



Appeal Decisions

Site visits made on 4 July 2019

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 31 July 2019

CASE DETAILS

All appeals

- The appeals are made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO).
 - The appeals are made by Maximus Networks Ltd against the decision of the Council of the London Borough of Camden.
 - In each case the development proposed was originally described as 'call box'.
 - All the applications were dated 21 January 2018.
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Appeal A Ref: APP/X5210/W/18/3211477

Pavement outside 55 Fortune Green Road, London NW6 1DR

- The application Ref 2018/0349/P, was refused by notice dated 16 March 2018.
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Appeal B Ref: APP/X5210/W/18/3211508

Pavement outside 511 Finchley Road, London NW3 7BB

- The application Ref 2018/0346/P, was refused by notice dated 15 March 2018.
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Appeal C Ref: APP/X5210/W/18/3211538

Pavement outside 255 Finchley Road, London NW3 6LU

- The application Ref 2018/0352/P, was refused by notice dated 16 March 2018.
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Appeal D Ref: APP/X5210/W/18/3211459

Pavement outside Swiss Cottage Library, 88 Avenue Road, London NW3 3HA

- The application Ref 2018/0344/P, was refused by notice dated 15 March 2018.
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Appeal E Ref: APP/X5210/W/18/3211475

Pavement outside Adelaide Road corner Finchley Road, London, NW8 6NN

- The application Ref 2018/0345/P, was refused by notice dated 16 March 2018.
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Appeal F Ref: APP/X5210/W/18/3211476

Pavement outside 17-24 Dobson Close, London NW6 4RS

- The application Ref 2018/0348/P, was refused by notice dated 16 March 2018.
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Appeal G Ref: APP/X5210/W/18/3211455

Pavement outside 27-28 Chalk Farm Road, London NW1 8AG

- The application Ref 2018/0342/P, was refused by notice dated 15 March 2018.
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Appeal H Ref: APP/X5210/W/18/3211504

Pavement outside 241 Camden High Street, London NW1 7BU

- The application Ref 2018/0341/P, was refused by notice dated 15 March 2018.
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Appeal I Ref: APP/X5210/W/18/3211472

Pavement outside 42 Highgate Road, London NW5 1NT

- The application Ref 2018/0339/P, was refused by notice dated 16 March 2018.
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Appeal J Ref: APP/X5210/W/18/3211469

Pavement outside 19 Highgate Road, London NW5 1LB

- The application Ref 2018/0338/P, was refused by notice dated 16 March 2018.
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Appeal K Ref: APP/X5210/W/18/3211452

Pavement outside 53-57 Highgate Road, London NW5 1TL

- The application Ref 2018/0337/P, was refused by noticed dated 15 March 2018.
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Decisions

1. All the appeals are dismissed.

Procedural Matters

2. In the application form associated with each appeal the proposal is described as a call box. However, in all other correspondence, including the Council's decisions and appellant's submissions, the units are referred to as kiosks. For the sake of clarity, I will use the term kiosk in this decision.
3. As set out above, this decision relates to 11 appeals. Although the appeal proposals relate to different sites, the design of the kiosk is the same for each appeal, and the proposals are so closely related in all other respects that, to avoid duplication, I have dealt with the appeals together in one decision.
4. The site addresses have been taken from the Council's decision notices, as these more accurately describe the location of the proposed kiosks.

