

Delegated Report		Analysis sheet	Expiry Date:	26/09/2018
		N/A	Consultation Expiry Date:	10/09/2018
Officer			Application Number(s)	
Matthias Gentet			2018/3832/P	
Application Address			Drawing Numbers	
Pavement outside 145-149 Tottenham Court Road London W1T 7NE			Refer to draft 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	00	No. of objections	00
Summary of consultation responses:	A Site Notice was displayed on 17/08/2018 and expired on 10/09/2018					
The Fitzrovia Partnership	<p>An Objection from The Fitzrovia Partnership was received as follows:</p> <p>The London Borough of Camden started a multi-million pound project to improve Tottenham Court Road, the purpose of the scheme is to deliver a bold vision for the future of the area. Part of that is to improve the look of this street which has become cluttered run down and neglected. This presents several issues:</p> <p>A. Cleansing and appearance</p> <ol style="list-style-type: none"> 1. Waste and Fly tipping. 2. There are forty public telephone boxes spread along Tottenham Court Road. 3. Telephone boxes are not cleaned as part of the Camden street cleansing contract and as such have to be cleaned by the respective phone companies. 4. Phone boxes are used by the homeless to store their bedding which the phone companies are reluctant to move saying that this is a social problem that the local authority and police should deal with. 5. A response from a phone box company following a request for additional cleansing admit that with the open type of phone boxes they are unable to stop the littering and it can be said that they are inviting people to litter. <p>B. Damage</p> <p>Two telephone boxes have been hit by a vehicle and are leaning at an angle with tape around have been in this condition for a number of months.</p> <p>C. Crime</p> <ol style="list-style-type: none"> 1. Organised crime is evident as all of the phone boxes are covered with in excess of six prostitute advertising cards in each averaging each year ten thousand cards removed. 2. Our staff were threatened by the organised gang running the card scheme. These cards all show scantily clad females and are easily viewable by all including children and visitors to the area. 3. The phone companies make no attempt to remove these cards. <p>D. Drug use</p> <ol style="list-style-type: none"> 1. This is evident as several phone boxes have had their windows painted in opaque substance restricting the view in and are suspected to be magnets for drug users especially those from the street population. 					

2. These boxes remain uncleaned and as a result the contamination from users remains in the phone box.

E. Anti-Social Behaviour

1. The phone boxes also act as a cover for the many beggars who operate in the street.

F. Our objections summarised

- The phone boxes are perhaps the single biggest issue that we have regarding our attempts to work in partnership with the London Borough of Camden to lift the area and to make it a better place to visit and work in.
- The phone companies are negligent in the way that they manage these boxes when taking into account the level of income they receive for each phone box as a result of advertising.
- The other fact is that I can honestly say that I spend many hours in Tottenham Court Road inspecting the street environment and other than on a couple of occasions when I have seen males getting details from the prostitute cards I have never seen anyone use the phones.
- The truth is that this is all about advertising and raising an income through the advertising and the phone is a convenient excuse to get that advertising space for both the legitimate businesses and the prostitutes operating in the area.
- No doubt the phone companies will claim that the phone boxes are used regularly and unfortunately, I do not have the evidence to oppose this but now the mobile phone is a part of the majorities possession why would a person need the phone box.
- Rather than having a situation where you have to report each and every phone box for waste, detritus etc the phone companies should have daily patrols to clean the boxes of both waste, detritus and prostitute cards.
- We want Tottenham Court Road to be a destination that people want to come to, we want it to be a place that our residents, businesses and visitors find a pleasing place to be. This we hope will be delivered as part of the West End Project.
- Finally, if the planning requests by the phone companies are permitted I and everyone else in the area see what could have been a great success in street design and planning is thwarted by the desire to increase income through advertising.

An Objection from **The Metropolitan Police** was received, as follows:

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 proposed location of the device is directly outside a very busy retail premises and also close to a busy pedestrian crossing which will become an ideal position for persons wishing to beg.

The design of the unit itself appears to be an issue as the operating unit, chargers and handset are situated on one side. Therefore if a person is using the unit they cannot see what is going on around them nor who could be approaching them from further up the foot path. Therefore creating a fear of crime whilst being used.

The hand set unit appears to be recessed into the main unit and therefore appears from the picture graphic to create a flat surface. Tottenham Court Road and the surrounding area is well known for Class A Drugs Misuse and therefore any well-lit and smooth surface is used for the preparation of such narcotics. This recess could also be used to store small objects and conceal them if police approach a suspect drug misuser preventing them from detecting crime.

