

Refusal Report		Analysis sheet	Expiry Date:	23/03/2018
		N/A / attached	Consultation Expiry Date:	21/02/2018
Officer			Application Number(s)	
Oluwaseyi Enirayetan			2018/0325/P	
Application Address			Drawing Numbers	
Land Adjacent to 1 St Giles High Street London WC2H 8AG			Refer to 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 Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	N/A	No. of responses	11	No. of objections	9
Summary of consultation responses:	<p data-bbox="424 427 1374 461"><u>A site notice was displayed on 31/01/2018 and expired 21/02/2018</u></p> <p data-bbox="424 501 1485 573">In response to the proposal, objections were received from Flat 18 Russell Square Mansions, 122 Southampton Row as follows:</p> <ul data-bbox="472 613 1517 1021" style="list-style-type: none"> <li data-bbox="472 613 1517 719">• I do not believe that it provides any public benefit as there are enough existing phone boxes for the very small number of people who need to use a telephone on the move but do not have a mobile phone. <li data-bbox="472 725 1517 943">• I also believe that this will constitute a threat to public safety and an obstruction to free movement of people on the already crowded pavements. Phone boxes seem merely to serve as a place for pimps to place cards advertising prostitutes which merely results in litter on the pavement when one card poster removes one set of cards to replace them with another. <li data-bbox="472 949 1517 1021">• This application seems merely an attempt to get advertising space on the street without admitting as much <p data-bbox="424 1061 895 1095">From 68A Neal Street as follows:</p> <ul data-bbox="472 1099 1493 1424" style="list-style-type: none"> <li data-bbox="472 1099 1493 1205">• It would add to street clutter and presents a safety hazard as it obstructs the flow of pedestrian traffic in an area of high pedestrian and vehicle traffic density <li data-bbox="472 1211 1493 1317">• There is no need for public call boxes in this location. Existing public call boxes nearby are used as a shield for drug dealing/using and other anti-social behaviours <li data-bbox="472 1323 1493 1424">• The proposed development is adjacent to a conservation area and would have a negative impact on the Seven Dials (Covent Garden) Conservation Area. <p data-bbox="424 1464 940 1498">6 Cambridge Court, Earlham Street:</p> <ul data-bbox="472 1503 1517 2130" style="list-style-type: none"> <li data-bbox="472 1503 1517 1794">• I am a resident of Cambridge Court, Earlham Street and witness on a daily and nightly basis the way that these kiosks are used for anti-social, criminal and violent behaviour around the selling and taking of drugs. I have never seen one used for its purported purpose. The Metropolitan Police have noted that phone kiosks are heavily used for crime and antisocial behaviour. As police constable and Design Out Crime Officer Jim Cope says, phone kiosks in Camden are “crime generators”. <li data-bbox="472 1800 1517 1906">• I strongly object to the proposed installation of additional kiosks because of their deleterious impact on the important conservation area of Seven Dials. <li data-bbox="472 1912 1517 2018">• The proposed kiosks fail to preserve or enhance the historic nature and unique character of the Seven Dials (Covent Garden) Conservation Area (D1 & D2). <li data-bbox="472 2024 1517 2130">• The proposed kiosks' primary function would be to serve as an advertising presence. CPG1 para 8.9 says advertisements in conservation areas and on or near listed buildings require detailed 					

consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements on or near a listed building or in a conservation area must not harm their character and appearance.

- Whilst the applicant claims a need for telephone kiosks still exists, the research and data contradict the need for increasing the number of public phone boxes and kiosks. The evidence strongly supports that the number of public telephone boxes and kiosks should be reduced not increased. I urge the Council to reject these applications.

