

Delegated Report		Analysis sheet	Expiry Date:	25/06/2021
		N/A	Consultation Expiry Date:	26/07/2021
Officer			Application Number(s)	
Tony Young			1. 2021/2103/P 2. 2021/3104/A	
Application Address			Drawing Numbers	
Pavement outside 81 Tottenham Court Road London W1T 4SZ			Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
1. Installation of a new phone hub unit following removal of existing kiosk as part of wider proposals to replace Infocus telephone kiosks; and 2. Display of LCD advertisement display with static images on the side of new phone hub unit.				
Recommendation(s):	1. Refuse Planning Permission 2. Refuse Advertisement Consent			
Application Types:	1. Full Planning Permission 2. Advertisement Consent			

Reason(s) for refusal:	Refer to Draft Decision Notice					
Consultations						
Adjoining occupiers and local residents / groups	No. notified	00	No. of responses	01	No. of objections	01

**Summary of all
consultation
responses:**

A site notice was displayed on 30/06/2021 and expired on 24/07/2021

In response to the proposal, the following comments/objections were received:

Bloomsbury Conservation Area Advisory Committee

Object to the proposal on design grounds:

- *The proliferation of street clutter and inappropriate advertisement in the public realm can cause great harm to the significance of a conservation area and the setting of the listed buildings within them.*
- *In our view the proposed replacement kiosks are of an exceptionally poor design quality and cause harm to the significance of the Bloomsbury Conservation Area and the setting of affected listed buildings. Cumulatively the harm is unacceptable.*
- *Large illuminated advertisement screens are a completely unacceptable feature within the historic environment and are generally to be resisted within any townscape.*
- *The overall design of these items is of a very poor quality and inappropriate within the setting of designated heritage assets.*
- *By their prominence and poor design these items will likely attract antisocial behaviour, including vandalism, fly-posting, and public urination, encouraging crime and contributing towards a fear of it.*

The Bloomsbury CAAC therefore objects strongly to the application and recommends that it is refused.

Councillor Adam Harrison (Bloomsbury Ward)

Objects to the proposal on the following grounds:

- *The proposal would add to existing street clutter; and*
- *The proposal would have a harmful visual impact*

Metropolitan Police (Designing Out Crime Officer)

Responded to the proposals, summarised as follows:

Some positive design changes from a crime prevention perspective following discussions with applicant, include removal of charging shelf, reduction in depth of the canopy, angled design to defibrillator housing, inclusion of a management plan and prevention of free calls.

In relation to the locations of the kiosks around Camden there is a common theme among the crime statistics. All these areas have a major issue with street crime and in particular antisocial behaviour, pickpocketing and theft from person. These are areas of significant footfall with both commuters, local residents and numerous tourists. The design of these kiosks does not reduce the risk of these types of crime from occurring for the following reasons:

- *Due to the openness of the kiosk any mobile phones on display at this location (either in hand or on charge) will be vulnerable to the opportunist phone snatch. With the new locations mostly closer to the carriageway this form of crime can be carried out by moped or bicycle.*
- *The large façade where the advertising screen is proposed will act as an opportunity for concealment and increase the risk of theft and assault.*
- *The close proximity to the carriageway will mean that the advertising screens will be in full view of vehicles driving past. This will be a distraction and could lead to an increase in reported collisions along these stretches of road. During hours of darkness the illuminated screens will offer increased distractions as these adverts pop out. The*

other consideration should be safety of the user as well as other road users.

- Due to the close proximity to the carriageway and the lack of visual permeability through the kiosk persons could step into the road with little to no warning for a road user. The potential for road traffic collisions increases.

If the replacement kiosks are to be considered, then the following is recommended:

- Strict compliance with Communication Hub Unit Management Plan (October 2020).
- Integrated CCTV camera (operational from Day 1 of official unit 'switch-on').
- Consider moving the kiosk slightly back from the carriageway where the risk of phone snatches will be higher. Also consider angling the hood of the kiosk to mitigate against this risk.
- The other consideration should be safety of the user as well as other road users. Due to the close proximity to the carriageway and the lack of visual permeability through the kiosk persons could step into the road with little to no warning for a road user. The potential for road traffic collisions increases.
- Having the advertising screens in such close proximity to the carriageway could be a distraction for road users leading to an increase in reported collisions in the vicinity of these proposed infocus kiosks. The screens at night could cause drivers unnecessary glare. It is recommended that the advertising screen be switched off overnight.
- The display screen for the advertising is quite large and could be used for concealment which could lead to arise in opportunistic theft. Lines of sight along the street will be impeded. Consider a reduction in size of the kiosk.

Council's West End Project Team

Object to the proposal on the following grounds, summarised as follows:

- This location would be in very close proximity to an existing 6 sheet digital advertising panel on the footway. A digital 96 sheet advertising panel and in very close proximity to a signalised road and pedestrian junction.
- Whilst this in theory looks like a positive step in that they plan to reduce the overall estate it is in my opinion somewhat deceptive. The main reason for the change looks to be increasing revenue from digital advertising rather than from phone calls and therefore the locations for removal of kiosks are not really relevant as what they are looking to do is increase revenue from what they look to see as the more lucrative sites, i.e. Tottenham Court Road, High Holborn and Southampton Row.
- This is borne out by the conditions that they have suggested but in particular condition 4 below. The key word here being "principally" i.e. its main function is advertising. The telecoms element and supply of a defibrillator unit is purely secondary and so what they are fundamentally applying for is digital advertising sites – (4. Any structure erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition).
- If the defibrillator element was important, it would be included in and around the sites they say they will remove.
- The proposed replacement kiosk and digital panel may not obstruct signals but will be a definite distraction for all road users including

pedestrians. The additional risk should not be permitted to be encountered by the road users.

- The uncoordinated transition of images from the proposed digital sign and the existing freestanding digital sign in combination adds to driver and pedestrian distraction.

We therefore object to this location and recommend its refusal

Transport for London (TfL)

Raised no objection to the proposal and made the following comments:

The application is located on the Strategic Road Network on A400 Tottenham Court Road. Therefore TfL is concerned about any proposals which may impact the road network.