The introduction of the unit will also increase the above ASB, as it conceals the activities of what is occurring behind 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

The Metropolitan Police

	chosen so that the telephone kiosk can be used as advertising space.
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An Objection from the **Council's Transport Team** was received, as follow:

The Council generally refuses any applications to install new items of street furniture of this scale in the public highway unless they can be located within a defined and established street furniture zone. This is especially relevant where such proposals would constitute clutter or have a detrimental impact on pedestrian amenity, comfort or safety, as well as being detrimental to road safety generally.

The footway on the east side of Tottenham Court Road has a slender street furniture zone adjacent to the kerbside. This consists of traffic signal posts, lamp columns, sign posts, cycle parking stands, telecommunication equipment cabinets and litter/recycling bins. There are no bulky items of street furniture such as telephone kiosks in the general vicinity of the site. The proposed site is situated outside of the defined and established street furniture zone. It is also located in an existing pedestrian desire line.

The site is located 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 fully operational early next 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 on the footway, adjacent to the kerb. The site plan suggests that the footway is 4.8 metres wide. The telephone kiosk would be 1.1 metres wide and would be offset from the kerb by 0.45 metres. This would reduce the effective footway width between the telephone kiosk and the adjacent property to 3.2 metres. This represents a significant reduction of the footway width (at least 1.55 metres). This is unacceptable in a Central London location with such high volumes of pedestrians.

It is worth noting that standard telephone kiosks are generally 0.9 metres wide. BT has minimised the size of their replacement kiosks (BT InLink) by designing a unit with a width of 0.89 metres. The proposed telephone kiosk would be 1.1 metres wide. The proposed telephone kiosk would therefore be 0.2 metres wider than a standard telephone kiosk. The applicant has clearly failed to minimise the size of the telephone kiosk in accordance with the guidance.

The existing street furniture zone at the above site is to be rationalised significantly as part of the West End Project, a £35M public realm improvement scheme which is about to be implemented by the Council. This will involve the removal or relocation of redundant items of street furniture including outdated telephone kiosks to provide additional footway space for pedestrians. The introduction of a new telephone kiosk would therefore work against the aims of the West End Project.

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.

Transport (Council)

The telephone kiosk would be significantly wider than other items of street furniture including traffic signal poles, sign posts and litter bins in the general vicinity of the site. The proposal would therefore have a harmful and negative impact on the streetscape.

The proposal would introduce a bulky item of street furniture to a section of footway otherwise uncluttered by bulky items of street furniture of a similar height/width. This would intrude upon an existing pedestrian desire line and would obstruct sightlines along the footway.

Site Description

The site in question is on the pavement adjacent to 145-149 Tottenham Court Road. The pavement here is approximately 4-5m in width. This is a busy road for both vehicular and pedestrian traffic. Existing along the pavement in close proximity are; a taxi rank, litter bins, and hospital ambulances parking.

The site is not in a Conservation Area and there are no listed building nearby.

Relevant History

Site History:

2018/0331/P – (Prior Approval refused on 15/03/2018) - Installation of 1 x telephone box.

2017/1198/P – (Prior Approval refused on 07/04/2018) - Installation of 1 x telephone box.

Relevant policies

National Planning Policy Framework 2018

London Plan 2016

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 2018 (as amended)

CPG1 - Design - Chapter 9

Camden Planning Guidance 2011

CPG7 - Transport - Chapter 8

Camden Streetscape Design Manual

TfL Pedestrian Comfort Guidance (PCG) 2010

Fitzrovia Area Action Plan

Assessment

1. Proposal

- 1.1 Confirmation is sought as to whether the installation of a telephone box 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 access.
- 1.2 The proposal is for installation of a solar powered 'totem' telephone kiosk with no restricted access, sited on the pedestrian footpath.
- 1.3 The solar powered telephone kiosk would measure 1.32m in width by 2.8m in height (without the solar panels) and 3.1m in overall height (with the solar panels) and by 0.21m in depth (without the solar panels) and 0.88m in depth (with the solar panels).
- 1.4 The design would incorporate an entire elevation to be used for a LED digital advertising display screen. The other side would provide the telephone on a metal backing and metal frame.

2. Assessment

- 2.1 Policy A1 of the Camden Local Plan (2017) 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.
- 2.2 Policy T1 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. Features should also be included to assist vulnerable road users where appropriate; and are easy and safe to walk through.
- 2.3 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.
- 2.4 Policy D1 states that the Council will require that developments integrate well with the surrounding streets and open spaces, improving movement through the site and wider area, are secure, and are designed to minimise crime and antisocial behaviour. The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 2.5 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.

- It goes further by stating that 'Footways should be wide enough for two people using wheelchairs, or prams, to pass each other. We seek to maximise the width of footways wherever possible seek 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

2.6 CPG1 (Design) states that in certain areas of the Borough, public call boxes can be seen as crime generators. All new phone boxes should have a limited impact on the sightlines of the footway. The size of the box or other supporting structure that the phone box is in should be minimised to limit its impact on the streetscene and to decrease the opportunities for crime and anti-social behaviour. There should be a minimum footway width of 2m adjacent to the phone box. Designs which are dominated by advertising space are not acceptable. Any advertising should not be placed where it significantly reduces natural surveillance or CCTV coverage of, or into, the call box. Designs should seek to maximise views into and through the phone box and along the footway.

