

|  |                            |  |                                     |            |
|--|----------------------------|--|-------------------------------------|------------|
| <b>Delegated Report</b>                              |                            | <b>Analysis sheet</b>                      | <b>Expiry Date:</b>                 | 23/03/2018 |
|  |                            | N/A / attached                             | <b>Consultation Expiry Date:</b>    | 21/02/2018 |
| <b>Officer</b>                                       |                            |  | <b>Application Number(s)</b>        |            |
| Leela Muthoora                                       |                            |  | 2018/0316/P                         |            |
| <b>Application Address</b>                           |                            |  | <b>Drawing Numbers</b>              |            |
| Pavement outside 75 Kingsway<br>London<br>WC2B 6SR   |                            |  | See 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          |                                     |            |

|                                    |   |    |                  |    |                   |    |
|------------------------------------|---|----|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice  |    |                  |    |                   |    |
| Informatives:                      |   |    |                  |    |                   |    |
| <b>Consultations</b>               |   |    |                  |    |                   |    |
| 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 31/01/2018 and expired on 21/02/2018.</u><br/> <u>A press notice was advertised on 01/02/2018 and expired on 22/02/2018.</u></p> <p>In response to the consultation, objections were received from</p> <ol style="list-style-type: none"> <li>1. Flat 18 Russell Square Mansions, 122 Southampton Row</li> <li>2. 68A Neal Street</li> </ol> <p>Objections were made on the following grounds:</p> <ol style="list-style-type: none"> <li>1. I wish to object to this application to install a phone box. I do not believe that it provides any public benefit as there are enough existing phone boxes for the very small number of people who need to use a telephone on the move but do not have a mobile phone. I also believe that this will constitute a threat to public safety and an obstruction to free movement of people on the already crowded pavements. Phone boxes seem merely to serve as a place for pimps to place cards advertising prostitutes which merely results in litter on the pavement when one card poster removes one set of cards to replace them with another. I have witnessed some very unpleasant behaviour when the two parties argue. They provide a place for a variety of items to be stowed. This application seems merely an attempt to get advertising space on the street without admitting as much. For these reasons, I would ask that this is rejected.</li> <li>2. I strongly object to the installation of a public call box at this location. The proposed public call box would add to street clutter and presents a safety hazard as it obstructs the flow of pedestrian traffic in an area of high pedestrian and vehicle traffic density. There is no need for public call boxes in this location – existing public call boxes nearby are only used as a shield for drugdealing/using and other anti-social behaviours, and are never used for their intended purpose as virtually all UK residents and tourists carry mobile phones.</li> </ol> <p>Transport for London objects on the following grounds:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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</li> </ul> |    |                  |    |                   |    |

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://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>). 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: 'I 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 Kingsway A4200, 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.

Metropolitan Police – Designing Out Crime Officer objects on the following grounds:

- 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 land line telephone. 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 ‘Prostitute Cards’, graffiti, sexual activities and a fixed location for begging. All of which have occurred within the current telephone kiosks. Also, due to poor maintenance any that are damaged or are dirty do not get cleaned, which makes the telephone kiosk unusable and an eye sore. Following the ‘Broken Window’ theory, if a location looks and feels that it is uncared for and in a state of disrepair then this leads to other criminal activity occurring within that location.
- The introduction of the telephone kiosk will only increase the above 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/near there.
- This generates for the latter a fear of crime especially in regards to

begging. As they will use the phone box as a cover and as a back rest when they sit on the floor, when the footpath is reduced in width even more by their presence pedestrians have to walk past closely and therefore this generates an uncomfortable feeling for them.

- 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 street space. Any CCTV monitoring the area will be effected by this and therefore any crime prevention/detection properties they produce is lost.
- Recent media reports have highlighted the increase in planning applications submitted to local planners for the construction of telephone kiosks. These were proven to have very little or no benefit to the local community especially in regards to the facilities that they are alleged to supply. The main reason busy locations with a high pedestrian and vehicle activity is chosen so that the telephone kiosk can be used as advertising space.
- For the above reasons I object to this planning application.