- *Proposed advertising should follow TfL best practise guidance and not display directional advice or resemble existing traffic signs. This should be secured by condition.*
- *The advertisement must not display flashing or moving images. This risks road safety and so conflicts with London Plan and MTS policy on Vision Zero. This should be secured by permission.*
- *The maximum luminance proposed must not exceed 300cd/m2 during the hours of darkness and 600cd/m2 during the day. This is consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015)'. This must be secured by condition.*
- *Temporary obstructions during construction must be kept to a minimum and should not encroach on the clear space needed to provide a safe passage for pedestrians or obstruct the flow of traffic on Tottenham Court Road for vehicles and cyclists.*
- *Any adverts fixed to the hoarding on TfL highway, will be subject to the terms of the specific license conditions. Our advice here, is without prejudice to TfL decision on highway licenses. The applicant should comply with all license conditions.*

Site Description

The application site comprises of an area of the footway adjacent to no. 81 Tottenham Court Road (A400) on the western side of the road which forms part of the strategic road network (SRN). The site is located near Goodge Street and Warren Street Underground stations and is positioned approximately 12 metres north of a pedestrian crossing.

The pavement here is approximately 8.7 metres in width. This is a busy road for both vehicular and pedestrian traffic. Existing along the pavement in close proximity are: an existing phone kiosk, a large retail kiosk, a freestanding digital advertising panel, cycle racks, street signage and a street food market to the south.

The site lies within the Central London Area and is part of Transport for London's (TfL's) Road Network (TLRN). The site is located in the Fitzrovia East Neighbourhood and Fitzrovia Action Areas, and is not located within a conservation area nor is it positioned adjacent to any listed buildings.

