

Delegated Report		Analysis sheet	Expiry Date:	19/03/2018
		N/A / attached	Consultation Expiry Date:	02/03/2018
Officer			Application Number(s)	
Tony Young			2018/0333/P	
Application Address			Drawing Numbers	
Land Adjacent to 90 Tottenham Court Road London W1T 4TJ			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 and/or residents:	No. notified	00	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p><u>A site notice was displayed on 31/01/2018 and expired on 21/02/2018</u></p> <p>In response to the proposal, an objection was received from a resident at <u>Flat 18 Russell Square Mansions, 122 Southampton Row</u> as follows:</p> <ul style="list-style-type: none"> • I do not believe that it provides any public benefit as there are enough existing phone boxes for the very small number of people who need to use a telephone on the move but do not have a mobile phone. • I also believe that this will constitute a threat to public safety and an obstruction to free movement of people on the already crowded pavements. Phone boxes seem merely to serve as a place for pimps to place cards advertising prostitutes which merely results in litter on the pavement when one card poster removes one set of cards to replace them with another. • This application seems merely an attempt to get advertising space on the street without admitting as much. <p>In response to the proposal, an objection was received jointly on behalf of <u>Bloomsbury Residents Action Group (BRAG)</u> and <u>Bloomsbury Conservation Area Advisory Committee</u> as follows:</p> <ul style="list-style-type: none"> • As residents of Bloomsbury, we are concerned about the quality of the environment in which we live. • Existing telephone kiosks attract litter, unofficial adverts and antisocial behaviour, and consequently. • Object to the endless applications for more unwelcome kiosks, which seem utterly irrelevant in today's era of mobile phone communication. <p>In response to the proposal, an objection was received from a local group, <u>Bloomsbury Association</u> summarised as follows:</p> <ul style="list-style-type: none"> • Lack of pre-application discussions with the local planning authority; • Design of the kiosk and blank space suggestive of being used for advertising; • Loss of public open space and amenity; • 35 kiosks in Tottenham Court Road all unused, unmaintained, covered in graffiti and advertisements for prostitutes; larger kiosks are used by rough sleepers and those with doors by users of crack cocaine. All make an unsightly contribution to the street scene and encourage crime and anti-social behaviour; some are also used as urinals and present a health hazard; • Concern that Tottenham Court Road is already excessively cluttered with street furniture and is subject to major public realm renewal as part of the Council's West End Project. The proposals do not consider this; • High footfall, congestion and cluttering will only worsen when Crossrail I and II, and HS2 become operational, and expected huge increase in pedestrian footfall on Tottenham Court Road. These proposals will add more clutter, further obstruct pedestrian flow and 					

add to what is already an appalling environment for pedestrians and a serious safety hazard.

In response to the proposal, an objection was received from a local group, The Fitzrovia Partnership summarised as follows:

- Cleansing and appearance – attracts waste and fly-tipping. There are FORTY public telephone boxes spread along Tottenham Court Road belonging to three different companies, this gives us three different styles and three very similar problems in encouraging cleansing and daily maintenance. We understand that the telephone boxes are not cleaned as part of the Camden street cleansing contract and as such must be cleaned by the respective phone companies. To get a phone box cleaned one must report each telephone box and then wait for a number of days until the company send a cleaner. Phone boxes both open type or closed type are used by the homeless to store their bedding;
- Damage - we currently have two telephone boxes that have been hit by a vehicle and are leaning at an angle with tape around. These phone boxes have been in this condition for a number of months;
- Crime - organised crime is evident as all of the phone boxes are covered with in excess of six prostitute advertising cards in each. As proof of the criminal use of the phone boxes we had to stop when our staff were threatened by the organised gang running the card scheme. These cards all show scantily clad or nude females and are easily viewable by all including children and visitors to the area. The phone companies make no attempt to remove these cards.
- Drug use - this is evident as several phone boxes have had their windows painted in an opaque substance restricting the view in. These boxes are suspected to be magnets for drug users especially those from the street population who have no shelter in which to take their drugs. These boxes remain uncleaned and as a result the contamination from users remains in the phone box.
- Anti-Social Behaviour - the phone boxes also act as a cover for the many beggars who operate in the street, who sit behind the phone box.
- Advertising - 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.

