, London W2 1HL;
Appeal Ref: APP/X5990/W/17/3182344 - Payphone Site outside 508-520 Oxford Street, London W1C 1NB.