Transport Strategy objects as follows:

- The site is located near Tottenham Court Road Underground Station on one of the busiest pedestrian corridors in the borough. Pedestrian volumes are extremely high and are forecast to increase significantly when Crossrail services become operational later this year along with On-going 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 a clear and unobstructed section of the footway, adjacent to the kerb. The telephone kiosk would be out of place in this streetscape
- The telephone kiosk would obstruct and impede pedestrian movement (especially for blind and partially sighted pedestrians) and visibility on and along the footway. This would have a significant impact on pedestrian comfort levels, both now and in the future. It would obstruct inter-visibility between vehicular traffic and pedestrians wishing to cross the road at this location. The proposal therefore constitutes a hazard to public safety
- The telephone kiosk would be significantly wider than other items of street furniture including existing telephone kiosks in the general vicinity of the site. The proposal would therefore have a harmful and negative impact on the streetscape.
- The telephone kiosk would obstruct and impede kerbside activity such as deliveries, taxi pick-ups and drop-offs, refuse and recycling collections, and other servicing.
- I am also aware that the Metropolitan Police have raised concerns about this type of application. The telephone kiosk would facilitate crime and anti-social behaviour and would constitute a hazard to public safety. It would also obstruct CCTV visibility.

The Council's Access Officer comments as follows:

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

mobility impairments.

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

- Telephone kiosks are no longer used for their original purpose due to the fact that nearly every person is in possession of some kind of mobile device thus negating the need to use fixed land line telephone. As a result of this the phone boxes in The London Borough of Camden have now become 'crime generators' and a focal point for anti-social behaviour (ASB).
- My own previous experience of policing Camden highlights the above ASB, ranging from witnessing the taking of Class A drugs, urination, littering, the placing of 'Prostitute Cards', graffiti, sexual activities and a fixed location for begging. All of which have occurred within the current telephone kiosks. Also, due to poor maintenance any that are damaged or are dirty do not get cleaned, which makes the telephone kiosk unusable and an eye sore. Following the 'Broken Window' theory, if a location looks and feels that it is uncared for and in a state of disrepair then this leads to other criminal activity occurring within that location
- The introduction of the telephone kiosk will only increase the above ASB, as it conceals the activities of what is occurring inside the actual space and prevents police or passers-by seeing what or who is in/near there. This generates for the latter a fear of crime especially in regards to begging. As they will use the phone box as a cover and as a back rest when they sit on the floor, when the footpath is reduced in width even more by their presence pedestrians have to walk past closely and therefore this generates an uncomfortable feeling for them
- The extra lighting produced by the kiosk and the space it uses up in the public realm will also create an added distraction to an already cluttered street space. Any CCTV monitoring the area will be effected by this and therefore any crime prevention/detection properties they produce is lost.
- Recent media reports have highlighted the increase in planning applications submitted to local planners for the construction of telephone kiosks. These were proven to have very little or no benefit to the local community especially in regards to the facilities that they are alleged to supply. The main reason busy locations with a high pedestrian and vehicle activity is chosen so that the telephone kiosk can be used as advertising space

Neighbourhood Policing Team

- My stance on phone boxes, new and old is the same, they are a magnet for drug dealing, drug taking, anti-social behaviour, prostitute carding and urinating to name a few
- The new systems by 'Inlink' outside Euston station, which allows free calls, although they look great, they are now being used by drug users to call their drug dealers. You now have a huge problem of drug users congregating around them, which is yet another problem for police to deal with. This is an example of no matter how much innovation you put into new boxes, the result is the same, drugs and crime
- I have many phone boxes across my wards on Tottenham court road, Seven dials and Cambridge circus that attract so many drug users and dealers, that I am bombarded by residents and businesses alike,

demanding that I take action against the boxes in general and the crime associated with it. BT's response, categorically WILL NOT remove the boxes as in their words, create too much revenue for the company.

- Essentially, once they are in, you will never get rid of them I could go on for pages regarding the crimes and issues these boxes cause local residents and businesses
- I will go on tackling crime on my wards as that is my job. All I am asking the council for is to not put more of these crime generators into these wards that already suffer from drug misuse

Crossrail:

