

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>28/12/2018</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	
<b>Officer</b>			<b>Application Number(s)</b>	
Leela Muthoora			2018/5578/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Pavement outside 190 High Holborn London WC1V 7BH				
<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	<b>00</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
Summary of consultation responses:	<p>A site notice was displayed on 23/11/2018 and expired on 17/12/2018.</p> <p>2 objections were received from neighbours on the following grounds:</p> <ul style="list-style-type: none"> <li>• Attempt by the developer to sneak development through</li> <li>• Encourages crime and antisocial behaviour</li> <li>• Forms clutter on the pavement and obstructs pedestrian flow</li> <li>• Lack of need with existing phone boxes in the area</li> </ul> <p><u>Metropolitan Police – Designing Out Crime Officer</u> objects on the following grounds:</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• 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.</li> <li>• The proposed location of the device is along a very busy footpath linking Holborn Tube Station to the West End. There is a major hotel close by and other large scale businesses so this device will be an added piece of street furniture that will restrict access and movement. This in turn will compromise pedestrian safety due to the narrowness of the current footpath.</li> <li>• 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 solar panels positioned at an angle on top of the device will act as a shelter from inclement weather.</li> <li>• The hand set unit appears to be recessed into the main unit and therefore appears from the picture graphic to create a flat surface and</li> </ul>					

due to the fact the area suffers from minor Class A Drugs Misuse 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 chosen so that the telephone kiosk can be used as advertising space.

The Council's Transport Team objects on the following grounds:

The site is located on High Holborn (A40) which forms part of the strategic road network (SRN). Camden Council is the highway authority, although it should be noted that Transport for London (TfL) has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. The site is located in a high footfall area in Central London near Holborn Underground Station. Pedestrian volumes are extremely high and are forecast to increase significantly when Crossrail services become operational later (was due to be December 2018 but now forecast for Autumn 2019 at the earliest) 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.

Policy T1 of Camden's Local Plan states that to promote sustainable transport choices, development should prioritise the needs of pedestrians and cyclists and ensure that sustainable transport will be the primary means of travel to and from the site. It goes on to state that the Council will seek to ensure that developments improve the pedestrian environment, including the provision of high quality footpaths and pavements for the number of people expected to use them. It also states that features should be included to assist vulnerable road users where appropriate.

Camden Planning Guidance document CPG1 (Design) provides some guidance on telephone kiosks. Paragraph 9.27 includes the following text:

- *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.*

Camden Planning Guidance document CPG7 (Transport) provides some guidance on street furniture. Paragraph 8.6 states that the Council will seek improvements to streets and spaces to ensure good quality

- access and circulation arrangements for all. This includes improvement to existing routes and footways that will serve the development. Key considerations informing the design streets and public spaces include:  
ensuring the safety of vulnerable road users, including children, elderly people and people with mobility difficulties, sight impairments, and other disabilities; taking account of surrounding context and character of area;
- providing a high quality environment in terms of appearance, design and construction, paying attention to Conservation Areas;
- avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed, e.g. by pavement parking or by street furniture.

Paragraph 8.10 of CPG7 states that works affecting highways should avoid unnecessary street clutter; design of footways should not include projections into the footway, unnecessary and cluttered street furniture or other obstructions; and any minimum standards for footway widths should not be used to justify the provision of unnecessary street clutter or reduction in footway widths.

Standard telephone kiosks have a footprint of 0.9 metres x 0.9 metres (0.81 sqm). BT has minimised the size of their replacement kiosks (BT InLink) by designing a unit with a footprint of 0.89 metres x 0.27 metres (0.24 sqm). The proposed telephone kiosks would have a footprint of 1.325 metres x 0.55 metres (0.73 sqm). The footprint of the proposed telephone kiosk is broadly similar to that of a standard telephone kiosk and would be 3 times greater than the new BT replacement kiosks. And the longer of the 2 horizontal dimensions (1.325 metres) would be 435 mm wider than the new BT replacement kiosks (0.89 metres). The applicant has clearly failed to minimise the size of the telephone kiosk in accordance with Camden's guidance.

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 south side of High Holborn at the above site is characterised by a complete lack of bulky street furniture adjacent to the kerbside. A slender street furniture zone consisting of cycle parking stands arranged parallel to the kerb has been sensitively designed to provide a clear and uncluttered environment sufficient to accommodate extremely high volumes of pedestrians walking on the footway during busy periods (e.g. morning, lunchtime and afternoon/evening peak periods). The proposal to

site a telephone kiosk would spoil this uncluttered design by introducing a prominent and overly dominant feature that would look out of place. The proposal would therefore have an unacceptable impact on the street scene.