The Council's Building Control Access Officer objects as follows:

- Under the New BS8300-1:2018 and BS-2:2018 all telephone communication devices for public use should be fitted with assistive technology such as volume control and inductive couplers and there should be an indication of their presence. A knee-hole should be provided at least 500mm deep and 700mm high to allow ease of access for wheelchair users.
- Telephone controls should be located between 750mm and 1000mm above the floor level. To benefit people who are blind or partially sighted, telephones should be selected which have well-lit keypads, large embossed or raised numbers that contrast visually with their background, and a raised dot on the number 5.
- Instructions for using the phone should be clear and displayed in a large easy to read typeface. A fold down seat (450-520mm high) or a perch seat (650-800mm high) should be provided for the convenience of people with ambulant mobility impairments.

The Council's Transport Strategy team object as follows:

- The site is located near Holborn Underground Station on one of the busiest pedestrian corridors in the borough. Pedestrian volumes are extremely high and are forecast to increase significantly when Crossrail services become operational later this year along with ongoing economic growth in the borough. Existing footway space is a scarce resource and must be safeguarded for pedestrians both now and in the future to accommodate economic growth.
- The telephone kiosk would be located within a narrow strip of defined street furniture zone on the footway, adjacent to the kerb. However, this street furniture zone consists mainly of mature trees. The telephone kiosk would be out of place in this streetscape.
- The telephone kiosk would obstruct and impede pedestrian movement (especially for blind and partially sighted pedestrians) and visibility on and along the footway. This would have a significant impact on pedestrian comfort levels, both now and in the future. It would obstruct inter-visibility between vehicular traffic and pedestrians wishing to cross the road at this location. The proposal therefore constitutes a hazard to public safety.
- The telephone kiosk would be significantly wider than other items of street furniture including existing telephone kiosks in the general

vicinity of the site. The proposal would therefore have a harmful and negative impact on the streetscape.

- The telephone kiosk would obstruct and impede kerbside activity such as deliveries, taxi pick-ups and drop-offs, refuse and recycling collections, and other servicing.
- I am also aware that the Metropolitan Police have raised concerns about this type of application. The telephone kiosk would facilitate crime and anti-social behaviour and would constitute a hazard to public safety. It would also obstruct CCTV visibility.
- The proposal must be refused for the above reasons.

Councillor Sue Vincent objects as follows:

- Please register my strong objections to the plethora of advertising hoardings, masquerading as “telephone boxes” in my ward. These are superfluous to requirements, add pavement clutter in heavily footfall areas and cause harm to the conservation area. ON

Councillors Adam Harrison, Sabrina Francis and Rishi Madlani object as follows:

- **Street environment: use of space**  
As ward councillors for a central London ward, and one amongst us with executive responsible for street management and the environment, we are aware of the enormous demands that there are on space on the public highway. There are always a large number of competing claims from different items of street furniture. Their location can also impact on meeting other related demands, such as providing different types of parking or keeping the highway between a phonebox and nearby buildings clear. Especially as London's population only grows, with the number of jobs projected to grow in the area (increasing the daytime population), and the arrival of major transport infrastructure developments such as Crossrail and HS2, permitting these new phone boxes to sprout up in these locations will cause significant detriment to the local authority's ability to effectively manage the streets, hindering the achievement of the very valid public aims of keeping the street clear, moving and uncluttered. When set against the virtually zero public benefit of more pay phones in the era of the smartphone – and in an area already with a preponderance of phone boxes – the additional clutter these would bring to the area form a strong reason for refusal. While we are here, one notes the brazenness of the pretence that these items are being proposed for any reason other than to generate income through advertising, which in itself represents zero public benefit.
- **Street environment: cleanliness**  
Phone boxes attract litter and mess of a variety of type, both inside the structures and adjacent. Getting the companies to properly and regularly clean them is a never ending struggle, and it is not a task where they have covered themselves in glory. On occasion the council has stepped in to clean. These applications should be refused on the grounds of (lack of) cleanliness, consequent impact on the appearance of the area, and the drain this can represent to the local authority.
- **Crime and antisocial behaviour**  
As noted by the local police, phone boxes can attract and provide a place for crime and antisocial behaviour to take place in. Creating new semi-enclosed spaces runs counter to both good design when it comes to designing out crime, and their creation will also represent a

further drain on the time and resources of the police and of the local authority whose community safety officers, we know from our experience of many years as ward councillors, are obliged to respond to residents' complaints about these on-street venues of crime.

