



Appeal Decision

Site visit made on 11 October 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2022

Appeal Ref: APP/W5780/W/22/3297094

Footpath located to the east of Ilford Lane, London IG1 2RJ

- 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 BT Group against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3329/21, dated 21 September 2021, was refused by notice dated 15 October 2021.
 - The development proposed is the removal of existing BT phone boxes and installation of a replacement BT Street Hub and associated display of advertisements to both sides of the unit.
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Decision

1. The appeal is dismissed.

Main Issues

2. In defining the main issues, I have had regard to the Council's record of the decision made under Delegated Powers which assists in understanding the construction of the Council's reason for refusal; and their statement of case which expands on their concerns. I have concluded that the Council's concerns about the proposal are founded in their objection in principle to the structure in this location because of the increased clutter it would create along the street scene, which the Council considers to be unacceptable; and the effect the proposal would have on a planned cycle route.
3. Accordingly, the main issues are the effect of the BT Street Hub on:
 - the character and appearance of the area; and
 - highway safety.

Reasons

Character and appearance

4. The appeal site is in a modest sized paved public square located at the end of Ilford Lane where it joins Albert Road. I saw during my site visit that the square was well used as a thoroughfare, and as a resting place having blocks of seating on two sides. It provides a welcome, open, and uncluttered area between the adjoining pedestrian and cycle underpass and the pavement along Ilford Lane, which is a lively local centre having a wide range of commercial and community uses. The square provides a distinct transition between the commercial area and the much quieter residential area along Albert Road. The Street Hub would be located away from the boundaries of the square and on,

or very close to the route linking the underpass and Ilford Lane that is predominantly taken by pedestrians.

5. In this context, because of its scale, height and positioning away from the edges of the public square, the Street Hub would be a visually dominant feature in the square. I acknowledge the Council have issued a separate decision in respect of advertisements that form part of the Street Hub, but the details of that decision have not been put before me. I have taken my decision on the basis of the size, scale and position of the hub notwithstanding the Council's earlier decision on the advertisements, which does not change the conclusions I have reached.
6. Even taking account of the appearance of nearby commercial premises, the Street Hub would be an obtrusive structure when viewed from all approaches to the square. The proposal would therefore harm the character and appearance of the area. Accordingly, the proposal conflicts with Policy LP26 of the Redbridge Local Plan 2015 – 2030 (March 2018) ('the Local Plan') in that the scale and form of development would fail to respect the local character of the area, and it would not make a positive urban design contribution to its context and location.

Highway safety

7. Proposals for the introduction of a cycle route in the vicinity of the appeal site, as part of a wider regeneration project, are referred to in the evidence. The Council indicate that the plans for this project are not currently in the public domain, and no further details have been provided about the project. That being the case, I cannot be sure whether the location of the Street Hub would detrimentally impact future cycle route users. From the information available to me, I am therefore unable to determine whether the proposal would have a harmful effect on highway safety. In this respect, I cannot find the proposal would conflict with Policy LP22 of the Local Plan.

Other Matters

8. The Council refer to Policy LP28 of the Local Plan in their reason for refusal. That policy relates to advertisements and shopfronts and has no relevance to this case.
9. The telephone boxes proposed to be removed, as a means of reducing clutter and thereby mitigating the effects of the development, are some considerable distance from the appeal proposal and they are located on the opposite side of Ilford Lane. Those phone boxes are obscured from view from the appeal site by trees, shrubs, road signs, walls, railings, and parked cars. I have nothing before me that suggests there is any functional or operational relationship between those phone boxes and the appeal site. They have very little contextual relationship with the appeal site in respect of defining or contributing to the character and appearance of its immediate vicinity. I find it unrealistic to consider the appeal site to be a location currently occupied by visible telecommunications equipment. In reality it is a new site, well away from the existing phone boxes. Therefore, also noting the Council's support for an alternative location, discounting the need for alternative site options to be investigated is unreasonable in this case.

10. I acknowledge the public benefits associated with the services facilitated by the Street Hub which include providing free ultrafast wi-fi access, public information displays, maps, rapid digital device charging facilities, and allowing direct calls to the emergency services. I recognise the benefits of powering the facility with renewable energy. I also recognise the social and economic benefits of providing modern, high quality, reliable telecommunications services, and that support is provided for the expansion of electronic communications networks through the National Planning Policy Framework.
11. However, the proposal forms part of a larger strategic project, and it has not been demonstrated that this is the only location in this vicinity where the development could feasibly take place. I give only limited weight to the benefits of the proposal in this context. The mitigation associated with the removal of distant telephone boxes, and the benefits that would arise from the proposal do not outweigh the harm I have identified; and the lack of nearby designated heritage assets would not justify that harm.
12. My attention has been drawn to appeal decisions that relate to similar proposals elsewhere. However, these are in different areas and have their own unique contexts so have little bearing on my consideration of this appeal.

Conclusion

13. Although I do not find harm to highway safety arising from the proposal, I have found harm to the character and appearance of the area. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

David English

INSPECTOR