Relevant History

1. Recent application and appeal history (telephone kiosks and digital panel signs):

Figure 1. Phone kiosk applications by decision type

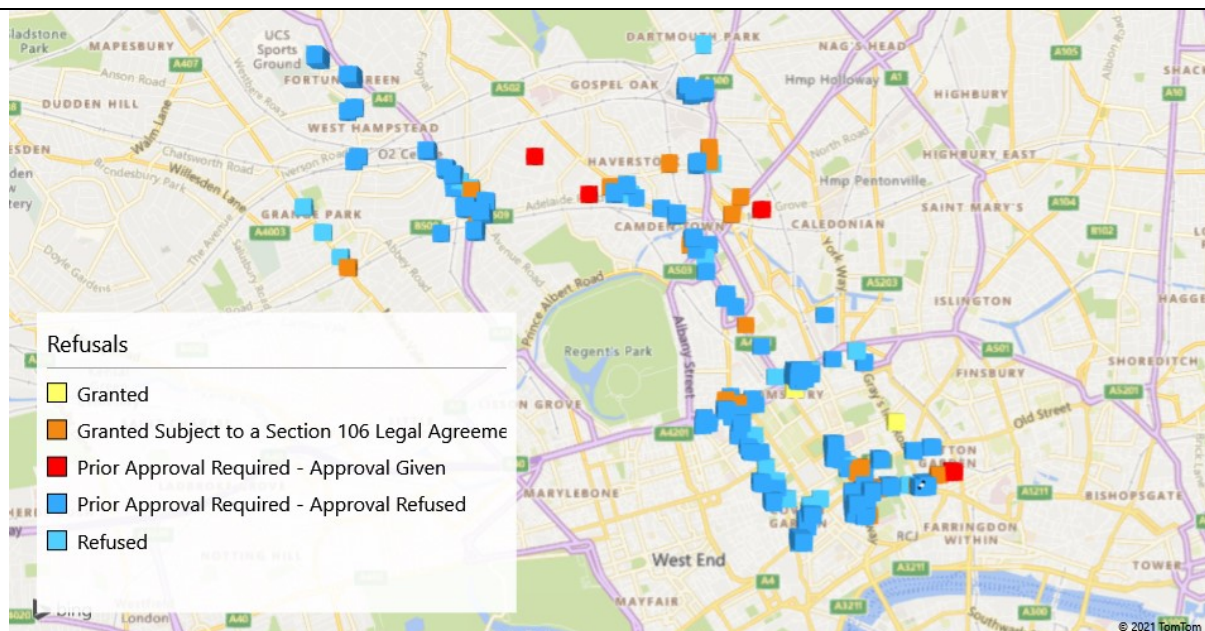


Figure 2. Appeal outcomes

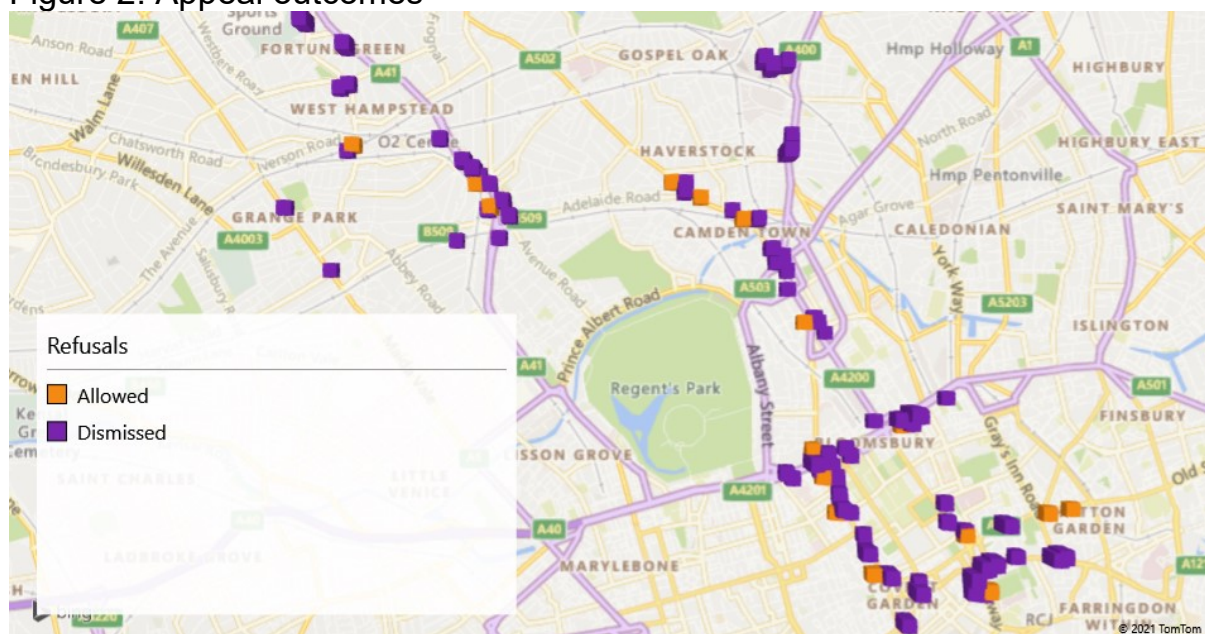


Table 1. Decisions (Applications) 2017-2019

Total cases	
2017	
Full Planning Permission	46
Granted	1
Granted Subject to a Section 106 Legal Agreement	20
Refused	1
Withdrawn Decision	24
GPDO Prior Approval Determination	92
Prior Approval Required - Approval Given	3
Prior Approval Required - Approval Refused	89
2018	
Full Planning Permission	16
Granted Subject to a Section 106 Legal Agreement	4
Withdrawn Decision	12
GPDO Prior Approval Determination	110
Prior Approval Required - Approval Given	1

Prior Approval Required - Approval Refused	79
Withdrawn Decision	30
2019	
Full Planning Permission	20
Refused	20
GPDO Prior Approval Determination	21
Prior Approval Required - Approval Refused	21

Since 2018, the Council has refused planning permission/prior approval for telephone kiosks for 120 kiosk sites. A full list of the cases has been provided in Appendix 1

Table 2. Decisions (Appeals) 2017-2019

	Total cases
2017	
Allowed	13
Dismissed	27
Withdrawn Appeal	1
2018	
Allowed	4
Dismissed	75
2019	
Allowed	1
Dismissed	13

In 2018, 75 appeals were dismissed following the Council's decision to refuse permission. In 2019, 13 appeals were dismissed for kiosks comprising a large digital panel.

On 18th 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 2). 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.

A copy of the most recent 18 appeal decisions for the appeals determined in 2020 is found in Appendix 5 (16 dismissed, 2 allowed)

2. Site history:

2019/2690/P (outside no.81) - Installation of 1 x replacement telephone kiosk on the pavement. Prior Approval refused 11/07/2018

2018/5531/P (adjacent to nos.80-85) - Installation of 1 x telephone kiosk on the pavement. Prior Approval refused 20/12/2018 and Appeal dismissed dated 09/12/2019

2018/0515/A (outside no.82) - 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 granted 14/08/2018

2018/0312/P (adjacent to nos.80-85) - Installation of 1 x telephone kiosk on the pavement. Prior Approval refused 15/03/2018 and Appeal allowed dated 28/08/2019

2017/1199/P (adjacent to nos.80-85) - Installation of 1 x telephone box. Prior Approval refused 07/04/2017

2010/5338/A (nos. 80-81) - Relocation of internally illuminated free-standing advertising column to the pavement. Advertisement consent granted 01/12/2010

2009/1037/P (nos.80-81) - Installation of telephone kiosk on the public highway. Prior Approval refused 19/05/2009

A9601569 (outside nos.80-81) – Display of free standing illuminated advertisements. Advertisement consent granted 24/07/1997

Enforcement action

Pavement outside 80 Tottenham Court Road (Infocus kiosk)

As part of a separate enforcement investigation following complaints about the underused and poorly maintained telephone kiosks along Tottenham Court Road, Enforcement notices have been served on a number of kiosks in the street as a breach of condition A.2 (b) (Part 16 Class A) of the GPDO 2015. The existing Infocus kiosk at the application site is one of the units which the Council is seeking to remove (along with nos. 105 and 196-199 Tottenham Court Road).

Other neighbouring sites:

Pavement outside 39 Tottenham Court Road

2019/4046/P - Installation of replacement telephone kiosk incorporating advertisement display panel measuring 1.65m (h) x 0.92m (w). Planning permission refused 27/03/2020

Pavement outside 39 Tottenham Court Road

2019/4671/A - Installation of replacement telephone kiosk incorporating advertisement display panel measuring 1.65m (h) x 0.92m (w). Advertisement consent refused 27/03/2020

Outside 191 Tottenham Court Road

2019/2697/P - Installation of 1 x replacement telephone kiosk on the pavement. Prior Approval refused 12/07/2019

2019/2692/P - Installation of 1 x replacement telephone kiosk on the pavement. Prior Approval refused 11/07/2018

Land Adjacent to 90 Tottenham Court Road

2018/5562/P - Installation of 1 x telephone kiosk on the pavement. Prior Approval refused 20/12/2018 and Appeal dismissed dated 09/12/2019

Land Adjacent to 39 Tottenham Court Road

2018/5549/P - Installation of 1 x telephone kiosk on the pavement. Prior Approval refused 20/12/2018 and Appeal dismissed dated 09/12/2019

Land Adjacent to 39 Tottenham Court Road

2018/0311/P - Installation of 1 x telephone kiosk on the pavement. Prior Approval refused 15/03/2018 and Appeal dismissed dated 28/08/2019

Land Adjacent to 90 Tottenham Court Road

2018/0333/P - Installation of 1 x telephone kiosk on the pavement. Prior Approval refused 15/03/2018 and Appeal dismissed dated 16/10/2019

Land Adjacent to 90 Tottenham Court Road

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

Land Adjacent to 39 Tottenham Court Road

2017/1090/P - Installation of 1 x telephone box. Prior Approval refused 07/04/2017

Outside 191 Tottenham Court Road

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

Outside 185-186 Tottenham Court Road

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

Outside 39-45 Tottenham Court Road

PS9604095 - Upgrade existing telephone kiosks. Prior Approval granted (in default) 04/12/1996

Outside 93 Tottenham Court Road

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

Relevant policies

National Planning Policy Framework 2021

Sections 6 (Building a strong, competitive economy), 10 (Supporting high quality communications) and 12 (Achieving well-designed places)

London Plan 2021

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

D4 Advertisements

G1 Delivery and location of growth

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

CPG Design 2019 - chapters 2 (Design excellence) and 7 (Designing safer environments)

CPG Transport 2019 - chapters 7 (Vehicular access and crossovers) and 9 (Pedestrian and cycle movement)

