

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>03/10/2019</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>20/03/2020</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Josh Lawlor			1. 2019/4066/P 2. 2019/4925/A		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Telephone Kiosk outside 70-72 Kilburn High Road London NW6 4HS			Refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
<p>(1) Erection of freestanding telephone kiosk providing phone and Wi-Fi facilities, location based information, payment facilities with 1 x LCD illuminated digital advertisement following the removal of 1 x telephone kiosk.</p> <p>(2) Display of 1 x LCD illuminated digital advertisement to telephone kiosk.</p>					
<b>Recommendation(s):</b>		1. Refuse Planning Permission 2. Refuse Advertisement Consent			
<b>Application Type:</b>		<b>Application for Planning Permission and Advertisement Consent</b>			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>

**Summary of  
consultation  
responses:**

A site notice was displayed on 28/08/2019 which expired on 21/09/2019. Three objections were received

One objection was received from the owner/occupier of 7 Iverson Road, the objection can be summarised as:

The current phone box is in complete state of disrepair and only used for anti-Social Behaviour. The Phone is unusable. The removal of this eyesore would be welcome. However the replacement is not appropriate for this location for the following reasons:

1. Will break line of sight for pedestrians near a very busy junction with West End Lane, a traffic accident hotspot.
2. Provide back rest and shelter for aggressive begging, very common on the High Road.
3. Reduce usable pavement width in an area of very high pedestrian footfall.
4. Distract motor traffic with implications of more traffic accidents.
5. Numerous other phone boxes in vicinity, nearest one in front of Primark, 30 yards away. (Bt Inlink)

This replacement is not wanted and I object to it strongly as it is an advertising panel parading as a phone box. Please reject the application. If the application cannot be rejected outright than the placement of the replacement should be parallel to the highway and not perpendicular to the highway to maximise pavement width and reduce traffic distraction.

One objection was received from Flat 66 Templar House, Shoot-Up Hill, London, NW2 3TD:

1. I am writing to object to the installation of a new telephone kiosk on Kilburn High Road. The pavement is already very narrow in many areas of Kilburn and adding additional street clutter will only increase the problem further. The fact the kiosk will likely have video adverts incorporated into it as well is a further nuisance. I struggle to see how a kiosk such as this would make a positive contribution to Kilburn and would recommend Camden rejects this item.

One objection was received from Flat 24, 10 Mapesbury Road, London, NW2 4JA:

1. These phone boxes should be removed completely, not simply replaced with an advertising screen masquerading as a telephone box. Phone boxes are barely used anymore as most people have a mobile phone. They're simply used for antisocial behaviour or to advertise sex services. Only a couple of phone boxes are needed for the entire length of the Kilburn High Road and the footpath on the High Road is incredibly cluttered and difficult to walk down as it is. Simply replacing a broken phone box which should be removed to put in an LCD advertising board is unacceptable. The Council must focus on making this High Road more appealing to foot traffic and to make it

easier for pedestrians to navigate rather than continuing to approve phone boxes that reduce the amount of footpath space.

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

The following stakeholders were also consulted:

**Metropolitan Police – Designing Out Crime Officer** does not object to the scheme but makes the following comments and recommendations:

1. Phone boxes in The London Borough of Camden have become 'crime generators' and a focal point for anti-social behaviour (ASB). As such, the removal of two closed traditional phone boxes and replacement with a modern and better designed pay phone is welcome.
2. There is a need for a detailed maintenance and management plan to prevent the kiosk falling in a state of disrepair and attracting crime and anti-social behaviour in line with the 'broken window' principle.
3. The long side of the kiosk should be set to the road to reduce the opportunity for aggressive begging involving organised criminal networks
4. Light levels from the advertising should be sensitive to CCTV in the area
5. The overall reduction in the number of kiosks in the borough should contribute to reducing crime levels.

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

1. The applicant has provided two proposed site plans, one of which taking account of the Kilburn High Road project. This proposal is yet to reach public consultation and as such there are no clear timeframes for implementation. In addition should the Kiosk be installed prior to the proposed widening on the footway, it would be 'stranded' in the middle of the footway causing a significant hazard to the visually impaired and impede the flow of pedestrian movement. The application should be withdrawn or refused on this basis.
2. The effective footway width need to be at least 3.3 metres adjacent to the new kiosk. The width would be reduced to 2.9m, the application should be refused due to the impact on pedestrian comfort and amenity.