Reference should be made to the appeal decisions to refuse similar telephone kiosk applications on the pavement outside Euston Tower on west side of Hampstead Road, London NW1 3DP (planning references 2017/3527/P and 2017/3542/P). This decision is within the attached report. Paragraphs 20-23 and the conclusions at the rear of the decision report are particularly relevant to this current application. The proposal should be refused on the same grounds.

The proposed telephone kiosk would also constitute an unnecessary obstruction to pedestrians wishing to cross the road at this location. Reference has been made to the appeal decisions to refuse similar telephone kiosk applications on the pavement outside Euston Tower on west side of Hampstead Road, London NW1 3DP (planning references 2017/3527/P and 2017/3542/P). This decisions are within the attached report. Paragraphs 20-23 and the conclusions at the rear of the decision report are particularly relevant to this current application. The proposal should be refused on the same grounds.

Appendix B of 'Pedestrian Comfort Guidance for London (published by Transport for London) indicates that footways in high flow areas should be at least 5.3 metres wide with a minimum effective footway width of 3.3 metres. The proposed site plan indicates that the footway is approximately 4.7 metres wide. The proposed offset from the kerb of 0.45 metres would be acceptable. The plan also indicates that the resulting effective footway width would be reduced to 3 metres. This is contrary to the aforementioned guidance and is considered to be insufficient for a footway with high pedestrian flows. The proposal should be refused on this basis.

The appeal decision to refuse a similar telephone kiosk on the pavement outside Fitzroy House, 355 Euston Road, London NW1 3AL (planning reference 2017/3544/P) is worthy of reference. This decision is within the attached report. Paragraph 15 is particularly relevant to this current application. The proposal should be refused on the same grounds.

The proposed telephone kiosk would be located directly adjacent to a recessed door in the façade of the adjacent property. This raises concerns about public security. A similar telephone kiosk application at 137-139 Euston Road was refused for this reason on 22/05/09. A subsequent appeal was dismissed on 04/05/10. The planning reference was 2009/1770/P I have attached the decision report which includes the decision to refuse a telephone kiosk application at 137-139 Euston Road. I believe the reasons for refusal (paragraphs 35-38) to be applicable to this site. The proposal should be refused on the same grounds.

The proposed kiosk would be located adjacent to the main entrance to what looks like a commercial property. It is worth noting that smokers have been observed congregating on the footway at this location (presumably staff from the adjacent property). This has the effect of reducing the effective footway width available for pedestrian movement, albeit intermittently during standard office hours. Reference should be made to the appeal decision to refuse a similar telephone kiosk on the pavement outside Fitzroy House, 355 Euston Road, London NW1 3AL. This decision is within the attached

report. Paragraph 15 is particularly relevant to this current application. The proposal should be refused on the same grounds.

The proposed telephone kiosk being located outside of the established street furniture zone, would encroach significantly into the effective footway width available for pedestrian movement (i.e. the pedestrian desire line). The proposed telephone kiosk would therefore obscure sightlines along and across the footway significantly while also constituting a significant impediment/obstruction to pedestrian movement along the pedestrian desire line. This would be a particular problem for pedestrians with visual impairments (e.g. blind and partially sighted) who rely on clear and unobstructed pedestrian routes. Paragraph 6.3.10 of the Manual for Streets states:

- *Obstructions on the footway should be minimised. Street furniture is typically sited on footways and can be a hazard for blind or partially-sighted people.*

The proposed telephone kiosk, by being significantly wider than the established street furniture zone and encroaching significantly into the effective footway width available for pedestrian movement, is deemed to be a hazard for blind or partially-sighted people.

Paragraph 6.3.23 of the Manual for Streets states:

- *Footway widths can be varied between different streets to take account of pedestrian volumes and composition. Streets where people walk in groups or near schools or shops, for example, need wider footways. In areas of high pedestrian flow, the quality of the walking experience can deteriorate unless sufficient width is provided. The quality of service goes down as pedestrian flow density increases. Pedestrian congestion through insufficient capacity should be avoided. It is inconvenient and may encourage people to step into the carriageway.*

The proposed telephone kiosk, by being in a high footfall area, would have a detrimental impact on the walking experience due to a reduction in the level of service. It would lead to pedestrian congestion which could result in dangerous situations such as pedestrians walking in the carriageway, colliding with each other, or indeed with the telephone kiosk.