CPG Advertisements 2018 – paragraphs 1.1 to 1.15 (General guidance and advertising on street furniture); and 1.34 to 1.38 (Digital advertisements)

CPG Amenity 2021 - 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)

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

Assessment

1. Proposal

1.1 It is proposed to remove an existing telephone kiosk (see Images 1 and 2 below) and replace it with a telephone kiosk with an updated design (see Images 3 and 4 below):



Images 1 and 2 - The existing kiosk to be replaced



Images 3 and 4 - The proposed kiosk design subject of this application

1.2 The proposed new, replacement kiosk would be located on an area of the footway on the western side of Tottenham Court Road. The pavement here is approximately 8.7 metres in width. Appendix JCD 4 'Hub Unit Detail and Examples' of the application submission states that the kiosk would

measure 1.3 metres (W) x 2.6 metres (H) and occupy a site area of approximately 0.5sqm. The rear elevation of the proposed kiosk would contain an internally illuminated advert panel. Appendix JDC 4 confirms that the screen would measure 0.935 metres (W) x 1.67 metres (H) with a visible display area of 1.6sqm. The screen's luminance level would not exceed 300 cd/sqm during the hours between dusk and dawn.

- 1.3 The units are larger than those refused in various locations in Camden in 2020 (see Appendix 5), and subsequently dismissed on appeal, which measured 1.096m (W) x 2.499m (H) x 0.762m (L), and with a display area of 1.53sqm.

2. Assessment

- 2.1 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.

- 2.2 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.

- 2.3 The current applications form 1 set of 15 similar sets of planning and advertisement consent applications in which the proposed development seeks the overall introduction of 15 new, replacement kiosks following the removal of the entire stock of JCDeCaux older designed kiosks within the London Borough of Camden (28 kiosks), so involving a proposed net reduction of 13 kiosks in total. If planning permission was to be approved a legal agreement would be required to secure these matters to ensure that all old kiosks were removed in a timely fashion and to include other management controls.

3. 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 The Fitzrovia Area Action Plan (Part 3: Vision and objectives) promotes the creation of high quality physical environments in this locality through, *'enhancing the interaction between streets and the ground floors of buildings by removing visual clutter and encouraging high quality design'*. As an adopted Area Action Plan, the aims and objectives of Fitzrovia Area Action Plan are closely associated with the Camden Local Plan and have equal weight to Local Plan policies.

- 3.3 Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) recognises the importance of design in managing and improving spaces, including the quality of place. The design of all built form, including street furniture, must be sustainable, functional, visually attractive, safe, inclusive and accessible, encourage innovation, be sympathetic to local character, and promote health and well-being.

- 3.4 The proposed structure is considered to be poor in design terms given its size and position on an area of public footway already cluttered by an existing phone kiosk, a large retail kiosk, a freestanding digital advertising panel, cycle racks, street signage and a street food market nearby to the south. The proposed kiosk has been designed around the inclusion of a large digital screen which has resulted in a large monolithic panel which gives the overall appearance as an advertisement panel rather than a phone kiosk. This design approach has resulted in a structure which is dominant, visually intrusive and serves to detract from the appearance of the wider streetscene.

- 3.5 The illuminated digital advertising display screen would occupy most of the rear elevation of the kiosk (facing south). The replacement of a fixed advertisement with one illuminated via an LCD screen has would result in potential distraction to drivers and cyclists (noting that in all illustrated instances the advertising is facing the approaching traffic), increased and inappropriate prominence of the advertising during evening and night time, and increased energy consumption associated with constant illumination. While it is accepted that all advertisements are intended to attract attention, the introduction of an illuminated advertisement panel in this particular location is therefore considered to be inappropriate as it would introduce a visually obtrusive piece of street furniture, detracting from the character and appearance of the wider streetscene and Fitzrovia East Neighbourhood Area, and so fail to adhere to Local Plan Policy D1 and the vision expressed in Part 3 of the Fitzrovia Area Action Plan.
- 3.6 Confirmation is required on the intended size of the kiosk unit. Within Appendix JCD 4 'Hub Unit Detail and Examples' of the application submission, the unit is described of page 3 as '2.6m in height and 1.3m wide'; however, it is shown as a 2400mm height, 1100mm width unit on page 12 of the elevational drawings. It appears from the images included within the submission that the size of the unit is determined by the size of the advertising panel. This is an unfortunate ordering of the characteristics, and would be better designed around the items on the other side of the unit (such as the wayfinding screen, USB charger, defibrillator, etc.) that may have some public benefit, with the overall unit (and therefore any advertising) being as small as these would allow.
- 3.7 Whilst shown in the various comparison images (pages 14, 15 and 16 of Appendix JCD 4) as being less prominent than the existing payphone boxes, this is primarily through a reduction in depth rather than a reduction in either height or width. This reduction is therefore not something that would be experienced as a pedestrian, where the height and width of any pavement furniture restricts the views and movement along the pavement.
- 3.8 Another comparison between the proposals and existing payphone boxes is that of visual permeability. As shown within the comparison images, the existing boxes have open areas within their overall form, reducing their bulk and allowing some views through. This is not achieved with the design for the proposed kiosk unit, and the streetscape is worse for it.
- 3.9 It should also be noted that Camden has declared a climate emergency and considers the reduction in carbon emissions to be critical. These proposals go against that, with embodied carbon involved in the creation of the new units and operational carbon associated with running an illuminated screen that is expected to be higher than that of the existing payphone boxes.
- 3.10 Overall, therefore, the design of the unit is not considered to be the high quality that Camden expects across the borough's buildings, streets and open spaces. There is nothing distinctive or responsive to context within the proposal, which would appear to be a missed opportunity to create a uniquely Camden unit. The 'Metal Chain Grey' has a particularly unwelcoming and gloomy appearance, which combined with the uncompromising bulk would have an adverse visual effect. At a time of re-invention of the street, with widening of pavements and appreciation of generous public realm, these proposals are a disappointing reinstatement of underused pavement clutter. The proposal lacks the initiative that has been shown elsewhere in the borough for creativity and reappraisal of streets and public spaces, and fails to create something that might possibly be considered a genuine improvement on the poor condition of the underused existing kiosk.
- 3.11 In a recent appeal decision (REF: APP/X5210/W/20/3254037 and 3252962 – see Appendix 3) in relation to a phone kiosk of a marginal smaller scale, but with a similar design approach, the Planning Inspector noted that, *'The visual impact of the kiosk would be increased by the large illuminated advertising panel, which would be a dominating feature on the structure. The panel, close to the kerbline, would be a prominent standalone illuminated feature. The panel would be unrelated to the services provided by the adjacent commercial units and would appear prominent in views along the street both during the day and in hours of darkness'*.