5. During the course of these appeals there has been a judgement¹ concerning prior approval for telephone kiosk development. The main parties were given the opportunity to provide comments on the relevance of this judgement to their respective cases. I have taken into account any comments received.
6. I note that a non-illuminated poster advert could be displayed on the glazed surface of the kiosk, and indeed see that an advert is displayed on one of the existing kiosks as illustrated in the appellant's submissions. However, having carefully considered the evidence including the proposed design, in terms of the structure, features and materials, I am satisfied that they do not constitute a dual purpose. They are solely for the purpose of the operator's electronic communications network and would fall within the permitted development rights regime. In all these appeals only the siting of the kiosks is being considered and the appellant is not seeking advertisement consent for any of the proposals.
7. The provisions of the GPDO, under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(3) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of the appeals has been made on the same basis.
8. On 24 July 2018, after the Council determined the applications, the revised National Planning Policy Framework (the Framework) was published. The Government published an amended version on 19 February 2019. Part 16, Class A of the 2015 GPDO does not require regard to be had to the Framework, however its policies are capable of being a material consideration. Its policies in relation to telecommunications have not been significantly altered such as to prejudice the case of either party by taking it into account.
9. The Council refers to development plan policies in its refusal reasons. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. I have had regard to the policies of the development plan only in so far as they are a material consideration relevant to matters of siting and appearance.
10. The Framework supports high quality communications infrastructure and requires that local planning authorities must determine applications on planning grounds only. In accordance with the provisions of the GPDO, and subject to any relevant exception, limitation or condition specified therein, development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network is permitted development. Therefore, matters such as the need for the development are not at issue in these appeals.
11. In common with all of the appeals the Council is concerned about the accessibility of the kiosk design for users in a wheelchair. I am however not satisfied that this matter relates to either the siting or appearance of the kiosks, and therefore it would not be appropriate for me to consider this matter further.

¹ Westminster CC v SSHCLG & New World Payphones Ltd [2019] EWHC 176 (Admin)

12. The appellants refer to an appeal decision² where the Inspector did not consider the potential for anti-social behaviour to be relevant to a kiosk proposal. The decision does not set out how the Inspector reached this conclusion. I am satisfied that such matters are very much related to the siting of a kiosk and am therefore satisfied that I should take this into account.

Main Issues

13. The main issues are:

- 1) In all cases, the effect of the siting and appearance of the proposed kiosks on the character and appearance of the area, taking into account the setting of listed buildings and conservation areas where applicable, and the pedestrian environment, and
- 2) In the case of appeals A, B, F and I, the effect of the siting of the kiosk on the safe and efficient operation of the highway.

Reasons

14. Information submitted shows that the kiosks would have a footprint that is roughly square, measuring 1125mm by 1325mm. The kiosks would be 2600mm high. The rear face of the kiosks would be the wider dimension and would be fully enclosed, with a telephone unit on the inside face and a toughened glass face to the outside. The front face would be open without a door, and the side walls would only occupy approximately half of the length of each side. The structure would have an unpainted steel frame, with steel casings and polycarbonate and glass panels. The form would be plain, simple and functional, without any proposed colouring, lettering or illumination.
15. It is noted that the appellant's intention is to provide a new network of telephone kiosks which would have a uniformity of design. However, this is undermined by evidence submitted which suggests that the design has been superseded since the applications were submitted. Furthermore, at my visit to 50-60 Blackfriars Road, to view the example of an existing kiosk that the appellant has already installed, as referred to in the appellant's submissions, I found that the kiosk had been removed in its entirety.

Appeal A - Pavement outside 55 Fortune Green Road

16. This proposal relates to a wide area of pavement outside a row of shops and other businesses, in a busy mixed-use area. The kiosk would sit on the outer part of the pavement, alongside an existing cycle rack and lamp post and close to a small street tree. In terms of the appearance of the unit it would stand adjacent to an existing slim street furniture zone, made up of two modest elements. Alongside these, owing to the height and width of the structure, the kiosk would be visually dominant and intrusive, and would detract from the contribution the street tree makes to the character of this part of the streetscene.
17. Owing to the low canopy of the existing tree, pedestrians are already forced to move towards the outer or inner parts of the pavement. The kiosk would

² APP/X5990/A/12/2187244

further restrict this space, which would have an adverse impact on pedestrian desire lines and the usable pavement width.

18. The kiosk would be sited close to an existing vehicle access. This would reduce visibility for drivers emerging from this access in a northerly direction.
19. The Council refer to the effect of this kiosk on the setting of the nearby West End Green Conservation Area. This area is however sufficiently distant to the south of the site that its setting would not be adversely affected. Furthermore, I am not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.
20. Although I have found that the proposed kiosk would not harm the setting of the conservation area or increase opportunities for crime or anti-social behaviour, these matters are not sufficient to outweigh the harm I have found in relation to the character and appearance of the area, the pedestrian environment and the safe and efficient operation of the highway. Accordingly, appeal A should be dismissed.

