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7<sup>th</sup> January 2022

The Planning Inspectorate  
Temple Quay House  
The Square  
Temple Quay  
Bristol BS1 6PN

Our Ref A01595-A01609

Dear Sir/Madam,

Town and Country Planning Act 1990  
Town and Country Planning (Control of Advertisements)  
(England) Regulations 2007

Re: The Installation of a Network of 15 Communication Hubs in the  
London Borough of Camden  
Appeal Sites:

1	<b>371 EUSTON ROAD BLOOMSBURY</b>	<b>NW1 3AR</b>
2	<b>81 TOTTENHAM COURT ROAD BLOOMSBURY</b>	<b>W1T 4SZ</b>
3	<b>148 HOLBORN – HOLBORN AND COVENT GARDEN</b>	<b>EC1N 2NS</b>
4	<b>29 TOTTENHAM COURT ROAD BLOOMSBURY</b>	<b>W1T 7QP</b>
5	<b>71 HIGH HOLBORN - HOLBORN AND COVENT GARDEN</b>	<b>WC1V 6AL</b>
6	<b>SHAFTESBURY AVENUE c/o EARLHAM STREET AND HOLBORN</b>	<b>WC2H 8JA</b>
7	<b>141 EUSTON ROAD KING'S CROSS</b>	<b>WC1H 9AA</b>
8	<b>22 MELTON STREET REGENT'S PARK</b>	<b>NW1 2BT</b>
9	<b>221 CAMDEN HIGH STREET WITH PRIMROSE HILL</b>	<b>NW1 7HG</b>
10	<b>191 TOTTENHAM COURT ROAD BLOOMSBURY</b>	<b>W1T 7AA</b>
11	<b>106 SOUTHAMPTON ROW HOLBORN AND COVENT GARDEN</b>	<b>WC1B 5AB</b>
12	<b>72 RUSSELL SQUARE HOLBORN AND COVENT GARDEN</b>	<b>WC1B 5BA</b>
13	<b>65 ST GILES HIGH STREET HOLBORN AND COVENT GARDEN</b>	<b>WC2H 8JL</b>
14	<b>110-124 THEOBALDS ROAD HOLBORN AND COVENT GARDEN</b>	<b>WC1X 8RX</b>
15	<b>58 KINGSWAY HOLBORN AND COVENT GARDEN</b>	<b>WC2B 6EP</b>

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This document sets out the appeal grounds for a series of joint appeals made under section 78 of the above Act (as amended) and Regulation 17 of the above Regulations. The appeals are against the decisions of the London Borough of Camden as Local Planning Authority (LPA) to refuse planning permission (PP) and advertisement consent (AC) to replace and update 28 existing telephone boxes in the Borough with 15 modern multifunctioning communication Hubs.

The appeal site addresses are listed above and plotted on a plan of the Borough and appended to the application at **Appendix JCD 3**. The nature of the Proposal is outlined in the covering letter which provides the detail of the scheme and relevant background information.

## **1.0 Proposal Summary**

- 1.1** This Proposal has developed over several years and was initially presented to the LPA in December 2019 and then, on the Council's suggestion, formalized through a Pre-App submission in January 2020. Since 2017 when the Appellant acquired the Company Infocus Networks it has sought to redefine the perception of the ubiquitous single function telephone box with a modern multifunctional iteration that provides more to the public than voice calls alone. The Hub Unit includes a range of functions and facilities that benefit the public through, amongst other things, free calls to landlines, free internet connection, an accessible defibrillator, wayfinding, emergency calling etc., all funded by the revenue from the advertisement affixed to the reverse of the unit. Over the last 18months the Appellant Company has been replacing the Infocus boxes with Hub Units in main UK cities such as Manchester, Birmingham, Cardiff, Leeds and Newcastle and on the back of the success in the Regional cities is now looking to extend the network to London.
  
