



Appeal Decisions

Site visit made on 18 June 2019

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2019

Appeal A Ref: APP/A5840/W/18/3206676

Public highway outside of 30 -32 Surrey Quays Road, London, SE16 7ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Neil Scoresby (British Telecommunications plc) against the decision of the Council of the London Borough of Southwark.
- The application Ref 18/AP/0380, dated 2 February 2018, was refused by notice dated 8 May 2018.
- The development proposed is removal of 2 no. KX100 telephone kiosks and the installation of 1no. InLink.

Appeal B Ref: APP/A5840/H/18/3206545

Public highway outside of 30 -32 Surrey Quays Road, London, SE16 7ED

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Mr Neil Scoresby (British Telecommunications plc) against the decision of the Council of the London Borough of Southwark.
- The application Ref 18/AP/0381, dated 2 February 2018, was refused by notice dated 9 May 2018.
- The advertisements proposed are two digital LED display screens, one on each side of the InLink.

Decision

1. Appeal A is dismissed, and Appeal B is dismissed.

Procedural Matters

2. I have amended the description of the proposed development in the banner heading above in respect of Appeal A, so as to remove superfluous wording in the interests of clarity. For the same reason, the address used in the banner headings above is taken from the appeal form as that given on the original application form only provided a grid reference.
3. The applications were submitted on a single application form to cover both planning permission and consent to display advertisements. As set out above there are two appeals on this site relating to both applications. Given that the advertisements are an integral part of the InLink, to avoid duplication I have dealt with the appeals together however, each proposal has been considered on its own merits.

Main Issues

4. In respect of **Appeal A**, the main issues are the effect of the proposed development on the character and appearance of the area and pedestrian safety.
5. As the control of advertisements is exercisable only with respect to amenity and public safety, the main issues in respect of **Appeal B** are the effect of the proposed advertisements on the visual amenity of the area and the safety of pedestrians.

Reasons

Character and appearance

6. The appeal site is located on a section of pavement close to the road between a bicycle parking area and loading bay. A characteristic feature of this part of the street is the wide pavement with noticeable regular spaced and aligned trees enclosed by railings and planting which soften the appearance of the street and make a positive contribution to the appearance of the area. The existing street furniture on this side of the road which consists of lampposts, bollards, a bin, a bench and the Canada Water station totem sign are spaced out along this section of pavement allowing for some visual relief.
7. The proposed InLink would be positioned close to the edge of the pavement and would be of a simple, modern appearance. Despite the presence of cycle parking and loading bays on this side of the street, it would be readily apparent in views and its siting and appearance would be visually jarring particularly when viewed in context with the station totem sign. The visual effect of the InLink would be confined to the immediate surroundings of the site nonetheless, it would introduce an element of clutter to the area that would downgrade the quality of the public realm.
8. The appellant has referred to the removal of two existing kiosks elsewhere in the Borough. However, whilst both have a dated appearance, neither appear to display illuminated signage and I am not persuaded that they cause material harm to the appearance of the area. Whilst there would be a reduction in street clutter and therefore some limited public benefit in removing them, that would not outweigh the identified harm.
9. Consequently, in respect of Appeal A and so far as they are material in respect of Appeal B, I conclude that the proposals do not accord with the overall design aims of Policies 3.13 and 3.24 of The Southwark Plan (2007) and Strategic Policy 12 of the Core Strategy 2011 which together seek high quality design, which avoids unnecessary clutter and ensures an attractive environment. They would also conflict with the design aims of the National Planning Policy Framework.
10. The Council referred to Policy 13 of the Core Strategy 2011 which concerns high environmental standards and Policy 3.2 of The Southwark Plan (2007) which relates to the protection of amenity. However, in the absence of explanation I find that neither policy is directly relevant to the main issues in these cases and weigh neither for nor against the proposals.

Pedestrian safety

11. The proposed InLink would be sited toward the edge of the pavement and would reduce by a modest amount, the width of the footway on the pavement used by pedestrians. However, sufficient space would remain for shared use and two way passing for pedestrians and other users. Consequently, I consider that the flow of pedestrians would not be unacceptably obstructed and the potential for pedestrian conflicts with other users of the highway would not cause harm to highway safety and there is no conflict with Policy 5.2 of The Southwark Plan (2007) which relates to transport impacts.
12. I note the Council referred to a nearby vehicular accident however, no details have been provided and as such this is of little weight in my assessment.

Other Matters

13. The InLink would provide a number of services to members of the public, including; free phone calls, device charging, an emergency 999 call button, capability for public messaging including offering content to the Council and local groups, and providing a platform for interactive technologies such as air quality monitoring. However, considering the nature of these benefits against the harm to the character and appearance of the area, they do not outweigh the harm identified above, particularly as there is an existing InLink located on the opposite side of the road in close proximity of the appeal site.

Conclusion

14. For the reasons given above, Appeal A and Appeal B are dismissed.

Felicity Thompson

INSPECTOR