



Appeal Decision

Site visit made on 5 August 2019

by Paul Griffiths BSc(Hons) BArch IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/N5660/W/18/3212505
81-83 Waterloo Road, London SE1 8UD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Maximus Networks Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref.18/00614/G24, dated 31 January 2018, was refused by notice dated 3 April 2018.
 - The development proposed is described as a 'call box'.
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Decision

1. The appeal is dismissed.

Main Issues

2. Given the nature of the original application, and the subsequent appeal, it is matters of appearance and siting that are before me. With those in mind, the main issues in this case are the effect of the proposal on (1) the street-scene; and (2) road safety and pedestrian comfort.

Reasons

The Street-Scene

3. Viewed in isolation, the call box has a simple, functional design that is largely inoffensive. However, the location proposed is very close to what appeared to me to be a very well-used series of bicycle racks, and a street light, and other elements of street furniture in the wider area. As such, the call box would lead to additional visual clutter in an area that, from what I observed, already suffers from it. On that basis it would be harmful to the street-scene.

Highway Safety

4. In the position proposed, the call box would restrict visibility for drivers of vehicles attempting to turn right from Alaska Street into Waterloo Road. That would be detrimental to road safety.
5. It would also restrict the width of the pavement in an area, close to Waterloo and Waterloo East Stations, that, at times, carries a very high volume of pedestrian traffic. It is all very well to claim that 3.1m would remain between the call box and the adjacent building but that fails to take account of the fact that the adjacent building is a Public House where, as I observed at the time of my site visit in the early evening, patrons stand on the pavement outside, obstructing the flow of pedestrians.

6. Further restricting the pavement width available to pedestrians through the installation of the call box would have a negative effect on pedestrian comfort.

Conclusion

7. I recognise the strong support for high-quality communications in the National Planning Policy Framework and the advice therein that applications (and by inference appeals) should be determined on planning grounds only. I note too that need should not be questioned, and neither should competition between different operators be prevented.
8. However, as reflected in Policy T10 of the Lambeth Local Plan that deals with telecommunications, Policy Q6 that addresses the public realm, Policy T6 that seeks to avoid unacceptable impacts on highway safety, and Policy T2 that covers walking, the protection of the street-scene from clutter, and the maintenance of highway safety and pedestrian comfort are important planning matters too.
9. In my view, the harmful impacts that would flow from the siting of the call box proposed, set out above, far outweigh the benefits it would bring. Consequently, I conclude that the appeal should be dismissed.

Paul Griffiths

INSPECTOR