Transport for London (TfL) made the following observations on the application:

1. The proposed development is located on the A5 (Kilburn High Road), which forms part of the Strategic Road Network (SRN). TfL have a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.
2. The draft London Plan sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. It is expected that all planning decisions within London should follow London Plan policies. As such, TfL will be expecting all new planning applications to be compliant with the policies as set out in within the new draft London Plan.

3. Policy T2 of the draft London Plan sets out London's Healthy Streets approach. The Healthy Streets approach uses 10 indicators, based on evidence of what is needed to create a healthy, inclusive environment in which people choose to walk, cycle and use public transport.
4. For this application two different site plans have been uploaded, proposing two different locations for the new telephone kiosk. TfL requests that the exact proposed location of this telephone kiosk is provided before determination by the council. TfL cannot sufficiently scrutinise this application until clarity on this matter is provided.
5. If the kerb change position to move further out into the road, the new telephone kiosk proposed will be in the middle of the footway, outside any furniture zone.
6. 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'.
7. 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

Officer response to point 4 and 5 above: Two Site Plans are included with the application because this part of Kilburn High Road is the subject of planned road/public realm works. The two Site Plans illustrate the proposal pre- and post these works.

The Council's Access Officer commented 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.

## Site Description

The application site comprises of an area of the footway adjacent to No. 70-72 Kilburn High Road, on the Eastern side of the street. The site is adjacent to an existing red payphone box, within a street furniture zone including cycle parking, bollard and traffic lights for a pedestrian crossing.

The site lies along the primary frontage of Kilburn town centre and is within the Kilburn Neighbourhood Area. The site is located on a Borough street and is not part of Transport for London's (TfL's) Road Network (TLRN).

## Relevant History

### This site

**P9601544.** O/S 72 Kilburn High Road. Installation of public telephone kiosks on public the highway. Prior approval approved 25/06/1996

### Neighbouring sites:

**2017/1126/P.** o/s 196-198 Kilburn High Road. Erection of freestanding BT panel providing phone and Wi-Fi facilities with 2 x internally illuminated digital advertisements following the removal of 2no. BT telephone kiosks. Withdrawn 28/06/2017

**2017/0454/P.** o/s 54 - 56 Kilburn High Road. Erection of freestanding BT panel providing phone and Wi-Fi facilities with 2 x internally illuminated digital advertisements following the removal of 1no. BT telephone kiosks. Full Planning Permission Granted Subject to a Section 278 Legal Agreement 15/05/2017.

### Recent appeals dismissed re. telephone kiosks (dated 18<sup>th</sup> September 2018):

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

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

## Relevant policies

**National Planning Policy Framework (2019)**

**London Plan (2016)**

**London Plan (Intend to Publish) (2019)**

**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**

CPG Design (March 2019) - chapters 2 (Design excellence) and 7 (Designing safer environments)  
CPG Transport (March 2019) - chapters 7 (Vehicular access and crossovers) and 9 (Pedestrian and cycle movement)

CPG Advertisements (March 2018) – paragraphs 1.1 to 1.15; and 1.34 to 1.38 (Digital advertisements)

CPG Amenity (March 2018) - chapter 4 (Artificial light)

### **Camden Streetscape Design Manual**

**Digital Roadside Advertising and Proposed Best Practice (commissioned by Transport for London) March 2013**

**Design of an accessible and inclusive built environment. External environment - code of practice (BS8300-1:2018 and BS-2:2018)**

**Town and Country Planning (Control of Advertisements) (England) Regulations 2007**

## **Assessment**

### **1.0 Proposal**

1.1 It is proposed to remove three existing telephone kiosks to be replaced with one kiosk of an updated design, leading to a net reduction in two kiosks. The proposal would involve the removal of the following telephone kiosks:

- Kiosk o/s 70-72 Kilburn High Road
- Near Junction of Kilburn High Road and Maygrove Road
- Kiosk o/s 266 West End Lane



The kiosk design subject of this application

- 1.2 The proposed replacement would be located on the eastern side of Kilburn High Road. The proposed site has a footway width of 4.7m. The kiosk would measure 1.1m (W) x 0.76m (L) x 2.5m (H). The kiosk would be located on the eastern set off 0.8m from the existing kerb edge.
- 1.3 The rear elevation of the proposed kiosk would contain an internally illuminated advert panel. The screen would measure 0.92m (W) x 1.65m (H) with a visible display area of 1.53sq. m. The screen's luminance levels would be capable of 280cd/m.
- 1.4 The applicant originally submitted two proposed site plans, one of which taking account of the Kilburn High Road project. This proposal is yet to reach public consultation and as such there are no clear timeframes for implementation. As such officers raised concerns over the provision of two proposed site plans. The applicant confirmed via an email dated 17/12/2019 that the existing footway width should be assessed.