Appeal B - Pavement outside 511 Finchley Road

21. The site is in a busy and densely populated mixed-use area, with a row of shops immediately adjacent to the site. This kiosk would be sited on an area of pavement that is wide in terms of the distance between the front of the buildings and the outer edge of the pavement but is significantly restricted by a row of concrete bollards fronting the buildings, which push pedestrians towards the outer part of the pavement.
22. The kiosk would stand between a mature street tree, road sign and traditional letter box and would be very close to the West End Green Conservation Area. The mature street trees and traditional items of street furniture such as the post box contribute positively to the setting of this designated area. Owing to the height and width of the structure and its modern design and appearance, the kiosk would be visually dominant and intrusive, and would detract from the contribution the street tree and letter box make to the character of the area and setting of the adjacent conservation area.
23. Owing to the width of the kiosk, the width of pavement would be significantly reduced. The kiosk would be wider than the existing tree and other items of street furniture, thereby restricting pedestrian flow in a busy area close to a junction.
24. The existing street tree already restricts visibility for vehicles emerging from the junction onto Finchley Road, and I note that the junction is traffic light controlled. On this basis I am satisfied that the kiosk would not harm the safe and efficient operation of the highway. Furthermore, I am not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.
25. Although I have found that the proposed kiosk would not harm highway safety or increase opportunities for crime or anti-social behaviour, these matters are not sufficient to outweigh the harm I have found in relation to the character and appearance of the area and the setting of the adjacent conservation area, and the pedestrian environment. Accordingly, appeal B should be dismissed.

Appeal C - Pavement outside 255 Finchley Road

26. This site is located in a very busy commercial area, adjacent to the entrance of a large entertainment complex housing restaurants, shops and a cinema. The kiosk would stand between a row of cycle racks and an existing double phone kiosk. Beyond the existing double kiosk is a bus stop. The street furniture here is well contained in a zone alongside the pavement edge. However, the addition of the kiosk would add a bulky piece of street furniture to an area that already has a number of large items. Although I cannot take into account the need for the kiosk within the narrow considerations of siting and appearance, the kiosk would look poor sited alongside the existing double kiosk especially as its appearance would be wholly different even though its function would be the same. As such the proposed kiosk would harm the character and appearance of the area.
27. The kiosk would be considerably wider than the existing double kiosk and cycle racks that it would sit between. This would have some impact on the flow of pedestrians in this busy area, and would reduce the amount of clear space available for people to gather adjacent to the entrance of the busy entertainment complex, this harming the pedestrian environment.
28. I am however not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.
29. Although I have found that the proposed kiosk would not increase opportunities for crime or anti-social behaviour, this matter is not sufficient to outweigh the harm I have found in relation to the character and appearance of the area and the pedestrian environment. Accordingly, appeal C should be dismissed.

Appeal D - Pavement outside Swiss Cottage Library

30. This site is located alongside the long elevation of the grade two listed Swiss Cottage library. It has strikingly simple elevations, which are dominated by projecting vertical concrete fins. The public realm alongside the building in the context of the appeal site is set out in an appropriately simple way, with a low wall and yew hedge immediately against the building, fronted by a wide section of pavement that is bound by a row of street trees at its outer edge. A bus shelter stands in this area alongside the library, but there are no other items of bulky street furniture. This simple but ordered arrangement of the space alongside the listed building contributes to its setting as it relates well to its character. The addition of the kiosk to this area, owing to its bulky form and lack of design finesse, would have a harmful effect on the character and appearance of the area and setting of the adjacent listed building.
31. The pavement is wide at the point where the kiosk would be sited, and the kiosk would be set further out towards the pavement edge than the nearby bus shelter. I am satisfied therefore that the siting of the kiosk would not cause harm to the pedestrian environment. Furthermore, I am not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.
32. Although I have found that the proposed kiosk would not harm the pedestrian environment or increase opportunities for crime or anti-social behaviour, these matters are not sufficient to outweigh the harm I have found in relation to the

proposal's impact on the character and appearance of the area and setting of the listed building. Accordingly, appeal D should be dismissed.

