



Appeal Decisions

Site visit made on 10 March 2026

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

an Inspector appointed by the Secretary of State

Decision date: 10 April 2026

Appeal A Ref: APP/Y5420/W/25/3376291

Outside No 382 Muswell Hill Broadway, London N10 1DJ

- 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 Ms Verity Cheyne of BT Telecommunications PLC against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2025/2129.
 - The development proposed is the proposed removal of an existing telephone kiosk, and the deployment of a replacement Street Hub 3 unit.
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Appeal B Ref: APP/Y5420/H/25/3376288

Outside No 382 Muswell Hill Broadway, London N10 1DJ

- 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 Ms Verity Cheyne of BT Telecommunications PLC against the decision of the Council of the London Borough of Haringey.
 - The application Ref is HGY/2025/2291.
 - The advertisement proposed is the proposed removal of an existing telephone kiosk, and the deployment of a replacement Street Hub 3 unit.
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Decisions

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 removal of an existing telephone kiosk and its replacement with a proposed Street Hub. Appeal B relates to the refusal of an associated advertisement consent for two digital display screens on either side, which would be an integral part of the proposed Street 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 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 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. 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 and public safety, in respect of Appeal B.

Main Issues

5. Having regard to the above, the main issues in relation to Appeal A are the effect of the proposal on:
 - the character and appearance of the area, including the Muswell Hill Conservation Area (the CA); and
 - highway and pedestrian safety.
6. The main issues in relation to Appeal B are:
 - the effect of the proposed advertisements on visual amenity; and
 - public safety.

Reasons

Character and appearance / Visual amenity

7. The appeal site comprises part of the pavement in an area occupied by an existing telephone kiosk within the CA. The CA covers a wide area comprising a mix of commercial and residential development. The Council's Conservation Area No. 3 Muswell Hill Conservation Area Character Appraisal (February 2008) (the CACA) highlights that Muswell Hill is an essentially Edwardian suburb developed around a once rural village settlement on one of the main routes in and out of London. The significance of the CA stems from the considerable consistency of character and appearance that derives from the development of the majority of buildings and laying out of streets, which contribute to its architectural and historic interest.
8. The appeal site is within Sub-Area 1, The Core Area: Muswell Hill Broadway as set out within the CACA. This comprises the commercial centre of Muswell Hill, characterised by high density development, predominantly three storeys, with a mix of retail, commercial and leisure uses at ground floor and residential use to upper floors. The appeal site is part of this vibrant commercial area, with traffic and pedestrian levels on Muswell Hill Broadway contributing to high levels of activity. It is close to the roundabout that forms a major intersection of five roads within this part of the CA. The majority of the buildings either side of the road close to the appeal site are also identified in the CACA as making a positive contribution. The appeal site therefore contributes to the significance of the CA comprising a prominent position within the public realm and on a main pedestrian route.
9. The proposal would be sited to the front of a premises that lies within a group of three-storey terraced buildings of consistent appearance to the upper floors but with variations in the shop fronts at ground floor level. The commercial premises in the area comprise a mix of more modern and traditional shop front designs with variations in signage and illumination. A bus shelter with what appeared to be two poster advertisements facing directly onto the road is within the pavement nearby. Other street furniture in the immediate area of the site includes a low-level waste bin, cycle stand and taller street lighting columns, with some low-level free-standing advertisements, tables and chairs for adjacent premises also evident.