Bloomsbury Neighbourhood Policing Team - Sgt Dave Hodges

- I am the ward Sgts for Holborn and Covent garden, Bloomsbury and the Camden sector team.
- To be clear, my stance on phone boxes, new and old is the same, they are a magnet for drug dealing, drug taking, anti-social behaviour, prostitute carding and urinating to name a few.
- The new systems by 'Inlink' outside Euston station, which allows free calls, although they look great, they are now being used by drug users to call their drug dealers. You now have a huge problem of drug users congregating around them, which is yet another problem for police to deal with. This is an example of no matter how much innovation you put into new boxes, the result is the same, drugs and crime.
- I have many phone boxes across my wards on Tottenham court road, Seven dials and Cambridge circus that attract so many drug users and dealers, that I am bombarded by residents and businesses alike, demanding that I take action against the boxes in general and the crime associated with it. BT's response, categorically WILL NOT remove the boxes as in their words, create too much revenue for the company.
- Essentially, once they are in, you will never get rid of them!
- I could go on for pages regarding the crimes and issues these boxes cause local residents and businesses, but I won't as hopefully this email is clear enough.
- I will go on tackling crime on my wards as that is my job. All I am asking the council for is to not put more of these crime generators into these wards that already suffer from drug misuse.

**CAAC/Local groups\*  
comments:**

Bloomsbury Conservation Area Advisory Committee (BCAAC) objects on the following grounds:

- I would like to reiterate our objection to ALL these applications for new telephone kiosks, which end up being a location for advertisements, a hazard to pedestrian movements and a blight on the streetscape.
- Maximus Networks submitted applications in 2017 and I know that the one on Russell Square (an identical application) was refused last year by the planning officer concerned. So it seems the company is trying again in 2018.
- BCAAC continue to object to the endless applications for more unwelcome kiosks, which seem utterly irrelevant in today's era of mobile phone communication.

Bloomsbury Residents Action Group (BRAG) objects as follows:

- I am aware that Maximus Networks have yet again submitted planning applications for stainless steel telephone kiosks - some located within the Bloomsbury Conservation Area, some along the Euston Road. There may be others which I am, as yet, unaware.
- Maximus submitted applications in 2017 and I know that the one on Russell Square (an identical application) was refused last year by the planning officer concerned (Matthew Dempsey). So it seems the company is trying again in 2018.
- I have submitted an on-line objection for the application at 69-70 Russell Square [2018/0318/P] on behalf of Bloomsbury CAAC, a statutory consultee. I would like to reiterate our objection to ALL these applications for new telephone kiosks, which end up being a location for advertisements, a hazard to pedestrian movements and a blight on the streetscape.
- I am also objecting to the proliferation of these telephone kiosks on behalf of BRAG (Bloomsbury Residents Action Group).
- As residents of Bloomsbury, we are concerned about the quality of the environment in which we live, but we have neither the time nor the resources to object to every single application.
- I hope that planning officers dealing with these applications realise that there is a considerable public outcry about the appalling condition of many existing telephone kiosks (which attract litter, unofficial adverts and antisocial behaviour) and consequently object to the endless applications for more unwelcome kiosks, which seem utterly irrelevant in today's era of mobile phone communication.

Covent Garden Community Association objects as follows:

The CGCA strongly objects to the installation of a telephone kiosk at this prominent location in the conservation area.

(1) The phone kiosk is unnecessary, as the proposed location is mere metres from an existing phone box, which can clearly be seen in the applicant's "site photo" document. The applicant has not made a case at all that justifies why another phone kiosk is needed so near to an existing one.