3. Sitting

3.1 The application site is a stretch of pedestrian foot path which is approximately 4-5m wide adjacent to No. 145-149 Tottenham Court Road. Along this path there are existing taxi rank,

litter bins, and hospital ambulances parking.

- 3.2 The proposed apparatus would be installed perpendicularly to the edge of the pavement. Although which side is to be face oncoming traffic has not be specified, in view of having one entire side of the 'totem' telecommunication fixture dedicated to advertising, it can be assumed that the advertising face would be directed at the whichever oncoming traffic, leaving the opposite side of the kiosk where the phone is located facing away from the traffic.
- 3.3 The kiosk would sit 0.45m from the kerb. Together with its width, the overall loss of pavement would amount of around 1.8m. This would leave a corridor for pedestrians of approximately 3m. 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 which is indicated on the site plan as being within this requirement. This would reduce the 'clear footway' to less than the minimum threshold, which would reduce pedestrian comfort, may lead to the discouragement of sustainable travel, and could have an impact on highway safety through interfering with signals, visual obstructions, visibility splays and leading to overcrowding. As such, the proposal would be contrary to Policies D1 and T1 of the Camden Local Plan and is considered unacceptable.
- 3.4 Not only would the proposal create additional street clutter, but in doing so, the payphone kiosk would reduce the amount of available footway, to the detriment and quality of the public realm. This would reduce amenity for pedestrians, thus having the application site is a stretch of pedestrian foot path which is approximately 9-10m wide adjacent to No. 39 Tottenham Court Road. Along this path there are existing phone boxes, a bus stop, benches, litter bins, bike racks, trees and street signage detrimental impact on the promotion of walking as an alternative to motorised transport, contrary to aims and objectives minimising street clutter and providing free flowing pedestrian spaces.
- 3.5 Policy D1 of the Camden Local Plan states that making roads and pavements and the spaces between buildings fully accessible is as important as making the buildings themselves accessible. The Council will seek improvements for all pedestrians to ensure good quality access and circulation arrangements, including improvements to existing routes and footways. It is considered that the proposed telephone box 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 D1. This impact is likely to have a more significant detrimental impact on the disabled and elderly and their use of the highway, given the more restricted width. Both disability and age are protected characteristics under the Public Sector Equality Duty, and they will suffer more harm than groups who do not share those characteristics.
- 3.6 The Fitzrovia Partnership has objected to the sitting of this kiosk given the proliferation of existing public telephone in the area. It is also noted that the majority of public telephones are not widely used if at all and the installation of another kiosk will exacerbate issues relating to ease of pedestrian flow in an already busy area with more obstacles to pedestrian movement.

4. Design and Appearance

- 4.1 Policy D1 of Camden's Local Plan seeks to secure high quality design in development, to respect and compliment the local context and character, is sustainable in design and construction, and preserves strategic and local views.
- 4.2 The proposed structure is of a modern, clean and 'cutting edge' design which represents a more attractive fixture when compared with the more typical glass and metal/aluminium framed boxes. It would also be using solar power which is produce green energy. However, the overall design of such apparatus has resulted in a much taller and wider item that would dominate the landscape and tower over the highway. It would create a barrier similar to a wall, erected within

the pavement, blocking the view and detracting from the open surrounding.

4.3 Due to its location and the prominence of the proposals siting, it is considered that the 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.

4.4 As such, the proposed kiosk would result in a significant harm to the wider streetscape and thus would fail to adhere to Policy D1.

5. Anti-social Behaviour

5.1 Policy C5 of the Camden Local Plan states that the Council aims to make Camden a safer place by promoting safer streets and public areas.

5.2 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 the siting of the proposal adjacent to an existing telephone box and its design with a large solid panel would further add to street clutter and safety issues in terms of crime and anti-social behaviour, through reducing sight lines and casual surveillance in the area, and providing a potential opportunity for an offender to loiter, and is contrary to Policies C5 and D1.

6. Conclusion

6.1 The proposal would result in unacceptable street clutter, harmful to the character and appearance of the streetscape and to the detriment of pedestrian flows and 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, and compromise the safety of those using and servicing the telephone kiosk. The proposal, by virtue of its siting and appearance, is considered to be unacceptable.

6.2 Having regard to the above it is considered that the prior approval of the Local Planning Authority is required for the siting and appearance of the development under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 . It is recommended that prior approval is refused in this instance, for the reasons given in this report.

7. Recommendation

7.1 Refuse prior approval.