

NEW WORLD PAYPHONES

Date: 8th June, 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. Proposed replacement Telephone Kiosk outside 164-167 Tottenham Court Rd, London, W1T 7JE

Introduction and background

Please find enclosed related applications for Prior Approval for a proposed telephone kiosk at the above-mentioned site (associated with the removal of nearby kiosks), and Express Advertisement Consent for an internally illuminated digital advertisement display integrated within the proposed 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 various kiosk sites proposed for upgrade. In relation to the former, Officers opined that the proposal - in terms of utility and design - would not improve the existing situation and might cause harm to the built environment. The note then included feedback on the suitability of various sites for accommodating roadside advertising.

In February this year, applications were submitted for Prior Approval for the replacement of existing telephone kiosks with a new replacement Telephone Kiosk, and Express Advertisement Consent for an internally illuminated digital advertisement display integrated within the replacement Telephone Kiosk, in respect of telephone kiosks located outside (but

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temporarily removed) 184 Tottenham Court Road (LPA ref. numbers 2018/0891/P and 2018/0966/A respectively).

The applicant met with the Council's Principal Transport Planner on the 18th and 22nd May 2018, to discuss the applications. The Principal Transport Planner expressed concern over the proposals in the context of the planned public realm and two-way works along this part of Tottenham Court Rd. It was agreed therefore to investigate an alternate relocation option, and the location outside No. 164-169 Tottenham Court Rd was identified with which the Principal Transport Planner is happy from a transport perspective.

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;

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- 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

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replace electronic communications apparatus for the purpose of its electronic communications network within the highway. Accordingly, 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 an aesthetically pleasing contemporary design that would represent an improvement on the existing kiosk both visually and functionally. In this

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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 0RN

- “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*

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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."*

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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 39 local authorities across the United Kingdom, including 27 (84%) of the 32 London Boroughs. In total, approx. 450 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 locality containing the application site is predominantly commercial in character and appearance and, therefore, the type of location in which roadside advertising may be

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acceptable. The adjacent ground floor frontage consists of modern shop fronts featuring therefore modern features and associated signage, some of which is internally illuminated. The principle of roadside advertising in the surrounding area is established by *inter alia* the free-standing internally illuminated 6-sheet advertising display unit outside Halifax building society, located north of the application site. The application site is within the Bloomsbury Conservation Area. There are we note no listed buildings in the vicinity of the application site.

Reflecting the above characteristics, the proposed replacement Kiosk incorporating the integrated advertisement display would appear in our view as an appropriate form of development, in scale and 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.

Working with the Council's Principal Transport Planner we have considered carefully the positioning/orientation of the proposed replacement Kiosk in terms of public safety.

The pavement in this location is due to be widened significantly as part of the public realm and planned two-way works along Tottenham Court Rd. This planned widening is shown on the Site Plan accompanying the application. The location of the replacement Kiosk discussed and agreed with the Council's Principal Transport Planner is shown on the Site Plan. This shows the Kiosk being 500mm from the proposed new kerb line with the advertisement display facing oncoming traffic. 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 184 Tottenham Court Rd;
- Telephone Kiosk outside 184 Tottenham Court Rd.

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

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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 the more recent post-application liaison, and looks forward 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 0RN;
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.