
Appeal Decisions

Site visit made on 10 February 2026

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 March 2026

Appeal A Ref: APP/V5570/W/25/3375798

Pavement o/s 21-22 Upper Street, London N1 0PQ

- 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 Stil of Infocus Public Networks Limited against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2025/1461/FUL.
 - The development proposed is the installation of a multifunctional communication hub including defibrillator and advertisement display.
-

Appeal B Ref: APP/V5570/H/25/3375801

Pavement o/s 21-22 Upper Street, London N1 0PQ

- 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 Nathan Still of Infocus Public Networks Limited against the decision of the Council of the London Borough of Islington.
 - The application Ref is P2025/1462/ADV.
 - The advertisement proposed is the installation of a multifunctional communication hub including defibrillator and advertisement display.
-

Decision

1. Appeals A and B are dismissed.

Preliminary Matters

2. The two appeals are for related proposals on the same site. Appeal A concerns the refusal of planning permission for the proposed multifunctional communication hub. Appeal B relates to the refusal of an associated advertisement consent, which would be an integral part of the proposed hub sought under Appeal A. I have considered both on their individual merits, but as they raise similar issues, I have combined these cases into a single decision letter to avoid duplication.
3. In respect of both appeals, the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
4. In respect of Appeal A, Section 66(1) of the Act requires special regard be given to the desirability of preserving the setting of listed buildings.
5. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 stipulate that control may be exercised only in the interests of amenity and public safety. Factors relevant to

amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The Council has not suggested that the proposal would affect public safety, and I see no reason to disagree. Whilst the development plan policies referred to by the Council are not determinative, I have taken them into account only insofar as they are relevant to amenity, in respect of Appeal B.

Main Issues

6. Having regard to the above, the main issue in relation to Appeal A is the effect of the proposal on the character and appearance of the area, including The Angel Conservation Area (the CA) and the setting of nearby listed buildings.
7. The main issue in relation to Appeal B is the effect of the proposed advertisement on visual amenity.

Reasons

8. The appeal site is located within the CA in an area predominantly characterised by commercial uses with ground floor frontages. These include a mix of more modern and traditional shop front designs with variations in signage and illumination. The proposal would be sited to the upper level of a wide pavement at this part of the street, close to the stepped and ramped access points to its lower level. Street furniture close to the site includes existing telephone kiosks, railings with planters, street lighting and bus shelters to the lower pavement level. Bins, street trader kiosks, way-finder structures and communication hubs are also evident in the wider area. Trees form part of the area's character sited to the lower pavement level near the site and elsewhere along the roadside.
9. The CA is a lively and vibrant commercial area, and its significance is derived from its architectural and historic interest. This stems from Upper Street being Islington's historic main thoroughfare, featuring a wealth of old buildings and stepped pavements. The appeal site contributes to the significance of the CA comprising a prominent position at the upper level of the wide pavement. This is a relatively open and unobstructed part of the public realm in this area forming a busy pedestrian route on Upper Street.
10. The Grade II listed 'K2 Telephone Kiosk Outside Number 23 (not included)' is located close to the appeal site on the same section of the upper level pavement. Its significance relates to its architectural and historic interest within this part of the thoroughfare. The setting of the listed kiosk is primarily experienced from the public realm in the immediate area, including both levels of the pavement and the approaches to it along Upper Street, part of which is formed by the appeal site. At present there is an unobstructed view towards the unglazed elevation of the kiosk when approaching from a southerly direction. A more modern telephone kiosk, featuring a non-illuminated poster advertisement, close to Nos 24-25 Upper Street interrupts some of the views when approaching from the opposite direction.
11. 'The Mall, 359 Upper Street', a Grade II listed building, is situated on the opposite side of the street from the appeal site. Its significance derives from its architectural and historic interest as a former electricity transformer station and tram depot. The western elevation to Upper Street is highlighted as the most important architecturally. Given its scale and prominent position, the setting of this building is experienced from the public realm in a wide area, including from the highway and

the pavements on both sides of Upper Street. Notwithstanding the distance, intervening highway and features, there would be intervisibility between the raised pavement level of the appeal site and this listed building, therefore the site forms part of its wider setting.

