

Delegated Report		Analysis sheet		Expiry Date:		30/09/2019	
		N/A		Consultation Expiry Date:		29/09/2019	
Officer				Application Number(s)			
Jennifer Dawson				i. 2021/2110/P ii. 2021/3135/A			
Application Address				Drawing Numbers			
Pavement outside No. 221 Camden High Street, London NW1 7BU				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
i. Installation of a new phone hub unit following removal of existing kiosk as part of wider proposals to replace Infocus telephone kiosks; and ii. Display of 1 x LCD illuminated digital advertisement panel to new phone hub unit.							
Recommendation(s):		i. Refuse Full Planning Permission ii. Refuse Advertisement Consent					
Application Types:		i. Planning Permission ii. Advertisement Consent					
Reason(s) for refusal:		Refer to Draft Decision Notice					
Consultations							
Adjoining occupiers and/or local residents/groups	No. notified	00	No. of responses	02	No. of objections	02	
Summary of consultation responses:	<p><u>A site notice was displayed on 10/11/2021 and expired on 04/12/2021</u></p> <p>The occupiers at nos. 74 Durdans House, Royal Collage Street have objected to the proposed scheme on the following grounds:</p> <ul style="list-style-type: none"> - Telephone boxes/hubs are a thing of the past and only encourage anti-social behaviour and end up being a blight on the landscape <p><u>Cllr Harrison Comments:</u></p> <p>Objects to the telephone kiosk on grounds of street clutter and visual impact.</p>						
Site Description							
<p>The application site comprises an area of the public footway on the western side of Camden High Street near to the junction with Inverness Street.</p> <p>The site is located on Camden High Street (A502) which forms part of the Strategic Road Network (SRN).</p>							

The footway is relatively uncluttered. The existing street furniture on the pavement includes: trees, rubbish/ recycling bin, an existing phone box, and lampposts.

The application site does not sit within a conservation area; however, it would be sited adjacent to the Camden Town Conservation Area.

Relevant History

Site history:

Relevant planning history at the application site:

2019/2698/P - Installation of 1 x replacement telephone kiosk on the pavement. – Prior Approval Required and Refused – 12/07/2019

RfR:

- 1. The proposed development, is not wholly for the purpose of the operator's electronic network and thereby falls outside the terms of Part 16, Class A of the General Permitted Development Order.*
- 2. 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 street scene and the adjacent Camden Town Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.*
- 3. The proposed telephone kiosk, by virtue of its location, size and detailed design, and adding unnecessary street clutter, would reduce the amount of useable, unobstructed footway, which would be detrimental to the quality of the public realm 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.*
- 4. The proposed telephone kiosk, by virtue of its inappropriate siting, size and design, would fail to reduce opportunities for crime and antisocial behaviour to the detriment of community safety and security, and compromise the safety of those using and servicing the telephone kiosk contrary to policy C5 (Safety and Security) of the London Borough of Camden Local Plan 2017.*

2009/1766/P - Installation of a telephone kiosk on the public highway. – Prior Approval Required and Refused – 27/05/2009

RfR:

- 1. The proposed telephone kiosk, by reason of its design, size and location would introduce an incongruous feature with the streetscape, add to visual clutter detracting from the pedestrian environment and the setting of the adjoining Camden Town conservation area contrary to policies B1(General Design Principles), B5 (Telecommunications), B7 (Conservation Areas), T3 (Pedestrians and cycling) and T12 (Works affecting highways) of the London Borough of Camden Replacement Unitary Development Plan 2006, Camden Planning Guidance 2006 and PPG8 (Telecommunications).*
- 2. The proposed telephone kiosk, by virtue of its inappropriate design and location would compromise the safety of pedestrians, those using and servicing the telephone kiosk and encourage criminal activity, contrary to policies SD1d (Community Safety) and T3 (Pedestrians and cyclists) of London Borough of Camden Replacement Unitary Development Plan 2006, Camden Planning Guidance and PPG8 (Telecommunications).*