The proposed telephone kiosk would clearly have a significant impact on pedestrian amenity, comfort and safety. For these reasons, the proposal is considered contrary to Local Plan policies A1 and T1 and should be refused on this basis.

The Council's Access Officer objects on the following grounds:

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

	<p>or raised numbers that contrast visually with their background, and a raised dot on the number 5.</p> <p>Instructions for using the phone should be clear and displayed in a large easy to read typeface.</p> <p>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 impartments.</p>
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Covent Garden Community Association objects on the following grounds:

Covent Garden Community Association (CGCA) OBJECTS to the application by Maximus Networks to install a 'Max 2' public telecommunications panel on the pavement outside 166 High Holborn WC1V 6TT.

In principle the Covent Garden Community Association and other West End amenity groups object to all but a very few telephone terminals being placed on the streets of the West End of London (one per 100m at most). We therefore continue to support moves by you as a local authority to change the outdated laws on telecoms equipment that lead to modern units cluttering our streets, acting as magnets for antisocial and sometimes criminal behaviour, and placing large amounts of unwelcome advertising on footways.

We will not repeat the data that shows low demand for telecoms equipment on the street. In the West End of London, in particular, such demand is largely satisfied by ample payphones in public houses, theatres, cinemas and department stores to serve people who are in emergency situations but with no functioning mobile phone.

A 'Max 2' panel would not be at all appropriate by reason of:

- a) Its disproportionate size at over 3 metres in height and 1.3 metres in width.
- b) The introduction of intrusive, internally-lit advertising in the middle of a currently attractive footway in a historic district along the border of Bloomsbury conservation area.
- c) Obstruction of a busy footway close to a theatre. An additional item installed on this footway would lead to an unacceptable level of obstruction, particularly in the context of local authorities expending resources to remove as much street furniture as possible in the West End.
- d) The close proximity of the site to existing telephone kiosks. Indeed, there is an existing kiosk on this same pavement, but the application makes no reference to this application being for replacement.
- e) The way in which these units attract criminal and antisocial behaviour, when this area is already plagued by street drug crime and prostitution. Existing kiosks in the area have become hang-outs for drug gangs, and we have reports from the police that existing telecommunication panels in other areas such as Kings Cross are no better. For example, on 09/03/18 Sgt. D. Hodges wrote "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."

We would also like to point out that the otherwise very detailed diagram of the proposed unit provided by the applicant shows no part labelled explicitly as an advertising screen. There is an area labelled 'non-illuminated display panel', but non-illumination seems unlikely. Since this seems to be a new design of unit, we have not found the information publicly available either.

We ask you as the planning authority to request clarity on whether this is a replacement or additional unit, and to request a diagram that includes the

**Covent Garden  
Community Association  
comments:**



important data about illumination and advertising. Please publicise these and re-consult accordingly.

If you were in some way obligated to allow a new telecoms panel here then we ask, at the very least, that any consent would be conditioned upon:

1. Advertising being rated at no older than age 12, for a family audience.
2. Advertising being subject to other controls by the local authority from time to time, for example to exclude foods found to be unhealthy.
3. Weekly cleaning and maintenance being an enforceable condition for planning permission, the penalty for non-compliance being permanent removal of the panel.

However, we draw your attention to the fact that Westminster City Council are refusing these telecoms panels. A typical decision notice includes these paragraphs:

"The City Council has considered your application pursuant to Part 16 of Schedule 2 of the above Order and determines that prior approval is required for the siting and appearance of the works set out in Schedule A in respect of the drawings set out in Schedule B.

The City Council also determines that the approval is hereby REFUSED for the following reason(s):

1. Because of its appearance, size and siting within the street scene, the freestanding advertising / telecommunications structure would be harmful to visual amenity and add street clutter to this part of the City. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 7 of our Unitary Development Plan that we adopted in January 2007.
2. Because of its size and siting, the freestanding advertising / telecommunications structure will reduce the width of the footway to an unacceptable level, adversely impacting upon direct, safe and convenient pedestrian movement. This would be contrary to S41 of the Westminster City Plan (November 2016) and TRANS3 of the Unitary Development Plan (2007) and Westminster Way (2011).
3. The application for prior approval does not fall within the ambit of Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as it is not considered to be for the purpose of the electronic operators communication network and it is not required for those purposes."