3.12 Furthermore, Camden Planning Guidance (CPG Design) advises that *'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'*. As such, street furniture should not obstruct pedestrian views or movement.

3.13 The proposed site currently has an existing Infocus telephone kiosk located on this part of the footway which is proposed to be replaced. The existing kiosk is located in a defined street furniture zone at the kerbside. Even so, pavement area appears cluttered, in particular through the presence of a large retail kiosk and a freestanding digital advertising panel directly to the north. The proposed kiosk would therefore be located outside of the main pedestrian desire line running along the footway,, it would nevertheless constitute a significant physical obstruction in the pedestrian desire line across the footway (e.g. if pedestrians wanted to cross the road). The proposed kiosk (and the other bulky items of street furniture in the vicinity of the site) would obstruct sightlines along the footway, especially due to the presence of an advertising end panel (see Images 5 and 6 below).



Images 5 and 6 - The application site (looking southwards)

3.14 Notwithstanding the existence of a telephone kiosk in situ, the detailed design, size and large illuminated display panel would serve to heighten the appearance of the proposed kiosk, making it more conspicuous than the existing kiosk which it would replace. As such, the proposed kiosk would appear as a particularly obtrusive piece of street furniture which would detract from the character and appearance of the streetscene and wider Fitzrovia Neighbourhood Area. In this regard, the incongruous design would provide an intrusive addition to the street and would fail to adhere to Local Plan Policy D1 (Design) and CPG Design.

3.15 As stated above, one of the aims of the Fitzrovia Area Action Plan (Part 3: Vision and objectives) is to promote high quality physical environments through de-cluttering existing footways in this locality in order to enhance pedestrian movement and public realm. Similarly, it is also important to note that Tottenham Court Road has been the subject of a major public realm renewal programme as part of the Council's 'West End Project' involving an investment of £35m intended to transform this part of the borough. One of the objectives of the Project is to reduce the number of telephone kiosks and to declutter the public highway and streets, and as such,

significant works have already taken place over the last few years to realise these improvements in this location.

- It should also be noted that as part of a separate enforcement investigation following complaints about the underused and poorly maintained telephone kiosks along Tottenham Court Road, Enforcement notices have been served on a number of kiosks in the street as a breach of condition A.2 (b) (Part 16 Class A) of Town and Country Planning (General Permitted Development) (England) Order 2015. The existing Infocus kiosk at the application site is one of the units which the Council considers in breach of Paragraph A.2 of Part 16 Class A to Schedule 2 of the Town and Country Planning (GPDO) (England) Order 2015 (along with kiosks on the pavement outside nos. 105 and 196-199 Tottenham Court Road).

- 3.16 However, there is no evidence in the application submission that any consideration has been given to the local aims and objectives of either the Fitzrovia Area Action Plan or the West End Project, nor has any attempt been made to integrate the Council's wider highway, urban realm and landscape proposals into the proposals. As an adopted Area Action Plan, the aims and objectives of the Fitzrovia Area Action Plan are closely associated with the Camden Local Plan and have equal weight to Local Plan policies. As such, the proposal is at odds with the broader, integrated approach of the Council to improve and rationalise the public realm throughout the Borough, and is contrary to its objectives which, amongst other aims, seeks to enhance the visual appearance of the streetscene and declutter pedestrian footways, rather than add additional street clutter. In this regard, the proposal would fail to adhere to Local Plan Policy D1 (Design) and CPG Design, Part 3 (Vision and objectives) of the Fitzrovia Area Action Plan, as well, as the core design principles as set out in Section 12 of the NPPF.
- 3.17 There are also 2 existing telephone kiosks located within approximately 45m of the application site (x1 located across the road to the east outside no.191 and x1 outside no.90 to the north-west) in addition to the kiosk located at the site and which is proposed to be replaced. No justification has been submitted for the need to install a new, replacement kiosk. The proposal would therefore be contrary to the guidance of the NPPF which aims to keep telecommunication sites to a minimum and encourages applicants to explore shared facilities rather than adding additional clutter.
- 3.18 Policy A1 (Managing the impact of development) 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.
- 3.19 While it is acknowledged that the proposal would include public facilities, such as, a defibrillator, free Wi-Fi, possible free phone calls landlines and charities, wayfinding, device charging, public messaging capabilities and CCTV, there is no evidence that these facilities can only be provided on a kiosk of the proposed scale and with the inclusion of a large digital panel. It is also noted more generally, that as a result of the ongoing Covid-19 outbreak, many facilities such as public wayfinding facilities have been switched off and are unlikely to be used in the same way, so limiting the likely usage and benefit.
- 3.20 Furthermore, no evidence has been provided as to how these types of facilities might be appropriately and safely used under current circumstances, especially given the prevalence of personal mobile phone ownership which already provides many of the facilities proposed. Moreover, no details have been provided on the location of existing wayfinding or defibrillator coverage in the area or any consideration for whether there might already be scope for providing public messaging capabilities in some better way, for instance, on existing bus shelters within the street. It is also noted that public phone charging facilities of the type proposed can encourage anti-social behaviour (see also Section 5 below, 'Anti-Social Behaviour').
- 3.21 Therefore, while due consideration has been given to any potential public benefit of the proposals, any such benefit is not considered to outweigh the harm caused to the character and

appearance of the streetscene, public safety, the loss of footway and the impact on the public realm for the reasons as stated above (see also Section 4 below, 'Highways/Footpath Width').