Figure 1. Phone kiosk applications by decision type

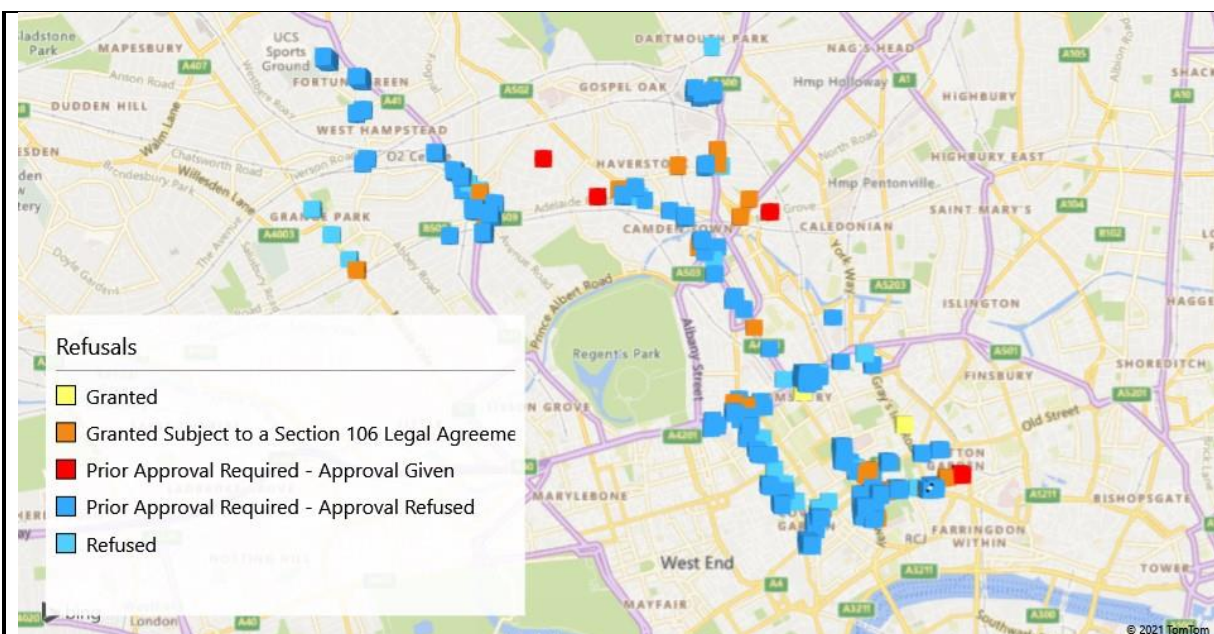
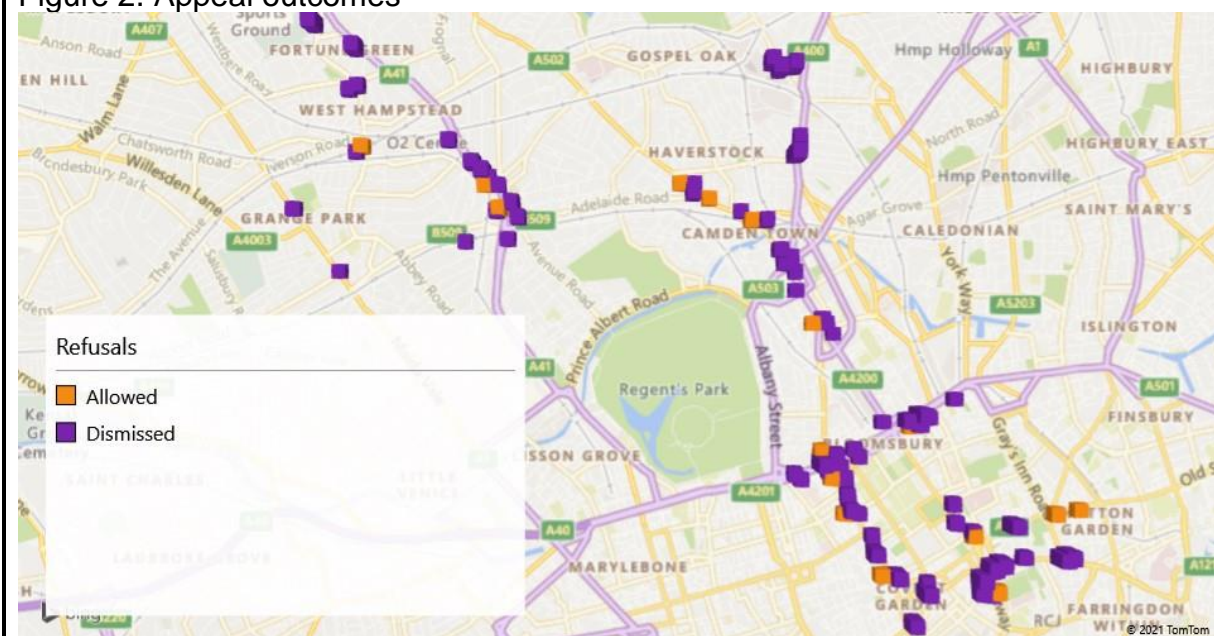


Figure 2. Appeal outcomes



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,

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.

