
Appeal Decision

Site visit made on 1 August 2017

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21st August 2017.

Appeal Ref: APP/H5390/W/17/3171417

Outside White City Bus Station, 30 Wood Lane, London

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Infocus Public Networks Ltd against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2016/05527/TEL56, dated 16 December 2016, was refused by notice dated 8 February 2017.
 - The development proposed is installation of an electronic communications apparatus.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development provided in the application form. I have taken the address of the site from the appeal form, as this is more accurate than that given in the application form.
3. The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO) enables certain types of development to take place without the need for a specific planning permission, provided certain criteria are met. Provisions exist under Schedule 2, Part 16, Class A for the installation of electronic communications apparatus, subject to certain limitations.
4. In refusing the application, the Council stated that it considered that prior approval of the siting and appearance of the apparatus would be required, and that approval was refused due to its impact on visual amenity and pedestrian movement and safety.

Main Issue

5. The main issue is whether or not approval should be given in respect of the siting and appearance of the development, with particular regard to its effect on the character and appearance of the area and pedestrian safety.

Reasons

6. The application sought approval for the siting and appearance of a solar powered payphone kiosk with wheelchair access. The approximate dimensions would be 1.4 metres by 1.2 metres by 2.6 metres high. The kiosk would be

glazed with a canopy and supported by a solid frame, which would be powder coated steel. The structure would be three sided and would be fully accessible to wheelchairs users or other people with limited mobility.

7. The proposed kiosk would be sited towards the front of the pavement on Wood Lane, opposite the car park of the former BBC Television Centre and close to the bus station. The Council states that the public realm in the area has been upgraded as part of recent improvements to Westfield. The pavements are broad and free of obstructions or visual clutter, although the roadside is bounded by silver railings. There is landscaping towards the entrance of the shopping centre which complements a line of mature trees on the pavement and adds to the quality of the built environment. The land adjacent to the site was enclosed with development hoardings at the time of my site visit.
8. It is clear that improvements have been made to the built environment in the Westfield area and that development works are ongoing. Due to its prominent siting, and the absence of other street furniture in the vicinity, the kiosk would stand out as an alien and obtrusive feature. It would not complement its surroundings and would detract from the improved public realm to the detriment of the character and appearance of the wider area.
9. The pavement in the vicinity is well-used by pedestrians between the shopping centre and the bus and tube stations. The enhancements to the area and further development are likely to increase footfall and the pavements would continue to be busy. Although the pavement is wide, the siting of the kiosk in the middle of the main footway would impede the flow of pedestrians and would be likely to lead to conflict with other users.
10. The kiosk would be close to the Wood Lane Conservation Area, and the Council advises that it would also be in close proximity to the listed television centre and bus station. The kiosk would be separated from the Conservation Area by the road and intervening buildings. Consequently, I find that the development would preserve the character and appearance of the Conservation Area, and its significance would be unaffected. Similarly, the setting of the listed buildings would be preserved due to their distance from the development. However, this does not overcome my concerns about street scene, as set out above.
11. Overall, I find that the development would be obtrusive, and the character and appearance of the street scene would be adversely affected. Also, it would hinder pedestrian movement due to its siting.

Conclusion

12. I conclude that approval should not be given in respect of the siting and appearance of the development.
13. For the reasons given above, the appeal is dismissed.

Debbie Moore

Inspector