



Appeal Decisions

Site visit made on 26 October 2023

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2023

Appeal A Ref: APP/W5780/W/23/3318436

Pavement opposite 69 George Lane, South Woodford, London, E18 1JJ

- 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 JCDECAUX UK Ltd against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3958/22, dated 8 December 2022, was refused by notice dated 9 February 2023.
 - The development proposed is described as the installation of a multifunctional communication hub including defibrillator and advertisement display.
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Appeal B Ref: APP/W5780/H/23/3318437

Pavement opposite 69 George Lane, South Woodford, London, E18 1JJ

- 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 JCDECAUX UK Limited against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3960/22, dated 8 December 2022, was refused by notice dated 9 February 2023.
 - The development proposed is described as the installation of a multifunctional communication hub including defibrillator and advertisement display.
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Decision

1. Appeal A and Appeal B are dismissed.

Procedural Matter

2. There are two appeals relating to the site, one against a refusal of planning permission and the other against a refusal of advertisement consent. They are intrinsically linked as one concerns a hub unit upon which, amongst other things, an advertisement would be displayed, and both raise similar issues. To avoid repetition, while considering each on its own merits, I have dealt with both in a single decision letter.
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Main Issues

3. The main issue in respect of Appeal A is the effect of the proposed development on highway safety along George Lane with particular regard to pedestrian movement.
4. The main issue in respect of Appeal B is the effect of the proposed advertisement on the character, appearance and amenity of the area.

Reasons

5. The appeal site is located on the northern side of that part of George Lane which lies to the east of the Central Line railway. It is around 50 metres from South Woodford Station. The western end of George Lane is a short but busy commercial street with a mix of retail and business premises. No 69 is currently a vacant shop unit with a forecourt. There is a dry cleaners and café to the east of the site and a beauty salon and convenience store to the west. The road is one way from east to west and there is meter parking on both sides of the road in the vicinity of the appeal site.
6. The prevailing character and appearance of the immediate surroundings on both sides of the road is one of two- and three-storey buildings, most having modern shop fronts with one or two storeys above. The proposed hub would be sited on the pavement between the forecourt of No 69 and the road. It would comprise a unit with a height of approximately 2.6 metres, a width of 1.3 metres, and with a side profile (including a canopy) measuring 0.9 metres. The communication element of the unit includes the projecting canopy and an integral defibrillator. The hub would be grey in colour and would include a number of sustainable design and operational features.
7. Policy T2 of the London Plan indicates that development proposals should be permeable by foot and cycle to connect to local walking and cycle networks as well as public transport.
8. Policy LP22 of the Council's Local Plan (LP) indicates that development should support the delivery of a more sustainable and efficient transport network that encourages sustainable forms of transport. Policy LP26 of the LP indicates that, amongst other things, the Council will promote high quality design in the Borough by requiring that development respects the local character of the area, makes a positive urban design contribution to its context and location, and has regard to and respect for the surrounding area, in terms of form, scale, materials, and design. Policy LP28 of the LP indicates that advertisements should respect the character and amenity of the surrounding area. In addition, the scale, colour, materials, illumination and siting of an advertisement should be appropriate to their location. Finally, the Council will resist advertisements that impede the visibility or distract the attention of pedestrians at any point where special care is needed.
9. In respect of Appeal A, I note that the area of pavement in the immediate vicinity of the proposed hub is narrow but contains few elements of street furniture. The hub would appear as a somewhat prominent feature in its context, but I find that the design of the hub would not, in itself, conflict significantly with the appearance of the nearby modern shop fronts.

10. The proposed hub would be sited on the pavement close to the kerb. Whilst there is a wide area of forecourt between the pavement and the shop front, which is not currently occupied by any street furniture, I note that many of the other forecourts along this section of the road include café seating, A-boards and other advertisements, and planting areas. In addition, some forecourts are restricted by way of the use of bollards to create semi-private areas. In this respect the relative openness of the forecourt adjacent to the appeal site is somewhat uncharacteristic and could not, in any case, be guaranteed to remain open for unrestricted pedestrian use. The hub would, on this basis, represent a significant obstruction, particularly at times of high pedestrian flows, given its proximity to the station and that it would extend effectively across the whole of the guaranteed usable pavement width.
11. The hub would be sited very close to the kerb and there are metered parking bays along the road, along with a bus stop nearby on the opposite side. The road is relatively narrow at this point and most car-users would be safer getting into and out of their cars on the pavement side whenever possible. However, the proximity of the hub could restrict such movement from the parking bay immediately adjacent.
12. With regard to Appeal A, therefore, I find that the proposed hub would not conflict in design and appearance terms with the general character of this part of George Lane. However, it would add a degree of clutter to an area with a wide range of elements currently occupying the forecourts. In the light of this, it would not make a positive urban design contribution to its context and location, and its siting would not be appropriate to its location. In addition, it would effectively block the narrow pavement for pedestrians and potentially hinder safe exit from and entry into vehicles parked by users on the adjacent parking bay in the road. On this basis, it would conflict with Policy T2 of the London Plan and with Policies LP22, LP26 and LP28 of the LP.
13. In reference to the main issue in respect of Appeal B, the proposed large, illuminated advertisement would be prominent in its location on the narrow pavement and would add to the general visual clutter on the forecourts along this section of the road, which is heavily used at certain times of the day. It would, therefore, be harmful to the appearance and visual amenity of the area and, as such, would be contrary to Policies LP26 and LP28 of the LP. This conclusion is supported by the NPPF that states that the quality and character of places can suffer when advertisements are poorly sited.
14. Finally, I acknowledge that the proposed hub would provide some free services to the public, including a defibrillator. These services would provide a useful function to members of the public and as such are a benefit of this development. In addition, the appellants contend that the multifunction interactive screens could be used to promote Council initiatives, provide public information, to facilitate wayfinding, and contribute to the vitality and viability of the street. However, I am not persuaded that such services could not be provided in a less obtrusive way or location.

Conclusion

15. The NPPF notes the importance of high-quality communications infrastructure and that the planning system should support such development. However, I must balance this against the acceptability of the character and appearance of the proposal, and also against its impact on highway safety, and I have identified some harm in both those regards.
16. For the reasons given above and having considered local plan policies and all other material considerations, I conclude that Appeal A and Appeal B should be dismissed.

J D Westbrook

INSPECTOR