Relevant policies

National Planning Policy Framework (2021)

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
D2 Heritage
D4 Advertisements
G1 Delivery and location of growth
T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

CPG Design (2021) - chapters 2 (Design excellence), 3 (Heritage) and 7 (Designing safer environments)
CPG Transport (2021) - chapters 7 (Vehicular access and crossovers) and 9 (Pedestrian and cycle movement)
CPG Advertisements (2018) – paragraphs 1.1 to 1.15; 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)

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

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

Assessment

1. Proposal

1.1 It is proposed to remove 1 x existing telephone kiosks to be replaced with 1 x kiosk of an updated design. The proposal would involve the removal of the following telephone kiosks:

- Telephone Kiosk o/s 221 Camden High Street. No permission, nor prior approval was granted for the existing kiosk.



The phone hub subject of this application

1.2 The proposed replacement would be located on the western side of Melton Street. The kiosk would measure 1.1m (W), 2.4m (H) and 0.265m (L) and 0.43m deep canopy. The rear elevation of the proposed kiosk would contain an internally illuminated advert panel. The screen would measure 935mm x 1670mm with a visible display area of 1.6sqm. The screen's luminance levels would be between 600-2000 cd/m2.

1.3 The Phone Hub panel would include the following technological capabilities:

- touch screen with hands free phone
- wayfinding and access to Council services
- telephone handset

- induction and USB charger
- canopy with solar panel
- defibrillator

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 when considering the assessment of the structure. The fact a kiosk is currently in place does not mean a new kiosk is automatically acceptable, especially when all relevant current policies and guidance can be taken into consideration. Whilst the applicant proposes to remove the existing kiosk, no information has been provided to confirm it is still necessary for telecommunication purposes.
- 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 kiosks following the removal of the entire stock of JC Decaux older designed kiosks installed within the London Borough of Camden (a reduction of 28 kiosks). 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 other management controls.
- 2.4 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.

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. Policy D2 (Heritage) of the Camden Local Plan recognises that the setting of heritage assets is of great importance and should not be harmed by unsympathetic neighbouring development.
- 3.2 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 similar design approach, the Inspector noted:
- 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.*
- 3.3 CPG Design advises ‘the design of streets, public areas and the spaces between buildings, needs to be accessible, safe and uncluttered. Well-designed street furniture and public art in streets and public places can contribute to a safe and distinctive urban environment’. Street furniture should not obstruct pedestrian views or movement.

3.4 The proposed site currently has an existing Infocus telephone kiosk located on the pavement west of Camden High Street, with no permission being granted. The pavement in this part of Camden High Street has been extended previously to allow more space for pedestrians. The existing kiosk is located within the extended pavement area, which is not a recognised street furniture zone. Given the high volumes of pedestrians along the highstreet, the kiosk, due to its location, position and detailed design constitutes a physical obstruction in the pedestrian desire line along the footway. The kiosk has an adverse impact on pedestrian amenity and comfort on a section of footway which is otherwise clear and unobstructed by bulky items of street furniture (see image below – from March 2018). It is therefore considered



Image showing the existing kiosk on March 2018 and InLink panel opposite.

3.5 The proposed structure is considered to be poor in design terms given its size and position on a relatively clear area of public footway, characterised by a complete lack of bulky items of street furniture adjacent to the kerbside, except for the existing kiosk. The kiosk has been designed around the inclusion of a large advertising digital screen which has resulted in a large monolithic panel which visually appears 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. The 'Metal Chain Grey' has a particularly unwelcoming and gloomy appearance, which combined with the uncompromising bulk would have an adverse 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.

3.6 Camden Town Conservation area sits adjacent to the proposed kiosk. The proposed kiosk due to its position, it would sit with the advertising panel facing the start of the conservation area. Opposite the application site, there is an existing InLink Panel, which includes telecommunication facilities and advertising panels on both sides.

3.7 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.

