



Appeal Decisions

Site visit made on 1 July 2025

by **J Bowyer BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 July 2025

Appeal A Ref: APP/V5570/W/25/3362086

Land Outside 1-24 Annesley Walk (Junction with Highgate Hill), London N19 5DR

- 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 Thomas Johnston, New World Payphones against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2024/3247/FUL.
 - The development proposed is 'removal of existing telephone box followed by the installation of 1 no. new communications Kiosk with integrated advertising display'.
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Appeal B Ref: APP/V5570/H/25/3362088

Land Outside 1-24 Annesley Walk (Junction with Highgate Hill), London N19 5DR

- 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 Thomas Johnston, New World Payphones against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2024/3231/ADV.
 - The advertisement proposed is 'removal of existing telephone box followed by the installation of 1 no. new communications Kiosk with integrated advertising display'.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As set out above there are two appeals on this site. They differ in that Appeal A is seeking planning permission while Appeal B seeks express advertisement consent. I have considered each proposal on its individual merits. To avoid duplication however, I have dealt with the two schemes together, except where otherwise indicated.
4. In respect of appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and the National Planning Policy Framework ('the Framework') indicate that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. I have considered Appeal B on this basis and having regard to the provisions of the development plan, so far as they are material.

Main Issues

5. The main issue in Appeal A is the effect of the proposal on the character and appearance of the area. The main issue in Appeal B is the effect of the proposal on visual amenity.

Reasons

6. The appeal site is located on the Highgate Hill footway on a section which runs between railings alongside the highway and the boundary wall and fence to the side of 1-24 Annesley Walk. This section of the footway is appreciably narrower than the approaches to either side, and the placement of an existing telephone box on the appeal site results in a further reduction in its passable width.
7. As part of the proposal, the existing telephone box would be removed and a new communications kiosk would be installed. There would not therefore be a net increase in street features. However, the proposed kiosk would be wider, and the submitted site plan suggests that it would also be set slightly further in from the railings in comparison to the existing telephone box. It would consequently result in increased encroachment into the width of the footway. It would also be taller and while the depth would be reduced relative to the existing box, I consider it would have a greater overall presence in the street in both physical and visual terms.
8. The remaining width of the footway would exceed the minimum indicated in Transport for London's Streetscape Guidance and the Council has not argued that there would be unacceptable obstruction to pedestrians. I have no firm reason to take a different view. Nevertheless, the further visual constriction of the already narrow section of footway would result in an unusual degree of enclosure in the street scene which would appear awkward and discordant, particularly against the more open stretches to either side.
9. Based on my observations, the kiosk would be appreciable in views on approaching the site for some distance. It would also include a digital advertising display to the north west face and while there is some other illumination in the wider area, a freestanding feature with internal illumination would be somewhat unusual here. The display is in any event designed to attract attention and would draw the eye to the unit. The appellant indicates that the display would comply with Institute of Lighting Professionals guidance and that it would be turned off for part of the night. Be that as it may, illumination during periods of use would exacerbate the visual impact of the unit from points to the north west.
10. The surrounding context is mixed and in itself, I have no firm reason to find that the design of the kiosk would necessarily be unsightly or inappropriate within the urban area. In this position however, I find that the above factors would result in an unsympathetic and discordant element which would cause the street to appear cramped and unduly cluttered.
11. The existing telephone box is not of notable design quality and is not in particularly good condition. While its removal could therefore offer an opportunity for visual enhancement, the replacement would be a more conspicuous and intrusive feature in the streetscene.
12. For these reasons, I find that the proposal would detract from the quality of the public realm overall and I conclude that there would be marked detriment to the character, appearance and visual amenity of the area.
13. Policies D3, D4 and T2 of the London Plan 2021 and PLAN1 of Islington's Strategic and Development Management Policies 2023 include requirements broadly for high quality design, for proposals to respond to and make a positive contribution to local character and to deliver improvements to support Healthy Streets Indicators in line with Transport for London guidance. The Appeal A proposal would be contrary to these requirements, and insofar as they are material, the Appeal B proposal would also conflict. There would similarly be conflict with the Framework insofar as it seeks good design, and highlights that the quality and character of places can suffer when advertisements are poorly sited and designed.

Other Matters

14. The Framework emphasises the importance of reliable communications infrastructure to economic growth and social well-being, and there is development plan support for provision of appropriate digital connectivity. The proposal is intended to provide accessible communication services to all users, including those with mobility impairments, and would enable calls to emergency and other support services and by those without access to a landline or working mobile phone. It would offer functions including a wayfinding touchscreen with information about the local area and points of interest as well as a defibrillator which I acknowledge could improve health outcomes. The appellant also refers to potential to incorporate small cell access nodes or other location-based information, as well as scope for community messaging. In these respects, it would offer some benefit to the public, and there would be economic benefits associated with the advertising and potential to direct people to local businesses, as well as a contribution to Business Rates.
15. However, I consider that the benefits of the proposal would be limited relative to the harm that I have found, and it is further unclear that they could not be achieved through a kiosk in a more sympathetic location that would not give rise to the adverse overall effects that I have identified in this case. I have additionally noted the appellant's suggestion that the proposal could support tree planting through the Trees for Cities initiative, but the lack of firm details to demonstrate how this would be secured limits the weight that I afford to this factor. Even noting the removal of the existing kiosk on the site and taken together, these matters do not alter my view that the proposal would be unacceptable.

Conclusion

16. There is no dispute between the main parties that public safety would not be harmed by the proposal and I have no firm reason to find differently. However, there would be unacceptable harm to the character and appearance of the area and to visual amenity and for the reasons given above, I conclude that both Appeal A and Appeal B should be dismissed.

J Bowyer

INSPECTOR