Appeal E - Pavement outside Adelaide Road corner Finchley Road

33. This site is on the corner of two roads. The boundary wall of the adjacent property is canted to face the centre of the junction, whereas the outer edge of the pavement is curved, which results in a pavement that is wide at the centre and narrow to either end where it connects to the adjacent roads. The stretch of pavement is occupied by small items of street furniture, with a width that could accommodate a significant flow of pedestrian traffic associated with the adjacent road crossing.
34. The kiosk would be sited on the inside of the pavement. Details of the orientation of the kiosk have not been provided with any of the appeals. If the back of the kiosk were positioned against the boundary wall and hedge the structure would not be overly prominent, however this would be unlikely as it would mean that the appellant would be unable to make use of the glazed rear surface for the display of an advert. The kiosk would look cumbersome and bulky positioned side on, in an area that is not characterised by any large items of street furniture. I consider this to be harmful to the character and appearance of the area.
35. Owing to the corner location, pedestrians are likely to walk against the inside of the pavement as this is the quickest route. The kiosk would create a significant physical obstruction to this desire line, harming the pedestrian environment.
36. The Council also refer to the effect of the proposal on the setting of the nearby grade two listed building, Regency Lodge. This building has a substantial scale and occupies a large footprint on the opposite side of the road. As the kiosk would have a very modest scale in comparison, and would be set on the other side of the road away from the listed building, I am satisfied that it would not cause harm to the setting of this listed building. Furthermore, I am not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.
37. Although I have found that the proposed kiosk would not harm the setting of the listed building or increase opportunities for crime or anti-social behaviour, these matters are not sufficient to outweigh the harm I have found in relation to the character and appearance of the area and the pedestrian environment. Accordingly, Appeal E should be dismissed.

Appeal F - Finchley Road opposite cinema

38. This site is located alongside a wide and busy road, with a large cinema and other commercial buildings opposite. The pavement in the vicinity of the site is of a generous width and street furniture is limited to signage and lighting columns. Further north on the same side of the road is a bus shelter and other bulky items of street furniture, positioned close together. The proposed kiosk would be in an isolated position set away from these existing structures in an area where no bulky items of street furniture are located. The siting of the kiosk in such a location, taking into account its width and height, would harm the character and appearance of the area.

39. In terms of highway safety, the kiosk would be sited close to an access road to the north where, owing to the slight curve in the road it would significantly reduce visibility for drivers emerging from the access onto Finchley Road. The proposal would therefore harm highway safety.
40. I am however not of the view that the reduction in footway width would be harmful here, given the generous width of the pavement and location of the kiosk away from pedestrian desire lines. Furthermore, I am not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.
41. Although I have found that the proposed kiosk would not harm the pedestrian environment or increase opportunities for crime or anti-social behaviour, these matters are not sufficient to outweigh the harm I have found in relation to the character and appearance of the area and highway safety. Accordingly, Appeal F should be dismissed.

Appeal G - Pavement outside 27-28 Chalk Farm Road

42. This site is located in a busy and vibrant area, dominated by a high volume of vehicle movements including buses, and pedestrian movements associated with the adjacent businesses and a principal entrance to Camden Market opposite. The pavement in the area of the site is a generous width, and is only occupied by a narrow street furniture zone towards the outer edge of the pavement, primarily made up of a row of street trees. There are no bulky items of street furniture in the vicinity of the proposed kiosk location. The redundant bus shelter referred to in the submitted evidence has been removed. This simple and uncluttered arrangement contributes to the setting of the traditional Camden Market buildings, which are grade two and grade two star listed, and the setting of the Regent's Canal Conservation Area, the boundary of which is on the opposite side of the road.
43. The introduction of the kiosk into this area, taking into account its bulky scale and basic modern design, would have an adverse impact on the simple character and appearance of the street, and the setting of the adjacent listed building and conservation area.
44. The current lack of bulky items of street furniture helps to accommodate a significant flow of pedestrian traffic at busy times. Whilst a sufficient width of pavement would still be retained for pedestrians walking along the length of Chalk Farm Road, the introduction of the kiosk into this location would significantly disrupt pedestrian desire lines associated with the busy entrance of Camden Market on the opposite side of the road. This would be further exacerbated by the presence of the existing street trees to either side of the kiosk, which in combination with the proposed kiosk would restrict pedestrian flow.
45. I am however not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.
46. Although I have found that the proposed kiosk would not increase opportunities for crime or anti-social behaviour, this matter is not sufficient to outweigh the harm I have found in relation to the character and appearance of the area, the