- 1.2** The Proposal for Camden and other London Boroughs where the Company has an existing provision is to rationalize and permanently remove the old-style boxes with a fewer number of the modern Hubs. In Camden this means the removal of 28 boxes that comprise the entire Infocus estate and the installation of 15 Hub units. All the Hubs will be positioned on the footprint of an existing telephone box, which equals no more than 1/3rd of the pavement space currently occupied by the enclosed structure. This reduction in footprint required to accommodate the Hub unit, together with the 13 boxes being removed, will be beneficial to the aim of decluttering the street and replacing the tired structures with high quality multifunctional equipment. The Borough plans showing the distribution of the existing telephone boxes that will be permanently removed and the proposed replacement network is at **Appendix JCD 2 and JCD 3**.

## 2.0 Applications and Decisions

2.1 The LPA's response to the Pre-App was issued in July 2020 and made several suggestions and comments on the scheme<sup>A</sup>, which was subsequently amended to form the basis of the current Proposal. The application covering letter outlines the actions and changes that were made to the Proposal to address the comments in the LPA's Pre-App response. The applications were submitted on the 30th April 2021 through the Planning Portal and comprised ten numbered Appendices with the prefix JCD and a covering letter/statement. To date, almost 8 months since submission, decisions have been issued on 10 of the 15 application sites and all have been refused. The issued decisions are on the following Sites;

Site 1 371 Euston Road	dated 21 <sup>st</sup> December 2021
Site 2 81 Tottenham Court Road	dated 18 <sup>th</sup> November 2021
Site 4 29 Tottenham Court Road	dated 18 <sup>th</sup> November 2021
Site 5 71 High Holborn	dated 21 <sup>st</sup> December 2021
Site 6 Shaftsbury Avenue	dated 22 <sup>nd</sup> November 2021
Site 7 141 Euston Road	dated 20 <sup>th</sup> December 2021
Site 8 22 Melton Street	dated 20 <sup>th</sup> December 2021
Site 9 221 Camden High Street	dated 20 <sup>th</sup> December 2021
Site 10 191 Tottenham Court Road	dated 18 <sup>th</sup> November 2021
Site 11 100 Southampton Row	dated 23 <sup>rd</sup> December 2021

2.2 In light of the limitation on the advertisement appeal timescales, these appeals are submitted now (although they represent an incomplete set) to fall within the 8-week deadline. Should further refusals be issued for the remaining sites, they will be covered in future appeal submissions.

2.3 Each application has been refused, in the case of the applications for planning permission, save for individual reference to impact on a particular heritage asset, the decisions are almost identically worded and state that:

- 1. The proposed telephone kiosk, by reason of its location, size and design, would add to visual clutter and detract from the character and appearance of the streetscene, contrary to policy D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.*
- 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,*

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<sup>A</sup> App JCD 1A and 1B

*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.*

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.*
4. *In absence of a legal agreement to secure the removal of the existing kiosk and others in the vicinity and a maintenance plan, 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.*

2.4 As to the decisions on the applications for advertisement consent for the 10 Sites, they too are in very similar or identical form. All assert amenity harm and state that;

1. *The proposed advertisement, by virtue of its location, scale, prominence, and method of illumination, would add visual clutter, detrimental to the amenity of the streetscene...contrary to policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017.*

2.5 The decisions for Sites 2, 4, 9 and 10 also cite safety reasons for refusal as follows;

2. *The proposed advertisement, by virtue of its location, scale, prominence, and method of illumination, would 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*

2.6 The decisions for Sites 2, 4 and 10 refer to the impact upon the Fitzrovia conservation area; for Sites 5 and 11 to impact upon Bloomsbury conservation area and the Camden Town conservation area for Site 9. The decisions for Sites 7, 8, 10 and 11 also cite harm to the setting of a Listed Building. In respect of Site 8 outside 22 Melton Street, the decision notice, refers to the site falling within the defined development area of HS2 around Euston Station. It is accepted that the proposal for this site, which predated the commencement of the HS2 works, is no longer viable and therefore this site and the issued decisions are not subject to appeal.

