
Appeal Decision

Site visit made on 12 April 2023

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2023

Appeal Ref: APP/Q5300/W/22/3308429

Outside Global Car Service, Fore Street, Hackney N9 0PW

- 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 Enfield.
 - The application Ref 21/04318/FUL, dated 4 November 2021, was refused by notice dated 31 August 2022.
 - The development proposed is described as '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.'
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Decision

1. The appeal is allowed and planning permission is granted for 'removal of existing BT phone box and installation of a proposed replacement BT street hub Outside Global Car Service, Fore Street, Hackney N9 0PW, in accordance with the terms of the application, Ref 21/04318/FUL, dated 4 November 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan/Proposed Site Plan (Ref BT Streethub EFD 213, Rev A); Elevations with the omission of the display of advertisements.
 - 3) The external surfaces of the development shall be constructed using the materials, finishes, and colours as described in the BT Street Hubs Product Statement v1.0 February 2021 and as shown on the BT Street Hub Proposal Renders 2021.
 - 4) The BT street hub, including its electronic features, shall be managed in accordance with the BT Street Hub Anti-Social Behaviour Management Plan, April 2021, for the lifetime of the development.
 - 5) Before the BT street hub hereby approved is erected, the two existing phone boxes indicated for removal, as shown on drawing Proposed Site Plan (Ref BT Streethub EFD 213), shall be removed and the street surface made good to match the adjoining footway surface materials.

Preliminary Matters

2. The appellant's statement of case refers to both the planning application subject to this appeal and a separate application¹ for Consent to Display an Advertisement(s) under the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 (as amended). The description of development in the banner heading above is taken from the planning application form, while the decision notice refers to '*Installation of a replacement internally illuminated digital LCD display screen to both sides of the proposed free standing InLink*'.
3. For the avoidance of doubt, I have only assessed the planning application as given in the banner heading for the installation of the phone hub. The display of advertisements is subject to other procedures, as outlined above, and I have had regard only to the planning merits of the hub itself. The appeal for the advertisement is not before me.

Main Issues

4. The main issue is the effect of the proposal on the character and appearance of the area, including the Fore Street Conservation Area (CA).

Reasons

5. The appeal site comprises a section of footpath which is currently occupied by a phone box. The footpath lines Fore Street in an area of mixed commercial and residential uses. There is an existing phone box in the location of the appeal proposal while a further kiosk is located a few metres to the north. Both are in a neglected state and are proposed to be removed to allow installation of the new hub as confirmed on the submitted site plan (Ref BT Streethub EFD 213, Rev A). The new hub which would measure approximately 2.96m height, 1.2m width and 0.35m depth.
6. The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states at section 72(1) that with respect to any buildings, or other land, in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The Church Street, Edmonton and Fore Street, Edmonton Conservation Areas Character Appraisal (the appraisal) identifies Fore Street as an historic main road which attracted ribbon development from the 17th century. This in turn was extensively redeveloped as the commercial and administrative core of a suburban hinterland that developed from the late 19th century.
8. The CA is divided into three separate sections, with the appeal site located within the Fore Street North area. The building outside which the hub would be located (365-73) is identified in the appraisal as a building making a positive contribution to the area, as is the building to the north. Taken together, the significance of the CA lies in its historic association with the development of the area and its architectural quality.
9. The proposal would be of significant height and width as demonstrated in the Existing and Proposed Views drawing. Although it would have less depth than the existing phone boxes, it would nevertheless be a prominent feature in the

¹ 21/02163/ADV

streetscape. Its modern appearance and design would be at odds with the more traditional tones and colours of existing street furniture such as the bins and streetlights.

10. Both of the existing phone hubs are negative influences on the street scene. The immediate area of Fore Street around the appeal site includes road signage, a bus stop, lamp columns, parking meters and telecommunication cabinets among other things. The removal of the two existing phone hubs and their neglected appearance would contribute positively to the character of this section of Fore Street.
11. Although the new street hub would be taller and broader than the hubs it would replace, it would have a narrower profile, a less cluttered display and detailing, and a more suitable colour scheme, giving it a more neutral character in the street scene. It would appear less bulky and less conspicuous than the existing two phone boxes it would replace while also reducing street clutter with the reduction of one bulky and prominent feature in the street.
12. Based on the foregoing, I conclude that given the condition of the phone boxes in this location which would be removed, subject to conditions, the proposal would not harm the character and appearance of the area. This would comply policies DMD37 and DMD 44 of the Enfield Development Management Document (DMD) (adopted November 2014), CP30 and CP31 of the Enfield Core Strategy (adopted November 2010) and D8 of the London Plan (adopted March 2021). These seek, among other things, to ensure that the design of development affecting heritage assets, or their setting should preserve the asset in a manner appropriate to its significance. The proposal would also accord with the advice contained in the Framework, which seeks at paragraph 199 to ensure 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.
13. Policy DMD41 of the DMD seeks to control the effects of advertisements and is given in the reason for refusal in the decision notice. As the appeal does not relate to the advertisement, this policy is not relevant to my assessment of the proposal.

Conditions

14. The Council has not suggested any conditions were the appeal to succeed. I have considered the imposition of conditions set against the advice in the Planning Practice Guidance and Framework. In addition to the standard statutory time condition, a condition listing the approved drawings is needed to ensure clarity on what has been permitted.
15. The BT brochure and product information describes the facing materials as powder-coated aluminium and glass, and the renders show the metal in a very dark monotone. There is no necessity for details of facing materials or finishes to be approved. However, in the interests of appearance and visual amenity it is necessary for the specification to be followed, so I have applied condition 3.
16. It is also necessary, in order to reduce the risk of street crime and anti-social behaviour that a condition be applied to ensure that the street hub is effectively managed. I have therefore applied condition 4 for its management

to be in accordance with the BT Street Hub Anti-social Behaviour Management Plan April 2021.

28. The street hub could not be erected without the phone box in situ being removed. However, the hub to the north is also stated to be removed and a large part of my assessment is the benefit of removing two neglected hubs in the existing street scene and the installation of a newer, sleeker model. This would remove two negative contributors to the street scene while also reducing clutter. A condition to ensure both phone boxes are removed prior to the installation of the new hub and made right would overcome these effects.

Conclusion

29. The proposed street hub would accord with the development plan as a whole, and there are no material considerations that would lead me to reach a decision other than in accordance with it. I therefore conclude that the appeal should be allowed.

C McDonagh

INSPECTOR