



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: 06 November 2023

Appeal A Ref: APP/W5780/W/23/3318451

Pavement outside 54A High Street, Wanstead, Redbridge, E11 2RJ

- 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 3956/22, 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/H/23/3318452

Pavement outside 54A High Street, Wanstead, Redbridge, E11 2RJ

- 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 3957/22, 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 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 both appeals is the effect of the proposal on the character and appearance of the Wanstead Village Conservation Area (CA).

Reasons

5. The appeal site is located on the western side of High Street, some 100 metres north of Wanstead Station. No 54A is a unit within a short modern parade of shops.. The pavement outside this parade is relatively narrow in the context of the main shopping areas along High Street but is generally free of clutter, other than a row of three small cycle racks close to the kerb. This part of the road has double yellow lines and there is no on-street parking in the vicinity.
6. The proposed hub would be sited to the front of the pavement, and would be set in line with the cycle racks and a row of kerbside trees that are spaced irregularly along the pavement at the southern end of the road. It would comprise a unit with a height of around 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 hub would be set away from the shop fronts, but unlike the small cycle racks, which are aligned inconspicuously along the kerb, it would be paced at a right angle to the kerb and would extend across part of the pavement. It would not cause any significant disruption to the movement of pedestrians but it would appear as a prominent and discordant feature within a section of pavement that otherwise appears as largely free from clutter and which has an open character.
10. The row of properties that contains No 54A is a short, modern parade of two-storey units of brick construction, with shops on the ground floor. The brick detail of the properties is distinctive and includes shop windows with arched

brick lintels, brick pillars between the units and small, projecting gable-fronted bay windows at first floor level. The dark, rectangular design of the hub would conflict with the architectural detail of the parade and its siting would be at odds with the otherwise open appearance of the shops and pavement along this section of road. Given the lack of on-street parking here, the parade in its entirety is highly visible and the hub would be harmful to the character and appearance of the surrounding area.

11. With regard to both appeals, therefore, I find that the proposed hub would be in a prominent position along this section of High Street and would add a degree of clutter to the area. 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. On this basis, it would be harmful to the character, appearance and visual amenity of the CA and would conflict with Policy HC1 of the London Plan and with Policies LP26, LP28 and LP33 of the LP.

Balance

17. 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, whilst Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification. In terms of the NPPF, the harm I have identified to the CA would be less than substantial. Paragraph 202 of the NPPF requires me to weigh this harm against the public benefits of the scheme.
18. The NPPF 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. However, I must balance this against the impact of the proposal on the character and appearance of the area, and I have identified harm in that regard.
12. 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, and that the benefits would not, in this case, outweigh the harm identified.

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