2.7 Contrary to the assertion within each decision notice, the LPA has not sought to work with the Appellant in a “positive and proactive way” on this scheme. Rather, it has demonstrated a complete reluctance to engage with the Appellant during the application stage. Despite several requests to do so, there has been no dialogue during this process nor any request for information or clarification from the submission of the applications in April until the issuance of the decision notices in November and December. The Appellant pursued the Pre-APP route in order to apprise the LPA of its plans and Proposal in an open manner and to identify and resolve issues at the earliest stage, as recommended in guidance<sup>B</sup>. In light of the LPA’s comments the Proposal was considerably altered in extent, from 21 to 15 Hub units, which represented a 46% reduction in the estate, and in the unit design to match the scale of structure advocated and used by the Council for its own roadside advertising estate<sup>C</sup>. The period between the Pre-App and application submission included extensive dialogue with the Metropolitan Police in order to address the very real concerns over the potential misuse of the Hub units, and to formulate a workable management plan<sup>D</sup>.

### 3.0 Appeal Grounds and Justification

3.1 Considering the circumstances and background to this Proposal and having read the decision notices and the available Officer Reports, the Appellant considers that there are reasonable grounds to appeal the decisions.

3.2 The nature of the proposed development covers both Planning and Advertisement control, which are separate and different regimes in several key respects. The provisions of the Advertisement Regulations confine and define material factors to matter of amenity and safety, whereas the provisions of the Development Plan take precedent in the consideration of the planning merits for the replacement of the communication apparatus. There is of course a large degree of overlap and to avoid unnecessary duplication these appeal grounds will address the general points raised in both sets of decision notices that apply to all proposals and individually where an issue is site specific. Whereas the application appendices are numbered with the prefix JCD, the appeal appendices are alphabetized but retain the prefix JCD.

### Character, Appearance and Visual Clutter

3.3 Each of the Hub units will replace an item of street furniture on the exact footprint of the existing enclosed telephone box, which has in each case existed for more than ten

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<sup>B</sup> NPPF July 21 Para 39-42

<sup>C</sup> App JCD 6

<sup>D</sup> App JCD 5

years without incident or suggestion of distraction or obstruction. Each location shares the same or very similar context of a busy road frontage where retail and commercial activity is the primary and dominant use. All sites adjoin busy bus routes that are well trafficked, well lit and active throughout the day and much of the night. None of the sites are quiet side streets or located within residential areas, they are, in fact, locations where this form of apparatus is often to be found, where its functions are most likely to be used and is a form of development common to main streets in urban centres.

- 3.4** On the suggestion of “clutter” which is interpreted to mean an excess of something, in this case an item of street furniture, it should be noted that in each case the proposed unit is *replacing* an existing structure, not adding to the amount of furniture on street. Furthermore, this replacement is not undertaken on a like for like basis, but is replacing a larger, monofunctional structure with a smaller, high specification unit that includes all the additional public benefits outlined above and in the application submission<sup>E</sup>. The below images are of Site 1 and illustrates the difference in scale between the existing and proposed Hub unit in the context of the street.



- 3.5** The main consideration as to the impact of an advertisement on amenity is the likely effect displays would have on the locality. In these cases, the advertisements form an integral part of the Hub unit with the size of the advertisement designed around the proportions of the structure. Policy guidance requires that regard is to be had to the general characteristics of an area where an advertisement is to be sited and is generally supportive of advertising within retail and/or commercial settings where advertising contributes to vitality without harming character or amenity. As all the appeal Sites comprise existing structures either within or close to conservation areas, it is nevertheless a vibrant part of that area and it is not unreasonable to assume that

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<sup>E</sup> App JCD 4

illuminated displays, within this setting, are not by and of themselves harmful to the character and appearance of the area. Other forms of illuminated displays and active frontages are in fact a characteristic and attraction of the street.

