



Appeal Decisions

Hearing held on 19 September 2007

Site visits made on 19 September 2007

by **Simon Hand MA**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:

26 SEP 2007

Appeal 1 - Ref: APP/H5960/H/07/1201667

Outside The Platt, Lower Richmond Road, London, SW15

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0692, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 2 - Ref: APP/H5960/H/07/1201668

Outside 103 Putney High Street, London, SW15

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0690, undated , was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel.

Summary of Decision: The appeal is dismissed

Appeal 3 - Ref: APP/H5960/H/07/1201669

Outside 83 Wandsworth High Street, London, SW18

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0695, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is allowed and consent granted for the display of the replacement payphone kiosk on the terms set out below in the Formal Decision.

Appeal 4 - Ref: APP/H5960/H/07/1201670

Outside South Thames College, Wandsworth High Street, London, SW18

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
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- The application Ref 2007/0696, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 5 - Ref: APP/H5960/H/07/1201671

Outside 167-173 Wandsworth High Street, London, SW18

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0694, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 6 - Ref: APP/H5960/H/07/1201672

Outside 116 Putney High Street, London, SW15

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0688, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 7 - Ref: APP/H5960/H/07/1201673

Outside 48 West Hill, London, SW18

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0693, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 8 - Ref: APP/H5960/H/07/1201674

Outside 230-232 Putney Bridge Road, London, SW15

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0691, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is allowed and consent granted for the display of the replacement payphone kiosk on the terms set out below in the Formal Decision.

Appeal 9 - Ref: APP/H5960/H/07/1201675
Outside 180 Upper Richmond Road, London, SW15

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by BT Payphones Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2007/0646, undated, was refused by notice dated 4 May 2007.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 10 - Ref: APP/H5960/H/07/1201676
Outside 262-264 Lavender Hill, London, SW11

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
- The appeal is made by BT Payphones against London Borough of Wandsworth.
- The application Ref 2007/0697, is undated.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 11 - Ref: APP/H5960/H/07/1201677
Outside Marks & Spencer, 45-49 St Johns Road, London, SW11

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
- The appeal is made by BT Payphones against London Borough of Wandsworth.
- The application Ref 2007/0698, is undated.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 12 - Ref: APP/H5960/H/07/1201678
Outside 35 Battersea Rise, London, SW11

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
- The appeal is made by BT Payphones against London Borough of Wandsworth.
- The application Ref 2007/0699, is undated.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 13 - Ref: APP/H5960/H/07/1201679
Outside 58 Latchmere Road, London, SW11

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.

- The appeal is made by BT Payphones against London Borough of Wandsworth.
- The application Ref 2007/0701, is undated.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 14 - Ref: APP/H5960/H/07/1201680

Opposite Electricity Sub-Station, Battersea Bridge Road, London, SW11

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
- The appeal is made by BT Payphones against London Borough of Wandsworth.
- The application Ref 2007/0706, is undated.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Appeal 15 - Ref: APP/H5960/H/07/1201681

Outside Police Station, Battersea Bridge Road, London, SW11

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
- The appeal is made by BT Payphones against London Borough of Wandsworth.
- The application Ref 2007/0707, is undated.
- The advertisement proposed is the installation of replacement payphone kiosk incorporating illuminated advertisement panel .

Summary of Decision: The appeal is dismissed

Main issues

1. Effect on the character and appearance of the area and on the free flow of pedestrians.

Reasons

2. All the appeals involve the installation of an open fronted kiosk, 2.64m tall by 1.34m wide. Each will have a payphone housed under an acoustic hood on one side and a standard scrolling 6 sheet advertisement on the other. They will stand next to the pavement edge, at right angles to the pavement.
 3. The kiosks themselves require prior notification to the Council under Part 24 of Schedule 2 of the 1995 General Permitted Development Order. All the prior notification applications had been refused by the Council. BT intend to appeal only those that receive advertisement consent as a result of these appeals.
 4. The size and shape of the kiosk is clearly dictated by the requirements of the advertisement as it is far larger than the payphone element. Nevertheless the appellant made the point that BT has a statutory duty to provide a payphone network, and the revenue gained from the advertisements helped offset the losses incurred.
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General Considerations

