



Appeal Decision

Site visit made on 28 February 2025

by **S Poole BA(Hons) DipArch MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th March 2025

Appeal A Ref: APP/V5570/W/24/3356982

Pavement adjacent to 70 Finsbury Pavement, London EC2A 1SA

- 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 Ollie Smith, Urban Innovation Company (UIC) Ltd against the decision of the Council of the London Borough of Islington
 - The application Ref is P2024/2214/FUL.
 - The development proposed is the installation of a "Pulse Smart Hub" with integrated digital screens.
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Appeal B Ref: APP/V5570/H/24/3356983

Pavement adjacent to 70 Finsbury Pavement, London EC2A 1SA

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Ollie Smith, Urban Innovation Company (UIC) Ltd against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2024/2215/ADV.
 - The advertisement proposed is digital screens.
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Decisions

1. Appeals A and B are dismissed.

Procedural Matters

2. The pair of appeals relate to the same overall proposal. They differ only in that Appeal A is for planning permission for the proposed hub structure and Appeal B is for express advertisement consent for the digital display screens. I have considered each part of the proposal on its individual merits. However, to avoid duplication I have dealt with the two parts of the proposal together, except where otherwise indicated.
3. In respect of Appeal B the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

Main Issues

4. The main issues in respect of both appeals are the effects of the proposals on the character and appearance of the area and on visual amenity.

Reasons

5. The appeal site comprises an area of pavement in front of the main entrance to 70 Finsbury Pavement, which houses a major retail store. It is close to the junction between the A501 and Ropemaker Street and forms part of a busy commercial area on the fringes of the City of London close to the Bunhill Fields and Finsbury Square Conservation Area.
6. There are a number of items of street furniture in the vicinity of the appeal site, including a call box, a bin, lampposts, road signs, railings, broadband cabinets and a road-side flower stall, which is directly in front of No.70. This section of pavement has a notably cluttered appearance and experiences very high levels of pedestrian movement.
7. I note that there were 3 planning appeals¹ relating to proposals for call boxes at the appeal site in the late 2010s, 2 of which were dismissed. My colleagues' observations in these cases are matters to which I attribute significant weight.
8. The proposal would comprise the installation of an approximately 2.54m high by 1.28m wide by 0.35m deep communications hub with its larger sides at right-angles to the road. It would be made from a mix of dark grey anodised metal, fiberglass and laminated glass and approximately 1.66m high by 0.93m wide illuminated digital screens would be integrated into the main elevations. These would display static advertising content that would change no more frequently than every 10 seconds. Luminance levels during hours of operation are proposed to be limited to 600 cd/m² (dusk to dawn) and daytime levels adjusted automatically up to a maximum potential brightness of 2000 cd/m². The hub would be capable of providing free Wi-Fi and phone calls with charging facilities, wayfinding/mapping services, local information provision, 999 emergency service and safety buttons, built-in defibrillator and nasal naloxone opioid antagonist.
9. I note that the proposed hub would have a smaller footprint than a traditional telephone kiosk. However, it would be a good deal wider than most call boxes and in terms of its size and appearance would be more akin to an end wall of a bus shelter than a call box. I recognise that the neutral and modern design of the hub would not be out of keeping with the commercial buildings surrounding the appeal site. However, due to its size, appearance and siting in a busy area featuring a wide array of street furniture and pavement structures, the proposed hub would add to an already cluttered street environment to the detriment of the appearance of the street scene.
10. For these reasons, I conclude that the proposed hub structure would cause unacceptable harm to the character and appearance of the area. Consequently it fails to accord with the aims of London Plan (2021) Policies D3, D4 and T2 and Policy PLAN1 of Islington's Strategic and Development Management Policies (2023) which, amongst other matters, seek to ensure that new development is well designed and does not harm character and appearance.
11. I recognise it is intended that the proposed hub would provide a range of free services. I also note that the advertisement screen could be used to promote Council initiatives, public celebrations and facilitate wayfinding. However, it is not

¹ APP/V5570/W/17/3175921, APP/V5570/W/18/3211851 and APP/V5570/W/19/3231163

clear how these potential public benefits could be secured or maintained in the long term given the hub would need to secure a financial return and circumstances inevitably change. As such the public benefits in this regard are potentially limited and not sufficient to outweigh the clear harm identified above.

12. The inclusion of digital display screens on the main elevations of the hub would result in the structure being an overly prominent and alien element in the street scene therefore exacerbating the harm identified above. The proposed advertisement, the subject of Appeal B, would therefore result in unacceptable harm to visual amenity.

Conclusion

13. For the reasons set out above, and having regard to all other matters raised, I conclude that Appeals A and B should fail.

S Poole

INSPECTOR