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 telephones. 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.

Metropolitan Police (Ward Sergeant for Holborn & Covent Garden, Bloomsbury and Camden Sector Team) objects on the following grounds:

- To be clear, my stance on phone boxes, new and old is the same, they are a magnet for drug dealing, drug taking, anti-social behaviour, prostitute carding and urinating to name a few.
- The new systems by 'Inlink' outside Euston station, which allows free calls, although they look great, they are now being used by drug users to call their drug dealers. You now have a huge problem of drug users congregating around them, which is yet another problem for police to deal with. This is an example of no matter how much innovation you put into new boxes, the result is the same, drugs and crime.
- I have many phone boxes across my wards on Tottenham Court Road, Seven Dials and Cambridge Circus that attract so many drug users and dealers, that I am bombarded by residents and businesses alike, demanding that I take action against the boxes in general and the crime associated with it. BT's response: categorically WILL NOT remove the boxes as in their words they create too much revenue for the company. Essentially, once they are in, you will never get rid of them!
- 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.

Transport for London (TfL) objects on the following grounds:

- TfL understands from previous discussions with the Council and statements in the application materials that this proposal for a new phone box is not part of a deal between the Council and BT to renew the entire BT phone box estate across the borough. It is therefore not contingent on removal of more than 1 phone box in exchange for the new unit proposed, leading to an overall reduction in phone boxes in the public realm across Camden.

- This application should be carefully considered by the Council, as similar units installed in London elsewhere function mainly as advertising, not communications infrastructure. TfL Planning has supported the introduction of BT InLink units only in exchange for removal of at least 2 redundant and dilapidated phone boxes. Removal of at least 2 phone boxes prior to installation of the new unit proposed in this application should therefore ideally be secured by appropriate planning obligations.
- TfL reminds the applicant and Council that the current London Plan Policy 6.10 (Walking) refers to 'promoting simplified streetscape, decluttering and access for all' and also states that Planning Decisions 'should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space'. TfL Spatial Planning takes the view that the phone box proposed would not contribute in any way to a high quality pedestrian environment or emphasise the quality of pedestrian and street space.
- Decluttering the streetscape is also prioritised in TfL Streetscape Guidance (available from <https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>). TfL expects the standards and principles in this document to be applied to all phone box replacement applications by the council. Part E, page 241 of the guidance is about phone boxes and states: 'New open-sided units, such as the ST6, are now in use and include a 1.36-metre wide illuminated advert on one side. ST6 units should be fitted so that the advertisement faces the flow of traffic. A footway width of minimum 4,200mm is required but designers should also consider pedestrian flows to determine appropriate placement. They are not appropriate for conservation areas and require planning consent for illuminated advertisements.' The unit proposed in this application is similar to the ST6 discussed in the current TfL Streetscape guidance.
- We remind the Council that the draft new London Plan was launched for consultation on 1st December 2017. This document is now a material consideration in determining applications and in assessing general conformity of emerging local policy. As such, TfL now has regard to this Plan, inter alia, when assessing and responding to relevant consultations.
- Policy D7 (Public realm), part I, states: 'Ensure that shade and shelter are provided with appropriate types and amounts of seating to encourage people to spend time in a place, where appropriate. This should be done in conjunction with the removal of any unnecessary or dysfunctional clutter or street furniture to ensure the function of the space and pedestrian amenity is improved. Applications which seek to introduce unnecessary street furniture should normally be refused.'
- The street furniture proposed would be unnecessary due to the widespread popularity of mobile phones. It is also likely to be dysfunctional as a telephone kiosk due to extremely low usage.
- Policy T2 (Healthy Streets), part D, states: 'Development proposals should: 1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance.' This development proposal would not deliver any improvements that support any of the ten Healthy Streets Indicators.
- The site of the proposed development is on Tottenham Court Road, which forms part of the Transport for London Network (TLRN). TfL is the highway authority for the TLRN, and is therefore concerned about any proposal which may affect the performance and/or safety of the TLRN. Section 31 of the Traffic Management Act specifically states

that the term “traffic” includes pedestrians. So the duty requires TfL to consider the movement of all road users: pedestrians and cyclists, as well as motorised vehicles – whether engaged in the transport of people or goods. Unnecessary and dysfunctional street clutter at any location in the footway on the SRN or TLRN has an adverse impact on the movement of pedestrians, which goes against TfL’s statutory network management duties.

