
Appeal Decision

Site visit made on 10 May 2022

by Richard McCoy BSc MSc DipTP MRTPI IHBC

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

Decision date: 31 May 2022

Appeal Ref: APP/Y5420/W/21/3284832

Footpath off The Broadway, London N8 9SH

- 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 British Telecommunication PLC against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/1652, dated 4 May 2021, was refused by notice dated 14 July 2021.
 - The development proposed is the removal of existing BT phone box and installation of a replacement BT Street Hub and associated display of advertisement to both sides of the unit.
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Decision

1. I dismiss the appeal.

Procedural matter

2. This appeal relates to a refusal of planning permission. A related appeal ref. APP/Y5420/Z/21/3284833 in respect of a refusal under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 was made. However, as it was received after the time limit, no further action was taken on it. I have dealt with this appeal on the basis that only the construction of the street hub is being considered and not advertisement consent.

Main Issue

3. I consider the main issue to be whether or not the proposal would preserve or enhance the character or appearance of the Crouch End Conservation Area and the effect on the setting of the nearby listed buildings.

Reasons

4. The appeal site is the back of the footway adjacent to an open civic space to the front of Hornsey Town Hall. It is located within the Crouch End Conservation Area which is characterised by residential terraced streets bisected by a busy commercial thoroughfare, centred on an open civic space fronted by modern civic buildings.
5. From what I observed, the position of the street hub, to the rear of the footway in place of existing telephone boxes (the application description states one box would be replaced but the application drawing shows both existing boxes being removed) would mean it would be unlikely to be an obstacle or hazard to those

- using the footway. In addition, although incorporating brightly illuminated advertisements, it would be positioned a sufficient distance from road traffic signage so as not to present a safety hazard to road users.
6. Nevertheless, the proposal would add to the sense of clutter in the general area which includes a bus shelter, refuse bins, benches and telephone boxes. The proposal would introduce a modern structure which at around 3 metres in height would be much taller and more prominent than the telephone box(es) it would replace and would incorporate high definition displays on both sides with changing advertisements. The size, illumination and changing nature of the display would make this a very strident and incongruous feature within the street-scene. As such it would fail to preserve or enhance the character or appearance of the conservation area.
 7. The proposal would also be located close to the Grade II listed Electricity Board Office and Showroom, the Grade II listed Broadway House and the Grade II* listed Hornsey Town Hall. These buildings are part of a civic set piece and are contemporary in date ranging from around 1935-1938. They are of a complimentary design of brick with regular fenestration patterns and this defines their significance as designated heritage assets. They create an attractive civic space which very much forms the main focus of their setting and contributes positively to their significance.
 8. The proposal, by introducing a tall street hub which incorporates digital advertising on both sides would be a very prominent, discordant feature when viewed by those approaching the civic space along the footway from both directions. This would detract from the significance of these designated heritage assets and would fail to preserve their setting.
 9. The harm that would arise to both the conservation area and the listed buildings would be less than substantial. The presence of other advertisements in the vicinity would not serve to lessen or justify the harm arising from this proposal. Under paragraph 202 of the National Planning Policy Framework (NPPF) this harm should be weighed against any public benefits of the proposal.
 10. The replacement of up to 2 no. telephone boxes would reduce the amount of street clutter. However, given the transparent nature of the boxes and the greater height of the street hub, I give this benefit limited weight. The hub would bring other benefits including improved 4G/5G coverage and wifi access, provide USB charging, free 999 calls, display messaging to the general public and potentially measure air quality. However, these are of moderate benefit given the widespread use of personal smartphones and the use of other facilities in the area for messaging and measuring air quality.
 11. It was also claimed that the street hub would be powered by renewable carbon-free energy, would be regularly cleaned and inspected and would provide free advertising to the Council. However, this is neutral in my judgement as the hub would not add further to the appellant's carbon footprint and a cleaning regime would be expected for an installation such as this. Furthermore, the Council has pointed out that it currently has sufficient capacity for delivering messaging through other advertisements in the area. In addition, my attention was drawn to other appeal decisions claimed to be similar. However, many of these were in different Council areas and given the

site-specific circumstances of the appeal before me, I do not consider them to be direct comparators.

12. Giving great weight to the conservation of the designated heritage assets, I consider that the less than substantial harm that would arise from the proposal would not be outweighed by the public benefits. Accordingly, the proposal would conflict with policy HC1 of the London Plan (2021), policies SP11 and SP12 of the Haringey Local Plan (2017) and policies DM1, DM3, DM9, DM54 of the Development Management DPD (2017).
13. My attention was drawn to a range of policies from both the NPPF and the development plan but those that are most relevant to the main issue are set out above.

Conclusion

14. For the reasons given, I consider that there are no circumstances that would warrant taking a decision otherwise than in accordance with the development plan and the appeal is dismissed.

Richard McCoy

INSPECTOR