## **1.0 Assessment**

- 1.1 On 25 May 2019, the GPDO was amended through the adoption of the Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019. This amendment has had the effect of removing permitted development rights to install a public call box under Schedule 2, Part 16, Class A of the GPDO. Accordingly a planning application and associated advertisement consent application have been submitted.

## **2.0 Planning Need**

- 2.1 As planning permission is now required for the installation of a telephone kiosk, the Council can take into consideration more than just the siting, design and appearance of the kiosk. The Council is able to take into consideration all relevant planning policies and legislation.
- 2.2 The current applications form 1 set of 20 similar sets of planning and advertisement consent applications in which the proposed development seeks the overall introduction of 20 new kiosks following the removal of the entire stock of New World Payphone (NWP) older designed kiosks within the London Borough of Camden (a reduction of 50 kiosks). The applicant previously indicated a willingness to sign up to a legal agreement to ensure that all old kiosks were removed in a timely fashion and to other management controls. If planning permission was to be approved a legal agreement would be required to secure these matters.
- 2.3 As part of a separate enforcement investigation following complaints about the underused and poorly maintained telephone kiosks along Kilburn High Road, Planning Contravention Notices were served on all kiosks in this street, order to ascertain the lawful status of these kiosks and whether they are still required in accordance with condition A.2 (b) (Part 16 Class A) of the GPDO 2015.
- 2.4 As part of this planning application we asked the applicant to provide call data information for all the kiosks that are proposed to be removed as part of this scheme. This information was provided in full on the 29th January 2020. A review of the call data information indicates that the existing kiosks are substantially underused and have limited usage.
- 2.5 Under paragraph 115 of the NPPF applications for electronic communications development should be supported by the necessary evidence to justify the proposed development]. If existing phone kiosks have limited usage and there are existing kiosks within the local area, the benefit of an additional/replacement kiosk in this location is limited and it is not considered that sufficient evidence has been provided to justify the proposed development. The kiosk will essentially enable the provision of a digital advertisement panel. It is not considered that a structure of this type or scale is necessary to enable Wi-Fi provision. Moreover, there are already 2 other phone kiosks located within approximately 40m from the proposed application site. The proposed development



is therefore considered to add unnecessary street clutter, contrary to Camden planning policies and guidance. Therefore, on this basis, refusal is recommended.

### **3.0 Design**

- 3.1 Policy D1 (Design) of the Camden Local Plan 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.
- 3.2 A design consideration of the structure, whilst replicating elements of a traditional kiosk is the inclusion of a digital advert. This has resulted in a structure which is dominant, visually intrusive and serves to detract from the appearance of the wider streetscene.
- 3.3 CPG Design advises *'the design of streets, public areas and the spaces between buildings, needs to be accessible, safe and uncluttered. Well-designed street furniture and public art in streets and public places can contribute to a safe and distinctive urban environment'*. Street furniture should not obstruct pedestrian views or movement.
- 3.4 Due to the prominence of the proposal, it is considered that the proposed development would add clutter to this busy stretch of pavement and would severely degrade the visual amenity of the area. The proposed structure is considered to be a poor pastiche of the classic K2 phone box, and on account of its increased width and height, as well as, it's conspicuous design, would have a harmful and negative impact on this part of the streetscape.
- 3.5 As such, the proposed structure, by reason of its size and scale, when there is no need for a kiosk in this location, would be an obtrusive piece of street furniture detracting from the wider streetscene. The incongruous design would therefore provide an intrusive addition to the street and in this regard would fail to adhere to Policy D1 (Design).
- 3.6 The proposal 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 rather than adding additional clutter.

### **4.0 Highways/footpath width**

- 4.1. Policy D7 (Public Realm) of the New London Plan (Intend to publish) states that development should *'Applications which seek to introduce unnecessary street furniture should normally be refused'*.
- 4.2. Policy T2 (Healthy Streets) of the New London Plan (Intend to publish) states that *'Development proposals should demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance'*. It is considered that the application would fail to deliver any improvements which support any of the ten Healthy Streets Indicators.
- 4.3. Policy A1 (Managing the impact of development) of the Camden Local Plan 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 (Prioritising walking, cycling and public transport) 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 9.10 of CPG Transport highlights that footways should be wide enough for two people using wheelchairs, or prams, to pass each other.