- 3.6** Any new advertisement display needs to be sited with sensitivity to respect their surroundings particularly when the setting has historic significance. Respect for heritage does not however equate to a prohibition on development. Areas are subject to change and able to evolve and adapt without loss of character or degradation in appearance, provided development is sensitive to context and sets the highest standards of design. Three of the nine appeal proposals relate to existing sites on Tottenham Court Road, two of which are also located within a defined conservation area. Such designation does not mean that the locations are unsuitable for advertising or telephony apparatus. The defining factor concerns the character of the area, which is influenced by its appearance and the activities carried out therein.
- 3.7** Some of the busiest retail streets in London also happen to fall within conservation areas, where the character is defined by the vibrant commercial activities people see on street. On roads such as Oxford Street or Tottenham Court Road, which are synonymous with retailing, the active street presentation is visually stimulating in order to be attractive to shoppers. Whether part or all of a street falls within a defined conservation area or not, the prevailing character would apply for the extent of the concurrent activity. There can be no arbitrary imaginary line that serves to delineate conservation area and non-conservation area if the character of the street remains constant and common in both.
- 3.8** To illustrate this point, I refer to similar forms of modern interventions that exist within the same visual context as the application Sites on Tottenham Court Road, where the suitability of this form of modern development was considered acceptable to the context, notwithstanding the relationship to a conservation area. At **Appendix JCD A-D** are consents for double sided freestanding advertisement displays permitted in 2018 on Tottenham Court Road. The officers report in those cases describes in detail the local area and in general the character of Tottenham Court Road, which, notwithstanding the proximity to conservation areas, *'...has a predominantly commercial character, with a diverse range of shops and food establishments and associated signage, including illumination'*. As such it was concluded that the installation of modern freestanding structures, each featuring two digital advertisements would not have a detrimental impact on the appearance or character of the road. It is worth noting that the telephone boxes that exist at appeal Sites 2 and

4 can clearly be seen in the images in reports at **JCD A and B** and recognised as existing features of the street. In light, or despite, of the existence of other furniture nearby, the advertised structures were permitted without any suggestion of clutter or harm to the character of the street. It is submitted that it is not credible or accepted that the appeal Sites on Tottenham Court Road, or indeed the other six Sites, are inappropriate locations for this form of advertised structure.

### Location, Size and Unit Design

- 3.9 In light of the above comments, it is the Appellant's view that the locations for the Hub units are suitable in planning terms and represent an improvement on the pre-existing position. In addition to the location acceptability, it is also considered that the size and design of the unit is appropriate for the roadside environment. As mentioned earlier, the unit design evolved over time through discussions with the Metropolitan Police and in response to the Pre-App comments of the LPA. The earlier version of the Hub Unit was considerably taller and wider than the current appeal proposal and was a redesigned example of the freestanding advertised units designed by Martin Szekely, which existed throughout the Borough.

Szekely Design

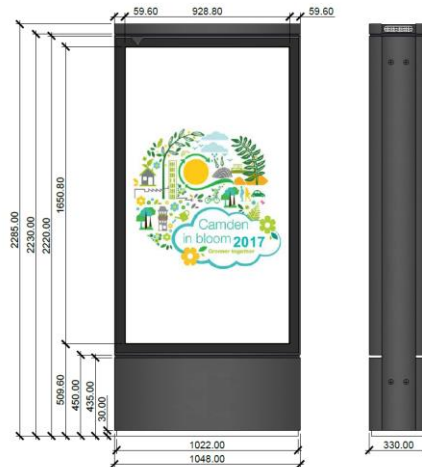


- 3.10 Inspiration for the revised look and scale of the Hub unit was in large part influenced by the Council's adopted design for roadside advertised units, which had been permitted in various locations across the Borough<sup>F</sup>, which are the type and size of structure referenced in **JCD A-D**. This size of unit provides a display screen of approximately 1.5m<sup>2</sup> in a structure that is approximately 1m wide with a slender side profile, as illustrated below.

<sup>F</sup> App JCD E



## LB Camden Design



- 3.11 The Hub unit differs in that it features only a single display screen on the reverse of the communication interface and is marginally wider to accommodate the apparatus and touchscreen functions on the front of the unit, as also illustrated below.

## JCD Hub Unit Design



- 3.12 The amenity and visual benefits of this reduced scale of display unit, which is smaller than the standard 6 sheet bus shelter advertisement, is recognised in the Officer reports at **JCD A-D** where, as in the current appeals, a larger item of street furniture is being replaced by a smaller unit. The report at **JCD A** states that;

*“The proposal would also result in a reduction in the overall footprint when compared to the existing unit, resulting in a more slender appearance... and as it would replace an existing advertisement unit, there would be no cumulative increase in signage. As such, it is considered that the proposed panel would be of a scale and size that respects, and is appropriate to, its setting, and would not be considered harmful to the streetscene.”*

