
Appeal Decisions

Site visits made on 10 September 2019 by Emma Worby BSc (Hons)

Decisions by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 November 2019

All Appeals

- The appeals are made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeals are made by Maximus Networks Ltd against the decisions of the Council of the London Borough of Hammersmith and Fulham.
 - The development proposed in each case is a public call box.
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Appeal A Ref: APP/H5390/W/19/3229107

Public Highway, Butterwick near junction Hammersmith Road, London, W6 7DP

- The application Ref 2018/03228/TEL56, dated 1 October 2018, was refused by notice dated 21 November 2018.
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Appeal B Ref: APP/H5390/W/19/3230549

Public Highway, 181 Hammersmith Road, London, W6 8BT

- The application Ref 2018/03645/TEL56, dated 6 November 2018, was refused by notice dated 10 December 2018.
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Appeal C Ref: APP/H5390/W/19/3229115

Public Highway, adjacent 3 Shortlands, London, W6 8DA

- The application Ref 2018/03243/TEL56, dated 1 October 2018, was refused by notice dated 21 November 2018.
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Appeal D Ref: APP/H5390/W/19/3229125

Public Highway, adjacent 171 Talgarth Road, London, W6 8BJ

- The application Ref 2018/03258/TEL56, dated 1 October 2018, was refused by notice dated 21 November 2018.
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Appeal E Ref: APP/H5390/W/19/3229122

Public Highway, 181 Talgarth Road, London, W6 8DN

- The application Ref 2018/03245/TEL56, dated 1 October 2018, was refused by notice dated 21 November 2018.
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Appeal F Ref: APP/H5390/W/19/3230551
Public Highway, King Street, adjacent Kings Mall Shopping Centre, London, W6 0PZ

- The application Ref 2018/03651/TEL56, dated 6 November 2018, was refused by notice dated 10 December 2018.

Appeal G Ref: APP/H5390/W/19/3230564
Public Highway, 291 King Street, London, W6 9NH

- The application Ref 2018/03649/TEL56, dated 6 November 2018, was refused by notice dated 14 December 2018.

Appeal H Ref: APP/H5390/W/19/3230546
Public Highway, 321 King Street, London, W6 9NH

- The application Ref 2018/03641/TEL56, dated 6 November 2018, was refused by notice dated 10 December 2018.

Appeal I Ref: APP/H5390/W/19/3229114
Public Highway, Great West Road junction Rivercourt Road, London, W6 9LD

- The application Ref 2018/03241/TEL56, dated 1 October 2018, was refused by notice dated 21 November 2018.

Appeal J Ref: APP/H5390/W/19/3230555
Public Highway, Wood Lane adjacent Westfield Shopping Centre, London, W12 7GD

- The application Ref 2018/03650/TEL56, dated 6 November 2018, was refused by notice dated 11 December 2018.
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Decisions

Appeal A Ref: APP/H5390/W/19/3229107

1. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a public call box on the public highway, Butterwick near junction with Hammersmith Road, London, W6 7DP in accordance with the terms of the application Ref 2018/03228/TEL56, dated 1 October 2018, and the plans/documents submitted with it.

Appeal B Ref: APP/H5390/W/19/3230549

2. The appeal is dismissed.

Appeal C Ref: APP/H5390/W/19/3229115

3. The appeal is dismissed.

Appeal D Ref: APP/H5390/W/19/3229125

4. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a public call box on the public highway adjacent 171 Talgarth Road, London, W6 8BJ in accordance with the terms of the application Ref 2018/03258/TEL56, dated 1 October 2018, and the plans/documents submitted with it.