- Finally, the application Cover Letter also mentions a legal decision on prior approvals for phone boxes, *Infocus Public networks Ltd v Secretary of State for communities and Local Government* [2010] EWHC 3309, which ruled that matters of prior approval on siting and appearance should be treated as analogous to reserved matters following the granting of planning permission. However this decision should be revisited and national government should consider reforming the legislation on phone box prior approvals to halt the increasingly common and clearly negative practice of phone box prior approvals being used as an excuse to introduce advertising to London’s streets by stealth, cluttering the streetscape against current and emerging London Plan policy and compromising TfL’s statutory network management duties, as explained above.

Transport Strategy (in conjunction with the Council Highways and West End Project Delivery Teams) object as follows:

- 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 operational later this year along with ongoing economic growth in the borough. Existing footway space is a scarce resource and must be safeguarded for pedestrians both now and in the future to accommodate economic growth.
- The telephone kiosk would be located in a defined street furniture zone on the footway, adjacent to kerb. However, this street furniture zone 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 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 also obstruct inter-visibility between vehicular traffic and pedestrians wishing to cross the road at this location. It would also obstruct visibility to the traffic sign on the northbound approach to the junction with Howland Street. 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

	<p>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.</p> <p><u>The Council's Access Officer</u> comments as follows: There are a number of requirements for an accessible phone booth that need to be considered. These are all taken from the BS8300-1:2018 and BS-2:2018:</p> <ul style="list-style-type: none"> • whether this location obstructs the view of traffic for wheelchair users using the crossing close by; • assistive technology requirements, such as, volume control and inductive couplers, and 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; • large easy to read typeface; • fold down seat (450-520mm high) or a perch seat (650-800mm high) for the convenience of people with ambulant mobility impairments.
<p>Bloomsbury Ward Councillors comments:</p>	<p><u>Bloomsbury Ward Councillors Harrison, Francis and Madlani</u> have objected on the following grounds:</p> <ul style="list-style-type: none"> • Street environment: use of space – great pressure already on existing space. The arrival of major transport infrastructure developments such as Crossrail and HS2, mean any new kiosk 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. • Virtually zero public benefit of more pay phones in the era of the smartphone, and in an area already with a preponderance of phoneboxes, this is additional clutter. • Street environment: cleanliness – attract litter and mess. Not maintained or cleaned. • Crime and antisocial behaviour – on-street venues for crime and anti-social behaviour to the detriment to residents amenity and a burden on Camden's resources.

Site Description

The application site comprises of an area of the footway adjacent to 90 Tottenham Court Road on the western side. The pavement here is approximately 9m in width. This is a busy road for both vehicular and pedestrian traffic. Existing along the pavement in close proximity are: bike racks, trees, street signage, utilities apparatus, an existing phone box, and litter bins.

The site lies within the Central London Area and is part of Transport for London's (TfL's) Road Network (TLRN). The site is not located within a conservation area and is not adjacent to any listed buildings.

Relevant History

Site history:

2017/1026/P - Installation of 1 x telephone box. Prior Approval refused 07/04/2017

PS9604096 - Upgrade existing telephone kiosks. Prior Approval granted (in default) 04/12/1996

Neighbouring sites:

Outside 80 Tottenham Court Road

2018/0515/A - Erection of double-sided freestanding advertisement panel to display 2 x internally illuminated digital advertisements, following the removal of existing freestanding advertisement panel. Advertisement consent under consideration

Outside 105 Tottenham Court Road

2017/5185/A - Display of a 6 sheet internally (back lit) LED illuminated advertisement panel to south-eastern elevation of existing public payphone. Advertisement consent granted 12/02/2017