- 3.8 The proposal would result in additional structure for the same purpose with a large digital screen in this location, which would add to the proliferation of digital advertising, and cause harm to the character of the streetscene and setting of Camden Town Conservation Area. Due to its detailed design, the size and large illuminated display panel, this would serve to heighten the appearance of the proposed kiosk, making it more conspicuous than the existing kiosk which it would replace. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under **s.72** of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. As such, the proposed kiosk would appear as a particularly obtrusive piece of street furniture and unduly dominant in this context, adding to visual clutter harmful to the streetscene, which would not preserve nor enhance the character and appearance of the conservation area. In this regard, the proposal would fail to adhere to Local Plan Policies D1 (Design) and D2 (Heritage).
- 3.9 As such, the proposed structure, by reason of its size and scale, adding unnecessary clutter, would be an obtrusive piece of street furniture detracting from the character and appearance of the streetscene and the setting of the adjacent Camden Town conservation area. The incongruous design would therefore provide an intrusive addition to the street and in this regard would fail to adhere to Policies D1 (Design) and D2 (Heritage).

Public benefit

- 3.10 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.
- 3.11 Local Plan Policies D1 and D2, consistent with Chapter 16 (Conserving and enhancing the historic environment) of the NPPF which seeks to preserve and enhance heritage assets, state that the Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.
- 3.12 More specifically, Paragraph 196 of the NPPF states that '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*
- 3.13 The Council acknowledges the need for greater connectivity with regards to telecommunication networks and facilities. There is another InLink panel at 90m south from the application site, in front of Camden Town TfL station, and two telephone kiosks at 280m north, corner with Castleheaven Road. Based on current and ongoing enforcement investigation it has been found that telephone kiosks are not used for telecommunication purposes, but rather for antisocial behaviour, and therefore the need for such facility in this location is not justified.
- 3.14 It is acknowledged that the proposal would include public facilities and thereby result in some public benefit as a result of the scheme. Public facilities would include, a defibrillator, free Wi-Fi, possible free phone calls landlines and charities, wayfinding, device charging, public messaging capabilities and CCTV. However, there is no evidence that these facilities can only be provided on a kiosk of the proposed scale and design 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.
- 3.15 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. 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').

3.16 Weighting the less than substantial harm caused as a result of the proposed development against this limited public benefit, it is considered on balance that any benefit to the public arising from the new kiosk would not outweigh the harm arising to the character and appearance of the streetscene, and Camden Town Conservation Area.

3.17 Overall, therefore, on balance, the proposed development does not accord to Section 16 of the NPPF which seeks to preserve and enhance heritage assets, and the proposal is considered on balance to be unacceptable in design terms.

4 Highways/footpath width

4.1 While it is recognised that there is an existing kiosk located at the application site, planning permission is now required for the replacement and we are full considering the impact of the addition. There are no planning records to show the acceptability of the existing kiosk and therefore the proposed replacement is not justified.

4.2 Policy D8 (Public Realm) of the London Plan 2021 states that development should '*Applications which seek to introduce unnecessary street furniture should normally be refused*'.

4.3 Policy T2 (Healthy Streets) of the London Plan 2021 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 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. Furthermore, it 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.

4.6 Paragraph 9.7 of CPG Transport seeks improvements to streets and spaces to ensure good quality access and circulation arrangements for all. Ensuring the following:

- Safety of vulnerable road users, including children, elderly people and people with mobility difficulties, sight impairments and other disabilities;
- Maximising pedestrian accessibility and minimising journey times;
- Providing stretches of continuous public footways without public highway crossings;

- Linking to, maintaining, extending and improving the network pedestrian pathways;
- Providing a high quality environment in terms of appearance, design and construction, paying attention to Conservation Areas;
- Use of paving surfaces which enhance ease of movement for vulnerable road users; and,
- Avoiding street clutter and minimising the risk of pedestrian routes being obstructed or narrowed e.g. by pavement parking or by street furniture.

4.7 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'*.

4.8 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'*.

4.9 The site is located in a high footfall area in Camden Town, and is near Camden Town station (London Underground). The site is located directly north of the junction with Inverness Street. Pedestrian volumes are extremely high (arguably the highest in the Borough) and are forecast to increase significantly when Crossrail services become operational (was due to be December 2018 but now forecast for 2022) along with ongoing economic growth in Kings Cross and Central London. Pedestrian volumes are also forecast to increase significantly when High Speed 2 (HS2) services become operational. Existing footway space is a scarce resource and must be safeguarded for pedestrians both now and in the future to accommodate economic growth.

4.10 The existing kiosk is located on the footway on the west side of Camden High Street in close proximity to the junction with Inverness Street. It is offset from the kerb by 650 mm. The existing kiosk has not been located in a recognised street furniture zone and is situated in the pedestrian desire line along footway. The photo attached demonstrates that the kiosk obstructs pedestrian movement and sightlines along the footway due to the presence of an advertising end panel. In addition, its location in such close proximity to a junction constitutes a hazard to road users due to the possibility of road users being distracted by the kiosk at a point when they need to be focussing on the junction ahead.