- 4.4. Camden's Streetscape Design manual – section 3.01 footway width states: “‘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’
- 4.5. 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.
- 4.6. Policy T1 of the Camden Local Plan 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 subsections 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.
- 4.7. Policy T1 also 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.
- 4.8. Paragraph 9.7 of CPG 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.
- 4.9. Policy C5 (Safety and security) of the Camden Local Plan 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 7.41 and 7.42 of CPG 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.
- 4.10. The proposed kiosk would be located in a high footfall area in the Kilburn Town Centre and designated retail frontage. Pedestrian volumes have been observed to be significant during peak periods and at weekends. The proposed telephone kiosk would be 1.1m wide and would be

offset from the kerb by 450mm based on the existing footway. The proposal would reduce the effective footway width at the site from 4.7m to 2.9m. This would be less than 3.3 metres, the recommended minimum for high footfall locations (see Appendix B of Transport for London guidance document titled 'Pedestrian Comfort Guidance for London'). In addition should the Kiosk be installed prior to the proposed widening on the footway (Kilburn High Road Project), it would be in the middle of the footway causing a significant hazard to the visually impaired and impede the flow of pedestrian movement. The proposal would therefore impede/obstruct pedestrian movement and sightlines along the footway while constituting an unnecessary hazard to pedestrians, especially pedestrians with visual impairments.

- 4.11. Furthermore, the Planning Inspector concluded in paragraph 15 when considering an appeal against the Council's decision to refuse similar proposals on a pavement outside Fitzroy House, 355 Euston Road, London NW1 3AL (Appeal A Ref: APP/X5210/W/18/3195370) that the kiosk would impinge into the main pedestrian flow and hamper free movement of pedestrians (see Appendix A attached). The appeal was dismissed dated 18/09/2018.
- 4.12. It is also noted that pedestrians cross the road at the site where the telephone kiosk would be located. The kiosk due to its size would obstruct inter-visibility between pedestrians and vehicular traffic, including cyclists. This could lead to dangerous situations occurring at the edge of the carriageway. In this regard, the Planning Inspector in paragraphs 20-23 took the view when considering appeals on a similar situation outside Euston Tower on west side of Hampstead Road, London NW1 3DP (Appeals D & E Ref: APP/X5210/W/18/3195365 & 3195366) that introducing a telephone kiosk where pedestrians cross the road would introduce an unnecessary hazard (see Appendix A attached). The appeals were dismissed dated 18/09/2018.
- 4.13. As outlined above, the provision of a kiosk where there is evidence demonstrating it is unnecessary (given the call data for existing NWP telephone kiosks within the borough and other kiosks in close proximity) in this busy location on Kilburn High Road, would result in the loss of footway, detrimental to the amenities and pedestrian movement of the area, and contrary to the aforementioned policies. Refusal is therefore recommended on this basis.

## **5.0 Anti-social behaviour**

- 5.1 With regards to community safety matters, a number of issues have been raised by the Metropolitan Police Crime Prevention Design Advisor. In particular it has been noted that existing telephone kiosks within the London Borough of Camden have become 'crime generators' and a focal point for anti-social behaviour (ASB). The design and siting of a structure which is considered unnecessary and effectively creates a solid barrier to hide behind, on a busy footway would further add to street clutter and safety issues in terms of crime and ASB, through reducing sight lines and natural surveillance in the area, and providing a potential opportunity for an offender to loiter. This would increase opportunities for crime in an area which already experiences issues with crime, therefore the proposal would be contrary to Policy C5 and CPG1 (Design).

## **6.0 Advertisement**

- 6.1 Advertisement consent is sought for the digital screen covering the rear elevation of the structure. The screen would be 928mm (W) x 1.65m (H) with a visible display area of 1.53sq. m. The screen's luminance levels would be between 280 - 2500 cd/m<sup>2</sup>.
- 6.2 The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to consider amenity and public safety matters in determining advertisement consent applications.

Amenity: Visual impact and impact on residential amenity

- 6.3 Camden Planning Guidance for CPG Design advises that good quality advertisements respect the architectural features of the host building and the character and appearance of the surrounding area. CPG Adverts states that *'free-standing signs and signs on street furniture will only be accepted where they would not create or contribute to visual and physical clutter or hinder movement along the pavement or pedestrian footway'*.
- 6.4 Policy D4 (Advertisements) confirms that the *"Council will resist advertisements where they contribute to or constitute clutter or an unsightly proliferation of signage in the area."* (paragraph 7.82).
- 6.5 Camden Planning Guidance for CPG Amenity advises that artificial lighting can be damaging to the environment and result in visual nuisance by having a detrimental impact on the quality of life of neighbouring residents, that nuisance can occur due to 'light spillage' and glare which can also significantly change the character of the locality. As the advertisement is not located at a typical shop fascia level and would be internally illuminated, it would appear visually obtrusive.
- 6.6 The provision of a digital screen in this location would add visual clutter to the streetscene. By reason of its siting, scale, design and illumination, the proposed advertisement would form an incongruous addition to this part of the streetscene, serving to harm the character and appearance of the area. It is therefore considered the advert would have an adverse effect upon the visual amenity of the area. Refusal is recommended on this basis.
- 6.7 If the application was to be recommended for approval, conditions to control the brightness, orientation and frequency of the displays, and prevent any moving displays would be required.