Do not wish to make any comments on the application

<p>Covent Garden Community Association AND Bloomsbury Residents Action Group (BRAG) comments:</p>	<p>Covent Garden Community Association objects on the following grounds:</p> <ul style="list-style-type: none"> • The telephone kiosk is unnecessary as the proposed location is near other existing phone boxes. The applicant has not made a case at all that justifies why an additional phone kiosk is needed so near existing ones • Like other areas in Camden, Covent Garden has its own character and identity (Local Plan D1 & D2). The proposed telephone kiosk fails to preserve or enhance the historic nature and unique character of the Seven Dials (Covent Garden) Conservation Area (D1 & D2). According to Local Plan policy D1, careful consideration must be given to the characteristics of a development site, features of local distinctiveness and the wider context in order to achieve high-quality development which integrates into its surroundings. Camden’s planning policy is clear that the Council expects development to retain the distinctive characters of the conservation area and new development must contribute positively to this. Para 7.46 of the Local Plan (see D2) specifies that the Council “will only grant planning permission for development in Camden’s conservation areas that preserves and enhances the special character or appearance of the area.” Also see CPG1 2.6 and CPG1 2.9. • The proposed telephone kiosk would result in visual street clutter that detracts from the character of the conservation area and that goes against Camden’s aim of reducing visual street clutter (see Streetscape Design Manual, Chapter 4). Such street clutter has a significantly adverse effect on the appearance of the streetscape and the amenity of the area. Local Plan policy C5 also specifies that the design of streets, public areas, and the spaces between buildings needs to be uncluttered. • The proposed telephone kiosk would further continue to visual clutter as its primary function would be to serve as an advertising presence. Indeed, the location chosen is a high-traffic <p>Bloomsbury Residents Action Group objects on the following grounds:</p> <ul style="list-style-type: none"> • Ends up being a location for advertisements, a hazard to pedestrian movements and a blight on the streetscape • Considerable outcry about the appalling condition of many existing telephone kiosks which attract litter, unofficial adverts and anti-social behaviour and consequently object to the endless applications for more unwelcome kiosks which seem utterly irrelevant in today’s era of mobile phone communication.
<p>Cllr Harrison, Cllr Francis and Cllr Madlani comments:</p>	<p>Cllr Harrison, Cllr Francis and Cllr Madlani object on the following grounds:</p> <ul style="list-style-type: none"> • <u>Street environment: use of space</u> As ward councillors for a central London ward, and one amongst us with executive responsible for street management and the environment, we are aware of the enormous demands that there are on space on the public highway. There are always a large number of competing claims from different items of street furniture. Their location can also impact on meeting other related demands, such as providing different types of parking or keeping the highway between a phonebox and nearby buildings clear. Especially as London’s population only grows, with the number of jobs projected to grow in

the area (increasing the daytime population), and the arrival of major transport infrastructure developments such as Crossrail and HS2, permitting these new phoneboxes to sprout up in these locations will cause significant detriment to the local authority's ability to effectively manage the streets, hindering the achievement of the very valid public aims of keeping the street clear, moving and uncluttered. When set against the virtually zero public benefit of more pay phones in the era of the smartphone – and in an area already with a preponderance of phoneboxes – the additional clutter these would bring to the area form a strong reason for refusal. While we are here, one notes the brazenness of the pretence that these items are being proposed for any reason other than to generate income through advertising, which in itself represents zero public benefit.

- Street environment: cleanliness

Phone boxes attract litter and mess of a variety of type, both inside the structures and adjacent. Getting the companies to properly and regularly clean them is a never ending struggle, and it is not a task where they have covered themselves in glory. On occasion the council has stepped in to clean. These applications should be refused on the grounds of (lack of) cleanliness, consequent impact on the appearance of the area, and the drain this can represent to the local authority.

- Crime and antisocial behaviour

As noted by the local police, phone boxes can attract and provide a place for crime and antisocial behaviour to take place in. Creating new semi-enclosed spaces runs counter to both good design when it comes to designing out crime, and their creation will also represent a further drain on the time and resources of the police and of the local authority whose community safety officers, we know from our experience of many years as ward councillors, are obliged to respond to residents' complaints about these on-street venues of crime

Site Description

The site in question is on the pavement adjacent to 1 St Giles High Street, which is part of the recent St Giles development designed by the Italian architect Renzo Piano. The pavement is approximately 4.6m in width. It is located near Tottenham Court Road Underground Station one of the busiest pedestrian corridors in the borough. It is also within a busy road for both vehicular and pedestrian traffic. The border for the Seven Dials (Covent Garden) Conservation area is located on the opposite side of the road

Relevant History

Site history:

2017/1200/P - Installation of 1 x telephone box on the pavement. – Prior Approval Refused 07/04/2017.