setting of the adjacent heritage assets and the pedestrian environment. Accordingly, Appeal G should be dismissed.

47. I note that a previous kiosk proposal at this site was allowed at appeal³. The Inspector who determined this appeal did not find the kiosk to be harmful to the setting of the adjacent listed building or conservation area, or to the pedestrian environment. I do not have full details of this previous scheme before me to be sure that the site is exactly the same and am not able to make a comparison between the designs of the kiosks to the extent that it would lead me to come to a similar conclusion as the previous Inspector. Furthermore, I saw that there are no intervening trees between the kiosk and the adjacent heritage assets sufficient to screen views, and found that the siting of the kiosk would have an adverse effect on pedestrian movements across the road associated with the Market. I am therefore satisfied that it is reasonable for me to come to an alternative view to that of the previous Inspector.

H - Pavement outside 241 Camden High Street

48. This site is located in a vibrant and busy shopping area, immediately adjacent to a row of heavily decorated buildings. The pavement in this area is not particularly wide given the level of activity. There are no bulky items of street furniture in the vicinity of the appeal site, although by comparing photos taken by the appellant with what I saw when I visited the site I note that a series of modest square timber boxes have been sited towards the outer edge of the pavement to serve as benches. These suit the character of the area, and are small so do little to impede pedestrian flow.
49. In contrast the siting of the bulky kiosk with its basic modern design would look poor in this context. Furthermore, it would be very close to, if not in the same location as one of the recently sited benches. On the basis that it would still be possible to site the kiosk next to the newly positioned bench, siting the two items so close together would look unplanned and awkward, and the two structures would not be well related owing to their very different materials.
50. The wide form of the kiosk would restrict pedestrian flow. Its siting would have an impact on the functionality of the adjacent delivery bay and access to adjacent shops for deliveries.
51. In terms of crime and anti-social behaviour, I note from the photos provided by the appellant that the shops are secured when closed with solid metal shutters. At my visit one of the shops close to the appeal site was still secured in this way and the shutter face had been heavily vandalised with graffiti. I am therefore of the view that the siting of a large item of street furniture could give rise to further criminal or anti-social behaviour.
52. The Council refer to the effect of the proposed kiosk on the setting of the adjacent Camden Town Conservation Area. This is set away from the site to the south, with intervening items of small street furniture and street trees opposite that would ensure that the setting of this designated area would not be harmed.
53. Although I have found that the proposed kiosk would not harm the setting of the adjacent listed building, this matter is not sufficient to outweigh the harm I

³ APP/X5210/W/17/3202786

have found in relation to the character and appearance of the area, the pedestrian environment, the functional operation of adjacent businesses and the matters of crime and anti-social behaviour. Accordingly, appeal H should be dismissed.

Appeal I - Pavement outside 42 Highgate Road

54. This site is located close to a road junction in an area that is primarily residential in character. Whilst there are some bulky recycling bins nearby these are grouped together against a mature tree, which is the dominant feature. The proposed kiosk would stand in an isolated position, on a reasonably wide stretch of pavement in an area that opens out to a junction. In such a position the kiosk would be obtrusive and therefore harmful to the character and appearance of the area.
55. I am not satisfied that it would harm the pedestrian environment as the pavement is wide and it is set back far enough from the adjacent pedestrian crossing that desire lines would not be restricted. However, its position so close to the junction would restrict visibility southeast for drivers emerging from Burghley Road. The siting of the kiosk would therefore harm highway safety.
56. In terms of crime and anti-social behaviour, I note the comments submitted relating to the proximity of the kiosk to the adjacent flats. These flats have front facing balcony areas at road level. The use of the kiosk in such close proximity to these balcony areas, including persons using the structure for shelter or purposes other than making a telephone call, could give rise to behaviour that is anti-social.
57. Although I have found that the proposed kiosk would not harm the pedestrian environment, this matter is not sufficient to outweigh the harm I have found in relation to the character and appearance of the area, highway safety and matters of crime and anti-social behaviour. Accordingly, appeal I should be dismissed.