5. A number of issues were raised by the Council at the beginning of the hearing that relate to the principle of the appeals and I shall deal with these first.
6. The Council suggested that as the telephone kiosks had not received prior approval and did not therefore exist, the applications and appeals for advertisement consent were invalid. BT should first receive approval for the kiosks, and, once erected, then apply for advertisement consent. An associated concern was the consequences of allowing the advertisement appeal if the prior notification appeal then failed and indeed whether granting advertisement consent effectively tied the hands of the decision maker in the prior notification appeal.
7. I can find nothing to suggest that a building or structure has to exist before an application or appeal to display an advertisement on it can lawfully be made. It may be more convenient for the Council for the appellant to gain the required consents for the kiosks first, but that does not invalidate the appeals in any way.
8. A grant of advertisement consent carries with it planning permission to erect the structure to support the advertisement. As the kiosks are effectively single sided, freestanding 6 sheets then it seems that even if the subsequent prior notification appeal were to fail, the consent for the advertisement would still stand. The prior notification procedure enables the Council to consider only the siting and appearance elements of the proposal, which is essentially the same as amenity considerations in an advertisement appeal. While the decision makers' hands in the former appeals will not be tied, considerable weight will have to be given to the outcome of the advertisement appeals. Thus I have some sympathy with the view that the prior notification decisions are likely to follow the advertisement appeal decisions. Again, that does not make the advertisement appeals unlawful in any way, but does suggest that the scenario where the 'kiosk' is left without a telephone, because of the failure of the prior notification appeal is unlikely.
9. Another possibility concerning the Council was that the payphone element might soon become redundant, or would deliberately be removed, leaving the 6 sheet as a stand-alone structure. In my view this could be overcome by the use of conditions, which will be discussed below. The Council raised the issue of the replacement of the existing boxes. They maintained that either the kiosks were being moved or could fit next to the boxes. This would create unacceptable clutter in every case. Again I consider this can be overcome by conditions and shall not consider the kiosks as additional to the existing boxes, as suggested by the Council.
10. A final concern was the status of the advertisements on the existing telephone kiosks. The 2007 regulations have introduced a new Class 16 which denies deemed consent for the display of advertisements in telephone kiosks located in conservation areas. The transitional provisions allow existing advertisements to be displayed for 2 years. However, the appellant argued that as telephone kiosks were buildings, they were also covered by Class 12, which effectively grants deemed consent for advertisements to be displayed inside the windows of buildings. As the Classes are not exclusive, the

appellants argued, telephone kiosks are covered by both and so advertisements can continue to be displayed within Conservation Areas, regardless of the intention of Class 16. The Council disputed this interpretation. Although there has been no judicial ruling on the issue, in my view it is clearly not the intention of the Regulations for Class 16 to be circumvented by Class 12 and consequently kiosks should be considered solely against the provisions of Class 16.

11. In any event, the area of advertisement space available for the 6 sheet is twice that for any single face of the existing telephone boxes. Even where two boxes have an advertisement each, the impact of the single, 6 sheet, which is large by comparison to the phone box advertisement, is internally illuminated and scrolling, is much greater than the advertisements on the boxes. I have thus given little weight to the fact that some boxes due to be replaced either have or could have advertisements.

Common Issues

12. The Council opposed all the advertisements on highway safety grounds. This can be subdivided into two issues, distraction to traffic and narrowing of pavements. In my view it cannot be assumed that merely because an advertisement is next to the highway it will distract drivers. It is clearly the intention of para 15 of PPG 19 that a site specific case needs to be made, and that case should consider whether the location or the advertisement is "so distracting, or so confusing, that it creates a hazard to, or endangers people in the vicinity who are taking reasonable care for their own and others' safety". In my view scrolling advertisements, while not necessarily being a novelty to road users are more likely to be a distraction than static advertisements. The Appellant conceded they would accept a condition requiring an advertisement to be static if there were specific locational reasons for doing so. In the following site specific discussion I shall only raise distraction where I consider it to be an issue. In most of the cases the signs are clearly seen by straight roads, with good visibility, where there are no good reasons for drivers to be distracted.
13. The Council also objected to the narrowing of the pavement in every case. The proposed kiosks will be 44cm wider than the existing boxes. As they will be set at right angles to the pavement edge, they will effectively narrow the pavement by 44cm more than the existing boxes. The appellants were not prepared to change the alignment, and would rather the appeal be refused. The kiosks will also all be set on the pavement edge, whereas some of the boxes are at the back of the pavement. Depending on the site, the changed position can also have an impact on the ease of movement for pedestrians, regardless of the difference in size. I shall discuss this issue at each site.
14. The Council raised crime as an issue in every case. They considered the kiosks would provide a potential hiding place for attackers. I am not convinced by this, as criminals could just as easily hide behind or in the existing telephone boxes. The extra width makes it slightly easier to hide, but placing the kiosks next to the pavement edge will make them slightly more exposed. I shall thus attach little weight to the crime argument.