Appeal E Ref: APP/H5390/W/19/3229122

5. The appeal is dismissed.

Appeal F Ref: APP/H5390/W/19/3230551

6. The appeal is dismissed.

Appeal G Ref: APP/H5390/W/19/3230546

7. The appeal is dismissed.

Appeal H Ref: APP/H5390/W/19/3230564

8. The appeal is dismissed.

Appeal I Ref: APP/H5390/W/19/3229114

9. The appeal is dismissed.

Appeal J Ref: APP/H5390/W/19/3230555

10. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the installation of a public call box on the public highway, Wood Lane adjacent Westfield Shopping Centre, London, W12 7GD in accordance with the terms of the application Ref 2018/03650/TEL56, dated 6 November 2018, and the plans/document submitted with it.

Appeal Procedure

11. The site visits were undertaken by an Appeals Planning Officer whose recommendations are set out below and to which the Inspector has had regard before deciding the appeals.

Procedural Matters

12. As set out above, there are ten separate appeals for the installation of electronic communications apparatus comprising a public call box pursuant to Class 16 of the Town and Country Planning (General Permitted Development) Order 2015 (the GDPO). Whilst each appeal relates to a different site, the proposed call boxes on the sites are identical. I have considered each proposal, on its individual merits, but as they raise similar issues, the cases are dealt within a single decision letter.

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13. On 25 May 2019, the Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 came into force, amending the General Permitted Development Order (GPDO). This amendment removes the permitted development right to install a public call box under Schedule 2, Part 16, Class A of the GPDO. However, transitional and saving provisions at Part 5 of the 2019 Regulations provide that where an appeal has been made within 6 months of the date of notice of refusal of a prior approval application submitted before 25 May 2019, the planning permission granted by Schedule 2, Part 16, Class A continues to have effect in relation to a public call box as if the amendments made to the GPDO by the 2019 Regulations had not been made. That is the case in respect of the ten appeals before me.
 14. As such, and as the appellant is an electronic communications code operator, the appellant is able to benefit from permitted development rights for a proposed call box under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO), subject to the conditions in part A.3 which requires the prior approval of the local planning authority in respect of the siting and appearance of the development.
 15. The provisions of the Order require the local planning authority to assess the proposed development solely on these matters. As such, considerations such as the need for a telephone kiosk and whether it may be used for advertising in the future are not relevant to this appeal. Accordingly, the main issues are set out below.
 16. The High Court has considered the issue of the inclusion of advertising on public call boxes. A recent judgement in the Westminster case (*Westminster City Council v Secretary of State for Housing, Communities and Local Government & New World Payphones Ltd* (2019) EWHC 176 (Admin)) considered the matter of dual purpose of advertisement display and telecommunications use. This judgement confirmed 'that the whole development for which prior approval is sought must fall within the class relied on, and no part of it can fall outside it'. The judgement went on to state that a development falls outside the scope of Part 16, Class A if it is not 'for the purpose' of the operator's network. Thus, if the development is partly for some other purpose beyond that of the operator's network, it cannot be development 'for the purpose' of the operator's network precisely because it is for something else as well. In that case the proposed call box was for a dual purpose of advertisement display and telecommunications use and therefore contained features that were for advertising and 'not at all there for the telecommunications function'.
 17. In the case of the appeals before me, I have taken into account the submitted Opinion of Counsel regarding this matter and the design of the proposed public call box provided. It is apparent that the form and design of the proposed telecommunications apparatus is driven by its proposed functionality as a public call box. I have no evidence to suggest that the proposed development includes elements that are there for the purpose of advertising. Consequently, on the basis of the evidence provided in these appeals, I consider that the proposals are for the purpose of the operator's electronic communications network, and so are able to benefit from permitted development subject to the conditions in part A.3.

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18. The principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require the development to be judged against the policies of development plan. Nonetheless, I have had some regard to the policies of the development plan, any related guidance and the National Planning Policy Framework (Framework) only in so far as they relate to matters of siting and appearance.

Main Issues

19. The appellant submitted a document as part of this appeal that shows the proposed public call boxes positions on the pavement, their distance from the road edge and the width of the remaining unobstructed footway following its installation. There is not an accurate depiction of the proposed call box within this document. Nonetheless, contrary to one of the reasons for refusal in all the decision notices, this information provides an indication of the position of each box, when taking measurements of the public call box into account, sufficient to allow an accurate consideration of the effect of its siting on pedestrian and highway safety.
20. Accordingly, the main issues for all appeals are:
- The effect of the proposal's siting and appearance on the character and appearance of the surrounding area; and
 - The effect of the proposal's siting on pedestrian and highway safety.