- 3.13** The same conclusions hold true for the proposals at each appeal site whereby a larger, outdated and unattractive telephone box is replaced with a modern multi-functional unit that is smaller than the structure it replaces and provides greater functionality for Borough residents and visitors alike. The look of the Hub unit, in terms of external finish and colour, is simple in conception and designed to meld into the street without harming views or dominating its surroundings. Again, for consistency I would refer to the reports of the Council’s own advertised units on Tottenham Court Road, which inspired the Hub design, when considering the relative impact on the appearance and character of the street. In the one case the design is recognised to be more modern, but by reason of its design, its reduced footprint and the quality of materials, is considered to accord with policy and not appear as an intrusive feature of the street<sup>6</sup>. By perverse contrast the officer reports for the appeal site proposals draw a contrary view and determine that by virtue of “location, size and design” that the proposals would be detrimental to amenity and harmful to character and appearance even though they ostensibly relate to the same size of unit within the same visual context. This places a premium of form over substance and is inequitable on any reasonable analysis.
- 3.14** It is accepted as a fundamental tenet of Planning that each case is judge on its own merit, but of equal importance is the need to be consistent in the application of policy and assessment of harm. The Appellant’s view is that the earlier conclusions proffered in 2018 is correct and applies equally to the current appeal proposals. It is submitted therefore that the Hub units complement their surroundings rather than appear out of place within the predominant commercial settings found at each Site. In both size and design the Hub unit, as a replacement of a pre-existing telephone box, is a beneficial, sympathetic and acceptable addition to the street.
- 3.15** Also mentioned within the advertisement decision notice is a reference to the method of illumination and how this is also found to be harmful to the amenity of the street, a view the Appellant entirely rejects. The single advertising display is an LCD screen,

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<sup>6</sup> App JCD A page 12, App JCD B page 11, App JCD C page 12, App JCD D page 11

the same type and manner of display as other screens found on Camden streets as free standing units or affixed to other items of street furniture. The luminance level of the display screen is tightly controlled and programmed to ensure it does not appear overly bright within the ambient lit environment where it is installed. It is the case that each appeal Site is located alongside well-lit main thoroughfares within an urban setting and, in most cases, surrounded by brightly lit shop fronts and glass facades. Each screen would comply with the recommendations of the Institute of Lighting Professionals (ILP), which can be effectively controlled through conditions.

- 3.16** Suggested conditions in **Appendix JCD 9** included a maximum night-time brightness of 300Cdm<sup>2</sup> (condition 8) and a switch off period between 11:59 p.m. and 6:00 a.m. (condition 11), when no advertisements will be shown. These suggested measures are more restrictive than the LPA has previously permitted for similarly proposals where the luminance is allowed at 400Cdm<sup>2</sup> and on 24 hour operation<sup>H</sup>. The type and level of luminance is something that can and is controlled through conditions and it is clear from other decisions made by the LPA that the use of LCD lit displays is not alien to the streets of Camden.

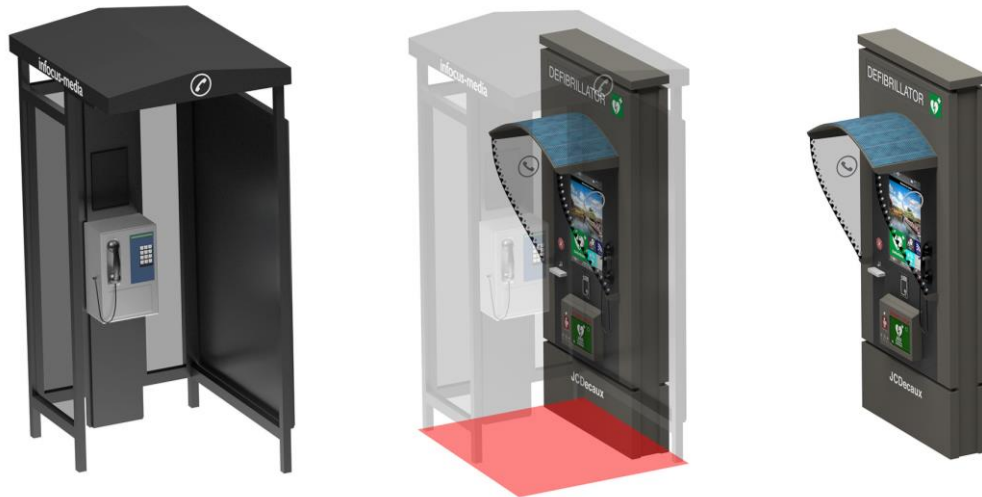
### **Footpath Widths and Pedestrian Flow**