Photo showing the existing kiosk at the application site in June 2019.

4.11 The footway on the west side of Camden High Street at the above site is characterised by a complete lack of bulky items of street furniture adjacent to the kerbside, except for the existing kiosk. There are some slender street trees in the general vicinity of the site. However, these take up very little footway space and do not impede or obstruct pedestrian movement or sightlines along the footway. There is also a wooden block directly to the north of the site. However, this does not obstruct sightlines along the footway. This helps to promote clear and unobstructed sightlines along the edge of the pedestrian environment. The street furniture zone adjacent to the pedestrian route (pedestrian desire line) has been sensitively designed to provide a clear and uncluttered environment sufficient to accommodate extremely high volumes of pedestrians walking on the footway during busy periods (e.g. morning, lunchtime and afternoon/evening peak periods). The proposal to site a telephone kiosk at the proposed site would spoil this uncluttered design by introducing a prominent feature that would look out of place and be overly dominant. The proposal would therefore have an unacceptable impact on the streetscene.

4.12 Appendix B of 'Pedestrian Comfort Guidance for London (published by Transport for London) indicates that footways in high flow areas 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 6.9 metres wide and with the proposed telephone kiosk the remaining footway would be 5.2 metres. It is acknowledged that the footway would be wider than 5.3 metres at the site. The proposal would be in accordance with the aforementioned guidance. However, the kiosk be significantly wider than other items of street furniture in the vicinity of the site. It would therefore have a significant impact on pedestrian movement and sightlines along the footway. The loss of any available footway space at this location is considered to be unacceptable due to the high footfall location in Camden Town. Pedestrian footfall is high at this location and this is predicted to increase significantly with ongoing economic growth in Central London and High Speed Two (HS2) currently under construction. The proposal should be refused on this basis.

4.13 The proposal represents a similar submission refused and dismissed at the appeal on the pavement outside 186-188 Camden High Street (appeal reference APP/X5210/W/17/3202896; planning reference 2017/5418/P) and 197-199 Camden High Street (appeal reference APP/X5210/W/17/3202763; planning reference 2017/5420/P). The Planning Inspector is dismissing those appeals noted:

- *However, pedestrian flows are very heavy along Camden High Street. In addition loading and unloading facilities for the shops would appear to be restricted to a limited number of on-street loading bays which share space with pedestrians.*

- *I find that the kiosk would not be harmful to the character or appearance of the CA in this location. However, I find that the siting of the kiosk would result in harm to pedestrian safety and convenience along this section of Camden High Street, due to heavy pedestrian flows and the additional conflict with these flows that would be created by the movement of goods and equipment along the pavement.*
- *With regard to the effect of the proposed kiosk on the character and appearance of the CA, it would be sited on a section of the pavement where there is other street furniture, including small waste bins, a BTlink telephone panel, and a street light, along with small trees. These are currently well spaced, and the addition of a further telephone kiosk would result in a somewhat cluttered appearance.*
- *The harm arising from the proposal would detrimentally affect the character and appearance of the CA, albeit to a limited extent. As the harm would be relatively localised, it would be less than substantial to the significance of the CA as a whole. As previously noted, there would be some public benefits arising from the proposal in terms of improved accessibility and security, when compared to existing kiosks. However, the public benefits in that respect do not outweigh the harm identified to the CA that would result from the somewhat cluttered appearance that would result from the siting of the kiosk.*

4.14 As such, the proposal to install a replacement telephone kiosk at the above site would re-introduce a significant physical and visual obstruction to an otherwise clear and unobstructed pedestrian environment. The proposal would fail to improve the pedestrian environment at the site. This is unacceptable in such a high footfall location in Camden Town. The proposed telephone kiosk being located outside of the established street furniture zone, would encroach significantly into the effective footway width available for pedestrian movement (i.e. the pedestrian desire line). The proposed telephone kiosk would therefore obscure sightlines along the footway significantly while also constituting a significant impediment/obstruction to pedestrian movement along the pedestrian desire line. This would be a particular problem for pedestrians with visual impairments (e.g. blind and partially sighted) who rely on clear and unobstructed pedestrian routes.