#### Public Safety

- 6.8 Policy A1 (Managing the impact of development) requires development proposals to avoid disruption to the highway network, its function, causing harm to highway safety, hindering pedestrian movement and unnecessary clutter as well as addressing the needs of vulnerable users. The Council will not support proposals that involve the provision of additional street furniture that is not of benefit to highway users.
- 6.9 CPG Design in paragraph 7.42 advises that, *"All new phone boxes should have a limited impact on the sightlines of the footway."* This is supported by Transport for London (TfL) in the document titled 'Streetscape Guidance' which on page 142 states that, *"Sightlines at crossings should not be obstructed by street furniture, plantings or parked/stopped vehicles."* Paragraph 6.3.10 of the Manual for Streets advises that, *"Obstructions on the footway should be minimised. Street furniture is typically sited on footways and can be a hazard for blind or partially-sighted people."*
- 6.10 It is accepted that all advertisements are intended to attract attention. However, advertisements are more likely to distract road users at junctions, roundabouts and pedestrian crossings particularly during hours of darkness when glare and light spillage can make it less easy to see things, which could be to the detriment of highway and pedestrian and other road users' safety.
- 6.11 The proposed advertisement would introduce a large digital panel in direct eye-line of oncoming pedestrians near a junction with West End Lane. The proposal would therefore constitute unnecessary street clutter which would serve as a distraction to pedestrians and road users in this restricted footway space. This would be especially hazardous for blind or partially-sighted people and detrimental to public safety. Refusal is recommended on this basis.

#### **7.0 Conclusion**

- 7.1 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. The advertisement would serve to harm both the visual amenities and public safety of the area.

The proposal is therefore considered to be unacceptable in compliance with the aforementioned policies.

- 7.2 If the applications were considered to be acceptable, the Council would seek an obligation attached to any planning permission for the applicant to enter into a legal agreement to secure the removal of all kiosks prior to the installation of any new kiosk. This agreement would also secure controls to ensure that the kiosk is well maintained and that the advertisement is only in place whilst the telephone element is in operation.

## **8.0 Recommendation**

### Refuse planning permission and advertisement consent

- 9.1. The proposed telephone kiosk, by reason of its location and size, and lack of evidence to justify the need for an additional kiosk in this location, would add to visual clutter and detract from the character and appearance of the streetscene, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017.
- 9.2. The proposed telephone kiosk, by virtue of its location, size and detailed design, and lack of evidence to justify the need for an additional kiosk in this location, adding unnecessary street clutter, would reduce the amount of useable, unobstructed footway, which would be detrimental to the quality of the public realm, cause harm to highway safety and hinder pedestrian movement and have a detrimental impact on the promotion of walking as an alternative to motorised transport, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.
- 9.3. The proposed telephone kiosk, adding unnecessary street clutter, would create opportunities increase opportunities for crime in an area which already experiences issues with crime, therefore the proposal would be contrary to Policy C5 of the London Borough of Camden Local Plan 2017.
- 9.4. In absence of a legal agreement to secure the removal of the existing kiosks and a management and maintenance plan or the proposed kiosk, the proposal would be detrimental to the quality of the public realm, and detract from the character and appearance of the streetscene, contrary to policies D1 (Design), G1 (Delivery and location of growth), A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

### Refuse advertisement consent:

- 9.5. The proposed advertisement, by virtue of its location, scale, prominence, and method of illumination, would introduce unnecessary street clutter and a distraction to pedestrians, harmful to public safety, contrary to TfL guidance, and to Local Plan Policies A1 (Managing the Impact of Development), D4 (Advertisements) and T1 (Prioritising walking, cycling and public transport).
- 9.6. The proposed advertisement, by virtue of its location, scale, prominence, and method of illumination, would introduce unnecessary street clutter and a distraction to pedestrians, harmful to public safety, contrary to TfL guidance, and to Local Plan Policies A1 (Managing the Impact of Development), D4 (Advertisements) and T1 (Prioritising walking, cycling and public transport).