



Appeal Decision

Site visit made on 6 December 2022

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 20 January 2023

Appeal Ref: APP/Y5420/W/21/3284556

Junction of Walpole Road and Lordship Lane, Walpole Road, London, N17 6AG

- 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 of British Telecommunication PLC against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/1729, dated 4 May 2021, was refused by notice dated 28 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.

Preliminary Matters

2. The appeal form submitted by the appellant refers to the application reference HGY/2021/1495. However, the copy of the decision notice submitted by the appellant has reference HGY/2021/1729. The submissions made by both parties refer to the development as set out in the decision notice. The reference number given on the appeal form appears to be an error, and I have considered the appeal as it relates to application ref HGY/2021/1729.

Main Issues

3. The main issues in this appeal are the effect of the development on the character and appearance of the area and the effect of the siting of the proposed development on pedestrian movement.

Reasons

Character and appearance

4. The proposed street hub (the hub) would be located in front of 405 Lordship Lane (No 405), close to the junction of Walpole Road with Lordship Lane. At the time of my visit No 405 was being refurbished as a restaurant unit and forms the end of a parade of commercial units. There is currently an existing phone box on the site, with advertising displayed on the western side.
5. Lordship Lane is a wide street with a mix of commercial and residential uses on both sides. The range of shops and services provided and the high-density housing in the area combine to result in Lordship Lane having the character of

- a busy urban street. The buildings exhibit a mix of architectural styles, generally with modern shop fronts at ground level.
6. Walpole Road is a street of predominantly two storey residential terraced houses. There is a substantial church at the top of the street close to Lordship Lane.
 7. There is a wide footway between the shop frontages and the vehicular carriageway in the vicinity of the site. In the immediate vicinity there is street furniture of a contemporary design, comprising, in addition to the existing phone box, street lighting columns, a telecoms mast and cabinets and traffic signage. There are bus stops nearby, with shelters displaying advertisements on both sides of Lordship Lane and these incorporate illumination. Advertising on the commercial units includes some internally illuminated signage but is generally low key and incorporates static images. Overall the immediate vicinity of the appeal site has sense of spaciousness despite its busy urban character.
 8. The proposed development would result in the replacement of the existing phone box with a pillar-like structure, significantly wider than it is deep, set with its principal axis at right angles to the kerb. It would display illuminated advertisements on both sides. The images on these panels would change at intervals.
 9. The existing phone box is a modest structure and by virtue of its scale and finishes it has a relatively inconspicuous appearance. By contrast, the proposed hub would be both wider and taller than the existing phone box and would contain large, illuminated screens on either side, which are intended to accommodate advertisements. By virtue of the illumination of these screens, in combination with its height and width, the hub would present a significantly more prominent feature than the phone box. This would be emphasised by its relative isolation from other street furniture within the street scene. As a result it would present a discordant feature that would dominate views along the street and attract the eye of passers-by, both by day and during the hours of darkness. Whilst the hub would have a narrow cross-section, compared to the existing box, resulting in a reduced footprint, this would not significantly mitigate its overall visual impact.
 10. Whilst, within the wider area, there are other examples of illuminated advertisements, including advertisements mounted on street furniture and associated with business frontages, these are relatively low key and display static images. Whilst some project over the footway, these are relatively small compared to the proposal and relate directly to the business operating from the premises. They thus lack the visual dominance that would result from the proposed development.
 11. For the reasons given above, I conclude that the hub would result in significant harm to the character and appearance of the area. It would therefore be contrary to Policy SP11 of the Haringey Local Plan (2017) -the Local Plan, Policies DM1, and DM3 of the Haringey Development Management Development Plan Document (2017) -the DPD- and Policy D3 of the London Plan (2021). These policies seek to ensure, amongst other things, that new development is of high quality design, which respects its local context and character, and relates positively to neighbouring structures and avoids adverse

effect on the street scene. Whilst cited in the Council's decision notice I find no direct relevance of Policy DM12 of the DPD to the case before me.

Pedestrian movement

12. No pedestrian count data has been provided by either party in support of their case. However, the proposal site lies on a busy shopping street and is likely to experience, at times, high volumes of footfall.
13. With regard to the current layout of the street and footway width, the replacement of the existing box with the hub in the same location would provide a marginal reduction in overall width of available footway. I note the Council's concerns regarding the area now occupied by a side extension for No 405. However, it is reasonable to assume that that area was previously private land and there is no evidence before me to demonstrate that the public had rights over it.
14. In these circumstances, given the existing level of obstruction and remaining available width of footway the positioning of the proposed hub would, of itself, be unlikely to engender significant additional delay or other disruption to pedestrian flow.
15. For these reasons I find that the hub would not have a harmful effect on pedestrian movement. It would, therefore, be in accordance with Policy SP11 of the Local Plan and Policy DM3 of the DPD in as much as these, amongst other things, seek to create well connected and high quality public realm that is easy and safe to use.

Other Matters

16. My attention has been drawn to recent appeal decisions¹ elsewhere in London and other cities that relate to similar proposals. These sites are not within the contextual setting of the proposal before me and so I attach very limited weight to their comparability with the proposal before me. I have, in any case, determined this appeal on its own merits.
17. The hub would provide a number of services to members of the public, which I understand to be at no cost to end users, including local information provided by the Council and travel and emergency information. The proposal would replace a box of run-down appearance and make provision for its maintenance and upkeep.
18. The National Planning Policy Framework (2021) supports the expansion of electronic communication networks which are essential to economic growth and social well-being. The hub would provide some minor public benefit through its inclusive design. Together, these benefits weigh moderately in favour of the proposal.
19. Whilst these are positive matters to be considered in the overall planning balance, they are not of sufficient magnitude to outweigh the substantial harm caused by the hub to the character and appearance of the site and the wider street scene.

¹ APP/Z5630/H/18/3209488, APP/N5660/W/18/3199793, APP/Z4310/Z/3205102, APP/Z1775/Z/18/3211052

Conclusion

20. On one of the two main issues in this appeal, I have found the proposal would be contrary to the relevant development plan policies. I have carefully considered all points raised, but there are no material considerations in this case which indicate a decision other than in accordance with the development plan. Accordingly, the appeal is dismissed for the reasons given.

I A Dyer

INSPECTOR