- 3.17** The LPA's decisions allege that the replacement of the telephone box with the Hub unit 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", a claim that is contested and is easily shown to be untrue. The Hub unit is smaller than the telephone box it will replace, as illustrated within the application documentation. The suggestion therefore that a smaller unit with a far narrower footprint would somehow reduce the amount of available footpath is clearly incorrect. The appeal Sites, as has been mentioned earlier (but is worth repeating) are all locations where there already exists a telephone box. A structure that is taller, wider and larger than the Hub unit that will replace it. The sites considered suitable for upgrade are those that are in the main retail areas and where the available footpath widths are sufficient to accommodate the unit without restricting the passage or flow of pedestrians.
- 3.18** It is clear that replacing a structure that is 1330mm wide with one that is 1100mm can only have a positive effect on available footpath widths. The below image is extracted from **Appendix JCD 4** and shows the relative and significant differences in unit height

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<sup>H</sup> App JCD F i and ii

width and scale. The red outline is the extent of the existing kiosk structure and graphically illustrates the space savings.



- 3.18** It should be further noted that in each case the Hub Unit is positioned as close to the road as possible, typically offset by between 50-80mm, to minimize any encroachment on the public footpath or restriction in the available space. Of the nine appeal sites, all except Site 6 allow a clear footpath of between 4m and 6m, which is well within the recommendations of Transport for London (TfL) Street Guide<sup>1</sup>. In the case of Site 6, which is located at the corner of Earlham Street, the acute angle of the junction does allow for adequate circulation space around the Site itself whereas the remaining footpath along this section of Shaftesbury Avenue is under 4m wide. For this reason, this site was included and not considered to result in an unacceptable narrowing of the available footpath.
- 3.19** The importance of positioning furniture away from the flow of pedestrians is recommended by TfL, as is the aim of creating a buffer wherein street furniture and trees etc. are located between the carriageway and pedestrian. In the case of appeal Site 2 it can be seen from the montage image below, showing the Hub in the foreground, how the location along the roadside edge provides a clear and wide path for pedestrians. By contrast, the structure in the background of the image, which is the unit referenced in **JCD A**, is isolated and encroaching onto the footpath whereby

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<sup>1</sup> APP JCD 8 - Extracted Section 11 of Part E

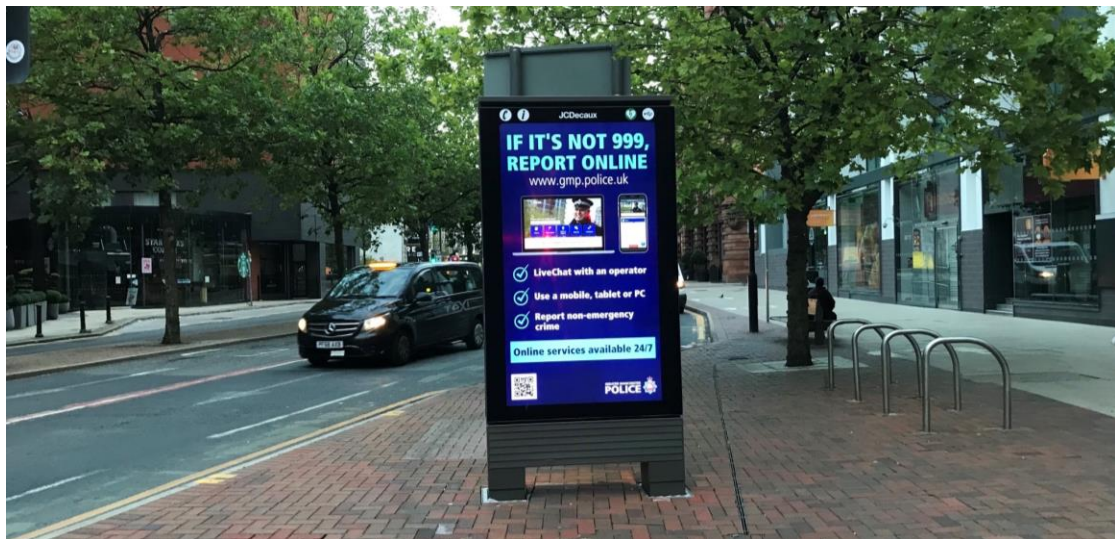
pedestrians are able to walk on either side of it and closer to the roads edge, contrary to TfL guidance.