## Site Description

The application site comprises of an area of the footway adjacent to 190 High Holborn on the south side of the road. The site is directly adjacent to the entrance to the ground floor of the offices in close proximity to the junction with Smarts Place and Dunn's Passage as well as New Oxford Street. The footway width is approximately 4.7m in this location. This is a busy road for both vehicular and pedestrian traffic. The existing street furniture on the pavement in close proximity includes; bike racks and street signs.

The site lies within the Central London Area; it is not located within a conservation area but the boundary of Bloomsbury Conservation Area is directly opposite and adjacent to the site. The neighbouring site of Holborn Town Hall is a Grade II listed building.

## Relevant History

**2018/0322/P** - Land Adjacent to 190 High Holborn - Installation of 1 x telephone box on the pavement.  
**Prior Approval Required - Approval Refused 15-03-2018**

**2017/1030/P** - Land Adjacent to 190 High Holborn - Installation of 1 x telephone box on the pavement.  
**Prior Approval Required - Approval Refused 07-04-2017**

### Recent appeals dismissed re telephone kiosks:

On 18<sup>th</sup> September 2018, 13 appeals were dismissed for installation of Euro Payphone kiosks along Euston Road and in King's Cross. One decision notice was issued covering all of the appeals and this is attached for convenience (see Appendix A). He concluded that all the proposed kiosks would add to street clutter and most of them would reduce footway widths hampering pedestrian movement.

The Inspector agreed in all 13 cases with the council's concerns about the addition of street clutter whether the sites were or were not located inside a conservation area or affecting the setting of a listed building. In 11 cases he agreed that the impact on pedestrian movement was unacceptable and, when the issue was raised, that the impact on the visibility of traffic signals would also not be acceptable. He took on board the availability too of other telephone kiosks in the vicinity.

In summary, the inspector noted the following:

The only matters for consideration are the siting and appearance of the kiosk. The appellant does not have to prove a need for new telephone kiosks (para 3). The kiosks however would appear as substantial structures on the pavement. He also noticed that some of the existing kiosks of similar size in the area exhibited evidence of being used for sleeping in by homeless people. The phones in some of the kiosks also appeared not be functioning. These circumstances suggest that some of the existing kiosks are not being used for the purpose for which they were intended, which puts into question their primary purpose (para 12).

He noted that the proposed kiosks would comply with the required minimum clear footway widths next to them as set out in the Transport for London Streetscape Guidance and Pedestrian Comfort Guidance, and with Camden's Streetscape Design Manual, Design Planning Guidance (CPG1) and Transport Planning Guidance (CPG7). He notes (paras 45 and 46) however that paragraph 8.10 of CPG7 states that works affecting highways should avoid unnecessary street clutter; design of footways should not include projections into the footway, unnecessary and cluttered street furniture or other obstructions; and any minimum standards for footway widths should not be used to justify the provision of unnecessary street clutter or reduction in footway width. Paragraph 8.6 seeks to ensure, amongst other things, that street clutter is avoided and the risk of pedestrian routes being obstructed is minimised.

He concluded that all the proposed kiosks would add to street clutter and most of them would reduce

footway widths hampering pedestrian movement. The GPDO establishes the principle of the need for such telephone kiosks but the benefits of providing them are inevitably related to whether there are other existing pay phones in the vicinity. If there are no existing pay phones then the benefits of new pay phones must necessarily be enhanced, even despite the widespread use of mobile phones. He highlighted the availability of other such kiosks in the locality. The sites were also adjacent or within close walking distance of three mainline railway stations (Euston, St Pancras and King's Cross) all of which contain within them a number of pay phones. The benefit of providing additional kiosks in such circumstance is therefore limited.

#### **Recent appeals dismissed re telephone kiosks (dated 19<sup>th</sup> December 2018):**

On 19<sup>th</sup> December 2018, 10 appeals were dismissed and 2 allowed for the installation of kiosks in various locations in West End Lane, Camden Town and Kentish Town areas. One appeal decision notice was issued covering all of the appeals and this is attached for convenience (see Appendix B), summarised as follows:

#### **Pavement outside Crowndale Centre, 218 Eversholt Road, London, NW1 1BD: Appeal A**

- The proposed kiosk would have some impact on pedestrian flows along this busy pedestrian route, especially at night when patrons are dispersing from late night uses in the vicinity.
- Harm to the character and appearance of the CA would be localised and would, therefore, be less than substantial to the significance of the CA as a whole. The public benefits arising from the proposal, in terms of improved accessibility and security when compared to existing kiosks, do not, in this instance, outweigh the harm to the CA

