



Appeal Decisions

Site visit made on 9 April 2024

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th June 2024

Appeal A Ref: APP/Y5420/W/23/3332379

64 High Road, Wood Green, Haringey, London N22 6HL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Nathan Still of Infocus Network Limited against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2023/2228.
 - The development proposed is installation of an advertised communication hub with defibrillator.
-

Appeal B Ref: APP/Y5420/H/23/3332383

64 High Road, Wood Green, Haringey, London N22 6HL

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a failure to give notice within the prescribed period of a decision on an application for express consent.
 - The appeal is made by Mr Nathan Still of Infocus Network Limited against the Council of the London Borough of Haringey.
 - The development proposed is installation of an advertised communication hub with defibrillator.
-

Decision

1. Both Appeal A and B are dismissed, and express consent for installation of an advertised communication hub with defibrillator is refused for Appeal B.

Preliminary Matters

2. The two appeals concern the same proposal on the same site. Appeal 'A' concerns the refusal of planning permission for installation of an advertised communication hub with defibrillator. Appeal 'B' concerns the non-determination of express consent regarding the installation of an advertised communication hub with defibrillator. I have considered each on its merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
3. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) confirm this approach. I have taken account of the provisions of the development plan insofar as they are material to Appeal B.
4. As far as I have been made aware the Council did not issue a decision notice regarding the express consent to display advertisement and an application

reference number was not provided by the Council. As such, I have not included an application reference number in the banner header for Appeal B.

5. Since the appeal was submitted the Framework was updated in December 2023. The parties have been given the opportunity to comment on the updates to the Framework and these have been taken into consideration in the determination of the appeal.

Background and Main Issues

6. The Council confirmed that the Officer's Report provided for Appeal A dealt with both the planning application and the express consent. It also confirmed that the refusal reasons given in the decision notice submitted with Appeal A also apply to Appeal B.
7. Accordingly, the main issues are:
 - the effect of the proposal upon the character, appearance and amenity of the area; and
 - the effect of the proposal upon highway and public safety.

Reasons

Character and appearance of the area and amenity

8. The site of these appeals is on a section of High Road, close to the centre of Wood Green which is an area with a mix of commercial uses. The buildings in the area vary in design and scale but the ground floors typically include shops, cafes and other commercial uses.
9. Within this area advertisements are common and are typically fascia and projecting signs above shop fronts but there are also communication hubs similar to that proposed as well as advertisements on the side of bus shelters and bins.
10. The pavement along High Road has extensive street furniture including communication hubs, bus shelters, bins, street lighting, trees, and cycle storage. There are also vehicle parking spaces located sporadically along the road which are built into the pavement. Whilst there is a proliferation of street furniture in the area there is a relative spatial order within the street scene with space left around and between them to ensure the pavement does not become cluttered. The area has a commercial character and, in isolation, a communication hub like that proposed would not appear out of character in this context.
11. The proposed communication hub would be located in front of a pair of trees and behind those are several off-street parking spaces. There is currently a large bin located where the communication hub would be sited, and this is shown on the submitted plans to be moved next to the two trees closer to the shop fronts. There is also a streetlight installed close to the middle of the pavement next to the proposed relocated bin. This street furniture is located within small section of the pavement and already creates a relatively constrained public realm.
12. On the opposite side of the road is a similarly designed communication hub with an illuminated advertisement that faces in the same direction as the

proposed advertisement and in the opposite direction there is an illuminated advertisement on the side of a bus shelter that also faces the appeal site. These are both clearly visible when viewed in each direction from the proposed site. These are seen alongside the advertisements located above the surrounding commercial uses.

13. In this context, the proposal would result in another item of street furniture, particularly in close proximity of the trees, streetlight and relocated bin and the proliferation of even more illuminated advertisements in this short section of the road. Given that this area already appears crowded with signs and advertisements, the proposal would give this part of High Road an extremely cluttered appearance that would be dominated by advertising. This would be detrimental to the attractiveness of the public realm. The additional street furniture would undermine the spatial order and appearance of High Road which is part of what makes it an attractive street scene.
14. Given my concerns with the design principles and siting of the proposal I am not satisfied that suitably worded planning conditions would overcome them.
15. For the reasons given above, the proposal, alongside the existing advertisements and street furniture would harm the character, appearance and visual amenity of the area. Insofar as it is material for Appeal B and with regard to Appeal A the proposal would conflict with Policies D3 and D8 of the London Plan 2021, Policy SP11 of the Haringey's Local Plan Strategic Policies (LP) and Policies DM1 and DM3 of the Development Management Development Plan Document (DPD). These policies seek, amongst other matters, to ensure all new development be of the highest standard of design that respects its local context and character and that proposals for advertisements should be designed to a high standard and avoid unsightly proliferation or clutter of signage in the vicinity.