12. The proposal would introduce a large and bulky structure into a relatively open position within this area of pavement. At this point, the extent of the pavement between the highway and buildings is punctuated by the lower-level railings and ramped access between the different levels, with the existing kiosks sited further away. Due to its free-standing design, siting, scale and appearance, the proposal would appear as a visually intrusive and incongruous form of street clutter in this location. The design of the structure and illuminated digital displays would be prominent and would draw attention to them, thus increasing the adverse effects.
13. The larger digital advertisement display screen would face towards pedestrians approaching the site from a southerly direction drawing attention from this area in particular. The structure and display would interrupt or be clearly seen in views towards the listed kiosk from this direction, and would therefore appear as a discordant feature within its setting and this part of the street scene. The raised level of the pavement, the prominence of the site and the proposed illumination would also exacerbate the adverse visual impact of the hub in this location. For the same reasons, the structure and advertisement would also be seen within the context of the listed building on the opposite side of Upper Street, detracting from its setting, albeit to a lesser extent than the kiosk.
14. The shop fronts, including cash points, closest to the appeal site are more modern in appearance in comparison to other more traditional designs within the CA. Despite this proximity, the proposal would be materially different to the form and appearance of the existing fascia and projecting signage to the shop fronts. I also observed digital advertisement displays to the sides of the nearby bus shelters at the lower pavement level, although I have no further details of these and their planning status. Notwithstanding, these advertisements are not seen in the same context as the raised footway of the appeal site and form part of a larger structure. The presence of these and other shopfront advertisements would not mitigate the resultant adverse effects of the development or justify the harm in this location.
15. In addition, conditions to control luminance levels, operation and switching the proposed advertisement off overnight would not be sufficient to overcome the harm caused by the proposed installation and the display of the advertisement.
16. The proposal would replace the existing telephone kiosk close to Nos 24 and 25 and beyond the listed kiosk. That differs in form and design to the proposal, appearing as a relatively lightweight and partly open-sided and glazed structure. Furthermore, it does not feature a similar digital advertisement display to the appeal scheme. Consequently, this is not directly comparable to the appeal scheme to the extent that its removal would weigh in favour of the proposal. The removal of this structure would open up views of the listed kiosk when approaching the site from a northerly direction. However, for the reasons set out above, the siting of the proposal would introduce harm to the setting of the listed kiosk through development on its opposite side.
17. A similar multifunctional hub is situated close to No 40 Upper Street and sited towards the pavement edge between mature street trees. The areas between the

trees to this part of the street are interspersed with other street furniture, such as street lighting, cycle stands and bins, with other telephone kiosks also evident. The siting of the structure alongside the trees mitigates some of its visual impact. Whilst this is within the wider urban environment of the appeal site, given its siting and relationship with other features compared to the appeal proposal, its location and site-specific circumstances are materially different to the scheme before me. Therefore, its presence does not justify the harm that I have identified.

18. By virtue of its siting, size and design, the proposal would be an incongruous structure within the street scene, adversely impacting on the amenity, visual appearance and historic characteristics of the area. It would do little to improve the quality of street furniture in the area and would erode the appearance of the public realm. This would undermine the contribution the site makes to the character and appearance of the CA and detract from the setting of the nearby listed buildings.
19. Consequently, the development would introduce a discordant form of development in this location with a detrimental impact on the character and appearance of the area, and the contribution it makes to the significance of the CA would be diminished. The development would therefore fail to preserve or enhance the character or appearance of the CA, and it would harm its significance. For the same reasons, the proposal would adversely impact and fail to preserve the setting of the Grade II listed kiosk and the building opposite the site at 359 Upper Street.
20. Having regard to the limited scale of the proposal, and as the proposed change is localised in terms of the CA as a whole, the harm to the significance of the CA and the listed buildings would be less than substantial, and the harm would be at the lower end of the scale in that respect. Regardless of the level of harm, the National Planning Policy Framework (the Framework) at paragraph 212 states 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. Paragraph 215 of the Framework requires the less than substantial harm to be weighed against the public benefits of the proposal.
21. The appellant contends that the proposal would deliver a number of benefits alongside a network of other multifunctional units across a wider area. These include enhanced connectivity and digital infrastructure, community messaging, as well as contributing to a diverse and vibrant market economy, to achieve sustainable economic growth. It would also deliver free public services, a defibrillator to be used in times of emergency and potential monitoring and CCTV facilities. I also acknowledge that similar hubs have been installed in other locations across the country that appear to have been well used, and the sustainable design credentials of the proposal.
22. It would be reasonable to treat the above aims as being public benefits inasmuch that they would contribute to economic, social and environmental objectives set out in the Framework. Even so, these public benefits are given moderate weight and would not be sufficient to outweigh the great weight that I must give to the conservation of the designated heritage assets and the considerable importance and weight to the less than substantial harm that I have identified to their significance.

23. I conclude that the proposal would be materially harmful to the character, appearance and visual amenity of the area, it would not preserve or enhance the character or appearance of the CA, nor preserve the setting of the listed buildings. It would therefore conflict with Policies D3, D4 and HC1 of The London Plan (2021) (the LP) and Policies PLAN1, DH1, DH2, DH6, ST3 and T4 of the Islington Local Plan Strategic and Development Management Policies (2023). Amongst other things, these aim for development to be high quality, enhance local context, respond to the existing character of a place, conserve or enhance the significance of heritage assets, not undermine the quality of existing streetscape, contribute to an attractive environment, and not have a detrimental effect on the character or appearance of the area.
24. Although referenced in the Council's reasons for refusal, I do not find LP Policy T2 to be determinative to the proposal as it relates more generally to healthy streets.
25. The proposal would also conflict with the Framework and its aims to ensure that development is sympathetic to local character.

Other Matters

26. I acknowledge that similar structures have been installed in urban locations across the country. However, each site and scheme will have different circumstances and site-specific characteristics, and my assessment has been made having regard to the effects of the proposal in this location.
27. The absence of harm to public safety is a neutral factor that does not weigh in favour or against the appeals.

Conclusion

28. The proposed development, insofar as it relates to Appeal A, would conflict with the development plan when read as a whole, and would not meet the requirements of the Framework. The material considerations do not indicate that the appeal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that Appeal A should be dismissed.
29. For the reasons given above, I conclude that Appeal B should be dismissed.

N Armstrong

INSPECTOR