- 3.22 Overall therefore, the proposed introduction of a replacement telephone kiosk would be at odds with and contrary to the aims of the West End Project and the Fitzrovia Area Plan, especially given the lack of justification for its siting. Policy D7 (Public Realm) of the New London Plan states in regard to this kind of development that, '*Applications which seek to introduce unnecessary street furniture should normally be refused*'. In addition to concerns about the infrequent use of telephone kiosks due to the prevalence of mobile phone use and the lack of justification for its siting, it is considered that the proposed telephone kiosk would act mainly as a hindrance to pedestrian movement and add further clutter to the streetscene and wider Fitzrovia Neighbourhood Area, rather than providing a demonstrable public service for the benefit of highways users.
- 3.23 As such, the proposal is considered to be contrary to Local Plan Policy A1 and the aims of both the West End Project and Fitzrovia Area Action Plan, and Policy D7 of the New London Plan.

4. Highways/footpath width

- 4.1 While it is recognised that there is an existing kiosk located already sited in close proximity to the application site, and that the removal of redundant kiosks such as this are welcomed, planning permission is now required for its replacement and the Council must consider fully the impact of the addition.
- 4.2 Policy D7 (Public Realm) of the New London Plan (Intend to publish) states in regard to development proposals that '*Applications which seek to introduce unnecessary street furniture should normally be refused*'.
- 4.3 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.
- 4.4 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.
- 4.5 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.
- 4.6 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.

- 4.7 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.
- 4.8 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.
- 4.9 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 and cycle accessibility and minimising journey times making sites 'permeable';
 - Providing stretches of continuous footways without unnecessary crossings;
 - Making it easy to cross where vulnerable road users interact with motor vehicles;
 - Linking to, maintaining, extending and improving the network of pedestrian and cycle routes;
 - Taking account of surrounding context and character of the area;
 - Providing a high quality environment in terms of appearance, design and construction, considering Conservation Areas and other heritage assets;
 - Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed, e.g. by footway parking or by unnecessary street furniture; and
 - Having due regard to design guidance set out in the Camden Streetscape Design Manual, TfL's London Cycling Design Standards, TfL's Pedestrian Comfort Level Guidance and TfL's Healthy Street Indicators.
- 4.10 Paragraphs 7.41 and 7.42 of CPG Design provide guidance on telephone boxes and kiosks. Paragraph 7.41 states that *'In all cases the Council will request that the provider demonstrates the need for the siting of the new facility. We will consider whether kiosks add to or create street clutter, particularly if there are existing phone kiosks in the vicinity'*. Paragraph 7.42 states that *'All new phone boxes should have a limited impact on the sightlines from or of the footway and should not hamper pedestrian movement. The size of the structure that the phone box is in should be minimised to limit its impact on the streetscene and to decrease the opportunities for crime and anti-social behaviour'*.
- 4.11 This is supported by Policy C5 (Safety and security) of the Camden Local Plan which requires development to contribute to community safety and security. In particular, Paragraph 4.89 states that *'The design of streets, public areas and the spaces between buildings needs to be accessible, safe and uncluttered. Careful consideration needs to be given to the design and location of any street furniture or equipment in order to ensure that they do not obscure public views or create spaces that would encourage antisocial behaviour'*.
- 4.12 The site is located on Tottenham Court Road (A400) which forms part of the strategic road network (SRN) and is located in a high footfall area in Central London near Goodge Street and Warren Street stations (both London Underground). This is a busy road for both vehicular and pedestrian traffic. Pedestrian volumes are extremely high in this location and are forecast to increase significantly when Crossrail services become operational (forecast for 2022). The footway is characterised by a defined street furniture zone at the kerbside. This is already cluttered by the presence of an existing phone kiosk, a large retail kiosk, a freestanding digital advertising panel,

cycle racks, street signage and a street food market nearby to the south. A pedestrian crossing is located approximately 12 metres south of the site.

- 4.13 Appendix B of 'Pedestrian Comfort Guidance for London (published by Transport for London)' indicates that footways in high flow areas such as this should be at least 5.3 metres wide with a minimum effective footway width of 3.3 metres. The proposed site plan indicates that the footway width is 8.7 metres wide, and with the proposed telephone kiosk, the remaining footway would be 6.8 metres. It is acknowledged that the footway is wider than the minimum recommended width; however, the loss of any available footway space is considered to be unacceptable given that pedestrian footfall is exceptionally high at this location and is predicted to increase significantly with ongoing economic growth in Central London and High Speed Two (HS2) currently under construction (and forecast to become operational in 2022).
- 4.14 Though none of the existing bulky items of street furniture significantly obstruct the main pedestrian desire line along this part of the footway, the proposal would do nothing to improve matters beyond a marginal reduction in width of available footway. Indeed, the proposal would simply re-introduce another significant physical and visual obstruction to an already highly cluttered pedestrian environment, so failing to improve the pedestrian environment at the site. This is considered to be unacceptable in such a high footfall location in Central London (arguably the highest footfall in the Borough).
- 4.15 Similar to the existing telephone kiosk proposed to be removed, the proposed kiosk would also obscure sightlines along the footway. However, it is noted that the existing kiosk is largely made of glass and is therefore provides some degree of transparency or permeability along the footway for pedestrians which the proposed solid kiosk would not allow. The proposed kiosk would therefore worsen the situation at the site by obscuring sightlines along the footway and would therefore constitute an unnecessary obstruction or hazard to pedestrians.
- 4.16 Observations on site by the Planning Officer indicate that pedestrians cross the road at this location, even though dedicated pedestrian crossing facilities are located 12 metres to the south of the site. In this regard, the proposal represents a similar situation to 2 similar applications on the pavement outside Euston Tower on west side of Hampstead Road (See Appendix 2 - Appeal decision refs. APP/X5210/W/18/3195366 and 3195365). The Planning Inspector in dismissing those appeals noted that *'The kiosk would impinge here into a clear area uncluttered by any street furniture, which has been sensitively designed. As such it would spoil this uncluttered design by introducing a prominent feature that would look out of place.'* The Inspector also concluded that *'A kiosk here would not significantly interfere with pedestrian flows. But the site is close to the pedestrian crossing on Hampstead Road and I noticed that people also cross the road here. The depth and height of the kiosk would interfere with pedestrians' visibility of traffic travelling north at this point, which in my view would present a needless hazard.'* The appeal site context in the above case is considered to be markedly similar to the proposal and therefore recommended for refusal on the same grounds.
- 4.17 Furthermore, the proposed telephone kiosk would be orientated perpendicular to the kerbside on Tottenham Court Road. This could lead to distractions for road users approaching the rear of the kiosk from the south who would face the proposed illuminated display panel before immediately facing the existing freestanding digital panel sign which is located no more than 5 metres away to the north of the application site (see also Paragraphs 6.15-6.22 below, 'Public Safety').
- 4.18 Overall therefore, the proposed telephone kiosk would have a significant harmful impact on pedestrian amenity, comfort and safety, and as such, is considered to be contrary to Local Plan policies A1 and T1 and the above related guidance.