#### **Pavement outside 1A Camden High Street, London, NW1 7JE: Appeal B**

- The proposed kiosk would appear incongruous in its setting within the largely open and uncluttered pedestrian space recently created at the southern end of Camden High Street.
- Harm to the character and appearance of the CA would be localised and would, therefore, be less than substantial to the significance of the CA as a whole. The public benefits arising from the proposal, in terms of improved accessibility and security when compared to existing kiosks, do not, in this instance, outweigh the harm to the CA.
- It would not be sympathetic to the listed Koko building, harmful to its character and appearance; would appear out of character with the Cobden Statue and the Mornington Crescent tube station.
- Given the extremely busy nature of the pedestrian area at the southern end of Camden High Street, the proximity of the proposed kiosk to the entrances of the Koko building, and the likely impact of the kiosk on footfall near a busy pedestrian crossing, it would be harmful to pedestrian safety in what is otherwise a relatively open, uncluttered area.

#### **Pavement outside of Camden Town Underground Station, Camden High Street, London: Appeal C**

- The design of the proposed kiosk would be unsympathetic to the character and appearance of the tube station, the façade of which comprises primarily red glazed tiles with glazed arches above the entrance. *Out of character with the bank building immediately to the south.*
- Kiosk would be detrimental to pedestrian safety at this point *with heavy pedestrian flows resulting from general footfall, access to the tube station, and commercial activity.*
- The public benefits in this instance do not outweigh the harm to the CA as identified.

#### **Pavement outside of 197-199 Camden High Street, London, NW1 7BT: Appeal D**

- The kiosk would not be harmful to the character or appearance of the CA in this location.
- The siting of the kiosk would result in harm to pedestrian safety and convenience along this section of Camden High Street, due to heavy pedestrian flows and the additional conflict with these flows that would be created by the movement of goods and equipment along the pavement.

#### **Pavement outside of 186-188 Camden High Street, London, NW1 8QP: Appeal E**

- The kiosk would fail to preserve the character and appearance of the CA. It would cause less than substantial harm to the significance of the CA, but the harmful siting of the proposal, when taken together with the resultant likely harmful impact on pedestrian flows, justifies dismissal of the appeal.

#### **Pavement outside of 27 Chalk Farm Road, London, NW1 8AG [allowed]: Appeal F**

- The siting and appearance of the proposed kiosk could not be said to harm the character or appearance of the nearby CA, or to the setting of the listed buildings on the opposite side of the road. Moreover, on the basis of the information available to me, it appears that the kiosk would not be likely to result in any harm to the free and safe movement of pedestrians along this section of pavement.

**Pavement outside of 31 Chalk Farm Road, London NW1 8AHL: Appeal G**

- The kiosk would not be harmful to the character or appearance of the CA on the opposite side of Chalk Farm Road, or with the setting of nearby listed buildings. There is a strong possibility of harm to the safety of pedestrians by virtue of its proximity to the cycle stands, outside restaurant seating, a car parking layby, and especially the mature tree.

**Pavement outside of 249 Kentish Town Road, London, NW5 2JT: Appeal H**

- Not in CA or listed buildings
- The kiosk would be harmful to the general visual amenities of the area by way of adding a degree of clutter to a location already somewhat crowded by existing street furniture. In addition it would be located very close to a pinch point on the pavement and a busy parking bay on the road, to the detriment of pedestrian and vehicular safety.

**Pavement outside of 272 West End Lane, London, NW6 1LJ: Appeal I**

- Fail to result in public realm improvement in this part of the CA and would introduce an alien feature of modern design and materials into the street scene, as opposed to improving materials and reducing clutter.

**Pavement outside of 319 West End Lane, London, NW6 1RN: Appeal J**

- The proposed kiosk would be harmful to the setting of the listed Fire Station, and it would fail to result in public realm improvement in this part of the CA by way of introducing an alien feature of modern design and materials into the street scene, as opposed to improving materials and reducing clutter. It would therefore be harmful to the character and appearance of this part of the WEGCA. It would appear unlikely that the kiosk would be harmful to pedestrian safety, but there may be some detriment to vehicular safety caused by the proximity of the kiosk to the exit/crossover serving the fire station.

**Pavement opposite 152 West End Lane, (corner of Iverson Road), London, NW6 2LJ [allowed]: Appeal K**

- The proposed kiosk, by virtue of its modern simple design, would complement the modern frontages of nearby shops, and the designs of nearby buildings. It would not be harmful to the visual amenities of the area and it would not prejudice pedestrian safety.