(2) Like other areas in Camden, Covent Garden has its own character and identity (Local Plan D1 & D2). The proposed telephone kiosk fails to preserve or enhance the historic nature and unique character of the Seven Dials (Covent Garden) Conservation Area (D1 & D2). According to Local Plan policy D1, careful consideration must be given to the characteristics of a development site, features of local distinctiveness, and the wider context in



order to achieve high-quality development which integrates into its surroundings. Camden's planning policy is clear that the Council expects development to retain the distinctive characters of the conservation area and new development must contribute positively to this. Para 7.46 of the Local Plan (see D2) specifies that the Council "will only grant planning permission for development in Camden's conservation areas that preserves and enhances the special character or appearance of the area." Also see CPG1 2.6 and CPG1 2.9.

(3) The proposed telephone kiosk would result in visual street clutter that detracts from the character of the conservation area and that goes against Camden's aim of reducing visual street clutter (see Streetscape Design Manual, Chapter 4). Such street clutter has a significantly adverse effect on the appearance of the streetscape and the amenity of the area. Local Plan policy C5 also specifies that the design of streets, public areas, and the spaces between buildings needs to be uncluttered.

(4) The proposed telephone kiosk would further continue to visual clutter as its primary function would be to serve as an advertising presence. Indeed, the location chosen is a high-traffic area, both in terms of vehicles and pedestrians. CPG1 para 8.9 says advertisements in conservation areas and on or near listed buildings require detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements on or near a listed building or in a conservation area must not harm their character and appearance.

(5) Further, the proposed telephone kiosk presents a safety hazard, as it obstructs the flow of pedestrian traffic, as well as wheelchairs and prams, at this location, which experiences high footfall.

(6) Finally, as the Metropolitan Police have noted – and to which local residents can attest – phone boxes and kiosks are heavily used for crime and antisocial behaviour. As police constable and Design Out Crime Officer Jim Cope says, phone boxes in Camden are "crime generators" (see Met Police comments). Phone boxes and kiosks conceal criminal behaviour, including drug activity.

Whilst the applicant claims a need for telephone kiosks still exists, the research and data contradict the need for increasing the number of public phone boxes and kiosks. According to Ofcom, for example, the money that BT received from phone boxes went down by nearly half between 2000 and 2006. Further, Ofcom's 2016 Communications Market Report found that 93 percent of UK adults own or use a mobile phone in the UK; 71 percent of adults own a smartphone. Research in 2013 also found that only 3 percent of UK residents made a call from a public phone box in the previous month. The evidence strongly supports that the number of public telephone boxes and kiosks should be reduced, not increased.

## Site Description

The application site comprises of an area of the footway adjacent to 75 Kingsway on the south-western side of the road. The site is close to the restaurant/cafe unit at the ground floor of 77-79 Kingsway House in close proximity to the junction with Wild Court.

This is a very busy road for both vehicular and pedestrian traffic. The pavement here is approximately 6m in width. The existing street furniture on the pavement in close proximity includes; an existing phone box, post box, trees, lamp-posts, litter bins, tables & chairs for restaurants and cafes, A-boards and traffic lights.

The site lies within the Central London Area; it is within the Kingsway Conservation Area and is not adjacent to any listed buildings but the nearest is the Grade II listed building at no. 63.

## Relevant History

### This site:

**2017/1095/P** - Land Adjacent to 75 Kingsway - Installation of 1 x telephone box on the pavement - **Prior Approval Required - Approval Refused 07-04-2017.**

### Neighbouring sites:

**2017/2492/P** - Outside **36 Kingsway** - Installation of telephone kiosk on the pavement. **Prior Approval Required - Approval Refused 21-06-2017**

**2017/3411/A** - Victory House **30-34 Kingsway** - Display of 2 x internally illuminated digital advertisement panels to freestanding BT panel. - **Advertisement consent under consideration.**

**2007/5445/P** - Outside 58 Kingsway - **Installation of a telephone kiosk on the pavement. Prior Approval Required - Approval Given 04-01-2008**