5. Anti-social behaviour

- 5.1 In regard 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). Specifically, in relation to the locations of the kiosks around Camden, there is a common theme among the crime statistics; all these areas have a major issue with street crime and in particular ASB, pickpocketing and theft from person. They are also recognised as being areas of significant footfall with both commuters, local residents and numerous tourists, similar to the application site.

- 5.2 While the Metropolitan Police Crime Prevention Design Advisor noted some design revisions to the kiosk made prior to the submission of the application (for instance, removal of charging shelf, reduction in depth of the canopy, angled design to defibrillator housing, inclusion of a management plan and prevention of free calls), there is still concern that the design of the proposed kiosk would not sufficiently reduce the risk of the types of crime listed above from occurring. Due to the openness of the kiosk, any mobile phones on display at this location (either in hand or on charge) would be vulnerable to the opportunist phone snatch. The close proximity of the site to the carriageway, would also increase the opportunity of this form of crime being carried out by moped or bicycle from the roadside. Furthermore, the large façade created as a result of the advertising screen would provide the opportunity for concealment and so increase the potential risk of theft and assault.
- 5.3 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, as well as, providing a potential opportunity for an offender to loiter. This would increase opportunities for crime and the fear of crime taking place in an area which already experiences issues with crime.
- 5.4 Whilst a maintenance strategy is proposed, it is not considered sufficient to address the fact that ASB would be encouraged by the design of the kiosk itself. In an Appeal decision ref: APP/X5210/W/20/3253878 and 3253540) the Inspector noted *'the appellants' proposed maintenance regime would be likely to reduce the effects of such ASB. However, the form of the structure provides a degree of screening for such behaviour and would be likely to encourage it'*.
- 5.5 As such, and for the reasons set-out above, the proposal is considered to be contrary to Policies D1 and C5 (Safety and security), and CPG Design.

6. Advertisement

- 6.1 Advertisement consent is sought for a proposed integrated digital advertising panel on the rear elevation of the structure (facing southwards). The screen would measure 0.935m (W) x 1.67m (H) with a visible display area of 1.5sqm.
- 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 Section 12 (Achieving well-designed places) of the NPPF states in Paragraph 136 that *'The quality and character of places can suffer when advertisements are poorly sited and designed'*.
- 6.4 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'*.
- 6.5 Local Plan 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).

- 6.6 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.
- 6.7 While it is recognised that the proposed integrated digital advertising panel would be displayed on a replacement kiosk, the inclusion of the panel would introduce illuminated digital advertising, which by design is a more visually prominent and attention grabbing form of display than, say, a traditional 6-sheet advertising panel, by virtue of its method of illumination and image transition. The provision of a large digital screen would therefore add noticeable, visual clutter by virtue of its size (along with its' location, prominence and method of illumination) to this busy stretch of pavement on Tottenham Court Road, resulting in an incongruous addition which would be harmful to the character and appearance of the area and contribute to the degradation of visual amenity within the streetscene and wider Fitzrovia East Neighbourhood Area.
- 6.8 As referred to above, the Planning Inspector noted in a recent appeal decision (Ref: APP/X5210/W/20/3254037 and 3252962 – see Appendix 3) in relation to a phone kiosk of a marginal smaller scale, but with a similar design approach, that *'The visual impact of the kiosk would be increased by the large illuminated advertising panel, which would be a dominating feature on the structure. The panel, close to the kerbline, would be a prominent standalone illuminated feature. The panel would be unrelated to the services provided by the adjacent commercial units and would appear prominent in views along the street both during the day and in hours of darkness'*. The application is recommended for refusal on similar grounds.
- 6.9 In terms of the proposed screen's luminance level, the supporting cover letter and conditions document confirm that this would not exceed 300 cd/sqm during the hours between dusk and dawn; however, the application form states that the level would be 600 cd/sqm. This is contradictory. It's also not clear what the maximum luminance level would actually be during daylight hours. Nevertheless, while it is accepted that all advertisements are intended to attract attention and that certain aspects of the display can be controlled by condition should consent be granted (such as, luminance levels, transition, sequencing, etc.), the addition of an illuminated digital advertisement in this location would significantly raise the prominence of the proposed piece of street furniture, especially given that the screen is proposed to be active throughout the majority of any 24 hour period, 7 days a week.
- 6.10 In this regard, it is noted in 4 appeals for comparable illuminated digital advertisement displays (see Appendix 6 attached) dated 22nd May 2018 (Ref: APP/H5390/Z/17/3192478 (Appeal B); APP/H5390/Z/17/3192472 (Appeal B); APP/H5390/Z/17/3192470 (Appeal B); APP/H5390/Z/17/3188471 (Appeal B), the Planning Inspector commented that while the luminance level and rate of image transition could be controlled by condition, the appeal proposal would nevertheless create an isolated and discordant feature. In each case, the display of a sequential series of static digital images was considered to be conspicuous and eye-catching, and as such, would have a harmful effect upon visual amenity.
- 6.11 The applicant argues generally in the supporting cover letter that the proposal is not intended to introduce an excess of apparatus into the streetscene; however, this argument appears to overlook the cumulative effect that additional digital advertising can have in a particular location. The application site is already cluttered by the presence of an existing phone kiosk, a large retail kiosk, cycle racks, street signage and traffic signage associated with a pedestrian crossing - all within close proximity to the site. Most notably in regard to advertisements, a freestanding digital advertising panel already exists within a few metres of the proposed sign on the same side of the road to the north (see Images 5 and 6 above).
- 6.12 The introduction of another illuminated digital advertisement display panel sited in this location and within close proximity to each other would therefore not only worsen the current situation by introducing more prominent, additional visual and physical clutter, but also by contributing to the

over proliferation of signage in this location. Local Plan Policy D4 (Advertisements) states that the Council will resist advertisements that *'contribute to an unsightly proliferation of signage in the area and contribute to street clutter in the public realm'*.

