

Delegated Report		Analysis sheet	Expiry Date:	23/03/2018
		N/A / attached	Consultation Expiry Date:	21/02/2018
Officer			Application Number(s)	
Leela Muthoora			2018/0329/P	
Application Address			Drawing Numbers	
Pavement outside 16 Procter Street London WC1V 6NX			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 1 x telephone kiosk on the pavement.				
Recommendation(s):		Prior Approval Required - Approval Refused		
Application Type:		GPDO Prior Approval Determination		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	10	No. of objections	10
Summary of consultation responses:	<p><u>A site notice was displayed on 31/01/2018 and expired on 21/02/2018.</u></p> <p>In response to the consultation, objections were received from</p> <ol style="list-style-type: none"> 1. 68A Neal Street, WC2H 9PA 2. Flat 18 Russell Square Mansions, 122 Southampton Row, WC1B 5AE 3. 56A Red Lion Street, WC1R 4PD <p>Objections were made on the following grounds:</p> <ol style="list-style-type: none"> 1. 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 drug dealing/using and other anti-social behaviours, and are never used for their intended purpose as virtually all UK residents and tourists carry mobile phones. 2. 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. 3. The door should open at a right angle to the kerb line, not into the north-south pedestrian movement. <p>Metropolitan Police – Designing Out Crime Officer objects on the following grounds:</p> <ul style="list-style-type: none"> • 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.

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 kneehole 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.

Transport Strategy 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. The

telephone kiosk would be significantly wider than other items of street furniture such as lamp columns and sign posts 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 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 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 telephone kiosk would be located within 20 metres of the nearest bus shelter. This bus shelter has a digital advertising end panel attached to it. This would be a problem if a follow up application for digital advertising consent were to be submitted. The presence of 2 digital advertising panels in such close proximity to each other would constitute a distraction to road users at a point where they need to be paying attention to the road ahead on the approach to a traffic signal controlled junction. Any such proposal would be strongly resisted due to the road safety implications on the approach to a traffic signal controlled junction.
- 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.

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.

Site Description

The application site comprises of an area of the footway adjacent to Eagle House, 16 Procter Street on the eastern side of the road. The site is directly adjacent to the retail units at the ground floor of Eagle House in close proximity to the junction with High Holborn. Several street lamps are located in close proximity of the site and a bus shelter is situated approximately 15m to the north.

The site lies within the Central London Area; it is not located within a conservation area but is directly adjacent to the Bloomsbury Conservation Area and is not adjacent to any listed buildings.

Relevant History

This site:

2017/1039/P - Land adjacent to 16 Procter Street - Installation of 1 x telephone box on the pavement. **Prior Approval Required - Approval Refused 07-04-2017.**

2017/0271/A - Bus-Stop outside Eagle House 16 Procter Street - Display of 2x internally illuminated digital screens to bus shelter no. CAM0076AB. **Granted 08-03-2017.**

Neighbouring sites:

2007/1727/A - Outside 1-3 Procter Street - Display of an internally illuminated advertisement on payphone kiosk. **Refused 25-05-2007.**

2017/0455/P - Outside 5-11 Procter Street - Erection of freestanding BT panel providing phone and Wi-Fi facilities with 2 x internally illuminated digital advertisements following the removal of 1no. BT telephone kiosks. **Granted Subject to a Section 106 Legal Agreement 15-05-2017.**

2017/0582/A - Outside 5 - 11 Procter Street - Display of 2 x internally illuminated digital advertisement panels to freestanding BT panel. **Granted 15-05-2017.**

2009/1774/P - Outside Lion Court 25 Procter Street - Installation of a telephone kiosk on the public highway - **Prior Approval Required - Approval Refused 22-05-2009 Appeal Dismissed 04-05-2010**

2018/0521/A - Pavement outside Benin House, opposite 25 Procter Street - Erection of double-sided freestanding advertisement panel to display 2 x internally illuminated digital advertisements, following the removal of existing freestanding advertisement panel. **Advertisement consent under consideration.**

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)

Bloomsbury Conservation Area Appraisal and Management Strategy (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 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 eastern pedestrian footway along Procter Street, adjacent to Eagle House, 16 Procter Street. On this footway there is an existing bus shelter, a freestanding advert, trees, wayfinding signs, traffic lights, lamp posts, A-boards and litter bins.
- 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 4.8m wide. This area of the footway consistently experiences extremely high pedestrian flows, due to its commercial location and proximity 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 1.49m². 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. Furthermore, the site plan provided with eastings and northings would place the kiosk in the carriageway, which does not match the site plan provided. 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 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' to less than the minimum threshold, which would reduce pedestrian comfort, resulting in overcrowding, issues 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 185m of the site. These include one

to the north of the site, three to the south-east of the site along the south side of High Holborn and another two on the north side of High Holborn. 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. This would be contrary to the guidance of the NPPF which aims to keep telecommunication sites to a minimum and encourage applicants to explore shared facilities.

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 The street furniture that presently exists on this section of the footway comprises necessary elements of street lamps and a bus shelter. In addition, there is a freestanding advertising panel. 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 185m 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.
- 4.3 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. As such, the proposal would fail to adhere to Policy D1.

Access

- 4.4 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 knee holes 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

- 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 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