



Appeal Decisions

Site visit made on 27 October 2023

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2023

Appeal A Ref: APP/W5780/W/23/3318446

Pavement opposite 8 Clock Tower Parade, Wanstead, Redbridge E11 2AG

- 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 Limited against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3954/22, dated 8 December 2022, was refused by notice dated 3 March 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/W/23/3318450

Pavement opposite 8 Clock Tower Parade, Wanstead, Redbridge E11 2AG

- 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 3950/22, dated 8 December 2022, was refused by notice dated 3 March 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 is allowed and planning permission is granted for the installation of a multifunctional communication hub including defibrillator and advertisement display on the pavement outside of 8 Clock Tower Parade, Wanstead, Redbridge, E11 2AG, in accordance with the terms of application Ref 3954/22, dated 8 December 2022, subject to the conditions set out in the Schedule attached to this Decision.
2. Appeal B is allowed and express consent is granted for the installation of a multifunctional communication hub including an advertisement display on the pavement outside of 8 Clock Tower Parade, Wanstead, Redbridge, E11 2AG, in accordance with the terms of application Ref 3950/22, dated 8 December 2022.

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 the Schedule at the end of this decision letter.

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.

Main Issue

3. The main issue in respect of both Appeal A and Appeal B is the effect of the proposal on the character and appearance of the Wanstead Village Conservation Area (CA)

Reasons

Character and appearance – both appeals

5. The appeal site is located on the eastern side of High Street, a little more than 500 metres south-east of Snaresbrook Station. The eastern side of High Street is characterised by long parades of commercial premises with a mix of retail and other outlets. The pavement along this part of the road is wide and it would appear that each unit has a small forecourt between the shop fronts and the pavement itself. No 8 Clock Tower Parade is a fish and chip shop. To the north of No 8 are cafés and a fruit and vegetable shop, all of which have seating or selling space on the forecourt, with retractable canopies above.
6. The proposed hub would be sited in the middle of the pavement, and would be set in line with a range of items of existing street furniture further to both the north and south. It would comprise a unit with a height of some 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 LP26 of the LP indicates that the Council will require 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.
8. Policy HC1 of the London Plan indicates that development proposals affecting heritage assets and their settings should conserve their significance by being sympathetic to the asset's significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Policy

LP33 of the LP indicates that the Council will protect the Borough's heritage assets by resisting development that does not preserve or enhance the character of designated heritage assets unless the developer can demonstrate that the proposal achieves public benefit that outweighs any harm to the asset.

9. The prevailing character and appearance of the immediate surroundings is one of three-storey buildings with modern shop fronts and two storeys constructed of brick above. The Clock Tower Parade itself consists of 9 units with uniform and distinctive brickwork, windows and detailing above. To the south of Clock Tower Parade is a single, modern, three-storey unit containing a co-operative shop on the ground floor.
10. In respect of both appeals, I note that the area of pavement in the immediate vicinity of the proposed hub is wide and that the hub would be set in line with a row of flower beds/planters, benches, waste bins, an older style telephone kiosk, and a public notices board that are spread along the entire length of Clock Tower Parade and continue into the pavement outside of the co-operative shop to the south. In addition to the street furniture, this length of the pavement is characterised by a number of mature and semi-mature trees along the kerbside and also down the centre of the pavement.
11. Insofar that the shop fronts in the vicinity are modern and mixed in design, I find that the design of the hub would not, in itself, conflict with the appearance of the nearby modern shop fronts. Moreover, I do not consider that it would be harmful to the character or appearance of its immediate surroundings, particularly since views of the floors above the shops are significantly interrupted by the lines of trees along the pavement, while the canopies above the nearby shop units are themselves visual distractions at this point.
12. In this case, the hub would not be readily visible in the street scene when approaching from the north, by virtue of the tree cover along the pavement. It would be somewhat more visible when approaching from the south, but the trees on the pavement in front of the co-operative shop would provide some screening and, in any case, it would be seen against the backdrop of trees and street furniture beyond. On this basis, and given the lack of visual impact on the upper floors of Clock Tower Parade, I find that it would not be harmful to the appearance of the area around this section of High Street.
13. With regard to both appeals, therefore, I find that the proposed hub would not be in a prominent position along this part of High Street, and it would effectively not add clutter to the area by virtue of its limited visibility within the street scene at this point. In the light of this, it would respect the surrounding area, in terms of siting, form, scale, materials, and design. On this basis, it would preserve the character, appearance and visual amenity of the CA and would not conflict with Policy HC1 of the London Plan or with Policies LP26, LP28 and LP33 of the LP.
14. Paragraph 199 of the NPPF 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. The NPPF also notes the importance of high-quality communications infrastructure and that the planning

system should support such development, aiming to secure high quality and reliable digital infrastructure. I must balance this against any harmful impact of the proposal on the character and appearance of the area, and I have identified no harm in that regard.

15. In addition, 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. Moreover, 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. In the absence of harm to the CA, these services act as additional benefits of the scheme in this case.

Conclusion

16. The NPPF notes the importance of high-quality communications infrastructure and that the planning system should support such development. I must balance this against the acceptability of the character and appearance of the proposal, but in this case I find that the proposal would not result in harm to the character or appearance of the CA.
17. 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 allowed, subject to the conditions in the Schedule below.

J D Westbrook

INSPECTOR

Schedule of Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Application Form, Combined Plans, Proposed Plans, Photographs, Site/Block Plans and Supporting Documentation (including the details of external materials to be used in the construction of the hub and level of luminance).
3. The proposed hub must be managed in accordance with the agreed Unit Management Plan (V2 September 2022), and must include the ongoing use of a system to identify repeated anti-social number use, with a review of the first three months of installation between the Metropolitan Police and JCDecaux to assess any issues arising. Any necessary changes to the Unit Management Plan should be agreed in writing with the local planning authority and the Metropolitan Police Designing Out Crime Team, and should remain in place for the lifetime of the hub.

The advertisement consent is subject to the 5 standard conditions, as set out in the Regulations.