Pavement on Howland Street adjacent to 95 Tottenham Court Road

2015/0691/P - Installation of public payphone on the pavement. Prior approval refused and dismissed on appeal 26/08/2015

Pavement outside 105 Tottenham Court Road

2012/1695/P - Installation of 1 x telephone kiosk on pavement. Prior approval refused and allowed on appeal 24/10/2012

Outside 80 Tottenham Court Road

2017/1199/P - Installation of 1 x telephone box. Prior Approval refused 07/04/2017

Outside 80 Tottenham Court Road

2010/5338/A - Relocation of internally illuminated free-standing advertising column to the pavement. Advertisement consent granted 01/12/2010

Outside 80 Tottenham Court Road

2009/1037/P - Installation of telephone kiosk on the public highway. Prior Approval refused 19/05/2009

Outside 191 Tottenham Court Road

2009/1035/P - Installation of telephone kiosk on the public highway. Prior Approval refused 19/05/2009

Outside 80 Tottenham Court Road

A9601569 – Display of free standing illuminated advertisements. Advertisement consent granted 24/07/1997

Outside 185-186 Tottenham Court Road

PS9604101 - Upgrade existing telephone kiosks. Prior Approval granted (in default) 04/12/1996

Relevant policies

National Planning Policy Framework (2012)

London Plan 2016

Draft New London Plan 2017

TfL's Pedestrian Comfort Guidance for London (2010)

Camden Local Plan 2017

A1 Managing the impact of development

C5 Safety and Security

C6 Access

D1 Design

G1 Delivery and location of growth

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

CPG1 Design (2015) - Section 9 Designing safer environments

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

Camden Streetscape Design Manual

Fitzrovia Area Action Plan - Part 3: Vision and objectives (adopted March 2014)

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 1.12m with an overall height of 2.6m, and would be located on the western pedestrian footway along Tottenham Court Road.

1.3 It would have a powder coated steel frame with toughened glass on three sides, and a solar panel on the roof.

2.0 Assessment

2.1 Policy A1 states that the Council will seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities, and that the Council will resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. Paragraph 6.10 states that the Council will expect works affecting the highway network to consider highway safety, with a focus on vulnerable road users, including the provision of adequate sightlines for vehicles, and that development should address the needs of vulnerable or disabled users. Furthermore, Policy T1 point e) states that the Council will seek to ensure that developments provide high quality footpaths and pavements that are wide enough for the number of people expected to use them, including features to assist vulnerable road users where appropriate, and paragraph 8.9 of CPG7 (Transport) highlights that footways should be wide enough for two people using wheelchairs, or prams, to pass each other.

2.2 Camden's Streetscape Design manual – section 3.01 footway width states the following:

- “Clear footway” is not the distance from kerb to boundary wall, but the unobstructed pathway width within the footway;
- 1.8 metres – minimum width needed for two adults passing;
- 3 metres – minimum width for busy pedestrian street though greater widths are usually required;
- Keeping the footway width visually free of street furniture is also important, allowing clear sightlines along the street’.

2.3 All development affecting footways in Camden is also expected to comply with Appendix B of Transport for London’s (TfL’s) Pedestrian Comfort Guidance, which notes that active and high flow locations must provide a minimum 2.2m and 3.3m of ‘clear footway width’ (respectively) for the safe and comfortable movement of pedestrians.

2.4 Policy T1 states that the Council will promote sustainable transport choices by prioritising walking, cycling and public transport use and that development should ensure that sustainable transport will be the primary means of travel to and from the site. Policy T1 points a) and b) state that in order to promote walking in the borough and improve the pedestrian environment, the Council will seek to ensure that developments improve the pedestrian environment by supporting high quality improvement works, and make improvements to the pedestrian environment including the provision of high quality safe road crossings where needed, seating, signage and landscaping.