Reasons for the Recommendations

Background

21. The proposed call boxes are relatively simple, thin, freestanding structures with a small canopy which serves as a shelter, and is made of solar panels that will power the payphone. The call box is modern in design with a phone on one side and a non-illuminated display panel on the other. There are also four LED lighting strips on the outside edges of the structure. It is considered that the detailed design of the call box is of high quality.

Appeal A: Butterwick near Hammersmith Road

Character and Appearance

22. The appeal site is located on a wide section of pavement adjacent to a bus station and the junction of Butterwick and Hammersmith Road. There are a number of signs and street paraphernalia in close proximity to the proposed call box, such as a public transport sign, telephone box and a large illuminated advertisement board on the opposite side of the road. Although it is a relatively busy area in terms of vehicular traffic and pedestrian footfall, the path is spacious and the area is diverse in terms of the style and age of nearby properties and features.
23. The contemporary appearance of the call box would not be out of keeping with the modern character of its surroundings and would not result in an overly cluttered streetscene. Given the width of the street and the scale of adjacent buildings and other street furniture, the call box would not appear incongruous and would not deplete the spacious character of the surrounding streetscene to any material degree.

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24. Taking into account the above factors, the siting and appearance of the proposed call box would cause no material harm to the character and appearance of its surroundings.
25. The site is close to the Brook Green Conservation Area (BGCA) and the Hammersmith Broadway Conservation Area (HBCA). The HBCA is commercial in character and although the BGCA is more residential in general, its setting in this vicinity is also commercial in nature. The relatively modest scale of the development and modern design would have no harmful impact on the setting of these conservation areas.

Pedestrian and Highway Safety

26. The proposed call box would be located adjacent to the roadside and information submitted shows that around 4 metres of footway would be left clear for pedestrians. Although it is noted that the area is busy with a high footfall, the pavement is wide and spacious and it is not considered that the proposed call box would form an obstacle which would affect pedestrian movement significantly. It also would adhere to Transport for London (TfL) Streetscape Guidance (footway clear zone) and TfL Pedestrian Comfort Guidance, 2010.
27. The call box would be located adjacent to a four-lane one-way highway with vehicles coming from Hammersmith Road onto Butterwick. The call box would be located just after this junction on a straight section of the road. Given the direction of the traffic and the nature of the road the proposed call box would not significantly intrude on the sight lines of motorists. As such it would not harm highway safety.
28. Therefore, it is not considered that the proposed call box would impact pedestrian movement or cause material harm to highway or public safety.

Appeal B: 181 Hammersmith Road

Character and Appearance

29. The appeal site is located between Hammersmith Road and an area of landscaped planters on a busy footpath. The pavement is relatively wide however this is reduced by the planters and several bicycle racks which are positioned next to the road. The proposed call box would be located adjacent to the existing bike racks and would significantly reduce the width of the already narrow pathway. In comparison with the other modest items of street furniture, the presence of the call box would be conspicuous to pedestrians and road users and would appear as a prominent and intrusive feature within the busy streetscene. It would give the impression of adding clutter to the area and would detract from the quality of the public realm.
30. For these reasons, the siting and appearance of the proposed call box would cause unacceptable harm to the character and appearance of the surrounding area.
31. The site is opposite the Brook Green Conservation Area. The Council raise no concerns in respect of the effect of the development on the setting of this conservation area, and I have no reason to consider otherwise.