- 3.20** It is noteworthy that from the available Officer Reports relating to the appeal Sites that TfL raised no objection to the Proposals. There is no evidence to suggest that the presence of the existing advertised boxes has had a harmful effect on the safety of the public as either pedestrians or motorists. It is also legitimate to suggest that such forms of illuminated roadside display adjoining a busy road such as Tottenham Court Road, Euston Road and Camden High Street does not necessarily lead to driver distraction or prejudicial safety conditions. Support for this view is found in the absence of any safety issues arising over the last ten years concerning the presence and operation of the advertisements at the appeal Sites. The advertisements will be visible to passing traffic but would fall short of being unacceptably intrusive or visually harmful when seen in the immediate context of the busy street level environment. The earlier consents granted for the same type of static advertisement displays simply confirms the view that the scale and position of the advertisements, within the context of the character of the appeal Site locations, are not considered to be harmful to the interests of amenity or public safety.
- 3.21** The size, position and orientation of the Hub units would not obstruct pedestrians or lead to an unacceptable narrowing of the footpath that would hinder free movement. It is considered therefore that the alleged harmful impact of the developments on the public footpath and pedestrian movements is unfounded.

## Crime Prevention

- 3.22** The LPA's decision states that the replacement of the existing telephone box with a Hub unit is likely to increase the opportunity for crime, a claim that is rejected. One of the outcomes of the Pre-App discussions was the connection with the Metropolitan Police Design Out Crime unit. The Appellant worked closely with the Police in order to understand the issues within Camden and Greater London with the misuse of free phone calls and unrestricted internet use of the new style of public telephones. This issue is not unique to London but experienced in all major Cities in the UK.
- 3.23** The Appellant has been able to obtain first-hand experience and apply valuable advice from Police services in order to formulate the Management Plan. This plan is endorsed by the Metropolitan Police. Our work with Greater Manchester Police (GMP) at pre application and post decision stages is one example of where the Hub units have become a real community benefit and tool for crime prevention.



**Hub unit with GMP messaging Piccadilly Manchester**



**Hub unit with GMP messaging King Street Manchester**

- 3.24** Measures to prevent misuse include no free calls to mobile numbers, which has been instrumental in eliminating the use of public phone boxes for drug dealing, the blocking of frequently called numbers where misuse is suspected and the potential use of CCTV. The management plan is part of the application documentation and provides the Appellant's commitment to work with the Council and local enforcement agencies to design out the potential and opportunity for crime. Each unit is equipped with rapid access to the emergency services and provides a link to assistance when required. The management plan is designed to provide the flexibility to work with local law enforcement agencies and, as demonstrated in Manchester, provide a valuable messaging platform to target specific areas and raise awareness of particular issues and reporting procedures.
- 3.25** The Appellant is committed to helping its partners ensure the safety of their environments, whether that be a public space or a major transport hub. As part of the CONNECT for Partners platform, local authorities are able to use the Emergency Messaging System, which is currently deployed in all Network Rail stations and at Heathrow Airport. The system allows for predefined and formally agreed messages to be displayed within minutes. Events in recent years have highlighted the potential need for transport authorities and local councils to be able to convey emergency messaging to the public quickly and effectively. The Appellant has developed a proprietary system to facilitate this through OEMA, a web-based application that

enables real time message broadcasting in response to specific emergency situations. This facility which could be used by local authorities to display emergency messages on a single or a pre-grouped network of screens. The Emergency Messaging System is ISO 27001 certified with connections to each screen over a secure and private encrypted data network. The suggestion therefore that the replacement Hub units will lead to an increase in crime is without substance. It is the Appellant's view that the opposite is true and that the Hub unit is intended to make streets safer and assist rather than exacerbate criminal activity.

