



Appeal Decision

Site visit made on 26 May 2023

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2023.

Appeal A Ref: APP/L5240/W/22/3307338

Traffic Island Central Reservation, George Street, Croydon CR0 1LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Martin Stephens of JC Decaux UK Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/02773/FUL, dated 30 June 2022, was refused by notice dated 25 August 2022.
 - The development proposed is the installation of a multifunction Hub unit featuring an integral advertisement display and defibrillator.
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Appeal B Ref: APP/L5240/H/22/3307339

Traffic Island Central Reservation, George Street, Croydon CR0 1LB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Martin Stephens of JC Decaux UK Limited against the decision of the Council of the London Borough of Croydon.
 - The application Ref 22/02774/ADV, dated 30 June 2022, was refused by notice dated 25 August 2022.
 - The development proposed is the installation of a multifunction Hub unit featuring an integral advertisement display and defibrillator.
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Decisions

1. Appeal A is allowed and planning permission is granted for the installation of a multifunction Hub unit featuring an integral advertisement display and defibrillator at the Traffic Island Central Reservation, George Street, Croydon CR0 1LB in accordance with the terms of the application, 22/02773/FUL, dated 30 June 2022, subject to the conditions set out in Schedule 1.
2. Appeal B is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in Schedule 2.

Procedural Matters

3. The appeals relate to the same site and the same proposed development, namely a hub unit upon which, amongst other things, an advertisement would be displayed. To avoid repetition, I have dealt with the 2 appeals in a single decision letter.

4. In relation to Appeal B, the Council's reason for refusal refers to the National Planning Policy Framework (the Framework) and to development plan policies. However, the Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken the Framework and development plan policies into account, they have not been a decisive consideration in my determination of that appeal.

Main Issues

5. The main issue in respect of Appeal A is the effect of the proposed development on the character and appearance of the public realm and the surrounding area. The main issue in respect of Appeal B is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

6. The junction between George Street, Wellesley Road and Park Road forms part of a Strategic Road Network and includes an underpass, tram routes and bus stops. The wide busy junction is surrounded by commercial buildings, some of which are substantial, and the area therefore has a notably urban character and appearance.
7. The proposal would comprise the installation of a multifunction Hub unit with an integral advertisement display and defibrillator to one side of the pedestrian island in the middle of Wellesley Road. The Hub would be a largely metal structure and would be sited so that its long sides would face towards pedestrians crossing Wellesley Road from George Street in an easterly or westerly direction.
8. In this wide, heavily trafficked area dominated by large commercial buildings the proposal would be a relatively insignificant addition to this particularly urban city scape. For this reason, I am satisfied that Appeal A would have an acceptable effect on the character and appearance of the public realm and the surrounding area and Appeal B would not result in unacceptable harm to visual amenity. Appeal A therefore accords with Policy SP4 of the Croydon Local Plan (2018) and Policies D3 and D8 of the London Plan (2021). Amongst other matters these policies seek to ensure that development is well-designed and respects the scale, massing and built features of its surroundings. There is also compliance with the aims of the Croydon Public Realm Design Guide (2019).

Conditions

9. I have considered the conditions suggested by the Council and the appellant having regard to the National Planning Policy Framework and Planning Practice Guidance. For the avoidance of doubt and in the interests of proper planning, a condition requiring the development to be carried out in accordance with the approved drawings and information submitted is imposed in addition to the standard commencement condition. To ensure the development is constructed to an acceptable standard, details of proposed materials, require approval.
10. In the interests of safety and to protect the visual amenities it is necessary for the Hub to be adequately managed. A management plan has been provided but it is not clear that this sets adequately firm objectives. I have therefore imposed a condition requiring the submission and approval of a management plan.

11. In addition to the five standard conditions set out in the Regulations, I consider it necessary in the interests of highway safety and visual amenity to impose extra planning conditions in respect of the illuminance levels and moving and changing display images.

Conclusion

12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeals A and B should succeed.

S Poole

INSPECTOR

Schedule of Conditions 1 - Appeal A

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The development shall be carried out entirely in accordance with the following approved drawings and supporting documents submitted with the application and received by the Local Planning Authority on 30 June 2022: Site Plan and Images, document no. A01951; Hub Distribution; Hub Unit Detail; Pavement Reinstatement.
3. Prior to the commencement of above ground works, full details of the external facing materials, including samples of all facing materials and finishes, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details thus approved.
4. The development hereby approved shall be maintained in accordance with the JC Decaux Communication Hub Unit Management Plan and must include the ongoing use of an algorithm to identify repeated anti-social number use, with a review after the first three months of installation.

Schedule of Conditions 2 - Appeal B

1. The intensity of the illuminance of the advertisement shall be no greater than 600Cdm² during hours of darkness.
2. The minimum display time for each advertisement shall be 10 seconds. There shall be no special effects that include noise, smell, flashing, or smoke. Full motion video is not permitted.
3. The interval between successive displays shall be instantaneous and the complete display screen shall change without visual effects (including fading, swiping or other animated transition methods) between each advertisement.