Pedestrian and Highway Safety

32. The proposed call box would reduce the width of the pavement and be located directly next to Hammersmith Road. Although it is noted that appellant has stated that the proposal would accord with the TfL Pedestrian Comfort Guidance, this is on the basis that the footway has a low pedestrian flow. I noted during the site visit that this section of footway is particularly busy. The reduction of the width of the footway would therefore have a detrimental impact on the free flow of pedestrians which would be compounded by the existing street furniture in close proximity. Therefore, I find that the proposal would have an unacceptably adverse effect on pedestrian permeability in what is a busy area. Accordingly, it is considered that the proposal's siting would impact harmfully on pedestrian safety.

Appeal C: adjacent 3 Shortlands

Character and Appearance

33. The appeal site is located on the footway adjacent to the road edge and close to the vehicular entrance of a large hotel. The call box would be located next to an existing old-style telephone box and a row of trees on the pavement. The pavement is relatively wide but this is somewhat reduced by the trees and the existing phone box. Although there were construction works on the pavement during the time of the site visit, the landscaping gives the site a pleasant and open appearance which has a positive impact on the character of the area.
34. The proposed development would result in a cluttered appearance in the area which is currently generally open in appearance. The addition of a second telephone box would result in an over proliferation of structures and which would contrast with each other in terms of appearance. This would detract from the quality of the public realm and unacceptably harm the character of this part of the streetscene.
35. Therefore, the siting and appearance of the proposed call box would cause unacceptable harm to the character and appearance of the surrounding area.

Pedestrian and Highway Safety

36. The call box would be located adjacent to a straight and relatively quiet stretch of highway. It would not appear distracting from the road and is not considered to have an impact on the safety of highway users. It would be located in close proximity to the road, at the edge of the pavement, and would be roughly in-line with the existing telephone box. As the pathway is relatively wide and the call box would not deplete the width of the pathway any more than the existing street furniture, the proposal would not have a significant impact on pedestrian movement. Therefore, it is not considered that the proposed call box's siting would cause material harm to pedestrian or highway safety.

Appeal D: adjacent 171 Talgarth Road

Character and Appearance

37. The appeal site is located on the footway between a petrol station and a slip road from the A4 dual carriageway. There is an existing old-style phone box and other street paraphernalia in close proximity to the proposed call box, such as road signs, petrol station signs and trees. The pavement is wide and open

and the surrounding area incorporates a variety of uses and buildings. The call box would be positioned close to the petrol forecourt and at the furthest point from the highway. It would be in close proximity to the existing phone box and a large and prominent sign for the petrol station. In this context the proposal would not appear dominant or intrusive within the streetscene and would not deplete the spacious nature of the footway. Its modern appearance would not appear at odds within the variety of the built form in the surrounding area and therefore it would not be out of character.

38. Taking into account the above factors, the siting and appearance of the proposed call box would cause no material harm to the character and appearance of its surroundings.
39. The site is adjacent to the Barons Court Conservation Area (BCCA). The BCCA is largely residential in character and its setting along its northern edge is largely derived from the busy Talgarth Road. The relatively modest scale of the development would have no harmful impact on the setting of this conservation area.

Pedestrian and Highway Safety

40. It was noted during the site visit that the pedestrian footfall was low and that the pavement was wide and spacious. The adjacent dual carriageway and slip road are relatively busy and a number of cars were also using the petrol station. However, the proposed call box would be located some distance from the road and therefore, due to this distance, it would not impact upon highway safety. It is also located further along the road than the entrance to the petrol station and would be situated next to a much larger sign. Therefore it would have no impact on vehicles using this entrance and would not cause a unnecessary distraction. Due to the width of the pavement and the low footfall on the pathway, it is also not considered that the proposal would significantly impede pedestrian movement. Subsequently, it is not considered that the proposed call box's siting would cause material harm to highway or pedestrian safety.

Appeal E: 181 Talgarth Road

Character and Appearance

41. The appeal site is located on the footway adjacent to Talgarth Road. The footway is relatively wide and clutter-free with only several trees and lampposts lining the road. There is also some landscaping within the forecourt of the adjacent office building. These features give an open and uncluttered appearance to the area which has a low pedestrian footfall.
42. The proposal would be located directly adjacent to Talgarth Road. Due to the simple and uncluttered nature of the surrounding area, the call box would appear prominent and incongruous.
43. Therefore, it is considered that the siting and appearance of the proposed call box would cause unacceptable harm to the character and appearance of the surrounding area.