Highway and Public Safety

16. The PPG states that all advertisements are intended to attract attention and proposed advertisements at points where drivers need to take more care are more likely to affect public safety. This includes at junctions or other places where local conditions present traffic hazards. The PPG also states illuminated signs can affect public safety¹.
17. At the time of my site visit High Road was heavily trafficked with a steady flow of vehicles as well as pedestrians visiting shops. I have no reason to consider that this was unusual. The advertisement on the back of the hub would be located close to the traffic lights for a signalised crossing point as well as the parking spaces built into the pavement, a bus stop, as well as other advertisements in the area. The site is also close to the junction on High Road with Brampton Park Road.
18. The advertisement would be face away from a nearside drivers view and be located below the traffic lights. This would contribute to ensuring the advertisement would not hinder the view of the traffic signals from drivers approaching the crossing point.
19. However, there are local conditions that already present traffic hazards. This includes pedestrians crossing the road, vehicles entering or exiting the

¹ Paragraph: 067 Reference ID: 18b-067-20140306 & Paragraph: 068 Reference ID: 18b-068-20140306

junction, buses stopping to pick up or drop off passengers, vehicles entering or exiting the parking bays as well as the signalised crossing point where there is the potential for conflict between multiple road users, especially vulnerable road users such as pedestrians and cyclists. As a result, there are already several distractions taking attention away from road users in an area where drivers need to take more care and attention.

20. The illuminated advertisement would display images at regular intervals which would make the communication hub more prominent, particularly during the hours of darkness compared to the existing bin and trees. Whilst conditions could be used to limit the number of adverts and their timing, adverts are designed to draw attention and the illuminated advertisement would appear bright and sharp and therefore more eye catching. It would therefore introduce another distraction to vehicular users, cyclists as well as pedestrians.
21. The advertisement would draw attention away from pedestrians and other users crossing the road and given its close siting to the crossing point it would also partly hinder pedestrian sightlines using this crossing point. The advertisement would also distract drivers paying attention to the changing traffic lights at this crossing point. Furthermore, the advertisement would draw attention away from drivers entering the junction when approaching from the south when they would also need to pay attention at the crossing point before the junction. The proposal would also cause a distraction when manoeuvres are being undertaken on the road by buses and other vehicles, including those using the parking spaces next to the site.
22. All of these situations have the potential to occur within a small section of the road where drivers and other road users need to take more care and attention. This additional distraction, alongside the existing traffic hazards including the proliferation of existing advertisements, would increase the potential for conflict between road users and particularly vulnerable road users such as pedestrians and cyclists. Given that this would occur in an area where road users need to take more care and attention, the distraction caused by the proposal would harmfully affect public safety and lead to an unacceptable impact on highway safety.
23. The proposed communication hub would be sited in front of the existing trees and as such the hub itself would not necessarily hinder the free flow of movement for pedestrians and other users, as they would have had to walk around the trees in any event. The hub would reduce the amount of space on the pavement available to users but given the likely direction of movement the communication hub itself would not significantly hinder the free flow of movement.
24. However, a large bin is currently sited where the hub would be, and this is shown on the submitted plans to be relocated next to the trees and streetlight. This would reduce the overall width of the pavement which has already been narrowed by the existing street furniture and parking spaces.
25. Whilst the width of the retained pavement would accord with Part E of The Transport for London's Streetscape Guidance Fourth Edition (2022 Revision 2) next to where the bin would be relocated is a streetlight sited close to the middle of the pavement. This streetlight is located within what should be a footway clear zone and as a result it reduces the amount of space available to pedestrians and other users. Whilst the bin itself would be located outside of

the footway clear zone because it would be sited close to the streetlight, the proposal would further reduce the space available for pedestrians and other users on the pavement.

26. The cumulative effect of the existing and proposed street furniture would require pedestrians and other users to pass between the bin and the streetlight which would create an unpleasantly over-enclosed pinch-point, and this would hinder the free flow of pedestrian movement. This would be especially difficult for those with mobility issues when the area is heavily trafficked.
27. Given my concerns with the siting of the proposal, I am not satisfied that suitably worded planning conditions would overcome them.
28. Therefore, the proposal would significantly undermine the movement function of the public realm as well as its function as a place. For the reasons given above it would have an unacceptable impact on highway safety and harm public safety. Insofar as it is relevant to Appeal B and regarding Appeal A the proposal would conflict with Policies D3 and D8 of the London Plan 2021 and Policies DM2 and DM3 of the DPD. These seek, amongst other matters to ensure advertisements do not cause a hazard to pedestrians or road users, including by siting and design. The proposal would also not accord with the Framework insofar as it indicates that development should minimise the scope for conflicts between pedestrians, cyclists and vehicles and not have an unacceptable impact on highway safety.

Other Considerations

29. The proposal would be able to display community messaging and emergency adverts and directional information. The hub would also include features such as wi-fi, phone charging, a free phone calling system and defibrillator. This is supported by paragraph 118 of the Framework. Despite the limited scale of the proposal the benefits of it, and of particular importance the defibrillator, are matters that I attribute moderate weight to in favour of the proposal.
30. For the reasons given above the proposal would harm the character and appearance of the area and have an unacceptable impact on highway safety. I attribute significant weight to the cumulative harm, and this would outweigh the stated benefits of the scheme.

Conclusion

31. Consequently, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that Appeal A should be dismissed.
32. For the reasons given above the proposal would be detrimental to the interests of visual amenity as well as public safety. Therefore, I conclude that Appeal B should be dismissed.

G Sibley

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/Y5420/W/23/3332379	Mr Nathan Still of Infocus Network Limited
Appeal B	APP/Y5420/H/23/3332383	Mr Nathan Still of Infocus Network Limited