10. Due to its appearance, the existing telephone kiosk is not a positive feature in the street scene. However, it occupies a modest footprint and is a generally lightweight structure that includes an open side and some glazing. Any visual harm within the street scene is therefore limited. The proposed Street Hub would be situated on the same section of pavement as the kiosk to be removed, close to the kerb in a highly prominent position.
11. The submitted plans show that the proposed Street Hub would be taller and wider than the existing kiosk and it would be a modern design. Despite the proposed slimline profile, the proposal would appear as a more imposing, bulky and modern feature in this location compared to the kiosk. The illuminated digital displays to both sides would exacerbate its visual prominence in this area, which would be visible in views along both sides of the street. Despite not adding to the amount of street clutter in the area, the combination of the increased height and width, the modern appearance, as well as the digital displays, would result in an obtrusive and discordant feature within the street scene. This would be particularly notable given the apparent absence of similar structures and illuminated digital displays within the immediate area of the site and the CA.
12. Whilst the Street Hub would be close to existing commercial premises, the proposal would be materially different to the more modest form and appearance of the existing fascia and projecting signage to the shop fronts in this area. In addition, advertisements integrated with the bus shelters referred to by the appellant either side of this section of Muswell Hill Broadway appeared to comprise static poster displays. Despite their size and visibility, these face towards the road and are part of a larger overall structure. They are also materially different in appearance to the proposed digital displays of the Street Hub, which would feature bright and frequently changing images. Due to their siting, the proposed displays would have a greater visual impact for those passing along the same side of the pavement in comparison to the advertisements on the outer part of the nearest bus shelter. The presence of these and other shopfront advertisements would not mitigate the resultant adverse effects of the proposal or justify the harm in this location.
13. By virtue of its siting, size and design, the proposal would therefore appear as an unsympathetic and incongruous feature that would undermine the established character and appearance of the area and erode the appearance of the public realm. In addition, given its size and appearance, it would not be satisfactorily absorbed into the street scene in terms of visual amenity. Conditions to control luminance levels and operation of the Street Hub would not be sufficient to overcome the harm caused by the proposed installation and the display of the advertisements. The proposal would also be materially more harmful in terms of visual impact than any 'fallback' of the existing telephone kiosk remaining in place.
14. Consequently, the proposal would introduce a visually intrusive form of development into 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 proposal would therefore fail to preserve or enhance the character or appearance of the CA, and it would harm its significance.
15. I conclude that the proposal would be materially harmful to the character, appearance and visual amenity of the area, and it would not preserve or enhance the character or appearance of the CA. It would therefore conflict with Policy SP11

of Haringey's Local Plan Strategic Policies 2013 - 2026 (2017) (the LPSP), Policies DM1, DM3 and DM9 of the Development Management DPD (July 2017) (the DPD) and Policies D3 and D8 of The London Plan (March 2021) (the LP). Amongst other things, these policies aim for proposals to be of a design that respects its local context, character and historic significance, improve the character and quality of an area, be of a high quality and sensitive to the surrounding street scene, that it conserves and enhances the significance of a heritage asset, and ensures the public realm is well-designed and related to the local and historic context.

16. The Council's refusal reason 1 on both appeals refer to Policy DM12 of the DPD. However, as this is relevant to housing design and quality, I do not find this to be determinative to the appeal proposal.
17. Having regard to the 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 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. I return to this heritage balance later in my decision.

Highway and pedestrian safety / Public safety

18. The appeal site is within a busy commercial area, and I observed high levels of traffic and pedestrian movements in its vicinity during my site visit, which will likely fluctuate at different times of the day. Traffic merges into a single lane beyond the bus stop close to the appeal site on the approach to the large roundabout. At this point, buses will be stopping at and leaving the bus stop, alongside other vehicles passing and merging to access the roundabout. There is also a non-signalised crossing point and refuge island for pedestrians at the junction of Muswell Hill Broadway with the roundabout that was frequently used at the time of my visit. Designated space for parking and loading is located on the opposite side of the road to the appeal site.
19. The Planning Practice Guidance states that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. This includes at junctions, roundabouts, pedestrian crossings or other places where local conditions present traffic hazards. Consequently, the above combination of factors contributes to an environment where drivers will likely need to take more care. A high level of concentration is therefore required from road users in the area of the proposal, including drivers, pedestrians and cyclists.
20. The Street Hub would be sited in a prominent position close to the kerb with the highway. It would be sited with one screen primarily facing traffic that would be travelling towards the nearby roundabout passing the appeal site, and the other side would be visible to drivers joining Muswell Hill Broadway from the roundabout. Notwithstanding the low general speed of the road, the proposed static nature of

the displays and periods of change, road users would have to register changing displays within the immediate busy road environment.