Pedestrian and Highway Safety

44. The call box would be located directly next to a one-way slip road however it would not block any viewpoints for oncoming drivers, due to direction of the traffic, and would be located a sufficient distance away from the on-coming junction to not result in a significant or harmful distraction for highway users. Also, due to the width of the pavement and the low footfall on the pathway, it is also not considered that the proposal would significantly impede pedestrian movement. Accordingly, it is considered that the proposal's siting would not harmfully affect pedestrian or highway safety.

Appeal F: adjacent Kings Mall Shopping Centre

Character and Appearance

45. The appeal site is on a pavement which is lined with retail units and adjacent to a small shopping centre. The footway is busy with a large number of pedestrians and there are a number of items of street paraphernalia within the vicinity of the appeal site including trees, bicycle racks, street lighting and bins. There is also another public call box on the opposite side of King Street. Although the footway is wide, due to the existing street furniture and the busy nature of the area, the pathway appears cluttered and constricted.
46. The proposed call box would be located directly next to a bike stand, in close proximity to the highway and in-between an existing tree and a lamppost. This would add clutter to the footway and would be visually harmful to the area.
47. It is considered that the siting and appearance of the proposed call box would cause unacceptable harm to the character and appearance of the surrounding area.
48. The site is close to the Hammersmith Broadway Conservation Area. The Council raise no concerns in respect of the effect of the development on the setting of this conservation area, and I have no reason to consider otherwise.

Pedestrian and Highway Safety

49. The proposed call box would be located adjacent to the highway, however due to the level of existing street furniture along the road and the nature of the road, which is straight but with generally slow moving traffic, it is not considered that the proposal would result in harm to highway safety. However, as the call box would be situated on a section of footway which is already cluttered and busy, the addition of a new item of street furniture in this position out of alignment with the other nearby fixtures would create a 'slalom' effect for pedestrians to navigate around and therefore would impede pedestrian movement. Therefore, it is considered that the proposal's siting would harmfully impact upon pedestrian safety.

Appeal G: 291 King Street

Character and Appearance

50. The appeal site is located on a very wide pathway in an area which comprises a combination of residential properties and retail units. In close proximity to the site along the pathway are trees, bicycle racks, an old-style telephone box and an electrical box. However, as the pathway is wide it still has a spacious and open feel. As it is much further west along King Street than the main shopping

centre, the footway and the road are less busy and it has a more suburban and quieter feel than further to the east.

51. The proposed call box would be located in the centre of the footway leaving space either side for pedestrians, as per the existing telephone box. However this would erode the spacious nature of the pathway and the modern appearance of the call box would be at odds with the surrounding area, which is comprised of traditional style brick buildings, and would contrast with the design of the existing nearby call box. Therefore, the proposal would be an incongruous addition to the streetscene and would have a harmful impact on the visual amenity and character and appearance of the site and the surrounding area.
52. Consequently it is considered that the siting and appearance of the proposed call box would cause unacceptable harm to the character and appearance of the surrounding area.
53. The site is adjacent to the Westcroft Square Conservation Area. The Council raise no concerns in respect of the effect of the development on the setting of this conservation area, and I have no reason to consider otherwise.

Pedestrian and Highway Safety

54. The proposed call box would be located in the middle of the footway and would be some distance from the highway, therefore it would not have a harmful impact on highway safety along King Street by way of reducing sight lines or causing a distraction to passing vehicles. Furthermore, although the proposal would be located in the middle of the footway, the path is extremely wide and during the site visit it was noted that the footfall was limited. There would be sufficient space either side of the call box for pedestrian movement. The call box would be in line with the trees and existing call box and therefore would not create an additional obstacle for pedestrians to navigate around. It is considered, therefore, that the proposal's siting would not have a significant impact on pedestrian or highway safety.

