

Delegated Report		Analysis sheet	Expiry Date:	19/03/2018
		N/A / attached	Consultation Expiry Date:	23/02/2018
Officer			Application Number(s)	
Tony Young			2018/0323/P	
Application Address			Drawing Numbers	
Land Adjacent to 6 Gray's Inn Road London WC1X 8HG			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	02	No. of objections	02
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. I have witnessed some very unpleasant behaviour when the two parties argue. They provide a place for a variety of items to be stowed. • 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 from a resident at <u>32 Rosebery Square, Rosebery Avenue</u> as follows:</p> <ul style="list-style-type: none"> • There are already several unused boxes cluttering the area. There is no demand for another. • This section of pavement is already very busy and should be free from obstruction. The proposal will create a bottle neck, given its location to a bus stop and the width of the pavement. • From a safety point the proposal will also act as cover for illicit activity which is rife in the locality. <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><u>Metropolitan Police – Designing Out Crime Officer</u> objects on the following grounds:</p> <ul style="list-style-type: none"> • 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 Strategy (in conjunction with the Council Highways Team) object as follows:

- The dimensions provided on the site location and block plans are misleading. The footway has been measured as being 4.2 metres wide with an effective footway width of 2.4 metres between the telephone kiosk and the adjacent building. However, this fails to make note that there is a strip of private forecourt adjacent to the property. This private forecourt cannot be relied on to be permanently available to pedestrians. The adjacent shop could come forward with a tables and chairs licence application in the future. The cafe just to the north of the site places tables and chairs on this section of pavement. The proposal to introduce a telephone kiosk at this location would reduce the true effective footway width for pedestrian movement by approximately 2.0 metres. The true effective footway width for pedestrian movement is therefore likely to be approximately 1.4 metres. This would be unacceptable.
- The site is located near Chancery Lane 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 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 within a narrow strip of defined street furniture zone on the footway, adjacent to the kerb. The telephone kiosk would be significantly wider than other items of street furniture such as lamp columns and sign posts 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 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 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 telephone kiosk would be located within 20 metres of the nearest bus shelter. This bus shelter has a digital advertising end panel attached to it. This would be a problem if a follow up application for digital advertising consent were to be submitted. The presence of 2 digital advertising panels in such close proximity to each other would constitute a distraction to road users at a point where they need to be paying attention to the road ahead on the approach to a traffic signal controlled junction. Any such proposal would be strongly resisted due to the road safety implications on the approach to a traffic signal controlled junction.

The Council's Access Officer comments as follows:

There are a number of requirements for an accessible phone booth that

	<p>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 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 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 6 Gray's Inn Road, on the eastern side. The pavement here is approximately 5.5m in width. This is a busy road for both vehicular and pedestrian traffic near the intersection with Holborn and High Holborn, and entrances to Chancery Lane Underground Station nearby. Existing along the pavement in close proximity are: a bus-shelter, trees, lampposts, street signs, and nearby traffic lights.

The site is not located within a conservation area and is not adjacent to any listed buildings. The site lies within the Central London Area.

Relevant History

Site history:

2017/1196/P - Installation of 1 x telephone box. Prior Approval refused 07/04/2017

Neighbouring sites:

Outside 2-4 Gray's Inn Road

PS9600823 - To resite two phone kiosks. Prior Approval granted (in default) 15/04/1996

Opposite 42 Gray's Inn Road

PS9604083 - Upgrade existing telephone kiosks. Prior Approval granted (in default) 02/12/1996

Outside 8-12 Gray's Inn Road

PS9604085 - Upgrade existing telephone kiosks. Prior Approval granted (in default) 02/12/1996

Outside 147 High Holborn

PS9602929 - Installation of public telephone kiosk. Prior Approval granted (in default) 25/10/1996

Outside 326 High Holborn

PS9604034 - Upgrade existing telephone kiosks. Prior Approval granted (in default) 02/12/1996

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

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 eastern pedestrian footway along Gray's Inn 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 5.5m wide. This area of the footway consistently experiences constant high pedestrian flows due to its busy commercial and office town centre location. The proposed telephone kiosk would be positioned in front of ground shopfronts and entrances to a parade of commercial and office units. The site is within 50m of entrance and exit points to Chancery Lane Underground Station to the south in High Holborn, and within 15m of a bus-shelter to the north in Gray's Inn 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. For instance, the dimensions provided on the site location and block plans show the footway to be 4.2m wide with an effective footway width of 2.4m between the telephone kiosk and the adjacent building. As stated in the Council's Transport Strategy response above, this fails to note that there is a strip of private forecourt adjacent to the property which is currently absent of any encumbrances (e.g. tables and chairs). However, this cannot be relied on to always be the case and to remain permanently available to pedestrians. As such, the true effective footway width for pedestrian movement is estimated to be approximately 1.4m. It is also noted that the cafe just to the north of the site already places tables and chairs on this section of pavement.

3.4 Therefore, given that 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, the proposal would result in the loss of a minimum of approximately 1.8m of the footway, so significantly reducing the 'clear footway' in this part of Gray's Inn Road below recommended levels, which is of serious concern in an area which experiences such heavy footfall. Given that greater pathway widths are usually required in 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 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 100m of the site located to the north at 42 Gray's Inn Road, to the south-east at 147 High Holborn, and to the south-west at 326 High Holborn. As such, the applicant's reasoning is not considered to be sufficient justification for the installation of a further telephone kiosk in this locality. 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, the proposed siting of the kiosk outside of a narrow strip of defined street furniture zone on the footway adjacent to the kerb is considered 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 Furthermore, the proposed telephone kiosk would be located immediately adjacent to the busy Gray's Inn Road and near to the junction with Holborn and High Holborn, which is characterised by a constant and significant flow of pedestrian and vehicular traffic, including taxis, buses and cyclists. Unnecessary and dysfunctional street clutter at any location in the footway on the strategic road network (SRN) has an adverse impact on the movement of pedestrians and road users alike. 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 This section of the footway on Gray's Inn Road is relatively clear of street furniture with the exception of several street trees, which enhance the visual amenity of the area, and a bus-shelter. 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 introduction of unnecessary street clutter. These concerns are shared by local groups and local residents alike who all raised concerns about the design of the kiosk, the potential impact of advertising, and the impact on street clutter.

4.3 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

4.4 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