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

2.6 Paragraph 8.6 of CPG7 (Transport) seeks improvements to streets and spaces to ensure good quality access and circulation arrangements for all. Ensuring the following:

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

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

3.0 Siting

3.1 The application site is located on a pavement measuring approximately 9m wide. This area of the footway consistently experiences constant high pedestrian flows due to its busy commercial and office town centre location, as well as, its central position and close proximity to both Goodge Street Underground Station to the south-east and Warren Street Underground Station to the north-west. The proposed telephone kiosk would be positioned in front of entrances to a number of retail units and a cycle lane, as well as, within approximately 30m of a number of busy pedestrian

crossings, road and cycle junctions with Howland Street and Tottenham Court Road.

- 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 including any forecourt distances have not been submitted, and so it is unclear as to exactly how wide the 'clear footway' width would be either side of the kiosk. 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 approximately 1.8m of the footway, so reducing the 'clear footway' below the recommended minimum threshold, which is of serious concern in an area which experiences such heavy footfall.
- 3.4 While it is accepted that the pavement is relatively wide, the site of the telephone kiosk would be on a pathway with a constant and busy pedestrian footfall typical of Tottenham Court Road, and characterised by a wide variety of commercial and office uses associated with this town centre location. Given that greater pathway widths are usually required in active and high pedestrian flow areas like this location and in the absence of specific information in relation to the proposed position of the kiosk itself, it is considered that pedestrian comfort would be reduced, resulting in overcrowding, issues of highway safety through interfering with signals, visual obstructions, visibility splays and possibly leading to the discouragement of sustainable travel. As such, the proposal would be contrary to Policies A1 and T1 and is considered unacceptable.
- 3.5 The telephone kiosk would be located within a defined street furniture zone on the footway, adjacent to the kerb. This zone is to be rationalised significantly as part of the West End Project to be implemented by the Council and which will involve the removal 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 and there is no justification for its siting. This would also be contrary to the guidance of the National Planning Policy Framework (NPPF) which aims to keep telecommunication sites to a minimum and encourage applicants to explore shared facilities. 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.
- 3.6 The applicant states there is a need for children to have access to public phone boxes in order to make free calls to Childline. However, there are 4 existing telephone kiosks within 50m of the site located across the road at 90 Tottenham Court Road to the east, 80-81 Tottenham Court Road to the south-east, and 93 Tottenham Court Road to the north-west. As such, the applicant's reasoning is not considered to be sufficient justification for the installation of a further telephone kiosk.
- 3.7 The proposed telephone kiosk would be located immediately adjacent to a TfL Network Road (TLRN) on Tottenham Court Road within 30m of traffic lights, pedestrian crossings, as well as, road junctions with vehicle, buses and cycle traffic dividing into routes towards Howland Street, Capper Street and Euston Road. As such, there is a constant and significant flow of pedestrian and vehicular traffic, including buses and cyclists. Unnecessary and dysfunctional street clutter at any location in the footway on the SRN or TLRN has an adverse impact on the movement of pedestrians and road users alike, which goes against TfL's statutory network management duties. The telephone kiosk would likely obstruct and impede pedestrian movement (especially for blind and partially sighted pedestrians) and visibility on and along the footway, as well as, inhibit kerbside activity such as deliveries, taxi pick-ups and drop-offs, refuse and recycling collections,

and other servicing. As such, the introduction of a kiosk is considered to have significant pedestrian and road safety implications in this location contrary to Policies A1 and T1.

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 Fitzrovia Area Action Plan adopted in March 2014 (Part 3: Vision and objectives) promotes the creation of high quality physical environments through, *“enhancing the interaction between streets and the ground floors of buildings by removing visual clutter and encouraging high quality design.”*
- 4.3 It is considered that the introduction of a new telephone kiosk to this relatively clear section of footway in Tottenham Court Road would severely degrade the visual amenity of the area through the creation of unnecessary street clutter. These concerns are shared by local groups, Bloomsbury Resident Action Group, Bloomsbury CAAC, Bloomsbury Association and The Fitzrovia Partnership, who all raised similar concerns about the design of the kiosk, the potential impact of advertising, and the impact on street clutter.
- 4.4 Furthermore, the site location in Tottenham Court Road is subject to a 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.
- 4.5 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 steel frame and toughened glass incongruous design would provide an intrusive addition to the street. As such, the proposal would fail to adhere to Policy D1.

Access

- 4.6 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 Bloomsbury 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