Appeal H: 321 King Street

Character and Appearance

55. Similar to the site subject of Appeal G, which is located on the same stretch of footway, the appeal site is located on a wide pathway in an area which comprises a combination of residential properties and retail units. It is close to the junction with Standish Road and the junction with Hamlet Gardens on the opposite side of road. It is located in close proximity to a number of trees, bicycle racks and lampposts. The width of the footway has been reduced slightly in this location as the neighbouring restaurants have tables and chairs on the pavement during operational hours. However, as the pathway is wide it still has a spacious and open feel. As it is much further west along Kind Street than the main shopping centre, the footway and the road are less busy and it has a more suburban and quieter feel than further to the east.
56. The proposed call box would be located in the centre of the footway leaving space either side for pedestrians. However this would erode the spacious nature of the pathway and the modern appearance of the call box would be at odds with the surrounding area which is comprised of traditional style brick buildings. Therefore, the proposal would be an incongruous addition to the

streetscene and would have a harmful impact on the character and appearance of the surrounding area.

57. It is therefore considered that the siting and appearance of the proposed call box would cause unacceptable harm to the character and appearance of the surrounding area.
58. The site is adjacent to the Westcroft Square Conservation Area. The Council raise no concerns in respect of the effect of the development on the setting of this conservation area, and I have no reason to consider otherwise.

Pedestrian and Highway Safety

59. The proposed call box would be located in the middle of the footway and would be some distance from the highway, therefore it would not have a harmful impact on highway safety along King Street by way of reducing sight lines or causing a distraction to passing vehicles. Furthermore, although the proposal would be located in the middle of the footway, the path is extremely wide and during the site visit it was noted that the footfall was limited. There would be sufficient space either side of the call box for pedestrian movement. The call box would be in line with other street features and therefore would not create an additional obstacle for pedestrians to navigate around. It is therefore considered that the proposal's siting would not have a significant impact on pedestrian or highway safety.

Appeal I: Great West Road junction Rivercourt Road

Character and Appearance

60. The appeal site is located at the junction of Rivercourt Road, a residential street, and the A4 dual carriageway. The proposed call box would be located adjacent to the dual carriageway and adjacent to a grass verge. There are several lampposts, a large road sign and other smaller road signs in close proximity to the proposed site. Although the footway is wide, this is reduced by the nearby grass verge. The proposed call box would be located on the wide section of the pavement but would erode the spacious nature it currently affords. The modern appearance of the call box would appear at odds with the traditional brick dwellings on Rivercourt Road and the greenery on the street corner. Due to this, it would appear as a prominent and incongruous addition to the streetscene and would have a negative visual impact upon the character and appearance of the area.
61. Therefore, it is considered that the siting and appearance of the proposed call box would cause unacceptable harm to the character and appearance of the surrounding area.
62. The site is adjacent to The Mall Conservation Area. The Council raise no concerns in respect of the effect of the development on the setting of this conservation area, and I have no reason to consider otherwise.

Pedestrian and Highway Safety

63. Although the siting of the proposed call box would reduce the width of the footway for pedestrians, during the site visit the footfall within the area was very low. Furthermore, sufficient pathway would be left for adequate pedestrian movement and therefore the placement of the call box would not

impact upon this. However, the proposal would be directly adjacent to a very busy dual carriageway and could cause a distraction to vehicle users. It would be positioned in front of road signage highlighting the presence of a speed camera, and also a large direction road sign. It is considered that the placement of the call box could hamper the view of these signs to the detriment of highway users and public safety.

64. Therefore, although it is considered that the proposed call box's siting would not impact upon pedestrian safety, it would cause material harm to highway safety.