Relevant policies

National Planning Policy Framework (2012)

London Plan 2016

Draft New London Plan 2017

TfL's Pedestrian Comfort Guidance for London (2010)

Camden Local Plan 2017

A1 Managing the impact of development

C5 Safety and Security

C6 Access

D1 Design

D2 Heritage

G1 Delivery and location of growth

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

CPG1 Design (2015)

CPG7 Transport (2011)

Camden Streetscape Design Manual

Seven Dials (Covent Garden) Conservation Area Statement (adopted February 2011)

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

Assessment

1.0 Proposal

- 1.1 Confirmation is sought as to whether the installation of a telephone kiosk would require prior approval under Part 16 of Schedule 2 of the GPDO. The order permits the Council to only consider matters of siting, design and appearance in determining GPDO prior approval applications. The potential impact on crime and public safety are relevant considerations under siting, design, appearance and access.
- 1.2 The kiosk would measure 1.32m by 1.11m with an overall height of 2.6m and would be located on the pedestrian footway along St Giles High Street.
- 1.3 It would have a powder coated metal frame with reinforced laminated glass on three sides and a solar panel on roof.

2 Assessment

2.0 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.

2.1 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;
- 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’.

2.2 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.

2.3 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.

2.4 Policy T1 (Public Transport) states that where appropriate, development will be required to provide for interchanging between different modes of transport including facilities to make interchange easy and convenient for all users and maintain passenger comfort.

2.6 Paragraph 8.6 of CPG7 (Transport) seeks improvements to streets and spaces to ensure good

quality access and circulation arrangements for all. Ensuring the following:

- Safety of vulnerable road users, including children, elderly people and people with mobility difficulties, sight impairments and other disabilities;
- Maximising pedestrian accessibility and minimising journey times;
- Providing stretches of continuous public footways without public highway crossings;
- Linking to, maintaining, extending and improving the network pedestrian pathways;
- Providing a high quality environment in terms of appearance, design and construction, paying attention to Conservation Areas;
- Use of paving surfaces which enhance ease of movement for vulnerable road users; and,
- Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed e.g. by pavement parking or by street furniture.

2.7 Policy C5 requires development to contribute to community safety and security, and paragraph 4.89 of Policy C5 states that the design of streets needs to be accessible, safe and uncluttered, with careful consideration given to the design and location of any street furniture or equipment. Paragraphs 9.26 and 9.27 of CPG1 (Design) advise that the proposed placement of a new phone kiosk needs to be considered to ensure that it has a limited impact on the sightlines of the footway, and that the size of the kiosk should be minimised to limit its impact on the streetscene and to decrease opportunities for crime and anti-social behaviour.

3.0 Siting

3.1 The application site is a stretch of pedestrian footpath which is approximately 4.6m wide adjacent to No. 1 St Giles High Street. Pedestrian volumes are extremely high and are forecast to increase significantly when Crossrail services become operational later this year.

3.2 Section 3.01 of Camden's Streetscape Design Manual requires a minimum unobstructed pathway width within the footway, known as the 'clear footway'. This guidance and Appendix B of TfL's Pedestrian Comfort Guidance, outlines the recommended minimum footway widths for different levels of pedestrian flows

3.3 The footprint of the proposed telephone kiosk measures 1.32m by 1.12m. Detailed design drawings that include the orientation and exact proposed positioning of the new telephone kiosk on the pavement have not been submitted and so it is unclear as to how wide the 'clear footway' width would be once the proposed telephone kiosk has been installed. However, Camden's Streetscape Design Manual section 4.01, together with TfL's Pedestrian Comfort Guidance, states that street furniture should be placed a minimum of 0.45m back from the carriageway, therefore the proposal would result in the loss of a minimum of 1.9m of the footway. This would reduce the 'clear footway' to less than the minimum threshold, which would reduce pedestrian comfort, resulting in overcrowding, 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.