Appeal J - Pavement outside 19 Highgate Road

58. This site is opposite the site of appeal I. The kiosk would be located in an existing street furniture zone and would therefore not be isolated. Although the street furniture zone includes large and small items of street furniture, they are appropriately spaced to the effect that the area does not look cluttered. The proposed kiosk would be close to an existing telephone kiosk. As well as being of quite a different design to the existing kiosk it would be considerably wider and would therefore look cumbersome against the smaller and more traditional proportions of the existing kiosk, and would result in a cluttered arrangement of street furniture that would harm the character and appearance of the area.
59. Although wider than the existing kiosk I am satisfied that the proposed kiosk would not harm the pedestrian environment as the section of pavement is not overly busy and the siting of the kiosk would not harm pedestrian desire lines.
60. The kiosk would be close to the southern end of the Dartmouth Park Conservation Area, but not so close that it would harm its setting, taking into account existing street furniture in the area and the character of the buildings immediately related to the site, which do not contribute positively to the setting of the designated area. The site is not far from the grade two listed Christ

Apostolic Church, however its setting would not be harmed by the siting of the kiosk owing to the intervening modern brick building. Furthermore, I am not convinced that the proposed kiosk would increase opportunities for crime or anti-social behaviour.

61. Although I have found that the proposed kiosk would not harm the pedestrian environment, the setting of the nearby heritage assets, and would not increase opportunities for crime or anti-social behaviour, these matters are not sufficient to outweigh the harm I have found in relation to the character and appearance of the area. Accordingly, appeal J should be dismissed.

Appeal K - Pavement outside 53-57 Highgate Road

62. This site is located in a relatively quiet urban area in the context of buildings without active ground floor frontages, although the kiosk would be sited directly outside a recessed doorway serving an existing building. The kiosk would be located in the region of existing street furniture, but would not be so closely spaced that the area would appear cluttered. However, it would be finished in unpainted steel, which would not assimilate well with the black finishes of existing street furniture, and it would not be sited near to any existing bulky items, so would have a moderately adverse impact on the character and appearance of the area.
63. Although wider than other items of furniture I am satisfied that the kiosk would not harm the movement of pedestrians along the pavement or restrict pedestrian desire lines. I am therefore satisfied that the pedestrian environment would not be harmed.
64. The kiosk would be sited well away from the Dartmouth Park Conservation Area, and the listed buildings that the Council refer to are not near to this site. I am therefore satisfied that the siting of the kiosk would not harm the setting of these heritage assets.
65. In terms of crime and anti-social behaviour, the kiosk would be sited outside an existing recessed building entrance. This entrance does not appear to be in regular use and therefore the siting of the kiosk in such close proximity is unlikely to harm its function, however it would restrict views of the recessed area. As such, in combination with its apparent lack of use, it would be likely that this area is attractive for persons to find shelter and owing to the siting of the proposed kiosk would be more restricted to natural surveillance, which would increase opportunities for crime and anti-social behaviour.
66. Although I have found that the proposed kiosk would not harm the setting of the heritage assets referred to or the pedestrian environment, these matters are not sufficient to outweigh the harm I have found in relation to the character and appearance of the area and matters of crime and anti-social behaviour.

Other Matter

67. In support of the proposals the appellant refers to compliance with the pedestrian comfort guidance produced by Transport for London. I have taken this into account alongside my considerations of the individual merits and site specific circumstances of each proposal as set out above, and found that the appeal proposals A, B, C, E, G and H would cause harm to the pedestrian environment.

Conclusions

68. For the above reasons, within the provisions of the GPDO, I conclude that appeals A – K should be dismissed.

Andrew Tucker

INSPECTOR