- 6.13 Overall therefore, the introduction of the screen would appear as an incongruous and dominant illuminated feature in this location, severely degrading the visual amenity of the area and streetscene and wider Fitzrovia East Neighbourhood Area, through the creation of visual clutter, as well as, contributing to the over proliferation of illuminated signage in this location. As such, the proposal fails to adhere to Section 12 of the NPPF, and Local Plan Policies D1 (Design) and D4 (Advertisements), and Part 3 (Vision and objectives) of the Fitzrovia Area Action Plan 2014 in this regard.
- 6.14 Should the application be recommended for approval, conditions to control the brightness, orientation and frequency of the displays, and to prevent any moving displays, would be required to be attached to any consent.

Public Safety

- 6.15 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.
- 6.16 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'*.
- 6.17 While it is accepted that all advertisements are intended to attract attention, illuminated advertisements are more likely to distract pedestrians and 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.



Image 7 – showing proximity of application site to pedestrian crossing and traffic signal controlled junction of Tottenham Court Road and Torrington Place (looking southwards)

- 6.18 Appendix A of the 'Guidance for Digital Roadside Advertising and Proposed Best Practice' (commissioned by Transport for London in March 2013) advises that digital advertisement panels will not normally be permitted if proposed to be installed within 20m of a pedestrian crossing, either on the approach or the exit.
- 6.19 The proposed digital advertising sign would be located within approximately 12m of a busy pedestrian crossing and traffic controlled signals to the south (see Image 7 above), and as such, would introduce a distraction to pedestrians using the crossing given the close proximity of both in relation to each other. The proposal would also lead to a distraction for road users given the orientation of the proposed digital panel, particularly those approaching from the south along Tottenham Court Road and those turning right (north) into Tottenham Court Road from the junction in Torrington Place (as seen in Image 7 above).
- 6.20 It is also noted in Section 4.3 of TfL's 'Guidance for Digital Roadside Advertising and Proposed Best Practice' that *'drivers should only see the details of a roadside digital advertisement of one screen, or a pair of synchronised screens, at a time. This is to ensure that multiple images do not change at different times, which can add to driver distraction.'* There is already an existing freestanding digital sign in situ within a couple of metres of the proposed kiosk sign (see Images 5 and 6 above). Given that both signs would be under different ownership and with images most likely changing at different times, the uncoordinated transition of images for both signs in combination would have an adverse cumulative impact on vehicular traffic approaching from the south along Tottenham Court Road by virtue of the resultant distraction introduced to road users.
- 6.21 CPG Advertisements in Paragraph 1.10 advises that, *'Advertisements will not be considered acceptable where they impact upon public safety, such as being hazardous to vehicular traffic (e.g. block sight lines, are more visible than traffic signals, emit glare) or pedestrian traffic (e.g. disrupt the free flow of pedestrian movement).'*
- 6.22 The proposal therefore raises public safety concern to road users approaching from the south due to the combined effect of unsynchronised image transition of both the existing and proposed digital advertising signs operating in close proximity to each other, as well as, the proximity of the proposed display panel to a busy pedestrian crossing and traffic signal controlled junction. As such, the proposal is contrary to the above TfL guidance and Local Plan Policies A1 (Managing the Impact of Development), D4 (Advertisements) and T1 (Prioritising walking, cycling and public transport), and related planning guidance.

7. Conclusion

- 7.1 The proposal would result in unacceptable street clutter and contribute to an over proliferation of illuminated signage, harmful to the character and appearance of the streetscape and to the detriment of pedestrian flows, as well as, creating issues with safe pedestrian movement. The advertisement would also serve to harm the visual amenities of the area and cause harm to highway and public safety. The proposal is therefore considered to be unacceptable and contrary to 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 or replacement kiosk. This agreement would also secure controls to ensure that any new or replacement kiosk is well maintained and that the advertisement is only in place whilst the telephone element is in operation.

8. Recommendation

Refuse planning permission

- 8.1 The proposed telephone kiosk, by reason of its location, size and detailed design, would add to visual clutter and detract from the character and appearance of the streetscene and Fitzrovia East Neighbourhood Area, contrary to Policy D1 (Design) of the London Borough of Camden Local Plan 2017 and Part 3 (Vision and objectives) of the Fitzrovia Area Action Plan 2014.
- 8.2 The proposed telephone kiosk, by virtue of its location, size and detailed design, adding to 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) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.
- 8.3 The proposed telephone kiosk, by reason of its scale, location and design would add unnecessary street clutter which would increase opportunities for crime in an area which already experiences issues with crime, therefore the proposal would be contrary to Policy C5 (Safety and security) of the London Borough of Camden Local Plan 2017.
- 8.4 In absence of a legal agreement to secure the removal of the existing kiosks and an agreed maintenance plan for 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 and Fitzrovia East Neighbourhood Area, contrary to Policies D1 (Design), G1 (Delivery and location of growth), A1 (Managing the impact of development) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

Refuse advertisement consent

- 8.5 The proposed advertisement, by virtue of its location, scale, prominence and method of illumination, would add visual clutter and contribute to an over proliferation of illuminated signage, detrimental to the amenity of the streetscene and Fitzrovia East Neighbourhood Area, contrary to Policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017 and Part 3 (Vision and objectives) of the Fitzrovia Area Action Plan 2014.
- 8.6 The proposed advertisement, by virtue of its location, scale, prominence, and method of illumination, would in combination with an existing freestanding digital display panel, introduce a distraction to traffic and pedestrians, causing harm to highway and public safety, contrary to Transport for London guidance, and to Policies A1 (Managing the Impact of Development), D4 (Advertisements) and T1 (Prioritising walking, cycling and public transport) of the Camden Local Plan 2017.

List of Appendices

Appendix 1: List of recent planning decisions and appeals

Appendix 2: List of recent planning appeal decisions (x13 in total) dated 18/09/2018

Appendix 3: List of recent planning appeal decision 3254037 & 3252962 dated 16/10/2020

Appendix 4: List of recent planning appeal decision 3253878 & 3253540 dated 16/10/2020

Appendix 5: List of recent planning appeal decisions (x18 in total – x16 dismissed) dated November 2020