15. In a number of cases where there were existing 6 sheets in the area the Council differentiated these from the appeal proposals as they were on essential facilities, such as bus shelters or toilets. Ignoring the appellants claim that the appeal kiosks are also essential facilities, it seems to me this argument lacks force. The impact of an advertisement on its surroundings is little affected by the purpose of the support structure and I shall therefore give little weight to this argument.

Site Specific Issues

16. In each case the site number is the same as the appeal number set out above. Where the site is in a Conservation Area, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. When discussing pedestrians, I am also including pushchairs, buggies and wheelchairs in my considerations.
17. Site 1 – The Platt. This is a predominantly residential area, with a Conservation Area on the opposite side of the road. The existing box is at the back of the pavement against a hedge. The new kiosk would be moved to the edge of the pavement behind a row of bollards that mark the kerb. Although this would narrow the pavement, the area appeared not to have a heavy footfall, and there would be plenty of space left for pedestrians. However, the 6 sheet would be in a much more prominent position. On the other side of the road is the Star & Garter, part of a large, imposing, red brick building with white pilasters and stonework. In this quiet, attractive and residential area, the large monolithic structure with its internally illuminated advertisement will have a far greater impact than the existing kiosk and will look out of place.
18. Site 2 – 103 Putney High Street. The kiosk will replace 2 existing boxes. This is a busy shopping street which appears to have a lot of pedestrian movement. The pavement is relatively narrow. The extra width of the kiosk will narrow the pavement further creating a pinch point. In addition, because of the narrowness of the pavement, the size of the structure, still quite close to the shop fronts, will appear exaggerated. Thus although two boxes are being removed, the size and pedestrian movement issues combined are sufficiently harmful to warrant refusal.
19. Site 3 – 83 Wandsworth High Street. The site is currently occupied by two boxes and is opposite a Conservation Area and the Youngs Brewery, a grade II listed building. This is a busy commercial area with plenty of signage evident, including advertisements on other telephone boxes, as well as several 6 sheets, both freestanding and on a nearby bus shelter. In this context, the addition of another 6 sheet will not look out of place. The scale of nearby buildings and the generous width of the pavement further reduce the impact of the proposed kiosk. The Conservation Area and listed building are a considerable distance away across a busy road. The 6 sheet will be seen in the context of the commercial buildings behind and not the more sensitive location across the road.
20. Although next to a bus lay by, I can see no reason why the single kiosk should obstruct passengers getting on and off, nor will it have any material impact on the pavement width. The road is straight and the advertisement will either be

prominent or obscured by a bus. There is nothing unusual in the area to suggest the sign will be a distraction.

21. Site 4 – South Thames College. The kiosk would replace a single box set back against a brick wall in front of the austere but listed College building and opposite the Town Hall, also listed. The immediate area is thus devoid of any commercial signage and the large brick wall creates a rather blank frontage to the street, where the existing box stands out. The even more prominent kiosk will be wholly incongruous in this setting, standing out in front of the listed buildings and harming the character and appearance of the Conservation Area. I accept that further down the road there are 6 sheets on a bus shelter, also in the Conservation Area, but that does not make this proposal acceptable.
22. Site 5 – 167-173 Wandsworth High Street. This is a busy shopping street in a Conservation Area. There are a number of other 6 sheets in the area and there is nothing about the intrinsic quality of the area, nor the scale of the nearby shops, which is large, that suggests another 6 sheet would necessarily be out of place. However, the pavement is relatively narrow, and the kiosk would occupy about half the width. In addition, a bus shelter, with a 6 sheet on the end panel facing the site, is only a few metres to the east. The addition of another 6 sheet so close will create advertisement clutter. This, added to the narrowing of the pavement amounts to a significant objection. I accept the bus shelter itself narrows the pavement by the same amount, but that is no reason to allow a further obstruction so close by.
23. Site 6 – 116 Putney High Street. This is opposite site 2, and is sufficiently similar that it should be refused for the same reasons.
24. Site 7 – 48 West Hill. This will replace a single box, which is against the wall of an ambulance station. Opposite is a fire station, to the east a small car sales unit then a large listed church, with commercial uses on the other side of the road, to the west is an internally illuminated 96 sheet panel facing east down the road and beyond that housing. Although there are some commercial uses in the area with advertising, the predominant feel is created by the church, ambulance and fire stations. Although the 96 sheet is prominent in views uphill to the west, the open area in front of the ambulance station is wide and the kiosk will be exposed on the pavement edge and will be dominant in views down the hill to the east. In this relatively quiet and mixed area the advertisement will look out of place and harm the character and appearance of the area.
25. I have attached little weight to the arguments that half the pavement width is actually owned by the ambulance service and could be built on, nor that the 96 sheet probably benefits from deemed consent and so may be discontinued in the future. Both were speculations unsupported by any evidence.
26. Site 8 – 230-232 Putney Bridge Road. This is a busy area of mixed shops and offices. The existing box is on the edge of the pavement, which is very wide. Although the proposed kiosk will be in a slightly different location near to a tree, there will still be ample pavement space for pedestrians. The road is straight with no obstructions and the advertisement should not cause a distraction. The telephone box and freestanding standing toilet facility to the west both have advertisements, while there is a pair of 6 sheets on the bus