### **Removal of Obsolete Equipment and Unit Maintenance**

- 3.25** Should planning permission and advertisement consent be granted for an appeal Site, that permission/consent would not be capable of implementation without the removal of the existing telephone box. Furthermore, the objective of the proposal, as articulated to the LPA from the earliest meeting in 2019, is to completely replace the existing dated estate with a modern multi-functional unit that provides a range of functions and capabilities that enable people to stay connected. It is not the intention nor logical for the Appellant to have the Hub network and old-style telephone box estate coexisting, as the installation of the former would render the latter obsolete. Despite the disjointed nature of the issued decisions, it is likely that the appeals for all refused applications will, at appeal at least, be considered as an holistic Proposal for the Borough. Should the inspector be minded to approve permission/consent then it is considered feasible that a condition of such permission/consent could require the removal of all of the telephone boxes identified in **Appendix JCD 2**. In the alternate, a condition could require the Appellant to submit a plan to the LPA that identifies the existing telephone boxes that are to be removed, prior to the implementation of a particular permission/consent.
- 3.25** It has previously been raised by the LPA and is a common misconception that this type of free to use public facility is not needed or used. The Appellant monitors the use of those Hub units already installed in the UK over the last 18month period and the data suggests that when modern reliable, secure and well-maintained technology is provided the public does engage and use it. Over the last 18month period the defibrillators, which is a standard feature on all Hub units, have been activated over 120 times by ether members of the public or the emergency services. **Appendix JCD H i-iii** provides use data relating to the Hub units installed in Birmingham, Southampton and Cardiff that counter-intuitively show that the telephone is often the most used part of the apparatus, despite the extent of private mobile phone



ownership. The data also shows regular use of the internet to access wayfinding and local news channels. It is therefore considered unnecessary to seek to secure the removal of the telephone box estate, as the telephone boxes will become redundant when replaced by Hub units.

- 3.26** In terms of the maintenance of the Hub unit estate this also is something that is considered unnecessary for LPA to seek to secure through Planning. Each Hub unit is a highly sophisticated and expensive piece of equipment. It is incumbent upon the Appellant to ensure the equipment is maintained at its optimum level for it to be used by the public. Each Hub includes a 24-hour fault line for the public to notify any issue, including vandalism, and each unit is visited weekly for routine maintenance checks and cleaning. The signal at each Hub is also monitored and where a signal is lost for an extended period of more than 24-hours, an alert is raised, and a visit scheduled for a technician. The space on the integral screen is sold to advertisers to pay for the equipment and facilities it provides who simply will not purchase the space if the unit is in poor condition. It is in the interest of all parties that all our equipment is properly maintained and in full working order. It is therefore considered unnecessary to seek to ensure the Appellant maintains its estate.

The above grounds of appeal are to be read with the application submissions relating to the appeal sites. The Appellant respectfully invites the Inspector to agree that the replacement of the existing structures with communication Hub would not be contrary to the proper planning of the area or offend any important interests. The Inspector is requested to uphold these appeals and grant planning permission and advertisement consent as applied for.

Yours faithfully,



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## Appendices

<b>JCD A</b>	Officer Report 2018/0515/A 82 Tottenham Court Road
<b>JCD B</b>	Officer Report 2018/0516/A 28 Tottenham Court Road
<b>JCD C</b>	Officer Report 2018/0517/A 18 Tottenham Court Road
<b>JCD D</b>	Officer Report 2018/0519/A 110-113 Tottenham Court Road
<b>JCD E</b>	Borough Plan – LB Camden Roadside Estate
<b>JCD F i</b>	Decision Notice 2018/0523/A New Compton Street
<b>JCD F ii</b>	Decision Notice 2018/0519/A 110-113 Tottenham Court Road
<b>JCD G</b>	Infocus Telephone Box GA Drawing
<b>JCD H i</b>	Hub Use        Southampton
<b>JCD H ii</b>	Hub Use        Birmingham
<b>JCD H iii</b>	Hub Use        Cardiff

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