



Appeal Decision

Site visit made on 4 July 2023

by J Gunn DipTP, DipDBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2023

Appeal Ref: APP/W5780/W/22/3297284

**Footpath along High Road (west of the junction with Clements Road),
London IG1 1DG**

- 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 London Borough of Redbridge.
 - The application Ref 3315/21, dated 21 July 2021, was refused by notice dated 22 October 2021.
 - The development proposed is described on the application form as the '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 dismissed.

Preliminary Matters

2. The application form does not provide a site address and relies on a grid reference to identify the location of the proposed development. Consequently, I have used the site address provided by the appellant in their appeal statement as this reasonably reflects the appeal site location as shown on the submitted drawings.
3. Reference is made in the appellant's statement to a separate application for advertisement consent, which they indicate was approved on 24 September 2022. Notwithstanding the conflict with the Council Officers report which indicates that the decision was issued on 24 September 2021 I am satisfied that an advertisement consent exists for the display of advertisements at the appeal site. Consequently, my consideration will focus on the planning issues arising from the proposal.
4. On my site visit I noted that the pedestrianisation of the central part of High Road had been completed and the 4 phone boxes indicated to be removed as a consequence of the proposed development were no longer present. A BT hub, of a different design and appearance to that now being sought, was present, in the immediate vicinity of the proposed development at the time of my visit. That said, I have no substantive evidence before me regarding the status of that installation. A small street market was operating to the west of the appeal site.

Main Issue

5. The main issue is the effect of the proposed development on public safety.

Reasons

6. The pedestrianised section of High Road, which incorporates soft landscaping, new street furniture and play features, provides an attractive and welcoming environment for users of the town centre. Moreover, the relatively uncluttered and open area allows pedestrians to move freely around this well-used thoroughfare.
7. Whilst recognising the desire of the Council to reduce street clutter and improve the pedestrian environment on High Road, I am not convinced that the proposed development would significantly add to level of street furniture that currently exists in the area. This is particularly the case given the increased width of pavement available and the removal of the 4 phone boxes that were located in the immediate vicinity of the appeal site. Consequently, I do not accept that clutter would arise as a result of the proposed development.
8. That said, I accept that there is a compelling need to ensure that emergency vehicles have reasonable access along High Road in order that they can fulfil their functions. This requirement should take into account other functions of the High Road, including the operation of a street market when operating at full capacity.
9. I note the appellant's assertion that there would be more than sufficient access width retained for emergency vehicles. However, I have no substantive evidence before me, including tracked path analysis, to demonstrate that this would be the case when taking into account the street furniture and other works that are now in place, following the pedestrianisation of High Road. Furthermore, I have no information to indicate what the full impact of the street market would have on such access. Consequently, there is no certainty that emergency access could be achieved, and the street market could operate to the same extent as currently exists.
10. Accordingly, the proposal conflicts with Policies LP22 and LP26 of the Redbridge Local Plan 2015 – 2030 (the Local Plan) which, amongst other matters, seeks to deliver public realm improvements at Ilford, and incorporate the highest standards of accessible and inclusive design that is adaptable to different activities and land uses and the changing needs of all.

Other Matters

11. The Council refer to Policy LP28 of the Local Plan in their reason for refusal. This policy relates to advertisements and shopfronts and has no relevance to this case.
12. Paragraph 114 of the Framework indicates that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social well-being. The Framework also seeks to support the expansion of electronic communications networks. A data connection point and further services are included within the proposed hub. These are public benefits which count in favour of the appeal. However, much of what is offered is already widely available in the form of mobile phones, which limits the weight I afford to these benefits, and which in practical terms would only be modest.

13. I have also had regard to the appeal decisions referred to me by the appellant. The matters highlighted relate primarily to issues of character and appearance. In this regard I have set out my views above and whilst I have found an absence of harm in this respect, it does not alter my conclusions with regards to the impact on public safety.

Conclusion

14. Overall, I find that the public benefits of the proposal do not outweigh the harm to public safety that I have identified above. Consequently, for the reasons set out, and having regard to the development plan as a whole, along with all other matters raised, I conclude that the appeal should be dismissed.

J Gunn

INSPECTOR