shelter opposite. A single further 6 sheet would not look out of place in this context. The scale of the buildings is large and can easily accommodate the kiosk.

27. Site 9 – 180 Upper Richmond Road. The site is not in a Conservation Area, but it is a pleasant tree lined road predominantly occupied by offices with some flats. A bus shelter with two 6 sheets is further down the road, but generally advertising is very low key and the area is quiet. In this context the advertisement will look out of place, and appear as a large and intrusive feature in the street scene.
28. Site 10 – 262-264 Lavender Hill. The site is in the Clapham Junction Conservation Area, opposite Arding & Hobbs a rather fine listed department store and up the road from the Falcon Hotel an extravagant red brick and white stone building. The kiosk would replace two existing boxes, in a busy shopping area. However the pavement is narrow here, and with a small set back from the kerb the kiosk would take up more than half the space. This would create a significant obstruction for pedestrians, especially when it is busy. The 6 sheet would also stand out in views of both the listed buildings and would look out of place and harm the character and appearance of the Conservation Area.
29. Site 11 – 45-49 St John's Road. The kiosk would replace two existing boxes, which stand on the edge of the pavement in a pedestrianised area in the Clapham Junction Conservation Area. This is a busy but attractive area, which already has a number of 6 sheets, including one on a bus shelter and a double-sided freestanding display unit nearby. I consider that the addition of a further 6 sheet in a prominent position on the inside of a slight bend in the road would create a sense of advertisement clutter to the detriment of the character and appearance of the Conservation Area.
30. Site 12 – 35 Battersea Rise. The kiosk would replace a single box outside a restaurant. Battersea Rise is a busy commercial street, but the shops and cafes are concentrated more to the west around the crossroads. Opposite the appeal site are houses, which create the feeling that the commercial area is petering out at this point. The addition of the 6 sheet will reinforce this commercial element to the detriment of the character of the area and will consequently look out of place. The restaurant has a substantial outdoor sitting area which significantly reduces the width of the pavement at this point. The wider kiosk will create a further significant narrowing of the pavement which is also harmful.
31. The Council were also concerned at the presence of a pedestrian refuge in the middle of the road with dropped kerb opposite to encourage crossing at this point. I agree that this is one of those locations where conflict between traffic and pedestrians is more likely and therefore distractions should be kept to a minimum. The scrolling advertisement could have been a distraction in this instance. However, this could have been overcome by a condition for the unit to be static.
32. Site 13 – 58 Latchmere Road. This is a quiet residential area, and apart from a nearby pub, there are no advertisements in the vicinity. The kiosk, on the edge of the pavement would stand out in a most incongruous manner and harm the character and appearance of the area.