4.15 The proposed telephone kiosk, by being in a high footfall area, would have a detrimental impact on the walking experience due to a significant reduction in the level of service. It would lead to pedestrian congestion which could result in dangerous situations such as pedestrians walking in the carriageway and colliding with each other or vehicular traffic, or indeed with the telephone kiosk. Given the existing InLink panel opposite the proposed kiosk, the harm to the walking experience will be exacerbated, with significant impact on pedestrian amenity, comfort and safety. For these reasons, the proposal is considered contrary to Local Plan policies A1 and T1 and should be refused on this basis.

5 Anti-social behaviour

5.1 With regards to community safety matters, a number of issues have been raised by the Metropolitan Police Crime Prevention Design Advisor. In particular it has been noted that existing telephone kiosks within the London Borough of Camden have become 'crime generators' and a focal point for anti-social behaviour (ASB). 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, and providing a potential opportunity for an offender to loiter. This would increase opportunities for crime in an area which already experiences issues with crime, therefore the proposal would be contrary to Policy C5 (Safety and security) and CPG Design.
- 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. In an Appeal decision ref: APP/X5210/W/20/3253878 and 3253540 – see appendix 4) 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 Designing out of crime officer has assessed the proposals and raised significant concerns in relation to the proposed kiosk, given the location which has already a record of high incidences of crime, its proposed position and detailed design. This 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) and CPG Design.
- 5.6 The Council experienced issues with the BT link kiosks located opposite the application site. Residents and members reported a rise in anti-social behaviour and crime as a direct result of these kiosks being installed. These activities include increased instances of loitering, as well as usage of the free calls facility to coordinate drug deals. This has been most apparently in areas such as Euston and Camden Town. Other boroughs such as Tower Hamlets and Islington have experienced similar issues and few boroughs are supporting the installation of more

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 Camden Planning Guidance for CPG Design advises that good quality advertisements respect the architectural features of the host building and the character and appearance of the surrounding area. CPG Adverts states that *‘free-standing signs and signs on street furniture will only be accepted where they would not create or contribute to visual and physical clutter or hinder movement along the pavement or pedestrian footway’.*
- 6.5 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 Camden Planning Guidance for CPG Amenity advises that artificial lighting can be damaging to the environment and result in visual nuisance by having a detrimental impact on the quality of life of

neighbouring residents, that nuisance can occur due to 'light spillage' and glare which can also significantly change the character of the locality. As the advertisement is not located at a typical shop fascia level and would be internally illuminated, it would appear visually obtrusive.

6.7 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 , resulting in an Camden High Street, addition which would contribute to the degradation of visual amenity within the streetscene and it would also be harmful to the setting of Camden Town Conservatio 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 As such, the introduction of a new illuminated large digital advertising display panel in this location with no other existing bulky street furniture, would result in additional visual and physical clutter, and contribute to the overall proliferation of illuminated 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'*.

6.11 As outlined above, in 4 appeals for comparable illuminated digital advertisement displays (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.

6.12 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

6.13 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.

- 6.14 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.*”
- 6.15 It is accepted that all advertisements are intended to attract attention. However, advertisements are more likely to distract road users at junctions, roundabouts and pedestrian crossings particularly during hours of darkness when glare and light spillage can make it less easy to see things, which could be to the detriment of highway and pedestrian and other road users’ safety.
- 6.16 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).*’
- 6.17 The proposed digital advertising sign would be in close proximity (less than 9m) to a busy pedestrian junction with Inverness Street. Given this such close proximity to a junction, the proposed advert constitutes a hazard to road users due to the possibility of road users being distracted by the kiosk at a point when they need to be focussing on the junction ahead. The proposal therefore raises public safety concern to road users approaching from the south due to 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 the setting of the adjacent Camden Town Conservation Area. The proposal would also be detrimental to 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 detailed design, and proximity to other kiosks, would add to visual clutter and detract from the character and appearance of the street scene, and the setting of Camden Town Conservation Area, contrary to Policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

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), C6 (Access for all) 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 a maintenance plan or the proposed kiosk, the proposal would be detrimental to the quality of the public realm, and detract from the character and appearance of the streetscene, contrary to policies D1 (Design), G1 (Delivery and location of growth), A1 (Managing the impact of development), C6 (Access for all) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

Refuse advertisement consent

8.5 The proposed advertisement, by virtue of its location, scale, prominence, method of illumination, resulting in a sequential series of static digital images due to proximity to an existing kiosk would add visual clutter and contribute to an over proliferation of illuminated signage, detrimental to the amenity of the streetscene and the setting of adjacent Camden Town Conservation Area, contrary to policies D1 (Design) and D4 (Advertisements) of the Camden Local Plan 2017.

8.6 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.