3.4 One of the Project's objectives is to remove redundant items of street furniture including outdated telephone kiosks to provide additional footway space for pedestrians. Therefore, the proposed introduction of a new telephone kiosk would be at odds with the aims of the West End Project and there is no justification for its siting.

3.5 The applicant states there is a need for children to have access to public telephone kiosks in order to make free calls to Childline. However, there is an existing telephone kiosk across the road of the site. As such, the applicant's reasoning is not considered to be sufficient justification for the installation of a further telephone kiosk. 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

4.0 Design and Appearance

- 4.1 Policy D1 aims to ensure the highest design standards for developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, its contribution to the public realm, and its impact on wider views and vistas.
- 4.2 The Seven Dials (Covent Garden) Conservation Area Statement (guideline SD36) advises *“it is important that the need to preserve and enhance the historic character of the Conservation Area is recognised in the design and siting of all street furniture, including statutory undertakers and other services equipment and paving materials The Council will make efforts to avoid any unnecessary visual clutter whilst seeking design solutions appropriate for the area”*
- 4.3 Due to its location and the prominence of the proposal’s siting, especially as the position would be in close proximity to Seven Dials (Covent Garden) Conservation Area, it is considered that the proposed development would severely degrade the visual amenity of the area through the creation of unnecessary street clutter
- 4.4 The telephone kiosk would be significantly wider than other items of street furniture including existing telephone kiosks in the general vicinity of the site. The proposal would therefore have a harmful and negative impact on the streetscape.
- 4.5 Furthermore, the site sits within a zone subject to major public realm renewal as part of the Council’s West End Project, approved by Camden Council Cabinet on 21/01/2015. There is no evidence in the application submission that consideration has been given to integrating the Council’s highway, urban realm and landscape objectives and plans as part of the West End Project into the proposals. In particular, the proposal to add more street furniture in the form of a telephone kiosk is contrary to the objectives of the Project which seeks to declutter the area, and as such, should be resisted.
- 4.6 The proposed structure is considered to be a very poor design in terms of size, scale, massing and proposed materials, and is not an appropriate or acceptable addition in this location. It would be an obtrusive piece of street furniture in this location detracting from the streetscene. The powder coated metal frame and reinforced laminated glass incongruous design would provide an intrusive addition to the street. Consequently, the proposed kiosk would seriously affect the character, appearance and setting of the adjacent Seven Dials (Covent Garden) Conservation Area and would thus result in a significant harm to the wider streetscene. As such, the proposal would fail to adhere to Policies D1 and D2
- 4.7 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the adjacent Seven Dials (Covent Garden) Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

Access

- 4.8 Policy C6 requires new buildings, spaces and facilities that the public may use to be fully accessible to promote equality of opportunity. Although the proposed kiosk would allow for wheelchair users to ‘access’ the kiosk, this does not amount to the provision of a wheelchair accessible phone. The Council’s Access Officer has highlighted that there are a number of requirements which need to be considered for an accessible phone booth, including the height of the telephone controls, which should be located between 0.75m and 1.0m above the floor. The telephone controls in the proposed kiosk would be located at a maximum height of 1.2m above the floor, and so the proposed kiosk is considered unacceptable in terms of providing access for all, contrary to Policy C6

5.0 Anti-social behaviour

5.1 With regards to community safety matters, a number of issues have been raised by both the Metropolitan Police Crime Prevention Design Advisor and the Ward Sergeant for Holborn and Covent garden in which this site is located. 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)

5.2 It is therefore considered that the design and siting of the proposal on this busy footway would introduce additional street clutter, as well as, increase opportunities for crime within a location where there are already safety issues in terms of crime and ASB, through reducing sight lines and natural surveillance in the area, and providing a potential opportunity for an offender to loiter. The proposal would therefore be contrary to Policy C5 and CPG1 (Design)

6.0 Conclusion

6.1 The proposal would result in unacceptable street clutter, harmful to the character and appearance of the streetscape and to the detriment of pedestrian flows, as well as creating issues with safety and poor accessibility. The proposal, by virtue of its siting and appearance, is considered unacceptable.

7.0 Recommendation

7.1 Refuse Prior Approval