33. Site 14 – Opposite Electricity Sub Station, Battersea Bridge Road. The existing single box stands with its back to a sloping wall with landscaping on, in front of houses, with offices opposite. There is a 6 sheet on a bus shelter nearby and further to the south a 48 sheet at first floor level. However the commercial uses are low key and there is little other advertising nearby. The road opens up in the vicinity of the site as it approaches Battersea Bridge. The proposed kiosk will stand out very prominently in this open area and will look out of place and harm the character and appearance of the area.
34. Site 15 – Outside Police Station, Battersea Bridge Road. This is a predominantly residential area, with long, straight, wide pavements. There are a number of bus shelters with 6 sheets along the road and they stand out quite noticeably. The site however is in an isolated stretch of road, where the kiosk, prominently set on the edge of the pavement, will stand out as incongruous and harmful to the character and appearance of the area.

Conditions

35. I have given little weight to the possible benefits of the provision of payphones when considering the impact of the advertisements. However, I think it is important to maintain the link between the two. If the payphone is removed for whatever reason, either there will be a large blank structure on the edge of the pavement or pressure to convert it into a double-sided 6 sheet. In both cases the impact will be quite different to that which I have considered. Thus conditions preventing the advertisement from being displayed until the payphone is installed and then requiring the structure to be removed should the payphone go are necessary. I have given little weight to the Council's more far fetched scenarios that the phones might deliberately be left out of order, or a different phone company, with hardly any subscribers, take them over. Nor do I think such conditions would be difficult to enforce. If BT are able to stop providing payphones, but neglect to physically remove them from the structures (another of the Council's scenarios), this would be common knowledge and it should not be difficult to tell the difference between an abandoned unit from one that is merely out of order.
36. There will also need to be a condition requiring the removal of the existing boxes, so as to avoid clutter. Although the advertisement and the telephone box are two separate uses I do not see why the permissions for the former cannot be made contingent on the removal of the latter. Both box and kiosk are owned by the appellant, and no permission is required for the removal of a telephone box. I do not think the permissions need to be personal to BT as suggested by the Council. As long as a payphone is provided, the identity of the provider is immaterial. I cannot see that a provider would install phones and then set the charges so high as to deter users (yet another of the Council's scenarios).

Formal Decisions

Appeal References:

- Appeal 1 - Ref: APP/H5960/H/07/1201667**
Appeal 2 - Ref: APP/H5960/H/07/1201668
Appeal 4 - Ref: APP/H5960/H/07/1201670

- Appeal 5 - Ref: APP/H5960/H/07/1201671**
- Appeal 6 - Ref: APP/H5960/H/07/1201672**
- Appeal 7 - Ref: APP/H5960/H/07/1201673**
- Appeal 9 - Ref: APP/H5960/H/07/1201675**
- Appeal 10 - Ref: APP/H5960/H/07/1201676**
- Appeal 11 - Ref: APP/H5960/H/07/1201677**
- Appeal 12 - Ref: APP/H5960/H/07/1201678**
- Appeal 13 - Ref: APP/H5960/H/07/1201679**
- Appeal 14 - Ref: APP/H5960/H/07/1201680**
- Appeal 15 - Ref: APP/H5960/H/07/1201681**

37. I dismiss the appeals.

Appeal 3 - Ref: APP/H5960/H/07/1201669

38. I allow the appeal, and grant consent for the replacement payphone kiosk incorporating illuminated advertisement panel as applied for. The consent is for 5 years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:-

- 1) No advertisement shall be displayed until the associated payphone is installed.
- 2) No advertisement shall be displayed until the existing pair of telephone boxes have been removed.
- 3) Should the associated payphone be removed or cease to be operable the advertisement hereby granted consent and its supporting structure shall be removed and the site reinstated so that it does not endanger the public nor impair visual amenity.

Appeal 8 - Ref: APP/H5960/H/07/1201674

39. I allow the appeal, and grant consent for the replacement payphone kiosk incorporating illuminated advertisement panel as applied for. The consent is for 5 years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:-

- 1) No advertisement shall be displayed until the associated payphone is installed.
- 2) No advertisement shall be displayed until the existing telephone box has been removed.
- 3) Should the associated payphone be removed or cease to be operable the advertisement hereby granted consent and its supporting structure shall be removed and the site reinstated so that it does not endanger the public nor impair visual amenity.

Simon Hand
Inspector

APPEARANCES

FOR THE APPELLANT:

Chris Thomas

For BT Payphones

FOR THE LOCAL PLANNING AUTHORITY:

Nigel Wicks BTP, MRTPI

Enforcement Services for Wandsworth Council

DOCUMENTS

- 1 Dimensions of advertisements on existing BT kiosks
- 2 Photos of proposed kiosks in a streetscene