**2005/0669/P** - Outside **79-81 Kingsway** - Replacement of existing telephone kiosk with a combined ATM/Payphone. **Refused 13-04-2005**

## Relevant policies

### **National Planning Policy Framework (2012)**

### **London Plan 2016**

### **Draft New London Plan 2017**

### **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

G1 Delivery and location of growth

T1 Prioritising walking, cycling and public transport

### **Camden Planning Guidance**

CPG1 Design (2015)

CPG7 Transport (2011)

Kingsway Conservation Area Statement (2001)

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 16 of Schedule 2 of the GPDO. The order permits the Council to only consider matters of siting, design and appearance in determining GPDO prior approval applications. The potential impact on crime and public safety are relevant considerations under siting, design, appearance and accessibility.
- 1.2 The kiosk would measure 1.325m by 1.125m with an overall height of 2.6m, and would be located on the south-west footway of Kingsway. On this footway there is an existing phone box, post box, trees, lamp-posts, litter bins, tables & chairs for restaurants and cafes, A-boards and traffic lights. The existing phone box would be within approximately 10m of the proposed kiosk.
- 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 approximately 6m wide. This area of the footway consistently experiences extremely high pedestrian flows, due to its commercial location and approach to Holborn Underground Station.

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 1.325m by 1.125m an area of 1.49m<sup>2</sup>. 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. 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 and allow a minimum of 3.3m of 'clear footway width'. Although the site plan annotates the kiosk is set 0.45m back from the carriageway, the proposal would result in the loss of a minimum of 1.8m of the footway. This would reduce the 'clear footway' significantly close to the minimum threshold, which is of serious concern in an area which experiences such heavy footfall. It is also important to note that adjacent occupiers place tables and chairs on the public highway during opening hours, therefore the effective footway width of 4.6m cannot be relied on to be permanently available to pedestrians. This reduction in the 'clear footway' would reduce pedestrian comfort, resulting in overcrowding, issues of 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 are five existing telephone kiosks within approximately 100m of the site. These include three to the north and four to the south of the site on Kingsway. No justification has been submitted for the need to install a further one. The applicant states there is a need for children to have access to public phone boxes in order to make free calls to Childline. This does not justify the addition of the proposed kiosk and any need for this purpose is mitigated by the number of existing phone boxes

in the surrounding area. 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.

#### **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.
- 4.2 Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 4.3 The Kingsway Conservation Area Statement advises in K34 that 'The Council will make efforts to avoid any unnecessary visual clutter whilst seeking design solutions appropriate for the area' and in K35 that 'The Council will maintain a high standard of street furniture within the Conservation Area that takes into consideration the historic fabric of the area'.
- 4.4 The street furniture that presently exists on this section of the footway comprises necessary elements of street lamps and trees. In addition, there is an existing phone box. It is considered that the introduction of a new telephone kiosk to this section of footway would introduce additional street furniture that would degrade the visual amenity of the area through the creation of unnecessary street clutter. Furthermore, due to its proposed location within 100m of five 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.
- 4.5 The proposed structure is considered 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 Kingsway Conservation Area, and would thus result in a significant harm to the wider streetscene. As such, the proposal would fail to adhere to Policy D1 and D2.
- 4.6 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 any public benefit from the provision of another kiosk in this location.

#### Access

- 4.7 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 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 kneeholes and 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 maximum height of 1.2m 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 and crime**

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 existing telephone kiosks within the London Borough of Camden have become 'crime generators' and a focal point for anti-social behaviour (ASB). An additional kiosk in this location would be likely to increase opportunities for crime in an area where there are already issues of existing kiosks being used for criminal activity. 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 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 Kingsway Conservation Area and to the detriment of pedestrian flows. By virtue of its inappropriate siting, size and design would fail to reduce opportunities for crime and antisocial behaviour to the detriment of community safety and security as well as poor accessibility. The proposal, by virtue of its siting and appearance, is considered unacceptable.

## **7.0 Recommendation**

7.1 Refuse Prior Approval