Appeal J: Wood Lane adjacent Westfield Shopping Centre

Character and Appearance

65. The appeal site is adjacent to Westfield Shopping Centre, with the modern buildings of the shopping centre on one side of Wood Lane and more traditional residential dwellings on the other side. The pathway is relatively wide with lampposts and planters giving it a relatively modern and uncluttered appearance.
66. The proposed call box would be located adjacent to the highway opposite one of the planters. Due to modern appearance of the area, it is not considered that the modern style call box would appear out of keeping within its surroundings. The positioning of the call box would ensure it is a suitable distance from other street paraphernalia and therefore it would not add clutter to the streetscene and would not have a harmful visual impact on the character and appearance of the area as a whole.
67. Taking into account the above factors, the siting and appearance of the proposed call box would cause no material harm to the character and appearance of its surroundings.

Pedestrian and Highway Safety

68. The call box would be positioned adjacent to the highway and would still provide ample space for pedestrian access on the footway. Although the footfall in the area is relatively high, the proposal would not be detrimental to pedestrian movement or safety. Wood Lane is a relatively busy but straight road. The call box would not be positioned in close proximity to any junctions or pedestrian crossings which may cause a distraction to drivers and would not block any sight lines. Therefore it is not considered that the proposal's siting would be harmful to highway or pedestrian safety.

Other Considerations (all cases)

69. The benefits put forward by the appellant in favour of the proposed call boxes, including the public benefits, have been taken into consideration. However, these do not outweigh the harms associated with those proposals that have been found objectionable.
70. The appellant has referred to several appeal decisions regarding similar proposals for the installation of call boxes. However, I do not have the full details of those cases and so have considered each proposal before me on its own merits and the specific circumstances and context of each case.

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71. The appellant suggests describing the call boxes as 'clutter' implies they are unnecessary, which is not a material consideration. However, need and clutter are different considerations, and whilst the need for the boxes in principle is not disputed, the effect of their siting on their context is a matter that needs consideration.
72. The appellant also states the design of the call box has been designed to be less visually intrusive and dominant than a previous version design. However, consideration of the appearance of the box in its context, as well as its siting, go beyond just the design of the development.

Overall Conclusions and Recommendations

73. The siting and appearance of the proposals in appeals B, F, and I would harm the character and appearance of their local area and would harm pedestrian or highway safety. Therefore, for the reasons given above, I conclude that these appeals should be dismissed
74. The siting and appearance of the proposals in appeals C, E, G and H would not harm pedestrian or highway safety, but this lack of harm is outweighed by the harm they would cause to the character and appearance of their area. Therefore, for the reasons given above, I conclude that these appeals should be dismissed also.
75. The siting and appearance of the proposals in appeals A, D and J would not cause harm to the character and appearance of their local area and would not cause harm to pedestrian or highway safety. Therefore, for the reasons given above, I conclude that these appeals should be allowed.
76. I have had regard to Policy DC1 of the Hammersmith and Fulham Local Plan, February 2018, (Local Plan), which seeks to achieve high quality urban design Policy DC10 of the Local Plan which seeks to minimise impact on visual amenity from telecommunication apparatus, and Policies T1 and T3 of the Local Plan which seek to increase opportunities for cycling and walking. I have also had regard to key principles TR12, TR13, TR22 and TR29 of the SPD and policy 6.10B of the London Plan which all generally seek to protect the pedestrian environment.

Conditions

77. The Council has not suggested any other conditions in addition to the standard conditions set out in Schedule 2, Part 16, paragraph A.2 of the GPDO and so in respect of those appeals that should be allowed I consider that no additional conditions are necessary.

Recommendations

78. For the reasons given above and having had regard to all other matters raised, I recommend that appeals A, D and J should be allowed, but appeals B, C, E, F, G, H and I should be dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decisions

79. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeals are determined as follows:

Appeal A: Allowed

Appeal B: Dismissed

Appeal C: Dismissed

Appeal D: Allowed

Appeal E: Dismissed

Appeal F: Dismissed

Appeal G: Dismissed

Appeal H: Dismissed

Appeal I: Dismissed

Appeal J: Allowed

Andrew Owen

INSPECTOR