



Appeal Decision

Site visit made on 14 February 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2022

Appeal Ref: APP/Y5420/W/21/3284538

Outside Post Office, High Road, Tottenham N17 0EY

- 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 Ms Bella Noakes, British telecommunication PLC, against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/1502, dated 4 May 2021, was refused by notice dated 9 July 2021.
 - The development proposed is removal of existing BT phone box and installation of a proposed replacement BT street hub and associated display of advertisement to both sides of the unit.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, having regard to the Tottenham High Road Conservation Area (CA).

Reasons

3. The appeal site is located within a commercial area within the CA, close to Tottenham Hotspur Stadium. Based on the evidence before me the CA, is characterised by primarily 2-3 storey buildings fronting the pavement with commercial uses at ground floor and residential uses above. The design and architectural form of buildings vary.
4. The site is adjacent to inset parking spaces and there are various items of street furniture in the vicinity of the site which results in a cluttered appearance. This includes street lighting, bicycle stands, refuse bins, parking meter, street tree and a payphone structure as well as signage and advertisement associated with the nearby commercial units.
5. This section of the pavement is relatively narrow and feels enclosed because of the inset parking spaces, distance to buildings, nearby street furniture and advertisements. The scheme would not add visual clutter given that it would replace an existing phone box. Whilst the street hub would be slimmer than the existing phone box, it would be taller and wider. For these reasons, it would be a more dominant addition and an incongruous feature due to its modern design, height, scale and siting as well as the context of the site.

6. Therefore, the scheme would cause harm to the CA because it would result in an unsympathetic addition which would not respect the character and appearance of the CA. Accordingly, the proposal would fail to preserve or enhance the character or appearance of the CA.
7. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Framework paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where there is less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
8. Given the scale of the proposal within the context of the CA as a whole and the scheme replaces an existing phone box, the level of harm would be less than substantial, nevertheless it is of considerable importance and weight. I acknowledge the benefits highlighted by the appellant, including Wi-Fi, improved 4G and 5G coverage, charging facilities, emergency call button, access to public services and accessibility options. In addition, I acknowledge that the Framework supports high quality communications and paragraph 114 states that it is essential for economic growth and social well-being.
9. However, there is nothing before me to indicate that similar benefits could not be achieved by siting the kiosk in a more sensitive location without causing harm to the designated heritage asset. Based on the evidence submitted, the public benefits associated with the proposed development would be limited and would not justify or outweigh the harm to the CA that I have identified, as required by the Framework.
10. For the reasons given above, the proposed development would cause harm to the character and appearance of the surrounding area and would not preserve or enhance the character or appearance of the CA. Consequently, the scheme would conflict with Policies SP11 and SP12 of the Haringey's Local Plan: Strategic Policies 2013-2026 (consolidated 2017), Policies DM1, DM3 and DM9 of the Council's Development Management DPD (2017) and Policies D4 and HC1 of the London Plan (2021). These policies seek, amongst other matters, to ensure new development achieves a high standard of design which does not have an adverse effect on the street scene and supports development that conserves and enhances the significance of a heritage asset.

Other Matters

11. My attention has been drawn to several appeal decisions. Limited information has been submitted with regards to those appeals and the site context for those cases differ to the scheme before me. In any event, each application and appeal must be determined on its own merits.
12. The appellant has referred to 822 High Road which is a Grade II listed building to the south of the appeal site. The Council raise no concerns in respect of the effect of the development on the setting of the listed building, and I have no

substantive reason to consider otherwise. Given the scale of the proposal, distance to the listed building and the scheme would replace an existing phone box, I am satisfied that the proposal would have a neutral effect on the heritage asset and would preserve the special interest of the listed building. This is a neutral consideration and does not weigh in favour of the appeal.

13. The Council state in the officer's report that the scheme would be unacceptable due to the potential harm to highway and pedestrian safety. The Council's Transportation Team also objected to the application. However, this has not been reflected in the reason for refusal. As I am dismissing the appeal for other reasons, it is not necessary for me to consider this matter, as any findings in this respect would not change the appeal outcome.

Conclusion

14. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

L M Wilson

INSPECTOR