21. Given these circumstances, even momentary distraction to road users, such as those likely to arise from the changing images of advertisements and the proposed illumination, would increase the risk of accidents to the detriment of the safe operation of the highway. Having regard to the busy traffic and pedestrian environment, the road layout and proximity to the roundabout and pedestrian crossing point, I find that the proposal would increase the likelihood of distraction to road users passing the appeal site on the approach to the roundabout.
22. Similar to the above assessment in respect of character, appearance and amenity, conditions could be used to control the illuminance and operation of the advertisements. Given the nature of the proposal and the overall site context, I am not satisfied that these measures would be sufficient to avoid harm to highway and public safety. Accordingly, I do not consider that these would make the scheme acceptable.
23. The Street Hub would be slightly wider than the existing kiosk but would be slimmer in profile. Whilst not particularly wide at this point, the Street Hub would be sited to the outer part of the pavement largely within the area occupied by the existing kiosk. Notwithstanding the busy pedestrian environment, I am not persuaded that the increase in the width of the Street Hub compared to the kiosk would unduly impede pedestrian flows or reduce the effective width of the pavement between the Street Hub and the adjacent buildings to a harmful extent.
24. However, for the above reasons, the siting, scale and nature of the Street Hub and its digital displays in this location would likely result in a distraction for users of the highway, which would lead to the potential for increased conflict between road users. Consequently, in the absence of compelling evidence to indicate otherwise, I am not satisfied that the proposal would be acceptable in terms of its effect on highway safety.
25. I conclude that the proposal would have a harmful effect on highway, pedestrian and public safety. It would therefore conflict with Policy SP11 of the LPSP, Policy DM3 of the DPD and Policies D3 and D8 of the LP. Amongst other things, these policies aim to ensure that proposals create public realm that is easy and safe to use, do not cause a hazard to pedestrian or road users, and achieve safe environments.
26. The Council also cites Policies DM1 and DM9 of the DPD in the refusal reasons. As these primarily relate to matters of character, appearance and amenity, I do not find these to be determinative to this main issue. For the same reasons as above, Policy DM12 of the DPD is also not determinative to this main issue.

Other Matters

27. The appellant highlights there have been applications approved across a number of London boroughs for existing InLink units to be removed and, in their place, install Street Hub units. I also acknowledge that similar hubs have been installed and used in other locations across the country. However, any proposal must be assessed having regard to its own site-specific case and circumstances.

28. The proposal also draws some support from the development plan, including provision of digital connectivity infrastructure as set out in Policy SI 6 of the LP. I have also had regard to information provided by the appellant demonstrating support for infrastructure delivery, relevant best practice and guidance. However, schemes 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. These matters do not alter my conclusions.
29. The appellant refers to partnership with the Local Authority and an advertising company and suggests different planning assessments and outcomes on proposals. I do not know the full planning circumstances of other advertisements referenced, and any suggestion of different assessments based on any partnership is not relevant to the planning merits of the proposal before me.

Heritage and Planning Balance

30. The appellant contends that the proposal would deliver a number of benefits. These include the replacement and upgrading of the existing telephone kiosk services to provide free public Wi-Fi, free UK calls, USB charging, wayfinding assistance, an emergency services button, public service messaging and other digital services. Other features include environmental sensors, insight counting and small cell mobile connectivity, and I note the sustainable design credentials of the proposal. 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, and I give these moderate weight.
31. The appellant also refers to decluttering through the removal of another telephone kiosk a considerable distance away in a different site context outside of the CA, which I observed had already been removed. Given the distance from the appeal site, decluttering in that area would have no effect on the context of the appeal site and its location within the CA, therefore I give this little weight.
32. There is also support within the Framework for advanced, high quality and reliable communications infrastructure and the delivery and upgrade of high quality digital infrastructure. Nevertheless, the above public benefits would not be sufficient to outweigh the great weight that I must give to the conservation of the designated heritage asset.
33. Furthermore, the benefits of the proposal would not outweigh the harmful effect that has been identified in respect of highway, pedestrian and public safety.

Conclusion

34. 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.
35. For the reasons given above, I conclude that Appeal B should be dismissed.

N Armstrong

INSPECTOR