**Pavement outside Unit 1, Hardy Building, West End Lane, London, NW6 1BR: Appeal L**

- The proposed kiosk would be harmful to the character and appearance of the general area, and that its siting would be harmful to pedestrian safety.

**Relevant policies**

**National Planning Policy Framework (2018)**

**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 (2018) – Section 9 Designing safer environments

CPG7 Transport (2011) – Section 8 Streets and public spaces

## Assessment

### 1. 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 1.3m in width, 0.2m in depth and 3.1m in height (3.44m in height including the solar panels), and would be located on the southern pedestrian footway along High Holborn, adjacent to the entrance to the offices at 190. On this footway, there are bike racks and traffic signs in close proximity to the proposed site.
- 1.3 The 'totem' telephone kiosk would consist of a stainless steel unit with phone facilities (handset and keypad) and solar panel on one elevation, a display panel of 1.87 sqm and solar panel on the reverse elevation, 4 LED lighting strips running the full height of the kiosk and a photovoltaic solar panel canopy located on top of the unit with a 0.97m width.

### 2. 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. 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 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. As noted by Transport colleagues, pedestrian volumes are high in this footway, in particular during peak periods and in close proximity to Holborn Underground Station and within 20m of the nearest traffic signals and are forecast to increase significantly. The footprint of the proposed telephone kiosk measures 1.3m by 0.2m, due to its orientation and siting, would reduce the 'clear footway' to 3.0m. This is contrary to the guidance and is considered to be insufficient for a footway with high pedestrian flows. The footway characterised by a complete lack of bulky street furniture adjacent to the kerbside, the existing cycle parking stands are arranged parallel to the kerb to provide a clear and uncluttered street scene. The proposed telephone kiosk would be wider than the existing items of street furniture and would protrude significantly into the east-west pedestrian desire line, thereby having a detrimental impact on pedestrian amenity and comfort. Paragraph 8.10 of CPG7 states that works affecting highways should avoid unnecessary street clutter and Paragraph 8.6 seeks to ensure that, amongst other things, street clutter is avoided and the risk of pedestrian routes being obstructed is minimised. This proposal would reduce pedestrian comfort, resulting in

overcrowding, as well as issues with 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.

3.3 The GPDO establishes the principle of the need for such telephone kiosks but the benefits of providing them are inevitably related to whether there are other existing pay phones in the vicinity. If there are no existing pay phones then the benefits of new pay phones must necessarily be enhanced, even despite the widespread use of mobile phones. The benefit of providing additional kiosks in such circumstance is therefore limited. The applicant states there is a need for children to have access to public telephone kiosks in order to make free calls to Childline. There are two existing telephone kiosks within approximately 150m of the site which are north on the corner of High Holborn and Southampton Place. The justification submitted for the need to install an additional phone box 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. 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 This section of the footway is particularly clear of street furniture and it is considered that the introduction of a new telephone kiosk to this section of footway would severely degrade the visual amenity of the area through the creation of further unnecessary street clutter, particularly, in such close proximity to the entrance to no. 190. Furthermore, due to its proposed location within 150m of two 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 Policy D1 seeks high quality design that integrates well with surrounding streets, improves movement within the wider area, minimises crime and antisocial behaviour and comprises high quality materials and details that complement local character. The proposed structure is considered a poor design in terms of size, scale and materials, and is not an appropriate or acceptable addition in this location. The textured black structure with black laminated solar panels and display panel would form an incongruous design that would be a bulky and prominent structure that would give this area a cluttered appearance. It would be an obtrusive piece of street furniture in this location detracting from the streetscene.

4.4 The benefit of the solar panels would not outweigh the intrusive addition to the street and may result in glare from the panels according the orientation of the panels facing east/west.

4.5 Whilst the advertisement display has deemed consent under Schedule 3 Part 1, Class 9, and consent is not sought as part of this application, the LED lighting and size of display at 1.2m x 1.7m would suggest that there is an intention to seek express consent as a digital display were the application allowed. It appears that it is this display, rather than the telephone apparatus that determines the width of the structure. As such, the proposal would fail to adhere to Policy D1.

#### **5. Access**

5.1 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, fold down seat 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.

## **6. Anti-social behaviour and crime**

6.1 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).

## **7. Conclusion**

7.1 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.

## **8. Recommendation - Refuse Prior Approval**